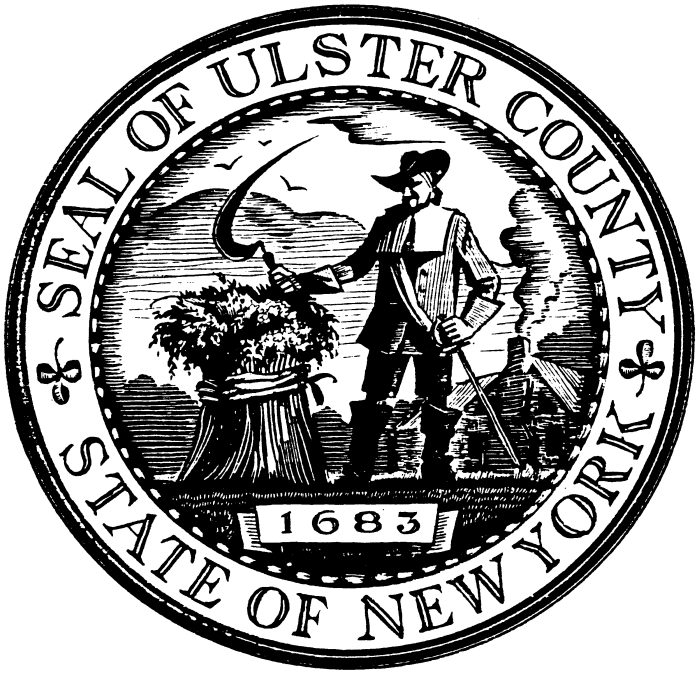
2018
Ulster County
Informational Directory



Local Laws
Standing Committees
Rules of Order

Kenneth J. Ronk, Jr., Chairman
Ulster County Legislature

Forward

The information in this Informational Directory has been carefully compiled from the original documents

Copies of the original documents may and should be obtained from:

The Office of the
Clerk of the Ulster County Legislature
Box 1800
Kingston, New York 12402

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LOCAL LAW NUMBER 1 OF 1962

A LOCAL LAW TO AUTHORIZE THE TOWN OF ROCHESTER, ULSTER COUNTY, TO PAY CERTAIN CLAIMS TO PROVIDE FOR THE PAYMENT THEREOF AND LEGALIZING SUCH

BE IT ENACTED by the Board of Supervisors of the County of Ulster as follows:

SECTION 1. The Town of Rochester has filed a petition requesting enactment of legislation authorizing the payment of certain claims against said Town arising during the years 1955, 1956, and 1957, amounting to $7,250.38 which were in excess of the appropriations for said year.

SECTION 2. The above petition shows that the Town Board held a public hearing on the question of payment of said bills on the 23rd day of February, 1962, after duly advertising said public hearing in the Ellenville Press and that the Town Board authorizes the Supervisor to execute and submit the petition requesting that the County Board of Supervisors enact a Local Law for payment of claims against the Town Highway Department of the Town of Rochester for the years: 1955, 1956 and 1957.

SECTION 3. That during the years 1955, 1956 and 1957, the Town Superintendent of Highways of the Town of Rochester, purchased certain motor vehicle supplies, services and road materials from the various persons, corporations and firms set forth in Section 4. below.

SECTION 4. That the Town Board has negotiated a proposed adjustment of said claims so that the amount which will be accepted as full payment thereof is as follows:

CLAIMANTS	ORIGINAL CLAIM	ADJUSTED CLAIM
The Landsdell Co.	$3,315.50	$2,486.61
Harry Bareika	$1,091.14	$ 818.36
Westchester Asphalt Distr. Corp.	$1,273.00	$ 954.75
Otsego Iron & Metal Corporation	$ 988.38	$ 741.29
Atlantic & Hudson Steel Co.	$ 582.36	$ 436.77
TOTAL	$7,250.38	$5,437.79

SECTION 5. That the incurring of the indebtedness is not the result of fraud and that no substantial hardship shall result from the payment of said claims or from the determination by this board legalizing and validating the same.

LOCAL LAW NUMBER 1 OF 1962

A LOCAL LAW TO AUTHORIZE THE TOWN OF ROCHESTER, ULSTER COUNTY, TO PAY CERTAIN CLAIMS TO PROVIDE FOR THE PAYMENT THEREOF AND LEGALIZING SUCH.

SECTION 6. Pursuant to the authority of County Law, Section 227, such claims against the Town of Rochester for materials and supplies furnished to the town for motor vehicles, supplies, services, and road materials during the years 1955, 1956 and 1957, are hereby legalized and confirmed, and the town is authorized to pay the adjusted claims.

SECTION 7. This act shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1963

A LOCAL LAW TO PROVIDE FOR THE CONTINUITY OF GOVERNMENT OF THE COUNTY OF ULSTER, NEW YORK, IN THE EVENT OF AN ATTACK OR PUBLIC DISASTER.

BE IT ENACTED by the Board of Supervisors of the County of Ulster, New York as follows:

SECTION 1. INTENT. The New York State Defense Emergency Act, in Section twenty-nine-A thereof authorizes political subdivisions of the state to provide for the continuity of their governments in the event of an actual or imminent attack upon the United States by an enemy or foreign nation. The general municipal law, in section sixty thereof, authorizes political subdivisions to provide for the continuity of their governments in the event of other public disasters, catastrophes or emergencies. Based on the authority contained in such laws this local law is adopted so that on such occasions the government of the County of Ulster, New York, may continue to function properly and efficiently under emergency circumstances.

SECTION 2. DEFINITIONS. As used in this local law the following terms shall mean and include:

(A) "ATTACK." Any attack, actual or imminent, or series of attacks by an enemy or foreign nation upon the United States, causing or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shell fire, or nuclear, radiological, chemical, bacteriological means or other weapons or processes.

(B) "PUBLIC DISASTER." A disaster, catastrophe or emergency, actual or imminent, of such unusual proportions or extent that (1) a substantial number of the residents of the County of Ulster sustain injury, become ill, are infected with disease, have their lives imperiled, are killed or die as the result of injury, disease, or exposure, or the property of a substantial number of such residents is imperiled, damaged, or destroyed, and (2) it is necessary and essential in the interest of public safety, health and welfare that the continuity of the County of Ulster be assured in order that it be enabled to function properly and efficiently and to exercise its essential powers in meeting emergency conditions. Such disasters, catastrophes, and emergencies may include, but shall not be limited to, conflagrations, explosions, earthquake or other convulsions of nature, floods, tidal waves, pestilence, riots, insurrections, storms, prolonged failure of electric power or essential transportation services, or any incident or occurrence which causes or threatens to cause danger to life, health, or property from exposure to noxious materials or radiation.

(C) "DULY AUTHORIZED DEPUTY." A person authorized to perform all the powers and duties of a public office in the

event the office is vacant or at such times as it lacks administration due to death, absence or disability or the incumbent officer, where such authorization is provided pursuant to the provisions of any general, special or local law other than this local law.

(D) "EMERGENCY INTERIM SUCCESSOR." A person designated pursuant to this local law for possible temporary succession to the powers and duties, but not the office of a County officer in the event that neither such officer nor any duly authorized deputy is able, due to death, absence from the County, or other physical, mental, or legal reasons, to perform the powers and duties of the office.

SECTION 3. DESIGNATION, STATUS, QUALIFICATION AND TERMS OF DESIGNATION OF EMERGENCY INTERIM SUCCESSORS.

(A) ELECTIVE OFFICERS. Within thirty days following the effective date of this local law, and thereafter within thirty days after first entering upon the duties of his office, each elective officer shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to the powers and duties of his office and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors or combination thereof, to perform the powers and duties of the office.

(B) APPOINTIVE OFFICERS. Each officer or body of officers empowered by law to appoint officers shall within the time specified in subdivision (A) of this section, in addition to any duly authorized deputy designate for each such appointive officer such number of emergency interim successors to such officers and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, for each such officer. Where such a body of officers consists of members having overlapping terms, such body of officers shall review and, as necessary, revise the previous designations of emergency interim successor by such board within thirty days after a new member elected or appointed to such body of officers first enters upon the duties of this office as a member of such body of officers.

LOCAL LAW NUMBER 1 OF 1963

A LOCAL LAW TO PROVIDE FOR THE CONTINUITY OF GOVERNMENT OF THE COUNTY OF ULSTER, NEW YORK, IN THE EVENT OF AN ATTACK OR PUBLIC DISASTER.

(C) REVIEW OF DESIGNATIONS. The incumbent in the case of those elective officers specified in subdivision (A) of this section and the appointing officer or body of officers specified in subdivison (B) of this section shall from time to time review and as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three duly authorized deputies or emergency interim successors, or combination thereof, for each elective and appointive officer of the County.

(D) QUALIFICATIONS - No person shall be designated to, nor serve as, an emergency interim successor unless he is legally qualified to hold the office of the person to whose powers and duties he is designated to succeed.

(E) STATUS OF EMERGENCY INTERIM SUCCESSOR. A person designated as a emergency interim successor shall hold that designation at the pleasure of the designator and such designation shall remain effective until replaced by another by the authorized designator.

(F) COMPENSATION. An emergency interim successor shall serve without salary, unless otherwise provided by the local law. He shall, however, be entitled to reimbursement for actual expenses necessarily incurred in the performance of his powers and duties.

SECTION 4. ASSUMPTION OF POWERS AND DUTIES OF OFFICER BY EMERGENCY INTERIM SUCCESSOR. If, in the event of an attack or a public disaster, an officer described in subdivision (A) or subdivision (B) of section three of this local law or his duly authorized deputy, if any, is unable due to death, absence from the County, or other physical, mental or legal reasons, to perform the powers and duties of the office, the emergency interim successor of such officer highest in rank in order of succession who is able to perform the powers and duties of the office, shall except for the power and duty to discharge or replace duly authorized deputies and emergency interim successors of such officer, perform the powers and duties of such officer. An emergency interim successor shall perform such powers and duties only until such time as the lawful incumbent officer or his duly authorized deputy, if any, resumes the office or undertakes the performance of the powers and duties of the office, as the case may be, or until, where an actual vacancy exists, a successor is duly elected or appointed to fill such vacancy and qualifies as provided by law.

LOCAL LAW NUMBER 1 OF 1963

A LOCAL LAW TO PROVIDE FOR THE CONTINUITY OF GOVERNMENT OF THE COUNTY OF ULSTER, NEW YORK, IN THE EVENT OF AN ATTACK OR PUBLIC DISASTER.

SECTION 5. RECORDING AND PUBLICATION OF DESIGNATIONS. The name, address and rank in order of succession of each duly authorized deputy and emergency interim successors shall be filed with the County Clerk and each designation, replacement, or change in order of succession of any emergency interim successor shall become effective when the designator files with such Clerk shall keep an up-to-date file of all such data regarding duly authorized deputies and emergency interim successors and the same shall be open to public inspection. The Clerk shall notify in writing each designated person of the filing of his name as an emergency interim successor and his rank in order of succession and also notify in writing any person designated who is replaced or whose place in order of succession is changed.

SECTION 6. QUALIFICATION FOR TAKING OFFICE. At the time of their designation, or as soon thereafter as possible, emergency interim successors shall take such oath and do such other things, if any, as may be required to qualify them to perform the powers and duties of the office to which they may succeed.

SECTION 7. QUORUM AND VOTE REQUIREMENTS. In the event of an attack or a public disaster the Chairman or his duly authorized deputy or emergency interim successor performing his powers and duties, may suspend quorum requirements for the Board of Supervisors. If quorum requirements are suspended any local law, ordinance, resolution, or other action requiring enactment, adoption or approval by an affirmative vote of a specified proportion of members may be enacted, adopted, or approved by the affirmative vote of the specified proportion of those voting thereon.

SECTION 8. SEPARABILITY CLAUSE. If any section, subdivision, sentence, clause, phrase or portion of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, subdivision, sentence, clause, phrase or portion thereof directly involved in the controversy in which such judgement shall have been rendered.

SECTION 9. EFFECTIVE DATE. This local law shall take effect upon its adoption and the filing of one certified copy thereof with the County Clerk, one certified copy in the Office of the State Comptroller and three certified copies in the Office of the Secretary of State.

LOCAL LAW NUMBER 1 OF 1967

A LOCAL LAW TO PROVIDE FOR THE CREATION OF AN ULSTER COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD, AND ESTABLISHING THE RULES, AUTHORITY, AND QUALIFICATIONS OF SAID BOARD, PURSUANT TO ARTICLE 14 OF THE CIVIL SERVICE LAW OF THE STATE OF NEW YORK, ADOPTED BY THE LAWS OF 1967 WHICH BECOME EFFECTIVE AS OF SEPTEMBER 1, 1967.

BE IT ENACTED, by the Board of Supervisors of the County of Ulster as follows:

SECTION 1. COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD

1. A board, to be known as the Ulster County Public Employment Relations Board, is hereby created, which shall consist of three members appointed by the Board of Supervisors. Not more than two members of the Board shall be members of the same political party. Each member shall be appointed for a term of six years, except that of the members first appointed, one shall be appointed for a term of expire on May thirty-first, nineteen hundred seventy-one, and one for a term to expire on May thirty- first, nineteen hundred seventy-three. The Board of Supervisors shall designate one member as chairman of the board. A member appointed to fill a vacancy shall be appointed for the unexpired term of the member whom he is to succeed.

2. Members of the County Board shall hold no other public office or public employment in the State.

3. The Board may appoint an executive director and such other persons, including but not limited to mediators, members of fact-finding boards and representatives of employee organizations and public employers to serve as technical advisors to such fact-finding boards, as it may from time to time deem necessary for the performance of its functions, prescribe their duties, fix their compensation and provide for reimbursement of their expenses within the amounts made available therefor by appropriation.

4. In addition to the other powers and functions provided herein, the board shall have the following powers and functions:

(a) To establish procedures consistent with the provisions of Section 207 of the Civil Service Law and after consultation with interested parties to resolve disputes concerning the representation status of employee organizations.

(b) To resolve, pursuant to such procedures, disputes concerning the representation status of employee organizations of employees of Ulster County upon the request of any employee organization.

(c) To resolve disputes concerning the representation status of other employee organizations, upon request of any employee organization or other government or public employer involved.

LOCAL LAW NUMBER 1 OF 1967

A LOCAL LAW TO PROVIDE FOR THE CREATION OF AN ULSTER COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD, AND ESTABLISHING THE RULES, AUTHORITY, AND QUALIFICATIONS OF SAID BOARD, PURSUANT TO ARTICLE 14 OF THE CIVIL SERVICE LAW OF THE STATE OF NEW YORK, ADOPTED BY THE LAWS OF 1967 WHICH BECOME EFFECTIVE AS OF SEPTEMBER 1, 1967.

(d) To make studies and analysis of, and act as a clearing house of information relating to, conditions of employment of public employees throughout the County.

(e) To request from the County government, or agencies and departments thereof, such assistance, services and data as will enable the board properly to carry out its functions and powers.

(f) To make available to employee organizations, mediators, fact-finding boards and joint study committees, any statistical data relating to wages, benefits and employment practices in public and private employment applicable to the occupations of the public employees of the County.

(g) To establish, after consulting representatives of employee organizations and administrators of public services, panels of qualified persons broadly representative of the public to be available to serve as mediators or members of fact-finding boards.

(h) To hold such hearings and make such inquiries as it deems necessary for it properly to carry out its functions and powers.

(i) For the purpose of such hearings and inquiries, to administer oaths and affirmations, examine witnesses and documents, take testimony and receive evidence, compile the attendance of witnesses and the production of documents by the issuance of subpoenas, and delegate such powers to any member of the board of any person appointed by the board for the performance or its functions. Such subpoenas shall be regulated and enforced under the Civil Practice Law and Rules.

(j) To make, amend and rescind, from time to time, such rules and regulations, including but not limited to those governing its internal organization and conduct of its affairs, and to exercise such other powers, as may be appropriate to effectuate the purposes and provisions of this article.

LOCAL LAW NUMBER 1 OF 1967

A LOCAL LAW TO PROVIDE FOR THE CREATION OF AN ULSTER COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD, AND ESTABLISHING THE RULES, AUTHORITY, AND QUALIFICATIONS OF SAID BOARD, PURSUANT TO ARTICLE 14 OF THE CIVIL SERVICE LAW OF THE STATE OF NEW YORK, ADOPTED BY THE LAWS OF 1967 WHICH BECOME EFFECTIVE AS OF SEPTEMBER 1, 1967.

SECTION 2. DETERMINATION OF REPRESENTATION STATUS

For the purposes of resolving disputes concerning representation status, the Ulster County Public Employment Relations Board shall:

1. Define the appropriate employer-employee negotiating unit, taking into account the following standards:

(a) The definition of the unit shall correspond to a community of interest among the employees to be included in the unit; and

(b) The Officials of government at the level of the unit shall have the power to agree, or to make effective recommendations to other administrative authority or the legislative body with respect to the terms and conditions of employment upon which the employees desire to negotiate; and

(c) The unit shall be compatible with the joint responsibilities of the public employer and public employees to serve the public.

2. Ascertain the public employees' choice of employee organization as their representative (in cases where the parties to a dispute have not agreed on the means to ascertain the choice, if any, of the employees in the unit) on the basis of dues deduction authorization and other evidences, or, if necessary, by conducting an election.

3. Certify or recognize an employee organization upon (a) the determination that such organization represents that group of public employees it claims to represent, and (b) the affirmation by such organization that it does not assert the right to strike against any government, to assist or participate in any such strike, or to impose an obligation to conduct, assist or participate in such a strike.

LOCAL LAW NUMBER 1 OF 1967

A LOCAL LAW TO PROVIDE FOR THE CREATION OF AN ULSTER COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD, AND ESTABLISHING THE RULES, AUTHORITY, AND QUALIFICATIONS OF SAID BOARD, PURSUANT TO ARTICLE 14 OF THE CIVIL SERVICE LAW OF THE STATE OF NEW YORK, ADOPTED BY THE LAWS OF 1967 WHICH BECOME EFFECTIVE AS OF SEPTEMBER 1, 1967.

SECTION 3. RIGHTS ACCOMPANYING CERTIFICATION OF RECOGNITION

The County shall extend to an employee organization certified or recognized pursuant to this article, the following rights:

1. To represent the employees in negotiations and in the settlement of grievances;

2. To membership dues deduction, upon presentation of dues deduction authorization cards signed by individual employees; and

3. To unchallenged representation status until the next succeeding budget submission date, and therefore, for an additional period of either twelve months or, if the parties so agree, not less than twelve months nor more than twenty-four months, which period commences one hundred twenty days prior to such next succeeding budget submission date.

SECTION 4. This Local Law Number 2 of 1967 shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1970

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES OF THE COUNTY OF ULSTER

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Pursuant to the provisions of Section Eight Hundred Six of the General Municipal Law the County Legislature of the County of Ulster recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the County of Ulster. These rules shall serve as a guide for official conduct of the officers and the employees of the County of Ulster. The rules of ethical conduct of this local law as adopted, shall not conflict with, but shall be in addition to any prohibiton of article eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contrasts of municipal officers and employees.

SECTION 2. DEFINITIONS.

(a) "Municipal Officer of Employee" means an officer or employee of the County of Ulster whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

SECTION 3. STANDARDS OF CONDUCT. Every officer or employee of the County of Ulster shall be subject to and abide by the following standards of conduct:

(a) GIFTS. He shall not directly or indirectly, solicit any gift, or accept or receive any gift having a value of twenty-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, in the performance of his official duties or was intended as a reward for any official action on his part.

LOCAL LAW NUMBER 1 OF 1970

A LOCAL LAW ESTABLISHING STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES OF THE COUNTY OF ULSTER

(b) CONFIDENTIAL INFORMATION. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

(c) REPRESENTATION BEFORE ONE'S OWN AGENCY. He shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

(d) REPRESENTATION BEFORE ANY AGENCY FOR A CONTINGENT FEE.
He shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency or his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

(e) DISCLOSURE OF INTEREST IN LEGISLATION. To the extent that he knows thereof, a member of the Ulster County Legislature and any officer paid or unpaid who participates in the discussion or gives official opinion to the County Legislature on any legislation before the County Legislature shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.

(f) INVESTMENTS IN CONFLICT WITH OFFICIAL DUTIES. He shall not invest or hold any investment directly or indirectly in any financial business, commercial or other private transaction, which creates a conflict with his official duties.

(g) He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates a conflict with or impairs the proper discharge of his official duties.

(h) FUTURE EMPLOYMENT. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the County of Ulster in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

LOCAL LAW NUMBER 1 OF 1970

A LOCAL LAW ESTABLISHING STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES OF THE COUNTY OF ULSTER

SECTION 4. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the County of Ulster, or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

SECTION 5. DISTRIBUTION OF CODE OF ETHICS. The Chairman of the County Legislature of the County of Ulster shall cause a copy of this code of ethics to be distributed to every officer and employee of the County of Ulster within ten days after the effective date of this local law. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

SECTION 6. PENALTIES. In addition to any penalty contained in any provision of law, any person who shall knowlingly and intentionally violate any of the provisions of this code may be fined, suspended, or removed from office or employment, as the case may be, in the manner provided by law.

SECTION 7. This local law shall take effect twenty days after it is filed as provided in section twenty-seven of the Municipal Home Rule Law.

LOCAL LAW NUMBER 1 OF 1972

A LOCAL LAW AUTHORIZING THE LEASING OF PORTIONS OF THE ULSTER COUNTY TUMOR CLINIC BUILDING TO THE KINGSTON HOSPITAL AND THE CONVEYANCE OF THE EQUIPMENT USED IN THE OPERATION OF SAID TUMOR CLINIC TO THE KINGSTON HOSPITAL

BE IT ENACTED, by the County Legislature of the County of Ulster:

SECTION 1. Notwithstanding the provisions of subdivision 6 of Section 215 of the County Law, that the portions of the Ulster County Tumor Clinic building presently used in the operation of the Ulster County Tumor Clinic be leased to the Kingston Hospital, and the equipment and furnishings used in said operation be conveyed to the Kingston Hospital, without public advertisement and without bid, public or private, upon such terms and conditions as may be prescribed by the County Legislature.

SECTION 2. The Chairman of the Ulster County Legislature is hereby directed and authorized to execute the necessary instrument or instruments leasing and conveying such property,

SECTION 3. This local law is subject to permissive referendum, and shall become effective upon the date it is filed in the Office of the Secretary of State.

LOCAL LAW NUMBER 2 OF 1972

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING AN ULSTER COUNTY TRAFFIC SAFETY BOARD FOR THE COUNTY OF ULSTER

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Under the authority of Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, there is hereby established an Ulster County Traffic Safety Board.

SECTION 2. The Ulster County Traffic Safety Board shall consist of 12 members. They shall be appointed by the Chairman of the Ulster County Legislature.

Each member shall be a resident of the County and shall be a qualified elector thereof. At least one but not more than three of such members shall be a resident or residents of and be appointed from the City of Kingston, and the balance of such members shall be appointed from the County at large.

The term of office of such members shall be three years, except that the members first appointed to such board shall be appointed as follows: four shall be appointed for a term of one year; four for a term of two years and four for a term of three years. Upon expiration of the term of office of a member, his successor shall be appointed to membership in such board for a term of three years.

The members of such board shall receive no compensation for services but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within any appropriation made for such purposes.

SECTION 3. ORGANIZATION AND REPORTS BY THE BOARD. The Traffic Safety Board shall:

(1) Meet and organize within fifteen days after its members are appointed.

(2) Elect annually a chairman, vice-chairman and secretary from its membership.

(3) Adopt rules for the conduct of its business.

LOCAL LAW NUMBER 2 OF 1972

A LOCAL LAW ESTABLISHING AN ULSTER COUNTY TRAFFIC SAFETY BOARD FOR THE COUNTY OF ULSTER

(4) Within the limits of the appropriations made therefor by the Ulster County Legislature authorize the employment of such personnel as may be necessary to properly perform the functions and carry out the objectives of this article.

(5) Render annually to the County Legislature, and from time to time as required a verified account of all moneys received and expended by it or under its direction and an account of its proceedings and of other pertinent matters in such form and manner as may be required by such board or body.

(6) Submit annually to the proper fiscal authorities of the County, at such time and in such manner as may be required by law applicable thereto, an estimate of the funds required to carry out the purpose of this article.

(7) Submit a report of activities annually to the state and from time to time, such other information or reports as may be required by the state pursuant to the provisions of article 16-a of the executive law.

SECTION 4. FUNCTIONS OF THE BOARD. The Board is authorized:

(1) To promote and encourage street and highway traffic safety.

(2) To formulate county-wide highway safety programs and coordinate efforts of interested parties and agencies engaged in traffic safety education.

(3) To cooperate with local officials within the County in the formulation and execution of traffic safety programs and activities.

(4) To study traffic conditions on streets and highways within the County, study and analyze reports of accidents and causes thereof, and recommend to the appropriate legislative bodies, departments or commissions such changes in rules, orders, regulations and existing law as the Board may deem advisable.

LOCAL LAW NUMBER 2 OF 1972

A LOCAL LAW ESTABLISHING AN ULSTER COUNTY TRAFFIC SAFETY BOARD FOR THE COUNTY OF ULSTER

(5) To conduct meetings within the County whenever and where ever the board shall deem it advisable and to invite such meetings, parties, and agencies, public and private interested in traffic regulation, control and safety education.

(6) To promote safety education for drivers and pedestrians.

(7) To obtain and assemble motor vehicle accident data, and to analyze, study and consolidate such data for educational and informational purposes.

(8) To coordinate and direct all local activities related to the implementation of the state highway safety program as approved by the Governor or his designee.

LOCAL LAW NUMBER 2 - 1974

COUNTY OF ULSTER

A LOCAL LAW REPEALING LOCAL LAW NUMBER 2 OF THE YEAR 1965 PROVIDING REGULATIONS RELATIVE TO THE PREPARATION, CONSIDERATION, HEARING, AMENDMENT AND ADOPTION OF THE ANNUAL ULSTER COUNTY BUDGET

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT. The intent of this local law is to repeal Local Law Number 2 of 1965 prescribing regulations relative to the preparation, consideration, hearing, amendment and adoption of the annual Ulster County Budget and to hereafter become subject to provisions of the State of New York relative to such matters.

SECTION 2. The local law prescribing regulations relative to the preparation, consideration, hearing, amendment and adoption of the annual Ulster County Budget is hereby repealed.

SECTION 3. This local law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1974

COUNTY OF ULSTER

A LOCAL LAW PROVIDING FOR THE REPEAL OF LOCAL LAW NUMBER 1 OF 1967, WHICH PROVIDED FOR THE SERVICE BY TOWN SUPERVISORS, TOWN BOARD MEMBERS AND OTHER ELECTIVE TOWN OFFICIALS ON THE COUNTY LEGISLATURE

BE IT ENACTED, by the Legislature of the County of Ulster as follows:

SECTION 1. That Local Law Number 1 of 1967 of Ulster, providing for the service by Town Supervisors, Town Board Members and other elective Town officials on the County Legislature, be and the same hereby is repealed.

SECTION 2. This local law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1975

COUNTY OF ULSTER

A LOCAL LAW, PURSUANT TO SECTION 227 OF THE COUNTY LAW, LEGALIZING AND VALIDATING CERTAIN ACTS PERFORMED BY THE TOWN BOARD OF THE TOWN OF LLOYD, ULSTER COUNTY, NEW YORK, IN THE PAYMENT OF OBLIGATIONS OF SAID TOWN OF LLOYD FOR THE YEAR 1973, AND PROVIDING FOR THE BORROWING OF THE NECESSARY FUNDS THEREFOR

BE IT ENACTED, by the Legislature of the County of Ulster as follows:

SECTION 1. That the Town Board of the Town of Lloyd, Ulster County, New York, submitted a petition to this legislature asking for the legalization and validation of certain acts of its Town Board in the payment of certain obligations incurred in the 1973 and for the borrowing of the necessary funds therefor. The total amounts of the claims to be paid are: (1) $11,105.51 for the Highland Water District; (2) $11,940.87 for the Town of Lloyd, and the total amount of money authorized to be borrowed therefor is the sum of $23,046.38.

SECTION 2. That a Special Committee of this board conducted a public hearing in the Town of Lloyd on the 26th day of November, 1974 to consider the legalization and validation of the acts of the Town Board of the Town of Lloyd in paying 1973 obligations and the borrowing of the necessary funds therefor. The Special Committee has examined into all the facts and circumstances surrounding the necessity for the Petition of the Town Board of the Town of Lloyd, and has recommended to the Ulster County Legislature that the acts of payment of said claims and the borrowing of said money be legalized and validated.

SECTION 3. That the Ulster County Legislature hereby legalizes and validates the acts of the Town Board of the Town of Lloyd in the payment of certain obligations incurred in the year 1973 as follows: (1) Highland Water District, $11,105.51; (2) Town of Lloyd, $11,940.87, and this Board further validates and authorizes the payment thereof, by the issuance of obligations of the Town of Lloyd and the Highland Water District in the form of bonds or notes with a maturity not to exceed three years for the date of the original issue of such obligations.

SECTION 4. That pursuant to Section 227 of the County Law, the Clerk of this Board is hereby directed to publish a copy of this act in the Hudson Valley Newspapers once a week for two consecutive weeks, the first publication to take place within 20 days of the adoption of this act, with the cost of publishing to be charged to the Town of Lloyd. That after publication, the petition and related papers, or certified copies thereof shall be filed in the Office of the County Legislature and certified copies of this act shall be filed with the State Comptroller and with the Town Clerk of the Town of Lloyd, the petitioner herein.

SECTION 5. This act shall take effect following the filing and publication as set forth above.

LOCAL LAW NUMBER 2 OF 1975

COUNTY OF ULSTER

A LOCAL LAW PROVIDING A PLAN OF REAPPORTIONMENT FOR THE ULSTER COUNTY LEGISLATURE

BE IT ENACTED, by the Legislature of the County of Ulster as follows:

SECTION 1. DESIGNATION AND NUMBER. The Legislature body of the County of Ulster on and after the effective date of this local law shall be known as the Ulster County Legislature. The Ulster County Legislature shall consist of thirty-three (33) members elected at large from nine (9) legislative districts in accordance with Section 4 hereof.

SECTION 2. TERM. The term of office of each member of the Ulster County Legislature shall be two (2) years commencing on the first day of January following the general election of 1975, and thereafter commencing on the first day of January following each subsequent general election held during the odd year of the decennial period.

SECTION 3. APPORTIONMENT BASE. The apportionment base of the Ulster County Legislature shall be based on the last official Federal decennial census for total County population.

SECTION 4. LEGISLATIVE DISTRICTS. Each of the following described legislative districts shall elect that number of representative to the Ulster County Legislature from within its boundaries as hereinafter set forth:

DISTRICT	DESCRIPTION	NUMBER OF REPRESENTATIVES
District 1	Wawarsing, Denning, Hardenburgh	3
District 2	Shandaken, Woodstock, Kingston (Town)	2
District 3	Saugerties	4
District 4	Kingston (City)	6
District 5	Olive, Hurley, Ulster	5
District 6	Esopus, Rosendale	3
District 7	Rochester, Marbletown	2
District 8	Shawangunk, Gardiner, New Paltz	4
District 9	Lloyd, Plattekill, Marlborough	4

LOCAL LAW NUMBER 2 OF 1975

A LOCAL LAW PROVIDING A PLAN OF REAPPORTIONMENT FOR THE ULSTER COUNTY LEGISLATURE

SECTION 5. ORGANIZATION, PROCEDURE, MEETINGS. The Ulster County Legislature shall organize itself, hold meeting and conduct its business in accordance with and pursuant to Article 4 of the County Law of the State of New York.

SECTION 6. VACANCIES. A vacancy in the Ulster County Legislature shall be filled in accordance with the provisions of the Public Officers Law and the County Law of the State of New York.

SECTION 7. ELECTED OFFICE. No person who holds an elective County Office shall be eligible to hold at the same time any other elective County Office or any elective office of any city, town or village.

SECTION 8. This local law shall be liberally construed to effect the apportionment and districting of Ulster County in compliance with the Order of the Supreme Court of Ulster County dated May 4, 1973 and the amended Order of said Court dated May 4, 1973.

SECTION 9. INTENTION.

(A) It is intended that the apportionment and districting herein provided shall result in a County Legislature which shall conform to judicial and constitutional standards of equality of representation.

(B) It is further intended that this local law and the legislative districts herein described, completely encompass all of the geographical areas of Ulster County.

(C) It is further intended that the legislative districts described herein contain the total permanent populations of Ulster County as determined by the 1970 official decennial census.

(D) It is further intended that no legislative district described herein shall include any geographical area of Ulster County which is included within the description of any other district.

SECTION 10. MISCELLANEOUS. If the districts described herein do not carry out the purposes thereof because of unintentional omissions, duplications, overlapping areas, erroneous nomenclature, lack of adequate maps or descriptions of political subdivisions, the County Clerk, at the request of any person or candidate aggrieved thereby, shall, by order

correct such omission, overlaps, erroneous nomenclature, or other defects in the description of districts so as to accomplish the purposes and objectives of this local law.

SECTION 11. Chapter 834, Laws of 1969. This local law is adopted pursuant to Chapter 834, Laws of 1969.

SECTION 12. PRESENT COUNTY LEGISLATURE. The County Legislature as existing immediately before the time this local law takes effect, shall continue to be the legislative body of Ulster County until the expiration of the terms of the Legislators then in office except for the purpose of an election of County Legislators for full terms which shall commence at such expiration.

SECTION 13. SEPARABILITY. If any clause, sentence, paragraph, section, or other part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

LOCAL LAW NUMBER 3 OF 1975

COUNTY OF ULSTER

A LOCAL LAW INCREASING THE SALARIES OF CERTAIN OFFICERS OF THE COUNTY OF ULSTER

BE IT ENACTED by the Ulster County Legislature that commencing on January 1, 1975, the annual salary paid by the County of Ulster to each of the following officers of the County of Ulster shall be as hereinafter set forth:

COUNTY AUDITOR	$13,881.00
SUPERINTENDENT OF BUILDINGS AND CONSTRUCTION	$16,759.00
DIRECTOR OF REAL PROPERTY	$16,864.00
COUNTY ATTORNEY	$16,650.00
COMMISSIONER OF SOCIAL SERVICES	$22,200.00
SUPERINTENDENT OF HIGHWAYS	$25,000.00
COMMISSIONER OF HEALTH	$35,132.00

LOCAL LAW NUMBER 4 OF 1975

COUNTY OF ULSTER

A LOCAL LAW TO PROVIDE FOR THE CREATION OF YOUTH BUREAU IN AND FOR THE COUNTY OF ULSTER

BE IT ENACTED by the County Legislature of the County of Ulster:

SECTION 1. YOUTH BUREAU: A Youth Bureau is hereby created in the County of Ulster in accordance with the authorization therefor set forth in Section 95 of the General Municipal Law of the State of New York Chapter 557 of the Laws of 1945, as amended.

SECTION 2. PURPOSE: The purpose of this law is to provide for a permanent Youth Bureau in the County of Ulster to recommend and put into effect those measures most suitable to supplement and aid in coordinating the work and activities of all public and private agencies, as well as all religious and social institutions for the prevention of delinquency and youth crime, and for the advancement of moral, physical, mental and social well-being of the youth of this County and to encourage our municipality to take interest in this field.

SECTION 3. DEFINITIONS: (a) "Youth Bureau" shall mean the Bureau created by this law, (b) "Youth" shall mean any person under twenty-one years of age.

SECTION 4. MEMBERS OF THE BOARD: The Bureau shall consist of fifteen members, to be appointed by the Chairman of the Legislature, who are not holders of any other County or State office. The Bureau shall elect its own Chairman and Vice-Chairman and each member of the Bureau upon his or her appointment shall take and file with the County Clerk of Ulster County, his or her oath of office. Said members shall be known as Commissioners of the Youth Bureau of the County of Ulster. They are not to receive any compensation for their services or activities. In addition to the foregoing, the Sheriff of Ulster County, the Commissioner of Health, the Family Court Judge, the County Attorney or his representative, and the Commissioner of Social Services shall be ex-officio members of the Youth Bureau also two members of the Board of Representatives who shall be designated by the Chairman of the Board of Representatives.

SECTION 5. TERM OF OFFICE: Each member is to be appointed for a term of three years provided, however, that of the members first appointed, five shall be appointed for a term of one year, five for a period of two years, and five for a period of three years.

SECTION 6. VACANCIES AND REMOVAL: All vacancies occurring otherwise than by expiration of term, shall be filled for the unexpired term of the same manner as the original appointments and the Chairman of the Legislature may have the power to remove any appointed member of the Board for malfeasance.

LOCAL LAW NUMBER 4 OF 1975

A LOCAL LAW TO PROVIDE FOR THE CREATION OF YOUTH BUREAU IN AND FOR THE COUNTY OF ULSTER

SECTION 7. MEETINGS: The Bureau shall meet monthly and at such additional times as the Chairman of the Bureau or a majority thereof may determine. The Bureau shall keep minutes of its meetings, consultations and proceedings. All meetings of the Bureau shall be held at the County Office Building in a room assigned to it or in any public building.

SECTION 8. EXPENDITURE OF FUNDS AND/OR INCURRING OF LIABILITIES: The Bureau shall not expend any funds or incur any liabilities without having first obtained the approval of the Legislature and its approval of plan, as provided in Section 422 of the Executive Law of the State of New York, so that it may qualify for State aid.

SECTION 9. PERSONNEL: A paid Administrative Director, Secretary and such other clerical help as may be found necessary to the purpose or purposes of the Bureau shall be assigned to it. All appointments of said personnel shall be made by the Chairman of the Legislature.

SECTION 10. DUTIES OF ADMINISTRATIVE DIRECTOR: The Administrative Director is to carry out and endeavor to effectuate the policies planned and established by the Bureau and approved by the Division for Youth of New York State.

SECTION 11. RULES, REGULATIONS AND RECOMMENDATIONS: The Youth Bureau shall have the power to amend or repeal any of its rules or regulations it deems necessary to further the progress of its programming, or adopt new recommendations if such change is proven necessary, by a majority vote of the Youth Bureau.

SECTION 12. REPORTS: The Youth Bureau shall make an annual report to the Chairman of the Legislature and to the Legislature. The Youth Bureau may make interim reports to the Chairman of the Legislature, ex- officio members and the Legislature with its recommendations.

SECTION 13. CONSTITUTIONALITY: If any clause, sentence, paragraph, section or part of this article shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph , or section or part thereof directly involved in controversy in which such judgement shall have been rendered.

SECTION 14. This local law shall take effect immediately upon filing of certified copies in the office of the Secretary of State.

LOCAL LAW NUMBER 5 OF 1975

COUNTY OF ULSTER

A LOCAL LAW TO PROVIDE FOR A PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. This local law rescinds Local Law Number 1 of 1974.

SECTION 2. The purpose of this local law is to grant a partial exemption from taxation to the extent of fifty percentum of assessed valuation of real property which is owned by certain persons with limited income who are sixty-five years of age or over meeting the requirements set forth in Section Four Hundred Sixty-Seven of the Real Property Tax Law.

SECTION 3. Real Property owned by persons sixty-five years of age or over or real property owned by husband and wife, one of whom is sixty- five years of age or over, shall be exempt from County taxes to the extent of fifty percentum set forth in Section 467 of the Real Property Tax Law and to the following:

(a) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption must not exceed the sum of $6,500.00. Income Tax year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income Tax return, or if no such return was filed, the calendar year.

SECTION 4. This local law shall take effect January 1, 1976.

LOCAL LAW NUMBER 1 OF 1976

COUNTY OF ULSTER

A LOCAL LAW PROVIDING FOR THE FILLING OF VACANCIES IN THE OFFICE OF COUNTY LEGISLATURE OF THE COUNTY OF ULSTER

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT: The intent of this local law is to provide for the filling of vacancies in the office of County Legislator of the County of Ulster.

SECTION 2. FILLING OF VACANCIES: If a vacancy occurs in the office of County Legislator, otherwise than by expiration of term, the County Legislature shall fill the office within 45 days after the vacancy occurs, by appointing to said office, any resident of the district in which the vacancy occurred, qualified under law to hold the office of the County Legislator.

SECTION 3. EFFECTIVE DATE: This Local Law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1976

COUNTY OF ULSTER

A LOCAL LAW REGULATING REFUSE DISPOSAL

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The Ulster County Legislature does hereby find that existing refuse disposal sites within the County are becoming seriously depleted and that such depletion results in a significant hazzard to the health, safety and welfare of the residents of the County. It is the purpose and intent of this local law to regulate the use of refuse disposal sites in Ulster County by eliminating disposal in Ulster County of refuse originating without the County and thereby promote the longevity of existing disposal sites as well as any which might hereafter be developed within the County.

SECTION 2. DEFINITIONS. (a) "Garbage" shall mean solid or liquid food waste, (B) "Industrial Waste" shall mean solid or liquid material resulting from construction or any business, trade or industrial operation, (c) "Refuse" shall mean garbage, rubbish and industrial waste and (d) "Refuse Disposal Area" shall mean land used for the deposit of refuse.

SECTION 3. REFUSE CONTROL. No refuse originating as such outside the County of Ulster, or which has been collected or otherwise obtained outside the County of Ulster and transported, or otherwise delivered within said County, shall be deposited, or caused or allowed to be deposited, in any refuse disposal area within the County of Ulster.

SECTION 4. EXISTING REFUSE DISPOSAL OPERATIONS. This Local Law shall not prohibit the continued operation of any refuse disposal areas within the County of Ulster which are being lawfully used in whole or in part on the effective date of this local law for the deposit or refuse described herein in Section 3, provided however that the deposit of such refuse subsequent to the effective date hereof in quantities greater than 60 tons per calendar week, or on sites greater in area or other than those for which operating permits have already been granted by the New York State Department of Environmental Conservation prior to the effective date hereof shall constitute a violation of this local law.

SECTION 5. PENALTIES:

(a) Each violation of, or non-conformance with, any provision of this local law shall constitute a misdemeanor punishable by a fine of not more than $300.00 or by imprisonment for not more than six months or by both such fines and imprisonment.

(b) The County Attorney of Ulster County is authorized to commence an action in any court of competent jurisdiction to enjoin any violation of this local law.

LOCAL LAW NUMBER 2 OF 1976

A LOCAL LAW REGULATING REFUSE DISPOSAL

SECTION 6. SAVING CLAUSE: In the event any section, paragraph, sentence clause or phase of this local law shall be declared unconstitutional or invalid for any reason, such determination shall not affect the validity of the remaining provisions of this local law or their application.

SECTION 7. EFFECTIVE DATE: This local law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1976

COUNTY OF ULSTER

A LOCAL LAW AUTHORIZING THE COUNTY OF ULSTER TO JOIN THE CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Pursuant to chapter three hundred forty-six of the laws of nineteen hundred seventy-three of the State of New York, the County of Ulster hereby elects to join the Catskill Regional Off-Track Betting Corporation.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster, registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 1 OF 1978

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the Ulster County Legislature of the County of Ulster as follows:

SECTION 1. The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers in the following schedule to wit:

COUNTY TREASURER	$21,000.00
DIRECTOR OF REAL PROPERTY TAX SERVICES	$21,000.00

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which is was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said county.

LOCAL LAW LAW NUMBER 2 OF 1978

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers in the following schedule to wit:

COMMISSIONER OF ELECTIONS $17,500.00

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature, a petition protesting this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 3 OF 1978

COUNTY OF ULSTER

A LOCAL LAW TO CREATE THE OFFICE OF PUBLIC DEFENDER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

ARTICLE I. OFFICE OF PUBLIC DEFENDER.

SECTION 1. The Office of Public Defender in the County of Ulster, State of New York, be and hereby is created, and the Ulster County Legislature shall designate and appoint a resident attorney at law as Public Defender.

ARTICLE II. TERM OF OFFICE.

SECTION 1. The Term of Office of the Public Defender shall be the term for which the then members of such Legislature were elected.

SECTION 2. The compensation for the Office of Public Defender shall be fixed by resolution of the Ulster County Legislature prior to making such appointment and shall not be increased or decreased during the term of office for which the appointment was made except as authorized by law.

ARTICLE III. POWERS AND DUTIES.

SECTION 1. The Public Defender shall have such powers and duties as provided by Article 18A of the County Law and such other powers and duties as may be granted or imposed by statute or resolution of the Ulster County Legislature provided, however, that said Board shall not grant or impose powers or duties inconsistent with statutory provisions.

ARTICLE IV. EFFECTIVE DATE.

SECTION 1. This Local Law shall take effect immediately upon full compliance with the provisions of the statute.

LOCAL LAW NUMBER 4 OF 1978

COUNTY OF ULSTER

A LOCAL LAW TO CREATE THE OFFICE OF COUNTY PURCHASING AGENT

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

ARTICLE I. OFFICE OF COUNTY PURCHASING AGENT.

SECTION 1. The Office of the County Purchasing Agent in the County of Ulster, State of New York, be and hereby is created, and the Ulster County Legislature shall designate and appoint a suitable person to fill such office.

ARTICLE II. TERM OF OFFICE.

SECTION 1. The Term of Office of the County Purchasing Agent shall be the term for which the then members of such Legislature were elected.

SECTION 2. The compensation for the Office of County Purchasing Agent shall be fixed by resolution of the Ulster County Legislature prior to making such appointment and shall not be increased or decreased during the term of office for which the appointment was made except as authorized by law.

ARTICLE III. POWERS AND DUTIES.

SECTION 1. The County Purchasing Agent shall have such powers and duties as provided by Article 16 of the County Law, and such other powers and duties as may be granted or imposed by statute or resolution of the Ulster County Legislature provided, however, that said Board shall not grant or impose powers or duties inconsistant with statutory provisions.

ARTICLE IV. EFFECTIVE DATE.

SECTION 1. This Local Law shall take effect immediately upon full compliance with the provisions of the statute; and moves its adoption.

LOCAL LAW NUMBER 5 OF 1978

COUNTY OF ULSTER

A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM TAXATION AND SPECIAL AD VALOREM LEVIES IMPOSED BY THE COUNTY OF ULSTER FOR COUNTY AND PART-COUNTY PURPOSES

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. An exemption from taxation and special ad valorem levies for ten years after the adoption thereof, at the rate of 100% for the first three years, 75% for the next two years and 50% for the next five years, is hereby granted to "eligible business facilities" as defined in Section 115 of the Commerce Law of the State of New York, located in this County, from taxes and special ad valorem levies imposed by or on behalf of Ulster County for County and part-county purposes.

SECTION 2. An "eligible business facility" as defined by the New York State Job Incentive Board, pursuant to Sections 115 and 120 of the Commerce Law of the State of New York, shall be exempt from taxes and special ad valorem levies imposed by the County for County and part-county purposes for any increase in the value thereof which is attributable to expenditures certified by the Job Incentive Board to have been paid or incurred by the owner or operator for capital improvements commenced on or after the effective date of this law, consisting of the construction, reconstruction, erection or improvement of depreciable real property included in such facility, and such exemptions shall be continued from year to year during the specified period only if the Certificate of Eligibility with respect to such business facility is not revoked or modified and is renewed or extended as provided by Section 120 of the Commerce Law.

SECTION 3. Such exemption shall be granted only upon an application by the owner or operator of such facility on a form prescribed by the New York State Job Incentive Board, to which there shall be attached a copy of the Certificate of Eligibility issued by the New York State Job Incentive Board. Such application shall be filed with the appropriate assessing authorities on or before the appropriate taxable status dates. Copies of such applications shall be filed simultaneously with the New York State Job Incentive Board and the State Board of Equalization and Assessment.

SECTION 4. The assessors shall consider the application for such exemption, and if the same is in order shall determine the assessed value of such exemption in accordance with the above mentioned Certificate of Eligibility, issued pursuant to Section 120 of the Commerce Law of the State of New York, and enter such value on the "exempt" portion of the assessment roll. The eligible business facility shall then be exempt to the extent provided by this Local Law from taxes and special ad valorem levies commencing with the assessment roll prepared on the next following taxable status date.

SECTION 5. If an exemption has once been granted for a business facility under this Section and the assessors receive notice that a Certificate of Eligibility of such facility has been revoked or modified, they

LOCAL LAW NUMBER 5 OF 1978

A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM TAXATION AND SPECIAL AD VALOREM LEVIES IMPOSED BY THE COUNTY OF ULSTER FOR COUNTY AND PART-COUNTY PURPOSES

shall redetermine the assessed value of any such exemption in accordance with such revocation or modification. If upon such redetermination it appears for a year for which an exemption has been granted that such facility has been ineligible or that the assessed value of such exemption as redetermined is less than the assessed value of such exemption as shown on the assessment rolls for such year, then a tax shall be levied at the rate of tax for such year upon so much of the assessed valuation of such exemption, as shown on such assessment rolls, as may be ineligible or excessive. Such tax shall be levied as an omitted assessment in the manner provided in Section 550 of the Real Property Tax Law for each such year. Any such redetermination shall be made no later than three years after the applicant for exemption last received benefit of any exemption under Section 485 of the Real Property Tax Law.

SECTION 6. This Local Law shall be effective immediately; and moves its adoption.

LOCAL LAW NUMBER 6 OF 1978

COUNTY OF ULSTER

A LOCAL LAW TO CHANGE THE FORM OF ADMINISTRATION OF THE CIVIL SERVICE LAW, AND TO CREATE THE OFFICE OF PERSONNEL OFFICER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

ARTICLE I. CHANGE OF ADMINISTRATION OF CIVIL SERVICE IN THE COUNTY OF ULSTER.

SECTION 1. The County of Ulster does hereby elect to change the administration of the Civil Service in the County of Ulster from the existing Civil Service Commission to that of Personnel Officer of the County of Ulster, as provided for in Section 15 of the Civil Service Law of the State of New York.

ARTICLE II. OFFICE OF COUNTY PERSONNEL OFFICER.

SECTION 1. The Office of County Personnel Officer in the County of Ulster, State of New York be, and the same hereby is created, and the Ulster County Legislature shall designate and appoint a suitable person to fill such office.

ARTICLE III. TERM OF OFFICE.

SECTION 1. The term of office of the Personnel Officer of Ulster County shall be six (6) years.

SECTION 2. The compensation for the Office of County Personnel Officer shall be fixed by resolution of the Ulster County Legislature prior to making such appointment and shall not be increased or decreased during the term of office for which the appointment was made, except as authorized by law.

ARTICLE IV. POWERS AND DUTIES.

SECTION 1. The Personnel Officer of the County of Ulster shall have all the powers and duties of the existing municipal Civil Service Commission, as provided for in Section 16 of the Civil Service Law of the State of New York and such other powers and duties as may be granted or imposed by statute or resolution of the Ulster County Legislature provided, however, that said Board shall not grant or impose powers or duties inconsistant with any statutory provisions.

ARTICLE V. EFFECTIVE DATE.

SECTION 1. This Local Law shall take effect one (1) year from the enactment hereof, and upon full compliance with the provisions of the statute; and moves its adoption.

LOCAL LAW NUMBER 1 OF 1979

COUNTY OF ULSTER

A LOCAL LAW TO ESTABLISH THE ULSTER COUNTY SELF-INSURANCE PLAN, AND TO PROVIDE FOR THE ADMINISTRATION THEREOF PURSUANT TO ARTICLE 5 OF THE WORKER'S COMPENSATION LAW

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

ARTICLE I. ULSTER COUNTY SELF-INSURANCE PLAN.

SECTION 1. The plan of self-insurance provided for in Article 5 of the Worker's Compensation Law is hereby established and shall be known as "Ulster County Self-Insurance Plan."

ARTICLE II. ADMINISTRATOR.

SECTION 1. The plan of self-insurance hereby established shall be administered by an administrator. Such administrator shall be known as the "Administrator", and shall be appointed by the Chairman of the Legislature upon this local law becoming effective. Thereafter, the administrator shall be appointed annually by the Chairman of the Legislature at the organizational meeting of the Legislature, or as soon as possible thereafter.

SECTION 2. The administrator, subject to the approval of the Legislature, shall have the authority to administer such plan; shall contract for the services deemed necessary for the operation of the plan and within the limits of the appropriation therefor, shall approve all bills or claims against the plan before payment is recommended, and shall have authority to do any matter necessary in the settlement of any case.

SECTION 3. The expenses of the administration of the plan shall be payable from the funds of the plan.

ARTICLE III. PARTICIPANTS.

SECTION 1. The County of Ulster shall be a participant in the plan. Any city, town, and village, any fire district in any town which is not a member may elect to become participants in the plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant, with membership to be effective upon approval of the Compensation Insurance Administrator. Any participant may withdraw from the plan by filing a certified copy of a resolution of its governing body electing to withdraw upon the condition that it agree to pay its proportionate share of the estimated liabilities of the plan at the time of withdrawal. Payment of such liabilities shall be made in a lump sum or the administrator may, upon the approval of the Legislature, permit said payment to be made in installments.

LOCAL LAW NUMBER 1 OF 1979

A LOCAL LAW TO ESTABLISH THE ULSTER COUNTY SELF-INSURANCE PLAN, AND TO PROVIDE FOR THE ADMINISTRATION THEREOF PURSUANT TO ARTICLE 5 OF THE WORKER'S COMPENSATION LAW

SECTION 2. Each participant in the plan shall cooperate fully with the administrator in the administration of the plan, and annually, within thirty days of the close of each calendar year, and at such other times as the Administrator may require, shall render such reports as may be requested, and shall promptly furnish all pertinent information relative to any claim and aid in the investigation of any claim involving such participant.

SECTION 3. Every new employee of any participant in the plan, except volunteer firemen and civil defense volunteers, shall be required to undergo a physical examination before undertaking any of the duties of employment, except in the case of an emergency, in which case a participant employing such an employee shall arrange for such physical examination at the earliest possible time after undertaking the required duties. The expense of such physical examination shall be paid from the funds of the plan.

SECTION 4. For any violation of the provisions of the foregoing Sections 2 and 3 of this Article, or of the requirements of the Worker's Compensation Law by a participant, the Compensation Insurance Administrator shall charge a penalty of $100.00 against said participant. In addition thereto, the Legislature may by a majority vote expel such participant from the plan, and shall fix the amount of the share of such participant in outstanding claims, if any.

SECTION 5. The share of each participant in the plan shall be collected as provided in Sections 67 and 71 of the Worker's Compensation Law, except that the share of each city, village, town and fire district participating in the plan shall be collected through the next succeeding tax levy.

ARTICLE IV. RESERVES.

SECTION 1. Reserves not to exceed One Million Dollars ($1,000,000.00) are hereby established for the plan.

SECTION 2. There shall be an annual appropriated contribution to said reserves by each participant, not to exceed Twenty Five Thousand Dollars ($25,000.00) until such time as the maximum established reserves are reached and maintained.

SECTION 3. Notwithstanding the provisions of the foregoing Section 2 of this article, any existing balance in the Worker's Compensation Fund on December 31st of any year, will be transferred to the reserves established, until such time as the maximum is reached and maintained.

LOCAL LAW NUMBER 1 OF 1979

A LOCAL LAW TO ESTABLISH THE ULSTER COUNTY SELF-INSURANCE PLAN, AND TO PROVIDE FOR THE ADMINISTRATION THEREOF PURSUANT TO ARTICLE 5 OF THE WORKER'S COMPENSATION LAW

ARTICLE V. EXCESS OR CATASTROPHE INSURANCE.

SECTION 1. The administrator, subject to the approval of the Legislature, may purchase excess or catastrophe insurance, the cost thereof to be paid from the funds of the plan.

ARTICLE VI. CUSTODIAN OF FUNDS.

SECTION 1. The Administrator, subject to the approval of the Legislature, may purchase excess or catastrophe insurance, the cost thereof to be paid from the funds of the plan.

ARTICLE VII. MISCELLANEOUS.

SECTION 1. Any representative or agent under contract with the administrator shall perform such duties as may be necessary to operate the plan in accordance with the Worker's Compensation Law: shall make the reports required by law; shall attend hearings of cases before Worker's Compensation Board; shall have the power to authorize necessary medical care which appears from medical reports and information to be justifiable; shall have the authority to purchase supplies, stationery, forms, books, and equipment necessary for the operation of said plan within the limits of the appropriation and subject to the approval of the administrator and the rules of the Legislature.

ARTICLE VIII. EFFECTIVE DATE.

SECTION 1. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1979

COUNTY OF ULSTER

A LOCAL LAW OF THE COUNTY OF ULSTER, ABOLISHING THE OFFICE OF CORONER AND CORONER'S PHYSICIAN, AND ESTABLISHING IN THE DEPARTMENT OF HEALTH, THE OFFICE OF MEDICAL EXAMINER

PURSUANT TO THE PROVISIONS OF
ARTICLE 8 AND ARTICLE 17-A
OF THE COUNTY LAW

BE IT ENACTED by the Legislature of the County of Ulster, as follows:

ARTICLE I. ULSTER COUNTY MEDICAL EXAMINER LAW.

SECTION 1. This Local Law shall be known as the Ulster County Medical Examiner Law.

ARTICLE II. ESTABLISHMENT OF OFFICE OF MEDICAL EXAMINER.

SECTION 1. The Office of Coroner and the Office of Coroner's Physician are hereby abolished, and there is established in the Department of Health, the Office of Medical Examiner, pursuant to the provisions of Article 8 and Article 17-A of the County Law.

SECTION 2. The Office of Medical Examiner shall be a division of the Ulster County Health Department.

ARTICLE III. APPOINTMENT.

SECTION 1. The Medical Examiner shall be appointed by the Ulster County Legislature for a term as provided by law, to commence September 1, 1979.

SECTION 2. The County shall be divided into four districts. The Medical Examiner and each Assistant Medical Examiner shall be a resident of the respective district to be served. In the event that a qualified physician shall not reside in such district, or none is available for appointment, then and in that event, an appointment shall be made of a qualified physician who resides as close as possible to the district to which he is being appointed.

SECTION 3. The said four districts shall be created upon recommendation of the Medical Examiner and approved by the County Legislature.

LOCAL LAW NUMBER 2 OF 1979

A LOCAL LAW OF THE COUNTY OF ULSTER, ABOLISHING THE OFFICE OF CORONER AND CORONER'S PHYSICIAN, AND ESTABLISHING IN THE DEPARTMENT OF HEALTH, THE OFFICE OF MEDICAL EXAMINER

ARTICLE IV. POWERS AND DUTIES.

SECTION 1. The Medical Examiner shall be the head of the Medical Examiner's division of the Ulster County Health Department. A certificate of such appointment shall be filed and recorded in the Office of the County Clerk. The Medical Examiner, before entering into the duties of his office, shall take and file the prescribed oath of office and furnish and file the required undertaking. The Medical Examiner shall be a resident of the County of Ulster and a physician duly licensed to practice his profession in the State of New York, and shall be a person determined by the Legislature of Ulster County as qualified to perform an autopsy and dissect dead bodies of human beings.

SECTION 2. The Medical Examiner shall perform all duties which are now required, or which hereafter may be required by law of the Medical Examiner. In addition thereto, the Medical Examiner shall perform such additional and related duties involving the exercise of professional skills and training as may be prescribed by the Legislature of Ulster County and the District Attorney.

ARTICLE V. EMPLOYEES OF DIVISION OF MEDICAL EXAMINER.

SECTION 1. All employees within the Medical Examiner's division of the Health Department shall be appointed by the Health Commissioner after consultation with and due consideration of the recommendations of the Medical Examiners, as recommended by the Medical Examiner, and approved by the County Legislature.

ARTICLE VI. BUDGET.

SECTION 1. The Medical Examiner shall be responsible for the development of the budget of the Medical Examiner's division of the Ulster County Health Department, which budget shall be submitted to the Health Commissioner for incorporation in the annual budget of the Ulster County Health Department. The handling of expenditures of the Medical Examiner's Division shall be performed by the staff of the Ulster County Health Department. All expenditures shall be initiated by the Medical Examiner within his budget allocation and processed in the usual manner by the Health Department.

LOCAL LAW NUMBER 2 OF 1979

A LOCAL LAW OF THE COUNTY OF ULSTER, ABOLISHING THE OFFICE OF CORONER AND CORONER'S PHYSICIAN, AND ESTABLISHING IN THE DEPARTMENT OF HEALTH, THE OFFICE OF MEDICAL EXAMINER

ARTICLE VII. RECORDS AND REPORTS.

SECTION 1. The Medical Examiner shall keep such records and reports as are required by the provisions of Section 677 of the County Law. Such records shall be open to inspection by the District Attorney of the County at any time and to other persons as provided for in Section 677, paragraph 3(B) of the County Law.

ARTICLE VIII. RESOLUTIONS AND LOCAL LAWS REPEALED.

SECTION 1. Every resolution of local law of the County of Ulster, or any portion thereof inconsistant herewith is hereby repealed.

ARTICLE IX. EFFECTIVE DATE.

SECTION 1. This Local Law shall take effect immediately pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

LOCAL LAW NUMBER 3 OF 1979

COUNTY OF ULSTER

A LOCAL LAW PROVIDING CIVIL SERVICE COVERAGE AND STATUS FOR EMPLOYEES IN THE SHERIFF'S DEPARTMENT

BE IT ENACTED by the Ulster County Legislature as follows:

SECTION 1. All officers and positions of employment in the Ulster County Sheriff's Office and Department, except the Sheriff, Undersheriff, Confidential Secretary, Administrative Process Server and Process Servers, and all above the Rank of Sergeant as well as all other personnel presently, or hereafter filling the same or similar positions, or otherwise excluded by other laws namely the Sheriff and Undersheriff are hereby placed in the classified service pursuant to the Civil Service Law of the State of New York.

SECTION 2. Such officers and positions shall be held and filled according to the provisions of the Civil Service Law and the rules and regulations of the County Personnel Officer, and shall be governed and controlled and shall be subject to such Civil Service Law and such rules and regulations.

SECTION 3. Notwithstanding the foregoing provisions, all employees presently in the Sheriff's office or department who have been continuously employed from January 1, 1979, in their respective positions and prior to the effective date of this Local Law shall be covered-in into their respective positions without an examination.

SECTION 3B. Those positions identified in Section I are hereby afforded Section 75 rights and privileges under Civil Service Law.

SECTION 3C. All full-time employees hired subsequent to January 1, 1979, shall be afforded Section 75 rights and privileges after completing one year of full-time continuous service.

SECTION 3D. Non-competitive Labor Class positions filled subsequent to January 1, 1979, must complete one year continuous full-time employment prior to entitlement of Section 75 rights and privileges.

SECTION 4. If any section, subdivision, sentence, clause, phrase, or portion of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the section, subdivision, sentence, clause, phrase, or portion thereof directly involved in the controversy in which such judgement shall have been rendered.

SECTION 5. This Local Law shall take effect January 1, 1980.

LOCAL LAW NUMBER 1 OF 1980

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers to wit:

DISTRICT ATTORNEY	$40,000.00
COMMISSIONER OF SOCIAL SERVICES	$27,500.00
SUPERINTENDENT OF HIGHWAYS	$25,000.00
SHERIFF	$25,000.00
COUNTY CLERK	$25,000.00
DIRECTOR OF REAL PROPERTY TAX SERVICE	$24,500.00

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this local law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 2 OF 1980

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers in the following schedule to wit:

COMMISSIONERS OF ELECTION $18,926.00

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 3 OF 1980

COUNTY OF ULSTER

A LOCAL LAW RELATING TO CLAIMS AGAINST FIRE PROCEEDS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

ARTICLE I. RELEASE OR RETURNS OF PROCEEDS UPON RESTORATION OF PREMISES.

SECTION 1. Pursuant to Section 22 (4) of the General Municipal Law of the State of New York, in cases where the County has claimed against the proceeds of a policy of fire insurance insuring the interests of an owner and issued on real property located therein pursuant to said provision of law, there shall be released or returned to the insured any amount of which the County would otherwise be entitled to claim; provided that the insured agrees with the County in writing to restore the affected premises to the same or improved condition that it was in prior to the time that the lien of the County against such proceeds as provided by law arose, subject to such conditions as shall be provided by resolution of the County Legislature to guarantee performance of such obligations.

ARTICLE II. EFFECTIVE DATE.

SECTION 1. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 4 OF 1980

COUNTY OF ULSTER

A LOCAL LAW CREATING THE OFFICE OF COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR

SECTION 1. COUNTY ADMINISTRATOR. There shall be a County Administrator who shall be directly responsible to the Legislature and perform the functions of a chief administrative officer on behalf of the Legislature with the Legislature retaining the final administrative authority. Such office shall be in the unclassified services of the Civil Service.

SECTION 2. APPOINTMENT: QUALIFICATIONS. The County Administrator shall be appointed for a term of two (2) years to expire on June 30th of the even numbered year following the appointment. At the time of appointment, the County Administrator shall have the following training and/or experience:

[a] Ten (10) years paid full-time experience in the field of management of a public, business, or industrial enterprise,

or

[b] Possess a Bachelors degree from an accredited college or university and have six (6) years paid full-time experience in the field of management of a public, business or industrial enterprise,

or

[c] Possess a Master of Public Administration or Master of Business Administration degree and a Bachelors degree from accredited colleges or universities and have four (4) years paid full-time experience in the field of public or business administration,

or

[d] An equivalent combination of training and experience, listed in [a], [b], and/or [c].

The County Administrator shall be appointed on the basis of these and such other qualifications as may be required for the responsibilities of the office.

SECTION 3. POWERS AND DUTIES. Without curtailing, diminishing or transferring the powers of any elected County official, the County Administrator shall be responsible for the overall administration of County government. The County Administrator shall perform all the duties now and hereafter conferred or imposed upon the office by law and directed by the Legislature and shall have all powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties but not by way of limitation, are:

LOCAL LAW NUMBER 4 OF 1980

A LOCAL LAW CREATING THE OFFICE OF COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR

[a] To appoint such assistants within the office as may be authorized by the Legislature.

[b] To advise department heads and officers as well as to coordinate the activities of County Government to most effectively implement the directives of the Legislature.

[c] To assure that the statutory and local laws and resolutions of the Legislature and the directions of County officers empowered to make the same are faithfully executed and to report to the Legislature any neglect of duty.

[d] To serve as an advisor to the Legislature and develop policy and procedural recommendations for consideration of the Legislature.

[e] To undertake administrative and management studies and submit to the Legislature reports and recommendations regarding governmental operations as he may deem appropriate or the Legislature may request.

[f] To maintain liaison and represent the Legislature in contacts with political subdivisions, State and Federal Officials and agencies.

[g] To make recommendations for appointments by the Legislature for all heads of units of County government when requested by either the Chairman or the Legislature.

[h] To supervise and direct the Safety Officer, Grants Administrator, Insurance Officer and Sealer of Weights and Measures.

[i] Shall have the authority to examine and approve or disapprove all purchase orders and other documents by which the County incurs financial obligations, having ascertained before approval that moneys have been duly appropriated or provided for the allotted to meet such obligations and will be available when such obligations shall become due and payable, and record such obligations of the respective appropriations for which such obligations are to be paid.

[j] To prescribe the form of financial reports, receipts, vouchers, bills or claims to be filed by all administrative agencies, departments, offices or officials, institutions and other agencies of the County.

LOCAL LAW NUMBER 4 OF 1980

A LOCAL LAW CREATING THE OFFICE OF COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR

[k] To be the budget officer of the County and be responsible for the preparation and administration of the budget of the County, as well as develop and recommend a budget program that includes both long-range capital budgeting and annual operating budgets under the direction of the Legislature.

[l] To supervise the operation and management of the plan for Ulster County's Self-Insurance Program.

[m] To approve the placement of all County insurance which shall be deemed necessary with the business and property of the County within appropriations set by the Legislature.

[n] To participate in the conduct of collective negotiations with organized employee representatives.

[o] To be responsible for the preparation of Grant proposals and applications.

[p] To approve the settlement of claims for and against the County up to $1,000.00. Claims in excess of $1,000.00, but below $25,000.00 may be approved after consultation with the County Attorney.

[q] To advise the Chairman on all matters pertaining to the authorization for hiring or promotion of budgeted positions; grant applications or proposals; authorizations to attend conferences, conventions and schools.

[r] To authorize all departmental requests to expend more than $500.00 in one month for equipment.

[s] To authorize the transfer of funds within a departmental budget except for personal services (100 account). All such authorized transfers shall be reported to the Legislature within thirty days after the transfer is made.

[t] To appoint a confidential secretary who shall serve at his pleasure and who shall be paid out of funds appropriated for that purpose.

[u] To have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon him by the Legislature.

LOCAL LAW NUMBER 4 OF 1980

A LOCAL LAW CREATING THE OFFICE OF COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR

SECTION 4. DEPUTIES.

[a] The County Administrator shall have the power to appoint one or more Deputy County Administrators with the consent and authorization of the County Legislature. Every appointment of a deputy shall be in a writing filed and recorded in the office of the County Clerk.

[b] The term of office of any Deputy appointed hereunder shall coincide with that of the County Administrator, provided that any such appointment may be revoked at any time by the County Administrator with the consent of the Legislature by written revocation filed with the County Clerk. All positions of Deputy County Administrator shall be in the exempt class of the Civil Service.

[c] Deputy County Administrator(s) shall perform such duties pertaining to the office of the County Administrator as the County Administrator may from time to time delegate to any Deputy any of his powers and duties by writing filed with the Clerk of the Legislature and the County Clerk. Such delegation may be modified or revoked by the County Administrator at any time in the same manner. Upon such delegation of powers and duties to any Deputy, the Deputy shall be vested with such powers and duties as are delegated, to the same extent as the County Administrator.

[d] If there be but one Deputy County Administrator, he shall be the First Deputy Administrator. If more than one Deputy County Administrator is appointed, the County Administrator shall designate one of them as First Deputy County Administrator in a writing filed in the office of the County Clerk and Clerk of the Legislature.

SECTION 5. ACTING COUNTY ADMINISTRATOR. The First Deputy County Administrator shall be the Acting County Administrator in the event of the County Administrator's absence from the County or inability to perform and exercise the powers and duties of the office. In the event of the First Deputy County Administrator's inability to serve as Acting County Administrator, the Chairman, with the approval of the Legislature shall appoint an Acting County Administrator. In no event, may a person serve as Acting County Administrator for a period greater than sixty days unless authorized by the Legislature. The Acting County Administrator shall have all the powers and duties of the County Adminis-

LOCAL LAW NUMBER 4 OF 1980

A LOCAL LAW CREATING THE OFFICE OF COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR

trator during the period of his designation or until a new County Administrator shall be appointed pursuant to law and shall qualify to assume that office.

SECTION 6. SEPARABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This local law shall take effect on the first day of the month following the date of adoption and compliance with the requirements of law.

LOCAL LAW NUMBER 5 OF 1980

COUNTY OF ULSTER

A LOCAL LAW PROVIDING FOR THE ASSIGNMENT TO AND PERFORMANCE BY THE CHAIRMAN OF THE LEGISLATURE OF SPECIFIED ADMINISTRATIVE FUNCTIONS, POWERS AND DUTIES PURSUANT TO SECTION 10 OF THE MUNICIPAL HOME RULE LAW

SECTION 1. There is hereby assigned to the Chairman of the Ulster County Legislature the following specified administrative powers and duties on behalf of the Ulster County Legislature and his performance thereof:

[a] To become familiar with the property functions and fiscal affairs of the County.

[b] To determine what officer shall perform a particular power or duty not clearly defined by law.

[c] To authorize attendance at conferences, conventions, and schools for the betterment of County Government, including the right to determine which conferences, conventions and schools and who may attend and that all persons traveling out of the County on County business be and hereby are required to have attached to their voucher for such expenses when presented for audit, a completed approval form signed by the Chairman, authorizing such travel.

[d] To execute and deliver documents and contracts as authorized by the Legislature.

[e] In an emergency, on behalf of the Legislature to perform all acts which are necessary for the safety, health and protection of the citizens of this County and to sign all necessary papers to carry this authorization into effect.

[f] To authorize all Departments to fill vacancies or promote individuals to positions budgeted (amended: after discussion with Committee Chairman).

[g] To appoint all members of all boards, commissions and advisory committees, except where such appointments are required to be made by the County Legislature under State or Federal Law.

[h] To refund taxes pursuant to Section 556 of Real Property Tax Law.

[i] To direct the cancellation of Taxes pursuant to Section 558 of Real Property Tax Law.

[j] To approve and sign all grant applications.

LOCAL LAW NUMBER 5 OF 1980

A LOCAL LAW PROVIDING FOR THE ASSIGNMENT TO AND PERFORMANCE BY THE CHAIRMAN OF THE LEGISLATURE OF SPECIFIED ADMINISTRATIVE FUNCTIONS, POWERS AND DUTIES PURSUANT TO SECTION 10 OF THE MUNICIPAL HOME RULE LAW

SECTION 2. Nothing herein contained shall divest the County Legislature of any of the foregoing functions, powers or duties.

SECTION 3. The Chairman shall render a report to the County Legislature regarding his exercise of the foregoing functions, powers and duties at the end of every six months and otherwise as directed by the Legislature.

SECTION 4. EFFECTIVE DATE. This Local Law shall take effect on the first day of the month following the date of adoption and compliance with the requirements of law.

LOCAL LAW NUMBER 6 OF 1980

COUNTY OF ULSTER

A LOCAL LAW TO CONDITION THE LIABILITY OF ULSTER COUNTY IN CERTAIN TORT CASES UPON THE FILING WITH THE CLERK OF THE ULSTER COUNTY LEGISLATURE OR PRIOR WRITTEN NOTICE OF THE CONDITION WHICH IS THE BASIS OF THE ACTION

ARTICLE I. GENERAL PURPOSES.

SECTION 1. The County of Ulster must take all possible action to place reasonable limitations upon its tort liability in cases in which the basis of the action is the condition of property which the County is responsible to repair or maintain. Ulster County at this time is particularly desirous of limiting its tort liability because of the increasing number of claims which have been filed against the County in the recent past and the dramatic increase in the dollar amount of recent jury verdicts and out-of-court settlements against Ulster County and other municipalities. In accordance with the favorable view of the New York State courts towards adoption by municipalities of prior notice requirements as conditions precedent to liability in certain tort cases, Ulster County enacts such a requirement for suits involving alleged liability for the condition of certain property. Such requirement will not only save money for Ulster County taxpayers by eliminating certain tort claims, it will also limit injuries to persons and property within the County by providing for written notice of certain defects and, consequently affording to the County an opportunity to remedy such defects before accidents have occurred as a result of their existence.

ARTICLE II. WRITTEN NOTICE IN CERTAIN TORT CASES.

SECTION 1. No civil action shall be maintained against the County of Ulster for damages or injuries to person or property sustained in consequence of any road, street, highway, bridge, culvert, sidewalk, crosswalk, grating, opening, drain, sewer, parking lot, building, structure, grounds, or real property, or any portion thereof, being defective, out of repair, unsafe, dangerous, or obstructed, including such condition resulting from an accumulation of ice, or snow thereon, and including a failure to warn of such condition, unless at least forty-eight (48) hours prior to the occurrence resulting in such damage or injuries written notice of the defective, unsafe, dangerous and/or obstructed condition of such road, street, highway, bridge, culvert, sidewalk, crosswalk, grating, opening, drain, sewer, parking lot, building, structure, grounds or real property, or any portion thereof, relating to the particular place shall have been filed in the Office of the

LOCAL LAW NUMBER 6 OF 1980

A LOCAL LAW TO CONDITION THE LIABILITY OF ULSTER COUNTY IN CERTAIN TORT CASES UPON THE FILING WITH THE CLERK OF THE ULSTER COUNTY LEGISLATURE OR PRIOR WRITTEN NOTICE OF THE CONDITION WHICH IS THE BASIS OF THE ACTION

Clerk of the Ulster County Legislature, and there was a failure or neglect to remedy or remove the defect, danger or obstruction within a reasonable time after the filing of such notice.

ARTICLE III. SEVERABILITY.

SECTION 1. If any provision of this Local Law or the application thereof to any person, place, property, location or circumstances, is adjudged invalid by any court of competent jurisdiction such judgement shall not affect or impair the validity of the other provisions of this Local Law or the application thereof to other persons, place, property, location or circumstances.

LOCAL LAW NUMBER 1 OF 1981

COUNTY OF ULSTER

A LOCAL LAW TO CREATE A DEPARTMENT OF PUBLIC WORKS FOR THE COUNTY OF ULSTER PURSUANT TO SECTION 10 OF THE MUNICIPAL HOME RULE LAW

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. ESTABLISHMENT OF DEPARTMENT.

[a] There is hereby created a Department of Public Works the head of which shall be the Commissioner of Public Works who shall be appointed on the basis of his experience and qualifications for the duties of the office by the County Legislature. The term of office of the first Commissioner of Public Works to be appointed shall extend to and expire on December 31, 1982 and thereafter such Commissioner shall serve at the pleasure of the County Legislature.

[b] There is hereby abolished the Office of Superintendent of Highways for the County of Ulster and the Ulster County Highway Department.

SECTION 2. COMMISSIONER OF PUBLIC WORKS - POWERS AND DUTIES.

The Commissioner of Public Works shall:

[a] Have all powers and duties of a County Engineer and a County Superintendent of Highways, pursuant to the Highway Law or other applicable law;

[b] Have charge and supervision of the design, construction and alteration of the County buildings, parking fields, drives, walks, preserves, beaches, erosion projects and other structures and facilities in the nature of Public Works under the jurisdiction of the County;

[c] Have charge and supervision of maintenance, repair and alteration of buildings owned or leased by the County, parking fields, drives, walks, preserves, beaches and other structures and facilities in the nature of Public Works under the jurisdiction of the County including custodial care;

[d] Have such powers and duties in relation to County facilities for drainage, flood control, sanitation, sewage, or water supply as may be prescribed by the County Legislature;

[e] Furnish engineering and other services to the County Legislature, the Department of Planning and other County Departments as authorized;

LOCAL LAW NUMBER 1 OF 1981

A LOCAL LAW TO CREATE A DEPARTMENT OF PUBLIC WORKS FOR THE COUNTY OF ULSTER PURSUANT TO SECTION 10 OF THE MUNICIPAL HOME RULE LAW

[f] Have charge of and have the duty of performing such other functions concerning County real or personal property, public works and other matters as the County Legislature may, from time to time direct.

SECTION 3. DEPUTIES AND DIVISIONS.

[a] The Commissioner of Public Works shall have the power to appoint one or more Deputy Commissioners of Public Works within the limits of appropriations, therefor. Every appointment of a Deputy shall be in writing filed and recorded in the Office of the County Clerk.

[b] The term of Office of any Deputy appointed hereunder shall coincide with that of the Commissioner of Public Works, provided that any such appointment may be revoked at any time by the Commissioner of Public Works by written revocation filed with the County Clerk. All positions of Deputy Commissioner shall be in the exempt class of the Civil Service.

[c] Deputy Commissioner of Public Works shall perform such duties pertaining to the Office of Public Works as the Commissioner of Public Works may direct. The Commissioner of Public Works may from time to time delegate to any Deputy any of his powers and duties by a writing filed with the Clerk of the Legislature and the County Clerk and the State Commissioner of Transportation. Such delegation may be modified or revoked by the Commissioner of Public Works at any time in the same manner. Upon such delegation of powers and duties to any Deputy, the Deputy shall be vested with such powers and duties as are delegated, to the same extent as the Commissioner of Public Works.

[d] If there be but one Deputy Commissioner of Public Works, he shall be the First Deputy Commissioner of Public Works. If more than one Deputy Commissioner of Public Works is appointed, the County Commissioner of Public Works shall designate one of them as First Deputy Commissioner of Public Works in a writing filed in the Office of the County Clerk and the Clerk of the Legislature.

[e] The Commissioner of Public Works may, with the approval of the County Legislature, set up and establish appropriate divisions of the Department of Public Works as well as the responsibilities thereof and name Deputy to head any such division.

LOCAL LAW NUMBER 1 OF 1981

A LOCAL LAW TO CREATE A DEPARTMENT OF PUBLIC WORKS FOR THE COUNTY OF ULSTER PURSUANT TO SECTION 10 OF THE MUNICIPAL HOME RULE LAW

SECTION 4. EFFECTIVE DATE. This Local Law shall take effect upon the appointment by the Ulster County Legislature of a Commissioner of Public Works by resolution adopted subsequent to the date of adoption of this Local Law and compliance with the requirements of law.

LOCAL LAW NUMBER 2 OF 1981

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1.

[a] The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers to wit:

PUBLIC DEFENDER	$17,000.00
COUNTY AUDITOR	$17,500.00
PURCHASING AGENT	$19,000.00
REAL PROPERTY TAX SERVICE AGENCY DIRECTOR.	$25,500.00
COUNTY ATTORNEY	$22,000.00
BUILDINGS AND CONSTRUCTION SUPT.	$21,200.00
COMMISSIONER - SOCIAL SERVICES	$30,000.00

[b] For the balance of the year 1981 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1981 prior to such effective date, will equal the annual salary fixed for such office.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 3 OF 1981

COUNTY OF ULSTER

A LOCAL LAW TO PROVIDE FOR A PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. This Local Law rescinds Local Law Number 5 of 1975.

SECTION 2. The purpose of this Local Law is to grant a partial exemption from taxation to the extent of fifty percentum of assessed valuation of real property which is owned by certain persons with limited income who are sixty-five years of age or over, meeting the requirements set forth in Section Four Hundred Sixty- Seven of the Real Property Tax Law.

SECTION 3. Real Property owned by persons sixty-five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of fifty percentum as set forth in Section 467 of the Real Property Tax Law and subject to the following:

[a] The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption must not exceed the sum of $7,200.00. Income tax year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income Tax Return, or if no such return was filed, the calendar year.

SECTION 4. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 4 OF 1981

COUNTY OF ULSTER

A LOCAL LAW AUTHORIZING THE COUNTY OF ULSTER TO ENTER INTO CONTRACTS FOR THE PROVISION OF MASS TRANSPORTATION SERVICES TO BE RENDERED TO THE PUBLIC.

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. The purpose of this local law is to authorize the County of Ulster to take action to assure the provision of mass transportation services to the public at adequate levels, and at reasonable cost.

SECTION 2. Pursuant to the provisions of Section 119-r of the General Municipal Law, the County Legislature of the County of Ulster may, by resolution authorize the Chairman of the County Legislature to enter into:

[a] A contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately owned or operated mass transit facility, or

[b] A contract or contracts with any person, firm or corporation including a public authority, for the equipment, maintenance or operation of a mass transit facility owned, acquired,. constructed, reconstructed or improved by it.

SECTION 3. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 5 OF 1981

COUNTY OF ULSTER

A LOCAL LAW TO AMEND THE COUNTY'S REAPPORTIONMENT PLAN AS SET FORTH IN LOCAL LAW NUMBER 2 OF 1975

SECTION 1. Section 4 of Local Law Number 2 of 1975 is hereby amended to read as follows:

SECTION 4. LEGISLATIVE DISTRICTS. Each of the following described Legislative Districts shall elect that number of representatives to the Ulster County Legislature form within its boundaries as hereinafter set forth:

DISTRICT	DESCRIPTION	NUMBER OF REPRESENTATIVES
District 1	Wawarsing, Denning & Hardenburgh	3
District 2	Shandaken, Woodstock & Kingston	2
District 3	Saugerties	4
District 4	Kingston (City)	5
District 5	Hurley, Olive & Ulster	5
District 6	Esopus & Rosendale	3
District 7	Marbletown & Rochester	2
District 8	Gardiner, New Paltz, Shawangunk & Plattekill	6
District 9	Marlborough & Lloyd	3

SECTION 2. This Local Law shall take effect upon compliance, and in accordance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

LOCAL LAW NUMBER 1 OF 1982

COUNTY OF ULSTER

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1.

[a] The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers to wit:

COMMISSIONERS OF ELECTION	$22,243.00
COMMISSIONER OF SOCIAL SERVICES	$32,550.00
PERSONNEL OFFICER	$28,210.00
DIRECTOR, REAL PROPERTY TAX	$28,000.00
COUNTY ADMINISTRATOR	$39,500.00
DEPUTY COUNTY ADMINISTRATORS	$27,125.00
COMMISSIONER OF HEALTH	$46,000.00

[b] For the balance of the year 1982, on and after such a rate which, when added to amounts paid during the year 1982 prior to such effective date, will equal the annual salary fixed for such office.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 2 OF 1982

A LOCAL LAW RELATIVE TO THE CREATION OF AN ULSTER COUNTY TERCENTENNIAL COMMISSION

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

SECTION 1. A committee has been appointed by the Chairman of the Ulster County Legislature in accordance with Resolution No. 250 of 1981 to prepare a wide range program of events for the commemoration of the 300th anniversary of the birth of Ulster County, such plans having been approved and adopted by the Ulster County Legislature with the adoption of said resolution, and such plans to include events which would provide for appropriate observances, ceremonies, and other related events highlighting the key involvement of the County of Ulster in the history of New York State. Such committee now requires official status with official powers to receive funds and carry out official events and observances.

SECTION 2. There is hereby created a Commission to be called the Ulster County Tercentennial Commission which shall consist of the members of the Ulster County Tercentennial Committee and their successors duly appointed by the Chairman of the Ulster County Legislature, to serve at his pleasure, their terms of office to commence upon the adoption of this local law and to continue for the period of such Tercentennial Celebration. Said members shall serve without compensation.

SECTION 3. Such Commission be and hereby is authorized and empowered to do all things necessary under the guidelines of the Ulster County Legislature to arrange for appropriate observances, ceremonies and other related activities to celebrate the 300th anniversary of the birth of Ulster County and to administer and expend such funds as may be appropriated by the County Legislature for such purposes.

SECTION 4. The Ulster County Tercentennial Commission is authorized to establish its own rules of procedure and to provide for all regular or special meetings thereof. The Commission is further authorized and empowered to solicit and receive on behalf of the County, public and private contributions of funds for the uses and purposes of the Commission.

SECTION 5. This Local Law shall take effect immediately upon adoption.

LOCAL LAW NO. 3 OF 1982

A LOCAL LAW PROVIDING FOR THE FILLING OF VACANCIES IN THE OFFICES OF DISTRICT ATTORNEY, SHERIFF, COUNTY CLERK AND TREASURER OF THE COUNTY OF ULSTER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT

The intent of this Local Law is to provide for the filling of vacancies in the offices of District Attorney, Sheriff, County Clerk and Treasurer of the County of Ulster.

SECTION 2. INTERIM FILLING OF VACANCIES BY APPOINTMENT

If a vacancy occurs in the office of District Attorney, Sheriff, County Clerk or Treasurer of the County of Ulster otherwise than by expiration of the term, the County Legislature shall fill the office within 45 days after the vacancy occurs, by appointing to such office any individual who is qualified under law to hold the office.

SECTION 3. TERM OF OFFICE OF INTERIM APPOINTEE

An officer appointed to fill a vacancy under this Local Law shall hold office until and including the thirty-first day of December succeeding the first annual election at which the vacancy can be filled by election.

SECTION 4. FILLING OF VACANCIES BY ELECTION

A vacancy occurring in one of the four offices which are the subject of this local law occurring before September twentieth of any year shall be filled at the general election to be held next thereafter as provided by the Public Officers Law.

SECTION 5. SAVING CLAUSE

In the event any section, paragraph, sentence clause or phrase of this local law shall be declared unconstitutional or invalid for any reason, such determination shall not affect the validity of the remaining provisions of this Local Law or their application.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NO. 1 OF 1983

A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF 1981 IN RELATION TO FIXING THE TERM OF OFFICE OF COMMISSIONER OF PUBLIC WORKS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. TERM OF OFFICE

¶(a) §1 of Local Law No. 1 of 1981 is amended to read as follows:

> (a) There is hereby created a Department of Public Works the head of which shall be the Commissioner of Public Works who shall be appointed on the basis of his experience and qualifications for the duties of the office by the County Legislature. The term of office of the first Commissioner of Public Works to be appointed shall extend to and expire on December 31, 1982 and thereafter, the term of office of such Commissioner shall be two (2) years, expiring on the 31st day of December of each even numbered year.

SECTION 2. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NO. 2 OF 1983

A LOCAL LAW TO PROVIDE FOR A PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. This Local Law rescinds Local Law No. 3 of 1981.

SECTION 2. The purpose of this local law is to grant a partial exemption from taxation to the extent of fifty percentum of assessed valuation of real property which is owned by certain persons with limited income who are sixty-five years of age or over, meeting the requirements set forth in §467 of the Real Property Tax Law.

SECTION 3. Real Property owned by persons sixty-five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of fifty percentum as set forth in §467 of the Real Property Tax Law and subject to the following:

(a) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption must not exceed the sum of $8,200.00. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return was filed, the calendar year.

SECTION 4. This Local Law shall take effect immediately.

LOCAL LAW NO. 3 OF 1983

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers to wit:

Public Defender	$19,839.00
County Auditor	22,575.00
Purchasing Agent	24,188.00
Real Property Tax Service Agency Director	30,100.00
Commissioner of Social Services	34,800.00
Commissioner of Elections	23,911.00
Personnel Officer	30,326.00
County Administrator	41,750.00
Deputy County Administrator	29,159.00
Commissioner of Health	48,250.00
Commissioner of Public Works	35,000.00
Deputy Commissioner of Public Works	24,725.00
County Attorney	37,250.00

(B) For the balance of the year 1983 on and after the effective date of this local law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1983 prior to such effective date, will equal the annual salary fixed for such office.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by §24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

and moves its adoption.

LOCAL LAW NO. 4 OF 1983

LOCAL LAW AUTHORIZING THE SALE OR LEASE OF SURPLUS COUNTY REAL PROPERTY TO THE ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE FINDING AND PURPOSE: From time to time, the County has acquired real property from various sources. Many of such properties are not required for the corporate purposes of the County and could be better put to private use; the transfer of such surplus property to the Ulster County Industrial Development Agency would serve the useful purpose of improving the County's economic climate by increasing business and employment opportunities, and ultimately return some of these properties to fully taxable status.

The purpose of this local law is to provide authority for the sale or lease of such surplus property to the Industrial Development Agency without the requirement that such property be sold or leased only to the highest bidder after public advertisement, and to allow the lease of such property for terms in excess of five (5) years.

SECTION 2. AUTHORIZATION OF SALE OR LEASE TO INDUSTRIAL DEVELOPMENT AGENCY: Notwithstanding the provisions of §215, subdivision 4 of the County Law, upon the determination by the Ulster County Legislature that any County real property is no longer necessary for public use such property may be sold or leased for a period not exceeding twenty-five (25) years to the Ulster County Industrial Development Agency upon such terms and conditions as may be prescribed by the County Legislature by resolution, in the same manner and with the same rights and privileges as if said property were owned by an individual.

SECTION 3. VOTING REQUIREMENTS ON RESOLUTION: Such property may be sold or leased as provided in §2 hereof only by resolution adopted by the affirmative vote of two-thirds of the total membership of the County Legislature.

SECTION 4. PUBLIC ADVERTISEMENT, BIDDING DISPENSED WITH: Notwithstanding the provisions of §215, subdivision 6 of the County Law, such property may be sold or leased to the Ulster County Industrial Development Agency under the provisions of §2 hereof without public advertisement or bidding.

SECTION 5. EFFECTIVE DATE: This local law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Ulster voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against such local law in conformity with the provisions of §24 (1) (a) of the Municipal Home Rule Law, and upon filing in the Office of the Secretary of State.

LOCAL LAW NUMBER 1 OF 1984

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed at the sum opposite the office and designation of such County Officers to wit:

Real Property Tax Service Agency Director	$32,358.00
Commissioner of Social Services	$37,410.00
Commissioner of Elections	$25,704.00
Personnel Officer	$32,600.00
County Administrator	$44,170.00
Deputy County Administrator	$24,000.00
Deputy County Administrator	$31,346.00
Commissioner of Public Health	$50,670.00
Commissioner of Public Works	$37,420.00
Deputy Commissioner of Public Works	$24,725.00
Deputy Commissioner of Public Works	$26,579.00
County Clerk	$33,000.00
County Treasurer	$33,000.00

(B) For the balance of the year 1984 on and after the effective date of this local law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1984 prior to such effective date, will equal the annual salary fixed for such office.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by §24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in a number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

LOCAL LAW NUMBER 2 OF 1984

A LOCAL LAW PROVIDING FOR AN EXEMPTION FOR IMPROVEMENTS TO REAL PROPERTY MADE FOR THE PURPOSE OF FACILITATING ITS USE BY HANDICAPPED RESIDENTS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

ARTICLE I: PURPOSE

SECTION 1. The purpose of this Local Law is to provide for an exemption for real property taxation pursuant to the provisions of Section 459 of the Real Property Tax Law.

ARTICLE II: EXEMPTION FOR IMPROVEMENTS MADE FOR HANDICAPPED USE AND ACCESSIBILITY

SECTION 1. An improvement to any real property used solely for residential purposes as a one, two or three family residence shall be exempt from County Real Property Taxation to the extent of any increase in value attributable to such improvement if such improvement is used for the purpose of facilitating and accommodating the use and accessibility of such real property by (a) a resident owner of the real property who is physically disabled, or (b) a member of the resident owner's household who is physically disabled, if such member resides in the real property.

ARTICLE III: EFFECTIVE DATE

SECTION 1. This local law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1984

A LOCAL LAW TO PROVIDE FOR A MANAGEMENT BENEFITS PLAN FOR ULSTER COUNTY DEPARTMENT HEADS, MANAGERIAL STAFF, LEGISLATIVE EMPLOYEES, AND BOARD OF ELECTIONS EMPLOYEES

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. This Local Law reaffirms the granting of the benefits conferred by Resolution No. 339, adopted October 13, 1983.

SECTION 2. The purpose of this Local Law is to provide for flexibility of benefits for Ulster County Department Heads, Managerial Staff, Legislative Employees, Board of Election Employees and other employees while containing inflationary factors in the County of Ulster.

SECTION 3. The County of Ulster is authorized to and shall provide a Flexible Benefit Plan for the officers and employees designated in Resolution Number 339, of 1983 and such other officers and employees as may be designated from time to time by resolution of the County Legislature.

SECTION 4. The Flexible Benefit Plan is established as of January 1, 1984. The plan is intended to qualify as a "benefit plan" within the meaning of Sections 105, 120 and 129 of the Internal Revenue Code of 1954, as amended, and shall be construed and operated by all interested parties in a manner consistent with these Code requirements. In no event shall the County contribute towards or reimburse a benefit that is not a reimbursable expense under such Sections.

Under the Plan, participants will have the option of receiving Flexible Account Credits as hereinafter defined as County reimbursements of, or contributions toward, medical expenses, legal service expenses and dependent care assistance expenses. If not totally utilized for these expense payments, the balance of the Flexible Account Credits shall be forfeited.

SECTION 5. The following words and phrases shall have the following meanings unless a different meaning is plainly required by the context:

5.01. "Base Salary" means annual base salary established by the County excluding any overtime, cost-of-living allowance, furlough payments, vacation or holiday allowance paid in lieu of time off, fringe benefit payments and contributions made to qualified pension or welfare plans.

5.02. "County" means Ulster County and any affiliated or associated governmental agency or department to which this Plan has been extended by the County and which has adopted this Plan. For the purpose of administration, amendment or termination of the Plan, "County" shall mean Ulster County.

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5.03. "Employee" means any individual employed by the County as a department head or manager, provided such individual is not covered by a collective bargaining agreement with the County.

5.04. "ERISA" means the Employee Retirement Income Security Act of 1974, as from time to time amended, and any successor statute or statutes of similar import.

5.05. "Flexible Account Credit" means the dollar amount set aside with respect to a Participant as provided in Section 6.02 hereof.

5.06. "Internal Revenue Code" or "Code" means the Internal Revenue Code of 1954, as now in effect and as hereafter amended.

5.07. "Participant" means any employee who participates in the Plan in accordance with Section 6.01 hereof.

5.08. "Plan" means the Ulster County Flexible Benefit Plan as herein set forth.

5.09. "Plan Administrator" means the person or committee appointed by the County with duties and responsibilities as set forth in Article V hereof.

5.10. "Plan Year" means the twelve month period that commences January 1st of each calendar year and ends on the next following December 31st.

5.11. "Trustee" means the person or persons appointed by the County to act as trustee under the Group Legal Services Plan and Trust, as set forth in Section 11 hereof.

5.12. "Year of Service" means an employee's period of service with the County to the point of reference measured from such employee's earliest date of hire since which there has not been five or more years interruption of service.

5.13. The masculine includes the feminine and the singular includes the plural, wherever used in this plan.

SECTION 6. Participation in the Flexible Benefits Plan shall be as set forth in this Section.

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6.01. Eligibility. Every employee shall become a Participant as of October 1 of each Plan Year beginning with the 1984 Plan Year, provided he has then completed at least one year of service.

6.02. Employee's Plan Allocation. The County shall establish a dollar amount of credit for each Participant within each Plan Year, determined using a formula designed to satisfy the non-discrimination requirements of IRC Sections 105, 120 and 129 as follows:

YEARS OF SERVICE	CREDIT
At least one, but less than five	$300.00 plus 3/4 of 1% of Base Salary
Five or more	$500.00 plus 1% of Base Salary

This dollar credit will be apportioned by the County into two non-discriminatory parts. The Flexible Account Credit will be the amount generated by the above formula, but not in excess of the amount generated using the Base Salary of the lowest paid full time eligible employee. The excess, if any, over the Flexible Account Credit, will be paid to the employee in cash at the end of the calendar year.

In no event will employees be eligible for payment of any portion of the Flexible Account except for reimbursement of expenses as provided in Section 7.

The maximum Flexible Account Credit has been established in accordance with the discrimination requirements set out in the IRC 1.105-11 (3) by calculating the Plan Allocation generated using the Base Salary of the lowest paid full time eligible employee.

SECTION 7. The plan shall contain the following benefit options which are enumerated in this Section.

7.01. Group Legal Services. A participant may elect to receive a portion of his Flexible Account Credit in the form of a County reimbursement for legal service expenses as set forth in the Ulster County Group Legal Services Plan and Trust, which is contained in this Plan as Section 11. The requirements for participating in this option, the type and amount of benefits provided, and all other terms, conditions and limitations under this option shall be as set forth in Section 11.

7.02. Dependent Care Assistance. A participant may elect to receive a portion of his Flexible Account Credit in the form of a County reimbursement for dependent care assistance expenses as set forth in the Ulster County Dependent Care Assistance Plan, which is contained in this Plan as Section 12. The requirements for participating in this option, the type and amount of benefits provided, and all other terms, conditions and limitations under this option shall be as set forth in Section 12.

7.03. Medical Expenses. A participant may elect to receive a portion of his Flexible Account Credit in the form of County reimbursement for non-insured medical expenses as set forth in the Ulster County Medical Expense Plan, which is contained in this Plan as Section 13. The requirements for participating in this option, the type and amount of benefits provided, and all other terms, conditions and limitations under this option shall be as set forth in Section 13.

SECTION 8. This Plan shall be administered in the manner set forth and described in this Section.

8.01. Plan Administrator. The Plan Administrator shall administer the Plan in accordance with its terms for the exclusive benefit of participants, without discrimination among them. Subject to and in accordance with the requirements of ERISA, the Plan Administrator shall have full power to administer the Plan in all of its details. In addition to all other powers provided by the Plan, the Plan Administrator's powers shall include, but shall not be limited to, the following:

(A) To make and enforce such rules and regulations as deemed necessary or proper for the efficient administration of the Plan;

(B) To interpret the Plan, the Plan Administrator's interpretation thereof in good faith shall be final and conclusive on all persons claiming benefits under the Plan;

(C) To receive and answer questions concerning the Plan and the eligibility of any person to participate in the Plan;

(D) To compute the amount of Flexible Benefit credit to which any participant is entitled in accordance with the provisions of the Plan;

(E) To authorize the payment of Flexible Benefit Credits in the form of County contributions and reimbursement.

(F) To appoint such counsel, accountants, and consultants, as may be required to assist in administering the Plan; and

(G) To allocate and delegate authority under the Plan and to designate other persons to carry out any fiduciary duties under the Plan; provided that any such allocation, delegation or designation be by written instrument delivered to the County.

8.02. Reliance. In administering the Plan, the Plan Administrator shall be entitled to rely on all certificates, opinions and reports which are furnished by the Trustee or by an accountant, consultant or counsel employed or engaged by the Plan Administrator.

8.03. Named Fiduciary. The Plan Administrator shall be a "named fiduciary" for purposes of Section 402(a) (1) of ERISA with authority to control and manage the operation and administration of the Plan, and shall be responsible for complying with the reporting and disclosure requirements of Part 1 of Subtitle B of Title 1 of ERISA.

8.04. Appointment. Any member of the Plan Administrator may be removed with or without cause, and new members may be appointed by the County. Any member of the Plan Administrator may resign by delivering his written resignation to the County and such resignation shall become effective thirty days following delivery or upon any earlier date acceptable to the County.

8.05. Actions. A majority of the members of the Plan Administrator at the time in office shall constitute a quorum for the transaction of business at any meeting. Any determination or action of the Plan Administrator may be made or taken by a majority of members present at any meeting thereof, or without a meeting by a resolution or written memorandum concurred in by a majority of the members then in office.

8.06. Accounts. The Plan Administrator shall maintain accounts showing the fiscal transactions of this Plan.

8.07. Care. In administering this Plan, neither the Plan Administrator, nor any person to whom it may delegate any duty or power in connection with administering each such Plan, nor the County, nor its

legislators or employees, shall be liable for any action or failure to act, except for its or his own gross negligence or willful misconduct, nor for the payment of any benefit or other amount under any Plan. No member of the Plan Administrator shall be personally liable under any contract, agreement, bond or other instrument made or executed by him or on his behalf as a member of the Plan Administrator; nor for any mistake of judgment made by him or on his behalf as a member of the Plan Administrator, nor for any action, failure to act, or loss unless resulting from his own gross negligence or willful misconduct; nor for the neglect, omission or wrong doing of any other member of the Plan Administrator.

8.08. Expenses. All expenses incurred prior to termination of the Plan that shall arise in connection with the administration of the Plan, including administrative expenses and other proper charges and disbursements of the Trustee and compensation and other expenses and charges of any accountant, counsel, consultant or other person who shall be employed by the Plan Administrator in connection with the administration thereof, shall be paid by the County.

8.09. Prudent Man Rule. Each member of the Plan Administrator shall perform his duties with the degree of care and expertise that would be exercised by a prudent man with knowledge of such duties.

SECTION 9. The participant responsibility, timing and claims and appeal procedure for reimbursement under this Plan is as contained in this Section.

9.01. Participant Responsibility. Each Participant is responsible for accumulating and submitting the documentation required for reimbursements under this Plan. Claim forms which are not accompanied by properly documented expense vouchers may be retuned to the participant by the Plan Administrator for further documentation. Each participant who fails to supply additional documentation within thirty days of the Plan Administrator's request shall be deemed to have not requested reimbursement for the amounts in question.

9.02. Timing of Reimbursements. Claim forms are to be submitted to the Plan Administrator during the period from October 1 through December 1 of each Plan Year. Any balance remaining in the participant's Flexible Account Credit on December 1st, of such Plan Year would be liquidated, pursuant to the election of the participant, by a cash payment to the participant.

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9.03. Claims Procedure and Appeal. If any employee has not received a benefit under the Plan to which he or she believes he or she is entitled, he or she may file a written claim for the benefit with the Plan Administrator. The Plan Administrator shall decide within 90 days whether to honor the claim; however, under special circumstances, such 90-day period may be extended an additional 90 days, provided the Plan Administrator notifies the employee of the extension, in writing, before the expiration of the initial 90-day period.

If the claim is totally or partially denied, the Plan Administrator shall promptly give the employee a written notice of denial. The written notice shall clearly set forth: (a) the specific reasons for the denial; (b) specific references to the pertinent Plan provisions on which the denial is based; (c) a description of any material or information necessary for the employee to complete the claim; and (d) an explanation of the Plan's claim review procedure. If notice of the denial is not furnished within the period of time described above, the claim shall be deemed denied.

The employee or his or her authorized representative may appeal a denied claim within 60 days after he/she received the notice of the denial and may request a review of the claim by written application to the Plan Administrator. The employee shall have the right to review any pertinent documents held by the Plan Administrator and may submit issues and comments in writing.

The Plan Administrator shall review and answer the claim in writing within 60 days; however, under special circumstances, such 60-day period may be extended an additional 60 days, provided the Plan Administrator notifies the employee of the extension, in writing, before the expiration of the initial 60-day period.

The Plan Administrator shall clearly set forth the specific reasons for the decision, with specific references to the Plan provision on which the decision is based. The decisions of the Plan Administrator shall be final.

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SECTION 10. Miscellaneous Provisions.

10.01. Amendment and Termination of Plan. The County reserves the right at any time to amend or terminate the Plan, provided that no amendment shall cause the Plan to cease to qualify as a "benefit plan" within the meaning of Code Sections 105, 120 and 129, nor shall any amendment cause any otherwise reimbursable expenses not to qualify as such shall be made which would cause or permit Plan assets to be used for any purpose other than the payment of benefits or the defrayal of administrative expenses.

10.02. Information to be Furnished. Each participant shall provide the Plan Administrator with such information and evidence and sign such documents as reasonably may be requested from time to time for the purpose of administration of the Plan.

10.03 Examination of Records. The Plan Administrator will make available to each participant his records under the Plan for examination at reasonable times during normal County business hours.

10.04. Limitation of Rights. Neither the establishment of the Plan nor any amendment thereof, nor the payment of any benefits, will be construed as giving to any participant or other person any legal or equitable right against the County, except as provided herein.

Nothing contained in the Plan shall give any employee the right to be retained in the employment of the County or affect the right of the County to dismiss any employee. The adoption and maintenance of the Plan shall not constitute a contract between the County and any employee or consideration for, or an inducement to or condition of, the employment of any employee.

SECTION 11. Group Legal Services Plan and Trust.

PART 1 - ESTABLISHMENT OF PLAN AND TRUST.

11.1.01 Establishment. The County established the Ulster County Flexible Benefit Plan, effective January 1, 1984, to provide reimbursement for certain benefit expenses of participants in accordance with

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Code Sections 105, 120 and 129. Such plan provides for reimbursement for expenses for personal legal services in accordance with Section 120 of the Code. To implement such reimbursement, the County has established and executed this Ulster County Group Legal Services Plan and Trust Agreement, as hereinafter set forth. This Plan and Trust are for the exclusive benefit of the County's employees, their spouses and dependents, and in no event shall any funds of the Plan and Trust be used for any purposes other than the reimbursement of qualifying legal expenses as provided in Part II hereof.

11.1.02 Trustees. The County shall appoint at least three individuals to serve as Trustees under this Plan and Trust. Such individuals may, but need not, be employees. The initial Trustees shall signify their acceptance of this appointment by their signatures at the end of this Section II.

11.1.03 Participation. All employees who are participants in the Flexible Benefit Plan shall be eligible to receive reimbursement from this Plan and Trust, in accordance with the limitations and administrative procedures of the Flexible Benefit Plan. Benefits provided from this Plan and Trust shall not discriminate in favor of highly compensated employees.

11.1.04 Termination of Plan and Trust. Notwithstanding anything to the contrary contained herein, this Plan and Trust shall terminate on December 31, 1984, unless otherwise extended by law or regulation. Any assets remaining in the Trust upon termination shall be used for the exclusive benefit of employees, their spouses and dependents, as determined by the Plan Administrator.

11.1.05 This Plan and Trust shall consist of such sums of money and other property acceptable to the Trustees as shall from time to time be delivered to and held by such Trustees. All such money and property, all investments and reinvestments made therewith, or proceeds thereof and all earnings and profits thereon are hereinafter referred to as the "Trust Fund."

PART 2 - QUALIFYING LEGAL EXPENSES

11.2.01 Subject to Sections 11.2.02 and 11.2.03, qualifying legal expenses include amounts incurred and paid by a participant, his spouse or dependent for legal expenses in connection with:

(a) consumer and insurance claims;
(b) wills and probate proceedings;

(c) divorce, separation and child support agreements and proceedings;
(d) adoption;
(e) real estate transactions, including tenant or landlord disputes;
(f) defense of a debt, misdemeanor or felony;
(g) defense or prosecution of personal tort actions;
(h) obtaining Social Security, Veterans or Unemployment benefits;
(i) traffic offenses, other than parking violations;
(j) audit and administrative proceedings involving federal, state or local taxes; and
(k) personal bankruptcy proceedings.

11.2.02 Notwithstanding anything contained in the Plan to the contrary, qualifying legal expenses shall in no event include amounts paid in connection with any action or proceeding involving: (a) the County, the Plan Administrator, the Plan or Trustees, or (b) any union, or officer thereof, representing or attempting to be certified as the representative of any employees of the County.

11.2.03 Qualifying legal expenses shall not include amounts paid for legal expenses directly connected with or pertaining to a trade or business of, or the production or collection of income or the management, conservation or preservation of property held for the production of income by the participant, his spouse or dependent, unless such amounts are paid with respect to: (a) a consumer or insurance claim not connected with a trade or business or property held for the production of income, (b) protecting or asserting rights to property as heir or legatee of a decedent, or as beneficiary under a testamentary trust, (c) securing, increasing or collecting alimony (or payments in lieu of alimony) under a decree of divorce or the division or redivision of property under the community property or equitable distribution laws of a State, (d) a claim for damages, whether or not compensatory, for personal injury, or (e) obtaining Social Security, Veterans or Unemployment benefits. Legal expenses for no more than four initial consultations with an attorney or attorneys in a Plan Year will be treated as qualifying legal expenses, even if they concern matters which would otherwise be excluded by reason of Section 11.2.01 or this Section 11.2.03 (but not if excluded by Section 11.2.02.). However, legal expenses for more than four initial consultations in a Plan Year will not be treated as qualifying legal expenses, regardless of whether they concern matters which would not otherwise be excluded from coverage by the Plan.

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11.2.04 For purposes of this Section 11, the following definitions shall be applicable:

"Dependent" means each of a participant's unmarried children or stepchildren who (a) either has not attained age 19, (b) is a full time student and has not attained age 23, or (c) became incapacitated prior to attainment of age 19; provided such child received one-half of his support for the Plan Year in which legal expenses are incurred from the participant, is treated as receiving over half of his support from the participant under Section 152(e) of the Code).

"Spouse" means a person married to a participant and not legally separated from the participant under a decree of divorce or separate maintenance.

PART 3 - CONTRIBUTIONS AND REIMBURSEMENT

11.3.01 County Contributions. The County shall pay to the Trustee on a periodic basis the amounts necessary to reimburse each participant for the participant's legal expenses as provided in Part II.

11.3.02 Reimbursement. The Plan Administrator shall direct the Trustee to pay to the participant an amount equal to his approved legal expenses, subject to the limitations set forth in the Flexible Benefit Plan.

11.3.03 Administration. The Trustee shall hold the County contributions in trust for the exclusive benefit of participants, their spouses and dependents. The Trustee is authorized to deposit such contributions in a bank or trust company and make reimbursements as promptly as possible after being so advised by the Plan Administrator.

SECTION 12. Dependent Care Assistance Plan

PART 1 - ESTABLISHMENT OF PLAN

12.1.01 Establishment of Plan. The County established the Ulster County Flexible Benefit Plan, effective January 1, 1984, to provide reimbursement for certain benefit expenses of participants in accordance with

Code Sections 105, 120 and 129. Such Plan provides for reimbursement for expenses for dependent care in accordance with Code Section 129. To implement such reimbursement, the County has established this Ulster County Dependent Care Assistance Plan as hereinafter set forth.

12.1.02 Participation. All participants shall be eligible to receive reimbursement from this Plan, in accordance with the limitations and administrative procedures of the Flexible Benefit Plan.

PART 2 - QUALIFYING DEPENDENT CARE EXPENSES

12.2.01 Dependent Care Expenses.

(A) A participant may elect to receive reimbursement for dependent care assistance expenses which are employment-related and which enable the participant to continue to be gainfully employed. To qualify for reimbursement, expenses shall be incurred for the care of:

(1) The participant's dependent child under age 15;

(2) Any other person who is a dependent of the participant and who is physically or mentally unable to care for himself as determined by the Plan Administrator; or

(3) The participant's spouse if she is physically or mentally unable to care for herself, as determined by the Plan Administrator.

(B) If the expenses to be reimbursed are incurred for dependent care assistance outside the household of the participant, the individual for whose care the expenses are incurred must be:

(1) The participant's dependent child under age 15; or

(2) A person described in Section 12.2.01 (A) (2) and (3) who resides in the participant's household at least 8 hours per day.

(C) If the expenses to be reimbursed are incurred for dependent care assistance in a day care center, such day care center must:

(1) Comply with all applicable state and local requirements for day care centers;

(2) Provide care for at least seven individuals other than those living at the facility; and

(3) Receive payment for the care provided for at least one of those seven individuals (regardless of whether such facility is operated for profit).

12.2.02 Limitations. The amount of a participant's reimbursement from the Plan in a calendar year for dependent care assistance shall not exceed:

(A) If the participant is single, his earned income for that calendar year; or

(B) If the participant is married, the lesser amount of earned income of the participant or the participant's spouse for that calendar year.

Earned Income, for purposes of this Section, means wages, salaries, tips and other employee compensation, plus net earnings from self-employment, computed without regard to any community property laws and excluding any amounts received as a pension or annuity, as reimbursement of expenses under this Flexible Benefit Plan or as dependent care assistance under any other employer's program. A Participant's spouse who is either a student or incapable of caring for herself, shall be deemed, for each month during which such spouse is either a full time student at an educational institution or a dependent, to be gainfully employed and to have Earned Income of not less than (a) $200.00, if the participant has only one dependent for the Plan Year, or (b) $400.00 if the participant has two or more dependents for the Plan Year.

12.2.03 Exclusions. No payments made for dependent care assistance shall be reimbursed under the Plan if such payments are made to a person who is the participant's dependent for federal income tax purposes or to a person who is the participant's child under age 19.

12.2.04. Notwithstanding anything to the contrary contained herein, dependent care assistance expenses reimbursed under the Plan shall include only those expenses that, if paid for directly by the County, would be excludable from the Participant's gross income in accordance with the provisions of Code Section 129.

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PART 3 - REIMBURSEMENT

12.3.01 Reimbursement. Each participant shall be reimbursed for his approved dependent care assistance expenses in accordance with the Flexible Benefit Plan and subject to the limitations contained herein.

12.3.02. Annual Report of Reimbursement. By January 31st of each year the County shall provide to each participant a written statement showing the reimbursement paid to the participant under the Plan for the previous calendar year.

SECTION 13. Ulster County Medical Expense Plan

PART 1 - ESTABLISHMENT OF PLAN

13.1.01 Establishment of Plan. The County established the Ulster County Flexible Benefit Plan, effective January 1, 1984, to provide reimbursement for certain benefit expenses of participants in accordance with Code Sections 105, 120 and 129. Such Plan provides for reimbursement for certain medical expenses in accordance with Code Section 105. To implement such reimbursement, the County has established this Ulster County Medical Expense Plan as hereinafter set forth.

12.1.02 Qualification. This Medical Expense Plan is intended to qualify as a "self-insured medical reimbursement plan" within the meaning of Code Section 105(h) (6). Benefits under this Plan shall in no event discriminate in favor of highly-compensated participants, defined as the highest-paid 25% of participants.

13.1.03 Participation. All participants shall be eligible to receive reimbursement for qualifying medical expenses as defined in Section 13.2.01 hereof in accordance with the limitations and administrative procedures of the Flexible Benefit Plan.

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PART 2 - QUALIFYING MEDICAL EXPENSES

13.2.01 Definitions. Qualifying medical expenses means any expense that is designated by the Plan Administrator as being "medical care", as defined in Section 213 (d) and (e) of the Code, of the Participant, his spouse and dependents. Such expenses shall include, but shall not necessarily be limited to, amounts paid for hospital bills, physician and dental bills, orthodontal costs, drugs, expenses for the purchase (or rental, where appropriate) of medical supplies, eyeglasses, contact lenses, hearing aids, laboratory tests and specific deductibles, co-insurance and excess amounts not covered by the County's Group Health Insurance Plan.

13.2.02 "Spouse" means a person legally married to a participant and not legally separated from the participant under a decree of divorce or separate maintenance.

13.2.03 "Dependent" means each of a participant's unmarried children or stepchildren who either has not attained age 19, is a full time student and has not attained age 23, or became incapacitated prior to attainment of age 19 and who receives over half of his support for the Plan Year in which Medical Expenses are incurred from the participant (or, in the case of a divorced or legally separated participant, is treated as receiving over half of his support from the participant under Section 152(e) of the Code).

SECTION 14. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

LOCAL LAW NUMBER 4 OF 1984

A LOCAL LAW TO AMEND THE MANAGEMENT BENEFITS PLAN AS SET FORTH IN LOCAL LAW NUMBER 3 OF 1984

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 9.02 of Local Law Number 3 of 1984 is hereby amended to read as follows:

> 9.02. Timing of Reimbursements. Claim forms are to be submitted to the Plan Administrator during the period from September 15th through December 31st of each Plan year. Any balance remaining in the participant's flexible account credit on December 31st of such plan year shall be forfeited.

SECTION 2. This local law shall take effect immediately,

LOCAL LAW NUMBER 5 OF 1984

A LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 1975 TO AUTHORIZE THE CREATION OF THE OFFICE OF DEPUTY DIRECTOR OF THE YOUTH BUREAU

The Youth, Aging, Veterans, and Handicapped Services Committee (Chairman Tipp and Legislators Fall, Umhey, G. Benjamin, Kwas, Barthel and Chasin) offers the following:

SECTION 1. Section 9 of Local Law Number 4 of 1975 is amended to read as follows:

> Section 9. The Deputy Director will be appointed by the Director of the Youth Bureau and be in the non-competitive class of the Civil Service. The Director of the Youth Bureau will be appointed by the Chairman of the Legislature and also will be in the non-competitive class of the Civil Service. The clerical help will be appointed by the Director of the Youth Bureau in the competitive class of the Civil Service.

SECTION 2. Section 10 of Local Law Number 4 of 1975 is amended to read as follows:

> Section 10 (a). Duties of Administrative Director: The Administrative Director is to carry out and endeavor to effectuate the policies planned and established by the Bureau and approved by the Division for Youth of New York State.
>
> (b). Duties of Deputy Director: The Deputy Director is to carry out and perform such duties as shall be assigned by the Administrative Director and shall possess the powers and perform the duties of the Administrative Director during the absence of inability of such Administrative Director to act or in the case of a vacancy in the office of Administrative Director, until a successor is selected and has qualified.

SECTION 3. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1985

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers for the year 1985 are hereby fixed at the sum opposite the office and designation of such County Officers to wit:

Real Property Tax Service Agency Director	$35,594.00
Personnel Officer	$35,860.00
County Administrator	$46,770.00
Deputy County Administrator	$26,400.00
Deputy County Administrator	$34,481.00
Commissioner of Public Health	$53,270.00
Commissioner of Public Works	$40,020.00
Deputy Commissioner of Public Works	$26,579.00
Deputy Commissioner of Public Works	$28,572.00
Deputy Commissioner of Public Works	$29,562.00
County Treasurer	$35,500.00
County Attorney	$42,270.00
County Sheriff	$32,500.00
Public Defender	$22,927.00
County Auditor	$26,088.00
Purchasing Agent	$27,952.00

(B) For the balance of the year 1985, on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1985 prior to such effective date, will equal the annual salary fixed for such office.

(C) Nothing herein contained shall obligate the County to base any salary increases for subsequent years upon the amounts above set forth, to the extent that such amounts represent a performance bonus under the salary adjustment schedule of the Personnel Policy Manual.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is field with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in a number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

LOCAL LAW NUMBER 2 OF 1985

A LOCAL LAW DESIGNATING THE ADMINISTRATOR OF THE COUNTY SELF-INSURANCE PLAN AS THE COUNTY INSURANCE OFFICER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. DESIGNATION OF ADMINISTRATOR AS INSURANCE OFFICER

The Administrator of the County's Self-Insurance Plan as provided for in Local Law Number 1 of 1979 shall serve as the County's Insurance Officer, having general charge over the responsibility for the administration of all County Insurance Programs and such other responsibilities, duties and functions relating to insurance as the County Legislature shall from time to time provide. He[/she] shall have authority to appoint such deputies within the limit of appropriations and designate a first deputy who shall act as Insurance Officer in the event of the Insurance Officer's absence from the County or inability to perform and exercise his[/her] powers and duties.

SECTION 2. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1985

COUNTY OF ULSTER

A LOCAL LAW DEFINING THE LIABILITY OF THE COUNTY OF ULSTER FOR ACTS AND OMISSIONS OF EMPLOYEES IN THE SHERIFF'S DEPARTMENT

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. County Liability for negligence of Employees in Sheriff's Department

Any act or omission of any employee of the County in the Sheriff's Department done or made in the performance of an official duty shall be the act or omission of the County, and the County shall be liable for any damages which may arise as the result of such employee's negligence in carrying out such official duty.

SECTION 2. Liability of Sheriff Unchanged

Nothing herein contained shall be deemed to render the County responsible or liable for the acts of the Sheriff nor to relieve the Sheriff from any liability to which he or she is lawfully subject.

SECTION 3. Effective Date

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 4 OF 1985

A LOCAL LAW FOR THE LICENSING OF PERSONS IN THE BUSINESS OF PURCHASING SECONDHAND ARTICLES

BE IT ENACTED, by the Legislature of the County of Ulster, State of New York, as follows:

SECTION I - LEGISLATIVE FINDINGS

This Legislature finds that incidents of burglary and larceny are a continuing problem for the people of Ulster County and that in many instances the proceeds of these crimes have been sold to persons who are in the business of purchasing secondhand property. Further, many of these dealers in secondhand property do not keep records concerning the identity of the person from whom the property was purchased and are not able to provide adequate assistance to law enforcement personnel when property in their possession has been identified as stolen. Also, it is in the public interest that persons who deal in the purchase of secondhand property be licensed and be required to keep certain records concerning the purchase of such property so as to reduce the incidents of burglary and larceny being committed within Ulster County.

SECTION II - DEFINITIONS

1. "Dealer in Secondhand Articles" shall mean any person, corporation, partnership, or other entity and its employees, that as a business and at its place(s) of business in involved in the business of purchasing and selling the following secondhand items or articles:

   (a) items made of precious metals purchased with intent to scrap;

   (b) jewelry:
      1. containing precious metals, or
      2. including watches, rings, necklaces, bracelets, earrings, pendants, stick pins, or
      3. containing diamonds, rubies, pearls, emeralds, birth stones, or other precious stones.

   (c) any articles made out of coin or sterling silver, i.e., flatware, etc.;

   (d) cameras and other optical equipment less than thirty (30) years old;

   (e) electronic business machines and computers;

   (f) working audio, television and similar equipment less than fifteen (15) years old; and

(g) coins if they fall within the following categories:
1. any coin with a value exceeding $100.00;
2. any gold coin, or
3. all coins purchased for bullion content except that for identification purposes they may be listed as one item (Ex. 100 silver quarters purchased at $1.50 per = $150.00)

2. "Secondhand Articles" shall mean an article or object which:

(a) has been previously sold at retail, or;

(b) has previously been used or is not in new condition.

3. "Secondhand Articles Establishment" shall mean any shop, store, residence, place or premise including shows and flea markets operating more than two days per year from which a dealer in secondhand items or articles conducts his business. This shall include any dealer in precious metals and coins even if their residency in Ulster County is less than two days and their activity is limited to buying only.

4. "Precious Metals" shall mean gold, silver, platinum, iridium, ruthenium, osmium or any alloys of any one or more of said metals. It does not apply to any item which has a precious metal weight less than five percent of the total weight of the object, i.e., gold filled or silver plated objects.

SECTION III - EXEMPTIONS

The requirements of this legislation shall not apply to the following:

(a) charitable organizations;

(b) events sponsored by charitable organizations which may include shows, flea markets and bazaars;

(c) wholesale transactions between businesses and their representatives, each of which hold a valid state sales tax or tax exempt license consistent with form ST-120; and

(d) any transaction which takes place in the seller's legal residence except that the buyer shall make a record of the date of sale, the place of the sale and the name of the seller.

SECTION IV - GENERAL LICENSE REQUIREMENTS

1. No person shall engage in any business as a dealer in secondhand articles without obtaining a license therefor in accordance with and subject to the provisions of this local law.

2. A licensee shall display the license obtained pursuant to this article in the establishment. If a licensee shall maintain more then one establishment within the County of Ulster, he shall obtain duplicate licenses.

3. All licenses under this article shall be issued by the County Clerk of Ulster County. No license shall be issued until:

   (a) the licensing fees have been paid;

   (b) the party seeking the license has filed an "Application for Secondhand Articles License" with the County Clerk of Ulster County;

   (c) the licensee has been provided with a copy of the Article.

SECTION V - FEES

1. An application fee of $25.00 shall accompany each application for license as a dealer in secondhand articles.

2. The fee for a dealer in secondhand articles license or renewal thereof shall be $5.00.

3. There shall be no fee for a duplicate license for a second physical establishment.

4. The license shall be valid for two (2) years from the date of issuance.

LOCAL LAW NUMBER 4 OF 1985

A LOCAL LAW FOR THE LICENSING OF PERSONS IN THE BUSINESS OF PURCHASING SECONDHAND ARTICLES

SECTION VI - RECORDS REQUIRED

1. Each licensee shall keep records legibly written in English in a bound book. Each entry shall be made in ink at the time of the transaction and shall be serially numbered and shall include:

   (a) a brief description of the object or thing which has been purchased, including, but not limited to, the make, model, color and serial number when purchased;

   (b) the amount paid for the article;

   (c) the date and time of the transaction;

   (d) the name, home address, date of birth, sex, race and distinguishing features of the person selling the article; and

   (e) the type of identification produced by the person selling the article, including, if appropriate, the social security account number, driver's license number or the type of credit card and account number.

2. No alterations or erasures are to be made in said book. Erroneous entries are to have a single line drawn through them and the corrected entry made on the next line.

3. The books and records shall be retained in the possession of a licensee for at least three years.

4. A written receipt shall be issued to the seller of the article or object, with the serial number of the transaction and the information required in subdivisions 1(a) through 1(c) of this section.

SECTION VII - INSPECTIONS

All records and books required to be kept pursuant to this local law shall at all reasonable times, during regular business hours, be open for inspection. An inspection must be authorized by the District Attorney or an Assistant District Attorney of the Ulster County District Attorney's Office, and after receiving authorization may be conducted by the Sheriff of Ulster County or his authorized agent; the Troop Commander of the New York State

Police or his duly authorized agent, or any police officer whose geographical area of employment within Ulster County encompasses the physical location of where the inspection is to be conducted.

SECTION VIII - PROHIBITED ACTS

1. No article or item purchased by a dealer in secondhand articles shall be sold or otherwise disposed of until the expiration of at least three (3) business days from the date of purchase.

2. All articles subject to this holding shall be available for inspection by the District Attorney of Ulster County or his authorized agent, the Sheriff of Ulster County or his authorized agent; the Troop Commander of the New York State Police within the County or his authorized agent, or any police officer whose geographical area of employment within Ulster County encompasses the physical location of the Secondhand Articles Establishment.

3. No article shall be purchased from a person who is unable to produce proper and authentic identification.

SECTION IX - SEPARABILITY

If any section of this law or the application thereof to any person or circumstance shall be adjudged invalid by the court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not effect, or invalidate, the remainder of any other provision, any section of the application or any part thereof, to any person or circumstance, and to this end the provisions of each section of this law are hereby declared to be separable.

SECTION X - PENALTIES

A failure to comply with any provisions of this Article shall constitute a violation and shall be punishable by a fine not exceeding five hundred ($500.00) dollars or imprisonment for a period not exceeding fifteen (15) days, or by both, such fine and imprisonment. The continuation of an offense shall constitute a separate and distinct violation hereunder for each offense,

LOCAL LAW NUMBER 4 OF 1985

A LOCAL LAW FOR THE LICENSING OF PERSONS IN THE BUSINESS OF PURCHASING SECONDHAND ARTICLES

SECTION XI - EFFECTIVE DATE

This Local Law shall take effect immediately,

LOCAL LAW NUMBER 5 OF 1985

A LOCAL LAW ESTABLISHING A DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ULSTER as follows:

SECTION 1. Establishment of Department

(a) There is hereby established and shall be, a Department of Residential Health Care Facilities headed by a Director who shall have the qualifications of a nursing home administrator. The Director shall be appointed by and serve at the pleasure of, the Ulster County Legislature.

(b) There is hereby abolished the position of Administrator of the Ulster County Infirmary and Health Related Facility.

SECTION 2. Powers and Duties of Director

The Director of Residential Health Care Facilities shall:

(a) Have all the powers previously granted to or duties imposed upon the Administrator of the Ulster County Infirmary and Health Related Facility, subject to the provisions hereinafter contained;

(b) Exercise all the powers and duties hereafter lawfully granted or imposed by any local law or resolution of the County Legislature or by any applicable provision of any act of the State Legislature or by any applicable regulation, rule or order of a State or Federal Agency of competent jurisdiction, not inconsistent with this local law, which shall be necessary and enable said Director to manage the Ulster County Infirmary and Health Related Facility or any other similar institutions of the County;

(c) Insure that the facilities within the Department are operated, maintained and controlled in conformity with all applicable laws and rules, regulations, orders and directives of such State and Federal Agencies having lawful and proper jurisdiction;

(d) Report to the Chairman of the Ulster County Legislature and/or such committee or committees thereof as he shall designate, any deficiencies in the operation of the Department and submit therewith proposed corrective measures.

(e) Submit to the County Legislature on or before the 1st day of April in each year, a report of the Department's activities during the previous year.

LOCAL LAW NUMBER 5 OF 1985

A LOCAL LAW ESTABLISHING A DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES

SECTION 3. Deputy Director

(a) The Director shall have the power to appoint one or more deputy directors within the limits of appropriations therefor. Every appointment of a deputy shall be in writing filed and recorded in the office of the County Clerk. Each such deputy shall serve at the pleasure of the Director.

(b) Deputy Directors shall perform such duties of the Department as the Director shall specify. To the extent permitted by applicable law, rule or regulation, the Director may from time to time delegate to any deputy any of his powers and duties. Such deletions shall be writing filed with the Personnel Office and the Clerk of the County Legislature, as well as with such other officers or agencies as may be required by any applicable law, rule or regulation, and such delegation may be modified or revoked by the Director at any time in the same manner. Upon such delegation of powers and duties to any deputy, the deputy shall be vested with such powers and duties as are delegated to the same extent as the Director.

(c) If there be but one Deputy Director, he shall be the First Deputy Director of the Department. If more than one Deputy Director is appointed, the Director of the Department shall designate one of them as First Deputy Director in a writing filed in the office of the County Clerk and the Clerk of the Legislature.

(d) The Director may, with the approval of the committee having jurisdiction over the Department and the County Legislature, set up and establish appropriate divisions of the Department as well as the responsibilities thereof. The Director may name a deputy to head any such division.

SECTION 4. Effective Date

This Local Law shall take effect upon the appointment by the Ulster County Legislature of a Director of residential Health Care Facilities by resolution adopted subsequent to the date of adoption of this local law and compliance with the requirements of law.

LOCAL LAW NUMBER 1 OF 1986

A LOCAL LAW TO AMEND THE MANAGEMENT BENEFITS PLAN AS SET FORTH IN LOCAL LAW NUMBER 3 of 1984

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 6.02 of Local Law Number 3 of 1984 is hereby amended to read as follows:

6.02. Employee's Plan Allocation. The County shall establish a dollar amount of credit for each participant within each plan year, determined using a formula designed to satisfy the non-discrimination requirements of IRC sections 105, 120 and 129 as follows:

YEARS OF SERVICE	CREDIT
At least one, but less than five	$500.00 plus 3/4 of 1% of base salary
Five or more	$700.00 plus 1% of base salary

This dollar credit will be apportioned by the County into two non-discriminatory parts. The Flexible Account Credit will be the amount generated by the above formula, but not in excess of the amount generated using the base salary of the lowest paid full time eligible employee. The excess, if any, over the Flexible Account Credit, will be paid to the employee in cash at the end of the calendar year.

In no event will employees be eligible for payment of any portion of the Flexible Account except for reimbursement of expenses as provided in Section 7.

The maximum Flexible Account Credit has been established in accordance with the discrimination requirements set out in the IRC 1.105-11 (3) by calculating the Plan Allocation generated using the Base Salary of the lowest paid full time eligible employee.

Section 2. This Local Law shall take effect immediately,

LOCAL LAW NUMBER 2 OF 1986

A LOCAL LAW OF THE COUNTY OF ULSTER PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE FIRE PREVENTION AND BUILDING CODE

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. APPLICABILITY

This local law shall provide for the administration and enforcement of the New York State Fire Prevention and Building Code (hereinafter "UNIFORM CODE") by the County of Ulster, in the event that any local government, pursuant to S381 (2) of the Executive Law, enacts a local law, prior to the first day of July in any year, providing that it will not enforce the uniform code on and after the first day of January next succeeding the effective date of such local law. This local law shall also provide for administration and enforcement of the uniform Code with respect to County buildings, premises and equipment as hereinafter set forth.

SECTION 2. DESIGNATION OF ENFORCEMENT AGENCY

The Environmental Sanitation Division of the Ulster County Health Department is hereby designated to administer and enforce the Uniform Code in those localities which have properly opted out of responsibility for enforcement of the Uniform Code.

The Ulster County Safety Office is hereby designated to administer and enforce the Uniform Code with respect to buildings, premises and equipment in the custody of, or activities related thereto, undertaken by the County of Ulster. Said Department shall maintain and be responsible for any and all records pertaining to enforcement of the Uniform Code with respect to County buildings, premises and equipment.

SECTION 3. BUILDING PERMITS

A. No person, firm, corporation, association, or other organization shall commence the erection, construction, enlargement, alteration, improvement, removal or demolition of any building or structure, except an agricultural building or structure, nor install heating equipment without having applied for and obtained a permit from the Environmental Sanitation Division of the Ulster County Health Department. Exceptions to the requirement for building permits are allowed for:

(1) necessary repairs which do not materially affect structural features.

(2) alterations to existing buildings, provided that the alterations:

(I) cost less than $10,000;
(II) do not materially affect structural features;
(III) do not affect fire safety features such as smoke detectors, sprinklers, required fire separations and exits;
(IV) do not involve the installation or extension of electrical systems; and
(V) do not include the installation of solid fuel burning heating appliances and associated chimneys and flues; and

(3) small noncommercial structures not intended for use by one or more persons as quarters for living, sleeping, eating or cooking, for example, a small storage building. The application for a building permit shall request sufficient information to permit a determination that the intended work accords with the requirements of the Uniform Code.

B. Applications for a building permit may be obtained from the Environmental Sanitation Division of the Ulster County Health Department. A completed application shall be delivered to the Environmental Sanitation Division of the Ulster County Health Department and must include:

(I) The signature of the applicant or authorized agent;
(II) A description of the site on which the proposed work is to be done.
(III) A statement of the use or occupancy of all parts of the land and of the proposed building or structure;
(IV) A brief description of the proposed work;
(V) The estimated cost of the proposed work with appropriate substantiation;
(VI) The full name and address of the owner and the applicant, and if either be a corporation, the names and addresses of responsible officers;
(VII) Three sets of plans and specifications for the proposed work;
(VIII) The appropriate fees required;

(IX) A statement granting the applicants permission for an inspector to enter the property and structure thereon as frequently as said Environmental Sanitation Division deems necessary to inspect the same for the compliance with the Uniform Code

(X) The applicant may request that the requirement of plans and specifications be waived where the work to be done involves minor alterations or are otherwise unnecessary.

C. The applicant shall notify the Environmental Sanitation Division of any changes in the information contained in the application during the period for which the permit is in effect. A permit will be issued when the application has been determined to be complete and when the proposed work is determined to conform to the requirements of the Uniform Code. The authority conferred by such permit may be limited by conditions, if any, contained therein.

D. A building permit issued pursuant to this local law shall be prominently displayed on the property or premises to which it pertains.

E. A building permit issued pursuant to this local law may be suspended or revoked if it is determined that the work to which it pertains is not proceeding in conformance with the Uniform Code or with any condition attached to such permit, or if there has been a misrepresentation or falsification of a material fact in connection with the application for the permit.

F. A building permit issued pursuant to this local law shall expire one (1) year from the date of issuance or upon the issuance of a certificate of occupancy (other than a temporary certificate of occupancy), whichever occurs first. The permit may upon written request, be renewed for successive one-year periods provided that:

(I) The permit has not been revoked or suspended at the time the application for renewal is made.
(II) The relevant information in the application is up to date, and
(III) The renewal fee is paid.

LOCAL LAW NUMBER 2 OF 1986

A LOCAL LAW OF THE COUNTY OF ULSTER PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE FIRE PREVENTION AND BUILDING CODE

SECTION 4. CERTIFICATE OF OCCUPANCY

A. No building erected subject to the Uniform Code and this local law shall be used or occupied, except to the extent provided in this section, until a certificate of occupancy has been issued. No building similarly enlarged, extended, or altered, or upon which work has been performed which required the issuance of a building permit shall be occupied or used for more than thirty (30) days after the completion of the alteration or work unless a certificate of occupancy has been issued. No change shall be made in the nature of the occupancy of an existing building unless a certificate of occupancy authorizing the change has been issued. The owner or his agent shall make application for a certificate of occupancy.

B. A temporary certificate of occupancy may be issued if the building or structure or a designated portion of a building or structure is sufficiently complete that it may be put to the use for which it is intended. A temporary certificate of occupancy shall expire six (6) months from the date of issuance, but may be renewed an indefinite number of times.

C. No certificate of occupancy shall be issued except upon an inspection which reveals no uncorrected deficiency or material violation of the Uniform Code in the area intended for use and upon payment of the appropriate fee.

SECTION 5. INSPECTION

A. Work for which a building permit has been issued under this local law shall be inspected for approval prior to enclosing or covering any portion thereof and upon completion of each stage of construction including, but not limited to, building location, site preparation, excavation, foundation, framing, superstructure, electrical, plumbing, and heating and air conditioning. It shall be the responsibility of the owner, applicant, or his agent to inform the said Environmental Sanitation Division that the work is ready for inspection and to schedule such inspection.

B. Existing buildings not subject to inspection under subdivision (A) of this section shall be subject to periodic inspections for compliance with the Uniform Code in accordance with the following schedule: all areas of public assembly defined in the Uniform Code, all buildings or structures containing areas of public assembly, once every twelve (12) months; multiple dwellings and all buildings or structures open to the general public, every twenty-four (24) months; all other buildings - every thirty-six (36) months. Notwithstanding any requirement of this subdivision to the contrary, no regular, periodic inspections of occupied dwelling units shall be required, however, that this shall not be a limitation on inspections conducted at the invitation of the occupant or where conditions on the premises threaten or present a hazard to public health, safety, or welfare, or in response to bonafide complaints alleging noncompliance with the Uniform Code.

SECTION 6. INSPECTORS

A. The inspections required by Section 5 of this Local Law shall be performed by employees or agents of the Environmental Sanitation Division of the Ulster County Health Department, except that such inspections required with respect to County buildings, premises and equipment shall be performed by an employee or agent of the Ulster County Safety Office. Such inspectors are authorized to order, in writing, the correction of any condition in violation of the Uniform Code found in, on or about any building. Such orders shall be served in person upon a responsible party or his authorized agent or by certified mail sent to the address of a responsible party set forth in any relevant application for a permit or in any relevant certificate. The order shall set forth the time within which the condition must be corrected. A responsible party who fails to correct the condition within the specified time shall be subject to a penalty as provided by law.

B. A person subject to inspection under Section 5 may be required by the Environmental Sanitation Division to have such inspection performed at his own cost and expense by a competent inspector acceptable to said Environmental Sanitation Division. Such inspector may be a registered architect, licensed professional engineer, certified code enforcement officer, or other person whose experience and training has been demonstrated to the satisfaction of the said Sanitation Division, and shall certify the results of his inspection to said Sanitation Division.

LOCAL LAW NUMBER 2 OF 1986

A LOCAL LAW OF THE COUNTY OF ULSTER PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE FIRE PREVENTION AND BUILDING CODE

SECTION 7. FEES

The Ulster County Commissioner of Health shall, with the approval of the Ulster County Board of Health, establish, and from time to time amend, the fees to be collected for building permits, certificates of occupancy, and all other fees related to the administration and enforcement of the Uniform Code. Such fees shall be effective upon filing of the same with the Ulster County Clerk's Office. A schedule of such fees shall be made available upon request to the Environmental Sanitation Division of the Ulster County Health Department. All requirements for payment of fees, otherwise payable by applicants, pursuant to such fee schedule, shall be waived as they pertain to enforcement of the Uniform Code with respect to buildings, premises and equipment in the custody of, or activities related thereto by the County of Ulster.

SECTION 8. REMEDIES; PENALTIES

A. In addition to and not in limitation of any power otherwise granted by law, the Ulster County Health Department shall have the power to order in writing the remedying of any condition found to exist in, on, or about any building in violation of the uniform fire prevention and building code and to issue appearance tickets for violations of the Uniform Code.

B. Any person having been served, either personally or by registered mail, with an order to remedy any condition found to exist in, on, or about any building in violation of the uniform fire prevention and building code, who shall fail to comply with such order within the time fixed by such order, and any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the construction of any building who shall knowingly violate any of the applicable provisions of the Uniform Code or any lawful order of the Ulster County Health Department made thereunder regarding standards for construction, maintenance, or fire protection equipment and systems, shall be punishable by a fine of not more than one thousand dollars per day of violation, or imprisonment not exceeding one year, or both.

C. Where the construction or use of a building is in violation of any provision of the Uniform Code or any lawful order obtained thereunder, or hereunder, a justice of the Supreme Court in the judicial district in which the building is located, may order the removal of the building or an abatement of the condition in violation of such provisions. An application for such relief may be made by a duly authorized representative of the Ulster County Health Department or by the Ulster County Commissioner of Health.

SECTION 9. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remainder thereof.

SECTION 10. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

LOCAL LAW NUMBER 3 OF 1986

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed for the year 1986 at the sum opposite the office and designation of such County Officers to wit:

Real Property Tax Service Agency Director	$37,944.00
Personnel Officer	$38,217.00
County Administrator	$50,529.00
Deputy County Administrator	$36,552.00
Deputy County Administrator	$29,010.00
Commissioner of Public Health	$57,104.00
Commissioner of Public Works	$43,191.00
Deputy Commissioner of Public Works	$31,671.00
Deputy Commissioner of Public Works	$31,040.00
Deputy Commissioner of Public Works	$28,328.00
County Clerk	$39,750.00
County Treasurer	$39,750.00
County Attorney	$45,554.00
County Sheriff	$39,750.00
Public Defender	$25,743.00
Purchasing Agent	$30,520.00
Commissioner of Social Services	$40,650.00
Commissioner of Elections (2)	$29,514.00
County Auditor	$29,062.00

(B) For the balance of the year 1986 on and after the effective date of this local law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1986 prior to such effective date, will equal the annual salary fixed for such office for the year 1986, as above set forth.

SECTION 2. Except as modified by local law or resolution, as appropriate, which may be adopted hereafter, the annual salaries of the following County officers are hereby fixed for the year 1987 and following years at the sum opposite the office and designation of such County officers, to wit:

LOCAL LAW NUMBER 3 OF 1986

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN ELECTIVE AND APPOINTIVE OFFICERS SERVING FOR FIXED TERMS

Real Property Tax Service Agency Director	$40,841.00
Personnel Officer	$41,128.00
County Administrator	$54,055.00
Deputy County Administrator	$39,130.00
Deputy County Administrator	$31,961.00
Commissioner of Public Health	$60,709.00
Commissioner of Public Works	$46,101.00
Deputy Commissioner of Public Works	$34,505.00
Deputy Commissioner of Public Works	$32,592.00
Deputy Commissioner of Public Works	$29,744.00
County Attorney	$48,582.00
Public Defender	$28,280.00
Purchasing Agent	$32,796.00
Commissioner of Social Services	$43,538.00
Commissioner of Elections (2)	$31,490.00
County Auditor	$31,765.00

SECTION 3. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

LOCAL LAW NUMBER 1 OF 1987

COUNTY OF ULSTER

A LOCAL LAW TO PROVIDE FOR A PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. This Local Law rescinds Local Law No. 2 of 1983.

SECTION 2. The purpose of this local law is to grant a partial exemption from taxation to the extent of the scheduled percentage exemption as set forth in Section 3 (a) of assessed valuation of real property which is owned by certain persons with limited income who are sixty-five years of age or over, meeting the requirements set forth in section Four Hundred Sixty-Seven of the Real Property Tax Law.

SECTION 3. Real Property owned by persons sixty-five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth in Section 3 (a) in accordance with Section 467 of the Real Property Tax Law and subject to the following:

(a) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of excemption in accordance with the following schedule:

	INCOME RANGE			PERCENTAGE OF EXEMPTION
1.	$ .01	to $	9,200.00	50%
2.	9,201.00	to	9,699.99	45%
3.	9,700.00		10,199.99	40%
4.	10,200.00		10,699.99	35%
5.	10,700.00		11,199.99	30%
6.	11,200.00		11,699.99	25%
7.	11,700.00		12,199.00	20%
8.	OVER		12,200.00	NO EXEMPTION

Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return was filed, the calendar year.

SECTION 4. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1987

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1979 TO PROVIDE A MINIMUM ADVANCE NOTICE REQUIREMENT FOR PARTICIPANTS WITHDRAWING FROM THE COUNTY SELF-INSURANCE PLAN

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. ARTICLE III, Section 1 of Local Law 1 of 1979 (adopted February 8, 1979), is hereby amended to read as follows:

"ARTICLE III - Participants.

SECTION 1. The County of Ulster shall be a participant in the Plan. Any city, town and village, any fire district in any town which is not a member may elect to become participants in the Plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant, with membership to be effective upon approval of the Compensation Insurance Administrator. Any participant may withdraw from the Plan effective at the end of a fiscal year by filing with the Clerk of the Legislature on or before the preceding first day of July, a certified copy of the resolution of its governing body, electing to withdraw from the plan, upon the condition that it agree to pay its proportionate share of the estimated liabilities of the Plan at the time of withdrawal. Payment of such liabilities shall be made in a lump sum or the administrator may, upon the approval of the Legislature, permit said payment to be made in installments."

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1987

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salary of the following County Officer's for the year 1987 is hereby fixed at the sum opposite the office and designation of such County Officer to wit:

COUNTY CLERK	$41,738.00
DEPUTY COMMISSIONER OF PUBLIC WORKS	31,319.00
COUNTY TREASURER	41,738.00

(B) For the balance of the year 1987, on and after the effective date of this Local Law, the foregoing officer shall be paid at such a rate which, when added to amounts paid during the year 1987 prior to such effective date, will equal the annual salary fixed for such office.

(C) Nothing herein contained shall obligate the County to base any salary increases for subsequent years upon the amounts above set forth, to the extent that such amounts represent a performance bonus under the salary adjustment schedule of the Personnel Policy Manual.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, by qualified electors of the County of Ulster registered to a vote therein at the last preceding general election, in a number equal to at least ten percentum of the total number of votes cast for the Governor at the last gubernatorial election held in said County,

and moves its adoption.

LOCAL LAW NUMBER 4 OF 1987

A LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 1980 TO PROVIDE FOR THE SETTLEMENT OF CLAIMS WITHIN CERTAIN LIMITS WITHOUT THE NECESSITY OF A LEGISLATIVE RESOLUTION

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION I. SECTION 3. PARAGRAPH (P) of Local Law Number 4 of 1980 is hereby amended to read as follows:

PARAGRAPH (P) "To approve the settlement of claims in favor of the County up to $10,000.00. Claims in favor of the County over $10,000.00 but below $50,000.00 may be approved after Consultation with the County Attorney. To approve the settlement of claims against the County up to $5,000.00. Claims against the County over $5,000.00 but below $50,000.00 may be approved after consultation with the County Attorney."

SECTION II. This Local Law shall take effect immediately,

LOCAL LAW NUMBER 5 OF 1987

A LOCAL LAW PROVIDING FOR THE CREATION OF A RECORDS MANAGEMENT PROGRAM IN THE COUNTY OF ULSTER

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. DEPARTMENT, OFFICER

There shall be a records management program established under the jurisdiction of the Ulster County Clerk and headed by a Records Management Officer who shall be appointed by the County Clerk. The officer will be responsible for administering the non-current and archival public records and storage areas for the County of Ulster and participating municipalities within the County, in accordance with local, state and federal laws and guidelines.

Section 2. POWERS AND DUTIES

The officer shall have all the necessary powers to carry out the efficient administration, determination of value, use, preservation, storage and disposition of the non-current and archival public records kept, filed or received by the officers and departments of the County of Ulster, and other participating municipalities.

The Records Management Officer shall:

(A) Continually survey and examine public records to recommend their classification so as to determine the most suitable methods to be used for the maintaining, storing and servicing of:

(1) Obsolete and unnecessary records according to New York State Records Retention and Disposition Schedules thereby subject to disposition;

(2) Information containing administrative, legal, fiscal, research, historical or educational value which warrant their permanent retention;

(3) Records not subject to disposition according to State Law.

(B) Establish guidelines for proper records management in any department or agency of County government in accordance with local, state and federal laws and guidelines.

(C) Review all requests for records storage equipment, microfilm equipment, etc., and to coordinate and participate in planning for the development of micrographics and automated data processing systems.

(D) Operate a County Records Management Center for the storage, processing and servicing of all non-current and archival records for all County departments and agencies. Servicing of records for the public shall in no way be in a manner which limits the availability of the record to the public.

(E) Charge governmental agencies of the County of Ulster and other municipalities which participate in the Ulster County Records Center for records management services, such fees as may be approved by the Legislature.

Section 3. RECORDS ADVISORY BOARD

There shall be a Records Advisory Board designated to work closely with and provide advice to the Records Management Officer. The Board shall consist of a representative from the majority and minority parties of the County Legislature, selected by the Chairman of the Legislature; the County Administrator or designee; the Director of Data Processing; the County Historian; the President of the County Historical Society or designee; and, the President of the Genealogical Society or designee. A representative of the media, appointed by the Chairman of the Legislature,][and the County Treasurer. The Board shall meet periodically and have the following powers and duties:

(A) Provide advice to the Records Management Officer on the development of the records management program;

(B) Review the performance of the program on an ongoing basis and propose changes and improvements;

(C) Review retention periods proposed by the Records Management Officer for records not covered by State Archives' schedules;

(D) Provide advice on the appraisal of records for archival value.

Section 4. CUSTODY

The Records Management Officer shall maintain physical custody and official responsibility of all records in his/her possession. Department heads shall retain constructive control and authority over all department records.

LOCAL LAW NUMBER 5 OF 1987

Section 5. DISPOSAL OF RECORDS

No records shall be destroyed or otherwise disposed of by a department of the County unless approval has been obtained from the Records Management Officer. No records shall be destroyed or otherwise disposed of by the Records Management Officer without the express written consent of the department head having authority.

Section 6. DEFINITIONS

(A) "Archives" means those official records which have been determined by the Officer and Advisory Committee to have sufficient historical or other value to warrant their continued preservation by the County.

(B) "Records" means any documents, books, papers, photographs, sound recordings, microfilm, or any other materials, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official County business.

(C) "Records management" means the planning, controlling, directing, organizing, training, promotion and other managerial activities involved in records maintenance, use and disposition, including records preservation, disposal, records centers or other storage facilities.

(D) "Records disposition" means:

(1) the removal by the County, in accordance with approved records control schedules, of records no longer necessary for the conduct of business by such agency through removal methods which may include:

(a) the disposal of temporary records by destruction or donation; or

(b) the transfer of records to the County Clerk for temporary storage of non-archival records and permanent storage of records determined to have historical or other sufficient value warranting continued preservation; and

(2) the transfer of records from one County agency to any other County agency.

(E) "Records center" means an establishment maintained by the department primarily for the storage, servicing, security and processing of records which must be preserved for varying periods of time and need not be retained in office equipment or space.

(F) "Servicing" means making records which are the property of a particular agency available to the agency for official use, as well as making nonconfidential or historical records available to the public.

Section 7. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 6 OF 1987

A LOCAL LAW REQUIRING ALL APPLICATIONS FOR CREMATION TO BE FORWARDED TO THE ULSTER COUNTY MEDICAL EXAMINER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

This law requires all funeral directors to obtain a cremation number for cremation from the County Medical Examiner. Upon notification the Medical Examiner will thereupon immediately investigate the circumstances of death of the body for which a cremation number to cremate was requested in order to determine whether there is reasonable cause to conduct an autopsy. This is necessary due to the fact that cremation renders it virtually impossible to obtain medical evidence of a homicide, suicide, or suspicious death. A written report of the investigation will be filed in the Office of the County Medical Examiner. No body shall be cremated without the authorization of the County Medical Examiner. This local law codifies the modern standard of medical practice.

SECTION 2. CREMATION.

Whenever an application is made pursuant to law for a cremation number to cremate the body of any person, the Ulster County Medical Examiner will thereupon cause an investigation and report to be made thereon. In the event that it is determined that reasonable grounds exist therefor, an autopsy will be performed on such body. Authorization for cremation shall be issued following an investigation by the Medical Examiner's Office and no body shall be cremated without such authorization. A cremation number will be issued to the funeral director once investigation is complete and no body will be cremated without a valid number. This cremation number must be entered on the death certificate.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect ten days following enactment. Copies of this local law should immediately be filed with all local registrars, funeral directors and crematoriums.

LOCAL LAW NUMBER 1 OF 1988

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1986 TO REQUIRE PROOF OF COMPLIANCE WITH LOCAL ZONING ORDINANCE UPON APPLICATION FOR BUILDING PERMIT

Be it enacted by the County Legislature of the County of Ulster as follows:

Section 1. Section three-B of Local Law Number Two of Nineteen Hundred Eighty-six is amended as follows:

XI. Copies of all necessary zoning permits, variances, or other approvals from the local zoning board or officer indicating compliance with the local zoning ordinance. No permit shall be issued unless the applicant has furnished, to the satisfaction of the Environmental Sanitation Division of the Ulster County Health Department, all the documents required by this subdivision.

Section 2. This Local Law shall take effect immediately.

and moves its adoption.

LOCAL LAW NUMBER 2 OF 1988

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salary of the following County Officer's are hereby fixed for the year 1988 at the sum opposite the office and designation of such County Officer to wit:

Real Property Tax Service Agency Director	$43,904.00
Personnel Officer	43,184.00
Commissioner of Public Health	63,744.00
Commissioner of Public Works	48,406.00
Deputy Commissioner of Public Works	36,694.00
Deputy Commissioner of Public Works	32,885.00
Deputy Commissioner of Public Works	34,222.00
County Treasurer	45,825.00
County Sheriff	43,825.00
Commissioner of Social Services	45,715.00
Commissioner of Elections (2)	33,065.00

(B) For the balance of the year 1988, on and after the effective date of this Local Law, the foregoing officer shall be paid at such a rate which, when added to amounts paid during the year 1988 prior to such effective date, will equal the annual salary fixed for such office.

(C) Nothing herein contained shall obligate the County to base any salary increases for subsequent years upon the amounts above set forth, to the extent that such amounts represent a performance bonus under the salary adjustment schedule of the Personnel Policy Manual.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, by qualified electors of the County of Ulster registered to a vote therein at the last preceding general election, in a number equal to at least ten percentum of the total number of votes cast for the Governor at the last gubernatorial election held in said County,

and moves its adoption.

LOCAL LAW NUMBER 1 1989

A LOCAL LAW ADOPTING THE CODE OF ETHICS, ESTABLISHING A BOARD OF ETHICS, AND REQUIRING CERTAIN COUNTY OFFICERS AND LOCAL POLITICAL PARTY OFFICIALS TO FILE A FINANCIAL DISCLOSURE FORM PURSUANT TO THE GENERAL MUNICIPAL LAW

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. CODE OF ETHICS. Every officer or employee of the County of Ulster shall be subject to and abide by the following standards of conduct:

* (A). Gifts. He or she shall not directly or indirectly, solicit any gift, or accept or receive any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, for any official action on his or her part. (Amended by Local Law No. 1 of 1990)

(B). Confidential Information. He or she shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

(C). Representation Before One's Own Agency. He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

(D). Representation Before Any Agency for a Contingent Fee. He or she shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency or his or her municipality, whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

(E). Disclosure of Interest in Legislation. To the extent that he or she knows thereof, a member of the Ulster County Legislature and any officer paid or unpaid who participates in the discussion or gives official opinion to the County Legislature on any legislation before the County Legislature shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.

(F). Investments in Conflict with Official Duties. He or she shall not invest or hold any investment directly or indirectly in any financial business, commercial or other private transactions, which creates a conflict with his or her official duties.

(G). Present Private Employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates a conflict with or impairs the proper discharge of his or her official duties.

(H). Future Employment. He or she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the County of Ulster in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

(I). Penalties. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate this section may be fined, suspended or removed from office or employment in the manner provided by law.

Section 2. BOARD OF ETHICS.

* (A). A board, to be known as the Ulster County Board of Ethics, is hereby created, which shall consist of at least three members appointed by the Ulster County Legislature. A majority of the members of the County Board of Ethics shall not be officers or employees of the County or of any of the municipalities within the County. At least one member shall be an elected or appointed officer or employee of the County or a municipality therein. The members of the County Board of Ethics shall receive no salary or compensation for their services as members of such Board and shall serve at the pleasure of the County Legislature. The County Legislature may appropriate moneys for maintenance and personal services in connection with the functioning of the County Board of Ethics. (Amended by Local Law No. 1 of 1990)

* (B). The County Board of Ethics shall render advisory opinions to officers and employees of municipalities wholly or partly within the County with respect to Article 18 of the General Municipal Law and the County Code of Ethics contained in Section "1" of this Local Law. Such advisory opinions shall be rendered pursuant to the written request of any such officer or employee under such rules as the Board may prescribe and shall have the advice of counsel employed by the Board, or if none, the County Attorney. The County Board of Ethics shall also be the repository for completed annual statements of financial disclosure as required by Section "3" of this Local Law. (Amended by Local Law No. 1 of 1990)

Section 3. DISCLOSURE BY CERTAIN COUNTY OFFICERS AND LOCAL POLITICAL PARTY OFFICIALS. Pursuant to General Municipal Law Section 812(3), the County of Ulster opts out of the provisions of Section 812 and hereby adopts its own form of financial disclosure to be filed by all elected County officials, department heads and their deputies and assistants. The following titles are included:

A. COUNTY OFFICERS

LEGISLATURE

Chairman
Legislator
Clerk
Deputy Clerk
Deputy Clerk (Publicity)

DISTRICT ATTORNEY'S OFFICE

District Attorney
Assistant District Attorney

PUBLIC DEFENDER'S OFFICE

Public Defender
Assistant Public Defender

MEDICAL EXAMINER'S OFFICE

Medical Examiner
Assistant Medical Examiner

COUNTY ADMINISTRATOR'S OFFICE

County Administrator
Deputy County Administrator

AUDITING

County Auditor
Deputy County Auditor

TREASURER'S OFFICE

County Treasurer
Deputy County Treasurer

PURCHASING

Purchasing Agent
Deputy Purchasing Agent

REAL PROPERTY TAX SERVICE AGENCY

Director

COUNTY CLERK'S OFFICE

County Clerk
Deputy County Clerk
Motor Vehicle Supervisor

COUNTY ATTORNEY'S OFFICE

County Attorney
Assistant County Attorney

PERSONNEL OFFICE

Personnel Officer
Deputy Personnel Officer (Employee Relations)
Deputy Personnel Officer (Civil Service)

BOARD OF ELECTIONS

Commissioner

PUBLIC WORKS - BUILDINGS AND CONSTRUCTION

Deputy Commissioner/ Public Works

PUBLIC WORKS DEPARTMENT - (HIGHWAY)

Commissioner of Public Works
Deputy Commissioner/Public Works

INFORMATION SERVICES

Information Services Director
Assistant Director I.S./Systems
Assistant Director I.S./Operations
Assistant Director I.S./Technical Support

INSURANCE OFFICE

County Insurance Officer
Deputy Insurance Officer

SHERIFF'S DEPARTMENT

Sheriff
Undersheriff

PROBATION

Director
* Supervisor (Amended by Local Law No. 1 of 1990)

ALTERNATIVE SENTENCING PROGRAM

Coordinator

STOP DWI

Coordinator

FIRE COORDINATOR

EMERGENCY MANAGEMENT OFFICE/CIVIL DEFENSE

Director

PUBLIC HEALTH

Commissioner of Health
Deputy Director of Administration
Director of Patient Services
Director of Environmental Sanitation

MENTAL HEALTH SERVICES

Director
Deputy Director for Administration

COORDINATED CHILDREN'S SERVICES

Coordinator

SOCIAL SERVICES DEPARTMENT

Commissioner of Social Services
Deputy Commissioner of Social Services

RESIDENTIAL HEALTH CARE FACILITY

Director
Deputy Director
Deputy Director of Clinical Services

J.T.P.A.

Director

VETERANS' SERVICE AGENCY

Director
Deputy Director

WEIGHTS AND MEASURES

Sealer of Weights and Measures
Deputy Director of Weights and Measures

OFFICE FOR THE AGING

Director

YOUTH BUREAU

Director
Deputy Director

PLANNING DEPARTMENT

Director

SAFETY DEPARTMENT

Safety Officer

ULSTER COUNTY COMMUNITY COLLEGE

* Chairman of the Board (Amended by Local Law No. 1 of 1990)
President
Dean of Administration

ULSTER COUNTY BOARD OF HEALTH

* Chairman (Amended by Local Law No. 1 of 1990)

Each appointing authority or department head shall annually determine, by February 15th, if there are any other officers or employees, within their department, holding policy-making positions. A list of such employees or officers shall then be immediately forwarded to the Chairman of the Ulster County Legislature. Such officers or employees shall also be required to complete a financial disclosure form by May 1st of that year.

B. LOCAL POLITICAL PARTY OFFICIALS

The annual financial disclosure statement shall also be required of local political party officials. The term "local political party official" shall mean:

(1) any chairman of a county committee elected pursuant to Section 2-112 of the election law, or his successor in office, who received compensation or expenses from constituted committee or political committee funds during the reporting period aggregating a combined total of thirty thousand dollars or more; or (2) that person by whatever title designated, who pursuant to the rules of a county committee or in actual practice, possesses or performs any or all of the following duties or roles, provided that such person received compensation or expenses from constituted committee or political committee funds during the reporting period aggregating a combined total of thirty thousand dollars or more:

(a) the principal political, executive and administrative officer of the county committee;

(b) the power of general management over the affairs of the county committee;

(c) the power to exercise the powers of the chairman of the county committee as provided for in the rules of the county committee;

(d) the power to preside at all meetings of the county executive committee, if such a committee is created by the rules of the county committee or exists de facto, or any other committee or subcommittee of the county committee vested by such rules with or having de facto the power of general management over the affairs of the county committee at times when the county committee is not in actual session;

(e) the power to call a meeting of the county committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the county committee pursuant to the rules of the county committee, for the purpose of filling an office at a special election in accordance with Section 6-114 of the election law, for the purpose of filling a vacancy in accordance with Section 6-116 of such law, or for the purpose of filling a vacancy or vacancies in the county committee which exist by reason of an increase in the number of election districts within the county occasioned by a change of the boundaries of one or more election districts, taking effect after the election of its members, or for the purpose of determining the districts that the elected members shall represent until the next election at which such members of such committee are elected; provided, however, that in no event shall such power encompass the power of a chairperson of an assembly district committee or other district committee smaller than a county and created by the rules of the county committee, to call a meeting of such district committee for such purpose;

(f) the power to direct the treasurer of the party to expend funds of the county committee; or

(g) the power to procure from one or more bank accounts of the county committee the necessary funds to defray the expenses of the county committee.

The terms "constituted Committee" and "political committee", as used in this subdivision B, shall have the same meanings as those contained in Section 14-100 of the Election Law.

C. <u>DISCLOSURE FORM</u>

The annual statement of financial disclosure shall contain the following information and shall be in the form set forth hereinbelow:

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR ULSTER COUNTY
For Calendar Year _____

LOCAL LAW NUMBER 1 1989

1. Name _____

2. (a) Title of Position _____

(b) Dept. or Agency _____

3. (a) Marital Status _____. If married, please give spouse's full name including maiden name where applicable._____

(b) List the names of all unemancipated children._____

_____

Answer each of the following questions completely, with respect to calendar year _____. If additional space is needed, attach additional pages.

For the purpose of this statement, anywhere the term "local agency" shall appear, such term shall mean a local agency of the County of Ulster as defined in Section 810(12) of the General Municipal Law.

4(a) List any office, trusteeship, directorship, partnership or position of any nature including honorary positions but excluding membership positions, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership or other organization other than the County of Ulster. If said entity was licensed or regulated by any County agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before any County agency, list the names of such agency.

Position	Organization	Agency

(b) List the same information as required by 4(a) above for your spouse and unemancipated children.

Position	Organization	Agency

5(a) List the name, address and description of any occupation, employment, trade, business or profession engaged in by the reporting individual. If such activity was licensed or regulated by any Ulster County agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before any Ulster County agency, list the names of any such County agency.

Position	Name & Address of Organization	Description	Agency

(b) If the spouse or unemancipated child of the reporting individual was engaged in any occupation, employment, trade, business or profession which activity was licensed or regulated by any Ulster County agency, or as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before any Ulster County agency, list the name, address and description of such occupation, employment, trade, business or profession and the name of any such County agency.

Position	Name & Address of Organization	Description	Agency

6. List any interest, in excess of $1,000, excluding bonds and notes, held by the reporting individual, such individual's spouse or unemancipated child, or partnership of which any such person is a member, or corporation, ten per centum or more of the stock of which is owned or controlled by any such person, whether vested or contingent, in any contract made or executed by an Ulster County agency and include the name of the entity which holds such interest and the relationship of the reporting individual or such individual's spouse or such child to such entity and the interest in such contract. Do not list any interest in any such contract on which final payment has been made and all obligations under the contract except for guarantees and warranties have been performed, provided, however that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guarantees or warranties.

Self Spouse or Child	Entity which Held Interest in Contract	Relationship to Entity and Interest in Contract	Contracting Agency

7. List any position the reporting individual held as an officer of any political party, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the election law.

8.(a) If the reporting individual practices law, is licensed by the Department of State as a real estate broker or agent, or practices a profession licensed by the Department of Education, give a general description of the principal subject areas of matters undertaken by such individual. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of principal subject areas of matters undertaken by such firm or corporation. Do not list the names of the individual clients, customers or patients.

(b) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of $1,000 excluding investments in publicly traded securities and interests in real property.

9. List each source of gifts, excluding campaign contributions in excess of $1,000 received during the reporting period for which this statement is filed by the reporting individual or such individual's spouse or unemancipated child from the same donor, excluding gifts from a relative. Include the name and address of the donor. The term "gifts" does not include reimbursements, which term is defined in item 10. Indicate the nature of each gift.

Self,Spouse or Child.	Name of Donor	Address	Nature of Gift

10. Identify and briefly describe the source of any reimbursements for expenditures, excluding campaign expenditures and expenditures in connection with official duties reimbursed by the political subdivision for which this statement has been filed, in excess of $1,000 from each such source. For purposes of this item, the term "reimbursement" shall mean payment for any travel-related expenses provided by non-governmental sources and for activities related to the reporting individual's official duties such as, speaking engagements, conferences, or fact-finding events. The term "reimbursement" does not include gifts reported under item 9.

Source Description

_____

_____

_____

_____

_____

11.(a) Describe the parties to any contract, promise, or other agreement between the reporting individual and any person, firm, or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence).

(b) Describe the parties to any agreement providing for continuation of payments or benefits to the reporting individual in excess of $1,000 from a prior employer other than Ulster County. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance; buy-out agreements; severance payments, etc.)

_____

_____

_____

_____

_____

_____

12. List below the nature of any net income as reported for income tax purposes in excess of $1,000 from each source for the reporting individual and the reporting individual's spouse for the taxable year last occurring prior to the date of filing. Nature of income shall mean salary for government employment, income from other compensated employment whether public or private, directorships, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees and real estate rents. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in the case of real estate rents and otherwise by the name of the business or professional entity and not by the name of the individual customers, clients or tenants. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.

Self/Spouse	Source	Nature

13. List the sources of any income in excess of $1,000 from each source to be paid to the reporting individual under the terms of any agreement entered into during the calendar year for which the disclosure statement is filed and to be paid following the close of such calendar year. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source, the name of the firm, corporate, partnership or association through which the income was derived, but shall not identify individual clients.

Source

14. List each assignment of income in excess of $1,000 and each transfer other than to a relative during the reporting period for which this statement is filed for less than fair consideration of an interest in a trust, estate or other beneficial interest, securities or real property, by the reporting individual, in excess of $1,000, which would otherwise be required to be reported herein and is not or has not been so reported.

Items Assigned or Transferred	Assigned or Transferred to

15. List the name of any corporation of which he or she, or his or her spouse, is an officer, director, or employee, or of which he or she, or his or her spouse, legally or beneficially owns or controls more than five percent of the outstanding stock, and his or her position, and his or her spouse's position, if any, with the corporation.

Self/Spouse	Name of Corporation	Position

16. List the location of any real property within the County or within five miles of the County in which he or she, or his or her spouse or other member of his or her household, has an ownership or other financial interest.

Self/Spouse/Other Party	Address of Real Property

17. List below notes and accounts receivable, other than from goods or services sold, held by the reporting individual at the close of the taxable year last occurring prior to the date of filing and other debts owed to such individual at the close of the taxable year last occurring prior to the date of filing, in excess of $5,000 including the name of debtor, type of obligation and date due. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.

Name of Debtor	Type of Obligation and Nature of Collateral, if any

18. List below all liabilities of the reporting individual and such individual's spouse, in excess of $5,000 as of the date of filing of this statement, other than liabilities to a relative. Do not list liabilities incurred by, or guarantees made by, the reporting individual or such individual's spouse or by any proprietorship, partnership or corporation in which the reporting individual or such individual's spouse has an interest, when incurred or made in the ordinary course of the trade, business or professional practice of the reporting individual or such individual's spouse. Include the name of the creditor and any collateral pledged by such individual to secure payment of any such liability. A reporting individual shall not list any obligation to pay maintenance in connection with a matrimonial action, alimony or child support payments. Revolving charge account information shall only be set forth if liability thereon is in excess of $5,000 at the time of filing. Any loan issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or purchase of a personally owned motor vehicle, household furniture or appliances shall be excluded. If any such reportable liability has been guaranteed by any third person, list the liability and name the guarantor.

Name of Creditor of Guarantor	Type of Liability and Collateral, if any

The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

Signature of Reporting Individual Date (month/day/year

D. PENALTIES

A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this section shall be assessed a civil penalty in an amount not to exceed ten thousand dollars. Assessment of a civil penalty hereunder shall be made by the Ulster County Board of Ethics. For a violation of this section, other than for conduct which constitutes a violation of subdivision twelve of section seventy-three of the Public Officers Law, the Ulster County Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction, but only after such referral, such violation shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal may be imposed for a failure to file, or for a false filing, of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law. The Ulster County Board of Ethics shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of the civil penalties herein authorized. Such rules shall provide for due process procedural mechanisms substantially similar to those set forth in Article Three of the State Administrative Procedure Act but such mechanisms need not be identical in terms or scope. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty days of imposition and upon becoming final shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the Ulster County Board of Ethics pursuant to Article seventy-eight of the Civil Practice Law and Rules.

E. DISTRIBUTION OF DISCLOSURE FORM

On or before the 15th day of March of each year beginning with the year 1991, the Chairman of the Ulster County Legislature shall cause the annual statement of financial disclosure to be distributed to those persons filling the positions as denominated in subdivisions A and B set forth above.

F. FILING OF DISCLOSURE FORM

Any person required to file an annual statement of financial disclosure pursuant to this section shall submit such completed form on or before the first day of May of 1991 and each subsequent year to the Ulster County Board of Ethics. No such annual statements shall be required to be filed for calendar years prior to the year 1990. Such form may be delivered in a sealed envelope if the reporting individual so chooses.

G. HARDSHIP PROVISION

Any person who is subject to the reporting requirements of this section and who timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall be required to submit such financial disclosure statement on or before May 1st but may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplementary statement of financial disclosure, which shall be filed on or before the seventh day after the expiration of the period of such automatic extension of time within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this section respecting annual statements of financial disclosure as if such supplementary statement were an annual statement.

H. REPEALER

Local Law Number 1 of 1970 is hereby superseded and repealed.

I. EFFECTIVE DATE

This local law shall take effect immediately.

Note that pursuant to General Municipal Law Section 812(3)(b), the financial disclosure form's first annual filing deadline is May 1, 1991 for the calendar year 1990.

LOCAL LAW NUMBER 2 OF 1989

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1989 at the sum opposite the office and designation of such County Officer to wit:

Real Property Tax Service Agency Director	$46,314.00
Personnel Officer	45,559.00
County Administrator	54,860.00
Deputy County Administrator	40,090.00
Deputy County Administrator	43,202.00
Commissioner of Public Health	67,250.00
County Clerk	48,345.00
County Treasurer	48,345.00
County Attorney	53,817.00
County Sheriff	46,235.00
Public Defender	31,329.00
Purchasing Agent	36,330.00
Commissioner of Social Services	49,617.00
Commissioner of Elections (2)	34,884.00
County Auditor	35,187.00

(B) For the balance of the year 1989 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1989 prior to such effective date, will equal the annual salary fixed for such office for the year 1989, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 3 OF 1989

A LOCAL LAW PROHIBITING THE DISPLAY OF MATERIAL DEFINED HEREIN AS HARMFUL TO MINORS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT

The protection of the health, safety, welfare and morals of minors constitutes a legitimate exercise of the police power of the state through local legislative action. This local law fully protects the first amendment rights of adults to purchase material deemed harmful to minors. While the State of New York has a law addressing the dissemination of material deemed harmful to minors (Section 235.20, N.Y. Penal Code) and a law regarding the public display of offensive sexual material (Section 245.11, N.Y. Penal Code), it has no law with respect to the display of material deemed harmful to minors. This local law is intended to fill that void.

SECTION 2. DEFINITIONS

(a). "Minor" means a person less than seventeen years of age.

(b). "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered or uncovered male genitals in a discernibly turgid state.

(c). "Sexual conduct" means actual or depicted acts of masturbation, homosexuality, bestiality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such a person be a female, breast.

(d). "Sexual Excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(e). "Sadomasochistic abuse" means actual or depicted flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed or who is nude.

LOCAL LAW NUMBER 3 OF 1989

A LOCAL LAW PROHIBITING THE DISPLAY OF MATERIAL DEFINED HEREIN AS HARMFUL TO MINORS

(f). "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse when it:

(1) Considered as a whole, predominately appeals to the prurient interest of minors;

(2) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors;, and

(3) Considered as a whole, lacks serious literary, artistic, political and scientific value for minors.

(g). "Public Place" means any window, showcase, newsstand, display rack, viewing screen, moving picture screen, marquee or similar place that is easily visible from or in any: public street, sidewalk or thoroughfare; transportation facility; or any place accessible to members of the public without fee or other limit or condition of admission such as a minimum age requirement and including but not limited to schools, places of amusement, parks and playgrounds but excluding rooms or apartments designed for actual residence.

SECTION 3. <u>UNLAWFUL ACTS</u>

(a). It shall be unlawful for any person knowingly to display in public places: Any book, pamphlet, magazine, or other printed matter which contains any picture, photograph, drawing, motion picture film or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual excitement, sexual conduct or sadomasochistic abuse and which, taken as a whole, is harmful to minors.

(b). It shall be unlawful for the owner, operator, manager, employer or person in charge of a retail store or other commercial establishment to knowingly allow their minor employees to sell or handle material which depicts nudity, sexual excitement, sexual conduct or sadomasochistic abuse and which, taken as a whole, is harmful to minors.

LOCAL LAW NUMBER 3 OF 1989

A LOCAL LAW PROHIBITING THE DISPLAY OF MATERIAL DEFINED HEREIN AS HARMFUL TO MINORS

SECTION 4. AFFIRMATIVE DEFENSE

In any prosecution for display of material harmful to minors, it is an affirmative defense that the person having custody, control or supervision of a public place kept the material harmful to minors:

(a) behind an opaque counter;

(b) in a sealed opaque wrapper showing only the title;

(c) wrapped in an opaque cover;

(d) in an area separate and apart from that part of the premises which is a public place as defined herein, and such area being clearly marked "adults only", and with a door or fully opaque curtain on the entrance which is kept closed; or

(e) in such other manner as not to display the material which is harmful to minors.

SECTION 5. ENFORCEMENT AND PENALTY

(a). The director of the Consumer Fraud Bureau may prescribe and impose civil penalties for a violation of this local law of not more than $100.00 for the first offense and not more than $500.00 for the second or subsequent offense.

(b) The continuation of a violation of this law for each and every day the offense is continued is a separate and distinct offense hereunder.

SECTION 6. SEPARABILITY

If any part of this ordinance shall be judged by any court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder thereof.

SECTION 7. EFFECTIVE DATE

This local law shall take effect immediately.

LOCAL LAW NUMBER 4 OF 1989

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1979 AS AMENDED BY LOCAL LAW NUMBER 2 OF 1987 TO MAKE CERTAIN CHANGES IN THE ULSTER COUNTY SELF-INSURANCE PLAN IN ACCORDANCE WITH ARTICLE 5 OF THE WORKERS' COMPENSATION LAW

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. ARTICLE III, Section 1 of Local Law 1 of 1979, as amended by Local Law 2 of 1987 is hereby amended to read as follows:

"ARTICLE III - Participants.

SECTION 1. The County of Ulster shall be a participant in the Plan. Any city, town and village, any fire district in any town which is not a member may elect to become participants in the Plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant [with the Clerk of the Legislature. Such membership and participation shall be effective upon the approval of the Plan Administrator upon the beginning of the first fiscal year next succeeding the date of July 1 following the date of such filing]. Any participant may withdraw from the Plan [effective at the end of a fiscal year] by filing [with the Clerk of the Legislature on or before the preceding first day of July], a certified copy of the resolution of its governing body, electing to withdraw [from the Plan], upon the condition that it agree to pay its proportionate share of the estimated liabilities of the Plan at the time of withdrawal. Payment of such liabilities shall be made in a lump sum or the administrator may, upon the approval of the Legislature, permit said payment to be made in installments."

SECTION 2. ARTICLE III, Section 3 of Local Law 1 of 1979, as amended by Local Law 2 of 1987 is hereby amended to read as follows:

"SECTION 3. Every new employee of any participant in the Plan except volunteer firemen and civil defense volunteers [may] be required to undergo a physical examination before undertaking any of the duties of employment, except in the case of an emergency in which case a participant employing such an employee [may] arrange for physical examination at the earliest possible time after undertaking the required duties. The expense of such physical examination [may] be paid from the funds of the Plan [upon approval of the Plan Administrator]."

SECTION 3. ARTICLE III of Local Law 1 of 1979 as amended by Local Law 2 of 1987 is hereby further amended to add a new Section 6 to read as follows:

["SECTION 6. The share of each participant in the Ulster County Self-Insurance Plan shall be implemented and arrived at as follows:

LOCAL LAW NUMBER 4 OF 1989

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1979 AS AMENDED BY LOCAL LAW NUMBER 2 OF 1987 TO MAKE CERTAIN CHANGES IN THE ULSTER COUNTY SELF-INSURANCE PLAN IN ACCORDANCE WITH ARTICLE 5 OF THE WORKERS' COMPENSATION LAW

("Section 6. - cont.)

[A. The apportioned share of each participant in the Ulster County Self-Insurance Plan through the year 1981 shall be based 100% on the total value of the participants taxable real property in the proportion that the full valuation of its taxable real property bears to the aggregate full valuation of all participants.

B. Upon completion of the year 1981 the apportioned share of contributions of each participant will be modified as follows to include a loss-experience percentile.

1. 1983 - the apportioned share of each participant shall be based on 85% on the aforementioned assessed valuation method and based 15% on the loss-experience percentile of the participant during the year 1980, said loss percentile to be calculated based on the losses of each participant in relation to the aggregate losses of Compensation and Medical for the entire plan for that period.

2. 1983 - the apportioned share of each participant shall be based 70% on the assessed valuation method and 30% on the loss-experience percentile calculated on the year 1980 and the year 1981.

3. 1984 - the apportioned share of each participant shall be based 50% on the assessed valuation method and 50% on the loss-experience percentile calculated on the years 1980, 1981 and 1982.

4. In all the years thereafter, the apportioned share of each participant shall be based 50% on the assessed valuation method and 50% on the loss-experience percentile to be calculated on the three years immediately preceding the current year.]

SECTION 4. [ARTICLE III of Local Law 1 of 1979 as amended by Local Law 2 of 1987 is hereby further amended to add a new Section 7 to read as follows:]

LOCAL LAW NUMBER 4 OF 1989

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1979 AS AMENDED BY LOCAL LAW NUMBER 2 OF 1987 TO MAKE CERTAIN CHANGES IN THE ULSTER COUNTY SELF-INSURANCE PLAN IN ACCORDANCE WITH ARTICLE 5 OF THE WORKERS' COMPENSATION LAW

["SECTION 7. Any participant with a single occurrence, which occurrence could involve one or several individuals, the incurred cost of which exceeds Fifty Thousand ($50,000) Dollars in any experience calendar year would be obligated to assume 50% of said experience in determining their loss experience percentile for the duration of the three years which comprise the retrospective experience rating plan. The cost of the remaining 50% of this experience shall be shared by all Plan participants and used in determining their loss experience percentile for the duration of the three years which comprise the retrospective experience rating plan. Certain claims such as controverted, contested or large scheduled loss claims may not apply to this credit. Determination will be made by the Plan Administrator."]

SECTION 5. ARTICLE IV, SECTION 1 of Local Law 1 of 1979 as amended by Local Law 2 of 1987 is hereby amended to read as follows:

"ARTICLE IV. RESERVES

SECTION 1. Reserves not to exceed [Two] Million ([$2,000,000]) Dollars are hereby established for the Plan."

SECTION 6. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 5 OF 1989

A LOCAL LAW REQUIRING REGULATIONS REGARDING THE SALE OF MOTOR VEHICLE FUELS

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT

This Local Law prescribes regulations regarding the sale of motor vehicle fuel and the prohibition of water contamination, lead contamination and the proper labelling of motor vehicle fuels for use in motor vehicles and motor vehicle engines. These regulations are based upon a determination by this Legislature that contamination of a fuel or its improper use will endanger the public health or impair, to a significant degree, the performance of a motor vehicle emission control device and for the prevention of fraudulent practices which may occur in the sale of motor vehicle fuels and certain other findings.

SECTION 2. DEFINITIONS

(a) "Director" means the director of the Ulster County Sealer of Weights and Measures.

(b) "Distributor" means any person who transports or stores or causes the transportation or storage of gasoline from any point to any other point.

(c) "Gasoline" means any fuel sold in Ulster County for use in motor vehicles and motor vehicle engines and commonly or commercially known or sold as gasoline.

(d) "Gasoline Station" means any motor fuel dispensing facility, service station, repair shop or other place or premises where gasoline is sold, offered for sale or allowed to be sold to the general public at retail.

(e) "Leaded Gasoline" means gasoline which contains more than .005 grams of lead per gallon.

(f) "Motor Fuel" means liquid used as fuel for internal combustion engines. This term shall specifically include, but not be limit to, gasoline and diesel fuel.

(g) "Operator" means the person in charge of the gasoline station. This term shall specifically include, but is not limited to, the owner, leasee, manager, assistant manager or any other person in charge of the operations or activities of a gasoline station.

(h) "Person" means any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association or any other entity or business organization of any kind.

(Section 2 - Definitions - Cont.)

(i) "Storage Tank" means any reservoir or container used for holding of motor fuel. This term includes, but is not limited to, above ground gasoline tanks, underground gasoline tanks, and delivery gasoline tanks or trucks.

(j) "Unleaded Gasoline" means gasoline containing not more than .05 grams of lead per gallon and not more than .005 grams of phosphorous per gallon.

(k) "Octane" means the rating of the anti-knock characteristics of a grade or type of automotive gasoline as more fully defined in 15 United States Code Section 2821 and the applicable federal regulations pursuant thereto.

SECTION 3. TEST METHODS

The water, octane, lead and phosphorus content of gasoline will be determined by such tests as may be approved by the Director. Any certificate duly signed by a chemist, analyst or other expert employed by the Director or any analysis, examination or investigation made by such analyst, chemist or expert with respect to any sample of gasoline which the Director has caused to be examined shall be presumptive evidence of the facts therein stated.

SECTION 4. RIGHT OF ENTRY

The Director or the Director's authorized representative shall have the right to enter any gasoline station or the premises or property of any operator or distributor and shall have the right to make inspections, take samples and conduct tests to determine compliance with this Local Law. All distributors and operators shall be required to produce their records of the purchase, storage and sale of motor vehicle fuel, and particularly any and all records required to be kept pursuant to this Local Law.

SECTION 5. GASOLINE DISTRIBUTORS

No distributor shall sell to any distributor or operator, any gasoline which is falsely described or labeled. A distributor shall be liable for the transfer of gasoline into the proper storage tank.

SECTION 6. DUTIES OF OPERATOR

(a) No operator, distributor or their employee or agent

LOCAL LAW NUMBER 5 OF 1989

A LOCAL LAW REQUIRING REGULATIONS REGARDING THE SALE OF MOTOR VEHICLE FUELS

(Section 6 - Duties of Operator - (a) Cont.)

(a) shall sell, introduce or cause or allow the introduction of leaded gasoline into any motor vehicle which is labeled "UNLEADED GASOLINE ONLY."

(b) No operator, distributor or their employee or agent shall sell, expose for sale or offer for sale any gasoline in any manner whatsoever so as to deceive or tend to deceive the purchaser as to the nature, quality and identity of the gasoline so sold or offered for sale.

(c) Each operator shall affix to each gasoline pump stand a permanent legible label as follows:

1. For gasoline pump stands containing pumps for the introduction of unleaded gasoline into motor vehicles, the label shall state, "UNLEADED GASOLINE".

2. For gasoline pump stands containing pumps for the introduction of super unleaded gasoline or premium unleaded gasoline into motor vehicles, the label shall state, "PREMIUM UNLEADED GASOLINE."

3. For gasoline pump stands containing pumps for the introduction of leaded gasoline into motor vehicles, the label shall state, "LEADED GASOLINE."

4. For gasoline pump stands containing pumps for the introduction of diesel fuel into motor vehicles, the label shall state, "DIESEL FUEL."

5. Each gasoline pump shall clearly identify the octance rating of the gasoline dispensed from said pump.

(d) Any label required under sub-section (c) of this Section shall be located so as to be readily visible to the operator's employees and customers.

(e) The operator of a gasoline station shall be required to measure the level of water contained in each gasoline storage tank located at such facility at least once each day on any day during which the facility is open to the public for any portion of such day.

(f) The operator of a gasoline station shall be required to measure the level of water contained in each

LOCAL LAW NUMBER 5 OF 1989

A LOCAL LAW REQUIRING REGULATIONS REGARDING THE SALE OF MOTOR VEHICLE FUELS

(Section 6 - Duties of Operator - (f) Cont.)

(f) gasoline storage tank located at such facility within one hour after delivery of gasoline has been made to any such storage tank; except that if a delivery of gasoline is made during a time in which the gasoline station is not open to the public, then the operator shall measure the level of water contained in each gasoline storage tank into which gasoline was delivered within one hour after the gasoline station facility opens to the public.

(g) No operator shall sell or offer for sale any gasoline which draws from a storage tank at a gasoline station which contains more than two (2) inches of water.

(h) No operator shall sell or offer for sale gasoline from a pump which draws from any storage tank during the time in which a delivery of gasoline is being made to or into such tank unless the operator of the gas station shall have measured the level of water contained in any storage tank immediately before the delivery begins and determined that the storage tank contains no more than two (2) inches of water.

(i) Every gasoline station in this County shall cause to be posted in a conspicuous place:

1. The name of the station.

2. The kind of entity it is.

3. The operators of the station as defined in this Local Law.

4. The post office address of the station.

SECTION 7. PENALTIES

(a) Any distributor who violates this Local Law shall be subject to a civil penalty and shall pay to Ulster County the amount of $5,000.00 for each and every day of the continuance of such violation. Violation shall be presumed to have begun on the last delivery of gasoline to that pump's storage tank.

(b) Any operator who violates Section 6(a) or 6(b), or 6(c) or 6(d) shall be subject to a civil penalty and shall pay to Ulster County the amount of $1,000.00 for each and every day of continuance of such violation. Violation shall be presumed to have begun on the last delivery of gasoline to that pump's storage tank.

LOCAL LAW NUMBER 5 OF 1989

A LOCAL LAW REQUIRING REGULATIONS REGARDING THE SALE OF MOTOR VEHICLE FUELS

(Section 7 - Penalties Cont.)

(c) Where there is evidence of intent to defraud, the Director may refer evidence of such violation to the Ulster County District Attorney or, in the absence of intent to defraud, refer the violation to the Ulster County Attorney for commencement of a civil action in the name of Ulster County to recover a civil penalty in the amount prescribed in this local law. A cause of action for recovery of such penalty may be released, settled or compromised by the Director before the matter is referred to the Ulster County Attorney and thereafter by the Ulster County Attorney.

(d) All moneys collected shall be deposited in the General Fund of the County of Ulster.

SECTION 8. ENFORCEMENT

(a) This Local Law shall be enforced by the Ulster County Department of Weights and Measures which shall have the authority to condemn any equipment used in dispensing gasoline in violation of this Local Law or to order such a condition rectified within twenty-four (24) hours.

(b) Any condemnation of equipment shall be in accordance with the procedure set forth in Article 16 of the State of New York Agriculture and Markets Law.

SECTION 9. HEARING PROVISIONS

I. (a) The Director may cause to be held a formal hearing on any alleged violation of this local law. A formal hearing shall be on due and adequate notice to the person(s) concerned and shall be set down for a day certain.

(b) The Director is empowered to appoint a Hearing Officer who shall conduct a formal hearing. The hearing officer may be an impartial employee of the Weights and Measures Office and who has not been involved in any way with the action in question.

(c) The notice of hearing shall set forth:

(1) The time and place of the hearing;.

(2) the purpose of the hearing;

(3) The charges and violations complained of;

LOCAL LAW NUMBER 5 OF 1989

A LOCAL LAW REQUIRING REGULATIONS REGARDING THE SALE OF MOTOR VEHICLE FUELS

(Section 9 - Hearing Provisions - I.(c) Cont.)

(c) (4) The right to present evidence;

(5) The right to examine and cross-examine witnesses;

(6) The right to be represented by counsel.

(d) On the return day of the hearing:

(1) The Hearing Officer shall note the appearance of persons attending the hearing;

(2) Witnesses shall be sworn and testimony shall be recorded;

(3) The testimony shall be transcribed within a reasonable time after the conclusion of the hearing.

(e) The Hearing Officer shall thereafter prepare Findings of Fact, Conclusions, and Recommendations on which the Director shall make a formal Order setting forth the determination, conditions if any to be complied with, and civil penalties, if any.

(f) A copy of the Order of the Director following the formal hearing shall be served on all respondents.

(g) Nothing herein contained shall preclude the Director from taking any action in addition to the formal hearing herein provided for, as may be prescribed by law, nor shall the Director be precluded from taking such other action by virtue of the Order made pursuant to this Section.

II. Service of an Order or Notice of Hearing shall be made as follows:

(a) Enclosing the Order or Notice in a post-paid envelope directed to the person(s) concerned at the address last known to the Director and depositing such envelope in an official depository maintained by the United States Post Office; or

(b) Leaving the Order or Notice with the person concerned or with a person in charge of the premises; or

(Section 9 - Hearing Provisions - II.(c) Cont.)

(c) Posting the Order or Notice at the entrance door of the premises involved.

III. The Director, the designated Hearing Officer or the Ulster County Attorney may issue subpoenas on the request of any party to the proceedings of any formal hearing set down by the Director.

IV. (a) The Hearing Officer shall not be bound by the rules of evidence in the conduct of a hearing, but the Determination shall be founded on sufficient factual evidence to sustain it.

(b) Proof may be adduced with respect to ongoing violations occurred up to and through the date of the Hearing, when those violations are sufficiently similar to those charged, to put respondent on notice of the nature of the violation.

(c) If a respondent has been served with a Director's Order in conjunction with a Notice of Hearing, proof may be adduced with respect to violations of that Order after the underlying violation has been proven.

(d) On the conclusion of a Hearing, the Director shall take such action as he deems proper, and shall execute an Order carrying the Findings and Determinations into effect.

(e) The action of the Director may include the assessment of civil penalties as provided by law.

(f) The minutes of a formal hearing shall be made available to all parties for examination at the office of the Director.

(g) Copies of the minutes of a formal hearing may be purchased at the rate per page covering the cost thereof.

SECTION 10. SEVERABILITY

If any provision of this Local Law or the application thereof to any person or circumstance shall be adjudged invalid by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereof to any other person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared to be severable.

LOCAL LAW NUMBER 5 OF 1989

A LOCAL LAW REQUIRING REGULATIONS REGARDING THE SALE OF MOTOR VEHICLE FUELS

SECTION 11. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 6 OF 1989

A LOCAL LAW AUTHORIZING THE COUNTY TO PROVIDE ACCESS TO ITS DATA BASE SYSTEM TO SUBSCRIBERS AND TO CHARGE FEES FOR THE ACTUAL COST OF SUCH ACCESS SERVICES

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The County of Ulster Legislature hereby finds and determines that the interests of the public will be better served by allowing freer access to County Data. It further finds and determines that one means of providing such access is by allowing individuals and businesses to access such data through their own computer terminals, with the cost of providing such a service to be borne by those choosing to take advantage of it.

SECTION 2. The County of Ulster, through its Department of Information Services, is hereby authorized to provide access to the County data base system, to subscribers utilizing their own computer terminals on a contractual basis.

SECTION 3. The County of Ulster is hereby authorized to charge fees for the County's complete actual cost of providing access services to subscribers. Such fees shall be calculated by the Director of Information Services and approved from time to time by the County Legislature.

SECTION 4. The Director of Information Services is hereby authorized to execute such contracts on behalf of the County. The contracts shall also be countersigned by the heads of the departments whose records are being accessed.

SECTION 5. This local law shall take effect January 1, 1990.

LOCAL LAW NUMBER 7 OF 1989

A LOCAL LAW REQUIRING GOOD CAUSE TO EVICT MOBILE HOME OWNERS AND PROTECTING THEIR RIGHT TO SELL THEIR HOMES

BE IT ENACTED, by the County Legislature of the County of Ulster, State of New York, as follows:

SECTION 1. LEGISLATIVE INTENT

This Legislature hereby finds and declares that the shortage of decent affordable housing for persons of low and moderate income remains significant and must be addressed in new and innovative ways: that a particular housing problem exists for homeowners residing in mobile home parks, wherein there is the potential for serious dislocation of families and loss of equity through the sale of mobile homes; that mobile home park residents frequently lack the resources to purchase new homes or move existing homes; that in Ulster County there are over 82 mobile home parks in which several thousand mobile owners reside. These mobile home owners are a unique combination of homeowner and tenant since they own their homes, but rent the lot on which it is situated. The present vacancy rate of lots in mobile home parks in Ulster County is estimated to be very low and as vacancies have occurred, park owners have required that only new homes may be placed on these lots. These circumstances make it imperative that laws be enacted which protect mobile home owners from arbitrary eviction and guarantee their right to sell their homes in place. Without such protections for mobile home owners, their investment in a home in Ulster County is fraught with unreasonable risk.

Mobile homes are generally more affordable than conventionally built homes and this Legislature wants to encourage the ownership of mobile homes under conditions which afford protection of the expectation of such home owners that the equity in their homes will grow over time as long as they maintain their homes in good condition. This local law is based on a determination by this Legislature that the current State Law to protect mobile home owners, Real Property Law Section 233, is ambiguous and inadequate to protect the rights of mobile home owners to stay in parks and sell their homes in place when they leave.

SECTION 2. DEFINITIONS

(a) "Mobile home owner" means one who holds title to a mobile home and rents a space for it in a mobile home park:

(b) "Mobile home park" means a contiguous parcel of privately owned land which is used for accommodation of three or more mobile homes occupied for year-round living.

(c) "Mobile home park owner or operator" means the person in charge of a mobile home park. This term shall include, but not be limited to, the owner of the land, the manager, assistant manager or any other person in charge of the operations or activities of a mobile home park;

(d) "Eviction" means, in addition to its ordinary meaning, the cessation or nonrenewal of a lease or of the occupancy of a mobile home or from a mobile home park as a result of an act of a mobile home park owner or operator.

SECTION 3. GROUNDS FOR EVICTION

(a) A mobile home park owner or operator may not evict a mobile home owner other than for the following reasons:

(1) The mobile home owner has defaulted in the payment of rent and a proper demand has been made for such delinquent rent. On payment of such delinquent rent together with allowable costs, any action instituted for nonpayment of rent shall be terminated.

(2) The mobile home owner is persistently late in the payment of rent. It shall be presumed that a mobile home owner is persistently late in the payment of rent if, within any twelve month period, the mobile home owner has tendered the rent more than ten days beyond the due date more than three times and the mobile home park owner or operator has given the mobile home owner written notice by certified mail warning the mobile home owner that further late payment of rent will cause the mobile home park owner or operator to institute an eviction proceeding.

(3) The mobile home or rented space is used for any illegal trade or business.

(4) The mobile home owner is in violation of a federal, state or local law or ordinance which may be deemed detrimental to the safety and welfare of any persons residing in the mobile home park. The mobile home park owner shall give prior written notice to the mobile home owner of the specific law being violated, and said owner has failed to correct such violation within ten (10) days after receiving such notice.

(5) The mobile home tenant or anyone occupying the mobile home is in violation of any lease term or rule or regulation established by the mobile home park owner or operator pursuant to this section, and has continued in violation for more than ten days after the mobile home park owner or operator has given written notice of such violation to the mobile home tenant setting forth the lease term or rule or regulation violated and directing that the mobile home tenant correct or cease violation of such lease term or rule or regulation within ten days from the receipt of said notice. Upon expiration of such period should the violation continue or should the mobile home tenant or anyone occupying the mobile home be deemed a persistent violator of the lease term or rules and regulations, the park owner or operator may serve written notice upon the mobile home tenant directing that such tenant vacate the premises within thirty days of the receipt of said notice.

(6) The mobile home park owner or operator proposes a change in the use of the land comprising the mobile home park, or a portion thereof, on which the mobile home is located, from mobile home lot rentals to some other use, provided the mobile home owner is given at least six (6) months written notice, or longer if a longer term remains in a rental agreement, of the proposed change of use and the mobile home owner's need to secure other accommodations.

(b) No mobile home owner shall be denied a continuance or renewal of a lease so long as he or she has, during the period of occupancy, complied with the terms of the lease and the rules and regulations of the mobile home park then in effect. In the event a mobile home owner or operator wishes to deny the continuance or renewal of a lease based upon the failure of the

(Section 3. (b) - cont.)
mobile home owner to comply with the terms of the lease and the rules and regulations of the mobile home park then in effect, the said mobile home park owner or operator shall give ninety (90) days advance notice of his or her intent to deny such continuance of renewal, which shall be delivered by registered or certified mail, return receipt requested.

SECTION 4. RIGHT TO SELL

(a) No mobile home park owner or operator shall require the removal of or increased rental for a mobile home occupying a lot in a mobile home park solely on the ground of the age, size or model of such mobile home.

(b) No mobile home park owner or operator shall deny any mobile home owner the right to sell his mobile home in the mobile home park or require the mobile home owner or subsequent purchaser to remove the mobile home from the mobile home park based solely on the sale thereof, provided the mobile home owner shall give the mobile home park owner or operator twenty (20) days written notice of his intention to sell. The mobile park owner or operator may reserve the right to approve the purchaser of said mobile home as a tenant in the park, but such approval shall not be unreasonably withheld. Approval of a purchaser must be granted or denied within fifteen (15) days from the date the mobile home park owner or operator is notified by registered or certified mail, return receipt requested, of the name, address and information as to the credit worthiness of the prospective purchaser. If the mobile home park owner or operator rejects a purchaser as a prospective tenant, he or she shall notify the prospective seller of the reasons therefor in writing.

(c) If the mobile home park owner or operator fails to act within the fifteen (15) day period, the purchaser shall have been deemed approved.

(d) If the mobile home park owner or operator unreasonably withholds permission, the mobile home owner may sue for any damages resulting therefrom. If it is found by the court that the mobile home park owner or operator unreasonably or in bad faith withheld such

LOCAL LAW NUMBER 7 OF 1989

A LOCAL LAW REQUIRING GOOD CAUSE TO EVICT MOBILE HOME OWNERS AND PROTECTING THEIR RIGHT TO SELL THEIR HOMES

(Section 4. (d) - cont.)
approval, the mobile home owner may recover attorney's fees in addition to any other available remedy at law or in equity. If a claim or counterclaim is found to be frivolous, the court may award costs and attorney's fees pursuant to CPLR, Section 8303-a.

(e) If a mobile home park owner or operator chooses to sign an agreement with a lending institution to enable the prospective purchaser to get a loan using a mobile home as collateral, no charges can be levied for such agreement.

(f) Whenever a lending institution repossesses a mobile home due to a default on its loan, the lending institution shall have the right to keep the mobile home on the space until it secures a buyer who meets the reasonable approval of the park owner as a tenant so long as the lending institution pays the park owner all past due rentals, a monthly fee for use and occupancy equal to the monthly rent of the defaulting tenant and maintains the home and premises according to the rules of the park.

SECTION 5. ENFORCEMENT AND REMEDIES

A violation or failure to comply with any provision of this Local Law may be raised as a complete defense, or as a counterclaim, by a mobile home owner in any action or proceeding brought by a mobile home park owner or operator which seeks the eviction of a mobile home owner in Ulster County. In the event that the mobile home owner shall prevail in such action or proceeding as a result of such violation or failure to comply with this local law, the mobile home owner shall be awarded and recover attorney's fees in addition to any other damages suffered.

SECTION 6. SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be adjudged invalid by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereof to any other person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared to be severable.

LOCAL LAW NUMBER 7 OF 1989

A LOCAL LAW REQUIRING GOOD CAUSE TO EVICT MOBILE HOME OWNERS AND PROTECTING THEIR RIGHT TO SELL THEIR HOMES

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 8 OF 1989

A LOCAL LAW AMENDING LOCAL LAW NUMBER 2 OF 1976 TO INCLUDE INCINERATOR ASH WITHIN THE DEFINITION OF REFUSE

BE IT ENACTED, by the Ulster County Legislature of the County of Ulster as follows:

SECTION 1. Section two-c of Local Law Number Two of Nineteen Hundred Seventy-six is amended as follows:

SECTION 2. DEFINITIONS. (a) "Garbage" shall mean solid or liquid waste, (b) "Industrial Waste" shall mean solid or liquid material resulting from construction or any business, trade or industrial operation, (c) "Refuse" shall mean garbage, rubbish, industrial waste and incinerator ash and (d) "Refuse Disposal Area" shall mean land used for the deposit of refuse.

SECTION 3. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1990

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1989 TO PROVIDE A MAXIMUM DOLLAR AMOUNT ON THE RECEIPT OF GIFTS, TO ESTABLISH A FIXED TERM FOR BOARD OF ETHICS MEMBERS, TO AUTHORIZE THE BOARD OF ETHICS TO ENFORCE THE FINANCIAL DISCLOSURE FILING REQUIREMENT, AND TO DELETE CERTAIN TITLES FROM THE REQUIREMENT OF DISCLOSURE

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 1, subdivision (A) of Local Law Number 1 of 1989 (adopted March 9, 1989), is hereby amended to read as follows:

"Section 1. CODE OF ETHICS. Every officer or employee of the County of Ulster shall be subject to and abide by the following standards of conduct:

(A). Gifts. He or she shall not directly or indirectly solicit any gift, or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, for any official action on his or her part.

SECTION 2. Section 2, subdivision (A) and (B) of Local Law Number 1 of 1989, is hereby amended to read as follows:

"Section 2. BOARD OF ETHICS.

(A). A board, to be known as the Ulster County Board of Ethics, is hereby created, which shall consist of at least three members appointed by the Ulster County Legislature. A majority of the members of the County Board of Ethics shall not be officers or employees of the County or of any of the municipalities within the County. At least one member shall be an elected or appointed officer or employee of the County or a municipality therein. The members of the County Board of Ethics shall receive no salary or compensation for their services as members of such Board and shall serve a term coexistent with the term of the County Legislature making the appointment. The County Legislature may appropriate moneys for maintenance and personal services in connection with the functioning of the County Board of Ethics.

(B). The County Board of Ethics shall render advisory opinions to officers and employees of municipalities wholly or partly within the County with respect to Article 18 of the General Municipal Law and the County Code of Ethics contained in Section "1" of this Local Law. Such advisory opinions shall be rendered pursuant to the written request of any such officer or employee under such rules as the Board may prescribe and shall have the advise of counsel employed by the Board, or if none, the County Attorney. The County Board of Ethics shall also be the repository for completed annual statements of financial

LOCAL LAW NUMBER 1 OF 1990

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1989 TO PROVIDE A MAXIMUM DOLLAR AMOUNT ON THE RECEIPT OF GIFTS, TO ESTABLISH A FIXED TERM FOR BOARD OF ETHICS MEMBERS, TO AUTHORIZE THE BOARD OF ETHICS TO ENFORCE THE FINANCIAL DISCLOSURE FILING REQUIREMENT, AND TO DELETE CERTAIN TITLES FROM THE REQUIREMENT OF DISCLOSURE

(Cont. (B))
disclosure as required by Section "3" of this Local Law. The County Board of Ethics shall have the power to enforce the filing requirement, including the authority to promulgate rules and regulations of the same import as those which the temporary state commission on local governments enjoys under section eight hundred thirteen of the General Municipal Law.

SECTION 3. Section 3, subdivision A of Local Law Number 1 of 1989 is hereby amended to read as follows:

"Section 3. DISCLOSURE BY CERTAIN COUNTY OFFICERS AND LOCAL POLITICAL PARTY OFFICIALS. Pursuant to General Municipal Law Section 812(3), the County of Ulster opts out the provisions of Section 812 and hereby adopts its own form of financial disclosure to be filed by all elected County officials, department heads and their deputies and assistants. The following titles are included:

A. COUNTY OFFICERS

LEGISLATURE

Chairman
Legislator
Clerk
Deputy Clerk
Deputy Clerk (Publicity)

DISTRICT ATTORNEY'S OFFICE

District Attorney
Assistant District Attorney

PUBLIC DEFENDER'S OFFICE

Public Defender
Assistant Public Defender

MEDICAL EXAMINER'S OFFICE

Medical Examiner
Assistant Medical Examiner

COUNTY ADMINISTRATOR'S OFFICE

County Administrator
Deputy County Administrator

LOCAL LAW NUMBER 1 OF 1990

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1989 TO PROVIDE A MAXIMUM DOLLAR AMOUNT ON THE RECEIPT OF GIFTS, TO ESTABLISH A FIXED TERM FOR BOARD OF ETHICS MEMBERS, TO AUTHORIZE THE BOARD OF ETHICS TO ENFORCE THE FINANCIAL DISCLOSURE FILING REQUIREMENT, AND TO DELETE CERTAIN TITLES FROM THE REQUIREMENT OF DISCLOSURE

AUDITING

County Auditor
Deputy County Auditor

TREASURER'S OFFICE

County Treasurer
Deputy County Treasurer

PURCHASING

Purchasing Agent
Deputy Purchasing Agent

REAL PROPERTY TAX SERVICE AGENCY

Director

COUNTY CLERK'S OFFICE

County Clerk
Deputy County Clerk
Motor Vehicle Supervisor

COUNTY ATTORNEY'S OFFICE

County Attorney
Assistant County Attorney

PERSONNEL OFFICE

Personnel Officer
Deputy Personnel Officer (Employee Relations)
Deputy Personnel Officer (Civil Service)

BOARD OF ELECTIONS

Commissioner

PUBLIC WORKS - BUILDINGS AND CONSTRUCTION

Deputy Commissioner/Public Works

PUBLIC WORKS DEPARTMENT - (HIGHWAY)

Commissioner of Public Works
Deputy Commissioner/Public works

LOCAL LAW NUMBER 1 OF 1990

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1989 TO PROVIDE A MAXIMUM DOLLAR AMOUNT ON THE RECEIPT OF GIFTS, TO ESTABLISH A FIXED TERM FOR BOARD OF ETHICS MEMBERS, TO AUTHORIZE THE BOARD OF ETHICS TO ENFORCE THE FINANCIAL DISCLOSURE FILING REQUIREMENT, AND TO DELETE CERTAIN TITLES FROM THE REQUIREMENT OF DISCLOSURE

INFORMATION SERVICES

Information Services Director
Assistant Director I.S./Systems
Assistant Director I.S./Operations
Assistant Director I.S./Technical Support

INSURANCE OFFICE

County Insurance Officer
Deputy Insurance Officer

SHERIFF'S DEPARTMENT

Sheriff
Undersheriff

PROBATION

Director

ALTERNATIVE SENTENCING PROGRAM

Coordinator

STOP DWI

Coordinator

FIRE COORDINATOR

Chief Fire Coordinator

EMERGENCY MANAGEMENT OFFICE/CIVIL DEFENSE

Director

PUBLIC HEALTH

Commissioner of Health
Deputy Director of Administration
Director of Patient Services
Director of Environmental Sanitation

MENTAL HEALTH SERVICES

Director
Deputy Director for Administration

LOCAL LAW NUMBER 1 OF 1990

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1989 TO PROVIDE A MAXIMUM DOLLAR AMOUNT ON THE RECEIPT OF GIFTS, TO ESTABLISH A FIXED TERM FOR BOARD OF ETHICS MEMBERS, TO AUTHORIZE THE BOARD OF ETHICS TO ENFORCE THE FINANCIAL DISCLOSURE FILING REQUIREMENT, AND TO DELETE CERTAIN TITLES FROM THE REQUIREMENT OF DISCLOSURE

COORDINATED CHILDREN'S SERVICES

Coordinator

SOCIAL SERVICES DEPARTMENT

Commissioner of Social Services
Deputy Commissioner of Social Services

RESIDENTIAL HEALTH CARE FACILITY

Director
Deputy Director
Deputy Director of Clinical Services

J.T.P.A.

Director

VETERANS' SERVICE AGENCY

Director
Deputy Director

WEIGHTS AND MEASURES

Sealer of Weights and Measures
Deputy Director of Weights and Measures

OFFICE FOR THE AGING

Director

YOUTH BUREAU

Director
Deputy Director

PLANNING DEPARTMENT

Director

SAFETY DEPARTMENT

Safety Officer

LOCAL LAW NUMBER 1 OF 1990

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1989 TO PROVIDE A MAXIMUM DOLLAR AMOUNT ON THE RECEIPT OF GIFTS, TO ESTABLISH A FIXED TERM FOR BOARD OF ETHICS MEMBERS, TO AUTHORIZE THE BOARD OF ETHICS TO ENFORCE THE FINANCIAL DISCLOSURE FILING REQUIREMENT, AND TO DELETE CERTAIN TITLES FROM THE REQUIREMENT OF DISCLOSURE

ULSTER COUNTY COMMUNITY COLLEGE

President
Dean of Administration

Each appointing authority or department head shall annually determine, by February 15th, if there are any other officers or employees, within their department, holding policy-making positions. A list of such employees or officers shall then be immediately forwarded to the Chairman of the Ulster County Legislature. Such officers or employees shall also be required to complete a financial disclosure form by May 1st of that year.

SECTION 4. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1990

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1990 at the sum opposite the office and designation of such County Officer to wit:

Personnel Officer	$ 48,064.00
County Administrator	57,877.00
Deputy County Administrator	42,295.00
Deputy County Administrator	45,578.00
Commissioner of Public Health	70,949.00
County Clerk	51,004.00
County Sheriff	51,004.00
Commissioner of Elections (2)	36,803.00
Commissioner of Public WOrks	53,877.00
Deputy Commissioner of Public Works	36,734.00
Deputy Commissioner of Public Works	31,506.00
Deputy Commissioner of Public Works	38,218.00
Deputy Commissioner of Public Works	41,357.00

(B) For the balance of the year 1990 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1990 prior to such effective date, will equal the annual salary fixed for such office for the year 1990, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 3 OF 1990

A LOCAL LAW IMPOSING A SURCHARGE ON TELEPHONE ACCESS LINES TO RAISE REVENUES FOR THE SYSTEM COSTS ASSOCIATED WITH THE CREATION AND OPERATION OF AN ENHANCED 911 EMERGENCY TELEPHONE SYSTEM IN ULSTER COUNTY

BE IT ENACTED, by the Ulster County Legislature of the County of Ulster, New York, as follows:

SECTION 1. The Ulster County Legislature, in order to provide for the protection of the health, safety and welfare of persons in the County, finds it in the public interest for there to be an Enhanced 911 Emergency Telephone System operating in Ulster County.

SECTION 2. Pursuant to the authority granted to the Legislature by County Law, Section 303, there is hereby imposed a surcharge of thirty-five cents ($.35) per month on each local telephone exchange access line in the County, subject to the restrictions contained herein.

SECTION 3. The surcharge herein shall not apply to more than seventy-five (75) local exchange access lines per customer per location.

SECTION 4. The surcharge herein shall not apply to any "Lifeline" customers of local telephone service suppliers.

SECTION 5. The surcharge herein shall not apply to the access lines of the County of Ulster.

SECTION 6. The estimated target date for the commencement of Enhanced 911 Emergency Telephone Service in Ulster County is September 30, 1993.

SECTION 7. All suppliers of local telephone exchange access lines shall begin to add the thirty-five cents ($.35) per month surcharge as herein provided to all service bills issued after January 1, 1991, or as soon as possible thereafter, subject to the exclusions contained herein.

SECTION 8. This Local Law shall become effective immediately upon filing in accordance with the provisions of Section 20, 21 and 27 of the Municipal Home Rule Law of New York State.

LOCAL LAW NUMBER 1 OF 1991

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1991 at the sum opposite the office and designation of such County Officer to wit:

Real Property Tax Service Agency Director	$50,355.00
Personnel Officer	50,708.00
County Administrator	61,060.00
Deputy County Administrator	44,621.00
Deputy County Administrator	48,085.00
Commissioner of Public Health	74,987.00
County Clerk	53,809.00
County Treasurer	53,809.00
Public Defender	34,870.00
Purchasing Agent	40,436.00
Commissioner of Social Services	54,089.00
County Auditor	39,165.00

(B) For the balance of the year 1991 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1991 prior to such effective date, will equal the annual salary fixed for such office for the year 1991, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this LocalLaw, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 2 OF 1991

A LOCAL LAW REPEALING SECTIONS TWO AND THREE OF ARTICLE THREE OF LOCAL LAW NUMBER TWO OF 1979 AND AUTHORIZING THE APPOINTMENT OF DEPUTY MEDICAL EXAMINERS

BE IT ENACTED by the Legislature of the County of Ulster, as follows:

SECTION 1. STATEMENT OF LEGISLATURE PURPOSE AND INTENT. The purpose of this local law is to eliminate the provisions of Local Law Number 2 of 1979 which divide the County into four districts for the purpose of appointing resident Medical Examiners in and from the particular district to be served. The Legislature intends by this repealing local law to allow more flexibility in the appointment process with respect to the number of Medical Examiners required to be on staff and also to specifically authorize the appointment of Deputy Medical Examiners and establish their qualifications, powers and duties.

SECTION 2. REPEALER.
Existing sections two and three of Article three of Local Law Number Two of 1979 are hereby REPEALED.

The language repealed is set forth in brackets as follows:

[SECTION 2. The County shall be divided into four districts. The Medical Examiner and each Assistant Medical Examiner shall be a resident of the respective district to be served. In the event that a qualified physician shall not reside in such district, or none is available for appointment, then and in that event, an appointment shall be made of a qualified physician who resides as close as possible to the district to which he is being appointed.]

[SECTION 3. The said four districts shall be created upon recommendation of the Medical Examiner and approved by the County Legislature.]

SECTION 3. AUTHORIZATION FOR DEPUTY MEDICAL EXAMINERS.

The following new sections two and three are hereby added to Local Law Number 2 of 1979:

SECTION 2. The Health Commissioner may, with the approval of the County Legislature and after due consideration of the recommendation of the Medical Examiner, appoint Deputy Medical Examiners, who shall have the same qualifications of the Medical Examiner. Each such appointment shall be in writing filed and recorded in the Office of the County Clerk. Such appointment may be revoked either by the Health Commissioner or County Legislature at any time by the filing of a certificate of revocation with the County Clerk.

SECTION 3. Each Deputy Medical Examiner shall have all the powers and duties of a medical examiner but shall be subject to the control and direction of the Medical Examiner in the execution of such powers and duties.

SECTION 4. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1991

A LOCAL LAW TO AMEND THE COUNTY'S REAPPORTIONMENT PLAN AS SET FORTH IN LOCAL LAW NUMBER 2 OF 1975 AS AMENDED BY LOCAL LAW NUMBER 5 OF 1981

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 1 of Local Law Number 2 of 1975 is hereby amended to read as follows:

The Ulster County Legislature shall consist of thirty-three (33) members elected at large from eight (8) legislative districts in accordance with Section 4 hereof.

SECTION 2. Section 4 of Local Law Number 2 of 1975 is hereby amended to read as follows:

Each of the following described legislative districts shall elect that number of representatives to the Ulster County Legislative from within its boundaries as hereinafter set forth:

DISTRICT	DESCRIPTION	NUMBER OF REPRESENTATIVES
#1	Wawarsing, Rochester, Olive	4
#2	Woodstock, Shandaken, Denning, Hardenburgh	2
#3	Saugerties	4
#4	Kingston (City)	5
#5	Ulster, Hurley, Marbletown, Kingston, (Town)	5
#6	Esopus, Rosendale	3
#7	New Paltz, Shawangunk, Gardiner	5
#8	Lloyd, Plattekill, Marlborough	5

SECTION 3. Section 9, subdivision (C) of Local Law Number 2 of 1975 is amended to read as follows:

It is further intended that the legislative districts described herein contain the total permanent populations of Ulster County as described by the 1990 official decennial census.

SECTION 4. This Local Law shall take effect upon compliance and in accordance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

LOCAL LAW NUMBER 4 OF 1991

A LOCAL LAW AMENDING LOCAL LAW NUMBER 5 OF 1989 TO BROADEN OPERATOR'S VIOLATIONS TO INCLUDE ANY VIOLATION OF THE MOTOR VEHICLE FUELS LAW

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 7, subdivision (b) of Local Law Number 5 of 1989 is hereby amended to read as follows:

(b) any operator who violates <u>this Local Law</u> [Section 6(a) or 6(b), or 6(c) or 6(d)]* shall be subject to a civil penalty and shall pay to Ulster County the amount of $1,000.00 for each and every day of continuance of such violation. Violation shall be presumed to have begun on the last delivery of gasoline to that pump's storage tank.

* new language is underlined, deleted language is bracketed.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 5 OF 1991

A LOCAL LAW TO AUTHORIZE ULSTER COUNTY TO COLLECT A HOTEL AND MOTEL ROOM OCCUPANCY TAX

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Title 100 - General

101. **Authority:**

This local law is adopted by the Ulster County Legislature pursuant to the enabling legislation of New York State Tax Law Section 1202-l (Chapter 221 of Laws of 1991)

102. **Purpose:**

The purpose of this local law is to authorize Ulster County to collect a hotel and motel room occupancy tax due to the need for additional revenue.

103. **Definition:**

Unless the context requires a different meaning, when used in this local law, the following terms shall mean:

a. "County" shall mean the County of Ulster.

b. "Person" shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

c. "Operator" shall mean any person operating a hotel or motel in the County of Ulster, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel or motel.

d. "Hotel or Motel" or either term singly shall mean a building or portion of it which is regularly used and kept open as such for lodging on an overnight basis. The term "hotel" or "motel" includes an apartment hotel, motor court or inn, boarding house or club, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served and shall include those facilities commonly known as "bed and breakfast" and "tourist" facilities. Rent received by operators of bungalow colonies shall not be deemed to be taxable provided each occupant shall occupy rooms pursuant to a written agreement providing for the exclusive possession of such room for a period of ninety days or more, and provided further that there are no maid, food or other common hotel services provided.

e. "Occupancy" shall mean the use or possession, or the right to use or possession of any room in a hotel or motel.

f. "Occupant" shall mean a person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.

g. "Permanent Resident" shall mean any occupant of any room or rooms in a hotel or motel for at least ninety consecutive days shall be considered a permanent resident with regard to the period of such occupancy.

h. "Rent" shall mean the consideration received for occupancy valued in money, whether received in money or otherwise.

i. "Room" shall mean any room or rooms of any kind in any part or portion of a hotel or motel, which is available for or let out for any purpose other than a place of assembly.

j. "Return" shall mean any return filed or required to be filed as herein provided.

k. "Tax" shall mean the tax imposed pursuant to this local law and any increase, reduction or modification hereafter authorized.

l. "Treasurer" shall mean the Treasurer of Ulster County or the Treasurer's designee.

m. "Board or other charge" shall mean the charge or charges which an operator shall impose for food and meals or for other services and facilities at a hotel or motel which charge is included in the cost of occupancy of a room as a common charge, or, if such charges are separately stated, is a charge which is not optional and is required to be paid by the occupant as part of the cost of occupancy of a room.

104. **Territorial Limitations:**

The tax imposed by this local law shall apply only within the territorial limits of the County of Ulster.

105. **Reference to tax:**

Wherever reference is made in placards, advertising or other publications to the tax imposed by this local law, such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms", except that in any bill, receipt, statement or other agreement or memorandum of occupancy or rent charge issued or employed by an operator, the words "occupancy tax" shall suffice.

Title 200 - Administration of Tax Law:

201. **Administration:**

The tax imposed by this local law shall be administered and collected by the Treasurer or other fiscal officers of the County as he may designate by such means and in such manner as are other taxes which are now collected and administered by such officers or as otherwise are provided by this local law.

202. **General Powers of the Treasurer:**

In addition to the powers granted to the Treasurer in this local law, the Treasurer is hereby authorized and empowered to:

a. make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof, provided, however, that no rule or regulation shall become effective until 30 days after such rule or regulation shall have been filed with the Clerk of the County Legislature; except that any regulation adopted within 60 days after adoption of this local law shall be effective immediately upon such filing;

b. extend for cause shown, the time of filing any return for a period not exceeding three months, provided not less than 90 per cent of the estimated tax for th period for which the return is required to be file shall be paid together with the request for such extension; and for cause shown to remit penalties but not interest computed at the rate and in the manner provided in section 924-a of the Real Property Tax Law on taxes not paid; and to compromise disputed claims i connection with the tax imposed by this local law;

c. request information from the Tax Commissioner of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such tax commission or treasury department relative to any person, any other provision of this local law to the contrary notwithstanding;

d. delegate his functions hereunder to a deputy treasurer or any employee or employees of the Treasurer;

e. prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;

f. require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax, and to furnish such information upon request to the Treasurer;

g. assess, determine, revise and readjust the taxes imposed under this local law, and require the filing of estimated tax returns and payments of estimated tax where necessary;

h. request the County Attorney to take such action as may be required to enforce this local law, including but not limited to providing representation in any administrative proceeding conducted by the Treasurer or enforcement of this local law any appropriate proceeding brought in the name of the County in any court of appropriate jurisdiction without any further authorization of the County Legislature.

203. **Administration of Oaths and Compelling Testimony:**

a. The Treasurer or his employees or agents duly designated and authorized by him shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this local law. The Treasurer shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this local law and to examine them in

A LOCAL LAW TO AUTHORIZE ULSTER COUNTY TO COLLECT A HOTEL AND MOTEL ROOM OCCUPANCY TAX

(203. **Administration of Oaths and Compelling Testimony a - cont.)**

relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before him or excused from attendance.

b. A justice of the supreme court either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this local law.

c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.

d. The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the County Sheriff and his duly appointed deputies or any officers or employees of the Treasurer, designated to serve such process.

Title 300 - Tax Rate, Person Liable, Taxable Rent, Exemptions:

301. **Imposition of Tax:**

On and after the second day of September, nineteen hundred and ninety-one, there is hereby imposed and there shall be paid a tax of two percent (2%), with a ceiling of One Dollar ($1.00) until December 31, 1992, upon the rent for every occupancy of a room or rooms in a hotel or motel in this County except that the tax shall not be imposed upon;

a. permanent residents, or

b. exempt organizations as hereafter set forth.

302. **Statement of Tax to be Collected; Person Liable for Payment of Tax:**

a. The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy issued or delivered by the operator, and the tax shall be paid by the occupant to the operator as trustee for and on account of the County, and the operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this local law, and the operator shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant as if the tax were a part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he may have in the event of non-payment of rent by the occupant; provided, however, that the Treasurer or other fiscal officer or officers, employees or agents duly designated by him shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of tax.

b. The Treasurer may, whenever he deems it necessary for the proper enforcement of this local law, provide by regulation that the occupant shall file returns and pay directly to the Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made over by the operator.

c. The tax imposed by this local law shall be paid upon any occupancy on and after September second, nineteen hundred and ninety-one, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid or charged or billed, or falls due either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after September second, nineteen hundred and ninety-one. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Treasurer may by regulation provide for credit

(302. **Statement of Tax to be Collected; Person Liable for Payment of Tax c - cont.):**

and/or refund of the amount of such tax upon application therefor as provided in section 406 of this local law.

d. For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator, except that, where by regulation pursuant to section 302.b, an occupant is required to file returns and pay directly to the Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant. Where an occupant claims exemption from the tax under the provisions of section 304, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary by the operator, he may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under section 304.

303. **Determination of Taxable Rent:**

a. If the cost of occupancy of a room includes only the cost of occupancy of the room and board and other charges are separately stated and are incurred at the option of the occupant, rent subject to the tax shall be the charge made by the operator for occupancy of a room and the tax shall be based on the amount.

(303. **Determination of Taxable Rent - cont.)**

b. If the cost of occupancy of a room shall include only board as a common charge, or where board is separately stated and board is not optional and is required to be paid by the occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	**Room**	**Board**
Room, breakfast, lunch, dinner	50%	50%
Room, lunch, dinner	65%	35%
Room, breakfast, dinner	65%	35%
Room breakfast, lunch	75%	25%
Room, dinner	80%	20%
Room, lunch	90%	10%
Room, breakfast	90%	10%

c. If the cost of occupancy of a room shall include only other charges, as defined herein, as a common charge, or where other charges are separately stated and such other charges are not optional and are required to be paid by the occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	**Room**	**Board**
Room, other charge	95%	5%

d. If the cost of occupancy of a room shall include charges defined in subparagraphs (b) and (c) of this section as a common charge or, where such charges are separately stated and such charges are not optional and are required to be paid by an occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

(303. **Determination of Taxable Rent d - cont.)**

Total charge includes	**Room**	**Board**
Room, breakfast, lunch, dinner, other charge	40%	60%
Room, lunch, dinner other charge	60%	40%
Room, breakfast, dinner other charge	60%	40%
Room breakfast, lunch other charge	70%	30%
Room, dinner, other charge	75%	25%
Room, lunch, other charge	85%	15%
Room, breakfast, other charge	85%	15%

e. When the occupant becomes a permanent resident, the operator shall discontinue collection of the tax.

f. If the operator neither separately states the charge for board, other charges or both nor uses the above schedules, the entire charge is taxable until the occupant becomes a permanent resident.

304. **Exempt Organizations:**

a. Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law:

i. The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or Canada), improvement district or political subdivision of the state;

ii. The United States of America, insofar as it is immune from taxation;

(304. **Exempt Organizations - cont.)**

iii. Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this section shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this section. Acceptable evidence that such an organization is among such organizations may include a valid New York State sales tax exemption certificate, together with evidence of organization and operation for such purposes.

Title 400 - Registration, Records, Returns, Payment, Refunds

401. **Registration:**

Within ten days after the effective date of this local law, or in the case of operators commencing business after such effective date, within three days after such commencement or opening, every operator shall file with the Treasurer an application for a certificate of authority empowering such operator to collect the tax from the occupant. Upon receipt of such application, the Treasurer shall issue a certificate of authority to such operator which when authenticated shall constitute the authority for the purposes of this local law. Each application for a certificate of authority shall state the hotel or motel to which it is applicable; the name of the operator of such hotel or motel, the address of such operator, the taxpayer identification number assigned to such operator, the state of incorporation and the date upon which such corporation obtained authority to do business in this state, if not organized in this state, the names of each partner, if a partnership, and such other information as the Treasurer may by rule require. Such certificates of authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy. Such certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Treasurer upon the cessation of business at the hotel or motel named or upon its sale or transfer.

402. **Records To Be Maintained:**

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Treasurer may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or his duly authorized agent or employee and shall be preserved for a period of three years, except that the Treasurer may consent to their destruction within that period or may require that they be kept longer.

403. **Returns:**

a. Every operator shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon for the quarterly periods ending February twenty-eighth, May thirty-first, August thirty-first and November thirtieth of each year, on and after December first, nineteen hundred ninety-one. Such returns shall be filed within twenty days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as he may specify. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this local law, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he may specify.

b. The forms of returns shall be prescribed by the Treasurer and shall contain such information as he may deem necessary for the proper administration of this local law. The Treasurer may require amended returns to be filed within twenty days after notice and to contain the information specified in the notice.

c. If a return required by this local law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such a return or of a corrected return.

404. **Payment of Tax:**

At the time of filing a return of occupancy and of rents each operator shall pay to the Treasurer the taxes imposed by this local law upon the rents required to be included in such return, as well as all other moneys collected by the

(404. **Payment of Tax - cont.)**

operator acting or purporting to act under the provisions of this local law even though it may be judicially determined that the tax collected is invalidly required to be billed shall be due from the operator and payable to the Treasurer on the date limited for the filing of the return for such period, without regard for whether a return is filed or whether the return which is filed correctly shows the amount of rents and the taxes due therein. Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this local law, the Treasurer may require an operator to file with him a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event that the Treasurer determines that an operator is to file such bond he shall give notice to such operator to that effect specifying the amount of the bond required. The operator shall file such bond within five days after the giving of such notice unless within such five days the operator shall request in writing a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Such determination shall be final and shall be complied with within fifteen days after the giving of such notice thereof. In lieu of such bond, securities approved by the Treasurer or cash in such amount as he may prescribe, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice of the depositor apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him at public sale without notice to the depositor thereof.

405. **Determination of Tax:**

If a return required by this local law is not filed, or if a return when filed is incorrect or insufficient the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days after giving of notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of his own

(405. **Determination of Tax - cont.)**

motion shall redetermine the same. After such hearing, the Treasurer shall give notice of his determination to the person against whom the tax is assessed. The determination of the Treasurer shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty days after giving of the notice of such determination. A proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless

a. the amount of any tax sought to be reviewed, with penalties and interest thereof, if any, shall be first deposited with the Treasurer and there shall be first deposited with the Treasurer an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding or

b. at the option of the applicant such undertaking filed with the Treasurer may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

406. Refunds:

a. In the manner provided in this section the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Treasurer for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Treasurer, he shall state his reason therefor in writing. Such application may also be made by an operator who has collected and paid over such tax to the Treasurer provided the application is made within one year of the payment by the occupant to the

(406. Refunds a - cont.)

operator, but no actual refund of moneys shall be made to such operator until he shall first establish to the satisfaction of the Treasurer, under such regulations as the Treasurer may prescribe, that he has repaid to the occupant the amount for which the application for refund is made. The Treasurer may in lieu of any refund required to be made, allow credit therefor on payments due from the applicant.

b. An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty or interest complained of and the Treasurer may receive evidence with respect thereto. After making his determination the Treasurer shall give notice of his determination to the person seeking the refund. Such determination may be reviewable in a proceeding under article seventy-eight of the Civil Practice Law & Rules if application therefor is made to the Supreme Court within thirty days after the giving of notice of such determination, if a final determination of tax due was not previously made and an undertaking is filed with the Treasurer in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

c. A person shall not be entitled to a revision, refund or credit under this section of a tax, interest or penalty which had been determined to be due pursuant to the provisions of section 405 of this local law where he has had a hearing or an opportunity for a hearing, as provided in said section or has failed to avail himself of the remedies therein provided. No refund or credit shall be made of the tax, interest or penalty paid after a determination by the Treasurer made pursuant to section 405 of this local law unless it is found that such determination was erroneous, illegal or unconstitutional or otherwise improper by the Treasurer after a hearing on the petition of a person liable for payment of the tax brought within thirty days after the filing of a determination of the Treasurer after a hearing pursuant to section 405 of this local law, or upon the Treasurer's own motion, in a proceeding under article seventy-eight of the Civil Practice Law and Rules, pursuant to the provisions of said section, in which event a refund or credit without interest shall be made of the tax, credit or penalty found to have been overpaid.

407. **Reserves:**

In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to him on his application for refund, the Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

408. **Remedies Exclusive:**

The remedies provided by section 405 and 406 of this local law shall be exclusive remedies available to any person for the review of tax liability imposed by this local law; and no determination or proposed determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by an action or proceeding in a nature of a certiorari proceeding under article seventy-eight of the Civil Practice Law and Rules; provided, however, that a taxpayer may proceed by declaratory judgement if he institutes suit within thirty days after a deficiency assessment is made and pays the amount of the deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs as provided in section 405 of this local law.

Title 500 - Enforcement of Collection of Tax, Penalties and Interest:

501. **Proceedings to Recover Tax:**

a. Whenever any operator or any officer of a corporate operator or any occupant or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this local law as therein provided, the County Attorney may, upon the request of the Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of the County of Ulster in any court of the State of New York or of any other state or of the United States. If, however, the Treasurer in his discretion believes that any such operator, officer, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, he may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.

(501. **Proceedings to Recover Tax - cont.)**

b. As an additional or alternate remedy, the Treasurer may issue a warrant, directed to the Sheriff commanding him to levy upon and sell the real and personal property of the operator or officer of a corporate operator or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest, the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to him the money collected by virtue thereof within sixty days after the receipt of such warrant. The Sheriff shall within five days after the receipt of the warrant file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgement docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property judgements of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any other officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred by law upon the Sheriff, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgement therefor and execution thereon has been returned unsatisfied.

c. Whenever an operator shall make a sale, transfer, or assignment in bulk of any part or the whole of his hotel or motel or his lease, license or other agreement or right to possess or operate such hotel or motel or of the equipment, furnishings, fixtures, supplies or stock of merchandise, or the said premises or lease, license or other agreement or right to possess or operate such hotel or motel and the equipment, furnishings, fixtures, supplies and stock of

(501. **Proceedings to Recover Tax c - cont.)**

merchandise pertaining to the conduct or operation of said hotel or motel, otherwise than in the ordinary and regular prosecution of business, the purchaser, transferee or assignee shall at least ten days before taking possession of the subject of the sale, transfer or assignment, or paying therefor, notify the Treasurer by registered or certified mail, return receipt requested, of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that it owes any tax pursuant to this local law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

d. Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by the preceding paragraph or whenever the Treasurer shall inform the purchaser, transferee or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofor or thereafter determined to be due from the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of article six of the Uniform Commercial Code, shall be personally liable for the payment to the County of any such taxes therefore or thereafter determined to be due to the County from the seller, transferor, or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

502. **Penalties and Interest:**

a. Any person failing to file a return or to pay over any tax to the Treasurer within the time required by this local law shall be subject to a penalty of five percent of the amount of tax due for each month or portion thereof, excepting the first month after such return was required to be filed or such tax became due, during which such tax due shall remain unpaid but in no event shall such penalty exceed twenty-five per cent of the tax due; plus interest computed at the rate and in the manner provided in section 924-a of the Real Property Tax Law but in no event shall such interest be less than one per cent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due; but the Treasurer, if satisfied that the delay was excusable, may remit all or part of the penalty, but not interest computed at the rate of six per cent per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues of such tax. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

b. Any operator or occupant and any officer of a corporate operator or occupant failing to file a return required by this local law, or filing or causing to be filed, or making or causing to be made or giving or causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this local law, which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required to be filed pursuant to section 405 of this local law, or failing to file a registration certificate by such date in connection therewith as the Treasurer may by regulation or otherwise require or to display or surrender the certificate of authority as required by this local law or assigning or transferring such certificate of authority and any operator and any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax separately on any evidence or occupancy and on any bill or statement or receipt or rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant, and any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that

(502. **Penalties and Interest b - cont.)**

required by this local law, and any operator failing to keep the records required by section 402 of this local law, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars, or imprisonment for not more than one year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation under this local law, and subject to the penalties herein above imposed.

503. **Returns to be Secret:**

a. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required to be filed pursuant to this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding under the provisions of this local law, or on behalf of any party to the action or proceeding under the provisions of this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representative of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the Treasurer permits them to be destroyed.

b. Any violation of section 503.a shall be punishable by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year or both, in the discretion of the court, and if the offender be an officer or employee of the County he shall be dismissed from office and be incapable of holding any public office for a period of five years thereafter.

504. **Notices and Limitations of Time:**

a. Any notice authorized or required under the provisions of this local law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this local law, or in any application made by him, or if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined according to the provisions of this local law by giving the notice shall commence to run from the date of mailing of such notice.

b. The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this local law. Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

c. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

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A LOCAL LAW TO AUTHORIZE ULSTER COUNTY TO COLLECT A HOTEL AND MOTEL ROOM OCCUPANCY TAX

Title 600 - Disposition of Revenues

601. **Disposition of Revenues:**

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County; and thereafter the such amount as may be hereafter required to defer necessary expenses of the County in administering such tax shall be applied annually for such purpose. In the event that the cost of administering such tax shall be less than that budgeted in any fiscal year, the amount by which budgeted amount shall be less than the actual expenditures of the County shall be appropriated from the revenues derived from such tax. After deducting the amount necessary for administration of such tax, the greater of ten percent of the revenue derived from the tax, or One Hundred Fifty Thousand Dollars, shall be credited to and deposited in a special tourism and convention fund and the collections therefrom shall thereafter be allocated by the County Legislature only for tourism and convention promotion and development. The Chairman may appoint an advisory committee of up to four persons, which may include members of the County Legislature and public officials, to advise the Legislature concerning such allocation.

Title 700 - Separability and Effective Date

701. **Separability:**

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgement, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

702. **Effective Date:**

This local law shall take effect on September 2, 1991, except that the provisions of this local law relating to registration and the authority of the Treasurer to adopt

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(702. Effective Date - cont.)

regulations and take all necessary action to prepare for the implementation and enforcement of this local law shall take effect immediately. Notwithstanding anything to the contrary contained in this local law, if this local law shall be adopted less than 30 days prior to its effective date, the regulations adopted by the Treasurer after the date of such adoption and the effective date will become effective on the date of filing of same with the Clerk of the County Legislature.

LOCAL LAW NUMBER 6 OF 1991

A LOCAL LAW AUTHORIZING THE PROBATION DEPARTMENT TO PREPARE PETITIONS FOR FAMILY COURT WITHIN THE LIMITS OF ITS RESOURCES AND TO CHARGE A FEE FOR EACH PETITION PREPARED

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The Ulster County Probation Department is hereby authorized to prepare petitions for Family Court within the limits of its resources.

SECTION 2. The Ulster County Probation Department is hereby authorized to charge a fee of $25.00 (Twenty-five dollars) for each petition prepared or such other fee as may be from time to time established by resolution of the County Legislature.

SECTION 3. The Director of the Probation Department is hereby authorized to waive the charging of each fee when the petitioner is a recipient of social services or, at in his discretion, where the petitioner has established to the Director's satisfaction that the petitioner is unable to pay such fee.

SECTION 4. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 7 OF 1991

A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

Section One: LEGISLATIVE INTENT:

This Local Law recognizes that clear accurate item pricing is a basic consumer right that is not adequately protected under current law. It is the intent of this legislation to ensure that consumer goods offered for sale in Ulster County are clearly, accurately and adequately marked as to their selling prices.

Section Two: RULES GOVERNING USE OF CERTAIN WORDS:

In this Local Law, unless the context otherwise requires:

1. Words in the singular number include the plural and in the plural include the singular;

2. Words of the masculine, feminine or neuter gender include the feminine, neuter and/or masculine genders.

Section Three: APPLICATION:

1. This Local Law applies to every person engaged in the business of selling consumer commodities in Ulster County, as the term "consumer commodities" is defined in section 214-h of the New York State Agriculture and Markets Law.

2. Nothing in this Local Law shall be construed to limit or restrict any right or remedy to which a person may be subject, under common law, or any other federal, state or local statute.

3. Pursuant to this section, and provided that selling prices are clearly displayed in arabic numerals on signs clearly designating the consumer goods to which they refer, this Local Law shall not apply to any retail store which:

a. has as its only full time employee the owner thereof, or the parent, or the spouse or the child of the owner, or in addition thereto, not more than two full-time employees: or

b. had annual gross sales in a previous calendar year of less than five-hundred-thousand dollars ($500,000.00), unless the retail store is part of a network of subsidiaries, affiliates or other member stores under direct or indirect common control, which, as a group had annual gross sales in a previous calendar year of five-hundred-thousand dollars ($500,000.00) or more; or

c. engages primarily in the sale of food for consumption on premises or in a specialty trade which the legislature decides, by resolution, would be inappropriate for item pricing.

LOCAL LAW NUMBER 7 OF 1991

A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

Section Four: DEFINITIONS:

1. "Consumer Goods" means consumer commodities sold by any person, firm, partnership, corporation or association which sells, offers for sale or exposes for sale at retail in a food store or grocery department of a general merchandise store, a consumer commodity as defined in section 214-h of the New York State Agriculture and Markets Law.

2. "Person" shall include without limitation any individual, firm, joint venture, association, co-partnership, group, corporation or any other legal entity or combination of entities whatsoever.

3. "Computer-assisted checkout system" means any electronic device, computer system or machine, including but not limited to laser scanners, which determines the selling price of consumer goods by interpreting coded information.

4. "Price look-up function" shall mean the capability of any checkout system to determine the retail price for an item of consumer goods by way of either automatic or manual entry into the system of a code assigned to that particular item.

5. "Stock keeping unit" shall mean each group of items offered for sale of the same brand name, quantity of contents, variety and retail price.

Section Five: ITEM PRICING REQUIRED:

1. The selling price shall be clearly stamped, tagged, labeled or otherwise marked in Arabic numerals on each item of consumer goods offered for sale within Ulster County.

2. The provisions of Subdivision 1 of this section shall not apply to the following consumer goods provided the selling price and unit or measure is clearly displayed in Arabic numerals on a sign, clearly designating the particular consumer goods to which it refers, located as close as practical, and closer than any other sign to the location at which the goods are displayed:

a. Fresh milk

b. Fresh Eggs

c. Consumer goods which are displayed in bulk, not packaged prior to sale, and which are packaged for or by the consumer at the time of sale, such as but not limited to fresh produce, fresh baked goods, coffee beans.

(Sect. Five - cont.)

d. Foods sold for consumption on premises as well as foods prepared for immediate consumption but sold as take-out.

e. Food or other goods sold from vending machines operated by the consumer.

f. Snack foods, such as but not limited to gum, candy, cakes, chips and nuts, offered for sale in single packages, weighing five (5) ounces or less and costing less than one (1) dollar.

g. Stock keeping items offered for a period of 14 days or less at a sale price, provided that the sale price and the beginning and ending dates of the sale are clearly indicated to the consumer by conspicuous sign or otherwise located at or near the display of such stock keeping items. Stock keeping items offered at a sale price pursuant to a regional promotion offered by a distributor, other than stock keeping items distributed by a retail store, may be offered at a sale price not to exceed 21 days, provided, however, in the event of an inspection conducted pursuant to Section 6 of the Local Law, the store representative shall supply to the inspector written documentation provided to the retailer by the distributor confirming which items are being offered on sale by the distributor, the distributor's name, address, telephone number and, if available, the person authorizing such regional promotion. This exemption shall not apply unless such information is made available to the inspector at the time the retail store is inspected.

h. Cigarettes and cigars sold by the pack or the carton.

i. Single containers of nonalcoholic beverages where the selling prices for different flavors packaged in identical sizes or quantities are the same.

j. Nonfood consumer goods which are subject to uniform, across-the-board price changes in the ordinary course of business, and which are customarily marked in good faith with either an alphabetic or color code referring directly to the corresponding numerical prices displayed on signs, provided, however that such corresponding signs are clearly visible to the consumer at the point of sale for said goods.

A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

(Sect. Five - cont.)

k. Non-food stock keeping units which are under three cubic inches in size, and weigh less than three ounces, and are priced under a dollar.

l. Baby foods in container with a net weight of 6 ounces or less.

m. Frozen food.

n. Yogurt.

o. Packaged non-refrigerated gelatin or pudding and gelatin or pudding products.

3. The provision of Subdivision 2 of this section may be subsequently modified either by adding or deleting consumer goods from the list of exemptions, provided that a resolution supporting such modification is passed by the Ulster County Legislature.

4. The County Sealer of Weights and Measures may further direct the manner in which the selling price of the exempted consumer goods shall be posted.

5. It shall be a violation of this Local Law:

a. To stamp, tag, label or otherwise mark more than one selling price upon an item of consumer goods offered for sale in Ulster County unless the prior selling price is unmistakably deleted or obliterated or is otherwise marked so as to indicate clearly that the prior selling price is not the current selling price.

b. To stamp, tag, label or otherwise mark any item of consumer goods at a selling price greater that the selling price advertised or displayed for that item.

c. To sell or offer for sale any consumer goods or services at a greater price than the price displayed or advertised therefor.

d. To sell or offer for sale any consumer goods which do not have a selling price displayed in conformity with Subdivisions 1 or 2 of this section.

e. To use a computer-assisted checkout system or price look-up function that determines a retail selling price which exceeds the lower of any item, shelf, sale or advertised price for any item of consumer goods offered for sale.

LOCAL LAW NUMBER 7 OF 1991

A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

Section Six: VIOLATIONS, CIVIL PENALTIES AND ENFORCEMENT:

1. Any person who violates any provision of this Local Law, or who fails to comply with any order made by an enforcement officer pursuant to this local law shall be guilty of a violation and subject to a civil penalty.

2. Noncompliance within a stock keeping unit shall constitute a single violation.

3. For failure to clearly, accurately or adequately mark consumer goods as to their selling prices as required by this local law, civil penalties shall accrue but not be imposed unless ten (10) or more violations are found on any one calendar day and provided that no other violations have been cited within a previous twelve (12) month period.

4. For failure to clearly, accurately or adequately mark consumer goods as to their selling prices as required by this local law, civil penalties shall not exceed five hundred dollars ($500.00) for ten (10) or fewer violations, nor exceed one hundred dollars ($100.00) for each subsequent violation thereafter provided, however, that the total civil penalty shall not exceed $1,500.00 per day.

5. The primary responsibility for administration and enforcement of this Local Law shall be with the County Sealer of Weights and Measures, except where otherwise noted herein. The County Sealer of Weights and Measures and his departmental designees shall act as enforcement officers for this Local Law. The County Sealer of Weights and Measures may request that the County Consumer Affairs Director designate additional enforcement officers. If so requested, the County Consumer Affairs Director and his departmental designees may act as enforcement officers for this local law.

6. In stores with computer-assisted checkouts, enforcement officers shall be permitted to compare the item, shelf, sale or advertised price of any consumer goods with the programmed computer price. A store representative shall afford the enforcement officer access to the test mode of the checkout system in use at that store or to a comparable function of said system and to the retail price information contained in a price look-up function.

7. For violations resulting from a computer-assisted checkout system or price look-up function that determines a retail selling price exceeding the lower of any item, shelf, sale or advertised price for any item of consumer goods offered for sale, civil penalties shall be assessed as follows:

(Sect. Six - Cont.)

a. For each of the first two items from different stock keeping units found in violation, the fine shall be twenty-five dollars ($25.00).

b. For each of the next two items from different stock keeping units found to be in violation, the fine shall be fifty dollars ($50.00).

c. For each of the next three items from different stock keeping units found to be in violation, the fine shall be one hundred dollars ($100.00).

d. For each of the next three items from different stock keeping units found to be in violation, the fine shall be two hundred dollars ($200.00).

e. For each additional individual stock keeping unit found to be in violation, the fine shall be fifty ($50.00); but in no event shall the penalties for violations found during the first inspection in a twelve (12) month period exceed five hundred dollars ($500.00); for additional violations during a subsequent inspection in a twelve (12) month period, the fines shall be doubled, but in no event shall the penalties found during a second inspection in a twelve (12) month period exceed two thousand dollars ($2,000.00); in the event of violations found during a third or subsequent inspection in a twelve (12) month period, the fines shall be imposed in accordance with this section without limit.

8. An enforcement officer shall have the authority to issue a stop removal order with respect to any device, system or consumer goods being used, handled, offered for sale or exposed for sale in violation of section five of this local law.

a. Any stop removal order issued with respect to any stock keeping item shall be in writing, shall list the violations and shall direct that any stock keeping unit in violation shall not be sold, offered for sale or exposed for sale until the violations are corrected.

b. Any stop removal order issued with respect to any device or system shall be in writing and shall list the violations. Such stop-removal order shall be stayed for up to two hours after the inspector provides the written stop removal order to the retail store provided that, until the violations are corrected, either: the stock keeping units which are affected by the violations are not sold, offered for sale or exposed for sale; or signs are posted conspicuously at or near each checkout which clearly disclose to store employees and consumers which stock keeping units are affected by the violations and their correct prices, and the retail store ensures that consumers are charged the correct prices.

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A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

(Sect. Six - Cont.)

9. The County Attorney, in the name of the county, may upon request of the County Sealer of Weights and Measures, in addition to any other action authorized hereunder, maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or restrain by injunction any violation of this Local Law, notwithstanding any other provision hereof providing for a penalty or other punishment.

10. Provisions for formal hearings are as follows:

(a) The County Sealer of Weights and Measures may cause to be held a formal hearing on any alleged violation of this local law; provided it is requested by any person(s) concerned within 30 days of the alleged violation, or provided it is deemed necessary by the County Sealer. A formal hearing shall be on due and adequate notice to the person(s) concerned and shall be set down for a day certain.

(b) The County Sealer is empowered to appoint a Hearing Officer who shall conduct a formal hearing. The hearing officer may be an impartial employee of the County who has not been in any way involved with the action in question. The hearing officer may not be an employee of either the Department of Weights and Measures or the District Attorney's Office.

(c) The notice of hearing shall set forth:

(1) The time and place of the hearing;
(2) The purpose of the hearing;
(3) The charges and violations complained of;
(4) The right to present evidence;
(5) The right to examine and cross-examine witnesses;
(6) The right to be represented by counsel.

(d) On the return day of the hearing:

(1) The Hearing Officer shall note the appearance of persons attending the hearing:
(2) Witnesses shall be sworn and testimony shall be recorded;
(3) The testimony shall be transcribed within a reasonable time after the conclusion of the hearing.

(Sect. Six - Cont.)

(e) The Hearing Officer shall thereafter prepare Findings of Fact, Conclusions, and Recommendations on which the County Sealer shall make a formal Order setting forth the determination, conditions if any to be complied with, and civil penalties, if any.

(f) A copy of the Order of the County Sealer following the formal hearing shall be served on all respondents.

(g) Nothing herein contained shall preclude the County Sealer from taking any action in addition to the formal hearing herein provided for, as may be prescribed by law, nor shall the County Sealer be precluded from taking such other action by virtue of the Order made pursuant to the Section.

(h) Services of an Order or Notice of Hearing shall be made as follows:

(1) Enclosing the Order or Notice in a postpaid envelope directed to the person(s) concerned at the address last known to the County Sealer and depositing such envelope in an official depository maintained by the United States Post Office; or

(2) Leaving the Order or Notice with the person concerned or with a person in charge of the premises; or

(3) Posting the Order or Notice at the entrance door of the premises involved.

(i) The County Sealer, the designated Hearing Officer or the Ulster County Attorney may issue subpoenas on the request of any party to the proceedings of any formal hearing set down by the County Sealer.

(j) The Hearing Officer shall not be bound by the rules of evidence in the conduct of a hearing, but the Determination shall be founded on sufficient factual evidence to sustain it.

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A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

(Section Six - Cont.)

(k) Proof may be adduced with respect to ongoing violations occurred up to and through the date of the Hearing, when those violations are sufficiently similar to those charged, to put respondent on notice of the nature of the violation.

(l) If a respondent has been served with a County Sealer Order in conjunction with a Notice of Hearing proof may be adduced with respect to violations of that Order after the underlying violation has been proven.

(m) On the conclusion of a Hearing, the County Sealer shall take such action as is deemed proper, and shall execute an Order carrying the Findings and Determinations into effect.

(n) The action of the County Sealer may include the assessment of civil penalties as provided by law.

(o) The County Sealer may refer the matter to the Ulster County Attorney for commencement of a civil action in the name of Ulster County to recover a civil penalty. A cause for action for recovery of such penalty may be released, settled or compromised by the County Sealer before the matter is referred to the Ulster County Attorney and thereafter by the Ulster County Attorney.

(p) The minutes of a formal hearing shall be made available to all parties for examination at the Office of the County Sealer.

(q) Copies of the minutes of a formal hearing may be purchased at the rate per page covering the cost thereof.

Section Seven: DISPOSITION OF FINES AND PENALTIES:

1. All fines and penalties imposed and collected by reason of civil enforcement of this local law shall be paid to the County of Ulster and credited to the general fund.

2. All fines and penalties collected by reason of criminal enforcement of this local law in a court of a city, town or village shall be paid to such city, town or village and credited to its general fund.

LOCAL LAW NUMBER 7 OF 1991

A LOCAL LAW TO ENSURE THAT CONSUMER GOODS OFFERED FOR SALE IN ULSTER COUNTY ARE CLEARLY, ACCURATELY AND ADEQUATELY MARKED AS TO THEIR SELLING PRICES

Section Eight: CONSENT DECREES AND AGREEMENTS:

On consent of the County Sealer of Weights and Measures and a person accused of violating this Local Law, a consent decree or agreement may be entered into. No such consent decree or agreement shall restrict any legal right or remedy to any consumer, complaining of the matter which is the subject of such consent decree or agreement, might otherwise be entitled, unless such consumer is a party thereto.

Section Nine: SEVERABILITY:

If any provision of this Local Law or application thereof to any person or circumstance be adjudged by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereof to any person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared severable.

Section Ten: EFFECTIVE DATE:

This Local Law shall take effect 30 days after adoption.

LOCAL LAW NUMBER 8 OF 1991
ULSTER COUNTY MANDATORY SOURCE SEPARATION AND RECYCLING LAW

Section 1.	Short Title
Section 2.	Findings and Legislative Intent
Section 3.	Statutory Authority
Section 4.	Definitions
Section 5.	Administration
Section 6.	Rules and Regulations
Section 7.	Program Established
Section 8.	Preparation and Separation or Regulated Recyclable Materials
Section 9.	Preparation and separation by Multi-Family Dwellings of Regulated Recyclable Materials
Section 10.	Commercial and Institutional Sector Recyclinq
Section 11.	Private Disposal of Regulated Recyclable Materials
Section 12.	Collection and Disposal of Regulated Recyclable Materials
Section 13.	Collection and Disposal or Regulated Recyclable Materials by Haulers
Section 14.	Preparation, Separation and Disposal of Yard Waste
Section 15.	Ownership, Direction and control of
Section 16.	Reporting Requirements
Section 17.	County Household Recycling containers
Section 18.	Unlawful Acts
Section 19.	Enforcement
Section 20.	Independent Administrative Hearing Officer
Section 21.	Penalties
Section 22.	Collection

Section 23. Consent Agreement and Order

Section 24. Temporary cease and Desist Order

Section 25. Addition or Removal of Regulated Recyclable Materials

Section 26. Recyclables Oversight Committee

Section 27. Separability

Section 28. Priority

Section 29. Effective Date

LOCAL LAW NUMBER 8 OF 1991
ULSTER COUNTY MANDATORY SOURCE SEPARATION AND RECYCLING LAW

This local law shall be known as the "Ulster County Mandatory Source Separation and Recycling Law."

Section 2. Findings and Legislative Intent

The Ulster County Legislature finds that:

(a) The County faces an increasing threat to its environmental and economic well being from the solid waste disposal crisis.

(b) The solid waste disposal crisis is exacerbated by people discarding in landfills a significant amount of material which can be recycled.

(c) The State legislature, in order to resolve the solid waste disposal crisis, delegated to the Agency extensive authority, responsibility and power to plan, construct, operate, maintain, and finance projects for the management of the County's solid waste stream.

(d) The County legislature, in order to resolve the solid waste disposal crisis, established the Agency as the planning unit to prepare a Solid Waste Management Plan (the "Plan") for the County and approved the Plan.

(e) A primary objective of the Plan is to implement programs and policies that maximize to the extent economically and technically practical waste reduction, recycling and reuse of all components of the Waste stream.

(f) Maximizing waste reduction, reuse and recycling ensures the attainment of not only the State's recycling goals as set forth in the 1988 Solid Waste Management Act, but also the County' s recycling goals as set forth in the Plan.

(g) In order to implement the Plan and maximize reduction, reuse and recycling, the County wishes to adopt this Mandatory Source Separation and Recycling Law.

(h) The Mandatory Source Separation and Recycling Law should, in part, address the solid waste disposal crisis by removing regulated recyclable material from the solid waste stream, thereby: reducing the required capacity of existing and proposed landfills; decreasing the flow of solid waste to landfills; increasing the life expectancy of existing and future landfills; reducing the cost of solid waste disposal; aiding in the conservation of valuable resources; preserving the health,

safety and welfare of the public; and preserving the environmental quality of Ulster County.

(i) The Mandatory Source Separation and Recycling Law is consistent with the Plan because the purpose of this local law is to:

(1) source separate all regulated recyclable materials, as defined in Section 4, from the solid waste stream in Ulster County;

(2) separate regulated recyclable materials into designated recyclable categories before such materials enter the Satellite Aggregation Center System;

(3) account for all regulated recyclable materials through reporting requirements so that the county may measure its progress in attaining the State and County recycling goals;

(4) direct the flow of regulated recyclable materials so as (a) to ensure that such materials are not disposed of in a landfill or incinerator, but recycled and (b) to ensure the success of the Plan which the State has mandated and to which the County has committed a substantial amount of public funds;

(5) ensure that separated regulated recyclable materials are properly and economically aggregated and processed, and sold or delivered to recycling markets;

(6) secure long-term, stable and environmentally appropriate markets for the County, and its municipalities to survive periods of market downturns; and

(7) ensure that education and technical assistance are provided to all persons in the County on source separation and recycling.

(j) The Mandatory Source Separation and Recycling Law will be implemented by the Ulster County Resource Recovery Agency because the Agency has been delegated authority and responsibility to manage the solid waste stream and has been established as the planning unit for the County.

(k) The Mandatory Source Separation law seeks to maximize recycling by:

(1) maintaining a partnership effort between the agency and the private sector;

(2) ensuring that a sufficient amount of regulated recyclable materials enters the County's Satellite Aggregation Center System to result in a cost-effective, successful operation;

(3) having the Satellite Aggregation Center System serve the market of last resort; and

(4) ensuring that private sector recycling, which contributes to both County and State recycling goals, and are in accordance with the County Solid Waste Management Plan and Article 27 of the Environmental Conservation Law.

(1) The Mandatory Source Separation and Recycling Law is in compliance with the New York State Solid Waste Management Act of 1988 of Article 27 of the Environmental Conservation Law.

Section 3. Statutory Authority

This local law is adopted pursuant to Section 120-aa of the General Municipal Law, Section 10 of the Municipal Home Rule Law, Section 2050-t(3) of the Public Authorities Law, and Article 27 of the Environmental Conservation Law.

Section 4. Definitions

As used in this local law, the following terms shall have the following meanings:

"Agency" shall mean the Ulster County Resource Recovery Agency created under Chapter 936 of the Laws of 1986 of the State, as amended.

"Charitable Organization" shall mean any charitable organization registered under Article 7-A of the Executive Law.

"Commercial Sector" shall mean businesses, industries, and manufacturing enterprises operating for profit.

"Composting" shall mean the process of aerobic, thermophilic decomposition by microbial degradation of solid organic constituents of solid waste to produce a stable, humus-like material called compost. **"Composting Facility"** shall mean a solid waste management facility used to provide aerobic, thermophilic decomposition of solid organic constituents of solid waste to produce a stable, humus-like material.

"Computer Paper" shall mean clean, untreated or uncoated, white suffice or sulphate papers, with or without colored stripes, manufactured for use in computer printers, which may or may not be imprinted with impact (non-laser) or laser printing, as specified by the Agency in the Rules and Regulations, excluding, however, groundwood computer printout or other contamination.

"Contamination" shall mean the inclusion of substance(s) or condition(s) that render the otherwise recyclable or compostable materials, including regulated recyclable materials and yard waste less marketable as specified by the Rules and Regulations pursuant to Section 6.

"Corrugated cardboard" shall mean all clean, dry brown, paperboard, referred to in industry as "old corrugated cardboard." This includes boxes, cartons or other containers or dividers made of either kraft, test liner or jute, with a center fluting between layers, commonly used for packing, mailing, shipping of containerizing goods, merchandise or other material, or other cardboard as specified by the Agency in the Rules and Regulations, excluding, however, non-cardboard materials, plastic, foam or wax-coated or soiled cardboard.

"County" shall mean the entire County of Ulster as constituted and existing under the Laws of the State.

"Designated Recyclable Categories" shall mean the categories into which the regulated recyclable materials shall be separated as designated by the Agency through rules and regulations.

"Directly Selling" shall mean when a generator of regulated recyclable materials makes arrangements to sell these materials directly to a recycling market and either hauls these materials directly or contracts with a hauler to bring these materials to said market.

"Economic Market" shall mean instances in which the full avoided costs of proper collection, transportation, and disposal of source separated materials are equal to or greater than the cost of collection, transportation, and sale of said material less the amount received from the sale of said material.

"Executive Director" shall mean the individual appointed by the Agency pursuant to Section 2050-c of the Public Authorities Law.

"Generator" shall mean any person or legal entity which produces solid waste including regulated recyclable materials requiring off-site disposal.

"Glass" shall mean all clean, empty glass containers made from silica or sand, soda ash and limestone, which are transparent or translucent, and are commonly used for the packaging or bottling of various products. These containers shall include all clear green brown glass bottles and jars, separated by color, as specified by the Agency in the Rules and Regulations, excluding, however, pottery or ceramics, lead-based glass (such as crystal), plate glass, auto pane, mirrors, light bulbs, heat-resistant glass or ovenware, thermopane, laboratory glass, safety glass, or glass of any other color or other contamination.

"Hauler" shall mean any person engaged in the business or activity of collecting, storing, and transporting regulated recyclable materials.

"Institutional Sector" shall mean private or public organizations such as schools, hospitals, prisons, religious establishments, and not-for-profit organizations, and whose purpose is to provide for public welfare.

"Market" shall mean a business which buys, sells, or accepts recyclable materials, including regulated recyclable materials, or compost for the purpose of reuse as a product or in the manufacturing of new products.

"Metal Cans" shall mean clean, empty metal containers made of aluminum or tin-plated or zinc-plated steel, which are commonly used for packaging food, beverages or other products, as specified by the Agency in the Rules and Regulations and are free of food, beverage or other contamination.

"Multi-family Dwelling" shall mean apartment complexes, condominium complexes, cooperative apartment complexes, recreational vehicle or trailer parks, hotels, motels, bungalow or resort colonies, or campgrounds.

"Municipal Recycling Drop-off Sites" shall mean sites or areas designated by municipalities as collection points for regulated recyclable materials.

"Municipal Yard Waste Composting Facility" shall mean site(s) or area(s) designated by municipalities for the purpose of composting yard waste.

"Municipality" shall mean any county, city, town, village, improvement district (or a county, city, town or village acting on behalf of an improvement district), public benefit corporation, municipal corporation, political subdivision, government agency, department or bureau of the state of federal government.

"Newspaper" shall mean all clean, dry, paper commonly referred to as newspapers or newsprint, not sunburned and free from paper other than news or other contamination, and containing not more than the normal percentage of rotogravure and colored sections, as specified by the Agency in the Rules and Regulations.

"Office Paper" shall mean clean, white or colored ledger, bond, writing, copier or other paper, with or without printing or writing, but free of glossy, treated, coated or padded stock, carbon, plastic, or other contamination, as specified by the Agency in the Rules and Regulations.

"Person" shall mean any natural person, individual, partnership, co-partnership, association, owner or manager of a business, commercial or industrial establishment, joint venture, corporation, trust, estate, institution, not-for-profit organization or any other legal entity including a municipality or any other waste generator.

"Plastic" shall mean all clean, empty containers made of the plastic resins specified by the Agency in the Rules and Regulations, including, but not limited to, plastic bottles or jugs having contained spring water, various beverages or automotive fluids, and excluding contamination.

"Recyclable Materials" shall mean any solid waste that exhibits the potential to. be returned to the economic resource stream in the form of raw materials to be used in place of virgin materials in manufacture of new products.

"Recycling Facility" shall mean a solid waste management facility, other than collection and transfer vehicles, at which regulated recyclable materials, separated from the solid waste stream at the source or point of generation, are collected, processed and/or otherwise prepared for market.

"Recyclables Oversight Committee" shall mean the committee established and appointed pursuant to this local law.

"Recycling" shall mean any process by which materials which are separated from the solid waste stream, at the source or point of generation are separated, collected, sorted, processed and/or transported and returned to the economic mainstream in the form of raw materials to be used in place of virgin materials in manufacturing of new products.

"Regulated Recyclable Materials" shall include newspaper, color-separated glass bottles and jars, metal cans, plastic bottles and jugs, corrugated cardboard, and any other materials as may be designated by the Agency in accordance with this law.

"Satellite Aggregation Center System" shall mean the entire County system as set forth in the County's Solid Waste Management Plan for maximizing reduction, reuse and recycling including, but not limited to, the purchase of all and any equipment, construction and permitting of two Satellite Aggregation Centers, establishment of a transportation network for regulated recyclable materials, securing long-term, stable markets for the County and its municipalities, and education of the public on how to maximize reduction, reuse and recycling of the solid waste stream.

"Solid Waste" shall mean all materials or substances discarded or rejected within the County of Ulster as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, source, special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended, and waste which appears on the list of hazardous waste promulgated by the Commissioner of environmental conservation pursuant to Section 27-0903 of the environmental conservation law.

"Solid Waste Management Facility" shall mean any facility, plant, works, system, building, structure, improvement, machinery, equipment, fixture or other real or personal property which is to be used, occupied or employed for or is incidental to the collecting, receiving, transporting, storage, processing or disposal of solid waste as more fully defined in Public Authorities Law Section 2050-b(16).

"Source Separation" means the segregation of regulated

recyclable materials from the solid waste stream at the point of generation for separate collection, sale or other disposition.

"State" shall mean the State of New York.

"Yard Waste" shall mean grass clippings, leaves, twigs, branches, lawn and garden wastes, weeds, brush, shrubbery clippings, clean wood and clean pallets as specified by the Agency in the Rules and Regulations, excluding treated, painted or glued wood, construction and demolition wood, or other debris.

Section 5. **Administration**

This local law shall be put into effect, administered, and enforced by the AgencyIn order to carry out this responsibility, the Agency, acting consistently with the purposes of this local law, shall be empowered to do the following:

a. Execute contracts.

b. Establish, revise, amend and repeal standards and practices and procedures for the proper preparation, separation, collection and disposal of regulated recyclable materials.

c. Establish, revise, amend and repeal rules and regulations as it shall deem reasonable, necessary and proper to carry out the responsibilities and requirements of this local law pursuant to Section 6.

d. Designate Solid waste management facilities within Ulster County which may receive, aggregate or process regulated recyclable materials or compost yard waste.

e. Direct the flow of regulated recyclable materials to solid waste management facilities that receive, aggregate or process regulated recyclable materials or compost yard waste.

f. Alter, delete or add regulated recyclable materials to be removed from the solid waste stream based on market availability, technology and other factors subject to Section 25.

g. Establish reporting procedures to account for all recyclable materials, including regulated recyclable materials and yard waste, in the County.

h. Secure long-term, stable markets for the recycling of regulated recyclable materials and sell or otherwise market the regulated recyclable materials.

i. Investigate violations of this law through subpoena power of the hearing officer and others, issue warnings, seek civil and criminal penalties from the independent administrative hearing officer or in a court of competent jurisdiction, issue Temporary Cease and Desist orders, enter into consent agreements, and pursue the collection of penalties in accordance with Section 19, 20, 21, 22, 23 and 24.

Section 6. Rules and Regulations

When specified in this local law, the Agency may, from time to time promulgate rules and regulations consistent with the provisions of this local law in order to effectuate the purposes hereof. The procedure for rule making shall be as follows:

a. The Executive Director must prepare and submit proposed rules or regulations to the Agency and to the Community and Environmental Affairs Committee of the County Legislature.

b. The Agency may authorize notification of a hearing in the official newspaper of the County, as designated by the County Legislature.

c. The notice shall be published at least 30 days prior to the public hearing and shall (1) cite the statutory authority under which the rule or regulation is proposed, (2) give the date, time and place of the public hearing, (3) state the proposed rule or regulation or synopsis thereof, (4) give the name and address of the Agency representative to whom written comments may be submitted. The express terms of the proposed rule or regulation should be available to the public on the date such notice is first given pursuant to this subdivision.

d. The Executive Director shall conduct a public hearing and, upon request of the Community and Environmental Affairs Committee of the County Legislature, appear before that Committee in public session to discuss the proposed rule making.

e. The Executive Director shall prepare the record of the public hearing and a document responding to the comments received at the public hearing.

f. The record of public comment and the response document shall be made available for public review and submitted to the Agency.

g. The Agency shall make such changes and modifications in response to public comment as it deems appropriate and shall adopt the final rules and regulations by resolution.

h. The Executive Director shall publish the final rules, or synopsis thereof in the same manner as the proposed rules, no less than 10 days after the Agency adopts the final rules or regulations. The final rules or regulations shall take effect 20 days after publication.

Section 7. Program Established

A program is hereby established within Ulster County for the mandatory source separation of regulated recyclable materials from the solid waste stream. Regulated recyclable materials initially established under this local law shall, as defined in Section 4, include the following: newspaper, color-separated glass bottles and jars, metal cans, plastic bottles and jugs, and corrugated cardboard. All persons shall separate regulated recyclable materials from solid waste before either setting out solid waste for collection pursuant to lawful procedure or disposing of it in an authorized solid waste management facility.

Section 8. Preparation and Separation of Regulated Recyclable Materials

(a) Upon the effective date of this local law, all persons in the County shall separate regulated recyclable materials from solid waste for the purposes of collection and recycling.

(b) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 specifying requirements for preparation and separation of regulated recyclable materials.

(c) All persons shall prepare and separate regulated recyclables materials in accordance with the rules and regulations.

Section 9. Preparation and Separation by Multi-Family Dwellings of Regulated Recyclable Materials

(a) All residents of Multi-family dwellings must source separate regulated recyclable materials from solid waste according to Section 8 and the rules and regulations promulgated thereunder, and deposit the regulated recyclable materials in the receptacles and/or collection area(s) provided therefore by the lessor, owner or manager.

(b) Lessors, owners or managers of multi-family dwellings must establish a program which facilitates the multi-family resident to source separate regulated recyclable materials, and must include, providing in a neat and sanitary condition, receptacles and/or collection area(s) to receive all regulated recyclable materials generated by residents of the multi-family dwelling. In cases where a condominium association exists the condominium association shall be responsible for provision and maintenance of the receptacles and/or collection area(s).

(c) By March 1, 1992, lessors, owners, or managers of all multi-family dwellings of 5 units or more, shall submit to the Agency for approval a multi-family dwelling recycling plan implementing Section (b). Such a plan shall include:

(1) Location of multi-family dwelling and number of units;

(2) Collection system for regulated recyclable materials once the residents have deposited such materials in the receptacles and/or collection area(s);

(3) Provisions for publicizing recycling program; and

(4) Implementation date of September 1, 1992.

(d) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 for additional information and implementation of the multi-family

dwelling recycling plan.

(e) All multi-family residents, lessors, owners, or managers shall report as required pursuant to Section 16.

Section 10. Commercial and Institutional Sector Recycling

(a) All commercial and institutional sector generators shall prepare and separate regulated recyclable materials according to Section 8 and the rules and regulations promulgated thereunder.

(b) All commercial and institutional sector generators of 20 employees or more shall submit a Commercial/ Institutional Solid Waste Reduction and Recycling Plan to the Executive Director by March 1, 1992. Such a Plan shall include:

(1) Organization Identification including a general description of the business, its location and type of operation and the number of employees;

(2) Waste Composition analysis including an identification of the amounts of recyclable and non-recyclable materials in their solid waste stream;

(3) Waste Reduction and Recycling Practices including an identification of waste reduction efforts, present recycling, potential recycling, and waste exchange; and

(4) Waste disposal for residual waste including an identification of materials in the organization's waste stream that will not be reduced or recycled and disposal methods.

(c) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 for additional information and implementation of the Commercial/ Institution Solid Waste Reduction and Recycling Plan.

(d) All commercial and institutional sector generators shall report as required in Section 16.

Section 11. Private Disposal of Regulated Recyclable Materials

(a) Nothing shall prevent any commercial sector generators of regulated recyclable materials from Directly Selling to market the regulated recyclable materials they generate so long as:

(1) all costs of separating, preparing, processing, transporting and marketing such materials are directly and fully absorbed by the generator and no public funds contribute to such separation, preparation, processing, transporting or marketing, and

(2) a minimum of thirty (30) days' written notice of intent to Directly Sell or to cease Directly Selling Regulated Recyclable Materials is provided to the Agency priop to implementing such option: and

(3) the generator complies with all reporting requirements of this local law and the rules and regulations promulgated hereunder.

(b) Private not-for-profit or charitable organizations may receive donations of regulated recyclable materials from generators as part of an announced fund-raising event, provided that they request and receive the prior written approval of the Executive Director of the Agency.

Section 12. Collection and Disposal of Regulated Recyclable Materials

(a) No person shall collect or dispose of regulated recyclable materials except as directed by the Agency pursuant to this local law and the rules and regulations promulgated pursuant to Section 6 or, if the Agency has not acted, the municipality.

(b) All solid waste management facilities, whether public or private, shall provide adequate facilities for the acceptance of regulated recyclable materials.

(c) The Agency is authorized to promulgate rules and regulations pursuant to Section 6 regulating the collection and disposal or regulated recyclable materials.

Section 13. Collection and Disposal of Regulated Recyclable Materials by Haulers

(a) No hauler shall collect, transport, or dispose of regulated recyclable materials except as directed by the Agency pursuant to this local law and rules and regulation promulgated pursuant to Section 6.

(b) The Agency is authorized to promulgate rules and regulations pursuant to Section 6 regulating collection, transportation, and disposal of regulated recyclable materials by haulers.

(c) All haulers shall collect, transport, maintain, and solid waste stream and (2) in a condition specified in the Rules and Regulation promulgated pursuant to Section 6.

(d) Source separated regulated recyclable materials shall be transported and delivered only to a solid waste management facility(ies) designated by the Agency that receives aggregates or processes regulated recyclable materials. If no facility is designated, the hauler may deliver the regulated recyclable materials to a recycling facility or market of its choice.

(e) All haulers shall report as required pursuant to Section 16.

Section 14. Preparation, Separation and Disposal of Yard Waste

(a) All persons shall separate yard waste from solid waste for the purpose of collection and composting.

(b) Each municipality within the County may provide, or obtain rights in, a yard waste composting facility for the disposal of yard waste.

(c) Yard waste may be composted at a composting facility designated by the municipality or at a solid waste management facility that receives and composts yard waste as may from time to time be designated by the Agency. If no facility is designated, the hauler of yard waste may deliver the yard waste to a private composting facility.

(d) This section shall not prohibit private composting, or

on site disposal in compliance with any existing law, of yard waste by any person.

(e) The Agency may, from time to time, promulgate rule and regulations pursuant to Section 6 for the preparation, separation, collection and disposal of yard waste.

(f) All yard waste shall be prepared, separated, collected and disposed according to the rules and regulations.

Section 15. Ownership, Direction and Control of Recyclable Materials

(a) Except as set forth in Section 11, once regulated recyclable materials are set out for collection, placed in Agency containers, or deposited in the Municipal Recycling Drop Off Sites or Satellite Aggregation Center System, all such materials become the property of the County, and the Agency shall direct and control the processing, transporting and marketing of that property.

(b) The County does not assume ownership of improperly prepared regulated recyclable materials, including those in an improper condition, container, or location.

(c) Improperly prepared regulated recyclable materials must be removed by the generator and properly prepared and separated according to this local law.

Section 16. Reporting Requirements

(a) All persons shall report information as designated by the rules and regulations promulgated by the Agency pursuant to Section 6.

(b) The Agency may, from time to time, pursuant to Section 6 promulgate rules and regulations requiring the reporting on regulated recyclable materials, recyclable materials being studied as possible regulated recyclable materials, regulated recyclable materials directly sold or donated pursuant to Section 11, categories of solid waste as designated by the Agency or any including information needed to study possible economic markets, track the flow of regulated recyclable materials, or monitor progress in meeting the State and County recycling goals.

Section 17. County Household Recycling Containers

(a) Ulster County recycling containers shall be used by eligible households in complying with this local law.

(b) It shall be a violation for any person to: (1) remove a County recycling container from the County; (2) to take, without authorization, a County recycling containrt from any person or willfully destroy a County recycling container; (3) dispose of a County recycling container other than by returning such container to the issuing municipality; and (4) use such container for other than the temporary storage of regulated recyclable materials.

Section 18. Unlawful Acts

It shall be unlawful for:

(a) Any person to fail to separate, prepare for collection, collect, transport or dispose of regulated recyclable materials or yard waste in accordance with this law or any rules and regulations promulgated pursuant to Section 6.

(b) Any person to dispose of any solid waste generated in Ulster County unless such regulated recyclable materials have been removed from such solid waster

(c) Any person to place regulated recyclable materials at other than a designated location.

(d) Any person to alter regulated recyclable materials or fail to maintain these materials in the condition specified by the Agency in the Rules and Regulation.

(e) Any person to dispose or cause to be disposed of regulated recyclable materials or yard waste in a landfill, incinerator, or any other solid waste disposal facility.

(f) Any hauler to collect, transport, store or deliver regulated recyclable materials that contain Solid waste.

(g) Any hauler to deliver regulated recyclable materials to a solid waste management facility not designated by the Agency.

(h) Any Solid Waste Management facility to accept solid waste unless the regulated recyclable materials are separated therefrom.

(1) Any person to remove regulated recyclable materials Drop-off Site or Satellite Aggregation Center System.

(J) Any person to fail to report as required by this law or rules and regulation.

(k) Any person to knowingly make a false material statement or representation in any report required under this local law.

(m) Any person to violate, cause, or assist in the violation of any provision herein.

Section 19. Enforcement

(a) The Agency, acting through the Executive Director, is delegated the authority and responsibility to enforce this local law by investigating possible violations through the subpoena power of the independent administrative hearing officer provided for hereunder and the courts; seeking civil or criminal penalties for violations of this law or the rules or regulations promulgated pursuant to this local law in a Court of competent jurisdiction or from the independent administrative hearing officer provided for hereunder; issuing Temporary Cease and Desist Orders; and collecting penalties pursuant to this local law.

(b) The Executive Director may issue written warnings that include educational material on how to properly comply with this law.

(c) The Ulster County Health Department shall issue licenses to haulers to collect and transport regulated recyclable materials pursuant to the Ulster County Sanitary Code and its Rules and Regulations. The Agency, acting through the Executive Director, may include provisions in the haulers' licenses as provided by the Sanitary Code and its rule and regulations and may seek enforcement of the Sanitary Code or its rules and regulations.

(d) Notwithstanding anything in this local law or in the Ulster County Sanitary Code to the contrary, no hauler

shall be issued a license pursuant to the Sanitary Code to collect, transport, and/or dispose of solid waste unless the hauler also collects and transports regulated recyclable materials in accordance with this local law.

(e) Notwithstanding anything in this section to the contrary, this local law may be enforced by the Sheriff of the county or any police agency of the state or any municipality of the county.

Section 20. Independent Administrative Hearing Officer

(a) An independent administrative hearing officer is hereby created, established and authorized to issue orders assessing civil penalties for violations of this local law.

(b) The officer shall be appointed by the County Legislature to serve at the pleasure of the County legislature.

(c) The Executive Director as complainant may institute proceeding with the officer seeking an order assessing civil penalties for the violation of this local law.

(d) The hearing officer has the authority to require the attendance of witnesses or the production of documentary evidence by subpoena.

(e) Before issuing an order assessing a civil penalty, the officer shall give to the person to be assessed such penalty written notice of the proposed order and an opportunity to request a hearing on the proposed order.

(f) The written notice shall include, at a minimum, (1) a concise statement of the factual basis for the violation; (2) the amount of the civil penalty which is proposed to be assessed; (3) the provisions of the local law alleged to have been violated; (4) the right to request a hearing on the material facts and/or the amount of the civil penalty; (5) a copy of the rules of the hearing procedures.

(g) The hearing shall provide a reasonable opportunity to be heard and to present evidence free from interference, coercion, restraint, discrimination or reprisal, and the respondent shall have the right to be represented by a person of his/her choosing at any stage

of the hearing and proceedings.

(h) If the respondent fails to appear at the hearing without good cause being shown and the Executive Director presents a prima facie case against the respondent, the respondent may be found in default. The motion for default and a proposed default order shall be served by the officer on all parties, and the defaulting party shall have 20 days from service to reply to the motion. The proposed default order may be set aside for good cause shown in accordance with the civil practice law and rules. Default by the complainant shall result in the dismissal of the complaint with prejudice.

(i) In determining the amount of the civil penalty, the officer, in accordance with Section 21, shall consider the seriousness of the violation(s) ; any history of such violations; good-faith efforts to comply with the applicable requirements; the number of individual generators the violator employs, services, represents, or is otherwise responsible for; the economic impact (benefit or harm) resulting from the violation(s) ; the economic impact of the penalty; the Executive Director's recommendation for a penalty; and such other factors as justice may require. Civil penalties shall constitute a judgement as that term is defined in the Civil Practice Law and Rules which may be enforced in accordance with that statute.

(j) The officer may establish rules for discovery, administration and implementation of this section, and procedures for conducting hearings and other proceedings.

(k) Any person against whom a civil penalty is assessed under this section may obtain judicial review of such assessment.

Section 21. Penalties

(a) Criminal Penalties: Any person who violates this Local Law shall be guilty of a violation and subject to a fine not to exceed one thousand dollars ($1000) per day per violation and/or up to five days imprisonment.

(b) Civil Penalties: Any person who violates this liability is made by a hearing officer or a court of

competent jurisdiction a civil penalty shall be assessed of not more than one thousand dollars ($1000) per day per violation and/or suspension or revocation of collection or disposal privileges in conjunction with solid waste and/or regulated recyclable materials disposed within the county, and/or any other just and equitable remedies available at law. deemed a separate violation of this Local Law.

(d) All fines and penalties shall become due and payable to the Agency.

Section 22. Collection

If any person fails to pay an assessment of a civil penalty, the Agency may bring a civil action in an appropriate court to recover the amount assessed (plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be). Such person shall be required to pay, in addition to such amount and interest, attorneys fees and costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to 20 percent of the aggregate amount of such person's penalties and nonpayment penalties which are unpaid as of the beginning of such quarter.

Section 23. Consent Agreement and Order

(a) The Executive Director and Respondent or Defendant may confer concerning settlement.

(b) The Executive Director and Respondent or Defendant shall forward a written consent agreement and a proposed consent order to the Hearing officer or District Attorney or Court of competent jurisdiction, as the case may be, whenever settlement or compromise is proposed. The Consent agreement shall state that, for the purpose of the proceeding, respondent (1) admits the jurisdictional allegations of the complaint; (2) admits the facts stipulated in the consent agreement or neither admits nor denies specific factual allegations contained in the complaint; (3) consents to the assessment of a stated penalty. The consent agreement shall include any and all terms of the agreement, and be signed by all parties or their representatives.

(c) No settlement or consent agreement shall dispose of any proceeding without consent order from the officer or court of competent jurisdiction. In preparing such an order, the officer or court Ray require that the parties to the settlement appear before him/her to answer inquires relating to the consent agreement or order.

Section 24. Temporary Cease and Desist Order

(a) Upon receipt of evidence that an emergency exists, the Agency, acting through the Executive Director, may issue a Temporary Cease and Desist order immediately suspending and restraining such activity causing or contributing to the emergency before the holding of a hearing. All settlements are due and payable to the Agency.

(b) The person suspended or restrained shall have an opportunity to an expedited hearing within 5 days of the Agency Order before the hearing officer on the question of whether an emergency exists.

(c) If the hearing officer determines that such an emergency exists, he/she shall schedule a full hearing to be held in accordance with Section 20 at least 20 days after the expeditedearing. If the hearing officer determines that an emergency does not exist, he/she shall annul the Agency Order.

(d) The Agency order shall be in effect pending the completion of the expedited and full hearing, however the case maybe.

Section 25. Addition or Removal of Regulated Recyclable Materials

(a) In addition to the regulated recyclable materials defined in Section 4, the Agency, subject to Section 22, shall be authorized to designate regulated recyclable materials to be separated from other solid waste or to remove previously designated regulated recyclable materials from the list of regulated recyclable materials.

(b) If removal of the regulated recyclable material is based upon the lack of an economic market for the material in accordance with Section 120-aa of the

General Municipal Law, the Agency shall conduct such studies as it deems necessary and proper to establish the lack of an economic market, and shall state specifically in the notice of its action removing the regulated recyclable material the grounds for its action and all studies upon which its determination is based. Such designation or removal shall be made in writing, published in the Environmental News Bulletin and the official newspapers of the county as designated by the County Legislature, and shall take effect thirty (30) days after such publication.

Section 26. Recyclables Oversight Committee

(a) A recycling oversight committee consisting of one member of the Agency designated by the Chairman of the Agency to serve as a non-voting, ex-officio member and not more than seven (7) voting members to be appointed by the County Legislature is hereby created and established for the purpose of advising the Agency on: i) the addition or removal of materials from the definition of regulated recyclable materials; ii) the progress made towards meeting the percent reduction goals established in the Solid Waste Management Act of 1988 and the Plan; and iii) the adoption, repeal or amendment of rules and regulations provided for in Section 6 of this Local Law; and (iv) such other matters as the Agency may suggest. The members of the oversight committee to be appointed by the County Legislature shall consist of an appointee from the following:

(1) Town Supervisor's Association;
(2) Mayors' Association;
(3) Community and Environmental Affairs Committee of the Ulster County Legislature;
(4) Ulster County Environmental Management Council;
(5) Carting Industry;
(6) Municipal Recycling Coordinators;
(7) Commercial or Institutional Sector or Multi-Family Dwelling interest.

(b) The appointments in subsection (a) of this Section, other than the Agency appointment, shall be for a three year term from the date of appointment. No member shall serve more than two full three year terms. A chairman shall be elected by the members of the oversight committee at its first regular meeting and the Committee shall adopt operating by-laws as they deem appropriate.

The committee shall meet at least quarterly and the majority of the members shall constitute a quorum. Any recommendation issued by the committee shall be approved by a majority of its membership. The Agency shall request and receive the recommendation of the committee before it orders the removal or the addition of any material from designation as a regulated recyclable material, except that if such recommendation is not received within thirty days after written request by the Agency, it may act without such recommendation.

Section 27. Separability

If any section, provision, or part thereof, in this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not effect the validity of the remainder of the local law of as a whole or any sections, provisions, or part thereof, not so adjudged invalid or unconstitutional and the application of the local law or any section, provision or part thereof, to other persons or circumstances shall not be affected by said adjudication.

Section 28. Priority

(a) Pursuant to Section 1 of Chapter 936 of the Laws of 1986 of the State of New York, this local law shall take precedence over and supersede any inconsistent provisions of any local law enacted by any municipality within the county.

(b) A municipality may adopt and enforce its own local law which, at a minimum, must be procedurally and substantively as comprehensive as this legislation.

Section 29. Effective Date

This local law shall be effective throughout the County on March 31, 1992, except that this local law shall not be effective with regard to regulated recyclable materials generated by commercial, industrial, or institutional sector and multi-family dwellings until September 1, 1992.

LOCAL LAW NUMBER 9 OF 1991

A LOCAL LAW PROVIDING FOR THE MANAGEMENT OF SOLID WASTE IN THE COUNTY OF ULSTER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Short Title. This Local Law shall be known and may be cited as the solid waste management law.

SECTION 2. Legislative Finding and Purposes. The Agency and the County have approved a Comprehensive Solid Waste Management Plan for the County, which provides for the planning, financing, acquisition, construction and operation of a system to dispose of or process Solid Waste generated or originated in, or brought within the County. The Comprehensive Solid Waste Management Plan was authorized by Article 27 of the Environmental Conservation Law of the State and Title 13-G of the Public Authorities Law of the State. The Comprehensive Solid Waste Management Plan was reviewed pursuant to Article 8 of the Environmental Conservation Law of the State, and the rules, promulgated thereunder, and was approved by the State Department of Environmental Conservation. The Comprehensive Solid Waste Management Plan provides for the adoption of a local law providing for control over the flow of Solid Waste in the County. Authority for the adoption of this local law is specifically granted to this Legislature by S 2050-t(3) of the Public Authorities Law of the State.

The purpose of this local law is to assure that the system to be implemented for the disposal of Solid Waste will function properly, effectively, efficiently and in an environmentally sound manner so that the public health and safety will be protected and the environment will be improved.

This Legislature finds that in order to achieve tile purposes set forth above it is necessary and proper to impose reasonable limitations on competition in accordance with the policy of the State expressed in S 2050-t(3) of the Public Authorities Law. This Legislature specifically finds that the limitations on competition set forth in Section 4 of this local law are appropriate and reasonable. This Legislature further finds that the Agency, created at the request of this Legislature for the purpose of managing Solid waste in the County, closely connected to the County, duly established as the local planning unit for Solid waste management in the County, and granted broad powers in Solid Waste management on behalf of the County as set forth in Title 13-G of the Public Authorities Law of the State, is the agency most capable of effectively performing the task of Solid waste management and exercising the powers described in this local law.

Finally, this Legislature finds that adequate standards governing such delegation to the Agency are set forth herein in that the Agency must exercise the powers delegated to it in the public interest as directly related to and limited by Title 13-G of the Public Authorities Law of the State and the policy set forth in S 27-0101 of the Environmental Conservation Law of the State.

LOCAL LAW NUMBER 9 OF 1991

A LOCAL LAW PROVIDING FOR THE MANAGEMENT OF SOLID WASTE IN THE COUNTY OF ULSTER

SECTION 3. Definition. As used or referred to in this Local Law, unless the context otherwise requires:

1 . "Agency" shall mean the Ulster County Resource Recovery Agency created under Title 13-G6 of the Public Authorities Law of the State. amended.

2 . "Agency Executive Director" shall mean the Executive Director of the Ulster County Resource Recovery Agency.

3. "County of Ulster" shall mean the entire County of Ulster as constituted and existing under the Laws of the State of New York.

4. "Disposal of Solid Waste" shall mean the transporting or delivery of solid waste to a Solid Waste Management Facility.

5. "Municipality" shall mean any county, city, town, village, improvement district or public corporation, or any combination thereof.

6. "Person" shall mean any natural person, partnership, association, joint venture, or corporation exclusive of a "public corporation".

7. "Solid Waste" shall mean all materials or substances discarded or rejected within the County as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, source, special nuclear or by-product material within the meaning of the United States Atomic Energy Act of 1954, as amended, waste which appears on the list of hazardous waste promulgated by the commissioner of Environmental Conservation pursuant to Section 27-0903 of the Environmental Conservation Law of the State of New York, and scrap or other material of value separated from the waste stream and held for purposes of materials recycling.

8. "Solid Waste Management Facility" shall mean any facility, plant, works, system, building, structure, improvement, machinery, equipment, fixture or other real or personal property which is to be used, occupied or employed for the collecting, receiving, transporting, storage, processing or disposal of solid waste or the recovery by any means of any material or energy product or resource therefrom including buy not limited to recycling centers, transfer stations, baling facilities, rail haul or maritime facilities, collection vehicles, processing systems, resource recovery facilities, steam and electric generating and transmission facilities, including auxiliary facilities to supplement or temporarily replace such generating facilities, steam distribution facilities, and related plants and facilities, sanitary landfills, leachate treatment facilities, land spreading facilities, waste oil storage, reprocessing and recycling facilities, plants and facilities for compacting, composting or pyrolization of solid wastes, incinerators and other solid waste disposal, reduction or conversion facilities and resource recovery equipment and disposal equipment as defined in subdivisions four and five of Section 51-0903 of the Environmental Conservation Law of the State of New York.

SECTION 4. Disposal of Solid Waste. All Solid Waste generated or originated in or brought within into the County shall be delivered to Solid Waste Management Facilities designated by the Agency from time to time, which designation may include a determination that a particular Solid Waste Management Facility shall be the only facility used for the disposal of Solid Waste generated within all of, or a described area within, the County of Ulster or by a particular person or persons.

In making any such designation, the Agency shall give due consideration to the capacity of any Solid Waste Management Facility so designated, the size and population of the area or person or persons to be served and such other factors as shall enable the Agency to determine that the public interest is served by such designation. No person shall dispose of Solid Waste generated within or coming into the County except at a Solid Waste Management Facility designated by the Agency in accordance with this Section.

LOCAL LAW NUMBER 9 OF 1991

A LOCAL LAW PROVIDING FOR THE MANAGEMENT OF SOLID WASTE IN THE COUNTY OF ULSTER

SECTION 5. Exceptions. The Agency may make such exceptions to the requirements of Section 4 as it, from time to time, may determine to be in the public interest.

SECTION 6. Rules and Rulemaking. The Agency is hereby authorized and directed to promulgate such rules and regulations as it shall determine to be necessary to effectuate the purpose of this local law. The procedure for rulemaking shall be as follows:

a. The Agency Executive Director must prepare and submit proposed rules and regulations to the Agency and to the Community and Environmental Affairs Committee of this Legislature.

b. The Agency shall authorize notification of a hearing in the official newspapers of the County, as designated by this Legislature.

c. The notice shall be published at least 30 days prior to the public hearing and shall (1) cite the statutory authority under which the rules and regulations are proposed, (2) give the date, time and place of the public hearing, (3) state the proposed rules and regulations thereof, (4) give the name and address of the Agency representative to whom written comments may be submitted. The express terms of the proposed rules and regulations shall be available to the public oil the date such notice is first given pursuant to this subdivision.

d. The Agency Executive Director shall conduct a public hearing and, upon request of the Community and Environmental Affairs Committee of this Legislature, appear before that Committee in public session to discuss the proposed rule making.

e. The Agency Executive Director shall prepare the record of the public hearing and a document responding to the comments received at the public hearing.

f . The record of public comment and the response document shall be made available for public review and submitted to the Agency.

g. The Agency shall make such changes and modifications in response to public comment as it deems appropriate and shall adopt the final rules and regulations by resolution.

LOCAL LAW NUMBER 9 OF 1991

A LOCAL LAW PROVIDING FOR THE MANAGEMENT OF SOLID WASTE IN THE COUNTY OF ULSTER

n. The Agency Executive Director shall publish the final rules and regulations, or synopses thereof ill the same manner as the proposed rules and regulations, no less than 10 days after the Agency adopts the final rules and regulations. The final rules and regulations shall take effect 20 days after publication.

SECTION 7. Enforcement. It shall be the responsibility of the Agency, acting through its Executive Director, in consultation with Agency Counsel, the County Department of Health, and such other departments of County government as it may deem necessary, to enforce the provisions of this local law and all rules, regulations and designations made pursuant thereto. Such enforcement shall be by such legal or equitable proceedings, including, without limitation, a proceeding for specific performance, bought in the name of the County as may be provided or authorized by law.

The County Health Department shall assist in the enforcement of this local law by, inter alia, revoking the licenses issued pursuant to the County Sanitary Code to Persons who collect, transport or dispose of Solid Waste in violation of this local law. Such revocation proceeding shall be carried out in accordance with the County Sanitary Code.

SECTION 8. Environmental Compliance. All acts and proceedings taken by the Agency pursuant to this local law shall, in all respects, be consistent with the Environmental Conservation Law and other applicable laws and rules and regulations promulgated pursuant thereto.

SECTION 9. Penalties. Any person who violates this local law shall be guilty of a violation and subject to a fine of not more than One Thousand ($1,000) Dollars and/or imprisonment for not more than five (5) days and/or suspension or revocation of collecting, receiving, transporting and/or disposing privileges in conjunction with Solid Waste within the County. Each and every act of disposal committed which is prohibited by Section 4 hereof shall constitute a separate violation of this local law.

SECTION 10. Priority. Pursuant to Title 13-G of the Public Authorities Law of the State, this local law takes precedence over and shall supersede any inconsistent provisions of any local law enacted by any municipality within the County.

LOCAL LAW NUMBER 9 OF 1991

A LOCAL LAW PROVIDING FOR THE MANAGEMENT OF SOLID WASTE IN THE COUNTY OF ULSTER

SECTION 11. Separability. If any section, provision, or part thereof, in this local law, or the application thereof to any person of circumstances, is adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the remainder of the local law or the validity of the local law as a whole or any sections, provision or part thereof, not so adjudged invalid or unconstitutional and the application of the local law or any section, provision or part thereof to other persons or circumstances shall not be affected by said adjudication.

SECTION 12. Effect of Local Law. Nothing in this local law shall be construed to supersede prior local laws enacted by the County regarding the non-importation of Solid Waste into the County or to authorize the construction of a Solid Waste incinerator whether or not the incineration of solid waste is in connection with a waste-to-energy.

SECTION 13. Effective Date. This local law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1992

A LOCAL LAW CONFIRMING THE DEPARTMENTS OF COUNTY GOVERNMENT AND THE POSITIONS AND AUTHORITY OF ALL DEPARTMENT HEADS AND THEIR DEPUTIES OR ASSISTANTS.

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Legislative Purpose:

There has existed within the Ulster County governmental structure a number of offices and departments which were formally created and empowered by either local law or New York State statute. At the same time, there exist a number of departments or offices that were not formally created or empowered by statute or local law. The purpose of this local law is to confirm the existence of the various departments of the County and their civil service managerial structure.

SECTION 2. Departments Existing By Statute or Local Law:

The following departments are considered to exist by virtue of State statute or local law and are managed by the department head with deputy or assistant as follows:

DEPARTMENT:	Auditor
DEPARTMENT HEAD:	County Auditor
DEPUTY/ASSISTANT:	Deputy County Auditor
DEPARTMENT:	Clerk of the Legislature
DEPARTMENT HEAD:	Clerk of the Legislature
DEPUTY/ASSISTANT:	Deputy Clerks of the Legislature
DEPARTMENT:	Board of Elections
DEPARTMENT HEAD:	Commissioners of Elections
DEPUTY/ASSISTANT:	Deputy Commissioners of Elections
DEPARTMENT:	County Administrator
DEPARTMENT HEAD:	County Administrator
DEPUTY/ASSISTANT:	Deputy County Administrators
DEPARTMENT:	County Attorney
DEPARTMENT HEAD:	County Attorney
DEPUTY/ASSISTANT:	Assistant County Attorneys
DEPARTMENT:	County Clerk
DEPARTMENT HEAD:	County Clerk
DEPUTY/ASSISTANT:	Deputy County Clerks
DEPARTMENT:	County Treasurer
DEPARTMENT HEAD:	County Treasurer
DEPUTY/ASSISTANT:	Deputy County Treasurers
DEPARTMENT:	District Attorney
DEPARTMENT HEAD:	District Attorney
DEPUTY/ASSISTANT:	Assistant District Attorneys

LOCAL LAW NUMBER 1 OF 1992

A LOCAL LAW CONFIRMING THE DEPARTMENTS OF COUNTY GOVERNMENT AND THE POSITIONS AND AUTHORITY OF ALL DEPARTMENT HEADS AND THEIR DEPUTIES OR ASSISTANTS.

DEPARTMENT:	Self Insurance
DEPARTMENT HEAD:	County Insurance Officer
DEPUTY/ASSISTANT:	Deputy Insurance Officer
DEPARTMENT:	Medical Examiner
DEPARTMENT HEAD:	Medical Examiner
DEPUTY/ASSISTANT:	Deputy Medical Examiners
DEPARTMENT:	Personnel
DEPARTMENT HEAD:	Personnel Officer
DEPUTY/ASSISTANT:	Deputy Personnel Officers
DEPARTMENT:	Probation
DEPARTMENT HEAD	Probation Director II
DEPUTY/ASSISTANT:	Probation Supervisors
DEPARTMENT:	Public Defender
DEPARTMENT HEAD:	Public Defender
DEPUTY/ASSISTANT:	Assistant Public Defenders
DEPARTMENT:	Public Works
DEPARTMENT HEAD:	Commissioner of Public Works
DEPUTY/ASSISTANT:	Deputy Commissioners of Public Works
DEPARTMENT:	Purchasing
DEPARTMENT HEAD:	County Purchasing Agent
DEPUTY/ASSISTANT:	Deputy County Purchasing Agent
DEPARTMENT:	Real Property Tax Service Agency
DEPARTMENT HEAD:	Director, Real Property Tax Services III
DEPUTY/ASSISTANT:	n/a
DEPARTMENT:	Residential Health Care Facility
DEPARTMENT HEAD:	Director, Residential Health Care Facility
DEPUTY/ASSISTANT:	Deputy Directors, Residential Health Care Facility
DEPARTMENT:	Social Services
DEPARTMENT HEAD:	Commissioner of Social Services
DEPUTY/ASSISTANT:	Deputy Commissioner of Social Services
DEPARTMENT:	Sheriff
DEPARTMENT HEAD:	Sheriff
DEPUTY/ASSISTANT:	Undersheriff
DEPARTMENT:	Sealer of Weights and Measures
DEPARTMENT HEAD:	Director of Weights and Measures II
DEPUTY/ASSISTANT:	Deputy Director Weights and Measures

LOCAL LAW NUMBER 1 OF 1992

A LOCAL LAW CONFIRMING THE DEPARTMENTS OF COUNTY GOVERNMENT AND THE POSITIONS AND AUTHORITY OF ALL DEPARTMENT HEADS AND THEIR DEPUTIES OR ASSISTANTS.

DEPARTMENT:	Veteran's Service Agency
DEPARTMENT HEAD:	Director of Veteran's Service Agency
DEPUTY/DIRECTOR:	Deputy Director, Veteran's Service Agency

DEPARTMENT:	Youth Bureau
DEPARTMENT HEAD:	Director of the Youth Bureau
DEPUTY/ASSISTANT:	Deputy Director of the Youth Bureau

SECTION 3. Departments Not Existing By Statute or Local Law:

The following departments have not been established by State statute or local law and are managed by the department head with deputy or assistant as follows:

DEPARTMENT:	Alternative Sentencing
DEPARTMENT HEAD:	Alternative Sentencing Program Coordinator
DEPUTY/ASSISTANT:	Deputy Alternative Sentencing Program Coordinator

DEPARTMENT:	Civil Defense
DEPARTMENT HEAD:	Civil Defense Director
DEPUTY/ASSISTANT:	Assistant Civil Defense Director

DEPARTMENT:	Community Corrections
DEPARTMENT HEAD:	Director of Community Corrections
DEPUTY/ASSISTANT:	Assistant Director of Community Corrections

DEPARTMENT:	Community Mental Health Services
DEPARTMENT HEAD:	Director of Community Mental Health Services
DEPUTY/ASSISTANT:	Deputy Director for Administration (Community Mental Health)

DEPARTMENT:	Employment and Training Administration
DEPARTMENT HEAD:	Employment and Training Director II
DEPUTY/ASSISTANT:	Deputy Employment and Training Director

DEPARTMENT:	Fire Coordinator
DEPARTMENT HEAD:	County Fire & Emergency Coordinator, PT
DEPUTY/ASSISTANT:	Deputy County Fire & Emergency Coordinator, PT

DEPARTMENT:	Health
DEPARTMENT HEAD:	Health Officer/Commissioner Grade 1B
DEPUTY/ASSISTANT:	n/a

DEPARTMENT:	Human Relations
DEPARTMENT HEAD:	Director of Human Relations Commission
DEPUTY/ASSISTANT:	n/a

LOCAL LAW NUMBER 1 OF 1992

A LOCAL LAW CONFIRMING THE DEPARTMENTS OF COUNTY GOVERNMENT AND THE POSITIONS AND AUTHORITY OF ALL DEPARTMENT HEADS AND THEIR DEPUTIES OR ASSISTANTS.

DEPARTMENT:	Information Services
DEPARTMENT HEAD:	Director of Information Services
DEPUTY/ASSISTANT:	Assistant Director Information Services (Application Development); Assistant Director Information Services (Operations) Assistant Director Information Services (Technical Support)
DEPARTMENT:	Office for the Aging
DEPARTMENT HEAD:	Director, Office for the Aging
DEPUTY/ASSISTANT:	n/a
DEPARTMENT:	Planning
DEPARTMENT HEAD:	Director, County Planning
DEPUTY/ASSISTANT:	n/a
DEPARTMENT:	Safety Office
DEPARTMENT HEAD:	Safety Officer
DEPUTY/ASSISTANT:	Deputy Safety Officer
DEPARTMENT:	Stop DWI
DEPARTMENT HEAD:	Coordinator, Stop DWI
DEPUTY/ASSISTANT:	n/a

SECTION 4. Confirmation of Departments:

All of the departments listed in Sections 2 and 3 are confirmed as departments of County government.

SECTION 5. Authority of Department Heads:

The heads of all County departments set forth in Sections 2 and 3 shall have authority, direction and control over their respective departments and shall have the power and authority to appoint and remove officers and employees therein, except as such power and authority is specifically limited by local law, or New York State statute.

SECTION 6. Authority of Deputies:

(a) All of the deputy or assistant department heads listed in Sections 2 and 3 shall have the powers and authority set forth in this section. In addition, and from time to time, the County Legislature may, by resolution or local law, authorize a

department head not presently having a deputy, to appoint one or more deputies who shall have the powers and authority set forth in this section.

(b) If there be but one deputy, he shall possess the powers and perform the duties of his principal during the absence or inability of his principal to act. If there be more than one deputy, the principal shall designate in writing and file in the Office of the County Clerk and of the Clerk of the Board of Supervisors the order in which they are to serve during his absence or inability to act.

(c) In the event of a vacancy in the office of the principal, such deputy, or the deputy so designated, shall possess the powers and perform the duties of his principal until the disability is removed, or, in case of a vacancy, until a successor is elected or appointed and has qualified. If no designation shall have been made and filed, the senior deputy shall act.

SECTION 7. Departments Created In Future:

In the event that the Ulster County Legislature shall create, in the future, additional department(s) of government, such department(s) shall have department head(s) and deputy(ies) or assistant(s), if so organized, who shall possess the powers and authorities conferred upon department heads and deputy(ies) or assistant(s) in Section 5 and Section 6 of this Local Law.

SECTION 8. Effective Date:

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1992

A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY NEW YORK STATE FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF ULSTER

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The County of Ulster hereby elects to provide all its eligible employees with a retirement incentive program authorized by New York State.

SECTION 2. The commencement date of the retirement program shall be November 16, 1992

SECTION 3. The open period during which employees may retire and receive the additional retirement benefit, shall be 46 days in length, ending December 31, 1992.

SECTION 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Ulster to each employee who receives the retirement benefits payable under this local law.

SECTION 5. This local law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1993

A LOCAL LAW AUTHORIZING THE ULSTER COUNTY DEPARTMENT OF PROBATION TO IMPOSE AN ADMINISTRATIVE FEE UPON CERTAIN PROBATIONERS PURSUANT TO SECTION 257c OF THE EXECUTIVE LAW OF THE STATE OF NEW YORK

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE FINDINGS

The Ulster County Legislature hereby determines that those persons sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law should be required to pay a fee to offset the administrative costs of the probation.

SECTION 2. AUTHORIZATION TO CHARGE A FEE

The Ulster County Probation Department is hereby authorized to charge an administrative fee of THIRTY ($30.00) DOLLARS per month to individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law of the State of New York.

SECTION 3. WAIVER OF FEE

The Department shall waive all or part of such fee where, because of the indigence of offender, the payment of said surcharge would work an unreasonable hardship on persons convicted, his or her immediate family, or any other person who is dependent on such person for financial support.

SECTION 4. USE OF FEES COLLECTED

Monies collected pursuant to this Local Law shall be utilized for probation services for the local Probation Department but shall not be used to replace Federal funds otherwise for probation services.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.

LOCAL LAW NUMBER 2 OF 1993

AMENDING LOCAL LAW NUMBER 1 OF 1981 TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF PUBLIC WORKS AND HIS DEPUTIES.

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 2 of Local Law Number 1 of 1981 is amended by adding a new subdivision [g] to read as follows:

The Commissioner of Public Works shall:

[g] Have the authority to appoint and remove all officers and employees of the Department of Public Works.

SECTION 2. Section 3, Subdivision [c] of Local Law Number 1 of 1981 is amended to read as follows:

[c] Deputy Commissioners of Public Works shall perform such duties pertaining to the office of Public Works as the Commissioner of Public Works may direct and shall act generally for and in place of the commissioner and perform such other and further duties as the Commissioner may assign and direct.

SECTION 3. Section 3 of Local Law Number 1 of 1981 is amended by adding a new subdivision [f] to read as follows:

[f] The First Deputy Commissioner of Public Works shall be the Acting Commissioner of Public Works in the event of the Commissioner's absence from the County or inability to perform and exercise the powers and duties of the office. In the event of the First Deputy Commissioner's inability to serve as Acting Commissioner, the Chairman, with the approval of the Legislature shall appoint an Acting Commissioner. In no event, may a person serve as Acting Commissioner for a period greater than sixty days unless authorized by the Legislature. The Acting Commissioner shall have all the powers and duties of the Commissioner during the period of his designation or until a new Commissioner of Public Works shall be appointed pursuant to law and shall qualify to assume that office.

SECTION 4. This local law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1993

A CHECKOUT ACCURACY LOCAL LAW

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION ONE: LEGISLATIVE INTENT.

This Local Law recognizes that clearly displayed pricing and checkout accuracy are basic consumer rights. It is the intent of this legislation to ensure that consumers are not overcharged.

SECTION TWO: RULES GOVERNING USE OF CERTAIN WORDS.

In this Local Law, unless the context otherwise requires:

1. Words in the singular number include the plural and in the plural include the singular.

2. Words of the masculine, feminine or neuter gender include the feminine, neuter and/or masculine genders.

SECTION THREE: APPLICATION.

1. This Local Law applies to every person who uses a computer-assisted checkout system to engage in the business of selling consumer goods in Ulster County.

2. Nothing in this Local Law shall be construed to limit or restrict any right or remedy to which a person may be subject, under common law, or any other federal, state, or local statute.

3. Application of this Local Law may be subsequently modified by a resolution of the Ulster County Legislature.

SECTION FOUR: DEFINITIONS.

1. "Consumer Goods" means goods sold by retail merchants and which are intended to be used by consumers primarily for personal, household or family purposes.

2. "Person" shall include without limitation any individual, firm, joint venture, association, co-partnership, group, corporation or any other legal entity or combination of entities whatsoever.

3. "Computer-assisted checkout system" means any electronic device, computer system or machine, including but not limited to laser scanners, which determines the selling price of consumer goods by interpreting coded information.

(Section four - Definitions - Cont.)

4. "Price look-up function", shall mean the capability of any checkout system to determine the retail price for an item of consumer goods by way of either automatic or manual entry into the system of a code assigned to that particular item.

5. "Stock keeping unit" shall mean each group of items offered for sale of the same brand name, quantity of contents, and retail price.

SECTION FIVE: CHECKOUT ACCURACY & CLEAR PRICING REQUIRED.

1. Retail selling prices shall be clearly indicated at the point of display by :

   a. placing signs or shelf tags as close as practical to the location at which the consumer goods are displayed; and/or
   b. by stamping, tagging, labeling or otherwise marking each item of consumer goods.

2. Consumers shall be charged the lowest retail selling price displayed or advertised.

3. It shall be a violation of this Local Law:

   a. To sell or offer for sale any consumer goods or services at a greater price than any price displayed or advertised therefor;

   b. To sell or offer for sale any consumer goods which do not have a selling price displayed in conformity with this Local Law;

   c. To use a computer-assisted checkout system or price look-up function that determines a retail selling price which exceeds the lower of any item, shelf, displayed, sale or advertised price for any item of consumer goods offered for sale.

SECTION SIX: VIOLATIONS, CIVIL PENALTIES AND ENFORCEMENT.

1. The primary responsibility for administration and enforcement of this Local Law shall be with the County Sealer of Weights & Measures; except where otherwise noted herein. The County Sealer of Weights & Measures and his departmental designees shall act as enforcement officers for this Local Law. The County Sealer of Weights & Measures may request that the County Consumer Affairs Director designate additional enforcement officers. If so requested, the County Consumer Affairs Director and his departmental designees may act as enforcement officers for this Local Law.

Section Six - Violations,, Civil Penalties and Enforcement - Cont.)

2. Any person who violates any provision of this Local Law, or who fails to comply with any order made by an enforcement officer pursuant to this Local Law shall be guilty of a violation and subject to a civil penalty.

3. Noncompliance within a stock keeping unit shall constitute a single violation.

4. For failure to display selling prices as required by this Local Law, civil penalties shall not be imposed where fewer than ten (10) violations are found on any one calendar day provided that the violation(s) are corrected before the enforcement officer leaves the store.

5. Civil penalties for failing to display selling prices as required by this Local Law shall not exceed fifty dollars ($50.00) for each of the first ten (10) or fewer violations, nor exceed one-hundred dollars ($100.00) for each subsequent violation thereafter; provided that the total penalty for these violations does not exceed One-thousand-five-hundred dollars ($1,500.00) per day.

6. In stores with computer-assisted checkouts, enforcement officers shall be permitted to compare the item, shelf, display, sale or advertised price of any consumer goods with the programmed computer price. A store representative shall afford the enforcement officer access to the test mode of the checkout system in use at that store or to a comparable function of said system and to the retail price information contained in a price look-up function.

7. For violations resulting from a computer-assisted checkout system or price look-up function that determines a retail selling price exceeding the lower of any item, shelf, display, sale or advertised price for any item of consumer goods offered for sale, civil penalties shall be assessed as follows:

   a. For each of the first two items from different stock keeping units found in violation, the fine shall be twenty-five dollars ($25.00).

   b. For each of the next two items from different stock keeping units found to be in violation, the fine shall be fifty dollars ($50.00).

   c. For each of the next three stock keeping units found to be in violation, the fine shall be one hundred dollars ($100.00).

Section Six - Violations, Civil Penalties and Enforcement - Cont.)

d. For each of the next three items from different stock keeping units found to be in violation, the fine shall be two hundred dollars ($200.00).

e. For each additional individual stock keeping unit found to be in violation, the fine shall be fifty dollars ($50.00); but In no event shall the penalties for violations found during the first inspection in a twelve (12) month period exceed five hundred dollars ($500.00); for additional violations during a subsequent inspection in a twelve (12) month period, the fines shall be doubled, but in no event shall the penalties found during a second inspection in a twelve (12) month period exceed two thousand dollars ($2,000.00); in the event of violations found during a third or subsequent inspection in a twelve (12) month period, the fines shall be imposed in accordance with this section without limit.

8. An enforcement officer shall have the authority to issue a stop removal order with respect to any device, system, or consumer goods being used, handled, or offered for sale in violation of this Local Law.

a. Any stop removal order issued with respect to any stock keeping item shall be in writing, shall list the violations and shall direct that any stock keeping unit in violation shall not be sold, offered for sale or exposed for sale until the violations are corrected.

b. Any stop removal order issued with respect to any device or system shall be in writing and shall list the violations. Such stop-removal order shall be stayed for up to two hours after the inspector provides the written stop removal order to the retail store provided that, until the violations are corrected, either: the stock keeping units which are affected by the violations are not sold, offered for sale or exposed for sale; or signs are posted conspicuously at or near each checkout which clearly disclose to store employees and consumers which stock keeping units are affected by the violations and their correct prices, and the retail store ensures that consumers are correctly charged.

9. The County Attorney, (in the name of the county) may upon request of the County Sealer of Weights & Measures, in addition to any other action authorized hereunder,

Section Six - Violations, Civil Penalties and Enforcement - Cont.)

maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or restrain by injunction any violation of this Local Law, notwithstanding any other provision hereof providing for a penalty or other punishment.

SECTION SEVEN: FORMAL HEARING PROCEDURES.

Provisions for formal hearings are as follows:

(a) The County Sealer of Weights and Measures, hereafter referred to as the County Sealer, may cause to be held a formal hearing on any alleged violation of this local law; provided it is requested by any person(s) concerned within 10 days of the alleged violation, or provided it is deemed necessary by the County Sealer. A formal hearing shall be on due and adequate notice to the person(s) concerned and shall be set down for a day certain.

(b) The County Sealer is empowered to appoint a Hearing Officer who shall conduct a formal hearing. The Hearing Officer may be an impartial employee of the County who has not been in any way involved with the action in question. The Hearing Officer may not be an employee of either the Department of Weights and Measures or the District Attorney's office.

(c) The notice of hearing shall set forth:

(1) The time and place of the hearing;
(2) The purpose of the hearing;
(3) The charges and violations complained of;
(4) The right to present evidence;
(5) The right to examine and cross-examine witnesses;
(6) The right to be represented by counsel.

(d) On the return day of the hearing:

(1) The Hearing Officer shall note the appearance of persons attending the hearing;
(2) Witnesses shall be sworn and testimony shall be recorded;
(3) The testimony shall be transcribed within a reasonable time after the conclusion of the hearing.

(e) The Hearing Officer shall thereafter prepare Findings of Fact, Conclusions, and Recommendations on which the County Sealer shall make a formal Order setting forth the determination, conditions if any to be complied with, and civil penalties, if any.

(Section Seven - Formal Hearing Procedures - Cont.)

(f) A copy of the Order of the County Sealer following the formal hearing shall be served on all respondents;

(g) Nothing herein contained shall preclude the County Sealer from taking any action in addition to the formal hearing herein provided for, as may be prescribed by law, nor shall the County Sealer be precluded from taking such other action by virtue of the Order made pursuant to the Section.

(h) Services of an Order or Notice of Hearing shall be made as follows:

(1) Enclosing the Order or Notice in a postpaid envelope directed to the person(s) concerned at the address last known to the County Sealer and depositing such envelope in an official depository maintained by the United States Post Office; or

(2) Leaving the Order or Notice with the person concerned or with a person in charge of the premises; or

(3) Posting the Order or Notice at the entrance door of the premises involved.

(i) The County Sealer, the designated Hearing Officer or the Ulster County Attorney may issue subpoenas on the request of any party to the proceedings of any formal hearing set down by the County Sealer.

(j) The Hearing Officer shall not be bound by the rules of evidence in the conduct of a hearing, but the Determination shall be founded on sufficient factual evidence to sustain it.

(k) Proof may be adduced with respect to ongoing violations occurring up to and through the date of the Hearing, when those violations are sufficiently similar to those charged, to put respondent on notice of the nature of the violation.

(l) If a respondent has been served with a County Sealer Order in conjunction with a Notice of Hearing, proof may be adduced with respect to violations of that Order after the underlying violation has been proven.

(m) On the conclusion of a Hearing, the County Sealer shall take such action as is deemed proper, and shall execute an Order carrying the Findings and Determinations into effect.

(n) The action of the County Sealer may include the assessment of civil penalties as provided by law.

(Section Seven - Formal Hearing Procedures - Cont.)

(o) The County Sealer may refer the matter to the Ulster County Attorney for commencement of a civil action in the name of Ulster County to recover a civil penalty. A cause for action for recovery of such penalty may be released, settled or compromised by the County Sealer before the matter is referred to the Ulster County Attorney and thereafter by the Ulster County Attorney.

(p) The minutes of a formal hearing shall be made available to all parties for examination at the Office of the County Sealer.

(q) Copies of the minutes of a formal hearing may be purchased at the rate per page covering the cost thereof.

SECTION EIGHT: DISPOSITION OF FINES AND PENALTIES.

1. All fines and penalties imposed and collected by reason of civil enforcement of this Local Law shall be paid to the County of Ulster and credited to the general fund.

SECTION NINE: CONSENT DECREES AND AGREEMENTS.

On consent of the County Sealer of Weights & Measures and a person accused of violating this Local Law, a consent decree or agreement may be entered into. No such consent decree or agreement shall restrict any legal right or remedy to any consumer, complaining of the matter which is the subject of such consent decree or agreement, might otherwise be entitled, unless such consumer is a party thereto.

SECTION TEN: SEVERABILITY.

If any provision of this Local Law or application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereof to any person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared severable.

SECTION ELEVEN: EFFECTIVE DATE.

This Local Law shall take effect 30 days after adoption.

LOCAL LAW NUMBER 4 of 1993

A LOCAL LAW TO FORMALLY ESTABLISH THE OFFICE OF COUNTY AUDITOR AND THE AUTHORITY OF THE AUDITOR AND HIS OR HER DEPUTIES

BE IT ENACTED, by the County Legislature of the County of Ulster as follows

Section 1. ESTABLISHMENT OF OFFICE

There is hereby created the office of County Auditor, who shall be appointed by the County Legislature on the basis of his or her experience and qualifications for the duties of said office, and who shall be appointed for the term for which the membership of such Legislature appointing him or her was elected, in accordance with County Law Section 600.

Section 2. COUNTY AUDITOR - POWERS AND DUTIES

The County Auditor shall:

[a] Audit all claims, accounts and demands which are made County charges by law and which otherwise would be audited by the,, County Legislature.

[b] Have the authority to appoint and remove all officers and employees of the office of County Auditor.

[c] Perform related duties and functions as the County Legislature may from time to time direct.

Section 3. DEPUTY AUDITOR

[a] The County Auditor shall have the power to appoint one or more Deputy Auditors within the limits of appropriations therefor. Every appointment of a Deputy shall be in writing filed and recorded in the office of the County Clerk.

[b] The term of office of any Deputy appointed hereunder shall coincide with that of the County Auditor, provided that such appointment may be revoked at any time by the County Auditor by written revocation filed with the County Clerk.

[c] Deputy Auditors shall perform such duties pertaining to the office of County Auditor as the County Auditor may direct and shall act generally for and in place of the County Auditor and perform such other and further duties as the County Auditor may assign and direct.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately.

LOCAL LAW NUMBER 5 OF 1993

A LOCAL LAW TO FORMALLY ESTABLISH THE DEPARTMENT OF INFORMATION SERVICES AND THE AUTHORITY OF THE DIRECTOR AND HIS OR HER ASSISTANTS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. ESTABLISHMENT OF DEPARTMENT

There is hereby formally created a Department of Information Services the head of which shall be the Director of Information Services who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature. The Director shall serve at the pleasure of the County Legislature.

Section 2. DIRECTOR OF INFORMATION SERVICES - POWERS AND DUTIES

The Director of Information Services shall:

[a] Have the authority to appoint and remove all officers and employees of the Department of Information Services.

[b] Have charged and supervision of the processing of information and data within County government.

[c] Develop programs designed to provide accurate, sufficient and timely information for, decision making by all units of County government.

(d] Coordinate the organization, maintenance and use of equipment capable of providing information relating to the functions of County government.

[e] Direct the administrative activities of the Department.

[f] Have charge of and have the duty of performing such other functions concerning information services and other matters as the County Legislature may from time to time direct.

Section 3. ASSISTANT DIRECTORS

[a] The Director of Information Services shall have the power to appoint one or more Assistant Directors within the limits of appropriations therefor.

[b] Assistant Directors shall perform such duties pertaining to the Department of Information Services as the Director may direct and shall act generally for and in the place of the Director and perform such other and further duties as the Director of Information services may assign and direct.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately.

LOCAL LAW NUMBER 6 OF 1993

A LOCAL LAW TO FORMALLY ESTABLISH THE DEPARTMENT OF COMMUNITY CORRECTIONS AND THE AUTHORITY OF THE DIRECTOR AND HIS OR HER ASSISTANTS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. ESTABLISHMENT OF DEPARTMENT

There is hereby formally created a Department of Community Corrections the head of which shall be the Director of Community Corrections who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature. The Director shall serve at the pleasure of the County Legislature.

Section 2. DIRECTOR OF COMMUNITY CORRECTIONS - POWERS AND DUTIES

The Director of Community Corrections shall:

[a] Have charge and supervision of the design, implementation and modification of the Community Corrections Department to insure its effective and efficient operation and to maximize the use of alternatives to incarceration where appropriate.

(b] Have the authority to appoint and remove all officers and employees of the Department of Community Corrections.

[c] Have charge and supervision over the preparation of the departmental budget and the expenditure of departmental funds.

[d] Have necessary powers and duties pursuant to applicable laws governing the operations of alternatives to incarceration programs.

[e] Furnish technical expertise in the planning and development of community corrections and alternatives to incarceration programming to the County Legislature as authorized.

[f] Have charge of and have the duty of performing such other related functions and other matters as the County Legislature may from time to time direct.

Section 3. ASSISTANT DIRECTOR

(a] The Director of Community Corrections shall have the power to appoint one or more Assistant Directors within the limits of appropriations therefor.

[b] Assistant Directors shall perform such duties pertaining to the Department of Community Corrections as the Director may direct and shall act generally for and in the place of the Director and perform such other and further duties as the Director of Community Corrections may assign and direct.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately.

LOCAL LOW NUMBER 7 OF 1993

A LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 1978 TO FORMALLY ESTABLISH THE AUTHORITY OF THE COUNTY PURCHASING AGENT AND HIS OR HER DEPUTIES

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. ARTICLE III of Local Law Number 4 of 1978 is hereby amended to add two new sections to read as follows:

SECTION 2. The County Purchasing Agent shall have the authority to appoint and remove all officers and employees of the Purchasing Department. The County Purchasing Agent shall have the power to appoint one or more Deputy Purchasing Agents within the limits of appropriation therefor. Every appointment of a Deputy shall be in writing filed and recorded in the office of the County Clerk.

SECTION 3. The term of office of any Deputy appointed hereunder shall coincide with that of the County Purchasing Agent, provided that such appointment may be revoked at any time by the County Purchasing Agent by written revocation filed with the County Clerk. Deputy Purchasing Agents shall perform such duties pertaining to the office of Purchasing Agent as the County Purchasing Agent may direct, and shall act generally for and in place of the County Purchasing Agent and perform such other and further duties as the County Purchasing Agent may assign and direct.

SECTION 2. This local law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1994

A LOCAL LAW REGULATING THE USE AND APPLICATION OF ALARM SYSTEMS WHICH COMMUNICATE WITH THE ULSTER COUNTY 911 EMERGENCY COMMUNICATIONS CENTER

BE IT ENACTED by the County Legislature of the County of Ulster, State of New York, as follows:

INTRODUCTION:

This Local Law is enacted to ensure that the 911 Emergency number will not be jammed or seized by automatic dialing devices. To facilitate the response to automatic dialing devices, the County of Ulster has established a designated seven-digit number at the Emergency Communications Center for the purpose of receiving calls from such automatic dialing devices.

To ensure proper response to calls for services that are received by the Emergency Communications Center through automatic dialing devices, the following guidelines and procedures are promulgated pursuant to the authority of this Local Law.

SECTION 1. PURPOSE

The purpose of this Local Law is threefold:

A. To regulate the connection of alarm systems with the 911 Emergency Communications Center to prevent the emergency number from being jammed or seized by automatic dialing devices, or other such similar devices.

B. To regulate the automatic dialer's message content to ensure that the essential information is received to provide appropriate emergency response.

C. To regulate administrative matters relating to the operations of the 911 Emergency Communications Center to ensure the health, safety and general welfare of the residents of the County by regulating the use and application of alarm systems, and by providing an alternate seven-digit number for the purpose of automatic dialer interconnect.

SECTION 2. DEFINITIONS

A. The term **Alarm System** means any assembly of equipment or device arranged to signal the presence of a hazard requiring urgent attention, and to which police, fire or emergency medically related service agencies are expected to respond. An alarm system shall include automatic dialing device.

B. The term **Alarm User** means any person on whose premises, located within the County of Ulster, an alarm system is owned, operated or maintained by such person or his agents, employees or servants.

LOCAL LAW NUMBER 1 OF 1994

A LOCAL LAW REGULATING THE USE AND APPLICATION OF ALARM SYSTEMS WHICH COMMUNICATE WITH THE ULSTER COUNTY 911 EMERGENCY COMMUNICATIONS CENTER

(Section 2. Definitions - Cont.)

C. The term **Automatic Dialing Device** means a device which is connected to a telephone line and is programmed to access a predetermined emergency agency number and transmit by voice message or coded signal to an emergency agency, an emergency message indicating a need for emergency response.

D. The term **Private Answering Point** refers to a business which offers service receiving emergency signals from alarms and where emergency signals from alarm systems are monitored and thereafter relayed to an emergency agency.

E. The word **County** means the County of Ulster, State of New York.

F. The term **911 Coordinator** means the County of Ulster Emergency Management Coordinator, or his designated representative, hereinafter the "Coordinator".

G. The term **Person** means any person, firm, partnership, association, corporation, company or organization of any kind.

H. The term **Special Trunkline** means a designated telephone line(s) leading into the County's emergency Communications Center, and having the primary purpose of handling emergency signals or messages from automatic dialing devices.

I. The term **Emergency Communication Center** means the central dispatching location provided by the County and the New York State Police or any of the other Public Safety Answering Points to receive all emergency calls on behalf of participating agencies.

SECTION 3. EFFECTIVE DATE

Effective May 1, 1994, all automatic dialing devices terminating at the Emergency Communications Center shall be programmed to access designated special trunklines. The designated emergency telephone number is **338-2471.** All automatic dialers accessing the 911 Emergency Communications Center shall be programmed to dial the above number.

SECTION 4. SPECIFIC GUIDELINES - AUTOMATIC EMERGENCY DIALERS

A. All dialers must be registered with the Communications Center on the prescribed form.

A LOCAL LAW REGULATING THE USE AND APPLICATION OF ALARM SYSTEMS WHICH COMMUNICATE WITH THE ULSTER COUNTY 911 EMERGENCY COMMUNICATIONS CENTER

(Section 4 - Specific Guidelines - Automatic Emergency Dialers - Cont.)

B. Dialers shall not be programmed to dial the number "911". All automatic dialing devices terminating at the Emergency Communication Center must be programmed to dial the designated seven-digit number authorized in Section 3 above.

C. Dialers shall not hold the telephone line open after the Emergency Communications Center has broken the telephone connection.

D. Dialers shall not dial the Emergency Communications Center more than twice as a result of a single activation.

E. Dialer message must be in the following format:

"This is (name of household or business in the County) reporting a (robbery, burglary, police trouble, fire, water flow or emergency medical) alarm at (number, street name) (apartment or room number), (floor), (building name). The nearest intersection is (intersecting street) in (City, Town or Village). In case of fire or medical emergency, please send (municipality) (fire or ambulance).

SECTION 5. SPECIFIC GUIDELINES - PRIVATE ANSWERING POINTS.

Alarm notifications which terminate at a private answering station or point, and are then communicated to the Emergency Communications Center by an individual for appropriate dispatch response, shall be permitted on the designated emergency telephone number. The calling party shall provide the Emergency Communications Center operator with the following information:

A. Type of alarm activated (robbery, burglary, police trouble, fire, water flow, or emergency medical).

B. Name of business or household.

C. Street number and name.

D. Apartment, room number or floor (if applicable).

C. Building name.

F. Nearest intersecting street.

A LOCAL LAW REGULATING THE USE AND APPLICATION OF ALARM SYSTEMS WHICH COMMUNICATE WITH THE ULSTER COUNTY 911 EMERGENCY COMMUNICATIONS CENTER

(Section 5. Specific Guidelines - Private Answering Points - Cont.)

G. City, Town or Village.

H. Any additional information as requested by the Emergency Communications Center operator.

I. Agency to be dispatched for fire or ambulance.

The calling party shall promptly terminate the call upon transmission of the above information.

SECTION 6. ALARM TESTING

The testing of automatic alarm dialers shall be permitted in accordance with the following procedures.

A. Business and residential alarms may be tested a maximum of four (4) times per year. Such testing shall be conducted during the hours of 8:00 A.M. to 4:00 P.M. Exceptions for frequency of tests and hours will be granted when an alarm is being tested as a result of alarm maintenance or repair.

B. Prior to the alarm test, the user must contact the County's 911 Emergency Communications Center to notify the Center of the test. The caller must provide his name, address, telephone number, and type of alarm. The telephone number to be used when requesting an alarm test is **338-2471** for a robbery, burglary or police trouble alarm, and for a fire, water flow, or emergency medical alarm. If for any reason the alarm test cannot be conducted, the operator will advise the user and the test shall be rescheduled at a time which is designated by the 911 Emergency Communications Center operator.

C. Upon test completion, the user shall recall the 911 Emergency Communications Center by calling the administrative number, and verify the alarm test. The caller must identify himself and advise the operator of the name of the business or household and request validation of the test.

D. The 911 Emergency Communications Center operator will monitor, test and evaluate clarity of message, tone and message completeness.

SECTION 7. PENALTY FOR NONCOMPLIANCE

Any person, business or firm programming an automatic dialing device to call the 911 emergency telephone number of the County of Ulster shall be liable for a civil penalty of $500.00.

LOCAL LAW NUMBER 1 OF 1994

A LOCAL LAW REGULATING THE USE AND APPLICATION OF ALARM SYSTEMS WHICH COMMUNICATE WITH THE ULSTER COUNTY 911 EMERGENCY COMMUNICATIONS CENTER

(Section 7. Penalty for Noncompliance - Cont.)

In addition to the civil penalty, noncompliance with any of the procedures contained herein is a violation of Section 4 of this Local Law, and punishable by a fine of not less than $500.00, and not more than $1,000.00, or by a term of imprisonment not to exceed fifteen (15) days, or by both such fines and imprisonment.

A police officer or deputy sheriff may order the alarm user to immediately disconnect any device not conforming with provisions of this law from the 911 emergency number. The failure by such alarm user to obey such order shall be a violation punishable by a fine of not less than $500.00, and not more than $1,000.00, or by a term of imprisonment not to exceed fifteen (15) days, or by both such fine and imprisonment.

Additionally, the owner of such alarm system shall be liable for a civil penalty of $500.00 for the failure to obey such order.

SECTION 8. RIGHT TO REFUSE TO ALLOW AUTOMATIC DIALERS TO INTERCONNECT WITH DESIGNATED SEVEN-DIGIT NUMBER

The Coordinator may refuse to permit any person, business or firm the right to program its automatic dialing device to access the designated special seven-digit number when the Coordinator has reason to believe that the use of the device would adversely impact the operations of the 911 Emergency Communications Center.

SECTION 9. JURISDICTION

These regulations shall pertain to all alarm systems which terminate at the 911 Emergency Communications Center. The 911 Coordinator may from time to time issue amendments, in writing, to these regulations. All regulations shall be issued with an effective date. It is the duty of all alarm users to keep advised of amendments to the existing procedures and make appropriate changes and/or modifications as required.

SECTION 10. EFFECTIVE DATE

This Local Law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1994

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1994 at the sum opposite the office and designation of such County Officer to wit:

County Clerk	$ 57,500.00
County Sheriff	57,500.00
County Treasurer	57,500.00
Commissioner of Elections	40,927.00
Commissioner of Elections	40,927.00
Commissioner of Public Health	77,359.00
Commissioner of Social Services	56,189.00
Commissioner of Public Works	58,940.00
County Administrator	63,160.00
Personnel Officer	52,808.00
Real Property Tax Service Agency Director	52,455.00
Deputy Commissioner of Public Works	45,868.00
Deputy Commissioner of Public Works	40,854.00
Deputy Commissioner of Public Works	35,551.00
Deputy Commissioner of Public Works	42,420.00
Deputy County Administrator	46,721.00
Deputy County Administrator	50,185.00

(B) For the balance of the year 1994 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1991 prior to such effective date, will equal the annual salary fixed for such office for the year 1994, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

LOCAL LAW NUMBER 3 OF 1994

A LOCAL LAW TO FORMALLY ESTABLISH THE DEPARTMENT OF EMERGENCY COMMUNICATIONS/EMERGENCY MANAGEMENT AND THE AUTHORITY OF THE DIRECTOR AND HIS OR HER DEPUTIES OR ASSISTANTS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. ESTABLISHMENT OF DEPARTMENT

There is hereby formally created a Department of Emergency Communications/Emergency Management the head of which shall be the Director who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the Chairman of the County Legislature. The Director shall serve at the pleasure of the Chairman of the County Legislature.

SECTION 2. DIRECTOR OF EMERGENCY COMMUNICATIONS/ EMERGENCY MANAGEMENT

The Director of Emergency Communications/Emergency Management shall:

(a) Have charge and supervision of emergency services dispatching and disaster preparedness.

(b) Shall assist the Chairman of the Legislature and the Legislature as required and directed in fulfilling their responsibilities in the area of Disaster Preparedness under the Executive Law or any other law, rule or regulation.

(c) Have the authority to appoint and remove all officers and employees of the Department of Emergency Communications/Emergency Management.

(d) Have charge and supervision over the preparation of the departmental budget and the expenditure of departmental funds.

(e) Have responsibility for operation of 911 services.

(f) Direct the administrative activities of the Department.

(g) Have necessary powers and duties of the County Director of Civil Defense as provided by the New York State Defense Emergency Act.

(h) Have charge of and have the duty of performing such other related functions and other matters as the County Legislature may from time to time direct.

SECTION 3. DEPUTY DIRECTOR

(a) The Director of Emergency Communications/Emergency Management shall have the power to appoint one or more Deputy Directors or Assistant Directors within the limits of appropriations therefor.

(b) Deputy or Assistant Directors shall perform such duties pertaining to the Department of Emergency Communications/Emergency Management as the Director may direct and shall act generally for and in the place of the Director and perform such other and further duties as the Director of Emergency Communications/Emergency Management may assign and direct.

SECTION 4. EFFECTIVE DATE

This local law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 1995

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1995 at the sum opposite the office and designation of such County Officer to wit:

County Administrator	65,055.00
County Attorney	63,867.00
County Auditor	42,497.00
County Clerk	59,225.00
County Treasurer	59,225.00
Deputy County Administrator	51,691.00
Deputy County Administrator	48,123.00
Personnel Officer	54,392.00
Public Defender	38,073.00
Public Health Director	69,727.00
Purchasing Agent	43,809.00
Real Property Tax Service Agency Director	54,029.00

(B) For the balance of the year 1995 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1995 prior to such effective date, will equal the annual salary fixed for such office for the year 1995, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 2 OF 1995

A LOCAL LAW INCREASING THE REDEMPTION PERIOD FOR RESIDENTIAL AND FARM PROPERTY FROM TWO YEARS TO THREE YEARS AFTER LIEN DATE

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Pursuant to New York State Real Property Tax Law (RPTL) Section 1111(2), all residential property and farm property within the tax district, as those terms are defined in RPTL Article 11, shall have a redemption period of three years after lien date.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1995

A LOCAL LAW TO ABOLISH THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICES OF COMMISSIONER AND DEPUTY COMMISSIONER OF PUBLIC WORKS

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. ABOLITION OF DEPARTMENT

The Department of Public Works and the Offices of Commissioner and Deputy Commissioner thereof are hereby abolished.

SECTION 2. REPEAL OF LOCAL LAWS

The following local laws or portions thereof are hereby repealed:

[a] Local Law Number 1 of 1981, except that Section 1.[b] of such law shall not be repealed but shall continue in force and effect and which such section reads as follows:

There is hereby abolished the Office of Superintendent of Highways for the County of Ulster and the Ulster County Highway Department.

[b] Local Law Number 1 of 1983.

[c] Local Law Number 2 of 1993.

SECTION 3. EFFECTIVE DATE

This local law shall take effect September 1, 1995 or upon filing with the Department of State, whichever is later.

LOCAL LAW NUMBER 4 OF 1995

A LOCAL LAW TO CREATE THE OFFICE OF COMMISSIONER OF HIGHWAYS AND BRIDGES AND DEPARTMENT OF HIGHWAYS AND BRIDGES FOR THE COUNTY OF ULSTER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. ESTABLISHMENT OF DEPARTMENT.

[a] There is hereby created a Department of Highways and Bridges, the head of which shall be the Commissioner of Highways and Bridges who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature.

[b] The term of office of the first Commissioner of Highways and Bridges shall extend to and expire on December 31, 1996, and thereafter, the term of office of such commissioner shall be two (2) years, expiring on the 31st day of December of each even numbered year.

SECTION 2. COMMISSIONER OF HIGHWAYS AND BRIDGES POWERS AND DUTIES.

Subject to the Limitations and Controls of Section 3, the Commissioner of Highways and Bridges shall have all the following powers and duties:

[a] Have all powers and duties of a County Engineer and a County Superintendent of Highways Bridges, pursuant to the Highway Law or other applicable law;

[b] Have such powers and duties in relation to County facilities for drainage, flood control, sanitation, sewage, or., water supply as may be prescribed by the County Legislature;

[c] Furnish engineering and other services to the County Legislature, the Department of Planning and other County Departments as authorized;

[d] Have charge of and have the duty of performing such other functions concerning County real or personal property, public works and other matters as the County Legislature may, from time to time direct;

(e] Subject to the financial approval of the Public Works Controller for any appointments of employees, have the authority to appoint and remove all officers and employees of the Department of Highways and Bridges;

(f] Have charge and supervision of routine maintenance of equipment-repair and storage buildings and facilities used by the Department, including highway sub-stations, and all parking areas serving these facilities.

SECTION 3. LIMITATIONS AND CONTROLS.

[a] The Commissioner of Highways and Bridges shall submit all budget and capital projects proposals to the Public Works Controller for review, comment and approval.

(b] No purchase or rental of equipment, materials or any kind of goods or services may be made for or by the Department of Highways and Bridges without approval of the Public Works Controller.

[c] No arrangements or applications for financial assistance from the state or federal governments or any of their branches, departments or offices, or part thereof shall be made without approval of the Public Works Controller.

SECTION 4. DEPUTY AND ACTING COMMISSIONERS.

[a] The Commissioner of Highways and Bridges shall have the power to designate from time to time any employee of the Department to act as a deputy but at no additional compensation. Each such designation shall be in writing and filed with the County Administrator. Such designation may be effective only for such limited period of time as set forth in such writing or if no time period is specified, shall be effective until revoked at any time by a written revocation filed with the County Administrator.

[b] The designated Deputy Commissioner of Highways and Bridges shall be the Acting Commissioner of Highways and Bridges in the event of the Commissioner's absence from the County or inability to perform and exercise the powers and duties of the office for up to one month (30 days). If such absence or inability shall extend for over one month (30 days) or in the event there is no designated deputy, an Acting Commissioner of Highways and Bridges shall be appointed by the Chairman of the Legislature for the six months succeeding such 30 day period or for such whole seven month period as

appropriate, and if such absence or inability shall extend for over seven months the County legislature shall appoint an Acting Commissioner of Highways and Bridges. An Acting Commissioner of Highways and Bridges shall file his designation and oath of office as such with the County Clerk.

(c) An Acting Commissioner of Highways and Bridges shall have all the powers and duties of the Commissioner during the period of his designation and until his successor shall be appointed and qualified under this section or until a new Commissioner of Highways and Bridges is appointed and qualified pursuant to law.

SECTION 5. EFFECTIVE DATE.

This Local Law shall take effect September 1, 1995 or upon filing with the Department of State, whichever is later.

LOCAL LAW NUMBER 5 OF 1995

A LOCAL LAW TO CREATE THE OFFICE OF COMMISSIONER OF BUILDINGS AND GROUNDS AND THE DEPARTMENT OF BUILDINGS AND GROUNDS FOR THE COUNTY OF ULSTER

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. ESTABLISHMENT OF DEPARTMENT.

[a] There is hereby created a Department of Buildings and Grounds, the head of which shall be the Commissioner of Buildings and Grounds who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature.

[b] The term of office of the first Commissioner of Buildings and Grounds shall extend to and expire on December 31, 1996, and thereafter, the term of office of such Commissioner shall be two (2) years, expiring on the 31st day of December of each even numbered year.

SECTION 2. COMMISSIONER OF BUILDINGS AND GROUNDS POWERS AND DUTIES

Subject to the limitations and controls of Section 3, the Commissioner of Buildings and Grounds shall have the following powers and duties:

[a] Have charge and supervision of the design construction and alteration of the County buildings, parking fields and lots, drives, walks, preserves, beaches, and other public structures and facilities under the jurisdiction of the County;

[b] Have charge and supervision of maintenance, repair and alteration of buildings owned or leased by the County, parking fields and lots, drives, walks, preserves, beaches and other public structures and facilities under the jurisdiction of the County including custodial care; provided that routine maintenance of equipment-repair and storage facilities, including highway sub-stations, and parking areas serving these facilities as are used by the Department of Highways, shall be under the jurisdiction of the Commissioner of Highways;

[c] Have such powers and duties in relation to County facilities for drainage, flood control, sanitation, sewage, or water supply as may be prescribed by the County Legislature;

[d] Subject to the financial approval of the Public Works Controller for any appointments of employees, have the authority to appoint and remove all officers and employees of the Department of Buildings and Grounds.

SECTION 3. LIMITATIONS AND CONTROLS.

[a] The Commissioner of Buildings and Grounds shall submit all budget and capital projects proposals to the Public Works Controller for review, comment and approval.

[b] No purchase or rental of equipment, materials or any kind of goods or services may be made for or by the Department of Buildings and Grounds without approval of the Public Works Controller.

[c] No arrangements or applications for financial assistance from the state or federal governments or any of their branches, departments or offices, or part thereof shall be made without approval of the Public Works Controller.

SECTION 4. DEPUTY AND ACTING COMMISSIONERS.

[a] The Commissioner of Buildings and Grounds all have the power to designate from time to time any employee of the Department to act as a deputy but at no additional compensation. Each such designation shall be in writing and filed with the County Administrator. Such designation may be effective only for such limited period of time as set forth in such writing or if no time period is specified, shall be effective until revoked at any time by a written revocation filed with the County Administrator.

[b] The designated Deputy commissioner of Buildings and Grounds shall be the Acting commissioner of Buildings and Grounds in the event of the Commissioner's absence from the County or inability to perform and exercise the powers and duties of the office for up to one month (30 days). If such absence or inability shall extend for over one month (30 days) or in the event there is no designated deputy, an Acting Commissioner of Buildings and Grounds shall be appointed by the chairman of the

Legislature for the six months succeeding such 30 day period or for such whole seven month period as appropriate, and if such absence or inability shall extend for over seven months, the County legislature shall appoint an Acting Commissioner of Buildings and Grounds. An Acting Commissioner of Buildings and Grounds shall file his designation and oath of office as such with the County Clerk.

[c] An Acting Commissioner of Buildings and Grounds shall have all the powers and duties of the Commissioner during the period of his designation and until his successor shall be appointed and qualified under this section or until a new Commissioner of Buildings and Grounds is appointed and qualified pursuant to law.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect September 1, 1995 or upon filing with the Department of State, whichever is later.

LOCAL LAW NUMBER 6 OF 1995

A LOCAL LAW CREATING THE OFFICE OF PUBLIC WORKS CONTROLLER AND THE DEPARTMENT OF PUBLIC WORKS ADMINISTRATION

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. ESTABLISHMENT OF DEPARTMENT

[a] There is hereby created a Department of Public Works Administration, the head of which shall be the Public Works Controller who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature.

[b] The term of office of the first Public Works Controller shall extend to and expire on December 31, 1996, and thereafter, the term of office of such Public Works Controller shall be two (2) years, expiring on the 31st day of December of each even numbered year.

SECTION 2. PUBLIC WORKS CONTROLLER - POWERS AND DUTIES

The Public Works Controller shall:

[a] Review and approve or disapprove all budget and capital project proposals made by the Department of Highways and Bridges and Department of Buildings and Grounds;

[b] Review and approve or disapprove all purchases or rentals of equipment, materials or any kind of goods or services to be made by or on behalf of the Department of Highways and Bridges and Department of Buildings and Grounds;

[c] Review and approve or disapprove any arrangements or applications for financial assistance made to the state or federal government, or any of their branches, departments, or offices or part thereof made by or on behalf of the Department of Highways and Bridges and Department of Buildings and Grounds.

[d] Direct the staff allocated to his department so as to provide clerical, accounting, payroll, budget and administrative services to assist the Commissioner of Highways and Bridges and Commissioner of Buildings and Grounds;

[e] Develop and implement clerical procedures for carrying out of the foregoing powers and duties and which shall maintain an effective working relationship between his Department and the Department of Highways and Bridges and Department of Buildings and Grounds;

[f] Have such other powers and duties in relation to the Department of Highways and Bridges and Department of Buildings and Grounds, as the County Legislature may prescribe;

[g] Have the authority to appoint and remove all officers and employees of the Department of Public Works Administration.

[h] Have authority to approve or disapprove any financial arrangements for all appointments of employees in the Department of Highways and Bridges and Department of Buildings and Grounds.

SECTION 3. DEPUTY AND ACTING CONTROLLERS.

[a] The Public Works Controller shall have power to designate from time to time any employee of the Department to act as a deputy but at no additional compensation. Each such designation shall be in writing and filed with the County Administrator. Such designation may be effective only for such limited period of time ad set forth in such writing or if no time period is specified, shall be effective until revoked at any time by a written revocation filed with the County Administrator.

[b] The designated Deputy Public Works Controller shall be the Acting Public Works Controller in the event of the Controller's absence from the County on inability to perform and exercise the powers and duties of the office for up to the month (30 days). If such absence or inability shall extend for over one month (30 days) or in the event there is no designated deputy, an Acting Public Works Controller shall be appointed by the Chairman of the Legislature for the six months succeeding such 30 day period or for such whole seven month period as appropriate, and if such absence or inability shall extend for over seven months, the County legislature shall appoint an Acting Public Works Controller. An Acting Public Works Controller shall file his designation and oath of office as such with the County Clerk.

[c] An Acting Public Works Controller shall have all the powers and duties of the Controller during the period of his designation and until his successor shall be appointed and qualified under this section or until a new Public Works Controller is appointed and qualified pursuant to law.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect September 1, 1995 or upon filing with the Department of State, whichever is later.

LOCAL LAW NUMBER 1 OF 1996

A LOCAL LAW TO PROHIBIT SOLICITING, PEDDLING OR VENDING ON ANY COUNTY OWNED PROPERTY

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. No County owned or County leased property, parking lots, or buildings and grounds shall be used for soliciting, peddling, vending or for business purposes.

SECTION 2. Excluded from the foregoing provisions of Section 1 is the County fairgrounds property on Libertyville Road in the Town of New Paltz, except for those portions which are part of the pool and pool parking lot.

SECTION 3. Nothing herein shall be deemed to prohibit the installation of vending machines under contract with the County where it is deemed necessary and appropriate by the Commissioner of Buildings and Grounds, or the business operations conducted in the business incubator in the former Ulster Shopping Plaza under the auspices of the Community College.

SECTION 4. A violation of this local law shall constitute an offense punishable by a fine not exceeding $100.00 or by imprisonment not exceeding thirty days or-by both such fine and imprisonment.

SECTION 5. This local law shall take effect immediately.

LOCAL LAW NUMBER 2 OF 1996

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1996 at the sum opposite the office and designation of such County Officer to wit:

County Clerk	$ 61,476.00
County Sheriff	61,476.00
County Treasurer	61,476.00
Commissioner of Elections	43,750.00
Commissioner of Elections	43,750.00
Public Health Director	72,370.00
Commissioner of Social Services	62,281.00
Public Works Controller	43,260.00
Commissioner of Buildings and Grounds	51,500.00
Commissioner of Highway and Bridges	51,899.00
County Administrator	67,510.00
Personnel Officer	56,469.00
Real Property Tax Service Agency Director	56,084.00
Deputy County Administrator	49,940.00
Deputy County Administrator	53,645.00

(B) For the balance of the year 1996 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1996 prior to such effective date, will equal the annual salary fixed for such office for the year 1996, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NUMBER 3 OF 1996

A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1979 AS AMENDED BY LOCAL LAW NUMBER 2 OF 1987 AND LOCAL LAW NUMBER 4 OF 1989 TO CHANGE THE MINIMUM ADVANCE NOTICE REQUIREMENT FOR PARTICIPANTS WITHDRAWING FROM THE COUNTY SELF-INSURANCE PLAN

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. ARTICLE III, Section 1 of Local Law 1 of 1979 (adopted February 8, 1979), as amended by Local Law Number 2 of 1987, and Local Law Number 4 of 1989, is hereby further amended to read as follows:

"ARTICLE III - Participants.

SECTION 1. The County of Ulster shall be a participant in the Plan. Any city, town and village, any fire district in any town which is not a member may elect to become participants in the Plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant, with membership to be effective upon approval of the Compensation Insurance Administrator. Any participant may withdraw from the Plan effective at the end of a fiscal year by filing with the Clerk of the Legislature on or before the preceding first day of August, a certified copy of the resolution of its governing body, electing to withdraw from the plan, upon the condition that it agrees to pay its proportionate share of the estimated liabilities of the Plan at the time of withdrawal. Payment of such liabilities shall be made in a lump sum or the administrator may, upon the approval of the Legislature, permit said payment to be made in installments."

SECTION 2. This Local Law shall take effect immediately.

INTRODUCTORY LOCAL LAW NUMBER 1 OF 1997

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officer's are hereby fixed for the year 1997 at the sum opposite the office and designation of such County Officer to wit:

County Clerk	$ 63,079.00
County Sheriff	63,079.00
County Treasurer	63,079.00
County Attorney	68,009.00
County Auditor	45,258.00
Purchasing Agent	46,650.00
Public Defender	40,557.00
Public Health Director	74,257.00
Commissioner of Social Services	63,905.00
County Administrator	69,270.00
Personnel Officer	57,941.00
Real Property Tax Service Agency Director	57,941.00
Deputy County Administrator	51,242.00
Deputy County Administrator	55,043.00

(B) For the balance of the year 1997 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1996 prior to such effective date, will equal the annual salary fixed for such office for the year 1997, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County,

LOCAL LAW NUMBER 2 OF 1997

A LOCAL LAW AMENDING LOCAL LAW #2 OF 1995 TO INCREASE THE REDEMPTION PERIOD FOR RESIDENTIAL AND FARM PROPERTY FROM 3 YEARS TO 4 YEARS AFTER LIEN DATE AS TO 1995 TAXES ONLY

BE IN ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 1 of Local Law #2 of 1995 is hereby amended to read as follows:

"Pursuant to New York State Real Property Tax Law (RPTL) Section 1111(2), all residential property and farm property within the tax district, as those terms are defined in RPTL Article 11, shall have a redemption period of three years after lien date, except that the redemption period for 1995 taxes for such properties shall be 4 years after lien date.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 3 OF 1997

A LOCAL LAW REGULATING THE DISPOSAL OF DREDGE MATERIAL WITHIN THE COUNTY OF ULSTER

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Legislative Findings and Intent. The Ulster County Legislature hereby finds that dredge material such as that from the Hudson River or New York harbor is often contaminated with polychlorinated biphenyls (PCBs), dioxin or other toxic chemicals so that their disposal on land in Ulster County can imperil the health and safety of the residents of the County by affecting water and air quality, and producing direct or indirect exposure of the population to these various toxic chemicals. Because of Ulster County's topography, geology, population concentrations, numerous public water supplies, and the existence of parks and preserves, there exists a relatively small number of sites for disposal of dredge material. This local law is intended to regulate disposal of such dredge material so as to insure that unacceptable toxic chemicals not be released or discharged into the environment and to eliminate the aforementioned effects by requiring that such disposal take place only upon sites which have been approved under the terms and conditions of a permit issued by the County's Public Health Director.

SECTION 2. Definitions.

a) "Disposal" shall mean the discharge, deposit, injection, dumping, spilling, leaking or placing of any dredge material so that such dredge material or any related constituent thereof may enter the environment, or the abandonment of any dredge material. Disposal also means the thermal destruction, decontamination, treatment and/or soil washing of dredge material.

b) "Dredge Material" shall mean earth, sediment, rock, sludge or other matter dredged or otherwise removed or excavated from the Hudson River or any other body of water, wherever located, which is navigable in fact or which is being made navigable in fact by dredging.

c) "Dredge Material Site" shall mean any lands in Ulster County upon which dredge material is placed.

d) "Dredge Material Disposal Facility" shall mean any facility employed beyond the initial dredge material collection process, including but not limited to dredge material, rail haul or barge haul facilities, processing systems, or other facility reducing dredge material volume, landfills, plants and facilities for compacting, composting or pyrolization of dredge material, incinerators and dredge material disposal, reduction or conversation facilities.

e) "Environment" shall mean air, water, minerals, flora or fauna.

f) "Navigable in fact" shall mean navigable in its natural or unimproved condition, affording a channel for useful commerce of a substantial and permanent character conducted in the customary mode of trade and travel on water. A theoretical or potential navigability, or one that is temporary, precarious and unprofitable is not sufficient, but to be navigable in fact a lake or stream must have practical usefulness to the public as a highway for transportation.

g) "Person" shall mean any individual, public or private corporation, political subdivision, government agency, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever.

h) "Public Health Director" shall mean the Public Health Director of Ulster County or Commissioner of Health of Ulster county, if any.

i) "Toxic Chemical" shall mean any chemical substance whose exposure to human life causes or is reasonably suspected to cause human disease, or as specifically designated by the rules and regulations of the Public Health Director, as hereinafter authorized.

SECTION 3. Requirement of Permit. No person shall own or operate any dredge material disposal facility, or any dredge material site, or being the owner thereof, place, or allow, suffer or permit any other person to place dredge material upon any dredge material site, or engage in the disposal of dredge material without a permit therefor issued by the Public Health Director of Ulster County and then only in accordance with the terms and conditions of such permit.

SECTION 4. Powers of Public Health Director; Permits; Rules and Regulations.

a. The Public Health Director of Ulster County is authorized to issue permits for the ownership and/or operation of dredge material sites and/or dredge material disposal facilities.

b. Before issuing any such permit the applicant therefor shall satisfy the Public Health Director by appropriate scientific evidence and studies that the proposed site is so located and will be so constructed and managed as to eliminate any measurable discharge of toxic chemicals into underground or surface water and minimize discharge into the atmosphere to not exceed levels fixed

by the Public Health Director. The Public Health Director may condition the issuance and continuation of any such permit upon such terms and conditions as well insure compliance with this standard.

c. The Public Health Director may revoke any such permit upon a finding, made after a hearing held in accordance with the provisions of Section 71-1709 of the Environmental Conservation Law, that the permit holder has violated any of such terms and conditions. The Public Health Director in his discretion may also impose a penalty of $10,000.00 for each such violation.

d. The Public Health Director is authorized to adopt and amend rules and regulations governing the issuance and continuation of permits authorized under this local law and the terms and conditions thereof, and governing the operation, siting, design and construction of dredge material sites and dredge material facilities. Such rules and regulations: (1) shall be directed at the prevention or reduction of (i) water pollution, (ii) air pollution, (iii) noise pollution, (iv) obnoxious odors, (v) unsightly conditions caused by uncontrolled release of materials, (vi) infestation of flies and vermin, and (vii) other conditions inimical to the public health, safety and welfare; (2) may identify specific toxic chemicals and acceptable levels of discharge thereof into the atmosphere, if any; (3) may require the posting of a performance bond as a condition of permit issuance to insure compliance with permit terms and conditions; (4) shall be effective upon filing with the Ulster County Clerk. In addition, in adopting such rules and regulations, the Public Health Director shall give due regard to the economic and technological feasibility of compliance herewith. Any rule or regulations promulgated pursuant hereto may differ in its terms and provisions as between particular types of dredge material, or dredge material facilities and as between particular areas of the County.

SECTION 5. Enforcement. This Local Law may be enforced by an action for injunctive relief brought in the name of the County by the County Attorney. In addition, the Public Health Director after a hearing held in accordance with the provisions of Section 71-1709 of the Environmental Conservation Law may assess a civil penalty in the amount of $10,000 per day for each day that a violation of this local law continues, to be recovered in an action brought in the name of the County against any violator of this local law.

SECTION 6. Additional Penalties.

a) In addition to the penalties set forth in Section 5, the Public Health Director, after the hearing referred to in such section: (1) shall have power to order the violator to restore the affected dredge material site or dredge material disposal facility or area immediately adjacent thereto to its condition prior to the

violation, insofar as that is possible within a reasonable time and under the supervision of the Public Health Director. (2) shall have power to order the forfeiture to the County of Ulster of any equipment or vehicles used in committing the violation, whether or not such equipment or vehicles be owned by the violator.

b) Any such order under this section may be enforced by an action brought in the name of the County by the County Attorney against the violator and/or owner of any such equipment or vehicle.

SECTION 7. Moratorium. For the purpose of maintaining the status quo and allowing the Public Health Director to develop rules and regulations pursuant to the provisions of section 4 hereof, the Public Health Director shall not be authorized to issue any permits for the activities described in Section 3 hereof for a period of nine months following the date this local law becomes effective. The Public Health Director may however undertake and participate in any procedure required for State Environmental Quality Review Act review of any such activities during such period.

SECTION 8. Separability. If any section, provision, or part thereof, in this local law, or the application thereof to any person of circumstances, is adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the remainder of the local law or the validity of the local law as a whole or any sections, provision or part thereof, not so adjudged invalid or unconstitutional and the application of the local law or any section, provision or part thereof to other persons or circumstances shall not be affected by said adjudication.

SECTION 9. Environmental Compliance. All actions and proceedings by the Public Health Director hereunder shall be in compliance with the New York State Environmental Quality Review Act and rules and regulations promulgated thereunder. It is hereby found and determined that the adoption of this Local Law will not have a significant effect on the environment.

SECTION 10. Effective Date. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 4 OF 1997

A LOCAL LAW AMENDING LOCAL LAW NUMBER 2 OF 1976 TO SPECIFICALLY INCLUDE DREDGE MATERIAL AMONG THOSE ITEMS OF REFUSE WHOSE DISPOSAL IS REGULATED UNDER SUCH LAW

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Legislative Findings and Intent.

The Ulster County Legislature hereby finds that dredge material such as those from the Hudson River or New York harbor are often heavily contaminated with polychlorinated biphenyls (PCBs), dioxin or other toxic chemicals so as to require a disposal site on land which meets standards which are in many ways similar to those required for a landfill. Because of Ulster County's topography, geology, population concentrations, numerous public water supplies, and the existence of parks and preserves, there exists a relatively small number of suitable sites for disposal of dredge material and other refuse. It is the intent of this Local Law to regulate the use of such sites by eliminating dredge material originating without the County so as to prolong the longevity of such sites and preserve them for use and development as the County's needs may require;

SECTION 2. Subdivision (c) of section 2 of Local Law Number 2 of 1976 is hereby amended to read as follows:

(c) "Refuse" shall mean garbage, rubbish, industrial waste and dredge material.

SECTION 3. Section 2 of Local Law Number 2 of 1976 is hereby amended by adding a new subdivision (e) to read as follows:

(e) "Dredge Material" shall mean sediment, soil, mud, sand, shells, gravel, other aggregate, earth, rock, sludge or other matter dredged or otherwise removed or excavated from the Hudson River or any other body of water.

SECTION 4. Section 5(a) of Local Law Number 2 of 1976 is amended to read as follows:

(a) Each violation of, or non-conformance with, any provision of this Local Law shall constitute a misdemeanor punishable by a fine of not more than $2,000.00 or by imprisonment for not more than six months or by such fines and imprisonment.

SECTION 5. This Local Law shall take effect immediately.

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed for the year 1998 at the sum opposite the office and designation of such County Officer to wit:

County Clerk	$65,487.00
County Sheriff	$65,487.00
Commissioner of Elections	$46,236.00
Commissioner of Elections	$46,236.00
Public Health Director	$77,098.00
Commissioner of Social Services	$59,336.00
Public Works Controller	$39,273.00
Commissioner of Buildings & Grounds	$54,422.00
Commissioner of Highways & Bridges	$54,850.00
County Administrator	$71,348.00
Personnel Officer	$60,161.00
Real Property Tax Service Agency Director	$51,392.00
Deputy County Administrator	$52,014.00
Deputy County Administrator	$56,699.00

(B) For the balance of the year 1998 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1991 prior to such effective date, will equal the annual salary fixed for such office for the year 1998, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

County of Ulster

LOCAL LAW NO. 2 OF 1998

A LOCAL LAW AUTHORIZING THE COUNTY OF ULSTER TO GIVE FUNDS TO THE ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) TO BE USED BY SUCH AGENCY FOR THE ACQUISITION AND IMPROVEMENT OF A CERTAIN RAILROAD FACILITY KNOWN AS THE FORMER IBM KINGSTON (NOW TECH CITY) RAILROAD SIDING IN THE TOWN OF ULSTER

Section One: Legislative Findings and Purpose

(a) The former IBM facility in the Town of Ulster (now Tech City) has a railroad siding which is presently unconnected to the Conrail line due to the removal of the switch. The Legislature hereby finds and determines that the reinstallation of the switch would enhance and improve the local freight transportation system and thereby encourage additional tenants to locate at Tech City.

(b) The County may give money to the IDA so long as the money is used by the IDA for a project that might be undertaken by the County and a local law is passed authorizing the gift. Since the IDA is authorized by Section 858 of the General Municipal Law to acquire, construct and improve railroad facilities and the County has similar authority under Section 119-r of the General Municipal Law, it is found and determined that the giving of funds to the IDA for the purposes above set forth is proper and the purpose of this local law is to provide the necessary authority.

Section Two: Authorization of Gift to the IDA

For the purpose of allowing the IDA to acquire, reconstruct and improve the railroad siding at Tech City, the County is authorized to give up to $52,500.00 to the IDA for such purpose and the Chairman is authorized to execute a suitable memorandum with the IDA confirming such use of the monies.

Section Three: SEQRA Findings

It is found and determined based on the review document filed with the Clerk of the Legislature that the action to be taken hereunder will not have any significant impact on the environment.

Section Four: Effective Date

This local law shall take effect immediately.

LOCAL LAW NO. 1 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1987 TO INCREASE THE INCOME RANGE BY WHICH SENIOR LAND OWNERS WITH LIMITED INCOME ARE ELIGIBLE FOR A PARTIAL COUNTY TAX EXEMPTION ON THEIR RESIDENCE

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 3 of Local Law No. 1 of 1987 is amended to read as follows:

Section 3. Real property owned by persons sixty five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 467 of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

	ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
1.	$ .01 to 12,000.00	50%
2.	12,000.01 to 12,999.99	45%
3.	13,000.00 to 13,999.99	40%
4.	14,000.00 to 14,999.99	35%
5.	15,000.00 to 15,899.99	30%
6.	15,900.00 to 16,799.99	25%
7.	16,800.00 to 17,699.99	20%
8.	OVER 17,700.00	NO EXEMPTION

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income tax return or, if no such return was filed, the calendar year.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NO. 2 OF 1999

A LOCAL LAW TO PROVIDE FOR A PARTIAL COUNTY TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH DISABILITIES AND LIMITED INCOME

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. The purpose of this local law is to grant a partial exemption from county taxes to the extent of the scheduled percentage exemption as set forth below of assessed valuation of real property which is owned by certain persons with disabilities and limited income meeting the requirements set forth in Section 459-c of the Real Property Tax Law.

SECTION 2. Real property owned by persons with disabilities shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 459-c of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

	ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
1.	$ .01 to 12,000.00	50%
2.	12,000.01 to 12,999.99	45%
3.	13,000.00 to 13,999.99	40%
4.	14,000.00 to 14,999.99	35%
5.	15,000.00 to 15,899.99	30%
6.	15,900.00 to 16,799.99	25%
7.	16,800.00 to 17,699.99	20%
8.	17,700.00 to 18,599.99	15%
9.	18,600.00 to 19,499.99	10%
10.	19,500.00 to 20,399.99	05%
11.	OVER $20,400.00	NO EXEMPTION

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income tax return or, if no such return was filed, the calendar year.

SECTION 3. This Local Law shall take effect immediately.

LOCAL LAW NO. 3 OF 1999

A LOCAL LAW TO AMEND THE MANAGEMENT BENEFITS PLAN AS SET FORTH IN LOCAL LAW NUMBER 3 OF 1984 AS AMENDED BY LOCAL LAW NUMBER OF 1986

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 6.02 of Local Law Number 3 of 1984, as amended by Local Law Number 1 of 1986, is hereby amended to read as follows:

6.02. Employees Plan Allocation The County shall establish a dollar amount of credit for each participant within each plan year, determined using a formula designed to satisfy the non-discrimination requirements of IRC Sections 105,120 and 129 as follows:

YEARS OF SERVICE	**CREDIT**
At least one, but less than five	$750.00 plus 1% of base salary
Five or more	$950.00 plus 1.5% of base salary

This dollar credit will be apportioned by the County into two non-discriminatory parts. The Flexible Account Credit will be the amount generated by the above formula, but not in excess of the amount generated using the base salary of the lowest paid full time eligible employee. The excess, if any, over the Flexible Account Credit will be paid to the employee in cash at the end of the calendar year.

In no event will employees be eligible for payment of any portion of the Flexible Account except for reimbursement of expenses as provided in Section 7.

The maximum Flexible Account Credit has been established in accordance with the discrimination requirements set out in the IRC 1.105-11 (3) by calculating the Plan Allocation generated using the Base Salary of the lowest paid full time eligible employee.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NO. 4 OF 1999

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed for the year 1999 at the sum opposite the office and designation of such County Officer to wit:

County Clerk	$66,797.00
County Sheriff	$66,797.00
County Treasurer	$66,797.00
County Attorney	$71,448.00
County Auditor	$47,539.00
Commissioner of Elections	$47,161.00
Commissioner of Elections	$47,161.00
Purchasing Agent	$49,403.00
Public Defender	$42,958.00
Public Health Director	$78,640.00
Commissioner of Social Services	$60,523.00
Public Works Controller	$40,058.00
Commissioner of Buildings & Grounds	$55,510.00
Commissioner of Highways & Bridges	$55,947.00
County Administrator	$72,775.00
Personnel Officer	$61,634.00
Real Property Tax Service Agency Director	$52,420.00
Deputy County Administrator	$53,054.00
Deputy County Administrator	$57,833.00

(B) For the balance of the year 1999 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 1999 prior to such effective date, will equal the annual salary fixed for such office for the year 1999, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days

LOCAL LAW NO. 4 OF 1999

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NO. 5 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1987 AS AMENDED BY LOCAL LAW NO. 1 OF 1999 TO INCREASE THE INCOME RANGE BY WHICH SENIOR LAND OWNERS WITH LIMITED INCOME ARE ELIGIBLE FOR A PARTIAL COUNTY TAX EXEMPTION ON THEIR RESIDENCE

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 3 of Local Law No. 1 of 1987 as amended by Local Law No. 1 of 1999 is amended to read as follows:

Section 3. Real property owned by persons sixty five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 467 of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

	ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
1.	$ .01 to 15,000.00	50%
2.	15,000.01 to 15,999.99	45%
3.	16,000.00 to 16,999.99	40%
4.	17,000.00 to 17,999.99	35%
5.	18,000.00 to 18,899.99	30%
6.	18,900.00 to 19,799.99	25%
7.	19,800.00 to 20,699.99	20%
8.	OVER 20,700.00	NO EXEMPTION

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income tax return or, if no such return was filed, the calendar year.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NO. 6 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1999 TO INCREASE THE ALLOWABLE INCOME RANGE PROVIDING FOR A PARTIAL COUNTY TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH DISABILITIES AND LIMITED INCOME

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 2 of Local Law No. 2 of 1999 is amended to read as follows:

Section 2. Real property owned by persons with disabilities shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 459-c of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

	ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
1.	$ .01 to 15,000.00	50%
2.	15,000.01 to 15,999.99	45%
3.	16,000.00 to 16,999.99	40%
4.	17,000.00 to 17,999.99	35%
5.	18,000.00 to 18,899.99	30%
6.	18,900.00 to 19,799.99	25%
7.	19,800.00 to 20,699.99	20%
8.	20,700.00 to 21,599.99	15%
9.	21,600.00 to 22,499.99	10%
10.	22,500.00 to 23,399.99	05%
11.	OVER $23,400.00	NO EXEMPTION

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income tax return or, if no such return was filed, the calendar year.

SECTION 2. This Local Law shall take effect immediately.

LOCAL LAW NUMBER 1 OF 2000

A LOCAL LAW AUTHORIZING THE PAYMENT OF ELIGIBLE DELINQUENT TAXES IN INSTALLMENTS

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Definitions:

(1) "Eligible delinquent taxes" means the delinquent taxes, including interest, penalties and charges, which have accrued against a parcel as of the date on which an installment agreement is executed.

(2) "Eligible owner" means an owner of real property who is eligible to or has entered into an installment agreement.

(3) "Installment agreement" means a written agreement between an eligible owner and the Ulster County Treasurer as enforcing officer providing for the payment of eligible delinquent taxes in installments pursuant to the provisions of Section 1184 of the Real Property Tax Law and this Local Law.

(4) "Section" shall mean Section 1154 of the Real Property Tax Law.

SECTION 2. Authorization of Installment Payment Agreements:

The Ulster County Treasurer, the enforcing officer of Ulster County, is authorized to enter into an installment agreement providing for the payment of eligible delinquent taxes in installments with property owners. Such installment payment of eligible delinquent taxes shall be made available to each eligible owner on a uniform basis pursuant to the provisions of the New York State Real Property Tax Law and this Local Law. Such installment payments of eligible delinquent taxes shall commence upon the signing of an agreement between the Ulster County Treasurer and eligible owner. The agreement shall be kept on file in the office of the Ulster County Treasurer.

SECTION 3. Term of Agreement:

The Term of the installment agreement shall not exceed twenty-four months, and equal payments shall thereunder be made monthly. An initial down payment is acceptable but not required.

SECTION 4. Eligibility for Agreement:

Eligible properties shall include all properties within Ulster County. A property owner shall not be eligible to enter into an agreement pursuant to this section where:

(Section 4. (a) Cont.)

(a) There is a delinquent tax lien on the same property for which the application is made or on another property owned by such person and such delinquent tax lien is not eligible to be made part of the agreement;

(b) such person is the owner of another parcel within the tax district on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be and is made part of the agreement pursuant to this section; or

(c) such person was the owner of property on which there existed a delinquent tax lien and which lien was foreclosed within three years of the date on which an application is made to execute an agreement pursuant to this section.

(d) such person defaulted on an agreement executed pursuant to this section within three years of the date on which an application is made to execute an agreement pursuant to this section.

SECTION 5. Time of Agreement:

A property owner shall be eligible to enter into an agreement pursuant to this section no earlier than thirty days after the delivery of the return of unpaid taxes to the enforcing officer.

SECTION 6. Amounts Due:

The amount due under an installment agreement shall be eligible delinquent taxes plus the interest that is to accrue on each installment payment up to and including the date on which each payment is to be made. The agreement shall provide that the amount due shall be paid, as nearly as possible, in equal amounts on each payment due date. Each installment payment shall be due no later than the last day of the month in which it is to be paid.

SECTION 7. Interest/Penalties:

Interest on the total amount of eligible delinquent taxes, less the amount of the down payment made by the eligible owner, if any is required, shall be that amount as determined pursuant to New York State Real Property Tax Law Section 924-a. The rate of interest in effect on the date the agreement is signed shall remain constant during the period of agreement. If an installment is not paid on or before the date it is due, interest shall be added at the rate prescribed by New York State Real Property Tax Law Section 924-a for each month or portion thereof until

(Section 7. - Cont.)
paid. In addition, if any installment is not paid by the end of the fifteenth calendar day after the payment due date, a late charge of five percent of the overdue payment shall be added.

SECTION 8. Default:

(a) The eligible owners shall be deemed to be in default of the agreement upon:

(I) non-payment of any installment within thirty days from the payment due date:
(II) non-payment of any tax, special ad valorem levy or special assessment which is levied subsequent to the signing of the agreement by the tax district, and which is not paid prior to the expiration of the warrant of the collecting officer; or

(III) default of the eligible owner on another agreement made and executed pursuant to this section.

(b) In the event of a default, the County shall have the right to require the entire unpaid balance, with interest and late charges, to be paid in full. The County shall also have the right to enforce the collection of the delinquent tax lien pursuant to the applicable sections of law, special tax act, charter or local law.

(c) Where an eligible owner is in default and the County does not either require the eligible owner to pay in full the balance of the delinquent taxes or elect to institute foreclosure proceedings, the County shall not be deemed to have waived the right to do so.

SECTION 9. Notification of Potential Eligible Owners:

(a) Within forty-five days, or as soon after as is practical, after receiving the return of unpaid taxes from the collecting officer, the enforcing officer shall notify, by first class mail, all potential eligible owners of their possible eligibility to make installment payments on such tax delinquencies.

(b) The failure to mail any such notice, or the failure of the addressee to receive the same, shall not in any way affect the validity of taxes or interest prescribed by law with respect thereto.

(c) The enforcing officer shall not be required to notify the eligible owner when an installment is due.

Local Law No. 1 of 2000

SECTION 10. Lien of Tax to Remain in Effect

The provisions of this section shall not affect the tax lien against the property except that the lien shall be reduced by the payments made under an installment agreement, and the lien shall not be foreclosed during the period of installment payments provided that the eligible owner is not in default of the agreement.

SECTION 11. Effective Date

This Local Law shall take effect immediately,

and moves its adoption.

LOCAL LAW NUMBER 2 OF 2000

A LOCAL LAW ESTABLISHING THE ANNUAL SALARY FOR CERTAIN APPOINTIVE AND ELECTIVE OFFICERS SERVING FOR A FIXED TERM

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed for the year 2000 at the sum opposite the office and designation of such County Officer to wit:

County Sheriff	$68,467.00
County Treasurer	$68,467.00
Commissioner of Elections	$48,340.00
Commissioner of Elections	$48,340.00
Public Health Director	$80,606.00
Commissioner of Social Services	$62,036.00
Public Works Controller	$41,059.00
Commissioner of Buildings & Grounds	$56,898.00
Commissioner of Highways & Bridges	$57,346 .00
County Administrator	$74,594.00
Personnel Officer	$63,175.00
Real Property Tax Service Agency Director	$53,731.00
Deputy County Administrator	$54,380.00
Deputy County Administrator	$59,279.00

(B) For the balance of the year 2000 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 2000 prior to such effective date, will equal the annual salary fixed for such office for the year 2000, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

LOCAL LAW NO. 3 OF 2000

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1989 AS AMENDED BY LOCAL LAW NO. 1 OF 1990 TO DELETE OFFICIALS OF FORMER DEPARTMENT OF PUBLIC WORKS FROM FINANCIAL DISCLOSURE FILING REQUIREMENTS AND REQUIRE SUCH DISCLOSURE FROM THE SUCCESSOR OFFICES

SECTION 1: Section 3 Subdivision A of Local Law Number 1 of 1989 as amended by Local Law Number 1 of 1990 is hereby amended to delete so much thereof as reads as follows:

PUBLIC WORKS - BUILDINGS AND GROUNDS
Deputy Commissioner/Public Works

PUBLIC WORKS DEPARTMENT - HIGHWAY
Commissioner of Public Works
Deputy Commissioner/Public Works

SECTION 2: Section 3 Subdivision A of Local Law Number 1 of 1989 as amended by Local Law Number 1 of 1990 is hereby amended to add thereto the following:

DEPARTMENT OF HIGHWAY & BRIDGES
Commissioner

DEPARTMENT OF BUILDINGS AND GROUNDS
Commissioner

PUBLIC WORKS ADMINISTRATION
Controller

SECTION 3: This Local Law will take effect immediately.

and moves its adoption.

LOCAL LAW NO. 4 OF 2000

A LOCAL LAW IN RELATION TO THE SALE BY ULSTER COUNTY OF ITS RIGHTS TO RECEIVE PAYMENTS EXPECTED TO BECOME DUE UNDER THE MASTER SETTLEMENT AGREEMENT AND THE RELATED CONSENT DECREE AND FINAL JUDGMENT WITH VARIOUS TOBACCO COMPANIES

Be It Enacted by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT

The County Legislature hereby finds that:

a. The County of Ulster is entitled to receive payments under the Master Settlement Agreement (hereinafter, the "MSA") and the Consent Decree and Final Judgment of the Supreme Court of the State of New York, County of New York, dated December 23, 1998 (hereinafter, as the same may be amended or modified, the "Decree") in the class action entitled State of New York et al, v. Philip Morris Incorporated, et al (Index No. 400361/97); and

b. In order to secure to present generations a portion of the benefits intended to be conferred by the MSA and the Decree it is necessary or desirable for the County to sell all or a portion of its rights, title and interest in, to and under the Decree and in and to the moneys payable to the County under the MSA and the Decree (all such rights, title and interest hereinafter collectively referred to as the "Tobacco Settlement Revenues") to a local development corporation to be created by the County pursuant to the Not-For-Profit Corporation Law of the State of New York.

SECTION 2. AUTHORITY

Authorization to take all actions necessary to effect sales and to benefit from the consideration to be received from such sales.

The County is hereby authorized to sell to the said local development corporation, and to take any and all action necessary or desirable to effect one or more sales to the said local development corporation of, the County's rights, title and interest in and to all or a portion of the Tobacco Settlement Revenues and to take any and all actions necessary or desirable to enable the County to benefit from the consideration to be received from any such sale. The Chairman of the County Legislature or his designee(s) may approve the terms and conditions of any such transaction and the form and substance of any agreement of sale or other document necessary or desirable to effect any such transaction including the power to execute and deliver any such agreement or

other document as may be approved by the person executing the same and to take any and all other actions necessary or desirable to enter into, facilitate or consummate such transaction, including agreeing to pay certain fees and expenses which will be payable regardless of whether or not such transaction is consummated. The County shall use the initial proceeds to be received from said corporation from such sale to finance certain capital projects identified in the County's capital program and to finance the defeasance of County obligations. It is the intent of this Local Law that a sale by the County of Tobacco Settlement Revenues to the said local development corporation is, and it is hereby deemed to be, a true sale and not a borrowing.

SECTION 3. LOCAL DEVELOPMENT CORPORATION

The Chairman of the County Legislature or his designee(s) is hereby authorized to take all actions necessary to create a corporation pursuant to the New York Not-For-Profit Corporation Law Section 1411 (hereinafter, the "Corporation"). The Corporation shall be granted all powers as may be deemed necessary by the Chairman of the County Legislature or his designee(s), which powers shall include, but not be limited to, the power to purchase from the County its right, title and interest in and to all a portion of the Tobacco Settlement Revenues, to issue bonds, notes and other evidence of indebtedness and other securities and to incur other obligations, to create and transfer assets of the Corporation to a trust or other entity, and to take all other actions as may be necessary in connection therewith.

It is the specific intention of the County Legislature that the purpose and scope of the Corporation be limited to the transaction contemplated by this Local Law including the purchase of Tobacco Settlement Revenues from the County, the financing of such purchase and related transactions.

SECTION 4. COVENANT AND AGREEMENT

The County is hereby authorized to covenant and agree with the Corporation in a transaction contemplated by this Local Law for the benefit of the corporation and the

holders from time to time of any bonds, notes or other obligations or other securities (hereinafter collectively, the "Securities") issued by the Corporation that the County will not limit or alter the rights of the Corporation to fulfill the terms of its agreements with the holders of the Securities or in any way impair the rights and remedies of such holders or the security for the Securities until the Securities, together with the interest due thereon or payable in respect thereof and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The Chairman of the County Legislature or his designee(s) is granted the power to make such a covenant to and agreement with the Corporation and to take any and all actions necessary or desirable to cause such covenant to and agreement with the Corporation and to take and all actions necessary or desirable to cause such covenant and agreement to be made or enforced. The Corporation is hereby authorized to assign to or for the benefit of the holders of its Securities any covenant or agreement made by the County pursuant to this Section.

SECTION 5. EFFECTIVE DATE

This Local Law takes effect upon filing in the office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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LOCAL LAW NUMBER 5 OF 2000
A LOCAL LAW REQUIRING CHECKOUT ACCURACY AND
THE CLEAR, ACCURATE AND ADEQUATE DISPLAY OF SELLING PRICES

Section One: LEGISLATIVE INTENT

This Local Law updates and replaces Local Law Number 7 of 1991. The Ulster County Legislature recognizes that clear accurate pricing and checkout accuracy are basic consumer rights. It is the intent of this legislation to ensure that consumer goods offered for sale in Ulster County are clearly, accurately and adequately marked as to their selling prices.

Section Two: RULES GOVERNING USE OF CERTAIN WORDS

In this Local Law, unless the context otherwise requires:

1. Words in the singular number include the plural and in the plural include the singular.

2. Words of the masculine, feminine or neuter gender include the feminine, neuter and/or masculine genders.

Section Three: APPLICATION

1. This Local Law applies to every person engaged in the business of selling consumer commodities in Ulster County, as the term "consumer commodities" is defined in Section 214-h of the New York State Agriculture and Markets Law.

2. Nothing in this Local Law shall be construed to limit or restrict any right or remedy to which a person may be subject, under common law, or any other federal, state or local statute.

3. Pursuant to this section, and provided that selling prices are clearly displayed in Arabic numerals on signs clearly designating the consumer goods to which they refer, this Local Law shall not apply to any retail store which:

   a. Has as its only full time employee the owner thereof, and the parent, or the spouse or the child of the owner and (in addition thereto), not more than two other full-time employees: or

   b. Had annual gross sales in a previous calendar year of less than five-hundred-thousand dollars ($500,000.00), unless the retail store is part of a network of subsidiaries, affiliates or other member stores under direct or indirect common control, which, as a group had annual gross sales in a previous calendar year of five-hundred-thousand dollars ($500,000.00) or more; or

LOCAL LAW NUMBER 5 OF 2000
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Section Three - continued: APPLICATION

c. Engages primarily in the sale of food for consumption on premises or in a specialty trade that the legislature decides, by resolution, would be inappropriate for item pricing.

Section Four: DEFINITIONS

1. "Consumer Goods" means consumer commodities sold by any person, firm, partnership, corporation or association which sells, offers for sale or exposes for sale at retail in a food store or grocery department of a general merchandise store, a consumer commodity as defined in Section 214-h of the New York State Agriculture and Markets Law.

2. "Person" shall include without limitation any individual, firm, joint venture, association, co-partnership, group, corporation or any other legal entity or combination of entities whatsoever.

3. "Computer-assisted checkout system" means any electronic device, computer system or machine, including but not limited to laser scanners, which determines the selling price of consumer goods by interpreting coded information.

4. "Price look-up function" shall mean the capability of any checkout system to determine the retail price for an item of consumer goods by way of either automatic or manual entry into the system of a code assigned to that particular item.

5. "Stock-keeping unit" (SKU) shall mean each group of items offered for sale of the same brand name, quantity of contents, variety and retail price.

6. "Stock-keeping-item" (SKI) shall mean each individual item within a stock-keeping unit.

Section Five: ITEM PRICING REQUIRED

1. The selling price shall be clearly stamped, tagged, labeled or otherwise marked in Arabic numerals on each item of consumer goods offered for sale within Ulster County.

2. The provisions of Subsection 1 of this section shall not apply to the following consumer goods provided the selling price and unit of measure is clearly displayed in Arabic numerals on a sign, clearly designating the particular consumer goods to which it refers,

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Section Five - continued: ITEM PRICING REQUIRED

Located as close as practical, and closer than any other sign to the location at which the goods are displayed:

a. Fresh milk.

b. Fresh eggs.

c. Consumer goods which are displayed loose in bulk, not packaged prior to sale, and which are packaged for or by the consumer at the time of sale, such as but not limited to fresh produce, fresh baked goods, coffee beans.

d. Frozen food.

e. Foods sold for consumption on premises as well as foods prepared for immediate consumption but sold as take-out or sold from vending machines operated by the consumer.

f. Snack foods, such as but not limited to gum, candy, cakes, chips and nuts, offered for sale in single packages, weighing five (5) ounces or less and costing less than one (1) dollar.

g. Cigarettes and cigars sold by the pack or the carton.

h. Single containers of non-alcoholic beverages where the selling prices for different flavors packaged in identical sizes or quantities are the same.

I. Non-food stock keeping units which are under three cubic inches in size, and weigh less than three ounces, and are priced under a dollar.

j. Baby foods in containers with a net weight of 6 ounces or less.

k. Yogurt packaged and sold in single containers.

l. Packaged non-refrigerated gelatin, pudding and gelatin or pudding products.

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Section Five: ITEM PRICING REQUIRED

3. The provision of Subdivision 2 of this section may be subsequently modified either by adding or deleting consumer goods from the list of exemptions, provided that a resolution supporting such modification is passed by the Ulster County Legislature.

4. The County Sealer of Weights and Measures may further direct the manner in which the selling price of the exempted consumer goods shall be posted.

5. It shall be a violation of this Local Law:

   a. To stamp, tag, label or otherwise mark more than one selling price upon an item of consumer goods offered for sale in Ulster County unless the prior selling price is unmistakably deleted or obliterated or is otherwise marked so as to indicate clearly that the prior selling price is not the current selling price.

   b. To stamp, tag, label or otherwise mark any item of consumer goods at a selling price greater than the selling price advertised or displayed for that item.

   c. To sell or offer for sale any consumer goods or services at a greater price than the price displayed or advertised therefor.

   d. To sell or offer for sale any consumer goods that do not have a selling price displayed in conformity with Subsections 1 or 2 of this section.

   e. To use a computer-assisted checkout system or price look-up function that determines a retail selling price that exceeds the lower of any shelf, sale or advertised price for any item of consumer goods offered for sale.

Section Six: WAIVER FROM ITEM PRICING BASED ON CHECKOUT ACCURACY

1. Every person, store firm, partnership, corporation, or association which uses a computer-assisted checkout system and which would otherwise be required to item price as provided in section Five of this Local Law may make application in writing to the County Sealer of Weights and Measures (County Sealer) for a waiver of said item pricing requirement. A separate application shall be required for each store. Each application shall be subject to a non-refundable processing fee to cover the cost of conducting scanner accuracy inspections as provided in Subsection 2 of this section.

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A LOCAL LAW REQUIRING CHECKOUT ACCURACY AND
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Section Six- continued: WAIVER FROM ITEM PRICING BASED ON CHECKOUT ACCURACY

The County Sealer shall determine the processing fee and may revise it from time to time, but in no case shall said fee exceed one thousand dollars per application.

2. Upon receipt of an application and fee as provided in Subsection 1 of this section, the County Sealer shall cause to be conducted two scanner accuracy inspections of the store for which the application has been submitted. These inspections shall be conducted on two separate days and shall consist of comparing the shelf, sale or advertised price of any stock-keeping unit (SKU) with the computer-assisted checkout system price. Such inspection shall consist of at least 100 SKUs, but no more than 500, selected at the discretion of the County Sealer. In the event that any violations are detected, penalties shall be assessed as provided in Section seven, Subsections 6, 7 and 8 of this Local Law. If, considering both inspections together, the number of SKUs found in violation does not exceed two percent of all SKUs inspected, the County Sealer shall grant to the applicant a one-year revocable waiver from the item-pricing requirement. Any store with a current waiver shall be exempt from the requirements of Section five of this Local Law.

3. A waiver from item pricing shall be valid for a period of one year from the date of issuance. Stores may reapply annually for renewal of a waiver. A processing fee and two inspections shall be required for each annual renewal application, as required for an original waiver application.

4. In the event that total violations in excess of two percent are discovered in the inspections provided for in Subsection 2 or 3 of this section, the County Sealer shall deny a waiver to the applicant. If the owner of the store still wishes a waiver, such store m u s t promptly reapply for a waiver and pay the required fee to the County Sealer within five business days after being notified of the failure. Stores that do not reapply must promptly come into compliance with all the requirements of Section five, and, may not again reapply for a waiver until at least one year after denial by the County Sealer.

5. In the event that the County Sealer is unable to conduct inspections pursuant to Subsection 2 of this section within ninety days of receipt of a complete waiver application and proper processing fee, the County Sealer may grant a temporary waiver pending completion of inspections. The County Sealer shall cause said inspections to be completed as soon as practicable. If, upon completion, the inspections detect a violation rate in excess of two percent or less, the County Sealer shall issue a regular

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Section Six- continued: WAIVER FROM ITEM PRICING BASED ON CHECKOUT ACCURACY

waiver with an expiration date one year from the commencement date of the temporary waiver. If the inspections detect a violation rate in excess of two percent, the temporary waiver shall be immediately revoked and compliance with Section Five shall be required and the provisions of Subsection 4 of this section shall apply.

6. As a condition of the waiver from item pricing pursuant to this section, each store that accepts a waiver must agree to meet the following requirements, and no regular or temporary waiver shall be granted to a store that has not agreed to these requirements in writing:

a. The store shall designate and make available price check scanners to enable consumers to confirm the prices of stock-keeping items (SKIs). These price check scanners shall be in locations convenient to consumers with signs of sufficient sized lettering identifying these units to the consumers. Stores will submit their proposals for signs, number of devices and device locations to the County Sealer for approval.

b. The store shall not charge any customer a price for any SKI that exceeds the item, shelf, sale or advertised price of that SKI, whichever is least.

c. The store shall cause to be posted in a conspicuous location, accessible by all consumers and approved by the County Sealer a sign explaining the rights of consumers consistent with Section seven of this Local Law. The County Sealer will specify the content and size of this sign by regulation. The store is also required to post the temporary or annual waiver in the area designated for handling price discrepancies.

d. The store shall make payment to consumers who have been overcharged as provided in Section seven of this Local Law. Each store is required to designate at least one individual who is authorized to issue these payments during all of the store's operating hours.

e. The store shall correct all pricing errors identified by consumers at store level within one hour and, if applicable, at their firm, partnership, corporation, or association within twenty-four hours.

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Section Six- continued: WAIVER FROM ITEM PRICING BASED ON CHECKOUT ACCURACY

f. The store shall clearly display selling prices at the point of SKU display, by either placing signs or shelf tags as close as practical to the location at which the SKUs are displayed; and/or by stamping, tagging, labeling or otherwise marking each stock keeping item. Failure to display the selling price for a SKU, consistent with this subsection, constitutes a scanner error.

g. At any time, the Sealer of Weights and Measures may direct compliance inspections of any store accepting a waiver. These inspections shall consist of comparing the item, shelf, sale or advertised price of any stock-keeping unit (SKU) with the computer-assisted checkout system price. Such inspection shall consist of not less than 100 nor more than 500 SKUs selected at the discretion of the County Sealer. In the event that any violations are detected, penalties shall be assessed as provided in section seven, subsections 6, 7 and 8 of this Local Law. In the event that the number of SKUs found in violation equals or exceeds two percent of all SKUs inspected, the County Sealer may revoke the store's waiver from the item-pricing requirement. A store may promptly reapply for a waiver and pay the required fee to the County Sealer within five business days after being notified of the failure. Stores that do not reapply must promptly come into compliance with all the requirements of section five, and may not again reapply for a waiver until at least one year after revocation.

Section Seven: VIOLATIONS, CIVIL PENALTIES AND ENFORCEMENT

1. Any person who violates any provision of this Local Law, or who fails to comply with any order made by an enforcement officer pursuant to this local law shall be guilty of a violation and subject to a civil penalty.

2. Non-compliance within a stock keeping unit shall constitute a single violation, unless otherwise indicated by this Local Law.

3. For failure to clearly, accurately or adequately mark consumer goods as to their selling prices as required by this local law, civil penalties shall be imposed and fixed by the County Sealer of Weights and Measures.

4. For failure to clearly, accurately or adequately mark consumer goods as to their selling

prices as required by this local law, penalties shall not exceed five hundred dollars ($500.00) for each violation, nor exceed a total penalty of $15,000.00 per day.

5. The primary responsibility for administration and enforcement of this Local Law shall be with the County Sealer of Weights and Measures, except where otherwise noted herein. The County Sealer of Weights and Measures and his designees shall act as enforcement officers for this Local Law, and the County Sealer may bring an action in any court of competent jurisdiction to recover any penalties, and shall also recover in such action as an additional penalty reasonable attorney fees to be fixed and assessed by the Court, irrespective of whether or not the County Sealer is represented by the County Attorney in such action.

6. The stores with computer-assisted checkouts, enforcement officers shall be permitted to compare the item, shelf, sale or advertised price of any consumer goods with the programmed computer price. A store representative shall afford the enforcement officer access to the test mode of the checkout system in use or to a comparable function of the checkout system and to the retail price information contained in a price look-up function.

7. For violations resulting from a computer-assisted checkout system or price look-up function that determines a retail selling price exceeding the lower of any item, shelf, sale or advertised price for any item of consumer goods offered for sale, penalties shall not exceed five hundred dollars ($500.00) for each violation, nor exceed a total penalty of $15,000.00 per day.

8. An enforcement officer shall have the authority to issue a stop-removal order with respect to any device, system or consumer goods being used, handled, offered for sale or exposed for sale in violation of section five of this local law.

   a. Any stop-removal order issued with respect to any stock keeping item shall be in writing, shall list the violations and shall direct that any stock keeping unit in violation shall not be sold, offered for sale or exposed for sale until the violations are corrected.

   b. Any stop-removal order issued with respect to any device or system shall be in writing and shall list the violations. Such stop-removal order shall be stayed for up to two hours after the inspector provides the written stop removal order to the retail store provided that, until the violations are corrected, either: the stock

LOCAL LAW NUMBER 5 OF 2000
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Section Seven - continued: VIOLATIONS, CIVIL PENALTIES AND ENFORCEMENT

keeping units which are affected by the violations are not sold, offered for sale or exposed for sale; or signs are posted conspicuously at or near each checkout which clearly disclose to store employees and consumers which stock keeping units are affected by the violations and their correct prices, and the retail store ensures that consumers are charged the correct prices.

9. The County Attorney, in the name of the County, may upon request of the County Sealer of Weights and Measures, in addition to any other action authorized hereunder, maintain an action or proceeding in a court of competent jurisdiction on behalf of the County Sealer of Weights and Measures to compel compliance with or restrain by injunction any violation of this Local Law, notwithstanding any other provision hereof providing for a penalty or other punishment.

Section Eight: CONSUMER RIGHTS WHEN OVERCHARGED BY A STORE

1. Any consumer who suffers a loss because the price charged for a SKI is greater than the item, shelf, sale, or advertised price may seek a super-refund. A super-refund entitles the consumer to receive the overcharged SKI free, the difference between the price charged and the lower of the item, sale, shelf or advertised price, plus an amount equal to ten times that difference but not less than one dollar nor more than ten dollars. Within the same transaction, each subsequent overcharge for same SKU entitles a consumer to an additional refund equal to the difference between the price charged with the lower of the item, sale, shelf or advertised price, plus one dollar.

2. To collect a super-refund, a consumer must notify the store in person or in writing that the price charged is more than the item, sale, shelf, or advertised price. The consumer shall provide evidence of the overcharge. As soon as practical, and in any case, within one hour after receipt of such notification and verification of the overcharge, the store shall compensate the consumer as specified in subsection 1 of this section.

3. If the store fails to tender a super-refund or within the time set forth in this local law, the consumer may request a review by the County Sealer. Within ten working days of receipt of such a request, the County Sealer shall determine what payment, if any, is due under this section. A store that fails to comply with the County Sealer's determination or any other provision of this section is considered in violation and subject to penalties under section seven, subsection seven of this local law.

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THE CLEAR, ACCURATE AND ADEQUATE DISPLAY OF SELLING PRICES

Section Eight - continued: CONSUMER RIGHTS WHEN OVERCHARGED BY A STORE

4. A store may set an overcharge refund policy more generous than required by this Local Law, provided that policy is approved by the Sealer of Weights and Measures and a copy of the Sealer's approval is kept on file in the store.

Section Nine: DISPOSITION OF FINES AND PENALTIES

All fines and penalties imposed and collected by reason of civil enforcement of this local law shall be paid to the County of Ulster and credited to the general fund.

Section Ten: CONSENT DECREES AND AGREEMENTS

On consent of the County Sealer of Weights and Measures and a person accused of violating this Local Law, a consent decree or agreement may be entered into. No such consent decree or agreement shall restrict any legal right or remedy to which any consumer, complaining of the matter which is the subject of such consent decree or agreement, might otherwise be entitled, unless such consumer is a party thereto.

Section Eleven: SEVERABILITY

If any provision of this Local Law or application thereof to any person or circumstance be adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereof to any person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared severable.

Section Twelve: EFFECTIVE DATE

This Local Law shall take effect 120 days after adoption. Upon the effective date of this Local Law, Local Law Number 7 of 1991 shall be repealed.

Local Law No. 1 of 2001

A Local Law Establishing The Annual Salary For Certain Appointive And Elective Officers Serving For A Fixed Term

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. (A) The annual salaries of the following County Officers are hereby fixed for the year 2001 at the sum opposite the office and designation of such County Officer to wit:

County Clerk	$70,522.00
County Sheriff	$70,522.00
County Treasurer	$70,522.00
County Attorney	$75,437.00
County Auditor	$50,188.00
Purchasing Agent	$52,161.00
Public Defender	$45,350.00
Public Health Director	$83,019.00
Commissioner of Social Services	$63,890.00
County Administrator	$76,825.00
Personnel Officer	$65,078.00
Real Property Tax Service Agency Director	$55,340.00
Deputy County Administrator	$56,016.00
Deputy County Administrator	$61,058.00

(B) For the balance of the year 2001 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 2001 prior to such effective date, will equal the annual salary fixed for such office for the year 2001, as above set forth.

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County

Adopted: February 8, 2001

Local Law No. 2 Of 2001

County of Ulster

A Local Law Applying The Salary Revisions Of Resolution No. 219 Of 2001 To All County Officers Serving For Fixed Terms

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. The Legislature finds and determines that the salaries of county officers serving for fixed term of office may be changed and adjusted only by local law.

SECTION 2. (A) The annual salaries of such county officers as are serving for a fixed term of office shall be adjusted and changed in accordance with the provisions of Resolution No. 219 of 2001.

(B) For the balance of the year 2001 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 2001 prior to such effective date, will equal the annual salary fixed for such office for the year 2001, as above set forth.

SECTION 3. This local law shall take effect upon compliance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

Adopted: June 14, 2001

Local Law No. 1 of 2002

A Local Law Amending The Kingston/Ulster Empire Zone Boundary

Be it enacted by the County Legislature of the County of Ulster as follows:

Section 1. The City of Kingston and Town of Ulster have both respectively enacted their separate Local Laws #2 of 1994 to establish an Economic Development Zone within the City of Kingston and the Town of Ulster based upon sudden and severe economic distress criteria. The County of Ulster has supported such Zone and intends by this enactment to promote the goals and purposes of the Kingston Ulster Empire (formerly Economic Development) Zone, and to confirm and approve its boundaries. The Legislature has conducted a public hearing on this local law to consider and receive public comment concerning such boundaries. The Legislature finds and determines that the establishment of boundaries as herewith set forth will not have a significant impact upon the environment.

Section 2. The Kingston Ulster Empire Zone boundary shall be amended to read and be described as follows:

Boundary Description
Kingston/Ulster Empire Zone

All that tract of land encompassed by the following:

Beginning where the southwesterly corner of 56.57-3-4 meets the Rondout Creek, and following said creek in an easterly direction where it meets the westerly side of Island Dock Rd., thence continuing around the perimeter of Island Dock to the easterly side of Island Dock Road, thence north along the easterly side of Island Dock Road to the southerly side of Abeel St., thence east along the southerly side of Abeel to the northeastern most corner of Block Park (56.50-6-12) thence approximately 400'± south to the intersection with the Rondout Creek, thence northeast along the Rondout Creek edge, thence to the most northerly tip of the peninsula surrounded by the Hudson River to the east, the Rondout Creek to the south and Kingston Point Lagoon to the north and west, following the peninsula over to the easterly edge of Kingston Point incorporating Heritage Energy Tank Farm and adjoining properties, 57.21-1-1, 57.21-1-2, 57.21-1-3, 57.21-1-4, 57.21-1-5, 57.21-1-6, 57.21-1-7, 57.21-1-8, 57.21-1-9, 57.21-1-10, 57.21-1-11, 57.21-1-12, 57.21-1-13, thence south and west along the lagoon and northern bound of the former Penn Central Railroad to a point, thence along the northern bound of said railroad to North Street, thence along North Street in a northeasterly direction to the west corner of Central Hudson Gas & Electric (56.028-3-24), thence along the northern bound of Central Hudson Gas &

Electric in an easterly direction to the northeast corner of same, thence south along the eastern bound of Central Hudson Gas & Electric to the northern bound of a 25' wide Central Hudson Gas & Electric right-of-way to the Hudson River and along said right-of-way in an easterly direction to the Hudson River, and following said river north to the most northerly point of land commonly known as "The Brickyard" (48.084-1-4), thence west along said property to North Street, thence south along North Street to the interior corner of the RF-H Zone north of Beach Street, thence northwest along the RF-H Zone bound to Ridge Street, thence southeast along Ridge Street to Regina Street, thence west along Regina Street to Hickory Street, thence south along Hickory Street to Delaware Avenue, thence west along Delaware Avenue tot he intersection with Abruyn Street and Yeomans Street then continuing southwest along Yeomans Street to its dead end and continuing west and north along the perimeter of Hasbrouck Park following westerly to the Kingston City RR, thence north along the Kingston City RR to the entrance road of Rondout Gardens, thence westerly across Frank Koenig Boulevard, following Garraghan Drive to Broadway, thence north along Broadway to the northern most property lines of 56.35-3-18, thence northeast for a distance of 20', then proceeding along a continuous 20 ft set back, off the east side of Broadway, in a northerly direction to the intersection with the northern boundary line of Stuyvesant Street, thence proceeding northeast along the northerly bound of Stuyvesant Street to the centerline of Frank Koenig Boulevard, thence south along the center line of Frank Koenig Boulevard to Murray Street, thence east along Murray Street to the southern edge of Delaware Avenue, thence southeast along this edge to the point across from the easterly side of the Kingston Business Park access road, thence north across Delaware Avenue to a point at the intersection of the northerly street line of Delaware Avenue being also the point approximately 200'± west of the centerline of Roseanna Street.

(Kingston Business Park)
Thence south 7º 33' 10" west for a distance 30.48'; thence northeasterly on a curve with a radius of 80.0' for a distance of 124.18'; thence easterly on a curve to the left with a radius of 535' for a distance of 324.57'; thence northerly on a curve to the left with a radius of 285' for a distance of 360.4'; thence northeast for a distance of 517.57'± to a point; thence northwest for a distance of 555.0'± to a point; thence northwest for a distance of 105.0'± to a point; thence northeast for a distance of 40.0'± o a point; thence northwest for a distance of 140.0'± to a point; thence northeast for a distance of 670.0'± to a point; thence northeast for a distance of 500.0'± to a point; thence northeast for a distance of 200.0'±; thence northeast for a distance of 729.0'± to a point; thence northeast for a distance of 230.0'± to a point; thence northwest for a distance of 600.0'± to a point; thence southwest for a distance of 670.0'± to a point; thence southeast for a distance of 310.0'± to a point; thence

southwest for a distance of 1030.0'± to a point; thence southwest for a distance of 120.0'± to a point; thence southwest for a distance of 210.0'± to a point; thence southeast for a distance of 440.0'± to a point; thence S 08º 00'00" W for a distance of 300' to a point; thence S72□00'00" W for a distance of 495' to a point; thence S 09º 16'42" W for a distance of 531.97' to a point; thence on a curve to the right with a radius of 215.00' and a length of 271.88'; thence on a curve to the right with a radius of 465.00' and a length of 282.10'; thence on a curve to the left with a radius of 150.00' and a length of 232.84'; thence north 07°33'10" east to Delaware Avenue to a point along the northerly street line of Delaware Avenue; thence west along said northerly street line of Delaware Avenue to Hasbrouck Avenue and the former Kingston City RR crossing, thence north-northwest along Hasbrouck Avenue to Foxhall Avenue, thence proceeding northwest along Foxhall Avenue to the intersection with the northern boundary of Stephan St., thence 200' east to a point, thence 120' north to a point, thence 100' east to a point, thence 175' north to the northern boundary of Emerick St., thence 25'± west to a point, thence 125' north to a point, thence 165.3' west to a point, thence 125' north to a point, thence 77' east to the easterly boundary of Consolidated Rail Corp., thence 275'± south to a point incorporating lots 48.082-3-49, 48.082-3-50, and 48.082-3-53. Thence crossing the Consolidated Rail Tracks to the southeast corner of 48.082-1-27, thence continuing 125' east to the eastern edge of Foxhall Avenue, thence northwest on Foxhall Avenue to the northern corner of Gage Street. Then, following along the northern boundary of Gage Street to the westerly boundary of the Conrail R.O.W. Following the westerly boundary of the Conrail R.O.W. north to 50' south of the Corporate City boundary, thence following 50' south of the Corporate City boundary to the easterly boundary line of the Conrail R.O.W. heading south-southwesterly along the Conrail R.O.W. 1,350'± to a point, thence easterly 110'± to the northwest corner of 48.074-3-27, thence following the northern boundaries of 48.074-3-27 and 48.074-3-26 to the northeast corner of 48.074-3-26 and Colonial Drive, thence projecting the line of the westerly border of Colonial Drive north to the Corporate City Boundary, thence east along the corporate boundary to the southerly side of East Chester Street Bypass (Route 9W) following said street line, in an easterly direction to the intersection with Flatbush Avenue (Route 32), incorporating tax map parcels 48.074-3-31.1 and 31.2, following back to the northerly side of Route 9W. Thence northerly along Route 9W for a distance of 175' to a point, thence southwest to a point 50' south of the southerly side of Route 9W, thence following a course 50' south of the southerly side of Route 9W to the intersection of Ulster Avenue. Thence west on the southerly side of Ulster Avenue to a point 50' west of the western Conrail bound, thence north following a course which is 50' west of the western Conrail bound to a point on the center line of Old Neighborhood Road, thence 50' east to the westerly edge of the Conrail property, thence along said westerly boundary north to State Route 209, crossing Rt. 209 to the

southeast corner of 39.082-2-30.42, thence north along eastern boundary of 39.082-2-30.42 to the northeast corner, thence north 40'± to a R.O.W. break, thence east crossing the Conrail R.O.W. to the southeast corner of 39.082-2-19, thence along southern boundary of 39.082-2-19 to the R.O.W. of Route 9W, thence north 347.8' to the northeast corner of 39.082-2-19, thence west along north boundary of 39.082-2-19 and recrossing the Conrail R.O.W. to a point on the eastern boundary line of 39.082-2-30.41, thence north along said boundary and crossing Grant Avenue diagonally to the southeast corner of 39.19-3-48.1 thence north following the eastern boundary of 39.19-3-48.1 to the northeast corner of said parcel, thence north along eastern boundary of 39.19-3-47, 150'± to the southeast corner of 39.19-3-48.4, thence following eastern boundary of said parcel 1,280'± to a point, thence east 80' ± to a point, thence along eastern boundary of 39.19-3-48.2 to the corner of Leggs Mills Rd., thence crossing Leggs Mills Rd.. to the southeastern corner of 39.015-7-19.1, thence following around the perimeter of said parcel, north 137.3' to a point, thence east 119.5' to a point, thence north 87.5'± to a point, thence north northeast to a point on the southern boundary line of 39.015-7-25.2 and also offset 50' west of the western boundary line of the Conrail West Shore line, thence north parallel to the Conrail boundary to the intersection of Katrine Lane, thence east 50' to the Conrail boundary, then continuing east 70'± crossing the Conrail property to the northwest corner of 39.015-5-1, thence crossing Katrine Lane to the southwest corner of the Miron site 39.015-4-19, thence following boundary with Katrine Lane 374'± to a point, then north along east side of existing warehouse building 506'± to a point then west along the north side of warehouse to a point on the property line of 39.015-4-19 and the Conrail R.O.W., then south along the boundary 370' to a point, then west crossing Conrail R.O.W. to a point on the eastern boundary of 39.015-4-20, the south 50'± to the southeast corner of 39.15-4-20, the northwest 100' to a point along the boundary of 39.015-4-20 and Katrine Lane. Thence crossing Katrine Lane to a point 100' west (on the northern boundary of 39.015-6-25.2) of the northeast corner of 39.015-6-25.2, continuing along the northern boundaries in a westerly direction of lots 39.015-6-25.2, and 39.015-6-25.3 to the northwest corner of 39.015-6-25.1, thence following along the western and southern boundary of 39.015-6-25.1 to the southeast corner. Thence on a line south southwest for 580'± to a point on the northwest corner of 39.015-7-19.1, then 221.9' along the western boundary of 39.015-7-19.1 to Leggs Mills Road, then continuing southeast along Leggs Mills Road 250'± to a point, thence crossing Leggs Mills Rd. in a southwesterly direction to the northeastern corner of 39.019-3-48.4, following the western perimeter of 39.019-3-48.4 to its southwestern corner with 39.019-3-47, thence southwest 120'± crossing 39.019-3-47 to a point on the northern boundary of 39.019-3-48.1, thence west 540'± to the northwest corner of 39.019-3-45, following lot boundary west, south then east to the southeast corner of 39.019-3-45, thence following along the southern boundary

of 39.019-3-48.1 for a distance of 210'± thence crossing Grant Avenue 120'± to the northwestern corner of 39.082-2-30.41, thence south 600'± to a point on the northern boundary of 39.082-2-30.42. Thence west 460' to the northeast corner of 39.082-2-31 thence along the northern and western boundaries of 39-082-2-31, to the southwest corner of 39.082-2-31, thence recrossing Rt. 209 south to a point 50'± south of the southerly edge of Old Neighborhood Road, thence west along a course of 50'± south of the southerly edge of parcels 48.007-1-4 and 48.007-1-29.26 to a point 50'± east of the easterly edge of Enterprise Drive, thence southerly for a distance of approximately 1460' along a course 50'± east of the eastern edge of Enterprise Drive, thence west for a distance of approximately 300'± crossing Enterprise Drive and following the perimeter of IBM Buildings 201 and 203 ending at a point 40' ± south of the starting perimeter point, thence re-crossing Enterprise Drive to the east 300'± to a point 50'± east of the easterly edge of Enterprise Drive, thence south for a Distance of 640'± along a course 50' east of the eastern edge of Enterprise Drive, thence west to a point 340'± north of Boices Lane thence crossing Enterprise Drive to the west and following the westerly road boundary in a southerly direction to the intersection with Boices Lane, thence following Boices Lane west 900'± to a point thence following the western and southern boundary lines of Edgewater (Metropolitan Life) 48.007-2-37.2, 48.007-2-37.1 continuing across Mt. View to its eastern edge thence north to the intersection of Boices Lane and Enterprise Drive, thence following the east side of Enterprise Drive for a distance of 300'± to a point on the outside perimeter of IBM Building 025 thence following said perimeter in a counter clockwise manner to a point 150'± north of the southeastern corner of Building 025, thence east 450' to a point, thence south 960'± to a point 50'± north of the northern edge of Boices Lane, thence southeast along a course 50'± north of the northern edge of Boices Lane for a distance of 825'± to a point, thence south, crossing Boices Lane, following the centerline of Morton Boulevard.

Thence following Morton Boulevard south to the intersection with Ulster Avenue, following east to the intersection of Old Rt 9W, thence along the west and then south property lines of 48.050-5-12 to a point 50'± west of Consolidated Rail, thence east across lands of Consolidated Rail to a point 50'± east of the rail, following a course south, which is 50'± east of Consolidated Rail for a distance of 4,400'± to a point being the northeasterly corner of 48.066-2-14.2, thence west-northwest 600'± to a point, thence north-northwest 250'± to a point, thence west-northwest 340'± to a point, thence south-southwest 300'± to a point, thence east-southeast 875'± to a point being the southeasterly corner of 48.066-2-14.2 thence south along the Conrail R.O.W. to the Kingston Corporate boundary and heading west to Albany Avenue. Following Albany Avenue southwesterly to the intersection with Flatbush Avenue, thence easterly along Flatbush to Foxhall Avenue, southeasterly along Foxhall to

O'Neil Street, thence southwesterly along O'Neil Street to South Manor Avenue, thence heading southwest along the manufacturing zoning boundary to Tremper Avenue, thence northwest on Tremper to O'Neil, thence 100'± southwest along O'Neil to a point, thence northwest 240'± to a point, thence southwest 400'± to the Ulster County Rail Line, following said rail northwest to a point approximately 350'± northwest of Elmendorf Street, thence 410'± southwest to the centerline of Broadway, thence northwest on Broadway to the intersection with Maiden Lane, thence 60' southwest along the southerly side of Maiden Lane to a point, thence 154' southeast to a point, thence 98' ± southwest to a point, thence 5.3'± southeast to a point, thence 78.4' southwest to a point, thence 180'± to the centerline of St. James Street, thence southwest along the centerline of St. James Street to the eastern edge of Clinton Avenue, thence north to the northern edge of St. James Street, thence west to the western edge of Clinton Avenue, north along the western edge of Clinton Avenue to a point being the northeast corner of parcel 48.331-5-5, thence southwest along the southern edge of parcel 48.331-5-21, for a distance of 150'± to a point being 40'± west of the southwest corner of 48.331-5-5, thence southeast along a course 150'± west of the westerly edge of Clinton Avenue to the centerline of St. James Street, thence northeast to the centerline of Clinton Avenue, thence southeast 365' along Clinton Avenue to a point, thence northeast 165'±to a point, thence northwest 25'± to a point, thence northeast 178'± to a point, thence northwest 21.5'± thence northeast 25.5'± to a point, thence southeast 116.5'± to a point, thence northeast 175' to the centerline of Prospect Street, thence following the C-2 (Commercial Zoning Boundary) line southeast to the northeast corner of 56.109-3-26, thence south 34.5' to a point, thence east 183.2' to a point thence south along the boundary of 56.109-3-43 crossing Cedar Street to a point on its southern boundary 255'±, thence along Cedar Street, southwest to Clinton Avenue, southeast on Clinton Avenue to Barmann Avenue, thence northeast along Barmann to the closest rail line, thence northwest to a point 400'± thence southeast along Sterling Street to Summer Street, thence northeast to Susan Street, thence southeast along Susan Street to Pine Grove Avenue, then along the M-1 Zoning to Hoffman Street, thence along the C-2 boundary southeast to the westerly edge of Orchard Street, thence along the westerly edge of Orchard Street to the north easterly bound of Broadway thence following the northeasterly bound of Broadway in a southeasterly and then southwesterly direction to McEntee Street, following McEntee Street to the westerly edge of Adams Street, thence south along the westerly edge of Adams Street to the north side of West Pierpont Street, thence southwesterly on the northern edge of West Pierpont Street to the west side of Wurts Street, thence southeasterly on the western edge of Wurts Street, to the north side of Hunter Street, thence southwesterly along the northern edge of Hunter Street to the east side of Ravine Street, thence northwesterly along the easterly edge of Ravine Street to the south side of Spruce Street, thence southwesterly along the south side of

Spruce Street to the east side of Hudson Street, thence southwest along the east side of Hudson Street to Abeel Street, thence west on Abeel Street to Dunn Street, thence northwest on Dunn Street to Rodney Street, thence along Rodney Street and continuing west-southwest along the M-2 (Manufacturing Zone) boundary, following to Abeel Street, crossing to the south to the place and point of beginning.

Stockade Area
(Note: This area is not a subzone and is directly tangential to the remainder of the major Kingston-Ulster EDZ Area on Clinton Avenue. The description has not been integrated for ease of use)

Starting at a point at the southernmost corner of the Stockade District boundary near the intersection of Green and Main Streets, and proceeding in a northwesterly direction along said Stockade District boundary to the intersection of Lucas Avenue, thence proceeding in a northwesterly direction 430'± along said Stockade District boundary to a point, thence west for a distance of 290'± to the east side of Washington Avenue, thence along the east side of Washington Avenue south for 360'± thence crossing Washington Avenue to the West and proceeding 280'± to the centerline of Joy's Lane, thence 177'± to the south along the centerline of Joy's Lane to a point, thence in a southwesterly direction 300'± to a point, thence northerly for a distance of 481'± to a point, thence southeast for a distance of 201' ± to a point on the centerline of Joy's Lane, thence 72' to the southeast to a point, thence 185'± east to the west side of Washington Avenue, thence 150'± northwest along the west side of Washington Avenue to a point, thence 65'± northeast, crossing Washington Avenue to a point, thence 230'± north, northwest to the centerline of North Front Street, thence along centerline of North Front Street for a distance of 375'± to a point on the Stockade District boundary, thence proceeding in a northeasterly direction to the northwestern corner of the District (northwest corner of parcel 48.314-1-4.1), then crossing Frog Alley (Converse Street) following the rear property lines of parcels 48.314-2-21, 20, and 17, then southerly along the eastern boundary of 48.314-2-17 to North Front St., then crossing North Front St. to the northwest corner of parcel 48.330-3-3 then south along the easterly bounds of parcel 48.330-3-2 a distance of 140'±then west along the southerly bounds of said property a distance of 74'± to the northwest corner of 48.330-3-29 then southeast to the intersection with John St, then east along John St. a distance of 55'± that being the southwest corner of 48.330-3-26, then north along the westerly bounds of said property a distance of 95'±, then east and north along the side and rear bounds of 48.330-3-28.1 a distance of 125'± to the northwest corner of 48.330-3-11 then east along the northern bounds of said property a distance of 200'±, to Crown Street.

Then north along Crown St., a distance of 200'± to the northeast corner of parcel 48.330-3-9 then west along the northern bounds of said parcel a distance of 58'±, then north along the eastern bounds of 48.330-3-5 a distance of 145'± to North Front St., then crossing North Front St. to the front property line of parcel 48.314-2-16 then easterly along the southerly boundary of said parcel for a distance of 80'±, then northerly along the westerly boundary of 48.314-2-15 for a distance of 111'±, then easterly along the rear property lines of parcels 48.314-2-5,14,13,12,11,10,9,8,7,6,5,4 and 3, then southerly along the western boundary of 48.080-1-26 to North Front St., then easterly along North Front St. crossing Fair St. Extension, then north along Fair St. Extension for a distance of 209'±, then east along the rear property lines of 48.080 1-25 and 24.2 to Clinton Avenue Extension, then south on Clinton Ave Ext., then northwest along Clinton Ave to North Front St., then west along North Front St. to the northeasterly corner of 48.331-3-2, then southerly along said parcel for 60'± , then southwest along said parcel for a distance of 115'±, then north along the westerly side of the parcel 113' to North Front St.

Then westerly along North Front St. to Fair St., then southeast along Fair for 230'± then west crossing Fair St. to the northeast corner of parcel 48.331-2-18, then west along said property for a distance of 43'±, then along the rear of said parcel in a southerly direction to John St., then east along John St. to the intersection with Fair St., then northwest along Fair St. for a distance of 60'±, then east crossing Fair St. following the rear lines of parcels 48.331-3-13, 12 and 6, to Clinton Ave, crossing Clinton Avenue in an easterly direction along the northern boundary of parcel 48.080-1-23, then along the rear property lines of parcels 48.080-1-23, 22, 21, 20 and 19, and then southerly, crossing Westbrook Lane and following Westbrook Lane in a northeasterly direction to the corner of Aaron Lane, then east-southeast 125'± to a point, then south-southwest 365‘± to a point at the corner of the parking lot, then east southeast 125'± to the southeast corner of same parking lot. Then north-northeast 275'± to a point, then north 200' to a point on the R.O.W. of County of Ulster Railway, then east-northeast 100' to a point, then north-northeast 580' to a point, then east-southeast 245' to a point then south 735' to a point on the Ulster County RR R.O.W. then east-northeast 500' to a point, then south 165'± to a point, then south-southeast 300' to the southwest corner of the easternmost parking lot, then east-southeast 135' to a point on the property line of 48.080-1-34, then south 128'± to the southeast corner of 48.080-1-34, then west along property boundary 287' to a point, then southwest for a distance of 370' to Clinton Ave., then crossing Clinton Ave. in an easterly direction to the southeast corner of parcel 48.331-5-5, then long the southern boundary of said lot for a distance of 109'± in a westerly direction, then north for a distance of 125'± to Main St., then crossing Main St. in a northerly

direction, then proceeding west along the front property lines of 48.331-4-11,12, then northwest and south around the boundary of parcel 48.331-4-13 returning to Main St., then following Main St. westerly to Fair St., then following south on Fair for a distance of 190'± to the southwest corner of 48.331-5-1, then west crossing Fair, then westerly along the rear property lines of parcels 48.331-6-9 and 16 to the southwest corner of 48.331-6-16 then north along said parcel to Main St., then crossing Main St. and proceeding easterly along the southern boundary of 48.331-6-7 to the intersection with Fair St., then north along Fair St. a distance of 126'± , then west along the southern boundary of 48.331-6-6, then north along the rear property lines of 48.331-6-6 and 6-5, to the northwest corner of 48.331-6-5, then east along said property line to Fair St., then north along Fair St. a distance of 37'±, then west along the northern property lines of parcels 48.331-6-4 and 6-7, a distance of 272'± to Wall St, then north on Wall St. 190'± to the northwest corner of parcel 48.331-6-22, then westerly crossing Wall St. to the southeast corner of parcel 48.331-7-3, then westerly for a distance of 100'± to the southwest corner of 48.331-7-2, then northerly along said property a distance of 105'± to John St., then west along John St. to the intersection with Crown St., then crossing Crown St. to the northeast corner of parcel 48.330-3-15, then south along Crown St. for a distance of 190'± to the northeast corner of parcel 48.330-3-19, then southwest a distance of 106'±, to the easterly side of Green Street (northwesterly corner of 48.330-3-19), then southeast along the westerly boundary of 48.330-3-19 a distance of 190'± to the southern most tip of parcel 48.330-3-19, then easterly crossing Crown St. to the northwest corner of parcel 48.331-7-14, then north along Crown St. a distance of 130'± to the southwest corner of parcel 48.331-7-5, then along the southern boundary of said property a distance of 330'± to Wall St., then south along Wall St. to the intersection with Main St., then crossing Main St. and continuing for 144'± south to the southeastern corner of parcel 56.091-2-9, then west along the southern boundary of parcels 56.091-2-4,-3,-18, a distance of 240'± to Green St., then west crossing Green St. to the southeastern corner of parcel 56.090-4-15, then traveling east a distance of 132' to the point and place of beginning.

Also included in the City of Kingston, the following parcels:

48.74-3-25.200	48.333-6-1
48.74-3-26.100	48.333-6-2
48.74-3-26.200	

BOUNDARY DESCRIPTION
TOWN OF SAUGERTIES
SUBZONE #1

DESCRIPTION

Prepared for Town of Saugerties

All that certain lot, piece or parcel of land situate, lying and being in the Town of Saugerties, County of Ulster and State of New York, and being more particularly bounded and described as follows:

Beginning at a point on the Easterly line of the New York State Thruway, said point also being the Northwest corner of the herein described parcel of land and the Southwest corner of Lot 34 as shown on the Town of Saugerties Tax Map No. 17.004, Block 2; thence, along the Southerly line of said lot 34 in a Easterly direction approximately 150' (feet) to a point on the Westerly line of a public road known as Old Kings Highway; thence, along the Westerly line of said Old Kings Highway, approximately 4500' (feet) in a Southerly direction to a point; thence, crossing said Old Kings Highway, approximately 100' (feet) in an Easterly direction to a point, in Lot 33 as shown on the Town of Saugerties Tax Map No. 28.002, Block 3; thence, through said Lot 33, the following three (3) courses:

1. In a Southerly direction 250' (feet) to a point approximately 100' (feet) from the Westerly line of said Old Kings Highway,
2. In an Easterly direction 150' (feet),
3. In a Southerly direction 1450' (feet) to a point; said course being a line parallel and approximately 200' (feet) from the Easterly line of said Old Kings Highway; thence, in an Easterly direction approximately 100' (feet) to a point at the Northeast corner of Lot 32 as shown on the Town of Saugerties Tax Map No. 28.002, Block 3; thence, along the Easterly line of said lot 32 and the Westerly line of lands of Consolidated Rail Corporation in a Southerly direction approximately 400' (feet) to a point at the Northeast corner of Lot 40 as shown on the Town of Saugerties Tax Map No. 28.002, Block 3; thence, in a Westerly direction approximately 250' (feet) along the Northerly line of said Lot 40 and Lot 31 as shown on the Town of Saugerties Tax Map No. 28.002, Block 3; thence, along the Easterly line of aforesaid Old Kings Highway in a Northerly direction approximately 1350' (feet) to a point; thence, crossing said Old Kings Highway in a Westerly direction approximately 50' (feet) to a point on the Westerly line of said Old Kings Highway; thence, along the

Westerly line of said Old Kings Highway in a Northerly direction approximately 500' (feet) to a point at the intersection of the Northerly line of a road known as Post Lane and the Westerly line of said Old Kings Highway; thence, in a Westerly direction approximately 550' (feet) through Lot 21.2 as shown on the Town of Saugerties Tax Map No. 28.002, Block 2; thence, continuing through said Lot 21.2 in a Northerly direction approximately 400' (feet) to a point on the Easterly line of the aforesaid New York State Thruway; thence, along the Easterly line of said New York State Thruway, in a Northerly direction approximately 4250' (feet) to a point or place of beginning.

Containing approximately 52 acres of land.

The above description was prepared be Praetorius and Conrad, P.C.

Property to be deleted from the Town of Saugerties description include the following parcels:

28.2-2-12.200
28.2-2-18.100
28.2-2-13
28.2-2-14
28.2-2-15
28.2-2-16

BOUNDARY DESCRIPTION
TOWN OF WAWARSING
SUBZONE #2

DESCRIPTION OF LANDS
TO BE INCLUDED IN
KINGSTON - ULSTER EMPIRE SUBZONE NO. 2
30 ACRE PARCEL

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Wawarsing, County of Ulster and State of New York and being more particularly bounded and described as follows:

BEGINNING at an “X” found cut on a concrete slab at the northerly corner of lands of V.A.W. of America, Inc., L. 1184 - P. 480 and on the bounds of lands of Imperial Schrade Corporation, L. 1837 - P. 338 and L. 1519 - P. 330;

THENCE from the said point of beginning and following the said bounds South 39 degrees 01 minutes 25 seconds East, as the compass pointed in 1984, a distance of 644.77 feet to a point;

THENCE running through lands of V.A.W. of America, L. 1267 - P. 392 and running through lands of Ulster County Industrial Development Agency, L. 2465 - P. 261 for the latter portion of the course and running along the southerly line of a building situate on the said lands for a portion of the course South 51 degrees 01 minutes 34 seconds West 1064.31 feet to a point;

THENCE running through the said lands of Ulster County Industrial Development Agency for a portion of the course and running through lands of V.A.W. of America, Inc., L. 1267 - P. 392 and L. 1174 - P. 1127 North 38 degrees 58 minutes 26 seconds West 441.10 feet to a point on the southerly line of the main building;

THENCE running through lands of V.A.W. of America, Inc. L. 1174- P. 1127 and running along the line of the building on said lands for the following nine courses and distances:

1. South 51 degrees 01 minutes 34 seconds West 102.63 feet,
2. North 38 degrees 53 minutes 29 seconds West 40.85 feet,
3. South 51 degrees 01 minutes 34 seconds West 36.50 feet,
4. South 38 degrees 58 minutes 26 seconds East 52.70 feet,
5. South 51 degrees 00 minutes 57 seconds West 16.40 feet,
6. North 38 degrees 58 minutes 26 seconds West 113.58 feet,
7. South 51 degrees 01 minutes 34 seconds West 53.32 feet,
8. North 38 degrees 47 minutes 56 seconds West 61.05 feet and
9. North 51 degrees 28 minutes 23 seconds East 69.08 feet to a point at the southerly corner of the building on the lands of Imperial Schrade Corporation, L. 1837 - P. 338 and L. 1519 - P. 330.

THENCE running through the said lands and running along the line of the said building for the following six courses and distances:

1. North 38 degrees 58 minutes 52 seconds West 83.27 feet,
2. South 51 degrees 01 minutes 08 seconds West 48.83 feet,
3. North 38 degrees 51 minutes 05 seconds West 197.63 feet,
4. North 51 degrees 01 minutes 08 seconds East 208.16 feet,
5. North 38 degrees 51 minutes 05 seconds West 80.19 feet and
6. North 51 degrees 01 minutes 08 seconds East 893.42 feet to a point at the northerly corner of the said building;

THENCE continuing through the said lands North 51 degrees 01 minutes 08 seconds East 628.61 feet to a point, said point being South 62 degrees 00 minutes 30 seconds West 50.86 feet from an iron rod at the southeasterly corner of lands now or formerly of Jo-Nann Realty, L. 1520 - P. 975;

THENCE continuing through the said lands of Imperial Schrade Corporation for the remaining four courses and distances:

1. South 38 degrees 58 minutes 52 seconds East 75.00 feet,
2. North 51 degrees 01 minutes 08 seconds East 217.43 feet,
3. South 38 degrees 58 minutes 52 seconds East 244.71 feet and
4. South 51 degrees 00 minutes 37 seconds West 696.12 feet to the point of beginning and containing approximately 30.000 acres.

SUBJECT to all utility grants and easements of record affecting the premises described herein.

BEING a portion of the premises conveyed to the Imperial Schrade Corporation by the following two deeds:

1. From Avnet, Inc. by deed dated December 31, 1984 and recorded in the Ulster County Clerk's Office in Liber 1519 of Deeds at Page 330.
2. From Ulster County Industrial Development Agency by deed dated July 12, 1988 and recorded in the Ulster County Clerk's Office in Liber 1837 of Deeds at Page 338.

BEING a portion of the premises conveyed to V.A.W. of America by the following three deeds:

1. From Rondout Management Corp. by deed dated September 24, 1965 and recorded in the Ulster County Clerk's Office in Liber 1174 of Deeds at Page 1127.
2. From Rondout Management Corp. by deed dated June 30, 1966 and recorded in the Ulster County Clerk's Office in Liber 1184 of Deeds at Page 480.
3. From Harry Resnick, et al deed dated October 8, 1971 and recorded in the Ulster County Clerk's Office in Liber 1267 of Deeds at Page 392.

BEING a portion of the premises conveyed by V.A.W. of America, Inc. to Ulster County Industrial Development Agency by deed dated December 1, 1994 and

recorded in Liber 2465 of Deeds at Page 261.

BOUNDARY DESCRIPTION FOR ADDITIONAL LOCATIONS AS SET FORTH IN THE FOLLOWING GLOBAL POSITIONING SYSTEM COORDINATES ENCLOSING THE INDICATED BUSINESSES WITHIN TOWNS:

GLOBAL POSITIONING SYSTEM (GPS)
MEASUREMENTS OF PROPERTY TO BE INCLUDED IN THE KINGSTON/ULSTER EMPIRE ZONE

Land Mark#	Date	Time	Town/Village	Business	Latitude	Longitude
50	07/17/01	14:51	Town of Lloyd	Zumtobel	4622706	586183
51	07/17/01	14:54	Town of Lloyd	Zumtobel	4622712	586197
52	07/17/01	14:56	Town of Lloyd	Zumtobel	4622710	586218
53	07/17/01	14:59	Town of Lloyd	Zumtobel	4622761	586222
54	07/17/01	15:02	Town of Lloyd	Zumtobel	4622741	586285
55	07/17/01	15:04	Town of Lloyd	Zumtobel	4622804	586289
56	07/17/01	15:06	Town of Lloyd	Zumtobel	4622805	586274
57	07/17/01	15:09	Town of Lloyd	Zumtobel	4622841	586272
58	07/17/01	15:13	Town of Lloyd	Zumtobel	4622855	586204
59	07/17/01	15:16	Town of Lloyd	Zumtobel	4622727	586170
44	07/17/01	14:27	Town of Lloyd	Selux	4621141	586578
45	07/17/01	14:30	Town of Lloyd	Selux	4621120	586569
46	07/17/01	14:32	Town of Lloyd	Selux	4621098	586562
47	07/17/01	14:34	Town of Lloyd	Selux	4621086	586563
48	07/17/01	14:37	Town of Lloyd	Selux	4621059	586601
49	07/17/01	14:39	Town of Lloyd	Selux	4621100	586632
			Town of Lloyd	Selux Proposed Alcove	4621155	586580
			Town of Lloyd	Selux Proposed Alcove	4621148	586591
			Town of Lloyd	Selux Proposed Alcove	4621140	586584
			Town of Lloyd	Selux Proposed Alcove	4621142	586581
			Town of Lloyd	Selux Proposed Alcove	4621140	586580
			Town of Lloyd	Selux Proposed Alcove	4621141	586578

			Town of Lloyd	Selux Proposed Alcove	4621143	586579
			Town of Lloyd	Selux Proposed Addition	4621099	586632
			Town of Lloyd	Selux Proposed Addition	4621072	586679
			Town of Lloyd	Selux Proposed Addition	4621034	586656
			Town of Lloyd	Selux Proposed Addition	4621066	586607
12	08/06/01	3:13	Town of Lloyd	All Sport	4621341	586143
13	08/06/01	3:16	Town of Lloyd	All Sport	4621299	586166
14	08/06/01	3:18	Town of Lloyd	All Sport	4621308	586193
15	08/06/01	3:20	Town of Lloyd	All Sport	4621344	586173
16	08/06/01	3:23	Town of Lloyd	Motel	4621383	586145
17	08/06/01	3:25	Town of Lloyd	Motel	4621434	586124
20	08/06/01	3:33	Town of Lloyd	Motel	4621386	586132
21	08/06/01	3:36	Town of Lloyd	Motel	4621438	586125
15	07/17/01	10:01	Town of Lloyd	Plasmaco	4618795	579159
16	07/17/01	10:05	Town of Lloyd	Plasmaco	4618824	579169
17	07/17/01	10:08	Town of Lloyd	Plasmaco	4618850	579196
18	07/17/01	10:11	Town of Lloyd	Plasmaco	4618823	579251
19	07/17/01	10:14	Town of Lloyd	Plasmaco	4618685	579218
20	07/17/01	10:17	Town of Lloyd	Plasmaco	4618728	579122
21	07/11/01	12:35	Village of Ellenville	JM Originals, Canal St.	4618883	549693
22	07/11/01		Village of Ellenville	JM Originals, Canal St.	4618341	550839
24	07/11/01		Village of Ellenville	JM Originals, Canal St.	4618352	550812
25	07/11/01		Village of Ellenville	JM Originals, Canal St.	4618289	550805
26	07/11/01	1:03	Village of Ellenville	JM Originals, Berme Rd.	4618450	551462
27	07/11/01		Village of Ellenville	JM Originals, Berme Rd.	4618411	551524
28	07/11/01		Village of Ellenville	JM Originals, Berme Rd.	4618353	551485
29	07/11/01		Village of Ellenville	JM Originals, Berme Rd.	4618408	551424

30	07/11/01		Village of Ellenville	JM Originals, S. Main St.	4618215	550142
31	07/11/01		Village of Ellenville	JM Originals, S. Main St.	4618211	550170
0	07/11/01		Village of Ellenville	JM Originals, S. Main St.	4618234	550195
0	07/11/01		Village of Ellenville	JM Originals, S. Main St.	4618260	550170
17	07/11/01	12:08	Village of Ellenville	Optimum Windows	4619014	549766
18	07/11/01		Village of Ellenville	Optimum Windows	4619076	549796
19	07/11/01		Village of Ellenville	Optimum Windows	4618921	550002
20	07/11/01		Village of Ellenville	Optimum Windows	4618888	549963
5	07/11/01	10:45	Village of Ellenville	Gillette Creamery/Ellenville Vend	4618928	550816
6	07/11/01		Village of Ellenville	Gillette Creamery/Ellenville Vend	4618952	550774
7	07/11/01		Village of Ellenville	Gillette Creamery/Ellenville Vend	4618948	550766
8	07/11/01		Village of Ellenville	Gillette Creamery/Ellenville Vend	4618954	550755
15	07/11/01		Village of Ellenville	Gillette Creamery/Ellenville Vend	4618921	550734
16	07/11/01		Village of Ellenville	Gillette Creamery/Ellenville Vend	4618888	550767
23	07/17/01	11:52	Town of Marlboro	Brooklyn 1	4612001	586703
24	07/17/01	11:56	Town of Marlboro	Brooklyn 1	4612007	586752
25	07/17/01	12:00	Town of Marlboro	Brooklyn 1	4611924	586771
26	07/17/01	12:03	Town of Marlboro	Brooklyn 1	4611811	586725
27	07/17/01	12:05	Town of Marlboro	Brooklyn 1	4611814	586693

28	07/17/01	12:08	Town of Marlboro	Brooklyn 1	4611906	586698
29	07/17/01	12:12	Town of Marlboro	Brooklyn 2	4611832	586678
30	07/17/01	12:17	Town of Marlboro	Brooklyn 2	4611836	586647
31	07/17/01	12:22	Town of Marlboro	Brooklyn 2	4611943	586684
32	07/17/01	12:16	Town of Marlboro	Brooklyn 2	4611955	586650
33	07/17/01	13:30	Town of Marlboro	Kedem	4608630	586149
34	07/17/01	13:33	Town of Marlboro	Kedem	4608665	586155
35	07/17/01	13:36	Town of Marlboro	Kedem	4608689	586094
36	07/17/01	13:39	Town of Marlboro	Kedem	4608606	586088
37	07/17/01	13:41	Town of Marlboro	Kedem	4608604	586112
38	07/17/01	13:44	Town of Marlboro	Kedem	4608625	586130
39	07/17/01	13:48	Town of Marlboro	Kedem 2	4608523	586176
40	07/17/01	13:51	Town of Marlboro	Kedem 2	4608521	586202
41	07/17/01	13:54	Town of Marlboro	Kedem 2	4608539	586208
42	07/17/01	13:56	Town of Marlboro	Kedem 2	4608550	586177
5	07/17/01	7:46	Town of Olive	Stucki Embroidery	4650815	560594
6	07/17/01	7:50	Town of Olive	Stucki Embroidery	4650793	560548
7	07/17/01	7:54	Town of Olive	Stucki Embroidery	4650772	560553
8	07/17/01	7:59	Town of Olive	Stucki Embroidery	4650778	560609
1	07/17/01	7:23	Town of Olive	Bread Alone	4649748	560961
2	07/17/01	7:25	Town of Olive	Bread Alone	4649747	560992
3	07/17/01	7:28	Town of Olive	Bread Alone	4649732	560990
4	07/17/01	7:34	Town of Olive	Bread Alone	4649727	560969

9	07/17/01	8:15	Town of Olive	Olive Wood	4648703	567325
10	07/17/01	8:20	Town of Olive	Olive Wood	4648698	567267
11	07/17/01	8:23	Town of Olive	Olive Wood	4648717	567240
12	07/17/01	8:25	Town of Olive	Olive Wood	4648752	567189
13	07/17/01	8:29	Town of Olive	Olive Wood	4648844	567248
14	07/17/01	8:33	Town of Olive	Olive Wood	4648748	567367
1	07/27/01	12:04	Village of Saugerties	HITS	4658886	586469
2	07/27/01	12:07	Village of Saugerties	HITS	4658899	586463
3	07/27/01	12:09	Village of Saugerties	HITS	4658903	586453
4	07/27/01	12:13	Village of Saugerties	HITS	4658881	586456
5	07/27/01	12:28	Village of Saugerties	Clearwater	4658295	587247
6	07/27/01	12:30	Village of Saugerties	Clearwater	4658298	587268
7	07/27/01	12:33	Village of Saugerties	Clearwater	4658332	587284
8	07/27/01	12:36	Village of Saugerties	Clearwater	4658347	587277
5	07/24/01	2:00	City of Kingston	Benedictine Hospital	4641526	582972
6	07/24/01	2:04	City of Kingston	Benedictine Hospital	4641456	582961
7	07/24/01	2:09	City of Kingston	Benedictine Hospital	4641488	582879
8	07/24/01	2:12	City of Kingston	Benedictine Hospital	4641539	582902
			City of Kingston	Benedictine Heliport Pad	4641469	582848
			City of Kingston	Benedictine Heliport Pad	4641456	582869
			City of Kingston	Benedictine Heliport Pad	4641435	582854
			City of Kingston	Benedictine Heliport Pad	4641449	582833
1	07/24/01	12:56	City of Kingston	Ulster Academy	4641143	583488
2	07/24/01	1:02	City of Kingston	Ulster Academy	4641160	583454
3	07/24/01	1:05	City of Kingston	Ulster Academy	4641203	583487
4	07/24/01	1:07	City of Kingston	Ulster Academy	4641195	583519

1	08/06/01	4:10	Town of Ulster	HVP Hotel	4646866	583970
2	08/06/01	4:12	Town of Ulster	HVP Hotel	4646871	584000
3	08/06/01	4:16	Town of Ulster	HVP Hotel	4646958	584012
4	08/06/01	4:19	Town of Ulster	HVP Hotel	4646956	583965
1	05/25/01		Town of Ulster	Besicorp Office Building	4648727	585480
2	05/25/01		Town of Ulster	Besicorp Office Building	4648733	585484
3	05/25/01		Town of Ulster	Besicorp Office Building	4648729	585477
4	05/25/01		Town of Ulster	Besicorp Office Building	4648749	585444
5	05/25/01		Town of Ulster	Besicorp Office Building	4648759	585449
6	05/25/01		Town of Ulster	Besicorp Office Building	4648738	585485
7	05/25/01		Town of Ulster	Besicorp Office Building	4648735	585481
8	05/25/01		Town of Ulster	SunWize Building	4648659	585631
9	05/25/01		Town of Ulster	SunWize Building	4648634	585617
10	05/25/01		Town of Ulster	SunWize Building	4648614	585708
11	05/25/01		Town of Ulster	SunWize Building	4648588	585694
9	07/24/01	2:41	Town of Ulster	Coleman High School	4642826	579340
10	07/24/01	2:45	Town of Ulster	Coleman High School	4642767	579363
13	07/24/01	2:48	Town of Ulster	Coleman High School	4642730	579292
14	07/24/01	2:52	Town of Ulster	Coleman High School	4642785	579266
15	07/24/01	3:00	Town of Ulster	Winslow 1	4642910	578810
16	07/24/01	3:08	Town of Ulster	Winslow 1	4642886	578839
17	07/24/01	3:11	Town of Ulster	Winslow 1	4642907	578871
18	07/24/01	3:14	Town of Ulster	Winslow 1	4642941	578839
19	07/24/01	3:17	Town of Ulster	Winslow 2	4642956	578828
20	07/24/01	3:20	Town of Ulster	Winslow 2	4642977	578818
21	07/24/01	3:23	Town of Ulster	Winslow 2	4642955	578767
22	07/24/01	3:25	Town of Ulster	Winslow 2	4642944	578780
23	07/24/01	3:50	Town of Ulster	Anaconda	4649513	583472
24	07/24/01	3:53	Town of Ulster	Anaconda	4649544	583417
25	07/24/01	3:57	Town of Ulster	Anaconda	4649571	583428
26	07/24/01	4:00	Town of Ulster	Anaconda	4649561	583450
27	07/24/01	4:02	Town of Ulster	Anaconda	4649529	583426
28	07/24/01	4:05	Town of Ulster	Anaconda	4649536	583484
			Town of Ulster	Anaconda Proposed Addition	4649528	583427
			Town of Ulster	Anaconda Proposed Addition	4649511	583476

			Town of Ulster	Anaconda Proposed Addition	4649428	583445
			Town of Ulster	Anaconda Proposed Addition	4649457	583399
1	07/11/01	9:52	Town of Wawarsing	Little Devil Bear Day Care	4620903	551728
2	07/11/01		Town of Wawarsing	Little Devil Bear Day Care	4620912	551719
3	07/11/01		Town of Wawarsing	Little Devil Bear Day Care	4620928	551725
4	07/11/01		Town of Wawarsing	Little Devil Bear Day Care	4620913	551742
5	07/11/01	11:15	Town of Wawarsing	Airport/Ellenville Vending Co	4620317	551885
6	07/11/01		Town of Wawarsing	Airport/Ellenville Vending Co	4620329	551870
7	07/11/01		Town of Wawarsing	Airport/Ellenville Vending Co	4620291	551840
8	07/11/01		Town of Wawarsing	Airport/'Ellenville Vending Co	4620271	551865
1	07/27/01	8:38	Town of Saugerties	Land Matrix	4654799	584293
2	07/27/01	8:42	Town of Saugerties	Land Matrix	4654787	584220
3	07/27/01	8:47	Town of Saugerties	Land Matrix	4654672	584196
4	07/27/01	8:49	Town of Saugerties	Land Matrix	4654669	584181
5	07/27/01	8:52	Town of Saugerties	Land Matrix	4654654	584174
6	07/27/01	8:58	Town of Saugerties	Land Matrix	4654594	584285
1	07/27/01	12:52	Town of Saugerties	Leading Edge	4656410	584427
2	07/27/01	12:55	Town of Saugerties	Leading Edge	4656449	584418

3	07/27/01	12:57	Town of Saugerties	Leading Edge	4656449	584436
4	07/27/01	1:00	Town of Saugerties	Leading Edge	4656383	584442
5	07/27/01	8:02	Town of Saugerties	Methods Tooling	4654647	583476
6	07/27/01	8:05	Town of Saugerties	Methods Tooling	4654632	583480
7	07/27/01	8:08	Town of Saugerties	Methods Tooling	4654644	583426
8	07/27/01	8:11	Town of Saugerties	Methods Tooling	4654678	583422
9	07/27/01	8:14	Town of Saugerties	Methods Tooling	4654677	583458
10	07/27/01	8:17	Town of Saugerties	Methods Tooling	4654670	583458
11	07/27/01	8:20	Town of Saugerties	Methods Tooling	4654660	583476
12	07/27/01	8:24	Town of Saugerties	Methods Tooling	4654654	583479
1	07/27/01	1:10	Town of Saugerties	Fehr Bros.	4655460	584270
2	07/27/01	1:12	Town of Saugerties	Fehr Bros.	4655483	584251
3	07/27/01	1:14	Town of Saugerties	Fehr Bros.	4655482	584239
4	07/27/01	1:16	Town of Saugerties	Fehr Bros.	4655465	584200
5	07/27/01	1:19	Town of Saugerties	Fehr Bros.	4655467	584190
6	07/27/01	1:22	Town of Saugerties	Fehr Bros.	4655418	584107
7	07/27/01	1:25	Town of Saugerties	Fehr Bros.	4655372	584120
8	07/27/01	1:30	Town of Saugerties	Fehr Bros.	4655395	584298
7	07/27/01	9:29	Town of Saugerties	NE Solite	4655983	584613

8	07/27/01	9:34	Town of Saugerties	NE Solite	4655955	584708
9	07/27/01	9:43	Town of Saugerties	NE Solite	4655899	584726
10	07/27/01	9:46	Town of Saugerties	NE Solite	4655881	584733
11	07/27/01	9:49	Town of Saugerties	NE Solite	4655821	584717
13	07/27/01	9:56	Town of Saugerties	NE Solite	4655805	584594
14	07/27/01	10:01	Town of Saugerties	NE Solite	4655917	584610
15	07/27/01	10:11	Town of Saugerties	NE Solite	4655902	584632
16	07/27/01	10:16	Town of Saugerties	NE Solite	4655894	584674
21	07/27/01	10:24	Town of Saugerties	NE Solite 2	4655828	584825
22	07/27/01	10:30	Town of Saugerties	NE Solite 2	4655919	584968
23	07/27/01	10:37	Town of Saugerties	NE Solite 2	4655781	584895
24	07/27/01	10:39	Town of Saugerties	NE Solite 2	4655768	584850
25	07/27/01	10:42	Town of Saugerties	NE Solite 2	4655771	584832

Section 3. This Local Law shall take effect immediately.

Adopted: June 5, 2002

Local Law No. 2 Of 2002

County of Ulster

A Local Law Imposing Surcharge On Wireless Communications Devices Pursuant To County Law Section 308-A

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Pursuant to the authority granted to the Legislature by County Law Section 308-a, there is hereby imposed a surcharge of thirty cents per month on each wireless communication device within the County of Ulster, as is more particularly set forth in said statute.

SECTION 2. Each wireless communication service supplier shall begin to add such surcharge to the billings of its customers on October 1, 2002, or forty-five days after receiving written notice hereof, whichever occurs later.

SECTION 3. This local law shall take effect immediately.

Adopted: August 1, 2002

Local Law No. 3 Of 2002

County of Ulster

A Local Law Amending Local Law No. 1 Of 2002 To Revise The Kingston Ulster Empire Zone Boundary

Be it enacted by the County Legislators of the County of Ulster as follows:

Section 1. Section 3 of Local Law Number 1 of 2002 containing the boundary description is hereby amended to delete so much thereof as includes and follows:

BOUNDARY DESCRIPTION
TOWN OF SAUGERTIES
SUBZONE #1

And to substitute in its place and stead the following description:

Municipality	Business	Address	Longitude	Latitude
City of Kingston	Benedictine Hospital	105 Mary's Ave	-74.00015	41.921828
		105 Mary's Ave	-74.00022	41.922276
		105 Mary's Ave	-74.00022	41.922276
		105 Mary's Ave	-74.00017	41.921832
		105 Mary's Ave	-74.00013	41.921871
		105 Mary's Ave	-74.00014	41.921875
		105 Mary's Ave	-74.00043	41.921905
		105 Mary's Ave	-73.99999	41.922161
City of Kingston	Carey Construction	78 Furnace St	-74.0113	41.930323
		78 Furnace St	-74.01134	41.930307
		78 Furnace St	-74.01131	41.930288
		78 Furnace St	-74.01128	41.930303
		78 Furnace St	-74.01141	41.9303
		78 Furnace St	-74.0115	41.93026
		78 Furnace St	-74.01158	41.930361
		78 Furnace St	-74.01124	41.930355
		78 Furnace St	-74.01135	41.93048
		78 Furnace St	-74.01148	41.93042
		78 Furnace St	-74.01147	41.930409
		78 Furnace St	-74.01158	41.930361
		78 Furnace St	-74.01139	41.930282
City of Kingston	UCCAC - Head Start	212-220 R Flatbush Ave	-73.99146	41.941241

		212-220 R Flatbush Ave	-73.99124	41.940929
		212-220 R Flatbush Ave	-73.99153	41.94093
		212-220 R Flatbush Ave	-73.99153	41.941005
		212-220 R Flatbush Ave	-73.99158	41.941005
		212-220 R Flatbush Ave	-73.99124	41.941041
		212-220 R Flatbush Ave	-73.99146	41.9412
		212-220 R Flatbush Ave	-73.99136	41.941477
		212-220 R Flatbush Ave	-73.99151	41.941242
		212-220 R Flatbush Ave	-73.9915	41.941477
		212-220 R Flatbush Ave	-73.99157	41.941201
		212-220 R Flatbush Ave	-73.99125	41.941041
		212-220 R Flatbush Ave	-73.99125	41.941068
		212-220 R Flatbush Ave	-73.99123	41.941476
		212-220 R Flatbush Ave	-73.99136	41.941467
		212-220 R Flatbush Ave	-73.99138	41.941467
		212-220 R Flatbush Ave	-73.99138	41.941477
		212-220 R Flatbush Ave	-73.9915	41.941477
		212-220 R Flatbush Ave	-73.99124	41.941461
City of Kingston	Masonic Temple Carey	31 Albany Ave	-74.01421	41.933038
		31 Albany Ave	-74.01421	41.933006
		31 Albany Ave	-74.0141	41.933005
		31 Albany Ave	-74.01413	41.932936
		31 Albany Ave	-74.01412	41.932844
		31 Albany Ave	-74.01417	41.932844
		31 Albany Ave	-74.01417	41.932805
		31 Albany Ave	-74.01432	41.932806
		31 Albany Ave	-74.01432	41.932845
		31 Albany Ave	-74.01435	41.932845
		31 Albany Ave	-74.01434	41.933039
		31 Albany Ave	-74.01434	41.933039
		31 Albany Ave	-74.0141	41.932936
City of Kingston	Mountain Valley Manor	373-421 Wilbur Ave	-74.00944	41.921651
		373-421 Wilbur Ave	-74.00932	41.922023
		373-421 Wilbur Ave	-74.00933	41.922005
		373-421 Wilbur Ave	-74.00936	41.92198
		373-421 Wilbur Ave	-74.00938	41.921967
		373-421 Wilbur Ave	-74.0094	41.921981
		373-421 Wilbur Ave	-74.00951	41.921888
		373-421 Wilbur Ave	-74.00948	41.921873
		373-421 Wilbur Ave	-74.00949	41.921729
		373-421 Wilbur Ave	-74.00934	41.92204

		373-421 Wilbur Ave	-74.00946	41.92164
		373-421 Wilbur Ave	-74.00933	41.92201
		373-421 Wilbur Ave	-74.00942	41.921637
		373-421 Wilbur Ave	-74.00941	41.921641
		373-421 Wilbur Ave	-74.00939	41.921606
		373-421 Wilbur Ave	-74.0094	41.921602
		373-421 Wilbur Ave	-74.00939	41.921589
		373-421 Wilbur Ave	-74.00941	41.921578
		373-421 Wilbur Ave	-74.00931	41.921445
		373-421 Wilbur Ave	-74.00929	41.921434
		373-421 Wilbur Ave	-74.00919	41.921422
		373-421 Wilbur Ave	-74.00952	41.921719
		373-421 Wilbur Ave	-74.00968	41.921884
		373-421 Wilbur Ave	-74.00936	41.921975
		373-421 Wilbur Ave	-74.00921	41.922161
		373-421 Wilbur Ave	-74.00919	41.921422
		373-421 Wilbur Ave	-74.00921	41.92133
		373-421 Wilbur Ave	-74.00938	41.921354
		373-421 Wilbur Ave	-74.00972	41.921836
		373-421 Wilbur Ave	-74.00983	41.921988
		373-421 Wilbur Ave	-74.00973	41.922082
		373-421 Wilbur Ave	-74.00957	41.921983
		373-421 Wilbur Ave	-74.00938	41.922151
		373-421 Wilbur Ave	-74.00949	41.922218
		373-421 Wilbur Ave	-74.00941	41.922288
		373-421 Wilbur Ave	-74.00972	41.921804
City of Kingston	Pine Street Prof. Bldgs	Pine Street	-74.01421	41.929625
		Pine Street	-74.01409	41.92946
		Pine Street	-74.01404	41.929694
		Pine Street	-74.01386	41.929423
		Pine Street	-74.01401	41.929362
		Pine Street	-74.01407	41.929465
		Pine Street	-74.01412	41.929529
		Pine Street	-74.01413	41.929524
		Pine Street	-74.01421	41.929625
		Pine Street	-74.01363	41.929711
		Pine Street	-74.01346	41.929778
		Pine Street	-74.01325	41.929487
		Pine Street	-74.01341	41.929422
		Pine Street	-74.01347	41.929502
		Pine Street	-74.01351	41.929488
		Pine Street	-74.01356	41.929564

		Pine Street	-74.01353	41.929578
		Pine Street	-74.01363	41.929711
		Pine Street	-74.01296	41.929063
		Pine Street	-74.01317	41.928979
		Pine Street	-74.0132	41.929012
		Pine Street	-74.01326	41.928986
		Pine Street	-74.01323	41.928945
		Pine Street	-74.01343	41.928863
		Pine Street	-74.01356	41.929034
		Pine Street	-74.01309	41.929223
		Pine Street	-74.01356	41.929034
City of Kingston	St Clara Church	205-209 Hurley Ave	-74.03636	41.944112
		205-209 Hurley Ave	-74.03666	41.944103
		205-209 Hurley Ave	-74.03654	41.944172
		205-209 Hurley Ave	-74.03659	41.943889
		205-209 Hurley Ave	-74.03662	41.944059
		205-209 Hurley Ave	-74.03649	41.94412
		205-209 Hurley Ave	-74.0363	41.944059
		205-209 Hurley Ave	-74.03659	41.943889
		205-209 Hurley Ave	-74.03664	41.943936
City of Kingston	Benedictine Hospital	105 Mary's Avenue	-74.00106	41.920655
		105 Mary's Avenue	-74.00081	41.920524
		105 Mary's Avenue	-74.00062	41.920708
		105 Mary's Avenue	-74.00088	41.920835
		105 Mary's Avenue	-74.00106	41.920655
City of Kingston	Berg Property	Flatubush Avenue	-73.99428	41.939648
		Flatubush Avenue	-73.99486	41.939662
		Flatubush Avenue	-73.99474	41.940465
		Flatubush Avenue	-73.99443	41.940449
		Flatubush Avenue	-73.99382	41.940418
		Flatubush Avenue	-73.9939	41.939572
		Flatubush Avenue	-73.99428	41.939583
		Flatubush Avenue	-73.99428	41.939648
		Flatubush Avenue	-73.99431	41.939006
		Flatubush Avenue	-73.99499	41.938826
		Flatubush Avenue	-73.99499	41.938826
		Flatubush Avenue	-73.99428	41.939648
		Flatubush Avenue	-73.99486	41.939662
		Flatubush Avenue	-73.99428	41.939583

		Flatubush Avenue	-73.99432	41.938803
		Flatubush Avenue	-73.99433	41.939006
		Flatubush Avenue	-73.99499	41.938826
		Flatubush Avenue	-73.99394	41.938997
		Flatubush Avenue	-73.99428	41.939583
		Flatubush Avenue	-73.9939	41.939572
		Flatubush Avenue	-73.99431	41.939006
		Flatubush Avenue	-73.9939	41.939572
		Flatubush Avenue	-73.99433	41.939006
City of Kingston	John A. Coleman Catholic High School	430 Hurley Avenue	-74.0427	41.932898
		430 Hurley Avenue	-74.043	41.933399
		430 Hurley Avenue	-74.0439	41.933061
		430 Hurley Avenue	-74.04354	41.932522
		430 Hurley Avenue	-74.0439	41.933061
City of Kingston	Smiles All Around	64 & 68 Elmendorf Avenue	-74.00669	41.932867
		64 & 68 Elmendorf Avenue	-74.00622	41.93276
		64 & 68 Elmendorf Avenue	-74.00623	41.932767
		64 & 68 Elmendorf Avenue	-74.00658	41.932973
		64 & 68 Elmendorf Avenue	-74.00633	41.932653
		64 & 68 Elmendorf Avenue	-74.00649	41.932749
		64 & 68 Elmendorf Avenue	-74.00669	41.932867
		64 & 68 Elmendorf Avenue	-74.00661	41.932641
		64 & 68 Elmendorf Avenue	-74.00669	41.932867
		64 & 68 Elmendorf Avenue	-74.00649	41.932749
		64 & 68 Elmendorf Avenue	-74.00681	41.93276
City of Kingston	Ulster Academy	214 W. Chestnut Street	-73.99282	41.918292
		214 W. Chestnut Street	-73.99315	41.918386
		214 W. Chestnut Street	-73.99352	41.917931
		214 W. Chestnut Street	-73.99321	41.917826
		214 W. Chestnut Street	-73.99282	41.918292
Town of Ulster	J & G Drywall	5 Anaconda Dr	-73.99306	41.992628
		5 Anaconda Dr	-73.99221	41.993069
		5 Anaconda Dr	-73.99286	41.992596
		5 Anaconda Dr	-73.99285	41.993204
		5 Anaconda Dr	-73.99285	41.993204
		5 Anaconda Dr	-73.99246	41.992397
		5 Anaconda Dr	-73.9929	41.992499

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Town of Ulster	Anaconda	1 Anaconda Drive	-73.99273	41.993734
		1 Anaconda Drive	-73.99292	41.993489
		1 Anaconda Drive	-73.99273	41.993734
		1 Anaconda Drive	-73.99223	41.993204
		1 Anaconda Drive	-73.99204	41.993446
Town of Ulster	Besicorp Office Building	1151 Flatbush Road	-73.96812	41.985931
		1151 Flatbush Road	-73.96852	41.986114
		1151 Flatbush Road	-73.96846	41.986204
		1151 Flatbush Road	-73.96802	41.98601
		1151 Flatbush Road	-73.96807	41.985984
		1151 Flatbush Road	-73.96804	41.985966
		1151 Flatbush Road	-73.96809	41.985912
Town of Ulster	HVP Motel	400-998 Frank Sottile Blvd.	-73.98673	41.969414
		400-998 Frank Sottile Blvd.	-73.98605	41.970098
		400-998 Frank Sottile Blvd.	-73.98673	41.969414
		400-998 Frank Sottile Blvd.	-73.98673	41.969412
		400-998 Frank Sottile Blvd.	-73.98663	41.970128
		400-998 Frank Sottile Blvd.	-73.98673	41.969414
		400-998 Frank Sottile Blvd.	-73.98613	41.96937
		400-998 Frank Sottile Blvd.	-73.98673	41.969414
		400-998 Frank Sottile Blvd.	-73.98663	41.970128
Town of Ulster	SunWize Building	1155 Flatbush Road	-73.96645	41.985059
		1155 Flatbush Road	-73.96645	41.985059
		1155 Flatbush Road	-73.96552	41.984636
		1155 Flatbush Road	-73.96627	41.985284
		1155 Flatbush Road	-73.96535	41.984868
Town of Ulster	Winslow 1	499 Hurley Avneue	-74.04907	41.933986
		499 Hurley Avneue	-74.0486	41.934174
		499 Hurley Avneue	-74.04901	41.934523
		499 Hurley Avneue	-74.04941	41.934219
		499 Hurley Avneue	-74.04941	41.934219
Town of Ulster	Winslow 2	499 Hurley Avneue	-74.04913	41.934639
		499 Hurley Avneue	-74.04988	41.934632
		499 Hurley Avneue	-74.04975	41.934452
		499 Hurley Avneue	-74.04988	41.934632
		499 Hurley Avneue	-74.04925	41.934844

Town of Saugerties	Subzone 1	1117 & 1135 Kings Highway	-73.97526	42.07111
		1117 & 1135 Kings Highway	-73.97582	42.068485
		1117 & 1135 Kings Highway	-73.97577	42.068737
		1117 & 1135 Kings Highway	-73.97552	42.069748
		1117 & 1135 Kings Highway	-73.97571	42.072186
		1117 & 1135 Kings Highway	-73.97608	42.070883
		1117 & 1135 Kings Highway	-73.97555	42.072531
		1117 & 1135 Kings Highway	-73.97563	42.072505
		1117 & 1135 Kings Highway	-73.97704	42.068699
		1117 & 1135 Kings Highway	-73.97635	42.068575
		1117 & 1135 Kings Highway	-73.97673	42.069412
		1117 & 1135 Kings Highway	-73.97493	42.072498
		1117 & 1135 Kings Highway	-73.97653	42.06973
		1117 & 1135 Kings Highway	-73.97635	42.068575
		1117 & 1135 Kings Highway	-73.97697	42.068833
Town of Saugerties	Subzone 2	Old Kings Highway& 1089 Kings Highway	-73.97831	42.065544
		Old Kings Highway& 1089 Kings Highway	-73.97794	42.066986
		Old Kings Highway& 1089 Kings Highway	-73.97639	42.06613
		Old Kings Highway& 1089 Kings Highway	-73.97774	42.067354
		Old Kings Highway& 1089 Kings Highway	-73.97688	42.067166
		Old Kings Highway& 1089 Kings Highway	-73.97858	42.0656
		Old Kings Highway& 1089 Kings Highway	-73.97704	42.065272
		Old Kings Highway& 1089 Kings Highway	-73.97671	42.065669
		Old Kings Highway& 1089 Kings Highway	-73.97615	42.066507
		Old Kings Highway& 1089 Kings Highway	-73.97607	42.066826
		Old Kings Highway& 1089 Kings Highway	-73.97605	42.066987
		Old Kings Highway& 1089 Kings Highway	-73.97688	42.067166
		Old Kings Highway& 1089 Kings Highway	-73.97695	42.065383

Town of Saugerties	Subzone 3	1000 & 1026 & 1033 Kings Highway	-73.97875	42.062297
		1000 & 1026 & 1033 Kings Highway	-73.97991	42.062861
		1000 & 1026 & 1033 Kings Highway	-73.97856	42.063434
		1000 & 1026 & 1033 Kings Highway	-73.9787	42.063111
		1000 & 1026 & 1033 Kings Highway	-73.97874	42.06276
		1000 & 1026 & 1033 Kings Highway	-73.97838	42.058934
		1000 & 1026 & 1033 Kings Highway	-73.97952	42.06369
		1000 & 1026 & 1033 Kings Highway	-73.98035	42.061964
		1000 & 1026 & 1033 Kings Highway	-73.98059	42.061273
		1000 & 1026 & 1033 Kings Highway	-73.98069	42.060373
		1000 & 1026 & 1033 Kings Highway	-73.97855	42.060471
		1000 & 1026 & 1033 Kings Highway	-73.97803	42.05626
		1000 & 1026 & 1033 Kings Highway	-73.97837	42.059222
		1000 & 1026 & 1033 Kings Highway	-73.97903	42.056967
		1000 & 1026 & 1033 Kings Highway	-73.97858	42.058269
		1000 & 1026 & 1033 Kings Highway	-73.97886	42.057632
		1000 & 1026 & 1033 Kings Highway	-73.97876	42.061806
		1000 & 1026 & 1033 Kings Highway	-73.97917	42.055546
		1000 & 1026 & 1033 Kings Highway	-73.97856	42.063434
		1000 & 1026 & 1033 Kings Highway	-73.97816	42.055307
		1000 & 1026 & 1033 Kings Highway	-73.97868	42.05931
		1000 & 1026 & 1033 Kings Highway	-73.97865	42.061138

		1000 & 1026 & 1033 Kings Highway	-73.97923	42.056447
		1000 & 1026 & 1033 Kings Highway	-73.97846	42.056354
		1000 & 1026 & 1033 Kings Highway	-73.97865	42.061458
		1000 & 1026 & 1033 Kings Highway	-73.97865	42.060936
		1000 & 1026 & 1033 Kings Highway	-73.97862	42.060733
		1000 & 1026 & 1033 Kings Highway	-73.97831	42.06073
		1000 & 1026 & 1033 Kings Highway	-73.97807	42.060755
		1000 & 1026 & 1033 Kings Highway	-73.97825	42.057019
		1000 & 1026 & 1033 Kings Highway	-73.97808	42.060206
		1000 & 1026 & 1033 Kings Highway	-73.97758	42.060143
		1000 & 1026 & 1033 Kings Highway	-73.97767	42.05913
		1000 & 1026 & 1033 Kings Highway	-73.97784	42.058519
		1000 & 1026 & 1033 Kings Highway	-73.97801	42.05771
		1000 & 1026 & 1033 Kings Highway	-73.97808	42.060377
		1000 & 1026 & 1033 Kings Highway	-73.97834	42.056524
Town of Saugerties	Horse Shows in the Sun	Washington Ave Ext	-73.94555	42.092402
		Washington Ave Ext	-73.94647	42.092406
		Washington Ave Ext	-73.94646	42.093504
		Washington Ave Ext	-73.94647	42.092406
		Washington Ave Ext	-73.94554	42.093499
Town of Saugerties	Leighton Enterprises	1284 Churchland Lane	-73.98552	42.076544
		1284 Churchland Lane	-73.98561	42.07624
		1284 Churchland Lane	-73.98544	42.076216
		1284 Churchland Lane	-73.98537	42.07652
		1284 Churchland Lane	-73.98552	42.076544

Town of Saugerties	former Roadway Bldg.	815 Kings Hwy	-73.98315	42.042494
		815 Kings Hwy	-73.98341	42.042536
		815 Kings Hwy	-73.9832	42.042325
		815 Kings Hwy	-73.98341	42.042536
		815 Kings Hwy	-73.98347	42.042369
Town of Saugerties	Fehr Brothers	895 Kings Highway	-73.98195	42.046882
		895 Kings Highway	-73.98369	42.046313
		895 Kings Highway	-73.9827	42.046745
		895 Kings Highway	-73.98208	42.046875
		895 Kings Highway	-73.98172	42.046684
		895 Kings Highway	-73.98139	42.046088
		895 Kings Highway	-73.98355	42.045899
		895 Kings Highway	-73.98369	42.046313
		895 Kings Highway	-73.98256	42.046732
Town of Saugerties	Land Matrix	812 Kings Highway	-73.98271	42.0396
		812 Kings Highway	-73.98154	42.040728
		812 Kings Highway	-73.9818	42.038888
		812 Kings Highway	-73.98289	42.039438
		812 Kings Highway	-73.98292	42.039573
		812 Kings Highway	-73.98238	42.040524
		812 Kings Highway	-73.98238	42.040524
Town of Saugerties	Leading Edge	815 Kings Highway	-73.97978	42.055565
		815 Kings Highway	-73.97978	42.055565
		815 Kings Highway	-73.97954	42.055584
		815 Kings Highway	-73.97948	42.055202
		815 Kings Highway	-73.97969	42.055193
Town of Saugerties	Methods Tooling	635 Glasco Turnpike	-73.99139	42.039502
		635 Glasco Turnpike	-73.99208	42.039726
		635 Glasco Turnpike	-73.99204	42.039419
		635 Glasco Turnpike	-73.99144	42.039443
		635 Glasco Turnpike	-73.99143	42.03956
		635 Glasco Turnpike	-73.99165	42.039645
		635 Glasco Turnpike	-73.99165	42.039715
		635 Glasco Turnpike	-73.99208	42.039726
		635 Glasco Turnpike	-73.99138	42.039299

Town of Saugerties	NE Solite	962 Kings Highway	-73.97755	42.050766
		962 Kings Highway	-73.97814	42.049763
		962 Kings Highway	-73.97631	42.051309
		962 Kings Highway	-73.97632	42.050537
		962 Kings Highway	-73.97603	42.050529
		962 Kings Highway	-73.9775	42.051351
		962 Kings Highway	-73.97604	42.049657
		962 Kings Highway	-73.97807	42.050621
		962 Kings Highway	-73.97763	42.050611
		962 Kings Highway	-73.9775	42.051351
		962 Kings Highway	-73.97762	42.050767
	NE Solite 2	962 Kings Highway	-73.97336	42.050442
		962 Kings Highway	-73.97492	42.049946
		962 Kings Highway	-73.97492	42.049946
		962 Kings Highway	-73.97464	42.04939
		962 Kings Highway	-73.97361	42.048976
Town of Wawarsing	Schrade VAW	7 Schrade Ct & 9 Aluminum Drive	-74.38715	41.722501
		7 Schrade Ct & 9 Aluminum Drive	-74.38731	41.722351
		7 Schrade Ct & 9 Aluminum Drive	-74.38713	41.722249
		7 Schrade Ct & 9 Aluminum Drive	-74.38701	41.722365
		7 Schrade Ct & 9 Aluminum Drive	-74.38668	41.722175
		7 Schrade Ct & 9 Aluminum Drive	-74.38665	41.722211
		7 Schrade Ct & 9 Aluminum Drive	-74.38637	41.722533
		7 Schrade Ct & 9 Aluminum Drive	-74.38672	41.722378
		7 Schrade Ct & 9 Aluminum Drive	-74.3866	41.72231
		7 Schrade Ct & 9 Aluminum Drive	-74.3874	41.72264
		7 Schrade Ct & 9 Aluminum Drive	-74.38459	41.725188
		7 Schrade Ct & 9 Aluminum Drive	-74.3868	41.722299

		7 Schrade Ct & 9 Aluminum Drive	-74.3875	41.722534
		7 Schrade Ct & 9 Aluminum Drive	-74.38808	41.722865
		7 Schrade Ct & 9 Aluminum Drive	-74.38761	41.723318
		7 Schrade Ct & 9 Aluminum Drive	-74.38785	41.723453
		7 Schrade Ct & 9 Aluminum Drive	-74.38445	41.726764
		7 Schrade Ct & 9 Aluminum Drive	-74.38423	41.726639
		7 Schrade Ct & 9 Aluminum Drive	-74.38304	41.726703
		7 Schrade Ct & 9 Aluminum Drive	-74.38272	41.724111
		7 Schrade Ct & 9 Aluminum Drive	-74.38509	41.721795
		7 Schrade Ct & 9 Aluminum Drive	-74.38509	41.721795
		7 Schrade Ct & 9 Aluminum Drive	-74.38375	41.727112
Town of Wawarsing	Ellenville Vending Company	River Road	-74.37629	41.73308
		River Road	-74.37665	41.732739
		River Road	-74.37611	41.732971
		River Road	-74.37629	41.73308
		River Road	-74.37635	41.732556
Town of Wawarsing	Little Devil Bear Day Care	Crnr Route 209 & Irish Cape Road	-74.37805	41.738341
		Crnr Route 209 & Irish Cape Road	-74.37798	41.738487
		Crnr Route 209 & Irish Cape Road	-74.37777	41.738349
		Crnr Route 209 & Irish Cape Road	-74.37805	41.738341
		Crnr Route 209 & Irish Cape Road	-74.37794	41.738257
Town of Lloyd	All Sport	3425 Route 9W	-73.96374	41.739312
		3425 Route 9W	-73.96408	41.739217
		3425 Route 9W	-73.96348	41.73891
		3425 Route 9W	-73.9638	41.738829

		3425 Route 9W	-73.96408 41.739217
Town of Lloyd	Motel	Route 9W	-73.96421 41.73956
		Route 9W	-73.96421 41.73956
		Route 9W	-73.96438 41.740054
		Route 9W	-73.96417 41.740105
		Route 9W	-73.96399 41.739593
Town of Lloyd	Motel	Route 9W	-73.96421 41.73956
		Route 9W	-73.96421 41.73956
		Route 9W	-73.96438 41.740054
		Route 9W	-73.96417 41.740105
		Route 9W	-73.96399 41.739593
Town of Lloyd	Plasmaco	180 South Street	-74.04793 41.717508
		180 South Street	-74.04727 41.717259
		180 South Street	-74.04769 41.716017
		180 South Street	-74.04884 41.716416
		180 South Street	-74.0484 41.71701
		180 South Street	-74.04826 41.717273
		180 South Street	-74.04793 41.717508
Town of Lloyd	Selux	3 Lumen Lane	-73.95822 41.736993
		3 Lumen Lane	-73.95887 41.73737
		3 Lumen Lane	-73.95898 41.737181
		3 Lumen Lane	-73.95906 41.736875
		3 Lumen Lane	-73.95861 41.736627
		3 Lumen Lane	-73.95907 41.736983
		3 Lumen Lane	-73.95887 41.73737
		3 Lumen Lane	-73.95884 41.737494
		3 Lumen Lane	-73.95892 41.737419
		3 Lumen Lane	-73.9588 41.737359
		3 Lumen Lane	-73.9588 41.737359
		3 Lumen Lane	-73.95871 41.737429
		3 Lumen Lane	-73.95766 41.736732
		3 Lumen Lane	-73.95795 41.7364
		3 Lumen Lane	-73.95854 41.73669
		3 Lumen Lane	-73.95822 41.736987
		3 Lumen Lane	-73.95822 41.736987
		3 Lumen Lane	-73.95887 41.737369
		3 Lumen Lane	-73.95886 41.737385
		3 Lumen Lane	-73.95886 41.737386

		3 Lumen Lane	-73.95884	41.73736
		3 Lumen Lane	-73.95883	41.737377
		3 Lumen Lane	-73.95886	41.737385
Town of Lloyd	Zumtobel	3300 Route 9W	-73.96356	41.751696
		3300 Route 9W	-73.96339	41.751507
		3300 Route 9W	-73.96322	41.751562
		3300 Route 9W	-73.96297	41.751534
		3300 Route 9W	-73.96292	41.751994
		3300 Route 9W	-73.96217	41.751805
		3300 Route 9W	-73.9621	41.752384
		3300 Route 9W	-73.96229	41.752391
		3300 Route 9W	-73.9623	41.752715
		3300 Route 9W	-73.96313	41.752845
		3300 Route 9W	-73.96313	41.752845
Town of Marlborough	Brooklyn 1	143 South Road	-73.95847	41.653328
		143 South Road	-73.9587	41.65505
		143 South Road	-73.9587	41.65505
		143 South Road	-73.95881	41.653366
		143 South Road	-73.95855	41.654195
		143 South Road	-73.95811	41.655097
		143 South Road	-73.95788	41.654329
Town of Marlborough	Brooklyn 2	143 South Road	-73.95934	41.65464
		143 South Road	-73.9594	41.653568
		143 South Road	-73.95902	41.653526
		143 South Road	-73.95893	41.654522
		143 South Road	-73.95893	41.654522
		143 South Road	-73.95934	41.65464
Town of Marlborough	Kedem	1519 Route 9W	-73.9665	41.625231
		1519 Route 9W	-73.96658	41.624538
		1519 Route 9W	-73.96629	41.624512
		1519 Route 9W	-73.96607	41.624696
		1519 Route 9W	-73.9665	41.625231
		1519 Route 9W	-73.96583	41.624741
		1519 Route 9W	-73.96578	41.625066
Town of Marlborough	Kedem 2	1519 Route 9W	-73.96515	41.623919
		1519 Route 9W	-73.96553	41.623778

		1519 Route 9W	-73.96552 41.62402
		1519 Route 9W	-73.96515 41.623919
		1519 Route 9W	-73.96522 41.623757
		1519 Route 9W	-73.96552 41.62402
Town of Olive	Bread Alone	Route 28	-74.2636 41.997241
		Route 28	-74.26357 41.99738
		Route 28	-74.26388 41.997329
		Route 28	-74.26385 41.997196
		Route 28	-74.26385 41.997196
Town of Olive	Olive Wood	167 DuBois Road	-74.18793 41.987417
		167 DuBois Road	-74.18825 41.98759
		167 DuBois Road	-74.18888 41.98791
		167 DuBois Road	-74.18815 41.988733
		167 DuBois Road	-74.18722 41.987458
		167 DuBois Road	-74.18671 41.987857
		167 DuBois Road	-74.18815 41.988733
Town of Olive	Stucki Embroidery	Route 28	-74.26883 42.006835
		Route 28	-74.26876 42.006629
		Route 28	-74.2681 42.006689
		Route 28	-74.26827 42.007024
		Route 28	-74.26883 42.006835
Village of Ellenville	Ellenville Ind. Park	3 Creamery Lane	-74.39009 41.710736
		3 Creamery Lane	-74.39003 41.710724
		3 Creamery Lane	-74.39 41.71084
		3 Creamery Lane	-74.39002 41.710786
		3 Creamery Lane	-74.39 41.71084
		3 Creamery Lane	-74.39013 41.710499
		3 Creamery Lane	-74.38971 41.710392
		3 Creamery Lane	-74.3896 41.710613
		3 Creamery Lane	-74.39006 41.710794
		3 Creamery Lane	-74.38954 41.710597
		3 Creamery Lane	-74.38949 41.710705
		3 Creamery Lane	-74.38918 41.711373
		3 Creamery Lane	-74.38936 41.711197
		3 Creamery Lane	-74.38949 41.711265
		3 Creamery Lane	-74.38906 41.711373
		3 Creamery Lane	-74.38886 41.711449
		3 Creamery Lane	-74.38916 41.71161
		3 Creamery Lane	-74.38937 41.71158

		3 Creamery Lane	-74.3891	41.711327
		3 Creamery Lane	-74.38952	41.711436
		3 Creamery Lane	-74.38951	41.711429
		3 Creamery Lane	-74.3896	41.711334
		3 Creamery Lane	-74.38949	41.711265
		3 Creamery Lane	-74.38949	41.711271
		3 Creamery Lane	-74.38925	41.711515
		3 Creamery Lane	-74.38898	41.71133
		3 Creamery Lane	-74.38984	41.711731
		3 Creamery Lane	-74.39011	41.711894
		3 Creamery Lane	-74.39	41.712013
		3 Creamery Lane	-74.3894	41.711694
		3 Creamery Lane	-74.38953	41.711566
		3 Creamery Lane	-74.3897	41.711655
		3 Creamery Lane	-74.38983	41.711743
		3 Creamery Lane	-74.39011	41.711894
		3 Creamery Lane	-74.3897	41.71166
		3 Creamery Lane	-74.39032	41.711452
		3 Creamery Lane	-74.39036	41.71145
		3 Creamery Lane	-74.39036	41.711417
		3 Creamery Lane	-74.39036	41.711095
		3 Creamery Lane	-74.39052	41.711107
		3 Creamery Lane	-74.39048	41.71142
		3 Creamery Lane	-74.39048	41.71142
Village of Ellenville	Gillette Cramery/Ellenville Vending Company	23 & 25 Lincoln Street	-74.38958	41.720749
		23 & 25 Lincoln Street	-74.38958	41.720749
		23 & 25 Lincoln Street	-74.38981	41.720769
		23 & 25 Lincoln Street	-74.38961	41.720091
		23 & 25 Lincoln Street	-74.38919	41.720563
		23 & 25 Lincoln Street	-74.39016	41.720392
		23 & 25 Lincoln Street	-74.38965	41.720675
Village of Ellenville	JM Originals	Berme Road	-74.38135	41.716181
		Berme Road	-74.38135	41.716181
		Berme Road	-74.38061	41.715829
		Berme Road	-74.38109	41.715303
		Berme Road	-74.38182	41.715806

Village of Ellenville	JM Originals	S. Main Street	-74.39655	41.714378
		S. Main Street	-74.39691	41.714554
		S. Main Street	-74.39693	41.713994
		S. Main Street	-74.39725	41.714179
		S. Main Street	-74.39691	41.714554
Village of Ellenville	JM Originals	Canal Street	-74.38964	41.714997
		Canal Street	-74.38964	41.714997
		Canal Street	-74.38928	41.715373
		Canal Street	-74.38887	41.715159
		Canal Street	-74.38921	41.714739
Village of Ellenville	Optimum Windows	28 Canal Street	-74.39942	41.720311
		28 Canal Street	-74.39935	41.72082
		28 Canal Street	-74.40133	41.721929
		28 Canal Street	-74.40162	41.72151
		28 Canal Street	-74.40133	41.721929
Village of Saugerties	Horse Shows in the Sun	310 Main St	-73.95458	42.077056
		310 Main St	-73.95431	42.076863
		310 Main St	-73.95438	42.076844
		310 Main St	-73.95441	42.076885
		310 Main St	-73.95452	42.076855
		310 Main St	-73.95439	42.07702
		310 Main St	-73.95458	42.077044
		310 Main St	-73.95461	42.077036
		310 Main St	-73.95454	42.07707
		310 Main St	-73.9545	42.077065
		310 Main St	-73.95447	42.076997
		310 Main St	-73.95461	42.077036
		310 Main St	-73.95453	42.077057
Village of Saugerties	Saugerties Industrial Park	83 North Street	-73.95884	42.087733
		83 North Street	-73.95803	42.087458
		83 North Street	-73.95828	42.087062
		83 North Street	-73.95909	42.087339
		83 North Street	-73.95884	42.087733

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Village of Saugerties	HR Sloop Clearwater	Saugerties Riverfront	-73.94515	42.071986
		Saugerties Riverfront	-73.94541	42.071995
		Saugerties Riverfront	-73.94519	42.072406
		Saugerties Riverfront	-73.94539	42.072404
		Saugerties Riverfront	-73.94514	42.072407
		Saugerties Riverfront	-73.94539	42.072404
Village of Saugerties	Horse Shows in the Sun	319 Main Street	-73.95493	42.077384
		319 Main Street	-73.95493	42.077384
		319 Main Street	-73.95484	42.077407
		319 Main Street	-73.95481	42.077355
		319 Main Street	-73.95477	42.077365
		319 Main Street	-73.9547	42.077218
		319 Main Street	-73.95489	42.077165
		319 Main Street	-73.95491	42.07733
		319 Main Street	-73.95497	42.077312

Section 2. The Commissioner of the New York State Department of Economic Development is requested to accept and revise the boundaries of the Zone in accordance with this local law, as amended.

Section 3. This Local Law shall take effect immediately.

Adopted: December 19, 2002

LOCAL LAW NUMBER 1 OF 2003

A LOCAL LAW TO PROVIDE LEGISLATIVE DISTRICTS FOR ELECTION OF ULSTER COUNTY LEGISLATORS COMMENCING WITH THE ELECTION OF 2003 FOR TWO YEAR TERMS BEGINNING JANUARY 1, 2004 AND FOR SUCCEEDING ELECTIONS THROUGH THE TERMS ENDING DECEMBER 31, 2011

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The purpose of this local law is to provide a temporary plan of districting for the elections of County Legislators at the 2003 election until such time as either Introductory Local Law No. 4 of 2002 shall become effective or another permanent plan of redistricting shall become effective for the current decade based on the 2000 census.

SECTION 2. Each of the following described Legislative Districts shall elect that number of representatives to the Ulster County Legislature from within its boundaries, for the 2003 election only, as hereinafter set forth:

District 01
4 Representatives

Wawarsing	ALL
Rochester	ALL
Marbletown	(Census Blocks)
36111952900XXXX	5033 5034 5037 5038 5039 5040 5041 5049 5050 5051 5052 5053 5054 5055 5056 5057 5058 5059 5060 5061 5062 5063 5064 5065 5066 5067 5068 5069 5070 5071 5072 5073 5074 5075 5076 5077 5078 5079 5080 5081 5082 5083 5997

District 02
2 Representatives

Denning	ALL
Hardenburgh	ALL
Shandaken	ALL
Woodstock	ALL
Saugerties	(Census Blocks)
36111950100XXXX	3017
36111950400XXXX	5011 5012 5013 5014 6000 6001 6002 6003 6004 6005 6006 6007 6008 6009 6010 6011

District 03
3 Representatives

Hurley	ALL
Olive	ALL

Marbletown (Census Blocks)
36111952900XXXX

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1026 1027 1028 1999 2000 2001 2002 2003 2004 2005
2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017
2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029
2998 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009
3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021
3022 3023 3024 3025 3026 3027 3028 3029 4000 4001 4002 4003
4004 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014 4015
4016 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026 4027
4028 4029 4030 4031 4032 4033 4034 4035 4036 4037 4038 4039
4040 4041 4042 4043 4999 5000 5001 5002 5003 5004 5005 5006
5007 5008 5009 5010 5011 5012 5013 5014 5015 5016 5017 5018
5019 5020 5021 5022 5023 5024 5025 5026 5027 5028 5029 5030
5031 5032 5035 5036 5042 5043 5044 5045 5046 5047 5048 5084
5085 5086 5087 5088 5089 5998 5999

District 04
4 Representatives

Kingston Town	ALL

Saugerties (Census Blocks)
36111950100XXXX

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047
1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059
1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071
1072 1073 1074 1075 1076 1077 1997 1998 1999 2000 2001 2002
2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014
2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026
2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 3000
3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012
3013 3014 3015 3016 3018 3019 3020 3021 3022 3023 3024 3025
3026 3027 3999 4000 4001 4002 4003 4004 4005 4006 4007 4008

4009 4010 4011 4012 4013 4014 4015 4016 4017 4018 4019 4020
4021 4999 5000 5001 5002 5003 5004 5005 5006 5007 5008 5009
5010 5011 5012 5013 5014 5015 5016 5017 5018 5019 5020 5021
5022 5023 5024 5025 5026 5027

36111950200XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
1036 1037 1038 1039 1040 1997 1998 1999 2000 2001 2002 2003
2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027
3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023
3024 3025 3999

36111950300XXXX 1000 1001 1002 1003 1004 1005 1999 2000 2001 2002 2003 2004
2005 2006 2007 2008 2009 2010 2011 2012 2013 2999 3000 3001
3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3999
4000 4001 4002 4003 4004 4005 4006 4007 4999

36111950400XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
2010 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009
3010 3011 3012 3013 3999 4000 4001 4002 4003 4004 4005 4006
4007 4008 4009 4010 4011 4012 4013 4014 4015 4016 4999 5000
5001 5002 5003 5004 5005 5006 5007 5008 5009 5010 5015 5016
5017 5018 5019 5020 5021

36111954900XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1996 1997 1998 1999
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2999

Ulster (Census Blocks)
36111951300XXXX 2003 2004 2005 2006 2007 2008 2009 2010 2011 2998 2999 3010
3011 3012 3014 3015 3016 3997 3998

36111951500XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1996 1997
1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
2010 2011 2012 2013 2014 2015 2016 2999 4000 4001 4002 4003
4004

District 05
2 Representatives

Kingston City	(Census Blocks)
36111951800XXXX	1004 1005 1008
36111952400XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 2002 2003 2004 2005 2006
Ulster	(Census Blocks)
36111951300XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1996 1997 1998 1999 2000 2001 2002 2012 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3013 3017 3999
36111951400XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3999
36111951500XXXX	1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1992 1993 1994 1995 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030 4031 4032 4033 4034 4035 4036 4037 4999
36111951600XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032 3033 3998 3999

District 06
2 Representatives

Kingston City	(Census Blocks)
36111951700XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1999 2000 2001 2002 2003 2004

2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016
2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028
2029 2030 2031 2999 3000 3001 3002 3003 3004 3005 3006 3007
3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3997
3998 3999 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009
4010 4011 4012 4013 4014 4015 4016 4017 4018 4019 4020 4021
4022 4023 4024 4025 4026 4027 4028 4029 4030 4031 4032 4997
4998 4999

36111951800XXXX 1000 1001 1002 1003 1006 1007 1011 1019 1020 1021

36111951900XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 2005 2006 2008 3009 3010 3013
3016 3017 3018 4000 4001 4002 4003 4004

36111952100XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 4011

36111952200XXXX 1003 1004 1005 1006 1009 1010 1011 1012 2000 2001 2002 2003
2004 2005 2006 2007 2008 3004 3005 3006 3007 3008 3009 4000
4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012
4013 4014 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024
4025 4026 4027 4028 4029 4030 4031 4032 4033 4034 4035 4036
4037 4999

District 07
3 Representatives

Esopus ALL
Rosendale ALL

District 08
3 Representatives

Gardiner ALL

New Paltz (Census Blocks)
36111953300XXXX 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
2026 2027 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038
2043 2060 2061 2062 2063 2064 2065 2066 2067 2996 3005 3006
3007 3021 3022 3023 3024 3025 3026 3027 3028 3999

36111953500XXXX 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022

Shawangunk (Census Blocks)
36111954300XXXX 1009 1010 1011 1012 1016 1017 1018 1019 1020 2005 2006 2007
2008 2009 2010 2011 2012 3013 3014 3015 3017 3018 3019 3020
3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032
3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3044
3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3056
3057

36111954400XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1032 1033 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050
1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062
1063 1064 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007
2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019
2020 2021 2022 2023 2024 2025 2026 3000 3001 3002 3003 3004
3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
3999 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010
4011 4012 4013 4014 4015 4016 4017 4018 4019 4997 4998 4999

District 09
4 Representatives

Marlborough ALL
Plattekill ALL

Shawangunk (Census Blocks)
36111954300XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1013 1014 1015
2000 2001 2002 2003 2004 2013 2014 2015 2016 2017 2018 2019
2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031
2032 2033 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008
3009 3010 3011 3012 3016 3998 3999

36111954400XXXX 1024 1025 1026 1027 1028 1029 1030 1031 1034 1035 1036 1037
1038 1039 1040 1997

36111955200XXXX 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012

District 10
2 Representatives

New Paltz	(Census Blocks)
36111953300XXXX	1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1024 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2028 2039 2040 2041 2042 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2068 2069 2070 2997 2998 2999 3002 3003 3004 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020
36111953400XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3998 3999
36111953500XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

District 11
2 Representatives

Lloyd	ALL
New Paltz	(Census Blocks)
36111953300XXXX	1000 1022 1023 1025 1026 1027 1028 1029 1030 3000 3001 3029

District 12
2 Representatives

Kingston City	(Census Blocks)
36111951800XXXX	1009 1010 1012 1013 1014 1015 1016 1017 1018
36111951900XXXX	2000 2001 2002 2003 2004 2007 3000 3001 3002 3003 3004 3005 3006 3007 3008 3011 3012 3014 3015
36111952000XXXX	1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 2000 2001 2002

LOCAL LAW NUMBER 1 OF 2003

A LOCAL LAW TO PROVIDE LEGISLATIVE DISTRICTS FOR ELECTION OF ULSTER COUNTY LEGISLATORS COMMENCING WITH THE ELECTION OF 2003 FOR TWO YEAR TERMS BEGINNING JANUARY 1, 2004 AND FOR SUCCEEDING ELECTIONS THROUGH THE TERMS ENDING DECEMBER 31, 2011

	2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024
36111952100XXXX	2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010
36111952200XXXX	1000 1001 1002 1007 1008 3000 3001 3002 3003
36111952300XXXX	1000 1001 1002 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
36111952400XXXX	1017 2000 2001 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3996 3997 3998 3999

SECTION 3. No person who holds an Elective County Office shall at the same time be eligible to hold any other elective County Office or any elective office of any city, town or village.

SECTION 4. This Local Law shall take effect immediately upon filing with the Secretary of State.

SECTION 5. This Local Law is adopted under authority of the Municipal Home Rule Law but not pursuant to subparagraph thirteen of paragraph a of subdivision one of section 10 of that law and is not subject to permissive or mandatory referendum.

ADOPTED: May 7, 2003 at a Special Session of the Ulster County Legislature

Local Law No. 2 Of 2003

County of Ulster

A Local Law Authorizing Members Of The Ulster County Community Services Board And Its Subcommittees, Who Are Appointed To Fill An Unexpired Term, To Serve Two Consecutive Full Four Year Terms Upon The Conclusion Of The Unexpired Term

Be it enacted by the County Legislature of the County of Ulster as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11(d), members of the Ulster County Community Services Board and its subcommittees are hereby authorized to serve two consecutive full four year terms, in addition to any unexpired term they may have filled immediately prior thereto.

Section 2. This Local Law shall take effect immediately.

Adopted: July 10, 2003

Local Law No. 3 Of 2003

A Local Law To Provide For Allocating Powers And Duties For Parking Lots Among County Departments

Be it enacted by the County Legislature of the County of Ulster as follows:

Section 1. Legislative Intent

Responsibility for the design, construction, maintenance, repair and alteration of County parking lots has been vested in the Department of Buildings and Grounds and its Commissioner by virtue of Local Law Number 5 of 1995. The Legislature finds that it is often more appropriate to place some of this responsibility with the Commissioner of Highways and Bridges since that department has equipment and personnel more suited to such functions. The Legislature further finds that such responsibility should be allocated between the two departments by resolution, thereby allowing greater flexibility in assigning functions.

Section 2. Allocation of Powers and Duties

The County Legislature may allocate powers and duties for the design, construction, maintenance, repair and alteration of the various parking lots and fields of the County, whether leased or owned, between the Commissioner of Buildings and Grounds and the Commissioner of Highways and Bridges as and in such manner the Legislature shall from time to time determine.

Section 3. Inconsistent Prior Local Laws Superseded

Section 2 of Local Law Number 5 of 1995, to the extent it is inconsistent with this Local Law or any Resolution adopted under this Local Law is superseded and of no force or effect.

Section 4. Effective Date

This Local Law shall take effect immediately.

Adopted: July 10, 2003

Local Law Number 4 Of 2003

County of Ulster

A Local Law To Formally Establish The Ulster County Area Transit Department And To Create The Office Of The Director Of Public Transit

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. ESTABLISHMENT OF DEPARTMENT

There is hereby formally created the Ulster County Area Transit Department (hereinafter, "UCAT"), the head of which shall be the Director of Public Transit who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature.

Section 2. DIRECTOR OF PUBLIC TRANSIT - POWERS AND DUTIES

The Director of Public Transit shall:

(a) Direct the administration of a public transportation system for residents in rural areas, determining the staffing, material, and resource requirements on the basis of the functional plan of operation of UCAT;

(b) Direct the organization, maintenance, safety and use of UCAT resources for public transit use;

(c) Develop programs designed to provide safe, affordable public transit service to the rural inhabitants of Ulster County.

(d) Direct and coordinate the efforts of employees, and be responsible for the appointment and removal of staff and the resolution of labor issues in compliance with New York State law and local civil service rules;

(e) Ensure that employees adhere to all bus operation safety guidelines in accordance with all Federal, State, and local regulations;

(f) Develop and prepare the UCAT public transit budget;

(g) Seek out, submit and administer grants for public transit funding;

Local Law Number 4 Of 2003

(h) Maintain fiscal controls over county and grant funds concerning public transit and submit reports on a timely basis to the Ulster County Legislature and Federal agencies in compliance with all regulatory requirements attached to public transit funding;

(i) Maintain records and prepare narrative and statistical reports of a written and verbal nature concerning public transit;

(j) Design and implement recruitment programs for UCAT employees;

(k) Develop and maintain liaison with other agencies and private carriers in the planning and delivery of public transit service to county residents;

(l) Represent the department at governmental agency or community meetings to foster the goals of the department and explain its scope and purpose.

Section 3. TERM OF OFFICE

The term of office of the Public Transit Director shall be (2) years, expiring on the 3lst of December of each odd numbered year.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately.

Adopted: August 14, 2003

LOCAL LAW NUMBER 5 OF 2003

A LOCAL LAW TO PLACE ON THE BALLOT THE ISSUES OF WHETHER THE ULSTER COUNTY LEGISLATURE SHOULD BE REDUCED TO 23 MEMBERS AND WHETHER ONE LEGISLATOR SHOULD REPRESENT EACH SEPARATE DEFINED DISTRICT OF THE COUNTY LEGISLATURE

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. On and after January 1, 2012, the Ulster County Legislature shall consist of twenty-three (23) members.

Section 2. On and after January 1, 2012, each member of the Ulster County Legislature shall be the only member elected from and who shall represent each separate defined area or district of the County of Ulster Legislature, as that area or district may be defined by local law adopted by the County Legislature, following the results of the 2010 census.

Section 3. This local law shall be submitted to the voters of the County of Ulster in two parts at the election to be held on November 4, 2003, and only those parts as are approved by the voters at such election shall become effective on the effective date.

Section 4. The questions that shall be submitted to the voters are as follows:

(a) Shall the size of the Ulster County Legislature be reduced from 33 members to 23 members, effective January 1, 2012, following the results of the 2010 census?

(b) Shall all districts of the Ulster County Legislature contain only single members, effective January 1, 2012, following the results of the 2010 census?

Section 5. This local law shall be effective for the terms of office of members of the County Legislature beginning January 1, 2012, and shall be effective for the election of representatives for such term and all the processes required for the nomination and election of said members.

and moves its adoption.

Adopted: August 6, 2003
Confirmed by November 4, 2003 (General Election)
To be in effect for General Election of 2011

Local Law No. 1 Of 2004

County of Ulster

A Local Law To Authorize Ulster County To Contract With Westchester Health Care Corporation For The Services Of Ellenville Hospital And Make Payments To Prevent The Hospital's Closure

Section 1: Legislative Findings and Intent

A. The area of the Village of Ellenville ("Ellenville Area") is located in an economically depressed area of the County. The Village is located in the Town of Wawarsing and its economic base had declined significantly since the 1980s. Numerous employers have entirely ceased operations (such as Channel Master Corporation), the hotel and hospitality industry has shrunk, and most recently, Imperial-Shrade Cutlery has eliminated jobs. It is one of a few areas in the country which are part of a Rural Economic Area Partnership Zone. Ellenville and Wawarsing are in lower income zones than the rest of the County. Census data from 2000 indicates that the median household income for Ellenville was 64.6% of the median income for the whole of the County and that of Wawarsing was about 84%. Twenty three percent of households were below the poverty level in Ellenville and 17% in Wawarsing, compared with 10.5% of households in the County as a whole. Significant numbers of children are included in those percentages.

B. The needs of the Ellenville area for basic emergency and local community hospital care are presently met by the Ellenville Regional Hospital, (hereinafter "Ellenville Hospital" or "Hospital"), a facility licensed for 51 beds, but which generally operates at less than twenty-five percent of that capacity.

C. The Ellenville Hospital is an assumed name for the Westchester-Ellenville Hospital, a non-profit corporation, which is a wholly controlled subsidiary (through another non-profit corporation) of Westchester County Health Care Corporation, a public benefit corporation organized and existing pursuant to Chapter 11 of the Laws of 1997.

D. The Ellenville Hospital is presently operating under the protection of the bankruptcy statutes, having initiated a voluntary proceeding in the fall of 2003, and its operations over the last several years have produced significant deficits, amounting to $6.8 million in 2002 and $1.9 million in 2003.

E. The Hospital has applied for and expects to receive later in 2004 a designation as a Critical Access Hospital (CAH) which will improve its allowable reimbursement charges and expects that this change, coupled with renegotiations of rates paid by health maintenance organizations and insurers, and eventually, the reorganization of the Hospital's operations and services so that they are more reflective of the actual demands and needs of the area served ("Reorganization") will eliminate future deficits.

F. At the present time, and until the changes outlined in the preceding paragraph are implemented, the Hospital continues to operate at a deficit and will close completely and cease operations in March, 2004 unless it secures additional revenue.

G. The unplanned and unexpectedly sudden closure of this Hospital will create an immediate gap in the availability of medical services in the Ellenville area, as there is no other hospital within about forty to forty five minutes driving time from this Hospital and no other existing resource for needed hospital care, emergency care and auxiliary care in the form of outpatient services such as radiology in the Ellenville area. In 2003, there were 219 inpatient Medicaid visits to the Hospital and 6010 outpatient visits paid for by the County, according to County records. In addition the Hospital provides a substantial level of care which is paid for by the bad debt and charity care pool, the recipients of which are largely unable to pay for care.

H. The Hospital has been pursuing and will continue to pursue all other sources of funds to remain open, both public and private.

Section 2: Authorization for Contracts

For the purposes of insuring the temporary continuation of hospital care, associated emergency care and other auxiliary services such as radiology, for the benefit of the needy and children of the Ellenville area, in particular, and to prevent closure of the Ellenville Hospital without other provision for continuation of such services, the County acting through its Legislative Chairman or Purchasing Agent, may contract with the Westchester County Health Care Corporation and the Hospital for the hospital care, emergency care, related auxiliary medical services such as radiology, as are now provided, and as will be provided pursuant to such contract by the Ellenville Regional Hospital, within the limits of appropriations provided for such

purpose by and as authorized by resolution of the Ulster County Legislature, subject to the conditions of this local law.

Section 3: Conditions and Limitations to Contracts

Any such contract entered into under the provisions of this local law:

A. Shall provide that any monies payable hereunder shall be expended for the provision of current medical care and services during the period thereof, and shall not be used to pay any creditors of the Hospital in its pending bankruptcy, nor to pay any past or current charges for use by the Hospital of the facilities and/or land, in and upon which the Hospital is located, nor to reimburse or repay any person or entity for any monies or services advanced to the Hospital prior to such contract, except as the County Legislature shall specifically approve by resolution.

B. Shall provide that the Hospital present to the County Legislature within ninety days, a detailed plan for obtaining funds from other public and private sources and for its reorganization and the redeployment of its resources as a Critical Access Hospital which shall allow the continuation of hospital care, emergency care and related auxiliary medical services in the Ellenville area without the necessity of contracting for services under the authority of this local law. Such plan shall be subject to the review and approval of the County Legislature.

C. Shall not allow for advance payments for services to be provided, but may provide for payment on a weekly basis after rendition thereof.

D. Shall be approved by the bankruptcy court having jurisdiction over the Hospital's proceedings in bankruptcy within 30 days, but this provision shall not prevent the making of payments for services prior to such approval.

E. Shall be for an initial period which shall not be less than four months, nor greater than six months, but may be extended, renewed, or renegotiated for a greater or different period or with different levels of service within the amount of appropriations provided and upon a specific finding by the County Legislature that substantially the same factual conditions as described in Section 1 are then in existence and continuing.

F. May be terminated by the County by resolution of its Legislature, on at least 10 days notice.

Section 4: Requirement of Local Agreements

Any agreement authorized hereunder and the payment of any funds pursuant thereto shall be contingent upon the existence of substantially similar agreements between both the Town of Wawarsing and the Village of Ellenville and the Hospital and Westchester Health Care Corporation which will each provide substantially the same revenues and payments to prevent closure of the Hospital as any agreement authorized hereunder, or such other or different level and proportion of revenues and payments as may be approved by resolution of the County Legislature.

Section 5: Effective Date

This Local Law shall take effect immediately.

Adopted: March 11, 2004

Local Law No. 2 of 2004

County of Ulster

A Local Law Amending Local Law No. 1 Of 2002 As Amended By Local Law No. 3 Of 2002 To Revise The Kingston/Ulster Empire Zone Boundary

Be it enacted by the County Legislature of the County of Ulster as follows:

Section 1: Local Law No. 1 of 2002 as amended by Local Law No. 3 of 2002 is further amended:

a. to delete therefrom the following parcels:

			Latitude	Longitude
Town of Saugerties	HITS	Washington Ave Ext	-73.94555	42.092402
			-73.94647	42.092406
			-73.94646	42.093504
			-73.94647	42.092406
			-73.94554	42.093499
City of Kingston	St Clara	205-209 Hurley Ave	-74.03636	41.944112
			-74.03666	41.944103
			-74.03654	41.944172
			-74.03659	41.943889
			-74.03662	41.944059
			-74.03649	41.944120
			-74.03630	41.944059
			-74.03659	41.943889
			-74.03664	41.943936
City of Kingston		Ponckhockie Area	-73.9731216	41.9261169
			-73.9731674	41.9280624
			-73.9710159	41.9256020
			-73.9710159	41.9256020
			-73.9709702	41.9255486
			-73.9709702	41.9255486
			-73.9717865	41.9251480
			-73.9726486	41.9247169
			-73.9726715	41.9247055
			-73.9726715	41.9247055
			-73.9734344	41.9243240
			-73.9741135	41.9239922
			-73.9741135	41.9239922
			-73.9741364	41.9239807
			-73.9749527	41.9235611
			-73.9758759	41.9231186
			-73.9758759	41.9231186
			-73.9760208	41.9230499

		-73.9762421	41.9229736
		-73.9769897	41.9230003
		-73.9768982	41.9231224
		-73.9767838	41.9232712
		-73.9766159	41.9234467
		-73.9764099	41.9236450
		-73.9761200	41.9238625
		-73.9759216	41.9240112
		-73.9757385	41.9241638
		-73.9756088	41.9242859
		-73.9754944	41.9244652
		-73.9752884	41.9247780
		-73.9751663	41.9249687
		-73.9750900	41.9252319
		-73.9749908	41.9255753
		-73.9749222	41.9257927
		-73.9748535	41.9259796
		-73.9747162	41.9262047
		-73.9746323	41.9263458
		-73.9744644	41.9266281
		-73.9744034	41.9267273
		-73.9745102	41.9268227
		-73.9744263	41.9270096
		-73.9743576	41.9271545
		-73.9742508	41.9273987
		-73.9741745	41.9275703
		-73.9741287	41.9276199
		-73.9740753	41.9276733
		-73.9740372	41.9277000
		-73.9739761	41.9277382
		-73.9738770	41.9277802
		-73.9735947	41.9278946
		-73.9734344	41.9279556
		-73.9733124	41.9280052
		-73.9731674	41.9280624
City of Kingston	Delaware Ave/Koenig Blvd Area	-73.9857559	41.9249840
		-73.9848404	41.9235229
		-73.9848862	41.9236336
		-73.9850159	41.9241791
		-73.9850769	41.9244614
		-73.9857788	41.9241562
		-73.9857864	41.9241791
		-73.9858856	41.9242363
		-73.9859467	41.9242783

-73.9861450	41.9242058
-73.9862366	41.9241714
-73.9862518	41.9241905
-73.9865265	41.9240952
-73.9865875	41.9241867
-73.9869080	41.9240723
-73.9871750	41.9239769
-73.9872055	41.9240074
-73.9873199	41.9239655
-73.9878387	41.9237747
-73.9878082	41.9238892
-73.9878082	41.9241180
-73.9878540	41.9241867
-73.9879074	41.9242554
-73.9879684	41.9243126
-73.9880371	41.9243813
-73.9880981	41.9244347
-73.9882202	41.9245110
-73.9883347	41.9245796
-73.9884644	41.9246407
-73.9886932	41.9247322
-73.9889450	41.9248276
-73.9891968	41.9248924
-73.9896011	41.9250031
-73.9900970	41.9251404
-73.9904175	41.9252243
-73.9876862	41.9260368
-73.9878922	41.9260788
-73.9885406	41.9261703
-73.9895630	41.9261398
-73.9897537	41.9261360
-73.9901276	41.9261284
-73.9903641	41.9261360
-73.9905243	41.9261475
-73.9908066	41.9261780
-73.9909821	41.9262009
-73.9911575	41.9262352
-73.9913483	41.9262733
-73.9913559	41.9262543
-73.9916077	41.9263039
-73.9918213	41.9262848
-73.9930267	41.9265213
-73.9933853	41.9265938
-73.9942703	41.9267693
-73.9942474	41.9274483

-73.9942551	41.9275208
-73.9920731	41.9270477
-73.9903793	41.9266930
-73.9891968	41.9264450
-73.9874954	41.9260864
-73.9870987	41.9262619
-73.9864883	41.9264908
-73.9853745	41.9268875
-73.9846878	41.9265404
-73.9838028	41.9265366
-73.9830170	41.9265633
-73.9824295	41.9266129
-73.9814758	41.9266663
-73.9812164	41.9266815
-73.9809418	41.9266548
-73.9804916	41.9265900
-73.9803391	41.9265633
-73.9801941	41.9265747
-73.9802094	41.9264679
-73.9804077	41.9263000
-73.9805603	41.9261742
-73.9807129	41.9260406
-73.9808655	41.9259186
-73.9809570	41.9258423
-73.9810867	41.9257278
-73.9813538	41.9255066
-73.9815063	41.9253769
-73.9818649	41.9250755
-73.9823303	41.9246826
-73.9825745	41.9244308
-73.9828033	41.9243240
-73.9829788	41.9242401
-73.9831696	41.9241486
-73.9833908	41.9240417
-73.9836349	41.9239388
-73.9838715	41.9238472
-73.9841461	41.9237404
-73.9843903	41.9236565
-73.9848404	41.9235229

b. To add thereto the following parcels:

Municipality	Business	Address	Longitude	Latitude
Gardiner/T	Dave Kucera, Inc.	39 Steves Lane	-74.1480103	41.6931000
			-74.1481552	41.6926727
			-74.1483231	41.6927376
			-74.1481247	41.6930809
			-74.1480789	41.6931572
			-74.1479034	41.6931000
			-74.1479492	41.6930237
			-74.1481552	41.6926727
Gardiner/T	Dave Kucera, Inc.	39 Steves Lane	-74.1479111	41.6926117
			-74.1478271	41.6922874
			-74.1481857	41.6924095
			-74.1481323	41.6925163
			-74.1482010	41.6925392
			-74.1480713	41.6927528
			-74.1476669	41.6926155
			-74.1477890	41.6923943
			-74.1477737	41.6923866
			-74.1478271	41.6922874
Gardiner/T	Dave Kucera, Inc.	Steves Lane	-74.1494904	41.6941299
			-74.1493073	41.6939507
			-74.1498032	41.6941071
			-74.1496277	41.6943550
			-74.1491394	41.6941986
			-74.1493073	41.6939507
Gardiner/T	Dave Kucera, Inc.	Steves Lane	-74.1483383	41.6942673
			-74.1483994	41.6940651
			-74.1485291	41.6941071
			-74.1483612	41.6943550
			-74.1482315	41.6943169
			-74.1483994	41.6940651
Gardiner/T	Dave Kucera, Inc.	Steves Lane	-74.1488037	41.6939240
			-74.1486282	41.6937370
			-74.1491241	41.6938934
			-74.1489563	41.6941414
			-74.1484528	41.6939850
			-74.1486282	41.6937370

Gardiner/T	Durable Systems, Inc.	33 Osprey Lane	-74.1488342	41.6901703
			-74.1490097	41.6898575
			-74.1492004	41.6899490
			-74.1489258	41.6902962
			-74.1487427	41.6902161
			-74.1486511	41.6901741
			-74.1487427	41.6900558
			-74.1488342	41.6900940
			-74.1490097	41.6898575
Kingston/C	former Trinity United M.E. Church	31-37 Wurts Street	-73.9866791	41.9184685
			-73.9863663	41.9184723
			-73.9869003	41.9181824
			-73.9869003	41.9181824
			-73.9871140	41.9183960
			-73.9868851	41.9185257
			-73.9865875	41.9186859
			-73.9863663	41.9184723
Kingston/C	former Trinity United M.E. Church	23-29 Wurts Street	-73.9865265	41.9182205
			-73.9863663	41.9184723
			-73.9861526	41.9182587
			-73.9866867	41.9179764
			-73.9869003	41.9181824
			-73.9869003	41.9181824
			-73.9863663	41.9184723
Kingston/C	Fair Street Properties	224 Fair Street	-74.0171280	41.9318352
			-74.0168915	41.9317627
			-74.0171890	41.9316483
			-74.0171890	41.9316483
			-74.0172348	41.9317207
			-74.0173645	41.9318962
			-74.0170517	41.9320068
			-74.0168915	41.9317627
Kingston/C	Fair Street Properties	214 Fair Street	-74.0170059	41.9316368
			-74.0168915	41.9317627
			-74.0168076	41.9316444
			-74.0171127	41.9315262
			-74.0171890	41.9316483
			-74.0171890	41.9316483
			-74.0168915	41.9317627
Kingston/C	King's Kids Child	205-209 Hurley Avenue	-74.0360718	41.9424057

	Development Center		-74.0359573	41.9422493
			-74.0360336	41.9422531
			-74.0361404	41.9423485
			-74.0362091	41.9423561
			-74.0361938	41.9424667
			-74.0361099	41.9424629
			-74.0360107	41.9425278
			-74.0359268	41.9425201
			-74.0359573	41.9422493
Kingston/C	Pine Street Family Chiropractic	119 Pine Street	-74.0142899	41.9288368
			-74.0143356	41.9286804
			-74.0143890	41.9287643
			-74.0144653	41.9287338
			-74.0145721	41.9288940
			-74.0141830	41.9290390
			-74.0140228	41.9287949
			-74.0143356	41.9286804
Kingston/C	Rondout Plate & Mirror	321-323 Foxhall Avenue	-73.9994202	41.9368973
			-73.9991531	41.9369087
			-73.9995193	41.9367867
			-73.9995193	41.9367867
			-73.9996719	41.9368820
			-73.9994431	41.9369621
			-73.9994049	41.9369011
			-73.9991913	41.9369736
			-73.9991531	41.9369087
Kingston/C	Rondout Plate & Mirror	325-327 Foxhall Avenue	-73.9992905	41.9367943
			-73.9991531	41.9369087
			-73.9990845	41.9367867
			-73.9993591	41.9366913
			-73.9995193	41.9367867
			-73.9995193	41.9367867
			-73.9991531	41.9369087
Kingston/C	Stavo Industries	25-27 Gage Street	-73.9971161	41.9363480
			-73.9968033	41.9367256
			-73.9967880	41.9363174
			-73.9967880	41.9363174
			-73.9974518	41.9363213
			-73.9973984	41.9367256
			-73.9968033	41.9367256

Kingston/C	Stavo Industries	41 Gage Street	-73.9967270	41.9367027
			-73.9968033	41.9367256
			-73.9966507	41.9367256
			-73.9966354	41.9363174
			-73.9967880	41.9363174
			-73.9967880	41.9363174
			-73.9968033	41.9367256
Kingston/C	Ellenbogen Group LLC	102 St. James Street	-74.0153351	41.9300690
			-74.0153122	41.9299202
			-74.0156097	41.9303627
			-74.0154800	41.9304123
			-74.0153580	41.9302292
			-74.0153122	41.9301605
			-74.0151901	41.9299736
			-74.0153122	41.9299202
Lloyd/T	Apple Land	15 Haviland Road	-73.9629974	41.7100372
			-73.9630432	41.7099495
			-73.9631653	41.7100067
			-73.9630585	41.7101288
			-73.9629364	41.7100716
			-73.9628220	41.7100182
			-73.9628601	41.7099686
			-73.9629822	41.7100258
			-73.9630432	41.7099495
Lloyd/T	Gordon Fire Equipment	3199 Route 9W	-73.9612808	41.7644081
			-73.9612274	41.7642174
			-73.9614105	41.7642403
			-73.9613800	41.7643967
			-73.9613647	41.7644806
			-73.9611816	41.7644577
			-73.9611969	41.7643776
			-73.9612274	41.7642174
Marbletown & Rochester/T	Mohonk Spa	1000 Mountain Rest Road	-74.1569901	41.7674408
			-74.1571045	41.7673149
			-74.1571350	41.7673225
			-74.1571503	41.7673264
			-74.1571808	41.7673416
			-74.1572037	41.7673569
			-74.1572189	41.7673798
			-74.1572189	41.7673988
			-74.1572189	41.7674141

-74.1572037	41.7674332
-74.1572113	41.7674484
-74.1569977	41.7675438
-74.1570129	41.7675591
-74.1569138	41.7676010
-74.1568985	41.7675858
-74.1568527	41.7676125
-74.1568832	41.7676506
-74.1568680	41.7676582
-74.1568909	41.7676811
-74.1570282	41.7676163
-74.1570435	41.7676353
-74.1570740	41.7676239
-74.1571350	41.7677040
-74.1571121	41.7677155
-74.1571274	41.7677345
-74.1571121	41.7677536
-74.1569977	41.7678070
-74.1569977	41.7678299
-74.1569901	41.7678490
-74.1569824	41.7678680
-74.1569672	41.7678795
-74.1569443	41.7678909
-74.1569290	41.7678909
-74.1569138	41.7678947
-74.1568985	41.7678947
-74.1568756	41.7678909
-74.1568604	41.7678871
-74.1568451	41.7678719
-74.1568298	41.7678642
-74.1567383	41.7677498
-74.1567535	41.7677422
-74.1567383	41.7677193
-74.1567154	41.7677307
-74.1566620	41.7676620
-74.1566315	41.7676086
-74.1566467	41.7675972
-74.1566238	41.7675705
-74.1566620	41.7675514
-74.1566315	41.7675095
-74.1566772	41.7674866
-74.1567230	41.7674561
-74.1567459	41.7674789
-74.1567917	41.7674561
-74.1567841	41.7674408

			-74.1568832	41.7673950
			-74.1568909	41.7674103
			-74.1569519	41.7673836
			-74.1569443	41.7673683
			-74.1570435	41.7673225
			-74.1570511	41.7673378
			-74.1571045	41.7673149
Marlborough/T	Hudson Valley Sportsdome	246 Milton Turnpike	-73.9802246	41.6699104
			-73.9800949	41.6686783
			-73.9804306	41.6687050
			-73.9804077	41.6688576
			-73.9807434	41.6688843
			-73.9807816	41.6686897
			-73.9808884	41.6687050
			-73.9808502	41.6688919
			-73.9806061	41.6699982
			-73.9798203	41.6699371
			-73.9800644	41.6688271
			-73.9800949	41.6686783
Marlborough/T	Riversedge Partners	Route 9W/Indian Road	-73.9623108	41.6439247
			-73.9622421	41.6431084
			-73.9626770	41.6431351
			-73.9624939	41.6441460
			-73.9620514	41.6441154
			-73.9622421	41.6431084
New Paltz/T	Alpac Partners	12-14 S Putt Corners Rd	-74.0667419	41.7395630
			-74.0664139	41.7390213
			-74.0666122	41.7390976
			-74.0665207	41.7392197
			-74.0670166	41.7394180
			-74.0671005	41.7392960
			-74.0672989	41.7393723
			-74.0672150	41.7394943
			-74.0673828	41.7395630
			-74.0674744	41.7394409
			-74.0676041	41.7394943
			-74.0675125	41.7396164
			-74.0674133	41.7397652
			-74.0674667	41.7397919
			-74.0672836	41.7400360
			-74.0660248	41.7395325
			-74.0662155	41.7392845

			-74.0663300	41.7391434
			-74.0664139	41.7390213
Saugerties/T	HITS	Wash. Ave. Ext	-73.9461517	42.0935364
			-73.9460526	42.0933876
			-73.9461212	42.0933990
			-73.9460831	42.0935059
			-73.9462357	42.0935364
			-73.9462738	42.0934258
			-73.9463425	42.0934410
			-73.9462891	42.0936050
			-73.9459915	42.0935440
			-73.9460526	42.0933876
Saugerties/T	HITS	Wash. Ave. Ext	-73.9442825	42.0931969
			-73.9445801	42.0931549
			-73.9445877	42.0932541
			-73.9439926	42.0932846
			-73.9439850	42.0931892
			-73.9445801	42.0931549
Saugerties/T	HITS	Wash. Ave. Ext	-73.9447784	42.0931625
			-73.9449158	42.0931358
			-73.9449234	42.0932312
			-73.9446564	42.0932465
			-73.9446411	42.0931511
			-73.9449158	42.0931358
Saugerties/T	HITS	Wash. Ave. Ext	-73.9456024	42.0932121
			-73.9455185	42.0931549
			-73.9456940	42.0931549
			-73.9456940	42.0932198
			-73.9455109	42.0932198
			-73.9455185	42.0931549
Saugerties/T	Vertis, Inc	One Tomson Road	-73.9665070	42.0856628
			-73.9665070	42.0848083
			-73.9671402	42.0851707
			-73.9672928	42.0852470
			-73.9670563	42.0854759
			-73.9677582	42.0858765
			-73.9670792	42.0865250
			-73.9668427	42.0863838
			-73.9667206	42.0865097
			-73.9664536	42.0863571

			-73.9663544	42.0864563
			-73.9660263	42.0862694
			-73.9655991	42.0866814
			-73.9654236	42.0865822
			-73.9660721	42.0859528
			-73.9656067	42.0856895
			-73.9665070	42.0848083
Saugerties/V	DeLuxe Packaging	63 North Street	-73.9605408	42.0848999
			-73.9603729	42.0845032
			-73.9610977	42.0848312
			-73.9608154	42.0851822
			-73.9605942	42.0854492
			-73.9606094	42.0854568
			-73.9605408	42.0855408
			-73.9604492	42.0856590
			-73.9602585	42.0855751
			-73.9603500	42.0854568
			-73.9598846	42.0852547
			-73.9600372	42.0850601
			-73.9599457	42.0850182
			-73.9600983	42.0848427
			-73.9603729	42.0845032
Shawangunk/T	Fair-Rite Products, Inc.	One Commercial Row	-74.1792755	41.6057320
			-74.1793213	41.6051102
			-74.1796570	41.6051788
			-74.1796265	41.6052589
			-74.1794662	41.6056519
			-74.1794968	41.6056633
			-74.1793518	41.6060219
			-74.1791306	41.6059723
			-74.1791077	41.6060219
			-74.1789856	41.6059952
			-74.1792908	41.6051865
			-74.1793213	41.6051102
Shawangunk/T	Reggiani Lighting USA	3050 Route 208	-74.1820068	41.5985832
			-74.1818542	41.5981369
			-74.1821594	41.5981560
			-74.1821136	41.5984993
			-74.1822205	41.5985069
			-74.1821976	41.5987282
			-74.1820831	41.5987206
			-74.1820679	41.5988503

			-74.1820526	41.5989342
			-74.1818695	41.5989189
			-74.1818848	41.5988388
			-74.1817703	41.5988312
			-74.1818542	41.5981369
Ulster/T	Silver Hollow Group	Hurley Avenue Business Park	-74.0462265	41.9344826
			-74.0462036	41.9340973
			-74.0462875	41.9341965
			-74.0462646	41.9342079
			-74.0464706	41.9344330
			-74.0465012	41.9344749
			-74.0464325	41.9345055
			-74.0464478	41.9345169
			-74.0465546	41.9346237
			-74.0465088	41.9346466
			-74.0464478	41.9345818
			-74.0463715	41.9346199
			-74.0461884	41.9347153
			-74.0460129	41.9345284
			-74.0458679	41.9343796
			-74.0460281	41.9342918
			-74.0459518	41.9342194
			-74.0462036	41.9340973
Ulster/T	WCD Window Coverings	1711 Ulster Avenue Route 9W	-73.9898682	41.9823875
			-73.9899368	41.9821930
			-73.9900818	41.9822502
			-73.9902191	41.9823036
			-73.9900436	41.9825821
			-73.9895630	41.9824104
			-73.9896545	41.9822578
			-73.9898529	41.9823265
			-73.9898834	41.9822807
			-73.9899368	41.9821930
Wawarsing/T	Freskeeto Foods	8019 Route 209	-74.3816147	41.7333260
			-74.3811264	41.7329407
			-74.3816986	41.7332726
			-74.3817673	41.7331924
			-74.3819504	41.7332840
			-74.3818436	41.7333717
			-74.3818665	41.7333870
			-74.3816986	41.7335472
			-74.3816376	41.7335129

			-74.3816147	41.7335396
			-74.3815536	41.7335052
			-74.3815765	41.7334785
			-74.3811646	41.7332306
			-74.3810425	41.7331696
			-74.3811188	41.7331047
			-74.3810120	41.7330437
			-74.3811264	41.7329407
Wawarsing/T	Freskeeto Foods	8019 Route 209	-74.3815613	41.7329979
			-74.3814163	41.7328377
			-74.3817215	41.7329979
			-74.3816147	41.7331085
			-74.3813171	41.7329521
			-74.3814163	41.7328377
Wawarsing/T	Imperial Schrade	Schrade Court	-74.3820648	41.7272491
			-74.3824005	41.7261162
			-74.3832245	41.7265167
			-74.3830338	41.7267036
			-74.3831940	41.7267952
			-74.3820724	41.7280006
			-74.3810883	41.7275238
			-74.3824005	41.7261162

Section 2: The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the EZ.

Section 3: This Local Law shall take effect immediately.

Adopted: June 10, 2004

Local Law No. 3 of 2004

County of Ulster

A Local Law Amending Local Law No. 2 Of 2004 As Amended By Local Law No. 1 Of 2002 As Amended By Local Law No. 3 Of 2002 To Revise The Kingston/Ulster Empire Zone Boundary

Be it enacted by the County Legislature of the County of Ulster as follows:

Section 1: Local Law No. 2 of 2004 as amended by Local Law No. 1 of 2002 as amended by Local Law No. 3 of 2002 is further amended:

a. to delete therefrom the following parcels:

Municipality	Business	Address	Longitude	Latitude
Marbletown & Rochester/T	Mohonk Spa	1000 Mountain Rest Road	-74.1569901	41.7674408
			-74.1571045	41.7673149
			-74.1571350	41.7673225
			-74.1571503	41.7673264
			-74.1571808	41.7673416
			-74.1572037	41.7673569
			-74.1572189	41.7673798
			-74.1572189	41.7673988
			-74.1572189	41.7674141
			-74.1572037	41.7674332
			-74.1572113	41.7674484
			-74.1569977	41.7675438
			-74.1570129	41.7675591
			-74.1569138	41.7676010
			-74.1568985	41.7675858
			-74.1568527	41.7676125
			-74.1568832	41.7676506
			-74.1568680	41.7676582
			-74.1568909	41.7676811
			-74.1570282	41.7676163
			-74.1570435	41.7676353
			-74.1570740	41.7676239
			-74.1571350	41.7677040
			-74.1571121	41.7677155
			-74.1571274	41.7677345
			-74.1571121	41.7677536
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			-74.1569977	41.7678299
			-74.1569901	41.7678490
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			-74.1569290	41.7678909
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			-74.1568756	41.7678909
			-74.1568604	41.7678871
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			-74.1568298	41.7678642
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			-74.1567535	41.7677422
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			-74.1567154	41.7677307
			-74.1566620	41.7676620
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			-74.1566467	41.7675972
			-74.1566238	41.7675705
			-74.1566620	41.7675514
			-74.1566315	41.7675095
			-74.1566772	41.7674866
			-74.1567230	41.7674561
			-74.1567459	41.7674789
			-74.1567917	41.7674561
			-74.1567841	41.7674408
			-74.1568832	41.7673950
			-74.1568909	41.7674103
			-74.1569519	41.7673836
			-74.1569443	41.7673683
			-74.1570435	41.7673225
			-74.1570511	41.7673378
			-74.1571045	41.7673149
Marlborough/T	Hudson Valley Sportsdome	246 Milton Turnpike	-73.9802246	41.6699104
			-73.9800949	41.6686783
			-73.9804306	41.6687050
			-73.9804077	41.6688576
			-73.9807434	41.6688843
			-73.9807816	41.6686897
			-73.9808884	41.6687050
			-73.9808502	41.6688919
			-73.9806061	41.6699982
			-73.9798203	41.6699371
			-73.9800644	41.6688271
			-73.9800949	41.6686783

Section 2: The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the EZ.

Section 3: This Local Law shall take effect immediately.

Adopted: October 14, 2004

Local Law Number 4 Of 2004

County of Ulster

A Local Law To Establish A Fair Housing Law In Ulster County

BE IT ENACTED by the County Legislature of the County of Ulster as follows:

SECTION 1. Definitions.

For the purposes of this chapter, the following definitions shall apply to the following terms:

CREED - A formal Statement of beliefs, principles or opinions, including but not limited to religion.

DISABILITY:

A. A physical or mental impairment which substantially limits one or more of such person=s major life activities; or

B. A record of having such an impairment or being regarded as having such an impairment.

C. The term Adisability@ does not include current, illegal use of or addiction to a controlled substance as defined in Section 102 of the Controlled Substance Act (21 U.S.C.A. '802).

DISCRIMINATION - Any difference in treatment based on race, creed, color, national origin, sex, sexual orientation, disability, marital status or age and shall include segregation, except that it shall not be Adiscrimination@ for any religious or denominational institution to devote its facilities, exclusively or primarily, to or for members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained, except for commercial use of such facilities, and provided that such religious or denominational institution does not restrict its members on account of race, color or national origin.

DWELLING and FAMILY - Includes the meanings of those terms as they are defined in ' 4, Subdivisions 4 and 5, respectively, of the Multiple Dwelling Law of the State of New York. ADwelling@ shall also include any vacant land which is offered for sale or lease for the construction or location thereon of a dwelling, as previously defined.

Local Law No. 4 of 2004

FAMILIAL STATUS:

A. Any person who is pregnant or has a child or is in the process of securing legal custody of any individual who has not attained the age of 18 years; or
B. One or more individuals (who has not attained the age of 18 years) being domiciled with:

(1) A parent or another person having legal custody of such individual or individuals; or

(2) The designee of such parent.

HOUSING ACCOMMODATION - Includes any building, structure or portion thereof which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home residence or sleeping place of one or more human beings.

HOUSING FOR SENIOR CITIZENS:

A. Housing provided under a state or federal program that the Secretary of the United States Department of Housing and Urban Development determines is designed to assist elderly people; or

B. Housing intended for, and solely occupied by, persons 62 years of age or older; or

C. Housing intended and operated for occupancy by at least one person 55 years of age or older per unit where;

(1) At least 80% of the units are occupied by at least one person 55 years of age or older per unit; and

(2) The publication of, and adherence to, policies and procedures demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

(3) The housing facility or community complies with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall:

(a) Provide for verification by reliable surveys and affidavits; and

(b) Include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of Subsection C (2) of this definition. Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

OWNER-OCCUPIED - Includes physical possession by the owner and family.

TEMPORARY PERIOD - A period, not to exceed one year, where an owner relinquished possession of his housing accommodation with intent to return to said housing accommodation within said one-year period, or less, as permanent domicile.

SECTION 2. Prohibited acts; exceptions.

A. It shall be unlawful:

(1) Except as otherwise provided in this section, for any owner, lessee, sublessee, assignee, real estate broker, real estate salesman, managing agent of or other person, including but not limited to those having the right to sell, rent, lease, sublease, assign, transfer, negotiate for or otherwise make available to any person or group of persons such housing accommodations, to represent that such housing accommodations are not available for inspection, when in fact they are so available, because of the race, creed, color, sex, sexual orientation, national origin, disability, marital status, familial status or age of such person or persons, or to discriminate against any person because of his race, creed, color, national origin, sex, sexual orientation, disability, marital status, familial status or age in the terms, conditions or privileges of the sale, rental, lease, sublease, assignment, transfer or other disposition of any such housing accommodations or in the furnishing of facilities or services in connection therewith.

(2) To make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement with respect to the sale, rental, lease, sublease, assignment, transfer or other disposition or any such housing accommodations that indicate any preference, limitation or discrimination based on race, creed, color, national origin, sex, sexual orientation, disability, marital status, familial status or age, or an intention to make any such preference, limitation or discrimination.

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(3) For profit, to induce any person to sell or rent any dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, creed, color, national origin, sex, sexual orientation, disability, marital status, familial status or age.

(4) For any person or other entity, whose business involves:

(a) The making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling or which is secured by residential real estate; or

(b) The selling, brokering or appraising of residential real property; to discriminate against any person in making available such a transaction, as in the terms or conditions of such a transaction, because of race, creed, color, national origin, sex, sexual orientation, disability, marital status, familial status or age.

(5) To deny any person access to or membership or participation in any multiple-listing service, real estate brokers= organization, or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate in the terms or conditions or such access, membership or participation, on account of race, creed, color, national origin, sex, sexual orientation, disability, marital status, familial status or age.

(6) In regard to persons with disabilities:

(a) To refuse to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by the said person, if the modifications may be necessary to afford the said person full enjoyment of the premises, in conformity with the provisions of the New York State Uniform Fire Prevention and Building Code, except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter=s agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

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(b) To refuse to make reasonable accommodations in rules, policies, practices or services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling including public or common areas.

(c) In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct dwellings in accordance with the accessibility requirements of the New York State Uniform Fire Prevention and Building Code, specifically the 1986 revision of ANSI A117.1, to provide that:

[1] The public-use and common-use portions of the dwellings are readily accessible to and usable by persons with disabilities.

[2] All the doors are designed in accordance with the New York State Uniform Fire Prevention and Building Code to allow passage into and within all premises and are sufficiently wide to allow passage by persons in wheelchairs.

[3] All premises within covered multifamily dwelling units contain an accessible route into and through the dwelling; light switches, electrical outlets, thermostats and other environmental controls are in accessible locations; there are reinforcements in the bathroom walls to allow later installation of grab bars; and there are usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space, in conformity with the New York State Uniform Fire Prevention and Building Code.

(7) To coerce, intimidate, threaten or interfere with any person in the exercise of, or on account of his having aided or encouraged any other person in the exercise of, any right granted under this chapter.

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B. Exceptions

(1) Nothing in Subsection A (1) of this section shall apply to any housing accommodation occupied in whole or in part by the owner and designed to accommodate three families or less, provided that any such housing accommodation shall be so exempted only if such housing accommodation is sold, rented, leased, subleased, assigned, transferred or otherwise disposed of without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of such broker, agent, salesman, or person.

(2) The provision of this section relating to discrimination based on age and familial status shall not apply to:

(a) A restriction of the sale, rental or lease of any housing accommodation, land or commercial space exclusively to persons 55 years of age or older; or

(b) Housing units for senior citizens as defined in section 1.

(3) The provisions of this section, except for those contained in Subsection A(2) shall not apply to any one- or two-family owner-occupied house, provided that, with respect to one-family owner-occupied house:

(a) The single-family house must be sold or rented by an owner.

(b) The individual owner must not own more than three such houses at any one time.

(c) In the case of a sale by a nonresident owner, this exemption applies only with respect to one sale within a twenty-four month period.

(d) The owner must not own an interest in the proceeds from the sale or rental of more than three such single-family houses at any one time.

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(e) The sale or rental of the single-family house must be accomplished without the use of an broker or any discriminatory advertisement or notice.

SECTION 3. Fair Housing Board.

A. There is hereby created a Fair Housing Board. Such Board shall consist of three members who shall be appointed by the Ulster County Legislature, from the membership of the Ulster County Human Relations Commission; one of whom shall be designated as chairperson by the Legislature. The members and Chair of the Board shall serve at the pleasure of the Legislature.

B. Two members of the Board shall constitute a quorum for the purpose of conducting the business thereof. A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board. Each member of the Board shall serve without compensation.

C. The Director of the Ulster County Human Relations Commission shall be the Executive Secretary of the Fair Housing Board.

SECTION 4. Formulation of policies by Board.

The Board shall formulate policies to effectuate the purposes of this chapter and may make recommendations to agencies and officers of the County in aid of such policies and purposes.

SECTION 5. Powers and duties of Board.

The Board shall have the following functions, powers and duties:

(A) To establish and maintain its principal headquarters at the office of the Ulster County Human Relations Commission.

(B) To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions of this chapter and the policies and practices of the Board.

(C) To receive, investigate and conciliate complaints and to pass upon the validity of complaints alleging violation of this chapter.

(D) To hold hearings, subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath and, in connection

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therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the Board.

(E) To issue and to have served cease-and-desist orders and orders dismissing complaints and to pass upon compliance with such orders.
(F) To render each year to the County Legislature a full written report of all of its activities and its recommendation.

(G) To adopt an official seal.

(H) May request the assistance of the Ulster County Attorney=s Office which may be provided to carry out the purposes of this local law for matters such as seeking temporary injunctive relief pending the completion of an investigation.

(I) To appoint one or more hearing officers, as shall be necessary to carry out its functions and duties. The hearing officer shall have the same powers possessed by the Board to hold and conduct hearings. The hearing officer shall function under the supervision of the Board and shall make findings of fact and recommendation to the Board.

(J) To award compensatory and punitive damages as set forth in section 6.

SECTION 6. Complaints; hearing.

A. Any person claiming to be aggrieved by a violation of section 2 hereof may, by himself of herself or by his or her attorney at law, make, sign and file with the Executive Secretary of the Board a written, verified complaint which shall state the name and address of the owner or other person alleged to have committed the violation complained of and shall set forth the particulars of the alleged violation and such other information as may be required by the Board. Such complaint shall be filed within 180 days after the alleged act of discrimination.

B. After the filing of any complaint, the Executive Secretary of the Fair Housing Board, acting for the Board, shall within 30 days after receipt make a prompt investigation in connection therewith. The Executive Secretary shall determine, after such investigation, whether it has jurisdiction and, if so, whether there is probable cause for crediting the allegations of the complaint. He or she may at any time after the filing of the complaint endeavor to eliminate the alleged unlawful discriminatory practice by conference, conciliation and persuasion. If the Secretary is unable to complete the investigation within 100 days after the filing of the complaint, the Secretary shall notify the complainant and respondent in writing of the reasons for not doing so. Neither the Executive Secretary of the Fair Housing Board nor any member of the Board shall

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disclose what has transpired in the course of such endeavors except to other members of the Board. The Chair of the County Legislature and members of the County Legislature may be advised upon completion of the proceeding, but the advice of the County Attorney may be sought at any time.

C. Hearing procedure.

(1) In case of failure to eliminate such practice as a result of conferences, conciliation or persuasion, or after a determination following investigation that there is probable cause to believe there has been a violation of Section 2 hereof, the Executive Secretary shall, or in advance thereof if circumstances so warrant, the Executive Secretary may, acting for the Board, cause to be issued and served, in the name of the Legislature, a written notice, together with a copy of such complaint and information concerning procedural rights, which includes the right to answer the allegations prior to the completion of the investigation, to the person alleged to have committed the violation complained of, hereinafter referred to as the Arespondent.@ This party will have to answer the charges of such complaint at a hearing before a hearing examiner, at a time and place to be specified in such notice. The place of any such hearing shall be the office of the Board or such other place as may be designated by it. The evidence in support of the complaint shall be presented by the administrative agency on behalf of the complainant. The aforesaid endeavors at conciliation shall not be received in evidence. The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise, with or without counsel, and submit testimony. In the discretion of the hearing examiner, the complainant may be allowed to intervene and present testimony in person or by counsel. The Board or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his or her answer. The Board shall not be bound by strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and recorded. If, upon all the evidence at the hearing the Board shall find that a Respondent has engaged in any unlawful discriminating practice, as defined in this chapter, the Board shall state the findings of fact and shall:

(a) Issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful discriminatory practice.

(b) Require such respondent to take such affirmative action as may be indicated to effectuate the provisions of this chapter.

(c) Award compensatory damages to the person aggrieved of such practice. The person awarded such damages may bring an action in a court of competent jurisdiction to recover such award.

(d) Award punitive damages to the person aggrieved by such practice. The person awarded such damages may bring an action in a court of competent jurisdiction to recover such award.

(2) The Board shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder.

D. An aggrieved person may commence a civil action in a court of appropriate jurisdiction which includes United States District Court or New York State Courts, not later than two years after the occurrence or the termination of an alleged discriminatory housing practice, or the breach of a conciliation agreement entered into under this title, whichever occurs last, to obtain appropriate relief. The two-year period shall not include time during which an administrative proceeding under this title was pending. A civil action may be commenced under this subsection whether or not a complaint has been filed under the section, but no action may be filed with respect to the alleged discriminatory housing practice if the aggrieved has already consented to a conciliation agreement, unless his purpose is to enforce the terms of such an agreement. The court may appoint an attorney for the aggrieved person or authorize the continuation of the civil action without the payment of costs if it finds such person unable to bear those costs. If the court finds that a discriminatory housing practice has occurred, or is about to occur, the court may award actual or punitive damages and grant any permanent or temporary injunction, temporary restraining order or other order unless this relief affects any contract, sale, encumbrance or lease consummated before the granting of such relief. The court may allow the prevailing party a reasonable attorney=s fee and costs.

SECTION 7. Interpretation of provisions.

The provisions of sections 3 through 6 of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained herein shall be deemed to repeal any of the provisions of the Human Rights Law or any law of this state relating to discrimination because of race, creed, color, national origin, sex, sexual orientation, disability, marital status, familial status or age. If an aggrieved individual institutes a civil court action while the procedure herein provided is pending, the procedure herein provided shall continue, but only up to the point where the civil court action is brought to trial. If such individual institutes any civil court action based on such grievance without resorting to the procedure provided in this local law, he or she may not subsequently resort to the procedure herein.

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Local Law No. 4 of 2004

SECTION 8. Effective Date.

This local law shall take effect one hundred and twenty days after adoption.

Adopted: November 10, 2004

Local Law No. 4 of 2004

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Local Law Number 5 Of 2004

County Of Ulster

A Local Law To Establish A Department Known As The Ulster County Tourism Office And To Create The Public Office Of The Director Of Tourism

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

Section 1. ESTABLISHMENT OF DEPARMENT OF TOURISM AND OFFICE OF DIRECTOR THEREOF

There is hereby created, as a Department of County government, the Ulster County Tourism Office, the head of which shall be the Director of Tourism who shall be appointed on the basis of his or her experience and qualifications for the duties of the office by the County Legislature. The Director shall be appointed for the term of office for which the members of the Legislature then in office were elected.

Section 2. DIRECTOR OF TOURISM - POWERS AND DUTIES

The Director of Tourism shall have the following powers and duties:

(a) Direct the administration of marketing programs of the tourism office for all Ulster County tourism related sites, attractions and events.

(b) Develop Marketing/Advertising programs for individual tourism sites, attractions and events in conjunction with the New York State Division of Tourism matching funds guidelines.

(c) Act as the official Tourism Promotion Agent for the County.

(d) Be responsible for operating the matching funds program at the County level. This includes applying for matching funds, preparing quarterly reports, and preparing the final matching funds report.

(e) Work with advertising agency and/or graphic designer to create ads that bring about ultimate awareness to each relevant market segment as well as place the ads in relevant publications for each market segment.

(f) Develop annual trade show schedule based on budget and marketing needs of the tourism sites, attractions and events.

(g) Serve as the representative at industry trade shows, local events, and conferences with/or a qualified staff member as needed.

(h) Promote interest and participation in the office's activities on the part of tourism-related businesses.

(i) Create a positive climate of acceptance for the office and its programs with all segments of the industry, and the media.

(j) Provide leadership role in local and regional organizations to: 1) build the awareness of the tourism/travel industry and the office; and 2) stimulate organizational and personal growth.

(k) In cooperation with the staff, develop, recommend and operate within an annual budget.

(l) Ensure that all funds, physical assets and other property of the offices are appropriately safeguarded and administered.

(m) Review all payables and receivables in order to keep the office within the guidelines of the budget.

(n) Research and apply for special grants made available from Federal, State or Local programs that will further promote tourism programs through the office.

(o) Establish a sound organization structure for the staff.

(p) Direct and coordinate all programs, projects and major activities of the staff. Supervise and monitor workflow and dissemination of information to staff.

(q) Develop and distribute all collateral materials and office publications.

(r) Plan, promote and attend tourism meetings.

(s) Serve on such boards as appointed by the Chairman or the Legislature, and on such other boards, in the Director's discretion, as may be required to further the activities of the office.

(t) Have authority to appoint and remove all officers and employees of the Department of Tourism.

Section 3. DEPUTIES

(a) The Director of Tourism shall have the power to appoint one Deputy Director within the limits of appropriations therefore. Every appointment of a Deputy shall be in writing filed and recorded in the office of the County Clerk.

(b) The term of office of any Deputy appointed hereunder shall coincide with that of the Director of Tourism, provided that such appointment may be revoked at any time by the Director of Tourism by written revocation filed with the County Clerk.

(c) Deputy Director of Tourism shall perform such duties pertaining to the office of the Director of Tourism as the Director of Tourism may direct and shall act generally for and in place of the Director of Tourism and perform such other and further duties as the Director of Tourism may assign and direct.

Section 4. EFFECTIVE DATE

This local law shall take effect on January 1, 2005.

Adopted: December 13, 2004

LOCAL LAW NO. 6 OF 2004

COUNTY OF ULSTER

A Local Law Relating To The Appointment Of County Legislators By The County Legislature To Paid Positions Of County Employment)

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

SECTION 1. No current or former County Legislator may be appointed by the Ulster County Legislature to any paid office or paid position of employment with the County of Ulster within one year after his or her service as a County Legislator has ended, with the exception of the Office of Commissioner of the Board of Elections.

SECTION 2. This local law shall take effect immediately.

Adopted: December 13, 2004

LOCAL LAW NUMBER 1 OF 2005

COUNTY OF ULSTER

A Local Law To Provide Veterans' Property Tax Exemptions To Gold Star Parents Pursuant To New York State Law

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

Section 1. This Local Law is enacted pursuant to the authority set forth in and in accordance with the New York State Real Property Law (RPTL) section 458-a, as amended by Chapter 326 of the Laws of 2000. All terms and definitions of RPTL 458-a shall be equally applicable in this local law.

Section 2. As authorized by subdivision 7 of RPTL section 458-a, the County of Ulster hereby includes a Gold Star Parent (i.e., parent of a child who died in the line of duty while serving in the United States Armed Forces during a period of war) within the definition of "qualified owner" set forth in RPTL 458-a (1) (c), and property owned by a Gold Star Parent within the definition of "qualifying residential real property" set forth in RPTL 458-a (1) (d), provided that such property shall be the primary residence of the Gold Star Parent. The additional exemption provided for in RPTL 458-a (2) (c) shall not apply to real property owned by Gold Star Parent.

Section 3. This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2006.

Adopted: May 12, 2005

Local Law Number 2 Of 2005

County Of Ulster

A Local Law To Revise The Empire Zone Legislation

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

Section 1. The City of Kingston and the Town of Ulster are hereby authorized and empowered to submit an application for re-designation of certain areas within Ulster County as an Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the concurrence, through properly adopted resolution(s) with respect to such application of the governing bodies of any and all cities, towns and villages in which such zone is located.

Section 2. The boundaries of said areas to be included in said Empire Zone shall be as set forth in Schedule A, which is attached hereto and made a part hereof. Pursuant to Section 205-4 and Section 205-8 of the Code of the City of Kingston, said map and description shall heretofore be placed on file with the City of Kingston Clerk's Office, and also filed with the Ulster County Clerk.

Section 3. Pursuant to requirements of Section 963(a) of the General Municipal Law, City of Kingston Comptroller shall continue to serve as the Local Empire Zone Certification Officer of Kingston/Ulster Empire Zone, and shall, pursuant to the regulations promulgated pursuant to Article 18-B of the General Municipal Law, perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those businesses enterprises that are eligible to receive those benefits referred to in Section 966 of the General Municipal Law, and any other applicable statutes.

Section 4. Pursuant to Article 18-B of the General Municipal Law, the Local Empire Zone Administrative Board as presently constituted is hereby continued. The Local Empire Zone Administrative Board, pursuant to Section 963(a) of the General Municipal Law, as amended, shall approve for certification by the Zone Certification Officer, the New York State Commissioner of Economic Development, and the New York State Commissioner of Labor, the applications of those businesses eligible for certification to receive the benefits referred to in Section 966 of the General Municipal Law, and shall perform all other duties required of it pursuant to Section 963(b) of the General Municipal Law.

Local Law Number 2 Of 2005

County Of Ulster

A Local Law To Revise The Empire Zone Legislation

Section 5. Local Law No. 1 of 2002, (A Local Law Amending The Kingston/Ulster Empire Zone Boundary), Local Law No. 3 Of 2002, (A Local Law Amending Local Law No. 1 Of 2002 To Revise The Kingston Ulster Empire Zone Boundary), Local Law No. 2 of 2004, (A Local Law Amending Local Law No. 1 Of 2002 As Amended By Local Law No. 3 Of 2002 To Revise The Kingston/Ulster Empire Zone Boundary) and Local Law No. 3 of 2004, (A Local Law Amending Local Law No. 2 Of 2004 As Amended By Local Law No. 1 Of 2002 As Amended By Local Law No. 3 Of 2002 To Revise The Kingston/Ulster Empire Zone Boundary), are hereby repealed.

Section 6. This Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Adopted: December 14, 2005

Schedule A

Longitude	Latitude
City of Kingston/Town of Ulster Subzone	
-74.02669691850	41.93335274230
-74.02661277200	41.93348262440
-74.02658214370	41.93361296040
-74.02649347350	41.93379234160
-74.02634306170	41.93426391500
-74.02623835300	41.93420898680
-74.02578896050	41.93416464510
-74.02572057340	41.93424962670
-74.02540508020	41.93422443280
-74.02541858120	41.93398136730
-74.02475655210	41.93403879260
-74.02481020300	41.93432746300
-74.02469473680	41.93433548730
-74.02482773660	41.93505714640
-74.02454074460	41.93504119880
-74.02426328190	41.93499380850
-74.02379442090	41.93498982310
-74.02366665870	41.93585337290
-74.02346601100	41.93581113780
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-74.02321739350	41.93580001440
-74.02321629450	41.93587205950
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-74.02293191240	41.93568500320
-74.02257852100	41.93562345310
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-74.02204717830	41.93531720590
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Town of Ulster Subzone

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Town of Saugerties/N Subzone

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Town of Saugerties/S Subzone

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Town of Lloyd Subzone

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Village of Ellenville Subzone

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Town of Wawarsing Subzone

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Local Law Number 1 Of 2006

County Of Ulster

A Local Law To Provide An Exemption For The Increase In Assessed Value Resulting From The Construction Or Reconstruction Of Living Quarters For Senior Parents Or Grandparents Pursuant To Real Property Tax Law Section 469

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

Section 1. Purpose. The purpose of this Local Law is to exempt, from real property taxes, property owned by persons who construct or reconstruct residential structures for the purpose of providing living quarters for a parent or grandparent of one of the owners, to the extent provided by this Local Law.

Section 2. Age. This exemption shall only apply to premises being constructed or reconstructed for a parent or grandparent who has attained the age of sixty-two years or older prior to the application for the exemption.

Section 3. Exemption Granted. Pursuant to the provisions of the New York State Real Property Tax Law Section 469, an exemption from taxation is granted to the extent of any increase in assessed value of residential property resulting from the construction or reconstruction of such property for the purpose of providing living quarters for a parent or grandparent, who is sixty-two years of age or older. Such exemption shall not exceed (a) the increase in assessed value resulting from construction or reconstruction of such property, or (b) twenty percent of the total assessed value of such property as improved, or (c) twenty percent of the median sale price of residential property as reported in the most recent sales statistical summary published by the State Board for the County in which the property is located, whichever is less.

Section 4. Exclusions. No such exemption shall be granted unless:

(a) The property is within the geographical area in which such constructions or reconstruction is permitted, and

(b) The residential property so constructed or reconstructed is the principal place of residence of the owner.

Section 5. Time Restrictions. Such exemption shall be applicable only to construction or reconstruction which occurred subsequent to the effective date of Real Property Tax Law Section 469, and this Local Law, and shall only apply during taxable years during which at least one such parent or grandparent maintains a primary place of residence in such living quarters.

Local Law Number 1 Of 2006

County Of Ulster

A Local Law To Provide An Exemption For The Increase In Assessed Value Resulting From The Construction Or Reconstruction Of Living Quarters For Senior Parents Or Grandparents Pursuant To Real Property Tax Law Section 469

Section 6. Annual Application. Such exemption from taxation shall be granted upon an application made annually, upon a form to be promulgated by the State Board, by the owner of such property to the Assessor of the City, Town, Village or County having the power to assess property for taxation on or before the appropriate taxable status date of such City, Town, Village or County. If the assessor is satisfied that the property is entitled to an exemption pursuant to this paragraph, the assessor shall approve the application and such residential improvements shall be exempt from taxation and special ad valorem levies as provided in this paragraph.

Section 7. Definitions. For the purposes of this Local Law, the term "parent or grandparent" shall be deemed to include the natural or adopted grandparents and parents of the owner or the spouse of the owner.

Section 8. False Statements. Any conviction of having made any willful false statement in the application for such exemption shall result in the revocation thereof, be punishable by a civil penalty of not more than one hundred dollars and shall disqualify the applicant or applicants from further exemption for a period of five years.

Section 9. Applicability. Such exemptions shall apply to improvements on or after the effective date of this Local Law.

Section 10. Effective Date. This Local Law shall be effective immediately.

Adopted: May 10, 2006

Local Law Number 2 Of 2006

County Of Ulster

A Local Law Adopting The Ulster County Charter

The Ulster County Charter is available for viewing in its entirety on the County website or by request.

Local Law Number 3 Of 2006

County Of Ulster

A Local Law To Adopt Countywide Notification Requirements For Commercial And Residential Lawn Pesticide Applications

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

Section 1: Legislative Intent. This Legislature finds that individuals and their personal property are, or can be, unwittingly exposed to pesticides applied on their neighbor's property from commercial and residential lawn applications. This Legislature further finds that pesticides may pose health and safety risks to people, particularly children, pregnant women, the elderly and people with infirmities. The intent of this local law is to provide information to county residents about certain pesticide applications to which they may be exposed, so that they can take steps to minimize such exposure to themselves, their families, pets, crops, livestock, backyard wildlife and property.

Accordingly, this Legislature hereby adopts the special notice requirements for commercial and residential lawn applications of pesticides as set forth in Section 33-1004 of the New York Environmental Conservation Law. It is intended that this local law be read and applied consistently with that section and all other applicable provisions of the Environmental Conservation Law and regulations promulgated thereunder.

This law shall be known as the Ulster County Neighbor Notification Law.

Section 2: Definitions. All terms used herein shall be as defined in Article 33 of the New York Environmental Conservation Law:

a. "Abutting property" means any property which has any boundary or boundary point in common with the property on which the pesticide is to be applied.

b. "Agency" means any state agency; municipal corporation; public authority; college, as that term is defined in the education law; railroad, as that term is defined in the railroad law; or telegraph, telephone, telegraph and telephone, pipeline, gas, electric, or gas and electric corporation as those terms are defined in the transportation corporations law, which applies pesticides.

Local Law Number 3 Of 2006

County Of Ulster

A Local Law To Adopt Countywide Notification Requirements For Commercial And Residential Lawn Pesticide Applications

c. "Commercial lawn application" means the application of pesticide to ground, trees, or shrubs on public or private outdoor property. For thepurposes of this Local Law the following shall not be considered commercial lawn application:

(1) the application of pesticide for the purpose of producing an agricultural commodity;

(2) residential application of pesticides;

(3) the application of pesticides around or near the foundation of a building for the purpose of indoor pest control;

(4) the application of pesticides by or on behalf of agencies except that agencies shall be subject to visual notification requirements pursuant to section 33-1003 of the environmental conservation law where such application is within one hundred feet of a dwelling, multiple dwelling, public building or public park; and

(5) the application of pesticides on golf courses or turf farms.

d. "Commissioner" means the Commissioner of the New York State Department of Environmental Conservation.

e. "Dwelling" means any building or structure or portion thereof which is occupied in whole or in part as the home, residence or sleeping place for one or two families.

f. "General use pesticide" means a pesticide which does not meet the state criteria for a restricted pesticide as established under authority of section 33-0303 of the New York Environmental Conservation Law.

g. "Multiple dwelling" means any dwelling which is to be occupied by or is occupied as the residence or home of three or more families living independently of each other.

h. "Pesticide" means:

(1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest; and

(2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

i. "Premises" means land and improvements or appurtenances or any part thereof.

j. "Residential lawn application" means the application of general use pesticides to ground, trees, or shrubs on property owned by or leased to the individual making such application. For the purposes of this Local Law the following shall not be considered residential lawn application:

(1) the application of pesticides for the purpose of producing an agricultural commodity;

(2) the application of pesticides around or near the foundation of a building for the purpose of indoor pest control;

(3) the application of pesticides by or on behalf of agencies except that agencies shall be subject to visual notification requirements pursuant to section 33-1003 of the New York Environmental Conservation Law where such application is within one hundred feet of a dwelling, multiple dwelling, public building or public park; and

(4) the application of pesticides on golf courses or turf farms.

Section 3: Notification Requirements for Commercial and Residential Lawn Applications. The provisions in this section are adopted in their entirety and without exception, pursuant to section 33-1004 of the New York environmental conservation law.

Local Law Number 3 Of 2006

County Of Ulster

A Local Law To Adopt Countywide Notification Requirements For Commercial And Residential Lawn Pesticide Applications

a. Retail Consumer Information Sign.

(1) All retail establishments that sell general use pesticides for commercial or residential lawn application shall display a sign meeting standards, established by the Commissioner pursuant to subdivision one of section 33-1005 of the environmental conservation law, in a conspicuous place, and such sign shall be placed as close as possible to the place where such pesticides are displayed.

Prior Notification of Commercial Lawn Applications.

(1) At least forty-eight hours prior to any commercial lawn application of a pesticide, the person or business making such application shall supply written notice, as defined in subdivision three of section 33-1005 of the environmental conservation law, to:

A. occupants of all dwellings on abutting property with a boundary that is within one hundred fifty feet of the site of such application; and to

B. owners, owners' agents, or other persons in a position of authority for all other types of premises that are on abutting property with a boundary that is within one hundred fifty feet of the site of such application. Owners or owners' agents of multiple family dwellings shall supply such written notice to the occupants of such multiple family dwellings and for all other types of premises, owners, owners' agents or other persons in a position of authority shall post such written notice in a manner specified by the Commissioner.

(2) Such prior notification provisions shall not apply to the following:

A. the application of anti-microbial pesticides and anti-microbial products as defined by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in 7 U.S.C. Section 136 (mm) and 136 q (h) (2);

B. the use of an aerosol product with a directed spray, in containers of eighteen fluid ounces or less, when used to protect individuals from an imminent threat from stinging and biting insects,

including venomous spiders, bees, wasps and hornets. This section shall not exempt from notification the use of any fogger product or aerosol product that discharges to a wide area;

C. the use of non-volatile insect or rodent bait in a tamper resistant container;

D. the application of a pesticide classified by the United States Environmental Protection Agency as an exempt material under 40 CFR Part 152.25;

E. the application of a pesticide which the United States Environmental Protection Agency has determined satisfies its reduced risk criteria, including a biopesticide;

F. the use of boric acid and disodium octaborate tetrahydrate;

G. the use of horticultural soap and oils that do not contain synthetic pesticides or synergists;

H. the application of a granular pesticide, where granular pesticide means any ground applied solid pesticide that is not a dust or powder;

I. the application of a pesticide by direct injection into a plant or the ground;

J. the spot application of a pesticide, where spot application means the application of pesticide in a manually pressurized or non-pressurized container of thirty-two fluid ounces or less to an area of ground less than nine square feet;

K. the application of a pesticide to the ground or turf of any cemetery; and

L. an emergency application of a pesticide when necessary to protect against an imminent threat to human health, provided, however, that prior to any such emergency application, the person providing such application shall make a good faith effort to supply the written notice required pursuant to this title. Upon making an emergency application, the person making such application shall notify the Commissioner of the New York State Department of Health, using a form developed by such commissioner for such purposes that shall include minimally the

name of the person making such application, the pesticide business registration number or certified applicator number of the person making such application, the location of such application, the date of such application, the product name and United States Environmental Protection Agency registration number of the pesticide applied and the reason for such application.

c. Posting of Residential Lawn Applications.

(1) All persons performing residential lawn applications treating an area more than one hundred square feet shall affix markers to be placed within or along the perimeter of the area where pesticides will be applied. Markers are to be placed so as to be clearly visible to persons immediately outside the perimeter of such property. Such markers shall be posted at least twelve inches above the ground and shall be at least four inches by five inches in size.

(2) Such markers shall be in place on the day during which the pesticide is being applied and shall instruct persons not to enter the property and not to remove the signs for a period of at least twenty-four hours. Such instruction shall be printed boldly in letters at least three-eighths of an inch in height.

Section 4: Enforcement. Pursuant to section 33-1004 of the New York Environmental Conservation Law, the Ulster County Department of Health shall enforce the provisions of this local law administratively, provided that all sanctions, which shall be assessed after providing a hearing or opportunity to be heard, shall be as specified in Section 5 of this law and shall be payable to and deposited with Ulster County.

Local Law Number 3 Of 2006

County Of Ulster

A Local Law To Adopt Countywide Notification Requirements For Commercial And Residential Lawn Pesticide Applications

Section 5: Penalties.

a . Administrative Sanctions.

(1) A person providing a commercial lawn application who violates any provision of this local law shall be liable for a civil penalty not to exceed five thousand dollars for a first violation, and not to exceed ten thousand dollars for a subsequent offense.

(2)An owner or owner's agent of a multiple dwelling or owner, owner's agent or a person in a position of authority for all other types of premises, who violates any rule or regulation pursuant to subdivision b(1)(B) of section 3 of this local law (Prior Notification of Commercial Lawn Applications), and a person who violates any provision of subdivision c of such section (Posting of Residential Lawn Applications), shall for a first such violation, in lieu of a penalty, be issued a written warning and shall also be issued educational materials prepared by the Commissioner pursuant to subdivision two of section 33-1005 of the New York Environmental Conservation Law. Such person shall, however, for a second violation, be liable for a civil penalty not to exceed one hundred dollars, and not to exceed two hundred fifty dollars for any subsequent violation.

(3)A person who violates the provisions of subdivision a of section 3 of this local law (Retail Consumer Information Sign) shall be issued a warning for the first violation and shall be provided seven days to correct such violation; and shall be liable for a civil penalty not to exceed one hundred dollars for a second violation, and not to exceed two hundred fifty dollars for a subsequent violation.

b. Criminal Sanctions for Persons Providing Commercial Lawn Applications.

(1) Any person providing a commercial lawn application and having the culpable mental states defined in subdivision one or two of section 15.05 of the New York Penal Law who violates any provision of this

local law, except an offense relating to the application of a general use pesticide, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five thousand dollars for each day during which such violation continues or by imprisonment for a term of not more than one year, or by both such fine and imprisonment. If the conviction is for a subsequent offense committed after a first conviction of such person under this subdivision, punishment shall be by a fine not to exceed ten thousand dollars for each day during which such violation continues or by imprisonment for a term of not more than one year, or by both such fine and imprisonment.

(2) Any person providing a commercial lawn application who violates any provision of this local law relating to the use of a general use pesticide shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five hundred dollars. If the conviction is for a subsequent offense committed after the first such conviction of such person under this subdivision, punishment shall be a fine not to exceed five thousand dollars.

Section 6: Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 7: Effective Date and Filing. This law shall take effect on the first day of January after it shall have been adopted and filed with the office of the Secretary of State.

Local Law Number 3 Of 2006

County Of Ulster

A Local Law To Adopt Countywide Notification Requirements For Commercial And Residential Lawn Pesticide Applications

Within twenty days after adoption of this law, the Clerk of the County Legislature shall forward one certified copy thereof to the Commissioner of the New York State Department of Environmental Conservation and one to the New York State Attorney General.

Adopted: December 6, 2006

Local Law Number 1 Of 2007

County Of Ulster

A Local Law To Amending Local Law Number 1 Of 1979 As Amended By Local Law Number 2 Of 1987 And Local Law Number 4 Of 1989 As Amended By Local Law Number 3 Of 1996 To Change The Minimum Advance Notice Requirement For Participants Withdrawing From The Ulster County Self Insurance Plan To July 1

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

Section 1. Article III, Section 1 of Local Law Number 1 of 1979 (adopted February 8, 1979), as amended by Local Law Number 2 of 1987, Local Law Number 4 of 1989 and Local Law Number 3 of 1996, is hereby further amended to read as follows:

"Article III – Participants.

Section 1. The County of Ulster shall be a participant in the Plan. Any city, town and village, any fire district in any town which is not a member may elect to become participants in the Plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant, with membership to be effective upon approval of the Compensation Insurance Administrator. Any participant may withdraw from the Plan effective at the end of a fiscal year by filing with the Clerk of the Legislature on or before the preceding first day of July, a certified copy of the resolution of its governing body, electing to withdraw from the Plan, upon the condition that it agrees to pay its proportionate share of the estimated liabilities of the Plan at the time of withdrawal. Payment of such liabilities shall be made in a lump sum or the Administrator may, upon the approval of the Legislature, permit said payment to be made in installments."

Section 2. Effective Date. This Local Law shall be effective March 29, 2007.

Adopted: March 14, 2007

Local Law Number 2 Of 2007

County Of Ulster

A Local Law To Abolish The Department Of Highways And Bridges And The Office Of Commissioner Of Highways And Bridges

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1.ABOLITION OF DEPARTMENT

[a] The Department of Highways and Bridges and the Office of Commissioner of Highways and Bridges thereof are hereby abolished.

SECTION 2. REPEAL OF LOCAL LAWS

The following local laws or portions thereof are hereby repealed:

[a] Local Law Number 4 of 1995.

SECTION 3. EFFECTIVE DATE. This local law shall take effect July 16, 2007.

Adopted: May 9, 2007

Local Law Number 3 Of 2007

County Of Ulster

A Local Law To Abolish The Department Of Buildings And Grounds And The Office Of Commissioner Of Buildings And Grounds

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. ABOLITION OF DEPARTMENT

[a] The Department of Buildings and Grounds and the Office of Commissioner of Buildings and Grounds thereof are hereby abolished.

SECTION 2. REPEAL OF LOCAL LAWS

The following local laws or portions thereof are hereby repealed:

[a] Local Law Number 5 of 1995.

[b] Local Law Number 3 of 2003.

SECTION 3. EFFECTIVE DATE. This local law shall take effect July 16, 2007.

Adopted: May 9, 2007

Local Law Number 4 Of 2007

County Of Ulster

A Local Law To Abolish The Department Of Public Works Administration And The Office Of Public Works Controller

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. ABOLITION OF DEPARTMENT

[a] The Department of Public Works Administration and the Office of Public Works Controller thereof are hereby abolished.

SECTION 2. REPEAL OF LOCAL LAWS

The following local laws or portions thereof are hereby repealed:

[a] Local Law Number 6 of 1995.

SECTION 3. EFFECTIVE DATE. This local law shall take effect July 16, 2007.

Adopted: May 9, 2007

Local Law Number 5 Of 2007

County Of Ulster

A Local Law To Create A Department Of Public Works For The County Of Ulster Pursuant To Section 10 Of The Municipal Home Rule Law

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. ESTABLISHMENT OF DEPARTMENT

[a] There is hereby created a Department of Public Works the head of which shall be the Commissioner of Public Works who shall be appointed on the basis of his experience and qualifications for the duties for the office by the County Legislature. The term of office of the first Commissioner of Public Works to be appointed under this local law shall extend to and expire on December 31, 2008, and thereafter, the term of office of such Commissioner shall be two years, expiring on the 31st day of December of each even numbered year.

[b] There is hereby abolished the Departments of Highways and Bridges and Buildings and Grounds of the County of Ulster.

SECTION 2. COMMISSIONER OF PUBLIC WORKS – POWERS AND DUTIES

The Commissioner of Public Works shall:

[a] Have all powers and duties of a County Engineer and a County Superintendent of Highways, pursuant to the Highway Law or other applicable law;

[b] Have such powers and duties in relation to County facilities for drainage, flood control, sanitation, sewage, or water supply as may be prescribed by the County Legislature;

[c] Furnish engineering and other services to the County Legislature, the Department of Planning and other County departments as authorized;

Local Law Number 5 Of 2007

County Of Ulster

A Local Law To Create A Department Of Public Works For The County Of Ulster Pursuant To Section 10 Of The Municipal Home Rule Law

[d] Have charge of and have the duty of performing such other functions concerning County real and personal property, public works and other matters as the County Legislature may, from time to time direct.

[e] Have charge and supervision of routine maintenance and repair of equipment, storage buildings and facilities used by the Department, including highway sub-stations, and all parking areas serving these facilities;

[f] Have charge and supervision of the design, construction and alteration of County buildings, parking fields and lots, drive, walks, preserves, beaches, and other structures and facilities under the jurisdiction of the County;

[g] Have charge and supervision of maintenance, repair and alteration of buildings owned or leased by the County, parking fields and lots, drives, walks, preserves, beaches and other public structures and facilities under the jurisdiction of the County;

[h] Have the authority to appoint and remove all officers and employees of the Department of Public Works.

SECTION 3. DEPUTIES AND DIVISIONS.

[a] The Commissioner of Public Works shall have the power to appoint one or more Deputy Commissioners of Public Works within the limits of appropriations, therefore. Every appointment of a Deputy shall be in writing filed and recorded in the Office of the County Clerk.

Local Law Number 5 Of 2007

County Of Ulster

A Local Law To Create A Department Of Public Works For The County Of Ulster Pursuant To Section 10 Of The Municipal Home Rule Law

[b] The term of Office of any Deputy appointed hereunder shall coincide with that of the Commissioner of Public Works, provided that any such appointment may be revoked at any time by the Commissioner of Public Works by written revocation filed with the County Clerk. All positions of Deputy Commissioner shall be in the exempt class of the Civil Service.

[c] Deputy Commissioner of Public Works shall perform such duties pertaining to the Office of Public Works as the Commissioner of Public Works may direct and shall act generally for and in place of the commissioner and perform such other and further duties as the commissioner may assign and direct.

[d] If there be but one Deputy Commissioner of Public Works, he shall be the First Deputy Commissioner of Public Works. If more than one Deputy Commissioner of Public Works is appointed, the County Commissioner of Public Works shall designate one of them as First Deputy Commissioner of Public Works in a writing filed in the Office of the County Clerk and the Clerk of the Legislature.

[e] The Commissioner of Public Works may, with the approval of the County Legislature, set up and establish appropriate divisions of the Department of Public Works as well as the responsibilities thereof and name a Deputy to head any such division.

[f] The First Deputy Commissioner of Public Works shall be the Acting Commissioner of Public Works in the event of the Commissioner's absence from the County or inability to perform and exercise the powers and duties of the office. In

Local Law Number 5 Of 2007

County Of Ulster

A Local Law To Create A Department Of Public Works For The County Of Ulster Pursuant To Section 10 Of The Municipal Home Rule Law

the event of the First Deputy Commissioner's inability to serve as Acting Commissioner, the Chairman, with the approval of the Legislature, shall appoint an Acting Commissioner. In no event, may a person serve as Acting Commissioner for a period greater than sixty days unless authorized by the Legislature. The Acting Commissioner shall have all the powers and duties of the Commissioner during the period of his designation or until a new Commissioner of Public Works shall be appointed pursuant to law and shall qualify to assume that office.

SECTION 4. EFFECTIVE DATE. This Local Law shall take effect upon the appointment by the Ulster County Legislature of a Commissioner of Public Works by resolution adopted subsequent to the date of adoption of this Local Law, effective July 16, 2007, and compliance with the requirements of law.

Adopted: May 9, 2007

Local Law Number 6 Of 2007

County Of Ulster

A Local Law Amending Local Law Number 1 Of 1989 As Amended By Local Law Number 1 Of 1990 And Local Law Number 3 Of 2000 To Delete Officials Of The Former Departments Of Highways And Bridges And Buildings And Grounds From Financial Disclosure Filing Requirements And Require Such Disclosure From The Successor Office

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. Section 3 Subdivision A of Local Law Number 1 of 1989 as amended by Local Law Number 1 of 1990 and Local Law Number 3 of 2000 is hereby amended to delete so much thereof and reads as follows:

DEPARTMENT OF HIGHWAYS & BRIDGES
Commissioner

DEPARTMENT OF BUILDINGS AND GROUNDS
Commissioner

PUBLIC WORKS ADMINISTRATION
Controller

SECTION 2. Section 3 Subdivision A of Local Law Number 1 of 1989 as amended by Local Law Number 1 of 1990 and Local Law Number 3 of 2000 is hereby amended to add thereto the following:

DEPARTMENT OF PUBLIC WORKS
Commissioner of Public Works
Deputy Commissioner of Public Works

SECTION 3. This local law shall take effect July 16, 2007.

Adopted: May 9, 2007

Local Law Number 7 Of 2007

County Of Ulster

A Local Law Applying The Salary Revisions Of Resolution No. 155 Of 2007 To All County Officers Serving For Fixed Terms

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The Legislature finds and determines that the salaries of County Officers serving for fixed term of office may be changed and adjusted only by local law.

SECTION 2. (A) The annual salaries of such County Officers as are serving for a fixed term of office shall be adjusted and changed in accordance with the provisions of Resolution No. 155 of 2007.

(B) For the balance of the year 2007 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 2007 prior to such effective date, will equal the annual salary fixed for such office for the year 2007 as above set forth.

SECTION 3. (A) This Local Law shall take effect upon compliance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

(B) This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

Addendum

Title	2007 Salary
County Clerk	$95,534.00
County Sheriff	$95,526.00
County Treasurer	$95,534.00
County Attorney	$95,534.00
County Auditor	$68,732.00
Commissioner of Elections	$68,023.00
Commissioner of Elections	$68,023.00
Purchasing Agent	$68,732.00
Public Defender	$69,894.00
Public Health Director	$97,544.00
Commissioner of Social Services	$95,534.00
County Administrator	$95,991.00
Public Works Controller	$57,660.00
Commissioner of Buildings & Grounds	$79,200.00
Commissioner of Highways & Bridges	$79,219.00
Personnel Officer	$83,859.00
Real Property Tax Service Agency Director	$68,732.00
Director of Tourism	$63,488.00
Director of Public Transit	$68,716.00

Adopted: June 13, 2007

Local Law Number 8 Of 2007

County Of Ulster

A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

ULSTER COUNTY MANDATORY SOURCE SEPARATION AND RECYCLING LAW

Section 1. Short Title

Section 2. Findings and Legislative Intent

Section 3. Statutory Authority

Section 4. Definitions

Section 5. Administration

Section 6. Rules and Regulations

Section 7. Program Established

Section 8. Preparation and Separation of Regulated Recyclable Materials

Section 9. Preparation and Separation by Multi-Family Dwellings of Regulated Recyclable Materials

Section 10. Commercial and Institutional Sector Recycling

Section 11. Private Disposal of Regulated Recyclable Materials

Section 12. Collection and Disposal of Regulated Recyclable Materials

Section 13. Collection and Disposal of Regulated Recyclable Materials by Haulers

Section 14. Preparation, Separation, and Disposal of Yard Waste

Section 15. Ownership, Direction, and Control of Regulated Recyclable Materials

Local Law Number 8 Of 2007

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A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

Section 16. Reporting Requirements

Section 17. County Household Recycling Containers

Section 18. Unlawful Acts

Section 19. Enforcement

Section 20. Independent Administrative Hearing Officer

Section 21. Penalties

Section 22. Collection

Section 23. Consent Agreement and Order

Section 24. Temporary Cease and Desist Order

Section 25. Addition or Removal of Regulated Recyclable Materials

Section 26. Recycling Oversight Committee

Section 27. Reparability

Section 28. Priority

Section 29. Effective Date

Local Law Number 8 Of 2007

County Of Ulster

A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

SECTION 1. SHORT TITLE. This Local Law shall be known as the "Ulster County Mandatory Source Separation and Recycling Law."

SECTION 2. FINDINGS AND LEGISLATIVE INTENT. The Ulster County Legislature finds that:

(a) The County faces an increasing threat to its environmental and economic well-being from the solid waste disposal crisis.

(b) The solid waste disposal; crisis is exacerbated by people discarding in landfills a significant amount of material that can be recycled.

(c) The State Legislature, in order to resolve the solid waste disposal crisis, delegated to the Agency extensive authority, responsibility, and power to plan, construct, operate, maintain, and finance projects for the management of the County's solid waste stream.

(d) The County Legislature, in order to resolve the solid waste disposal crisis, established the Agency as the planning unit to prepare a Solid Waste Management Plan (the "Plan") for the County and approved the Plan.

(f) Maximizing waste reduction, reuse, and recycling ensures the attainment of not only the State's recycling goals as set forth in the 1988 Solid Waste Management Act, but also the County's recycling goals as set forth in the Plan.

(g) In order to implement the Plan and maximize reduction, reuse, and recycling, the County wishes to adopt this Mandatory Source Separation and Recycling Law.

(h) The Mandatory Source Separation and Recycling Law should, in part, address the solid waste disposal crisis by removing regulated

recyclable materials from the solid waste stream, thereby, reducing the required capacity of existing and proposed landfills; decreasing the flow of solid waste to landfills; increasing the life expectancy of existing and future landfills; reducing the cost of solid waste disposal; aiding in the conservation of valuable resources; preserving the health, safety and welfare of the public; and preserving the environmental quality of Ulster County.

(i) The Mandatory Source Separation and Recycling Law is consistent with the Plan because the purpose of this local law is to:

(1) source separated all regulated recyclable materials, as defined in Section 4, from the solid waste stream in Ulster County;

(2) separate regulated recyclable materials into designated recyclable categories before such materials enter the Satellite Aggregation Center System;

(3) account for all regulated recyclable materials through reporting requirements so that the County may measure its progress in attaining the State and County recycling goals;

(4) direct the flow of regulated recyclable materials so as (a) to ensure that such materials are not disposed of in a landfill or incinerator, but recycled and (b) to ensure the success of the Plan which the State has mandated and to which the County has committed a substantial amount of public funds;

(5) ensure that separate regulated recyclable materials are properly and economically aggregated, processed, and sold or delivered to recycling markets;

(6) secure long-term, stable, and environmentally appropriate markets for the county and its municipalities to survive periods of market downturns; and

(7) ensure that education and technical assistance are provided to all persons in the County on source separation and recycling.

(j) The Mandatory Source Separation and Recycling Law will be implemented by the Ulster County Resource Recovery Agency because the Agency has been delegated authority and responsibility to manage the solid waste stream and has been established as the planning unit for the County.

(k) The Mandatory Source Separation and Recycling Law seeks to maximize recycling by:

(1) maintaining a partnership effort between the Agency and private sector;

(2) ensuring that a sufficient amount of regulated recyclable materials enters the County's Satellite Aggregation Center System to result in a cost-effective, successful operation.

(3) having the Satellite Aggregation Center System serve as the market of last resort; and

(3) ensuring that private sector recycling, which contributes to both County and State recycling goals, is in accordance with the County Solid Waste Management Plan and Article 27 of the Environmental Conservation Law.

SECTION 3. STATUTORY AUTHORITY. This Local Law adopted pursuant to Section 120-aa of the General Municipal Law, Section 10 of the Municipal Home Rule Law, Section 2050-t(3) of the Public Authorities Law, and Article 27 of the Environmental Conservation Law.

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A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

SECTION 4. DEFINITIONS. As used in this Local Law, the following terms shall have the following meanings:

"Agency" shall mean the Ulster County Resource Recovery Agency created under Chapter 936 of the Laws of 1986 of the State, as amended.

"Charitable Organization" shall mean businesses, industries, and manufacturing enterprises operating for profit.

"Commercial Sector" shall mean businesses, industries, and manufacturing enterprises operating for profit.

"Composting" shall mean the process of aerobic, thermophilic decomposition by microbial degradation of solid organic constituents of solid waste to produce a stable, humus-like material called compost.

"Composting Facility" shall mean a solid waste management facility used to provide aerobic, thermophilic decomposition by microbial degradation of solid organic constituents of solid waste to produce a stable, humus-like material.

"Computer Paper" shall mean clean, untreated or uncoated, white sulphite or sulphate papers, with or without colored stripes, manufactured for use in computer printers, which may or may not be imprinted with impact (non-laser) or laser printing, as specified by the Agency in the rules and regulations, excluding, however, ground wood computer printout or other contamination.

"Contamination" shall mean the inclusion of substance(s) or condition(s) that render the otherwise recyclable or compostable materials, including regulated recyclable materials and yard waste less marketable as specified by the rules and regulations.

"Corrugated Cardboard" shall mean all clean, dry brown, paperboard, referred to in industry as "old corrugated cardboard". This induces boxes, cartons

or other containers or dividers made of either kraft, test liner or jute, with a center fluting between layers, commonly used for packing, mailing, shipping of containerizing goods, merchandise or other material, plastic, foam, or wax-coated or soiled cardboard.

"County" shall mean the entire County of Ulster as constituted and existing under the Laws of the State.

"Designated Recyclable Categories" shall mean the categories into which the regulated recyclable materials shall be separated as designated by the Agency through rules and regulations.

"Economic Market" shall mean instances in which the full avoided costs of proper collection, transportation, and disposal of source separated materials are equal to or greater than the cost of collection, transportation, and sale of said material less the amount received from the sale of said material.

"Generator" shall mean any person or legal entity that produces solid waste including regulated recyclable materials requiring off-site disposal.

"Glass" shall mean all clean, empty glass containers made from silica or sand, soda ash and limestone, which are transparent or translucent, and are commonly used for the packaging or bottling of various products. These containers shall include all clear, green or brown glass bottles and jars, separated by color, as specified by the Agency in the rules and regulations, excluding, however, pottery or ceramics, lead-based glass (such as crystal) plate glass, auto pane, mirrors, light bulbs, heat-resistant glass or ovenware, thermopane, laboratory glass, safety glass, or glass of any other color or other contamination.

"Hauler" shall mean any person engaged in the business or activity of collecting, storing, and transporting regulated recyclable materials.

"Institutional Sector" shall mean private or public organizations such as schools, hospitals, prisons, religious establishments, and not-for-profit organizations, whose purpose is to provide for the public welfare.

A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

"Mandatory Source Separation and Recycling Law" shall mean the Local Law No. 8 passed by the Ulster County Legislature on December 31, 1991.

"Market" shall mean a business which buys, sells, or accepts recyclable materials, including regulated recyclable materials, or compost for the purpose of reuse as a product or in the manufacturing of new products.

"Metal Cans" shall mean clean, empty metal containers made of aluminum or tin-plated or zinc-plated steel, which are commonly used for packaging food, beverages or other products, as specified by the Agency in the rules and regulations and are free of food, beverage or other contamination.

"Multi-Family Dwelling Generator" shall mean solid waste generated from apartment complexes, condominium complexes, cooperative apartment complexes, recreational vehicle or trailer parks, hotels, motels, bungalow or resort colonies, or campgrounds.

"Municipal Yard Waste Composting Facility" shall mean site(s) or area(s) designated by municipalities for the purpose of composting yard waste.

"Municipal Recycling Drop-Off Sites" shall mean sites or areas designated by municipalities as collection points for regulated recyclable materials.

"Newspaper" shall mean all clean, dry, paper commonly referred to as newspapers or newsprint, not sunburned and free from paper other than news or other contamination, and containing not more than the normal percentage of rotogravure and colored sections, as specified by the Agency in the rules and regulations.

"Not-for-Profit Organization" shall mean any corporation organized according to the New York State Not-for-Profit Corporation Law.

A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

"Office Paper" shall mean clean, white or colored ledger, bond, writing, copier or other paper, with or without printing or writing, but free of glossy, treated, coated or padded stock, carbon, plastic, or other contamination, as specified by the Agency in the rules and regulations.

"Person" shall mean any natural person, individual, partnership, co-partnership, association, owner or manager of a business, commercial or industrial establishment, joint venture, corporation, trust, estate, institution, not-for-profit organization or any other legal entity including a municipality or any other waste generator.

"Plastic" shall mean all clean, empty containers made of the plastic resins specified by the Agency in the rules and regulations, including, but not limited to, plastic bottles or jugs having contained spring water, various beverages or automotive fluids, and excluding contamination.

"Recycling Oversight Committee" shall mean the committee established and appointed pursuant to the Recycling Law.

"Recyclable Materials" shall mean any solid waste that exhibits the potential to be returned to the economic resource stream in the form of raw materials to be used in place of virgin materials in the manufacture of new products.

"Recyclables Handling and Recovery Facilities" shall mean a solid waste management facility, properly permitted under the New York State Department of Environmental Conservation rules and regulations, other than collection and transfer vehicles, at which recyclables are separated from the solid waste stream, or at which previously separated recyclables are collected.

"Regulated Recyclable Materials" shall include newspaper, color-separated glass bottles and jars, metal cans, plastic bottles and jugs, corrugated cardboard, office paper and computer paper, and any other materials as may be designated by the Agency in accordance with this law.

A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

"Residential Generator" shall mean solid waste generated from single or multiple-family dwellings and other residential sources.

"Rural Transfer Station" shall mean the location designated by each municipality as a municipal drop-off center for regulated recyclable materials, solid waste or yard waste.

"Satellite Aggregation Center System" shall mean the entire /county system as set forth in the County's Solid Waste Management Plan for maximizing reduction, reuse and recycling including, but not limited to, purchasing any and all equipment, constructing and permitting two Satellite Aggregation Centers, establishing a transportation network for regulated recyclable materials, securing long-term, stable markets for the County and its municipalities, and educating the public on how to maximize reduction, reuse and recycling of the solid waste stream.

"Self Hauler" shall mean any person who hauls or transports the regulated recyclable material it generates.

"Solid Waste" shall mean all materials or substances discarded or rejected within the County of Ulster as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous materials, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, source, special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended, and waste which appears on the list of hazardous waste promulgated by the Commissioner of Environmental Conservation pursuant to Section 27-0903 of the environmental conservation law.

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A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

"Solid Waste Management Facility" shall mean any facility, plant, works, system, building, structure, improvement, machinery, equipment, fixture or other real or personal property which is to be used, occupied or employed for or is incidental to the collecting, receiving, transporting, storage, processing or disposal of solid waste as more fully defined in Public Authorities Law Section 2050-b(16).

"Ulster County Resource Recovery Agency" shall mean the Agency established pursuant to chapter 936 of the session laws of 1986 and is referred to herein as "Agency".

"Yard Waste" shall mean grass clippings, leaves, twigs, branches, lawn and garden wastes, weeds, brush, shrubbery clippings, clean wood and clean pallets as specified by the Agency in the rules and regulations, excluding treated painted or glued wood, construction and demolition wood, or other debris.

SECTION 5. ADMINISTRATION. This Local Law shall be put into effect, administered, and enforced by the Agency. In order to carry out this responsibility, the Agency, acting consistently with the purposes of this local law, shall be empowered to do the following:

a. Executes contracts.

b. Establish, revise, amend, and repeal standards, practices, and procedures for the proper preparation, separation, collection, and disposal of regulated recyclable materials.

c. Establish, revise, amend, and repeal rules and regulations as it shall deem reasonable, necessary and proper to carry out the responsibilities and requirements of this local law pursuant to Section 6.

d. Designate solid waste management facilities within Ulster County which may receive, aggregate, or process regulated recyclable materials or compost yard waste.

e. Direct the flow of regulated recyclable materials to solid waste management facilities that receive, aggregate, or process regulated recyclable materials or compost yard waste.

f. Add regulated recyclable materials to the solid waste stream based on market availability, technology and other factors subject to Section 25.

g. Alter or delete regulated recyclable materials to be removed from the solid waste stream based on market availability, technology and other factors subject to approval by a majority vote of the Recycling Oversight Committee.

h. Establish reporting procedures to account for all recyclable materials, including regulated recyclable materials and yard waste, in the County.

i. Secure long-term, stable markets for the recycling of regulated recyclable materials and sell or otherwise market the regulated recyclable materials.

j. Investigate violations of this law through the subpoena power of the hearing officer and others, issue warnings, seek civil and criminal penalties from the independent administrative hearing officer or in a Court of competent jurisdiction, issue Temporary Cease and Desist Orders, enter into consent agreements, and pursue the collection of penalties in accordance with Sections 19, 20, 21, 22, 23, and 24.

SECTION 6. RULES AND REGULATIONS. When specified in this local law, the Agency may, from time to time, promulgate rules and regulations consistent with the provisions of this local law in order to effectuate the purposes hereof. This procedure for rule making shall be as follows:

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A Local Law Amending Local Law Number 8 Of 1991 Ulster County Mandatory Source Separation And Recycling Law

a. The Executive Director must prepare and submit proposed rules and regulations to the Agency**,** the Community and Environmental Affairs Committee of the County Legislature**,** and to the Recycling Oversight Committee.

b. The Agency may authorize notification of a hearing in the official newspaper of the County, as designated by the County Legislature.

c. The notice shall be published at least thirty (30) days prior to the public hearing and shall (1) cite the statutory authority under which the rules and regulations are proposed, (2) give the date, time, and place of the public hearing, (3) state the proposed rules and regulations or synopses thereof, (4) give the name and address of the Agency representative to whom written comments may be submitted. The express terms of the proposed rules and regulations shall be available to the public on the date such notice is first given pursuant to this subdivision.

d. The Executive Director shall conduct a public hearing and, upon request of the Community and Environmental Affairs Committee of the County Legislature, appear before that Committee and the Recycling Oversight Committee in public session to discuss the proposed rule making.

e. The Executive Director shall prepare the record of the public hearing and a document responding to the comments received at the public hearing.

f. The record of public comment and the response document shall be made available for public review and submitted to the Agency.

g. The Agency shall make such changes and modifications in response to public comment as it deems appropriate and shall adopt the final rules and regulations by resolution.

h. The Executive Director shall publish the final rules and regulations, or synopses thereof in the same manner as the proposed rules and regulations, no less than ten (10) days after the Agency adopts the final rules and regulations. The final rules and regulations shall take effect twenty (20) days after publication.

SECTION 7. PROGRAM ESTABLISHED. A program is hereby established within Ulster County for the mandatory source separation of regulated recyclable materials from the solid waste stream. Regulated recyclable materials initially established under this local law shall, as defined in Section 4, include the following: newspaper, color-separated glass bottles and jars, metal cans, plastics bottles and jugs, corrugated cardboard, office paper, and computer paper. All

persons shall separate regulated recyclable materials from solid waste before either setting out solid waste for collection pursuant to lawful procedure or disposing of it in an authorized solid waste management facility.

SECTION 8. PREPARATION AND SEPARATION OF REGULATED RECYCLABLE MATERIALS.

(a) Upon the effective date of this Local Law, all persons in the County shall separate regulated recyclable materials from solid waste for the purposed of collection and recycling.

(b) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 specifying requirements for preparation and separation of regulated recyclable materials.

(c) All persons shall prepare and separate regulated recyclable materials in accordance with the rules and regulations.

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SECTION 9.PREPARATION AND SEPARATION BY MULTI-FAMILY DWELLINGS OF REGULATED RECYCLABLE MATERIALS.

(a) All residents of multi-family dwellings must source separate regulated recyclable materials from solid waste according to Section 8. and the rules and regulations promulgated thereunder, and deposit the regulated recyclable materials in the receptacles and/or collection area(s) provided therefore by the lessor, owner, or manager.

(b) Lessors, owners, or managers of multi-family dwellings must establish a program which facilitates the multi-family resident to source separate regulated recyclable materials, and must include, providing in a neat and sanitary condition, receptacles and/or collection area(s) to receive all regulated recyclable materials generated by residents of the multi-family dwelling. In cases where a condominium association exists, the condominium association shall be responsible for provision and maintenance of the receptacles and/or collection area(s).

(c) By March 1, 1992 and every year thereafter, lessors, owners, or managers of all multi-family dwellings of five (5) units or more, shall submit to the Agency for approval a Multi-Family Dwelling Recycling Plan implementing Section (b). Such a plan shall include:

(1) Location of multi-family dwelling and number of units;

(2) Collection system for regulated recyclable materials once the residents have deposited such materials in the receptacles and/or collection area(s);

(3) Provisions for publicizing recycling program; and

(4) Implementation date of September 1, 1992.

(5) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 for additional information and implementation of the Multi-Family Dwelling Recycling Plan.

(6) All multi-family residents, lessors, owners, or managers shall report as required pursuant to Section 16.

SECTION 10. COMMERCIAL AND INSTITUTIONAL SECTOR RECYCLING.

(a) All commercial and institutional sector generators shall prepare and separate regulated recyclable materials according to Section 8 and the rules and regulations promulgated thereunder.

(b) All commercial and institutional sector generators of ten (10) employees or more shall submit a Commercial/Institution Solid Waste Reduction and Recycling Plan to the Executive Director. The plan will remain on file with the Agency. All commercial and institutional sector generators shall submit revisions as applicable. Such a plan shall include:

(1) Organization Identification including a general description of the business, its location and type of operation and the number of employees;

(2) Waste Composition analysis including an identification of the amounts of recyclable and non-recyclable materials in their solid waste stream;

(3) Waste Reduction and Recycling Practices including an identification of waste reduction efforts, present recycling, potential recycling, and waste exchanges, and

(4) Waste Disposal for residual waste including an identification of materials in the organization's waste stream that will not be reduced or recycled and disposal methods.

(c) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 for additional information and implementation of the Commercial/Institutional Solid Waste Reduction and Recycling Plan.

(d) All commercial and institutional sector generators shall report as required in Section 16.

SECTION 11. PRIVATE DISPOSAL OF REGULATED RECYCLABLE MATERIALS.

(a) Nothing shall prevent any commercial sector generators of regulated recyclable materials from Directly Selling to markets the regulated recyclable materials they generate so long as:

(1) all costs of separating, preparing, processing, transporting and marketing such materials are directly and fully absorbed by the generators and no public

funds contribute to such separation, preparation, processing, transporting or marketing.

(2) a minimum of thirty (30) days' written notice of intent to Directly Sell or to cease Directly Selling Regulated Recyclable Materials is provided to the Agency prior to implementing such option; and

(3) the generators comply with all reporting requirements of this local law and the rules and regulations promulgated hereunder.

(b) Private not-for-profit or charitable organizations may receive donations of regulated recyclable materials from generators as part of an announced fund-raising event, provided that they request and receive the prior written approval of the Executive Director of the Agency.

SECTION 12. COLLECTION AND DISPOSAL OF REGULATED RECYCLABLE MATERIALS.

(a) No person shall collect or dispose of regulated recyclable materials except as directed by the Agency pursuant to this local law and the rules and regulations promulgated pursuant to Section 6 or, if the Agency has not acted, the Municipality.

(b) All solid waste management facilities, whether public or private, shall provide adequate facilities for the acceptance of regulated recyclable materials.

(c) The Agency is authorized to promulgate rules and regulations pursuant to Section 6 regulating the collection and disposal of regulated recyclable materials.

SECTION 13. COLLECTION AND DISPOSAL OF REGULATED RECYCLABLE MATERIALS BY HAULERS.

(a) No hauler shall collect, transport, or dispose of regulated recyclable materials except as directed by the Agency pursuant to this local law and the rules and regulations promulgated pursuant to Section 6.

(b) The Agency is authorized to promulgated rules and regulations pursuant to Section 6. regulating collection, transportation, and disposal of regulated recyclable materials by haulers.

(c) All haulers shall collect, transport, maintain, and dispose of regulated recyclable materials (1) separated from the solid waste stream and (2) in a condition specified in the rules and regulations promulgated pursuant to Section 6.

(d) Source separated regulated recyclable materials shall be transported and delivered only to a solid waste management facility(ies) designated by the Agency that receives, aggregates or processes regulated recyclable materials. If no facility is designated, the hauler may deliver the regulated recyclable materials to a recycling facility or market of its choice.

(e) All haulers shall report as required pursuant to Section 16.

SECTION 14. PREPARATION, SEPARATION AND DISPOSAL OF YARD WASTE.

(a) All persons shall separate yard waste from solid waste for the purposes of collection and composting.

(b) Each Municipality within the County may provide, or obtain rights in, a yard waste composting facility for the disposal of yard waste.

(c) Yard waste may be composted at a composting facility designated by the Municipality or at a solid waste management facility that receives and composts yard waste as may from time to time be designated by the Agency. If no facility is designated, the hauler of yard waste may deliver the yard waste to a private composting facility

(d) This section shall not prohibit private composting or on site disposal in compliance with any existing law of yard waste by any person.

(e) The Agency may, from time to time, promulgate rules and regulations pursuant to Section 6 for the preparation, separation, collection, and disposal of yard waste.

(f) All yard waste shall be prepared, separated, collected and disposed according to the rules and regulations.

SECTION 15. OWNERSHIP, DIRECTION AND CONTROL OF REGULATED RECYCLABLE MATERIALS.

(a) Except as set forth in Section 11, once regulated recyclable materials are set out for collection, placed in Agency containers, or deposited in the Municipal Recycling Drop-Off Sites or Satellite Aggregation Center System, all such materials become the property of the County, and the Agency shall direct and control the processing, transporting and marketing of that property.

(b) The County does not assume ownership of improperly prepared regulated recyclable materials, including those in an improper condition, container, or location.

(c) Improperly prepared regulated recyclable materials must be removed by the generators and properly prepared and separated according to this law.

SECTION 16. REPORTING REQUIREMENTS.

(a) All persons shall report information as designated by the rules and regulations promulgated by the Agency pursuant to Section 6.

(b) The Agency may, from time to time, pursuant to Section 6 promulgated rules and regulations requiring the reporting on regulated recyclable materials, recyclable materials being studied as possible regulated recyclable materials, regulated recyclable materials directly sold or donated pursuant to Section 11, categories of solid waste as designated by the Agency or any other information needed to further the purposes of this law, including information needed to study possible economic markets, track flow of regulated recyclable materials, or monitor progress in meeting the State and County recycling goals.

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SECTION 17. COUNTY HOUSEHOLD RECYCLING CONTAINERS.

It shall be a violation for any person to: (1) remove a County recycling container from the County; (2) to take, without authorization, a County recycling container; (3) dispose of a County recycling container other than by returning such container to the issuing Municipality; and (4) use such container for other than the temporary storage of regulated recyclable materials.

SECTION 18. UNLAWFUL ACTS.

It shall be unlawful for:

(a) Any person to fail to separate, prepare for collection, collect, transport, or dispose of regulated recyclable materials or yard waste in accordance with this law or any rules and regulations promulgated pursuant to Section 6.

(b) Any person to dispose of any solid waste generated in Ulster County unless such regulated recyclable materials have been removed from such solid waste.

(c) Any person to place regulated recyclable materials at other than a designated location.

(d) Any person to alter regulated recyclable materials or fail to maintain these materials in the condition specified by the Agency in the rules and regulations.

(e) Any person to dispose or cause to be disposed of regulated recyclable materials or yard waste in a landfill, incinerator, or any other solid waste disposal facility.

(f) Any hauler to collect, transport, store, or deliver regulated recyclable materials that contain solid waste.

(g) Any hauler to deliver regulated recyclable materials to a solid waste management facility not designated by the Agency.

(h) Any solid waste management facility to accept solid waste unless the regulated recyclable materials are separated therefrom.

(i) Any person not authorized under this local law to remove regulated recyclable materials once set out for collection or brought to a Municipal Recycling Drop-Off Site or Satellite Aggregation Center System.

(j) Any person to fail to report as required by this law or the rules and regulations.

(k) Any person to knowingly make a false material statement or representation in any report required under this local law.

(l) Any person to violate, cause, or assist in the violation of any provision herein.

SECTION 19. ENFORCEMENT.

(a) The Agency, acting through the Executive Director, is delegated the authority and responsibility to enforce this local law by investigating possible violations through the subpoena power of the independent administrative hearing officer provided for hereunder and the Courts; seeking civil or criminal penalties for violations of this local law or the rules and regulations promulgated pursuant to this local law in a Court of competent jurisdiction or from the independent administrative hearing officer provided for hereunder; issuing Temporary Cause and Desist Orders; and collecting penalties pursuant to this local law.

(b) The Agency shall employ a dedicated Recycling Compliance Officer(s) who will also act as Recycling Educator. The duties of the Recycling Compliance Officer(s) shall include: (1) coordination of efforts to educate the

public and private sector as to the standing recycling/source separation laws and regulations, (2) the responsibility to answer and record all complaints regarding possible violations of this law, and (3) inspection of sites to determine compliance with this law. The Recycling Compliance Officer will report at least quarterly with the Recycling Oversight Committee. The Recycling Compliance Officer will report monthly to the Agency board.

(c) The Executive Director may issue written warnings that include educational material on how to properly comply with this local law.

(d) The Ulster County Health Department shall issue licenses to haulers to collect and transport regulated recyclable materials pursuant to the Sanitary Code and its rules and regulations. The Agency, Acting through the Executive Director, may include provisions in the haulers' license as provided by the Sanitary Code and its rules and regulations and may seek enforcement of the Sanitary Code or its rules and regulations.

(e) Notwithstanding anything in this local law or in the Ulster County Sanitary Code to the contrary, no hauler shall be issued a license pursuant to the Sanitary Code to collect, transport, and/or dispose of solid waste unless the hauler also collects and transports regulated recyclable materials in accordance with this local law.

(f) Notwithstanding anything in this section to the contrary, this local law may be enforced by the Sheriff of the County or any police agency of the State or any Municipality of the County.

SECTION 20. INDEPENDENT ADMINISTRATIVE HEARING OFFICER.

(a) An independent administrative hearing officer is hereby created, established and authorized to issue orders assessing civil penalties for violations of this local law.

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(b) The officer shall be appointed by the County Legislature to serve at the pleasure of the County Legislature.

(c) The Executive Director and/or the Recycling Compliance Officer(s) as complainant may institute a proceeding with the officer seeking an order assessing civil penalties for the violation of this local law.

(d) The officer has the authority to require the attendance of witnesses or the production of documentary evidence by subpoena.

(e) Before issuing an order assessing a civil penalty, the officer shall give to the person to be assessed such penalty written notice of the proposed order and an opportunity to request a hearing on the proposed order.

(f) The written notice shall include, at a minimum, (1) a concise statement of the factual basis for the violation; (2) the amount of the civil penalty that is proposed to be assess; (3) the provisions of the local law alleged to have been violated; (4) the right to request a hearing on the material facts and/or the amount of the civil penalty; (5) a copy of the rules of the hearing procedures.

(g) The hearing shall provide a reasonable opportunity to be heard, cross-examine witnesses, and present evidence free from interference, coercion, restraint, discrimination, or reprisal, and the respondent shall have the right to be represented by a person of his/her choice at any stage of the hearing and proceedings.

(h) If the respondent fails to appear at the hearing without good cause being shown and the Executive Director presents a prima facie case against the respondent, the respondent may be found in default. The motion for default and a proposed default order shall be served by the officer on all parties, and the defaulting party shall have twenty (20) days from service to reply to the motion. The proposed default order may be set aside for good cause should in accordance with the civil practice law and rules. Default by the complainant shall result in the dismissal of the complaint with prejudice.

(i) In determining the amount of the civil penalty, the officer, in accordance with Section 21, shall consider the seriousness of the violation(s); any history of such violations; good faith efforts to comply with the applicable requirements; the number of individual generators the violator employs, services, represents, or is otherwise responsible for; the economic impact (benefit or harm) resulting from the violation(s); the economic impact of the penalty; the Executive Director's recommendation for a penalty; and such other factors as justice may require. Civil penalties shall constitute a judgment as that term is defined in the Civil Practice Law and Rules which may be enforced in accordance with that statute.

(j) The officer may establish rules for discover, administration and implementation of this section, and procedures for conducting hearings and other proceedings.

(k) Any person against whom a civil penalty is assessed under this section may obtain judicial review of such assessment.

SECTION 21. PENALTIES.

(a) Criminal Penalties: Any person who violated this local law shall be guilty of a violation and subject to a fine not to exceed one thousand dollars ($1000) per day per violation and/or up to five days imprisonment.

(b) Civil Penalties: Any person who violated this local law shall be liable to pay a civil penalty. If a decision of liability is made by a hearing officer or a Court competent jurisdiction, a civil penalty shall be assessed of not more than one thousand dollars ($1000) per day per violation and/or suspension or revocation of collection or disposal privileges in conjunction with solid waste and/or regulated recyclable materials disposed within the County, and/or any other just and equitable remedies available at law.

(c) Each and every act prohibited hereunder shall be deemed a separate violation of this local law.

(d) All fines and penalties shall become due and payable to the Agency.

SECTION 22. COLLECTION.

If any person fails to pay an assessment of a civil penalty, the Agency may bring a civil action in an appropriate Court to recover the amount assessed (plus interest) at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be. Such person shall be required to pay, in addition to such amount and interest, attorney's fees and costs for collection proceedings and a quarterly non-payment penalty for each quarter during which such failure to pay persists. Such non-payment penalty shall be in an amount equal to twenty (2) percent of the aggregate amount of such person's penalties and non-payment penalties which are unpaid as of the beginning of such quarter.

SECTION 23. CONSENT AGREEMENT AND ORDER.

(a) The Executive Director and Respondent or Defendant may confer concerning settlement.

(b) The Executive Director and Respondent or Defendant shall forward a written consent agreement and a proposed consent order to the hearing officer or District Attorney or Court of competent jurisdiction, as the case may be, whenever settlement or compromise is proposed. The consent agreement shall state that, for the purpose of the proceeding, respondent (1) admits the jurisdictional allegations of the complaint, (2) admits the facts stipulated in the consent agreement or neither admits nor denies specific factual allegations contained in the complaint; and (3) consents to the assessment of stated penalty. The consent agreement shall include any and all terms of the agreement, and be signed by all parties or their representatives.

(c) No settlement or consent agreement shall dispose of any proceeding without a consent order from the hearing officer or Court of competent jurisdiction. In preparing such an order, the hearing officer or Court may require that the parties to the settlement appear before him/her to answer inquires relating to the consent agreement or order. All settlements are due and payable to the Agency.

SECTION 24. TEMPORARY CEASE AND DESIST ORDER.

(a) Upon receipt of evidence that an emergency exists, the Agency, acting through the Executive Director, may issue a Temporary Cease and Desist Order immediately suspending and restraining such activity causing or contributing to the emergency before the holding of a hearing.

(b) The person suspended or restrained shall have an opportunity to an expedited hearing within 5 days of the Agency order before the hearing officer on the question of whether an emergency exists.

(c) If the hearing officer determines that such an emergency exists, he/she shall schedule a full hearing to be held in accordance with Section

20 at least twenty (20) days after the expedited hearing. If the hearing officer determines that an emergency does not exist, he/she shall annual the Agency Order.

(d) The Agency Order shall be in effect pending the completion of the expedited and full hearing, however the case may be.

SECTION 25. ADDITION OR REMOVAL OF REGULATED RECYCLABLE MATERIALS.

(a) In addition to the regulated recyclable materials defined in Section 4, the Agency, subject to Section 26, shall be authorized to designate regulated recyclable materials to be separated from other solid waste.

(b) In addition to the regulated recyclable materials defined in Section 4, the Agency, subject to Section 26, shall be authorized to remove previously designated regulated recyclable materials from the list of regulated recyclable materials subject to the approval of the Recycling Oversight Committee.

(c) If removal of the regulated recyclable material is based upon the lack of an economic market for the material in accordance with Section 120-aa of the General Municipal Law, the Agency shall conduct such studies as it deems necessary and proper to establish the lack of an economic market, and shall state specifically in the notice of its action removing the regulated recyclable material, the grounds for its action and all studies upon which its determination is based. Such designation or removal shall be made in writing, published in the Environmental News Bulletin and the official newspapers of the County as designated by the County Legislature, and shall take effect thirty (30) days after such publication.

SECTION 26. RECYCLING OVERSIGHT COMMITTEE.

(a) A recycling oversight committee consisting of one member of the Agency designated by the Agency Board to serve as a non-voting, ex-officio member and not more than eleven (11) voting members to be appointed by the County Legislature is hereby created and established for the following purposes i) advising the Agency on the addition of materials from the definition of regulated recyclable materials; (ii) approving the removal of materials from the definition of regulated recyclable materials; (iii) advising the Agency and the County Legislature on the progress made towards meeting the percent reduction goals established in the Solid Waste Management Act of 1988 and the Plan; (iv) advising the Agency on the adoption, repeal or amendment of rules and regulations provided for in Section 6 of this Local Law; and (iv) such other matters as the Agency may suggest. The members of the recycling oversight committee to be appointed by the County Legislature shall consist of an appointee from the following:

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(1) Town Supervisor's Association;
(2) City of Kingston;
(3) Community and Environmental Affairs Committee of the Ulster County Legislature;
(4) Ulster County Environmental Management Council;
(5) Commercial Waste Hauling Industry;
(6) Municipal Recycling Coordinators;
(7) Commercial or Institutional Sector;
(8) Multi Family Dwelling Interest.

Additionally the County Legislature shall appoint three (3) at-large community members with interest and concern which may include students but shall not include members that fall into previously mentioned categories.

(b) The appointment in Subsection (a) of this Section, other than the Agency appointment, shall be for a three year term from the date of appointment. No member shall serve more than two full three year terms. Should a member no longer be eligible to serve due to a change in their employment status, appointed or elected status, or interest that member shall serve until the point that they are replaced by the County Legislature. The replacement member shall serve out the original member's term. Upon completion of the term, the replacement member will then be eligible for no more than two full three year terms. The chairman shall be elected by the members of the recycling oversight committee at its first regular meeting, and the Committee shall adopt operating by-laws as they deem appropriate.

(c) The Committee shall meet at least quarterly, and the majority of the members shall constitute a quorum. Any recommendation issued by the Committee shall be approved by a majority of its membership.

(d) The Agency shall request and receive the recommendation of the Committee before its order the addition of any material from designation as a regulated recyclable material, except that if such recommendation is not received within thirty (30) days after written request by the Agency, it may act without such recommendation. The Agency shall request and receive

the approval of the Committee before its order the removal of any material from designation as a regulated recyclable material, except that if such approval is not received within ninety (90) days after written request by the Agency, it may act without such approval.

SECTION 27. SEPARABILITY.

If any section, provision, or part thereof, in this Local Law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional by a Court of competent jurisdiction, then such adjudication shall not effect the validity of the remainder of the Local Law as a whole or any sections, provisions, or part thereof, not so adjudged invalid or unconstitutional and the application of the Local Law or any section, provision or part thereof, to other persons or circumstances shall not be affected by said adjudication.

SECTION 28. PRIORITY.

(a) Pursuant to Section 1 of Chapter 936 of Laws of 1986 of the State of New York, this Local Law shall take precedence over and supersede any

inconsistent provisions of any Local Law enacted by any Municipality within the County;

(b) A Municipality may adopt and enforce its own Local Law which, at a minimum, must be procedurally and substantively as comprehensive as this Local Law.

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SECTION 29. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Adopted: June 13, 2007

Local Law Number 9 Of 2007

County Of Ulster

A Local Law To Repeal Local Law Number 2 Of 1986 (A Local Law Of The County Of Ulster Providing For The Administration And Enforcement Of The New York State Fire Prevention And Building Code)

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

Section 1. Repeal Local Law. The following Local Law is hereby repealed:

(a) Local Law No. 2 of 1986.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Adopted: June 13, 2007

Local Law Number 10 Of 2007

County Of Ulster

A Local Law Of The County Of Ulster Providing For The Administration And Enforcement Of The New York State Uniform Fire Prevention And Building Code

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. PURPOSE AND INTENT.

This Local Law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) by the County of Ulster, pursuant to §381 (2) of the Executive Law. This local law shall also provide for administration and enforcement of the Uniform Code with respect to County buildings, premises and equipment as hereinafter set forth. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures and premises, regardless of use or occupancy, are subject to the provisions of this local law. This local law replaces in it's entirety Local Law Number 2 of 1986 of the County of Ulster, entitled "A Local Law of the County Ulster Providing for the Administration and Enforcement of the New York State Fire Prevention and Building Code".

SECTION 2. DESIGNATION OF ENFORCEMENT AGENCY.

The Environmental Sanitation Division of the Ulster County Health Department is hereby designated to administer and enforce the Uniform Code in those localities which have properly opted out of responsibility for enforcement of the Uniform Code.

The Ulster County Safety Office is hereby designated to administer and enforce the Uniform Code with respect to buildings, premises and equipment in the custody of, or activities related thereto, undertaken by the County of Ulster. Said department shall maintain and be responsible for any and all records pertaining to enforcement of the Uniform Code with respect to County buildings, premises and equipment.

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SECTION 3. DEFINITIONS. In this Local Law:

"Building Permit" shall mean a permit issued pursuant to Section 5 of this Local Law. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this Local Law.

"Certificate of Occupancy" / Certificate of Compliance" shall mean a certificate issued pursuant to Subdivision (b) of Section 8 of this local law.

"County" shall mean the County of Ulster.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to Subdivision (b) of this Section 4 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Compliance Order" shall mean an order issued by the Code Enforcement Officer pursuant to Subdivision (a) of Section 16.

"Energy Code" shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to Subdivision (d) of Section 4 of this Local Law.

"Operating Permit" shall mean a permit issued pursuant to Section 11 of this Local Law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this Local Law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to Section 7 of this Local Law.

"Temporary Certificate" shall mean a certificate issued pursuant to Subdivision (d) of Section 8 of this Local Law.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 4. CODE ENFORCEMENT OFFICER AND INSPECTIONS.

The Code Enforcement Officer of the Department of Ulster County Health, Environmental Sanitation Division shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this Local Law in those localities that have properly opted out of responsibility for enforcement of the uniform code.

The Code Enforcement Officer of the Department of Ulster County Safety shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this Local Law for all buildings, premises, and equipment in the custody of, or activities related thereto, undertaken by the County of Ulster.

(a) The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, and to include Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this Local Law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to Subdivision (a) of Section 16 (Violations) of this Local Law;

(7) to maintain records;

(8) to collect fees as set by 17 (Fees) of this Local Law;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this County's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this Local Law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this Local Law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this Local Law.

(b) The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, with the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated there under.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be named by the corresponding department to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, while serving shall exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this Local Law.

(d) One or more Inspectors may act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this Local Law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated there under.

SECTION 5. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in Subdivision (b) of this Section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement,

alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer. Building Permits for properly opted out localities shall be applied for and obtained through the Environmental Sanitation Division of the Ulster County Health Department. Building Permits with respect to buildings, premises and equipment in the custody of, or activities related thereto, undertaken by the County of Ulster, shall be applied for and obtained through the Ulster County Safety Office.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one or two family dwellings or multiple single family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one or two family dwelling or multiple single family dwellings (townhouses);

(3) installation of swimming pools associated with a one or two family dwelling or multiple single family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one or two family dwelling or multiple single family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from services of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work;

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply

with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as and indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building Permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be accordance with construction documents. All work shall be performed in accordance with the construction documents which were

submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within (6) months following the date of issuance. Building Permits shall expire (12) months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

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SECTION 6. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

(1) work site prior to the issuance of a Building Permit;

(2) footing and foundation;

(3) preparation for concrete slab;

(4) framing;

(5) building systems, including underground and rough-in;

(6) fire resistant construction;

(7) fire resistant penetrations;

(8) solid fuel burning heating appliances, chimneys, flues or gas vents;

(9) Energy Code compliance; and

(10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, re-inspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 7. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by registered mail / certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by registered mail / certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

SECTION 8. CERTIFICATES OF OCCUPANCY/CERTIFICATES OF COMPLIANCE.

(a) Certificates of Occupancy / Certificates of Compliance required. A Certificate of Occupancy / Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or sub-classification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy / Certificate of Compliance.

(b) Issuance of Certificates of Occupancy / Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy / Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or sub-classification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy/Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy/Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy/Certificate of Compliance.

(1) a written statement of structural observations and / or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of Certificates of Occupancy/Certificates of Compliance. A Certificate of Occupancy/Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the Certificate of Occupancy/Certificate of Compliance is not applicable to an entire structure a description of that portion of the structure for which the Certificate of Occupancy/Certificate of Compliance is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy/Certificate of Compliance and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire and smoke detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary

Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy/Certificate of Compliance or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy/ Certificate of Compliance or Temporary Certificate.

SECTION 9. NOTIFICATION REGARDING FIRE OR EXPLOSION.

(a) The chief of any fire department providing fire fighting services for a property within a properly opted out locality shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

(b) The chief of any fire department providing fire fighting services for a property owned or leased by Ulster County shall promptly notify the Code Enforcement Officer of the Ulster County Safety Office of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 10. UNSAFE BUILDNG AND STRUCTURES.

(a) Unsafe structures and equipment in properly opted out localities shall be identified and addressed in accordance with Division of Environmental Sanitation of the Ulster County Health Department.

(b) Unsafe structures and equipment located on Ulster County owned/ leased property or in any Ulster County owned or leased structure shall be identified and addressed by the Ulster County Safety Office.

SECTION 11. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2),

2703.1.1(3), or 2703.1.1(4) in the publication entitled “Fire Code of New York State” and incorporated by reference in 19 NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the Code Enforcement Officer.

Any person who proposes to undertake any activity or to operate any type of building listed in this Subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operation Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in Subdivision (a) of this Section is to be conducted at the location, the Code Enforcement Officer may require a separate Operating

Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating Permits shall remain in effect until reissued, renewed, revoked, or suspended.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 12. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS.

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every twelve (12) months for properly opted out localities under the Division of Sanitation, Ulster County Health Department, and once every six (6) months for County properties performed by the Ulster County Safety Office.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

Provided, however, that nothing in this Subdivision shall be construed as permitting an inspection under any circumstance under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this Local Law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in Section 17 (Fees) of this Local Law must be paid prior to or at the time each inspection performed pursuant to this Section. This Subdivision shall not apply to inspections performed by OFPC.

SECTION 13. COMPLAINTS.

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a compliant shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(1) performing an inspection of the conditions an/or activities alleged to be in violation, and documenting the results of such inspection;

(2) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 16 (Violations) of this local law;

(3) if appropriate, issuing a Stop Work Order;

(4) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the compliant.

SECTION 14. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved of denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received;

(7) all investigations conducted;

(8) all other features and activities specified in or contemplated by Sections 5 through 13, inclusive, of this Local Law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspections during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 15. PROGRAM REVIEW AND REPORTING.

(a) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of the County of Ulster, on a form prescribed by the Secretary of State, a report of the activities of the County of Ulster relative to administration and enforcement of the Uniform Code.

(b) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials of the County of Ulster is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this County of Ulster in connection with administration and enforcement of the Uniform Code.

SECTION 16. VIOLATIONS.

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this Local Law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall:

(1) be in writing;

(2) be dated and signed by the Code Enforcement Officer;

(3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this Local Law;

(4) specify the provision or provisions of the Uniform Code, the Energy Code, or this Local Law which is/are violated by the specified condition or activity;

(5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance;

(6) direct that compliance be achieved within the specified period of time; and

(7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by registered mail / certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail / certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy

Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy/Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this Local Law, shall be liable to a civil penalty of not more than $200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this County of Ulster.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this County of Ulster, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this Local Law, or any term or condition of any Building Permit, Certificate of Occupancy/ Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this Local Law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this County of Ulster, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Executive Officer the County of Ulster, or, where appropriate or other required under federal, state or local law, by the Legislature of the County of Ulster.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this

section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in Section 7 (Stop Work Orders) of this Local Law, in any other section of this Local Law, or in any other applicable law. Any remedy or penalty specified in this section may pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in Section 7 (Stop Work Orders) of this Local Law, in any other section of this Local Law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in Subdivision (2) of § 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in Subdivision (2) of Section § 382 of the Executive Law.

SECTION 17. FEES.

The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law. The Ulster County Commissioner of Health shall, for any localities that have properly opted out, with the approval of the Ulster County Board of Health, establish, and from time to time amend, the fees to be collected for Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections and other actions of the Code Enforcement Officer. Such fees shall be effective upon filing of the same with the Ulster County Clerk's office. A schedule of such fees shall be made available upon request to the Environmental Sanitation Division of the Ulster County Health Department. All

requirements for payment of fees, otherwise payable by applicants, pursuant to such fee schedule, shall be waived as they pertain to enforcement of the Uniform Code with respect to buildings premises and equipment in the custody of, or activities related thereto by the County of Ulster.

SECTION 18. INTERMUNICIPAL AGREEMENTS.

The Ulster County Legislature body of this County of Ulster may, by resolution, authorize a locality within Ulster County to enter into an agreement, in the name

of this County of Ulster, with other governments to carry out the terms of this Local Law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 19. PARTIAL INVALIDITY.

If any section of this Local Law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this Local Law.

SECTION 20. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Adopted: June 13, 2007

Local Law Number 11 Of 2007

A Local Law To Amend Local Law Number 3 Of 1984 Providing A Management Benefits Plan For Ulster County Department Heads, Managerial Staff, Legislative Employees, And Board Of Elections Employees (As Amended By Local Law Number 1 Of 1986 And Local Law Number 4 Of 1999), And To Eliminate Such Plan January 1, 2008

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. Section 6.02 of Local Law Number 3 of 1984, as amended by Local Law Number 1 of 1986 and further amended by Local Law Number 4 of 1999, is hereby amended as follows:

6.02. Employees Plan Allocation.

1. The County will allocate a fixed dollar credit amount up to $600.00. for each eligible employee.

2. Each eligible participating employee may receive a up to a maximum of $600.00 as a non-taxable reimbursement for expenditures incurred as enumerated in SECTION 7 of the Plan.

3. There will be no allocation for taxable cash distributions provided in the Plan.

4. The Management Benefits Plan will terminate on January 1, 2008.

SECTION 2. This Local Law shall take effect immediately.

Adopted: July 11, 2007

Local Law Number 12 Of 2007

County Of Ulster

A Local Law To Amend Local Law Number 5 Of 2000 Requiring Checkout Accuracy And The Clear, Accurate And Adequate Display Of Selling Price

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION ONE. LEGISLATIVE INTENT. This amendment updates Local Law Number 5 of 2000. The Ulster County Legislature recognizes that the clear accurate pricing and checkout accuracy are basic consumer rights. It is the intent of this legislation to ensure that consumer goods offered for sale in Ulster County are clearly, accurately and adequately marked as to their selling prices.

SECTION TWO. RULES GOVERNING USE OF CERTAIN WORDS. In this Local Law, unless the context otherwise requires:

1. Words in the singular number include the plural and in the plural include the singular.

2. Words of the masculine, feminine or neuter gender include the feminine, neuter and/or masculine genders.

SECTION THREE. APPLICATION.

1. This Local Law applies to every person engaged in the business of the selling consumer commodities in Ulster County, as the term "consumer commodities" is defined in Section 214-h of the New York State Agriculture and Markets Law.

2. Nothing in this Local Law shall be construed to limit or restrict any right or remedy to which a person may be subject, under common law, or any other federal, state or local statute.

3. Pursuant to this Section, and provided that the selling prices are clearly displayed in Arabic numerals on signs clearly designating the consumer goods to which they refer, this Local Law shall not apply to any retail store which:

    a. Has as its only full time employee the owner thereof, and the parent, or the spouse or the child of the owner and (in the addition thereto), not more than two other full-time employees: or

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b. Had annual gross sales in a previous calendar year of less than five-hundred-thousand dollars ($500,000.00), unless the retail store is part of a network of subsidiaries, affiliates or other member stores under direct or indirect common control, which, as a group had annual gross sales in a previous calendar year of five hundred thousand dollars ($500,000.00) or more; or

c. Engages primarily in the sale of food for the consumption on the premises or in a specialty trade that the legislature decides, by resolution, would be inappropriate for item pricing.

SECTION FOUR. DEFINITIONS.

1. "Consumer Goods" means consumer commodities sold by any person, firm, partnership, corporation or association which sells, offers for sale or exposes for sale at retail in a food store or grocery department of a general merchandise store, a consumer commodity as defined in Section 214-h of the New York State Agriculture and Markets Law.

2. "Consumer Commodities" shall mean the following, however packaged or contained:

(a) food, including all material, solid, liquid or mixed, whether simple or compound, used or intended for consumption by human beings or domestic animals normally kept as household pets and all substances or ingredients to be added thereto for any purpose; and

(b) napkins, facial towels, toilet tissue, foil wrapping, plastic wrapping, paper toweling, disposable plates; and

(c) detergents, soaps and other cleansing agents; and

(d) non-prescription drugs, female hygiene products and toiletries

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3. "Food Store" shall mean a store selling primarily food at retail, which store is not primarily engaged in the sale of food for consumption on the premises, or which is not primarily engaged in a specialty trade which the commissioner determines, by regulation, would be inappropriate for unit pricing.

4. "Person" shall include without limitation any individual, firm, joint venture, association, co-partnership, group, corporation or any other legal entity or combination of entities whatsoever.

5. "Computer-assisted checkout system" means any electronic device, computer system or machine, including but not limited to laser scanners, which determines the selling price of consumer goods by interpreting coded information.

6. "Price look-up function" shall mean the capability of any checkout system to determine the retail price for an item of consumer goods by way of either automatic or manual entry into the system of a code assigned to that particular item.

7. "Stock-keeping unit" (SKU) shall mean each group of items offered for sale of the same brand name, quantity of contents, variety and retail price.

8. "Stock-keeping-item" (SKI) shall mean each individual item within a stock-keeping-unit.

9. "Large food store" shall mean a food store containing retail space of more than 15,000 square feet.

10. "Small food store" shall mean a food store containing retail space of up to 15,000 square feet.

11. "Large Overcharge" shall mean an error of twenty-five cents or more on any individual item.

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SECTION FIVE: ITEM PRICING REQUIRED.

1. The selling price shall be clearly stamped, tagged, labeled or otherwise marked in Arabic numerals on each item of consumer goods offered for sale in Ulster County.

2. The provisions of this Subsection 1 of this Section shall not apply to the following consumer goods provided the selling price and the unit of measure is clearly displayed in Arabic numerals on a sign, clearly designating the particular consumer goods to which it refers, located as close as practical, and closer than other sign to the location at which the goods are displayed:

    a. Fresh milk

    b. Fresh eggs

    c. Consumer goods which are displayed loose in bulk, not packaged prior to sale, and which are packaged for or by the consumer at the time of sale, such as but not limited to fresh produce, fresh baked goods, coffee beans.

    d. Frozen food

    e. Foods sold for consumption on premises as well as foods prepared for immediate consumption but sold as take-out or sold from vending machines operated by the consumer.

    f. Snack food, such as but not limited to gum, candy, cakes, chips and nuts, offered for sale in single packages, weighing five (5) ounces or less and costing less than (1) dollar.

    g. Cigarettes and cigars sold by the pack or by the carton.

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h. Single containers of nonalcoholic beverages where the selling prices for different flavors packaged in identical sizes or quantities are the same.

i. Non-food stock keeping units which are under three cubic inches in size, and weigh less than three ounces, and are priced under a dollar.

j. Baby foods in containers with a net weight of 6 ounces or less.

k. Yogurt packaged and sold in single containers.

l. Packaged non-refrigerated gelatin, pudding and gelatin or pudding products.

3. The provisions of Subsection 2 of this Section may be subsequently modified either by adding or deleting consumer goods from the list of exemptions, provided that a resolution supporting such modification is passed by the Ulster County Legislature.

4. The County Sealer of Weights and Measures may further direct the manner in which the selling price of the exempted consumer goods shall be posted.

5. It shall be a violation of this Local Law:

a. To stamp, tag, label or otherwise mark more than one selling price upon an item of consumer goods offered for sale in Ulster County unless the prior selling price is unmistakably deleted or obliterated or is otherwise marked so as to indicate clearly that the prior selling price is not the current selling price.

b. To stamp, tag, label or otherwise mark any item of consumer goods at a selling price greater than the selling price advertised or displayed for that item.

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c. To sell or offer for sale any consumer goods or services at a greater price than the price displayed or advertised therefor.

d. To sell or offer for sale any consumer goods that do not have a selling price displayed in conformity with Subsections 1 or 2 of this Section.

e. To use a computer-assisted checkout system or price look-up function that determines a retail selling price that exceeds the lower of any shelf, sale or advertised price for any item of consumer goods offered for sale.

SECTION SIX: WAIVER FROM ITEM PRICING BASED ON CHECKOUT ACCURACY.

1. Every person, store firm, partnership, corporation, or association which uses a computer-assisted checkout system and which would otherwise be required to item price as provided in Section Five of this Local Law may make application in writing to the County Sealer of Weights and Measures (County Sealer) for a waiver of said item pricing requirement. A separate application shall be required for each store. Each application shall be subject to a non-refundable processing fee to cover the cost of conducting scanner accuracy inspections as provided in Subsection 2 of this Section. The County Sealer shall determine the processing fee and may revise it from time to time, but in no event shall said fee exceed one thousand-five hundred dollars per application for a large food store or one thousand dollars per application for a small food store.

2. Upon receipt of an application and fee as provided in Subsection 1 of this Section, the County Sealer shall cause to be conducted two scanner accuracy inspections of the store for which the application has been submitted. These inspections shall be conducted on two separate days and shall consist of comparing the shelf, sale or advertised price of any stock keeping unit (SKU) with the computer-assisted checkout system price. Such inspection shall consist of at least 100 SKUs, but no more than 500, selected at the discretion of the County Sealer. In the event that

any violations are detected, penalties shall be assessed as provided in Section Seven, Subsections 6, 7 and 8 of this Local Law. If, considering both inspections together, the number of SKUs found in violation does not exceed two percent of all SKUs inspected, the County Sealer shall grant to the applicant a one-year revocable waiver from the item-pricing requirement. Any store with a current waiver shall be exempt from the requirements of Section five of this Local Law.

3. A waiver from item pricing shall be valid for a period of one year from the date of issuance. Stores may reapply annually for renewal of a waiver. A processing fee and two inspections shall be required for each annual renewal application, as required for an original waiver application.

4. In the event that the total violations in excess of two percent are discovered in the inspections provided for in Subsection 2 or 3 of this Section, the County Sealer shall deny a waiver to the applicant. If the owner of the store still wishes a waiver, such store must promptly reapply for a waiver and pay the required fee to the County Sealer within five business days after being notified of the failure. Stores that do not reapply must promptly come into compliance with all requirements of Section Five, and, may not again reapply for a waiver until at least one year after denial by the County Sealer.

5. In the event that the County Sealer is unable to conduct inspection pursuant to Subsection 2 of this Section within ninety days receipt of a complete waiver application and proper processing fee, the County Sealer may grant a temporary waiver pending completion of inspections. The County Sealer shall cause said inspections to be completed as soon as practicable. If, upon completion, the inspections detect a violation rate in excess of two percent or less, the County Sealer shall issue a regular waiver with an expiration date one year from the commencement date of the temporary waiver. If the inspections detect violation rate in excess of two percent, the temporary waiver shall be immediately revoked and compliance with Section Five shall be required and the provisions of Subsection 4 of this Section shall apply.

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6. As a condition of the waiver from item pricing pursuant to this Section, each store that accepts a waiver must agree to meet the following requirements, and no regular or temporary waiver shall be granted to a store that has not agreed to these requirements in writing:

   a. The store shall designate and make available price check scanners to enable consumers to confirm the prices of stock-keeping items (SKIs). These price check scanners shall be in locations convenient to consumers with the signs of sufficient sized lettering identifying these units to consumers. Stores will submit their proposals for signs, numbers of devices and device locations to the County Sealer for approval.

   b. The store shall not charge any customer a price for any SKI that exceeds the item, shelf, sale or advertising price of the SKI, whichever is least.

   c. The store shall cause to be posted in a conspicuous location, accessible by all consumers and approved by the County Sealer a sign explaining the rights of consumers consistent with Section Seven of this Local Law. The County Sealer will specify the content and size of the sign by regulation. The store is also required to post the temporary or annual waiver in the area designated for handling price discrepancies.

   d. The store shall make payment to consumers who have been overcharged as provided in Section Seven of this Local Law. Each store is required to designate at least one individual who is authorized to issue these payments during all of the store's operating hours.

   e. The store shall correct all pricing errors identified by consumers at store level within one hour and, if applicable, at their firm, partnership, corporation, or association within twenty-four hours.

f. The store shall clearly display selling price at the point of SKU display, by either placing signs or shelf tags as close as practical to the location at which the SKUs are displayed; and/or by stamping, tagging, labeling or otherwise marking each stock keeping item. Failure to display the selling price for a SKU, consistent with this subsection, constitutes a scanner error.

g. At any time, the Sealer of Weights and Measures may direct compliance inspections of any store accepting a waiver. These inspections shall consist of comparing the item, shelf, sale or advertised price of any stock-keeping unit (SKU) with computer-assisted checkout system price. Such inspection shall consist of not less than 100 nor more than 500 SKUs selected at the discretion of the County Sealer. In the event that any violations are detected, penalties shall be assessed as provided in Section Seven, Subsection 6, 7 and 8 of this Local Law. In the event that the number of SKUs found in violation equals or exceeds two percent of all SKUs inspected, the County Sealer may revoke the store's waiver from item-pricing requirement. A store may promptly reapply for a waiver and pay the required fee to the County Sealer within five business days after being notified of the failure. Stores that do not reapply must promptly come into compliance with all the requirements of Section Five, and may not again reapply for a waiver until at least one year after revocation.

SECTION SEVEN: VIOLATIONS, CIVIL PENALTIES AND ENFORCEMENT.

1. Any person who violates any provision of this Local Law, or who fails to comply with any order made by an enforcement officer pursuant to this Local Law shall be guilty of a violation and subject to a civil penalty. Noncompliance within a stock keeping unit shall constitute a single violation, unless otherwise indicated by this Local Law.

2. For failure to clearly, accurately or adequately mark consumer goods as to their selling prices as required by this Local Law, civil penalties shall be imposed and fixed by the County Sealer of Weights and Measures.

Local Law Number 12 Of 2007

County Of Ulster

A Local Law To Amend Local Law Number 5 Of 2000 Requiring Checkout Accuracy And The Clear, Accurate And Adequate Display Of Selling Price

3. For failure to clearly, accurately or adequately mark consumer goods as to their selling prices as required by this Local Law, penalties shall not exceed five hundred dollars ($500.00) for each violation, nor exceed a total penalty of $15,000.00 per day.

4. The primary responsibility for administration and enforcement of this Local Law shall be with the County Sealer of Weights and Measures, except where otherwise noted herein. The County Sealer of Weights and Measures and his designees shall act as enforcement officers for this Local Law, and the County Sealer may bring an action in any court of competent jurisdiction to recover any penalties, and shall also recover in such action as an additional penalty reasonable attorney fees to be fixed and assessed by the Court, irrespective of whether or not the County Sealer is represented by the County Attorney in such action.

5. The stores with computer-assisted checkouts, enforcement officers shall be permitted to compare the item, shelf, sale or advertised price of any consumer goods with the programmed computer price. A store representing shall afford the enforcement officer access to the test mode of the checkout system in use or to a comparable function of the checkout system and to the retail price information contained in price look-up function.

6. For violations resulting from a computer-assisted checkout system or price lookup function that determines a retail selling price exceeding the lower of any item, shelf, sale or advertised price for any item of consumer goods offered for sale, penalties shall not exceed five hundred dollars ($500.00) for each violation, nor exceed a total penalty of $15,000.00 per day.

7. An enforcement officer shall have the authority to issue a stop-removal order with respect to any device, system or consumer goods being used, handled, offered for sale or exposed for sale in violation of Section Five of this Local Law.

Local Law Number 12 Of 2007

County Of Ulster

A Local Law To Amend Local Law Number 5 Of 2000 Requiring Checkout Accuracy And The Clear, Accurate And Adequate Display Of Selling Price

a. Any stop-removal order issued with respect to any stock keeping item shall be in writing, shall list the violations and shall direct that any stock keeping unit in violation shall not be sold, offered for sale or exposed for sale until the violations are corrected.

b. Any stop-removal order issued with respect to any device or system shall be in writing and shall list the violations. Such stop-removal order shall be stayed for up to two hours after the inspector provides the written stop removal order to the retail store provided that, until the violations are corrected, either: the stock keeping units which are affected by the violations are not sold, offered for sale or exposed for sale; or signs are posted conspicuously at or near each checkout which clearly disclose to store employees and consumers which stock keeping units are affected by the violations and their correct price, and the retail store ensures that consumers are charged the correct prices.

8. The County Attorney, in the name of the County, may upon request of the County Sealer of Weights and Measures, in addition to any other action authorized hereunder, maintain an action or proceeding in court of competent jurisdiction on behalf of the County Sealer of Weights and Measures to compel compliance with or restrain by injunction any violation of this Local Law, notwithstanding any other provision hereof providing for a penalty or other punishment.

SECTION EIGHT. <u>CONSUMER RIGHTS WHEN OVERCHARGED BY A STORE.</u>

1. Any consumer who suffers a loss because the price charged for a SKI is greater than the item, shelf, sale, or advertised price may seek a super-refund. A super-refund entitles the consumer to receive the overcharged SKI free, the difference between the price charged and the lower of the item, sale, shelf or advertised price, plus an amount equal to ten times that difference but not less than one dollar nor more than ten dollars. Within the same transaction, each subsequent overcharge

for same SKU entitles a consumer to an additional refund equal to the difference between the price charged with the lower of the item, sale, shelf or advertised price, plus one dollar.

2. To collect a super-refund, a consumer must notify the store in person or in writing that the price charged is more than the item, sale, shelf, or advertised price. The consumer shall provide evidence of the overcharge. As soon as practical, and in any case, within one hour after receipt of such notification and verification of the overcharge, the store shall compensate the consumer as specified in Subsection 1 of this Section.

3. If the store fails to tender a super-refund or within the time set forth in this Local Law, the consumer may request a review by the County Sealer. Within ten working days of the receipt of such a request, the County Sealer shall determine what payment, if any, is due under this Section. A store that fails to comply with the County Sealer's determination or any other provision of this Section is considered in violation and subject to penalties under Section Seven of this Local Law.

4. A store may set an overcharge refund policy more generous than required by this Local Law, provided that policy is approved by the Sealer of Weights and Measures and a copy of the Sealer's approval is kept on file in the store.

SECTION NINE. DISPOSITION OF FINES AND PENALTIES. All fines and penalties imposed and collected by reason of civil enforcement of this Local Law shall be paid to the County of Ulster and credited to the general fund.

SECTION TEN. CONSENT DECREES AND AGREEMENTS. On consent of the County Sealer of Weights and Measures and a person accused of violating this Local Law, a consent decree or agreement may be entered into. No such consent decree or agreement shall restrict any legal right or remedy to which any consumer, complaining of the matter, which is the subject of such consent decree or agreement, might otherwise be entitled, unless such consumer is a party thereto.

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A Local Law To Amend Local Law Number 5 Of 2000 Requiring Checkout Accuracy And The Clear, Accurate And Adequate Display Of Selling Price

SECTION ELEVEN: SEVERABILITY. If any provision of this Local Law or application thereof to any person or circumstance be adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereto to any person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared severable.

SECTION TWELVE: This Local Law shall take effect 120 days after adoption.

Adopted: July 11, 2007

Local Law Number 13 Of 2007

County Of Ulster

A Local Law To Allow Enrolled Volunteer Firefighters And Volunteer Ambulance Workers To Be Eligible For A Real Property Tax Exemption Under Real Property Tax Law (RPTL) § 466-h

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. **ENABLING LEGISLATION**. The New York State Legislature has, heretofore, amended Real Property Tax Law (RPTL) to authorize municipalities to permit enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a real property tax exemption as is more particularly set forth in RPTL § 466-h.

SECTION 2. LEGISLATIVE INTENT. The Legislature recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities. The Legislature hereby finds that it is in the best social and economic interest of the County of Ulster to encourage volunteerism for said purposes. To that end, by providing the following exemption, it is the intent to so encourage volunteerism for our various fire and ambulance companies.

SECTION 3. **EXEMPTIONS FOR CERTAIN VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS**.

(a) Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in Ulster County shall be exempt from taxation to the extent of ten percent of the assessed value of such property for county purposes, exclusive of special assessments provided however, that such exemption shall in no event exceed $3,000 multiplied by the latest state equalization rate for the assessing unit in which such real property is located.

(b) Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in such County unless:

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(i) the applicant resides in the city, town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;

(ii) the property is the primary residence of the applicant;

(iii) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and

(iv) the incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Ulster County Director of Emergency Communication/Emergency Management a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company, or fire department, or incorporated voluntary ambulance service. The Ulster County Director of Emergency Communications/ Emergency Management shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption.

(c) Application for such exemption shall be filed with the assessor on or before the taxable status date on a form as prescribed by the state board.

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A Local Law To Allow Enrolled Volunteer Firefighters And Volunteer Ambulance Workers To Be Eligible For A Real Property Tax Exemption Under Real Property Tax Law (RPTL) § 466-h

(d) Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within this state.

SECTION 4. SEVERABILITY. If any part of this local law shall be found to be invalid, such invalidity shall apply only to such part, and the balance thereof shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Adopted: August 8, 2007

Local Law Number 14 Of 2007

County Of Ulster

A Local Law Requiring Criminal Background Checks Of Prospective Applicants For Employment With The County Of Ulster

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION I. LEGISLATIVE INTENT AND PURPOSE

1. This Legislature finds and determines that it would promote the safety of the people of Ulster County and the security of County property to investigate the character of prospective applicants for employment with the County of Ulster by reviewing such applicants' criminal history report.

2. This Legislature further finds and determines that the New York State Division of Criminal Justice Services is capable of conducting fingerprint-based searches of the criminal history reports it maintains but that it requires either statute or local law to grant it authority to conduct fingerprint and criminal history checks. Subdivision 8-a of Section 837 of the New York State Executive Law authorizes the New York State Division of Criminal Justice Services to charge a fee when, pursuant to statute, it conducts a search of its criminal history records and returns a report thereon in connection with an application for employment.

3. This Legislature further finds that the office of the Ulster County Personnel Officer performs the duties of a municipal civil service commission of the County of Ulster pursuant to the terms of Section 15 of the New York State Civil Service Law and Local Law No. 6 of 1978 of the County of Ulster; and the Ulster County Personnel Officer administers civil service law with respect to offices and employment in the classified service of such county pursuant to Section 17 of Civil Service Law; and the Ulster County Personnel Officer, pursuant to section 50 of the New York State Civil Service Law, is directed to ascertain the fitness of applicants for positions in the competitive class of the civil service and may refuse to examine an applicant, or may refuse to certify an eligible, who has been guilty of a crime. In addition, the Ulster County Personnel Officer is responsible for the administration of personnel matters for with respect to offices and employment in the unclassified service of such county.

4. This Legislature finds that the Ulster County Sheriff or his/her deputies or designees have the equipment and expertise to prepare and process fingerprints.

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5. Accordingly, the purpose of this Local Law is to provide authority for fingerprinting and criminal history record checks of prospective employees of the County of Ulster where such authority does not exist by statute or any other state or federal law, the same of which shall be administered by and/or through the office of the Ulster County Personnel Officer with the assistance of the Ulster County Sheriff.

SECTION II. CLASSIFICATIONS OF EMPLOYEES SUBJECT TO FINGERPRINTING AND BACKGROUND CHECKS

1. All prospective employees shall be subject to fingerprinting and background checks who are candidates for the following positions for county service as set forth in the Ulster County Civil Service Rules:

(a) All positions which are, now or in the future, designated as classified service in the competitive class, non-competitive class, labor class, and exempt class;

(b) All positions which are, now or in the future, designated as unclassified service except those designated as elected officials, Commissioners of Elections, County Treasurer, District Attorney, Sheriff and County Clerk.

SECTION III. FINGERPRINTING AND CRIMINAL HISTORY REVIEW AS A CONDITION OF EMPLOYMENT WITH THE COUNTY OF ULSTER

1. The Ulster County Personnel Officer shall be responsible for the administration of this local law and shall adopt policies and procedures for the purpose of performing fingerprinting and criminal history review of prospective employees of the County of Ulster who are subject to background checks and fingerprinting.

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A Local Law Requiring Criminal Background Checks Of Prospective Applicants For Employment With The County Of Ulster

2. The Ulster County Personal Officer shall enter into an agreement with the New York State Division of Criminal Justice Services to receive the criminal history reports of prospective applicants for employment in the civil service of the County of Ulster. Subsequent to the effective date of the agreement referred to above, all prospective applicants for employment within the classes of the civil service of the County of Ulster as set forth in this local law shall be fingerprinted for the purpose of procuring a criminal history report from the New York State Division of Criminal Justice Services.

3. In order to determine the kind of past conduct which may preclude a person from employment with the County of Ulster, the following criteria shall aid in determination:

(a) Whether the person has been convicted of any offense denominated a felony or misdemeanor by and in violation of the laws of the United States or any of its territories or possessions, or another state or of the State of New York or any political subdivision of this state.

(b) Whether a person has been found by any court or administrative tribunal of the United State of any of its territories or possessions, or another or of the State of New York or any political subdivision of this state to have practiced any fraud, deceit or misrepresentation in the conduct of any occupation, business or profession.

4. The criteria set forth in Subsection 3 of this section shall constitute sufficient legal basis for obtaining the criminal history of said person.

5. Fingerprint cards for all prospective employees shall be prepared by the Ulster County Sheriff's Department together with any applicable fee to be paid by the prospective employee. The appointing authority may waive the applicable fee for any prospective employee; and in that event, the fee shall be paid by the County and be chargeable against the respective Department's Budget. The fingerprint card and applicable fee will be delivered to the Ulster County Personnel Officer who shall forward same to New York State Division of Criminal Justice Services for processing.

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6. The criminal history record processed by New York State Division of Criminal Justice Services concerning prospective employees shall be submitted to the Ulster County Personnel Officer, or his/her designee, for review by the Ulster County Personnel Officer and the appointing authority of the prospective employee for review and consideration of the contents of those records and a decision regarding the candidate's fitness for the position applied for.

7. If a candidate has been convicted of a felony and/or a misdemeanor, any decision regarding such candidate's fitness for a position must be made on a case-by-case review of the factors contained in Article 23-A, Sections 751, 752 and 753 of the New York State Corrections Law.

SECTION IV. EFFECTIVE DATE

1. This local law shall take effect immediately and shall remain in effect until otherwise suspended or revoked.

Adopted: August 8, 2007

Local Law Number 15 Of 2007

County Of Ulster

A Local Law Completing The Salary Revisions Of Resolution No. 155 Of 2007 To All County Officers Serving For Fixed Terms In Compliance With All Applicable Provisions Of The Municipal Home Rule Law Of The State Of New York

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The Legislature finds and determines that the salaries of County Officers serving for fixed term of office may be changed and adjusted only by local law.

SECTION 2. (A) Local Law Number 13 of 2007 was adopted to adjust the annual salaries of such County Officers as are serving for a fixed term of office shall be adjusted and changed in accordance with the provisions of Resolution No. 155 of 2007, which included adjustments for fiscal years 2006 and 2007.

(B) To comply with the Legislative intent of Resolution No. 155 of 2007, on and after the effective date of this Local Law, the foregoing officers shall be paid a one-time stipend for the 2006 adjustment as above set forth for the amount of time in that position, as listed on Page 2, Addendum.

SECTION 3. (A) This Local Law shall take effect upon compliance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

(B) This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

Addendum

Title	2006 Stipend Adjustments
County Clerk	$2,894.00
County Treasurer	$2,894.00
County Attorney	$2,861.00
County Auditor	$1,409.00
Commissioner of Elections	$2,067.00
Commissioner of Elections	$1,845.00
Purchasing Agent	$2,093.00
Public Defender	$2,095.00
Public Health Director	$2,967.00
County Administrator	$1,462.00
Public Works Controller	$1,748.00
Commissioner of Highways & Bridges	$2,413.00
Real Property Tax Service Agency Director	$2,093.00
Director of Tourism	$ 705.00
Director of Public Transit	$2,080.00

Adopted: September 11, 2007

Local Law Number 16 Of 2007

County Of Ulster

A Local Law To Repeal Local Law Number 6 Of 1987 (A Local Law Requiring All Applications For Cremation To Be Forwarded To The Ulster County Medical Examiner)

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

SECTION 1. REPEAL LOCAL LAW. The following Local Law is hereby repealed:

(a) Local Law No. 6 of 1987.

SECTION 2. EFFECTIVE DATE. This Local Law shall be effective on the date of filing with the Secretary of State.

Adopted: September 11, 2007

Local Law Number 17 Of 2007

County Of Ulster

A Local Law To Create The Department Of The Environment And The Office Of Coordinator Of The Department Of The Environment For The County Of Ulster

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

SECTION 1. ESTABLISHMENT OF THE DEPARTMENT

[a] There is hereby created a Department of the Environment, the head of which shall be the Coordinator of the Department of the Environment who shall be appointed on the basis of his or her experience and qualifications as specifically set forth in the civil service class specifications for that position.

[b] Prior to December 31, 2008, the Coordinator of the Department of the Environment shall be appointed by the Ulster County Legislature and shall serve at the pleasure of the Ulster County Legislature; and such appointment shall not extend beyond December 31, 2008. Thereafter, commencing January 1, 2009, the Coordinator of the Department of the Environment shall be appointed by the County Executive subject to confirmation of the County Legislature and such appointee shall serve at the pleasure of the County Executive.

[c] The Coordinator of the Department of Environment shall execute environmental policy for the County and shall be responsible for the development of environmental policy subject to approval by the Ulster County Legislature prior to December 31, 2008, and thereafter subject to approval by the County Executive.

SECTION 2. COORDINATOR OF THE DEPARTMENT OF THE ENVIRONMENT - POWERS AND DUTIES

The Coordinator of the Department of the Environment shall:

[a] Have the authority to appoint and remove all officers and employees of the Department of the Environment, except as such power and authority is specifically limited by local law or New York State statute.

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[b] Coordinate environmental policy and resource planning for all inter-related County Departments and the Ulster County Environmental Management Council;

[c] Supervise the efforts of the Department of the Environment employees and coordinate with the efforts of other inter-related County Departmental staff on all environmental projects;

[d] Review the progress of environmental projects through oversight of the duties of technical staff assigned and make recommendations to ensure the project is on-time and the goals of the Environmental Management Council are being met;

[e] Provide administrative and technical assistance to the Environmental Management Council;

[f] Review on-going County projects and/or activities with environmental implications and assure that the requirements and guidelines of the project are followed in context with established policies and procedures;

[g] Act as administrative liaison with personnel in other County Departments, as well as with Federal, State, regional and private environmental planning agencies, consultants and other interested parties involved with environmental issues;

[h] Formulate and prepare the annual departmental budget;

[i] Prepare plans, reports, informational material and administrative documents designed to support or implement environmental objectives of Ulster County and the Environmental Management Council to meet both State and Federal requirements;

[j] Coordinate the efforts of County departments and municipalities to utilize Geographic Information System (GIS) equipment and software, as well as global positioning equipment to compile, collect, organize and analyze geographic

information relative to the focus and planning objectives of Ulster County and the Environmental Management Council;

[k] Prepare and present oral, written and multi-medial reports to the County Legislature, municipal officials, the media and the public;

[l] Have all the powers and perform all the duties now or hereafter conferred or imposed by local law or resolution of the Ulster County Legislature.

SECTION 3. DEPUTIES

[a] The Coordinator of the Department of Environment shall have the power to appoint one or more Deputy Coordinators of the Department of the Environment within the limits of appropriations, therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Ulster County Legislature.

[b] The term of office of any deputy appointed hereunder shall coincide with that of the Coordinator of the Department of the Environment, provided that such appointment may be revoked at any time by the Coordinator of the Department of the Environment by written revocation filed with the County Clerk. All positions of Deputy Coordinator shall be in the exempt class of Civil Service.

[c] Deputy Coordinators of the Department of the Environment shall perform such duties pertaining to the office of the Department of the Environment as the Coordinator of the Department of the Environment may direct and shall act generally for and in such place of the Coordinator and perform such other and further duties as the Coordinator may assign and direct.

[d] If there be but one deputy, he or she shall possess the powers and perform the duties of the Coordinator of the Department of the Environment during the absence or inability of the Coordinator of the Department of the Environment to act. If there be more than one deputy, the Coordinator of the Department of the Environment shall designate in writing and file in the Office of

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the County Clerk and the Clerk of the Legislature the order in which they are to serve during his or her absence or inability to act.

[e] In the event of a vacancy in the office of the Coordinator of the Department of the Environment, such deputy, or the deputy so designated, shall possess the power to perform the duties of his or her principal until the disability is removed, or in the case of a vacancy, until a successor is appointed and has qualified. If no designation shall have been made and filed, the senior deputy shall act.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect upon the appointment by the Ulster County Legislature of a Coordinator of the Environment by resolution adopted subsequent to the date of adoption of this Local Law and compliance with the requirements of law.

Adopted: October 10, 2007

Local Law Number 18 Of 2007

County Of Ulster

A Local Law Of The County Of Ulster, New York, Prohibiting Illicit Discharges, Activities And Connections To The Ulster County Separate Storm Sewer System

BE IT ENACTED, by the County Legislature of the County of Ulster, as follows:

SECTION 1. PURPOSE/INTENT AND FINDINGS.

The purpose of this law is to provide for the health, safety, and general welfare of the citizens of the County of Ulster through the regulation of stormwater and non-stormwater discharges, as regulated hereunder, to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This law establishes methods for controlling the introduction of pollutants into the MS4 in order for the County of Ulster to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems. Among the several purposes of this law are the following:

a. To meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit no. GP-02-02 or as amended or revised;

b. To regulate the contribution of pollutants to the MS4;

c. To prohibit Illicit Connections, Activities and Discharges to the MS4;

d. To establish legal authority to carry out all inspection, monitoring and enforcement procedures necessary to ensure compliance with this law; and

e. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

Based upon the Record had before this Legislature, the following findings are made in consideration of this Local Law:

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A Local Law Of The County Of Ulster, New York, Prohibiting Illicit Discharges, Activities And Connections To The Ulster County Separate Storm Sewer System

f. This Legislature finds and determines that the regulation of non-stormwater discharges to the County-owned municipal separate storm sewer system, to the maximum extent practicable, is essential to protect the health, safety and general welfare of the citizens of Ulster County.

g. This Legislature further finds and determines that controlling the introduction of polluted stormwater and non-stormwater pollutants into the County-owned municipal separate storm sewer system is critical in order to comply with requirements of the State Pollution Discharge Elimination System General Permit No. GP-02-02 for Municipal Separate Storm Sewer Systems.

h.. In addition to the enforcement processes and penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Local Law, which is deemed to be an imminent threat to public health, safety, and/or welfare, may further be declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such violation and/or nuisance may be taken in accordance with the procedures set forth within this Local Law.

i. This Local Law shall apply to all MS4 designated areas situate within the County of Ulster.

SECTION 2. DEFINITIONS.

Whenever used in this Local Law, unless a different meaning is stated in a definition applicable to only a portion of this Local Law, the following terms will be defined and shall have meanings set forth below:

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A Local Law Of The County Of Ulster, New York, Prohibiting Illicit Discharges, Activities And Connections To The Ulster County Separate Storm Sewer System

AGRICULTURE: All agricultural operations and activities related to a "farm operation" as such term is defined in Section 301(11) of the Agricultural and Markets Law (AML) or governed by the AML of the State of New York and the guidelines and opinions issued by the New York State Commissioner of Agriculture and Markets to the extent that such practices are consistent with 6 NYCRR Section 663.2 and not excluded thereby.

AGRICULTURAL STORMWATER RUNOFF: Means any stormwater runoff from farm operations, and other non-point source agriculture and agricultural uses, but not discharges from concentrated animal feeding operations as defined in 40 CFR Section 122.23 or discharges from concentrated aquatic animal production facilities as defined in 40 CFR Section 122.24.

BEST MANAGEMENT PRACTICES (also referred to as BMPs): Schedules of activities, prohibitions of practices, general good house-keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.), and any subsequent amendments thereto.

CONSTRUCTION ACTIVITY: Activities requiring authorization under the SPDES permit for stormwater discharges from construction activity, GP-02-01 and GP-02-02, as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres unless otherwise excluded from regulation under GP-02-01 and/or GP-02-02. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Local Law Number 18 Of 2007

County Of Ulster

A Local Law Of The County Of Ulster, New York, Prohibiting Illicit Discharges, Activities And Connections To The Ulster County Separate Storm Sewer System

COUNTY-OWNED MUNICIPAL SEPARATE STORM SEWER SYSTEM (also referred to as MS4): A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, manholes, gutters, ditches, man-made channels, or storm drains) owned or operated by the County of Ulster, which includes roads, infrastructure and facilities, designed or used for collecting or conveying stormwater, that is not a combined sewer, and which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. A copy of a listing of County owned roads and properties shall be included herein as Exhibit "A" and a copy shall be kept on file with the Clerk of the Ulster County Legislature. Said listing shall include any and all new roadways and County owned properties as required under the MS4 Regulations.

DEPARTMENT: The New York State Department of Environmental Conservation.

DEPARTMENT OF PUBLIC WORKS: The Ulster County Department of Public Works is the County Department of which the Stormwater Management Office forms a part in accordance with the provisions of this Local Law.

DISCHARGE: Means any addition or introduction of any pollutant, stormwater, or any other regulated substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

EPA: The Environmental Protection Agency of the United States of America.

DISCHARGER: Means any person as defined herein, who causes, allows, permits, or is otherwise responsible for a discharge into a municipal storm sewer.

FACILITY: Any lands and appurtenances, including but not limited to, construction sites, required by the Federal Clean Water Act to have a permit to discharge stormwater associated with industrial activity and/or any other regulated activity.

FARM OPERATION: The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other [See Section 301(11) of the Agriculture and Markets Law and the definition herein contained for "Agriculture"].

HAZARDOUS MATERIALS: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLICIT CONNECTIONS: Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the County-owned municipal separate storm sewer system, including but not limited to:

a. Any conveyances as regulated under this Local Law which allow any non-stormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the County-owned municipal separate storm sewer system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or

b. Any drain or conveyance connected from a commercial or industrial land use to the County-owned municipal separate storm sewer system that has not been (1) documented in plans, maps, or equivalent records and (2) lawfully approved by an authorized enforcement agency.

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ILLICIT DISCHARGE: Any direct or indirect regulated non-stormwater discharge to the County-owned municipal separate storm sewer system, except as exempted in Section 6 of this Local Law.

ILLICIT DISCHARGE BOARD OF APPEALS: A County of Ulster appeals board consisting of, at minimum, one (1) representative of each of the following Departments and which representatives shall be appointed by the Department Heads of each of the Departments so designated:

a) The Department of the Environment; b) The Department of Health; and c) The Planning Department. Said board shall follow the procedures set forth within Section 15 of this Local Law.

INDUSTRIAL ACTIVITY: Activities requiring the SPDES permit for discharges from industrial activities except construction, GP-98-03, as amended or revised.

MUNICIPALITY OR COUNTY: The County of Ulster.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances (including, but not limited to, sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and/or operated and/or maintained by the County and designed or used for collecting or conveying stormwater.

NON-POINT SOURCE: Means any source of any discharge that is not a "point source".

NON-STORMWATER DISCHARGE: Any discharge to the County-owned municipal separate storm sewer system that is not composed entirely of stormwater.

OPERATOR: Means the party or parties that either individually or taken together meet the following two criteria: 1) They have operational control over the site activities (including the ability to make modifications in activities); and 2) they have such operational control to those activities at the site necessary to ensure compliance with SWPPP requirements and any related permit conditions.

PERSON: Any individual, association, organization, partnership, firm, company, corporation, trust, estate, governmental entity [including the County of Ulster], or other entity recognized by law and acting as either the owner or as the owner's agent. This term shall also include owners, operators, dischargers and all other entities as set forth within this Local Law.

POINT SOURCE: Means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, fissure, container, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged and as regulated under this Local Law and/or the Clean Water Act.

POLLUTANT: Includes, but is not limited to, dredged spoil; solid waste; incinerator residue; sewage; garbage; sewage sludge; filter backwash; munitions; hazardous waste; chemical wastes; biological materials; toxic materials; radioactive materials; wrecked or discarded equipment; rock; sand; cellar dirt; and industrial, municipal, recreational, regulated, agricultural waste and other regulated wastes discharged into the municipal separate storm sewer system, which may cause or might reasonably be expected to cause pollution of the waters of the State in contravention of the standards, set forth within this Local Law and the Clean Water Act. [33 CFR Part 1251, et seq.].

PREMISES: Any building, structure, lot, parcel of land, or portion of land whether improved or unimproved, including adjacent sidewalks, parking strips, roadways and other appurtenances.

RELEASE: Means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of illicit discharges into surface water, ground-water, subsurface soils, surface soils and/or by any other direct or indirect discharge which is made to the municipal separate stormwater sewer system (MS4), the Water of New York State and/or the Waters of the United States.

SPECIAL CONDITION DISCHARGE COMPLIANCE WITH WATER QUALITY STANDARDS: The condition that applies where a municipality has been notified pursuant to this law that the discharge of stormwater authorized under its County-owned municipal separate storm sewer system permit may have caused, or has the reasonable potential to cause or contribute to, the violation of an applicable water quality standard. Under this condition the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.

SPECIAL CONDITION 303(D) LISTED WATERS: The condition in the County-owned municipal separate storm sewer system permit that applies where the County-owned municipal separate storm sewer system discharges to a 303(d) listed water. Under this condition the County Stormwater Management Program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.

SPECIAL CONDITION TOTAL MAXIMUM DAILY LOAD (TMDL) STRATEGY: The condition in the County-owned municipal separate storm sewer system permit where a TMDL, including requirements for control of stormwater discharges, has been approved by EPA for a waterbody or watershed into which the County-owned municipal separate storm sewer system discharges.

SPECIAL CONDITION: The condition in the County-owned municipal separate storm sewer system permit that applies if a TMDL is approved in the future by EPA for any waterbody or watershed into which a County-owned

municipal separate storm sewer system discharges. Under this condition the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six (6) months of the TMDL's approval, modify its stormwater management program to take all necessary actions to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (also referred to as SPDES): Stormwater Discharge Permit. A permit issued by the Department that authorizes the discharge of pollutants to waters of the State.

STORMWATER: Rainwater, surface runoff, snowmelt and drainage.

STORMWATER MANAGEMENT OFFICE: The County Office that is responsible for administering, enforcing and promulgating regulations and fees pursuant to this Local Law, upon adoption of this Local Law, said office shall be designated by the County Legislature as being a part of and organized as a Division of and under the County of Ulster Department of Public Works and the

Stormwater Management Officer shall be appointed by the department head of the Ulster County Department of Public Works. Budgetary, employment and other customary administrative procedures associated with the Stormwater Management Office shall be the responsibility of the Ulster County Department of Public Works.

STORMWATER MANAGEMENT OFFICER (also referred to as SMO): A person, persons, or other public official(s) designated by the Stormwater Management Office to monitor activities, inspect areas and enforce this Local Law. The Stormwater Management Officer may also be designated to accept, review, and inspect stormwater pollution prevention plans, among his/her other responsibilities.

STORMWATER POLLUTION PREVENTION PLAN: Means a plan required by a SPDES permit to discharge stormwater associated with regulated activities, including but not limited to industrial activities and construction, and which describes and provides for pollutants in stormwater discharges associated with regulated activities.

303(d) LIST: A list of all surface waters in the State for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of State surface water quality standards and are not expected to improve within the next two years.

TOTAL MAXIMUM DAILY LOAD (also referred to as TMDL): The maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water, allocated among the sources of that pollutant.

WASTEWATER: Any water that is not stormwater, is contaminated with pollutants and is or will be discarded. This term shall not include stormwater which is not contaminated by pollutants.

SECTION 3. APPLICABILITY.

This Local Law shall apply to all water entering the County-owned municipal separate storm sewer system within MS4 designated areas as generated on any developed and undeveloped lands unless explicitly exempted hereunder or unless explicitly exempted by the Department acting as the authorized enforcement agency.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION.

The Stormwater Management Officer (SMO) shall administer, implement, and enforce the provisions of this Local Law. Such powers granted or duties

imposed upon and granted to the authorized enforcement official may be delegated in writing by the Stormwater Management Officer as may be authorized by the Stormwater Management Office. Such written delegation shall be kept and maintained within the Stormwater Management Officer's files and copies shall further be provided by the Stormwater Management Officer to the County Attorney. The Stormwater Management Office shall possess the authority to promulgate rules and regulations as necessary to administer, enforce and forward this Local Law and its purposes, including but not limited to, the institution and use of permits, forms, fees and other regulatory mechanisms to advance the purposes of this Local Law.

SECTION 5. PROHIBITION OF ILLEGAL DISCHARGES.

No person shall discharge or cause to be discharged into the County-owned municipal separate storm sewer system any materials other than lawful discharges of stormwater, except as provided in Section 6. The commencement, conduct or continuance of any illegal discharge to the County-owned municipal separate storm sewer system is prohibited except as described in Section 6.

SECTION 6. DISCHARGE EXEMPTIONS.

a. The following discharges are exempt from discharge prohibitions established by this Local Law, unless the Department or the County has, pursuant to law, officially determined such discharges to be substantial contributors of pollutants: water line flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising ground water, uncontaminated ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains, crawl space or basement sump pumps, air conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire fighting activities,

agricultural stormwater runoff from lawful agricultural practices and any other water source not containing pollutants. In no event shall this Local Law be read to create, permit or authorize agriculture discharge exemptions beyond those which are in effect pursuant to the Clean Water Act.

b. Discharges approved in writing by the Stormwater Management Officer to protect life or property from imminent harm or damage, provided that, such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the Stormwater Management Officer may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this Local Law.

c. Dye testing in compliance with applicable State and local laws.

d. The prohibition shall not apply to any discharge permitted under a SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the County-owned municipal separate storm sewer system. A lawfully issued SPDES permit shall constitute compliance with this sub-paragraph in all manner and respects, provided the person and/or discharger to which the permit is issued is fully compliant therewith.

e. Activities and uses essential to ensure emergency police, fire, rescue functions and emergency response undertaken by either the County, or by a non-profit organization authorized by contract with the County to provide these public services. Essential activities to promote public

health, safety, and well-being of persons and property therein, and to implement orders and regulations of the Ulster County Department of Health, the Ulster County Emergency Management Agency and/or the New York State Department of Health with notification to the County Stormwater Management Officer and any actual and ongoing emergency activity which directly addresses an imminent threat to life, property or structures of any kind. Such emergency activities may include, but are not limited to: fire suppression operations, preventative or remedial activities related to mitigation, cleanup, or control of stormwater and/or the contamination or threatened contamination of ground and/or surface water; response to imminent floods, hurricanes and all other storms that follow established emergency response plans, fire fighting and public health emergencies.

SECTION 7. PROHIBITION OF ILLICIT CONNECTIONS.

The construction, use, maintenance or continued existence of illicit connections to the County-owned municipal separate storm sewer system is prohibited. This prohibition expressly includes, without limitation, connections made in the past, regardless of whether the connection was permissible under law and whether all lawful approvals were granted and/or regardless of whether the connection was previously unregulated pursuant to practices applicable or prevailing at the time of connection. A person is considered to be in violation of this Local Law if the person illegally connects a line conveying sewage to the County-owned municipal separate storm sewer system, or allows such an illegal connection to continue.

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SECTION 8. PROHIBITION AGAINST ACTIVITIES CONTAMINATING STORMWATER.

a. Activities are prohibited that cause or contribute to a violation of the County-owned municipal separate storm sewer system MS4 SPDES permit or cause or contribute to the County being subject to the Special Conditions as defined in Section 2 of this Local Law.

b. Upon written notification to a person that they are engaged in activities that cause or contribute to violations of the County-owned municipal separate storm sewer system SPDES permit authorization, that person shall, upon receipt of such notice, immediately take all reasonable actions to correct such activities such that they no longer cause or contribute to violations of the County's MS4 SPDES permit authorization.

SECTION 9. REQUIREMENT TO PREVENT, CONTROL AND REDUCE STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

a. Where the Stormwater Management Officer has identified illicit discharges as defined in Section 2 or by way of activities contaminating stormwater as defined in Section 8, the County may, among other remedies as set forth within this Local Law, require the implementation of Best Management Practices (BMPs) to control those illicit discharges and activities.

b. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the County-owned municipal separate storm sewer system through the use of structural and non-structural BMPs.

c. Any owner, discharger or operator, or other person responsible for a property or premises, which is or may be, the source of an illicit discharge as defined in Section 2 or an activity contaminating stormwater as defined in this Local Law, may be required to implement, at said person's expense, additional structural and non-structural BMPs to reduce or eliminate the source of pollutant(s) to the County-owned municipal separate storm sewer system.

d. Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial and/or other regulated activities, shall be deemed compliance with the provisions of this section.

SECTION 10. SUSPENSION OF ACCESS TO COUNTY-OWNED MUNICIPAL SEPARATE STORM SEWER SYSTEM. ILLICIT DISCHARGES IN EMERGENCY SITUATIONS.

a. Imminent danger. The Stormwater Management Officer may, without prior notice, suspend County-owned municipal separate storm sewer system discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and/or substantial danger to the environment, to the health or welfare of persons, or to the County-owned municipal separate storm sewer system. The Stormwater Management Officer shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the Stormwater Management Officer may take such steps as deemed necessary to prevent or minimize damage to the County-owned municipal separate storm sewer system or to minimize and abate any and all danger to persons.

b. Suspension due to the detection of illicit discharge. Any person discharging to the County-owned municipal separate storm sewer system in violation of this Local Law may have their County-owned municipal separate storm sewer system access terminated if such termination would abate or reduce an illicit discharge. The Stormwater Management Officer will notify an alleged violator in writing of the proposed termination of its County-owned municipal separate storm sewer system access and the reasons therefor. Within fifteen (15) days of the issuance of such Notice, the alleged violator may petition the Stormwater Management Officer for a reconsideration and hearing. Access to the MS4 may be granted by the Stormwater Management Officer if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access to the MS4 may be denied if the Stormwater Management Officer determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates County-owned municipal separate storm sewer system access to premises terminated pursuant to this Section, without the prior approval of the Stormwater Management Officer, or a court of competent jurisdiction.

SECTION 11. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form reasonably acceptable to the Stormwater Management Officer prior to the allowing of discharges to the County-owned municipal separate storm sewer system. Upon such proof being provided, the Stormwater Management Officer shall render his/her determination as to acceptability and shall provide the person with a written confirmation of such determination.

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SECTION 12. ACCESS AND MONITORING OF DISCHARGES.

a. Applicability. This section applies to all facilities that the Stormwater Management Officer must inspect to enforce any provision of this Local Law, or whenever the authorized enforcement agency has probable cause to believe that there exists, or potentially exists, in or upon any premises, any condition that constitutes a violation of this Local Law.

b. Access to Facilities. Upon compliance with the requirements of this Local Law, the Stormwater Management Officer shall be permitted to enter and inspect facilities subject to regulation under this Local Law as often as may be necessary to determine compliance with this Local Law. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the reasonable and necessary arrangements to allow access to the Stormwater Management Officer.

1. Facility operators shall allow the Stormwater Management Officer ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this Local Law.

2. Unreasonable delays in allowing the County access to a facility subject to this Local Law is a violation of this Local Law. A person who is the operator or owner or discharger of a facility subject to this Local Law commits an offense if the person denies the Stormwater Management Officer reasonable access to the facility for the purpose of conducting any activity authorized or required by this Local Law.

3. If the Stormwater Management Officer has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Local Law, or that there is a need to inspect and/or sample as part of such inspection and sampling program designed to verify compliance with this Local Law or any order issued hereunder, then the Stormwater Management Officer may seek issuance of a search warrant from any court of competent jurisdiction.

c. Monitoring. Following any adjudicated violation of this Local Law, the County shall have the right to set up on any facility subject to this Local Law such devices as are necessary in the reasonable determination of the Stormwater Management Officer to conduct monitoring and/or sampling of the facility's stormwater discharge. In connection therewith, the County has the right to require the facilities subject to this Local Law to install monitoring equipment as is reasonably necessary to determine compliance with this Local Law. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger or the owner at its own expense. All devices used to measure stormwater flow and quality shall be properly calibrated to ensure their accuracy and proof of such calibration shall be furnished to the Stormwater Management Officer following request therefor.

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SECTION 13. NOTIFICATION OF SPILLS.

Notwithstanding any other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting or may result in illicit discharges or pollutants discharging into the County-owned municipal separate storm sewer system, said person shall take such necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services and/or the County Stormwater Management Officer. In the event of a release of non-hazardous materials, said person shall notify the County Stormwater Management Officer in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the County within three (3) business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be promptly provided to the Stormwater Management Officer and such records shall be retained on site for at least five (5) years.

SECTION 14. ENFORCEMENT.

When the County's Stormwater Management Officer determines that a person has violated a prohibition or failed to meet a requirement of this Local Law, he/she may order compliance by written notice of violation to the owner and the discharger, if different than the owner, as the alleged responsible person. Such notice and/or subsequent enforcement remedies may require without limitation:

a. The elimination of illicit connections or discharges;

b. That violating discharges, practices or operations shall cease and desist;

c. The abatement and/or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

d. The performance of monitoring, analyses and reporting;

e. Payment of a fine; and/or recoupment of all quantified County expenditures as necessary to abate the violation.

f. The implementation of source control or treatment BMPs. If abatement of a violation and/or restoration of affected property is ultimately required, written confirmation shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work may be undertaken and completed by a designated County governmental agency or a County retained contractor and all expenses thereof shall be charged to the discharger and/or the owner as the violator.

g. Order that all permits, approvals and/or authorizations be obtained, if lawfully permitted by statute, for any continuing discharges, practices and/or operations; and

Prior notice shall not be required in the event the Stormwater Management Officer reasonably determines that an imminent threat to life may exist as a result of the violation of this Local Law.

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SECTION 15. APPEAL OF NOTICE OF VIOLATION.

a. Procedure. Any person receiving a Notice of Violation may appeal the determination of the Stormwater Management Officer within 15 days of its issuance. Said appeal shall be filed with the Stormwater Management Officer who shall transmit his original findings, and the appeal to the Illicit Discharge Board of Appeals, which shall consist of one representative of each of the following County Departments: a) The Department of the Environment; b) The Department of Health; c) The Planning Department. Such board members shall be appointed by the department heads of each of the foregoing agencies. The Illicit Discharge Board of Appeals shall hear the appeal within 30 days after the filing of the appeal, and within five (5) days of making its written decision, file its decision in the office of the County Clerk and mail a copy of its decision by certified mail to the discharger.

b. Relief. Persons who may be individually, jointly or severally aggrieved by any determination made by the Stormwater Management Officer and/or the Appeals Board may apply to the Supreme Court of the State of New York for review of such decision under Article 78 of the Civil Practice Laws and Rules of the State of New York.

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SECTION 16. CORRECTIVE MEASURES AFTER APPEAL.

a. If an appeal under this Local Law has been pursued and the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, which has been administratively adjudicated under this Local Law, then within five (5) business days of the decision of the County authority upholding the decision of the Stormwater Management Officer, the Stormwater Management Officer shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.

b. If refused access to the subject private property, the Stormwater Management Officer may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property, make any and all determinations which are authorized pursuant to this Local Law. Upon determination that a violation has occurred, and/or is continuing, the Stormwater Management Officer may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger as set forth within Section 14.

c. Nothing in this section shall be read to limit, abrogate or otherwise affect the authority possessed by the Stormwater Management Officer pursuant to Section 10(a) of this Local Law.

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SECTION 17. PENALTIES.

A. Administrative Sanctions.

1. Any person who violates the provisions of this Local Law, including any provision of any authorization issued, any condition set or fee required pursuant to this Local Law, shall be liable to the County of Ulster for a civil penalty of not more than $3,000.00 (Three Thousand Dollars) for every such violation. Each consecutive day of the violation will be considered a separate offense. Such civil penalty may be recovered in any action brought by the County at the request and in the name of the County in any court of competent jurisdiction. Such civil penalty may be released or compromised by action of the County and any action commenced to recover the same may be settled and discontinued by the County. Any such penalty of the County shall be enforceable in an action brought in any court of competent jurisdiction. Any civil penalty or order issued by the County pursuant to the criteria set forth herein shall be reviewable in a proceeding pursuant to Article 78 of the State Civil Practice Law and Rules.

B. Criminal Sanctions.

1. Any person who violates the provisions of this Local Law, including any provision of any authorization issued, any condition set or fee required pursuant to this Law, shall, in addition, for the first offense, be guilty of violation punishable by a fine of not less than $500.00 (Five Hundred Dollars) and not more than $1,000.00 (One Thousand Dollars); for a second and each subsequent offense he/she shall be guilty of a misdemeanor punishable by a fine of not less than $1,000.00 (One Thousand

Dollars) nor more than $2,000.00 (Two Thousand Dollars) or a term of imprisonment of not less than 30 (thirty) days or more than 6 (six) months or both. Each violation shall be deemed a separate and distinct offense, and in the case of continuing violation, each day in continuance thereof shall be deemed a separate and distinct offense.

C. Final Determination/Costs.

1. In addition to the foregoing remedies, any person who violates the provisions of this Local Law and is found guilty by a final administrative determination and/or a final adjudicated determination by a Court of competent jurisdiction shall be responsible for paying over to and reimbursing the Stormwater Management Office for all quantified costs, penalties and/or fines as may result from, or be imposed by, the Department, the EPA and/or any other enforcement agency pursuant to the Clean Water Act, the SPDES Regulatory and/or any other applicable statutory authority for such violation.

SECTION 18. INJUNCTIVE RELIEF.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Local Law. If a person has violated or continues to violate the provisions of this Local Law, the Stormwater Management Officer may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement and/or remediation of the violation, and/or for such other further relief as any court of competent jurisdiction may order.

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SECTION 19. ALTERNATIVE REMEDIES.

a. Where a person has been charged with violations of this Local Law and/or when a person has been determined to have violated a provision of this Local Law, he/she may be eligible for alternative remedies in lieu of a civil and/or criminal penalty, upon written recommendation of the County Attorney and concurrence of the Stormwater Management Officer, where a written determination is made that:

1. the violation was unintentional;
2. the violator has no history of previous violations of this Local Law;
3. any environmental damage was minimal;
4. the violator acted quickly to remedy violation; and
5. the violator cooperated in investigation and resolution.

b. Alternative remedies may consist of one or more of the following:

1. Attendance at Stormwater Management compliance workshops.
2. Storm drain stenciling and/or storm drain marking.
3. Participation in community outreach programs concerning stormwater management. In the event of non-compliance with the foregoing alternative remedies, the County reserves the right to enforce any and all provisions of this Local Law.

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SECTION 20. REMEDIES NOT EXCLUSIVE.

The remedies listed in this Local Law are not exclusive of any other remedies available under any applicable Federal, State or Local Law and it is within the discretion of the Stormwater Management Office. Nothing in this Local Law shall be read to preclude the enforcement by the County of Ulster of any other laws as may be applicable to illicit discharges, including but not limited to, statutory authorizations as set forth within the New York State Highway Law, the New York State County Law and the New York State Public Health Law.

SECTION 21. ANNUAL REVIEW.

The Stormwater Management Officer shall submit an annual report to the County Legislature not later than the first day of November of each year, concerning the administration, efficacy and enforcement of this Law. Such reports and recommendations shall assist the County to monitor and evaluate the extent to which the intent and purpose of this Local Law have been served.

SECTION 22. COMPLIANCE WITH STATE ENVIRONMENTAL QUALITY REVIEW ACT.

This Local Law has been duly reviewed and a determination as to significance upon the environment and associated Findings have been rendered by the County in accordance with SEQRA prior to this Laws adoption by the County [6 NYCRR Part 617, et seq].

SECTION 23. CONFLICT WITH OTHER REGULATIONS.

Where the standards and legal requirements of this Law are in conflict with other environmental and/or land use regulations, and/or other environmental protective measures, the more restrictive standards and legal requirements shall apply.

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SECTION 24. SEVERABILITY.

If any article, section, subsection, paragraph, phrase or sentence of this Local Law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION 25. GOVERNING LAW.

This Local Law shall be interpreted under, construed by and governed pursuant to the Laws of the State of New York.

SECTION 26. EFFECTIVE DATE.

This Local Law shall take effect immediately.

Adopted: December 12, 2007

Local Law Number 18 Of 2007

County Of Ulster

A Local Law Of The County Of Ulster, New York Prohibiting Illicit Discharges, Activities And Connections To The Ulster County Separate Storm Sewer System

Exhibit A

COUNTY PROPERTIES WITHIN THE MS4 AREA

Building Name	Address	Property by SBL	Within Municipality of
Information Services	27 South Manor Avenue	48.82-1-34	City of Kingston
Carr Building	1 Pearl Street	48.331-5-20	City of Kingston
Hutton Building	Golden Hill Lane	56.40-1-19	City of Kingston
Persen House	74 John Street	48.331-7-1	City of Kingston
Flatbush Annex	300 Flatbush Ave	48.74-3-14.100	City of Kingston
Probation Building	17 Pearl Street	48.331-5-16	City of Kingston
Public Works Building	313-317 Shamrock Lane	48.79-1-1	City of Kingston
Court House	285 Wall Street	48.331-7-5	City of Kingston
Ulster Avenue Office Complex	Development Court	48.66-1-6	Town of Ulster
U.C Probation Department	733 Broadway	56.92-2-19.111	City of Kingston
U.C.A.T	1 Danny Circle, Golden Hill	56.40-1-19	City of Kingston
Mental Health Building	Golden Hill Drive	56.40-1-19	City of Kingston
Infirmary	Golden Hill Drive	56.40-1-19	City of Kingston
Health Related Facility	Golden Hill Drive	56.40-1-19	City of Kingston
Ulster County Jail	Golden Hill Drive	56.40-1-19	City of Kingston
U.C Law Enforcement Center	380 Boulevard	56.48-2-6	City of Kingston
Community Correctional Facility	Golden Hill Drive	56.40-1-19	City of Kingston
Emergency Management	Golden Hill Drive	56.40-1-19	City of Kingston
Ulster County Office Building	244 Fair Street	48.331-5-1	City of Kingston
U.C Record Storage	300 Foxhall Avenue	48.82-1-27	City of Kingston
UC Highland Substation	171 Chapel Hill Rd	95.2-6-13	Town of Lloyd

Local Law Number 18 Of 2007

County Of Ulster

A Local Law Of The County Of Ulster, New York Prohibiting Illicit Discharges, Activities And Connections To The Ulster County Separate Storm Sewer System

ROAD LIST WITHIN MS4 AREA

COUNTY ROAD #	COUNTY ROAD NAME	MILEAGE	TOWN	CATCH BASIN
89	Malden Tpk.	1.0	Saugerties	22
32	Kings Highway	0.5	Saugerties	4
118	Glasco Tpk.	1.5	Saugerties	47
34	Glasco Tpk.	1.6	Saugerties	6
33	Kings Highway	1.5	Saugerties	8
41	Leggs Mill Rd.	3.0	Ulster	11
90	Sawkill Rd.	0.1	Ulster	0
42, 10	Sawkill Rd.	1.0	Ulster/Kingston	17
157	Boices Lane	0.9	Ulster	47
152	Kukuk Lane	0.7	Ulster	1
124	Ulster Avenue	0.2	Esopus	0
151	Hurley Ave. Ext.	3.0	Ulster/Hurley	45
94	Zendhoak/DeWitt Mills Rd.	3.5	Hurley	17
50	Lucas Ave. Ext.	3.4	Ulster/Hurley	14
59	Lucas Tpk.	0.6	Rosendale	0
123	Lucas Tpk.	0.7	Rosendale	0
147	Kallop Rd.	0.5	Rosendale	0
8	Hurley Mtn. Rd.	0.1	Hurley	2
65	DeWitt Lake Rd.	1.5	Ulster/Rosendale	0
153	Eddyville Mountain Rd.	0.6	Ulster	0
146	Eddyville-Creek Locks Rd.	1.5	Ulster/Rosendale	0
73	Bloomington-Creek Locks-Rosendale Rd.	3.8	Rosendale	11
57	New Salem St.	0.7	Esopus	28
81	River Rd.	0.5	Esopus	4
113	Elting Rd.	1.5	Rosendale	28
18A	Springtown Rd.	0.6	Rosendale	12
11	South St.	0.6	Lloyd	3
159	New Paltz Rd.	3.3	Lloyd	20
84	Riverside Rd	1.4	Lloyd	3
24A	Tuckers Corners Rd.	0.3	Plattekill	0
67	Pancake Hollow Rd	0.3	Plattekill/Lloyd	0
116	Crescent Ave.	0.1	Plattekill/Lloyd	1
55	Orchard Rd.	0.8	Marlborough/Lloyd	3
108	Chapel Hill Rd.	1.1	Lloyd	15
16	Milton Tpk.	0.1	Marlborough	0
119	Milton-Milton Landing Rd.	0.1	Marlborough	5

85	Lattintown Rd.	1.2	Marlborough	4
17	Lattintown Rd.-Western Ave.	1.5	Marlborough	43
69	Marlborough-Plattekill Rd.	2.3	Marlborough	11
25	Plattekill-Ardonia Rd.	1.0	Plattekill	2
112	Plains Rd.	0.8	Shawangunk	0
122	Wallkill Ave.	0.1	Shawangunk	15
Total mileage within the MS4 area		**49.5**	**Ulster County**	**449**

BRIDGE LIST WITHIN THE MS4 AREA

BRIDGE NO.	NAME	FEATURE CROSSED	TOWN	ROAD NAME
30	Mt. Marion	Plattekill Creek	Ulster/Saugerties	Leggs Mill Rd. (Co.Rd.41)
70	Sauer	Esopus Creek	Saugerties	Glasco Tpk. (Co.Rd.34)
77	Conyes	Plattekill Creek	Saugerties	Snyder Rd. (Town Rd.)
179	Bert Law	Plattekill Creek	Saugerties	Glasco Tpk. (Co.Rd.34)
152	Leggs Mill	Esopus Creek	Ulster	Leggs Mill Rd. (Co.Rd.41)
169	Sawkill School	Sawkill Creek	Ulster	Sawkill Rd. (Co.Rd.42)
149	Sawkill Church	Sawkill Creek	Kingston	Sawkill Rd. (Co.Rd.10)
74	Hurley	Esopus Creek	Hurley	Wynkoop Lane (Co.Rd.8)
71	Port Ewen	Mill Brook	Esopus	Salem St. (Co.Rd.57)
143	Rosendale	Rondout Creek	Rosendale	Elting Rd. (Co.Rd.113)
206		Abandoned RR ROW - West	Lloyd	Old New Paltz Rd. (Co.Rd.159)
207		Abandoned RR ROW - East	Lloyd	Old New Paltz Rd. (Co.Rd.159)
127	Wallkill	Wallkill River	Shawangunk	Hoagerburgh Rd. (Co.Rd.70)

Local Law Number 1 Of 2008

County Of Ulster

A Local Law To Establish The Office Of Conflict Defender Within The County Of Ulster

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1: LEGISLATIVE BACKGROUND AND PURPOSE.

(1.1) The County of Ulster has a responsibility to provide legal counsel to persons charged with a crime and to those persons entitled to counsel pursuant to Section 262 and section 1120 of the Family Court Act and Section 407 of the Surrogate's Court Procedure Act in those circumstances where such persons are financially unable to obtain counsel. Prior to the adoption of this local law, such responsibility was fulfilled through funding of the office of the Ulster County Public Defender and whenever the Public Defender was disqualified from acting in a particular case through a panel of attorneys who were appointed by the Court as assigned counsel pursuant to Article 18-b of the County Law. However, this Legislature is also mindful of its obligation to the citizens of the County of Ulster to provide public services in a manner that is as cost effective and efficient as practicable. Accordingly, and because of the substantial, and largely unreimbursed, increase in costs as a consequence of the mandated increase in fees payable to assigned counsel pursuant to Section 722-b of the County Law, as amended by the New York State Legislature (via Chapter 62 of the Laws of 2003, effective January 1, 2004), the Ulster County Legislature hereby finds and determines that it is in the best interest of the citizens of the County of Ulster to establish the position of Conflict Defender in and for the County of Ulster.

SECTION 2: POSITION CREATED.

(2.1) The position of Conflict Defender be, and the same hereby is, created in and for the County of Ulster, pursuant to subsection 4.(a) of Section 400 of the County Law and Section 10 of the Municipal Home Rule Law. The position of Conflict Defender shall be a part-time position.

Local Law Number 1 Of 2008

County Of Ulster

A Local Law To Establish The Office Of Conflict Defender Within The County Of Ulster

SECTION 3: APPOINTMENT AND TERM.

(3.1) The Conflict Defender shall be appointed by the Ulster County Legislature by resolution. The Conflict Defender shall serve at the pleasure of the Ulster County Legislature, and the term of office of the Conflict Defender shall be coextensive with that of the Ulster County Legislature by whom he or she was appointed. Commencing January 1, 2009, the effective date of the County Charter of the County of Ulster, and thereafter, the Conflict Defender shall be appointed by the County Executive, subject to confirmation by the County Legislature, and shall serve at the pleasure of the County Executive. At the time of such appointment and throughout his or her term of office, the Conflict Defender shall be appointed on the basis of his or her legal experience and other qualifications, and shall be and remain an attorney and counselor at law duly admitted to practice law in the courts of the State of New York, and shall have such other qualifications as may be required by law.

SECTION 4: POWERS AND DUTIES.

(4.1) The Ulster County Conflict Defender shall exist and function separately from, and independently of, the office of the Ulster County Public Defender and any other County legal office. Subject to the approval of the applicable trial court, the Conflict Defender shall serve in the place and stead of the Ulster County Public Defender whenever the Public Defender is disqualified from representing a party in criminal or family law matters.

(4.2) Furthermore, nothing contained herein shall obligate the Conflict Defender to perform any legal service with respect to which the Conflict Defender itself has a conflict of interest.

(4.3) The Conflict Defender shall further have and exercise all powers, and perform all duties, now or hereafter otherwise conferred or imposed upon such position by applicable law.

Local Law Number 1 Of 2008

County Of Ulster

A Local Law To Establish The Office Of Conflict Defender Within The County Of Ulster

SECTION 5: POSITIONS OF THE OFFICE: Deputy and Assistant Conflict Defenders and Staff

(5.1) The Conflict Defender shall have the power to appoint such Deputy and Assistant Conflict Defenders, investigators and employees of his or her department as shall be appropriated and authorized by the County Legislature. At the times of their appointments, and throughout their terms of office, all Deputy and Assistant Conflict Defenders shall be and remain duly licensed and entitled to practice law in the State of New York. All Deputy and Assistant Conflict Defenders, investigators and employees of the department shall be directly responsible to, and serve at the pleasure of, the Conflict Defender, except as otherwise provided by applicable law.

SECTION 6: ADDITIONAL EXPENSES.

(6.1) In order to furnish appropriate representation, the Conflict Defender shall be provided suitable funding as authorized by the Ulster County Legislature for office supplies, stationery, investigation, expert witnesses, transcription fees, and continued legal education (CLE), as well as other expenses relating to the Conflict Defender carrying out his or her responsibilities and duties accordingly. Notwithstanding the foregoing, this shall not preclude any Court from ordering any services in any action or proceeding, the same of which shall be an expense of the County.

SECTION 7: VALIDITY AND SEVERABILITY.

(7.1) If any section or part of this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional, then such adjudication shall not invalidate or impair the validity or force or effect of any other section or part of this local law or the application of this local law, or any section, provision, or part thereof, to other persons or circumstances.

Local Law Number 1 Of 2008

County Of Ulster

A Local Law To Establish The Office Of Conflict Defender Within The County Of Ulster

SECTION 8: EFFECTIVE DATE.

(8.1) This Local Law shall take effect upon the appointment by the Ulster County Legislature of a Conflict Defender by resolution adopted subsequent to the date of adoption of this Local Law and compliance with the requirements of law.

Adopted: February 19, 2008

Local Law Number 2 Of 2008

County Of Ulster

A Local Law To Prohibit Consumption Of Alcoholic Beverages By Minors On Private Property (Underage Drinking Party Local Law)

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT.

The purpose of this Local Law is to protect the public interest, welfare, health and safety within the County of Ulster by prohibiting the services to and consumption of alcoholic beverages and drugs by persons under the age of twenty-one (21) at private premises located in Ulster County. The Ulster County Legislature finds that the occurrence of social gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The Ulster County Legislature finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages or drugs at such gatherings and that persons who are in control of such premises know or have reason to know of such service and/or consumption and will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of twenty-one (21) at these gatherings.

SECTION 2. DEFINITIONS.

Whenever used in this Local Law, unless a different meaning is stated in a definition applicable to only a portion of this Local Law, the following terms will be defined and shall have meanings set forth below:

ALCOHOLIC BEVERAGE: Any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person; except that confectionary containing alcohol as provided in Subsection 12 or 200 Agriculture and Markets Law shall not be considered alcoholic beverages within the meaning of this section.

CONTROL: The authority and ability to regulate, direct or dominate.

DRUG: Includes any substance listed in Section 3306 of the Public Health Law.

MINOR: Any person under the age of twenty-one (21).

Local Law Number 2 Of 2008

County Of Ulster

A Local Law To Prohibit Consumption Of Alcoholic Beverages By Minors On Private Property (Underage Drinking Party Local Law)

OPEN HOUSE PARTY: A social gathering at a residence or other private property with minors present.

PERSON: A human being and where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.

PREMISES: Any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards and open areas adjacent thereto.

SECTION 3. PROHIBITION.

No person having control of any premises shall allow an open house party to take place at said residence if such person knows or has reason to know that any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by a minor at said residence.

SECTION 4. EXCEPTIONS.

The provisions of this section shall not apply to:

(a) The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to Section 65-c of the New York State Alcohol Beverage Control Law, or any other applicable law; or

(b) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law.

SECTION 5. INCONSISTENCY WITH OTHER LAWS.

(a) If any part or provision of this section is inconsistent with any Federal or State statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail.

Local Law Number 2 Of 2008

County Of Ulster

A Local Law To Prohibit Consumption Of Alcoholic Beverages By Minors On Private Property (Underage Drinking Party Local Law)

(b) If any part or provision of this Section or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section, or the application thereof to other persons or circumstances.

SECTION 6. PENALTIES.

Failure to comply with Section 3 above shall constitute a violation, punishable by a fine which shall not exceed two hundred fifty dollars ($250.00), or imprisonment not exceeding fifteen (15) days or a combination of such fine and imprisonment as shall be fixed by the court.

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect immediately.

Adopted: February 19, 2008

Local Law Number 3 Of 2008

County Of Ulster

A Local Law To Provide Defense And Indemnification Of County Officers And Employees Of The County Of Ulster

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. CONFERRAL OF STATUTORY BENEFITS.

The Ulster County Legislature hereby adopts Section 18 of the Public Officers Law and confers the benefits thereof upon all County officers and employees.

SECTION 2. DEFENSE AGAINST CIVIL RIGHTS ACTIONS; INDEMNIFICATION.

The County shall provide for the defense of any County Officer or employee in any civil action or proceeding arising out of any alleged act or omission in which it is alleged that the officer or employee has violated the civil rights of the claimant, petitioner or plaintiff under Sections 1981 and 1983 of the United States Civil Rights Act. The County shall indemnify and save harmless such officer or employee in the amount of any judgment or settlement of claim obtained against such officer or employee. Such legal defense and indemnification shall be provided where the officer or employee at the time of such alleged act or omission was acting in good faith and within the scope of his public employment, power or duties. The provisions of this section shall be in addition to any other statute, local law or enactment providing legal defense and indemnification in civil actions brought against such officer or employee.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State.

Adopted: September 10, 2008

Local Law Number 4 Of 2008

County Of Ulster

A Local Law Providing For Enhanced Personal Privacy Protection For Documents Recorded In The Office Of The County Clerk, And Authorizing An Increase In Fees Collected By The County Clerk For The Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE.

This law shall be known as the "Enhanced Personal Privacy Protection for Recorded Documents Law."

SECTION 2. DECLARATION OF INTENT.

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the County of Ulster County Legislature authorizes the County of Ulster County Clerk to increase the fees charged for certain documents recorded with the County Clerk's Office.

SECTION 3. FEES FOR RECORDING DOCUMENTS.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the County of Ulster County Clerk has placed an image of such cover page on line, the County Clerk shall make a good faith effort to redact such information.

Local Law Number 4 Of 2008

County Of Ulster

A Local Law Providing For Enhanced Personal Privacy Protection For Documents Recorded In The Office Of The County Clerk, And Authorizing An Increase In Fees Collected By The County Clerk For The Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Adopted: September 10, 2008

Local Law Number 5 Of 2008

County Of Ulster

A Local Law Amending Local Law No. 5 Of 1999 [A Local Law Amending Local Law No. 1 Of 1987 As Amended By Local Law No. 1 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence]

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. Section 3 Of Local Law No. 5 Of 1999 is amended to read as follows:

SECTION 3. Real property owned by persons sixty-five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 467 of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
1. $24,000.00	50%
2. 24,000.01 to 24,999.99	45%
3. 25.000.00 to 25,999.99	40%
4. 26,000.00 to 26,999.99	35%
5. 27,000.00 to 27,899.99	30%
6. 27,900.00 to 28,799.99	25%
7. 28,800.00 to 29,699.99	20%
	extending to 5% is also an option
8. 29,700.00 to 30,599.99	15%
9. 30,600.00 to 31,499.99	10%
10. 31,500.00 to 32,399.99	5%

Local Law Number 5 Of 2008

County Of Ulster

A Local Law Amending Local Law No. 5 Of 1999 [A Local Law Amending Local Law No. 1 Of 1987 As Amended By Local Law No. 1 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence]

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income tax return or, if no such return was filed, the calendar year.

SECTION 2. **EFFECTIVE DATE.** This Local Law shall take effect immediately.

Adopted: October 7, 2008

Local Law Number 6 Of 2008

County Of Ulster

A Local Law Amending Local Law No. 6 Of 1999 [A Local Law Amending Local Law No. 2 Of 1999 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income]

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. Section 2 Of Local Law No. 6 Of 1999 is amended to read as follows:

SECTION 3. Real property owned by persons with disabilities shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 459-c of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
1. $24,000.00	50%
2. 24,000.01 to 24,999.99	45%
3. 25.000.00 to 25,999.99	40%
4. 26,000.00 to 26,999.99	35%
5. 27,000.00 to 27,899.99	30%
6. 27,900.00 to 28,799.99	25%
7. 28,800.00 to 29,699.99	20%
8. 29,700.00 to 30,599.99	15%
9. 30,600.00 to 31,499.99	10%
10. 31,500.00 to 32,399.99	5%

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income tax return or, if no such return was filed, the calendar year.

Local Law Number 6 Of 2008

County Of Ulster

A Local Law Amending Local Law No. 6 Of 1999 [A Local Law Amending Local Law No. 2 Of 1999 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income]

SECTION 2. **EFFECTIVE DATE.** This Local Law shall take effect immediately.

Adopted: October 7, 2008

Local Law Number 7 Of 2008

County Of Ulster

A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War"

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. **FINDINGS.** Section 458-b of the Real Property Tax Law authorizes a limited exemption from real property taxes for residential real property owned by veterans who rendered military service to the United States during the "Cold War".

Section 458-b of the Real Property Tax Law authorizes municipalities to establish maximum exemption amounts.

In regard to "Cold War" veterans who own residential real property within Ulster County, it is the desire of the Ulster County Legislature to authorize the "Cold War" veterans exemption and establish maximum amounts.

SECTION 2. INTENT. In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York, residential real property owned by veterans who rendered military service to the United States during the "Cold War" shall be exempt from County taxation.

SECTION 3. EXEMPTION. The maximum exemptions allowable from County real property taxation pursuant to Section 458-b of the Real Property Tax Law shall be 10% of the property's assessment, not to exceed $8,000.00 multiplied by the latest final state equalization rate for service during the "Cold War" and a percentage of the property's assessment equal to one-half of any service connected disability rating not to exceed $40,000.00 multiplied by the latest final state equalization rate.

SECTION 4. EFFECTIVE DATE. This Local Law shall be effective on the date of filing with the Secretary of State.

Adopted: October 7, 2008

Local Law Number 8 Of 2008

County Of Ulster

A Local Law Applying The Salary Revisions Of Resolution No. 290 Of 2008 To All County Officers Serving For Fixed Terms

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. The Legislature finds and determines that the salaries of County Officers serving for fixed term of office may be changed and adjusted only by local law.

SECTION 2. (A) The annual salaries of such County Officers as are serving for a fixed term of office shall be adjusted and changed in accordance with the provisions of Resolution No. 290 of 2008.

(B) For the balance of the year 2008 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 2008 prior to such effective date, will equal the annual salary fixed for such office for the year 2008 as above set forth.

SECTION 3. (A) This Local Law shall take effect upon compliance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

(B) This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

Addendum

Title	2008 Salary	2009 Salary
County Clerk	$ 98,638.00	$101,701.00
County Sheriff	$ 98,638.00	$101,681.00
County Treasurer	$ 98,638.00	n/a
County Attorney	$ 98,638.00	$101,701.00
County Auditor	$ 70,972.00	n/a
Commissioner of Elections	$ 70,239.00	$ 72,420.00
Commissioner of Elections	$ 70,239.00	$ 72,420.00
Purchasing Agent	$ 70,972.00	$ 73,176.00
Public Defender	$ 72,169.00	$ 74,741.00
Public Health Director	$100,544.00	$103,848.00
Commissioner of Social Services	$ 98,638.00	$101,701.00
County Administrator	$ 99,111.00	n/a
Commissioner of Public Works	$ 91,897.00	$ 94,750.00
Personnel Officer	$ 86,576.00	$ 89,264.00
Real Property Tax Service Agency Director	$ 70,972.00	$ 73,176.00
Director of Tourism	$ 65,557.00	$ 67,592.00
Director of Public Transit	$ 70,940.00	$ 73,143.00

Adopted: October 7, 2008

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
Wawarsing	-74.38807763250	41.72286514000
	-74.38761347110	41.72331816840
	-74.38784608580	41.72345271430
	-74.38553061720	41.72571176910
	-74.38445162530	41.72676440500
	-74.38423366570	41.72663893820
	-74.38374863270	41.72711202830
	-74.38319699040	41.72679451780
	-74.38207333200	41.72800250340
	-74.38109202280	41.72752194880
	-74.38240411750	41.72611615740
	-74.38322614410	41.72651862490
	-74.38458981030	41.72518786900
	-74.38271495430	41.72411076750
	-74.38508896320	41.72179525350
	-74.38637075700	41.72253295300
	-74.38659963610	41.72230970160
	-74.38671817340	41.72237808900
	-74.38679961410	41.72229863790
	-74.38664648970	41.72221054100
	-74.38668309120	41.72217484850
	-74.38701316550	41.72236492590
	-74.38713200440	41.72224892380
	-74.38730907160	41.72235142000
	-74.38715339400	41.72250071320
	-74.38739539770	41.72264005780
	-74.38750428680	41.72253383780
	-74.38807763250	41.72286514000

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
Saugerties	-73.97844072720	42.05910265500
	-73.97846744790	42.05893836740
	-73.97866415070	42.05893988500
	-73.97961356110	42.05893792080
	-73.97965944740	42.05873170610
	-73.97973638120	42.05839104630
	-73.98099472160	42.05829633290
	-73.98111217690	42.05766092940
	-73.98095975300	42.05694403270
	-73.97933539590	42.05677645720
	-73.97913219660	42.05675433830
	-73.97914362590	42.05670451710
	-73.97915687500	42.05663972440
	-73.97916874600	42.05657458860
	-73.97917900410	42.05650944560
	-73.97918211940	42.05648732830
	-73.97801579440	42.05627276880
	-73.97821915170	42.05530006610
	-73.97841384040	42.05534303320
	-73.97914318010	42.05550393240
	-73.97912834950	42.05543922750
	-73.97911776780	42.05539717380
	-73.97907031820	42.05486739860
	-73.97898387040	42.05414683750
	-73.97916830780	42.05413225740
	-73.97910852310	42.05366864840
	-73.97904763320	42.05319697310
	-73.97904697780	42.05319113930
	-73.97904491520	42.05313382050
	-73.97902545370	42.05259335480
	-73.97906212660	42.05233036860
	-73.97908370220	42.05217538880
	-73.97947470890	42.05039372430
	-73.97957198250	42.04995083660
	-73.97977055510	42.04900264300
	-73.98015326460	42.04717515740
	-73.98021309640	42.04692579120
	-73.98159062800	42.04720032010
	-73.98159511240	42.04717992500
	-73.98159891090	42.04715935400
	-73.98160201590	42.04713878250
	-73.98160488910	42.04711821000
	-73.98160730460	42.04709746520
	-73.98160902910	42.04707688750
	-73.98161052650	42.04705613850
	-73.98161132820	42.04703538920
	-73.98161190640	42.04701463880
	-73.98161178990	42.04699405550
	-73.98161121450	42.04697330260
	-73.98161017650	42.04695254490

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98160867920	42.04693195810
	-73.98160649480	42.04691120060
	-73.98160407830	42.04689060960
	-73.98160120040	42.04687001920
	-73.98159763020	42.04684942840
	-73.98159360350	42.04682883280
	-73.98158934470	42.04680841170
	-73.98158439610	42.04678798480
	-73.98157898230	42.04676773140
	-73.98157311310	42.04674747320
	-73.98156678240	42.04672721660
	-73.98155999020	42.04670712980
	-73.98155273750	42.04668721120
	-73.98154502340	42.04666729310
	-73.98153684900	42.04664737300
	-73.98152821280	42.04662779380
	-73.98151888690	42.04660821240
	-73.98150933270	42.04658863180
	-73.98149931310	42.04656938940
	-73.98148883570	42.04655014760
	-73.98147789300	42.04653107760
	-73.98146649350	42.04651217740
	-73.98145463120	42.04649344530
	-73.98144253930	42.04647488510
	-73.98142975500	42.04645649280
	-73.98141674110	42.04643810120
	-73.98140303230	42.04642005230
	-73.98138909510	42.04640217070
	-73.98137469500	42.04638446160
	-73.98135983820	42.04636692070
	-73.98134474680	42.04634955250
	-73.98132919380	42.04633235420
	-73.98131317900	42.04631549780
	-73.98129670640	42.04629863830
	-73.98128000030	42.04628212090
	-73.98126283000	42.04626594800
	-73.98124519940	42.04624976940
	-73.98122733900	42.04623393650
	-73.98120901940	42.04621827340
	-73.98119023430	42.04620295210
	-73.98117121840	42.04618779910
	-73.98115197260	42.04617299170
	-73.98113226390	42.04615835150
	-73.98111209350	42.04614405580
	-73.98109169210	42.04612992840
	-73.98107106090	42.04611614390
	-73.98104996330	42.04610252920
	-73.98102863930	42.04608925740
	-73.98100685120	42.04607632840
	-73.98098505930	42.04606356770
	-73.98096280680	42.04605114980

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98094032430	42.04603907750
	-73.98091738030	42.04602717240
	-73.98089420400	42.04601561020
	-73.98087102610	42.04600439100
	-73.98084738400	42.04599351190
	-73.98082351340	42.04598280550
	-73.98079941030	42.04597261300
	-73.98077989510	42.04596449240
	-73.98061989240	42.04591041160
	-73.98046329200	42.04588578860
	-73.98047161910	42.04585117590
	-73.98066415440	42.04505083380
	-73.98099200590	42.04368780210
	-73.98122361310	42.04266715700
	-73.98127573420	42.04243731700
	-73.98139567490	42.04196894330
	-73.98147949400	42.04174914880
	-73.98164339760	42.04131898240
	-73.98156075860	42.04110801600
	-73.98129849330	42.04102738370
	-73.98162532470	42.03942680190
	-73.98175397580	42.03886410380
	-73.98180114430	42.03888804740
	-73.98289240860	42.03943797390
	-73.98291407060	42.03945938460
	-73.98291362100	42.03949934620
	-73.98291385990	42.03953930820
	-73.98291525220	42.03957927540
	-73.98291756010	42.03961924410
	-73.98292079310	42.03965921690
	-73.98292471480	42.03969902000
	-73.98292978880	42.03973882550
	-73.98293578080	42.03977863430
	-73.98294269330	42.03981827520
	-73.98295052980	42.03985791760
	-73.98295951750	42.03989739230
	-73.98296919390	42.03993669990
	-73.98297979210	42.03997583620
	-73.98299131180	42.04001497560
	-73.98300374990	42.04005377710
	-73.98301711200	42.04009258000
	-73.98303139490	42.04013104040
	-73.98304636860	42.04016950480
	-73.98306249740	42.04020763140
	-73.98307954560	42.04024558560
	-73.98309182320	42.04027186650
	-73.98314922470	42.04038752120
	-73.98306294200	42.04041893430
	-73.98293935600	42.04046606650
	-73.98282941700	42.04050953890
	-73.98281668510	42.04051457500

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98276064550	42.04053755690
	-73.98276427500	42.04054666000
	-73.98276813760	42.04055576140
	-73.98277200050	42.04056468900
	-73.98277632350	42.04057362230
	-73.98278064770	42.04058255290
	-73.98278542730	42.04059148830
	-73.98279021190	42.04060024810
	-73.98279522600	42.04060901170
	-73.98280047210	42.04061760340
	-73.98280594660	42.04062619610
	-73.98281165050	42.04063478990
	-73.98281758660	42.04064321100
	-73.98282352400	42.04065146270
	-73.98282968830	42.04065988570
	-73.98283631690	42.04066796500
	-73.98284294420	42.04067604700
	-73.98284980340	42.04068413010
	-73.98285666160	42.04069203940
	-73.98286398240	42.04069995170
	-73.98287130090	42.04070769100
	-73.98287885280	42.04071526130
	-73.98288663410	42.04072283260
	-73.98289441430	42.04073040390
	-73.98290265740	42.04073763060
	-73.98291090050	42.04074485820
	-73.98291914490	42.04075208850
	-73.98292784960	42.04075914810
	-73.98293655570	42.04076603380
	-73.98294549140	42.04077274860
	-73.98295465670	42.04077946720
	-73.98296382580	42.04078601290
	-73.98297322450	42.04079238680
	-73.98298262330	42.04079876240
	-73.98299225170	42.04080496440
	-73.98300211100	42.04081099730
	-73.98301220470	42.04081703120
	-73.98302229380	42.04082272120
	-73.98303238660	42.04082841210
	-73.98304271390	42.04083393380
	-73.98305326470	42.04083945390
	-73.98306382180	42.04084463010
	-73.98307460730	42.04084981080
	-73.98308539410	42.04085481600
	-73.98309641060	42.04085965120
	-73.98310765800	42.04086431810
	-73.98311867730	42.04086881120
	-73.98312992850	42.04087330530
	-73.98314141080	42.04087745370
	-73.98315082600	42.04088091310
	-73.98325141620	42.04091483700

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98331172910	42.04089353160
	-73.98485386180	42.04034874370
	-73.98493580640	42.04072066040
	-73.98565041780	42.04047567620
	-73.98576712010	42.04105659810
	-73.98586925660	42.04156612770
	-73.98586947330	42.04156801410
	-73.98428539130	42.04168450880
	-73.98422090220	42.04168924940
	-73.98414207330	42.04213356980
	-73.98399697830	42.04295381480
	-73.98398011900	42.04304895210
	-73.98385554340	42.04303170060
	-73.98140423050	42.04269217560
	-73.98117246720	42.04371468690
	-73.98084283800	42.04508404250
	-73.98099539350	42.04511239230
	-73.98488409660	42.04583414130
	-73.98628638610	42.04608330710
	-73.98487504390	42.04988060190
	-73.98484491240	42.04996198030
	-73.98467050280	42.05046157990
	-73.98402833100	42.05119162680
	-73.98348347040	42.05181102840
	-73.98346425120	42.05183292390
	-73.98278516790	42.05262169710
	-73.98216877390	42.05304680550
	-73.98208688860	42.05310327730
	-73.98327243640	42.05306671270
	-73.98301366480	42.05375368680
	-73.98277053690	42.05439937240
	-73.98221862860	42.05586514360
	-73.98196831240	42.05660050650
	-73.98196969050	42.05660085570
	-73.98243479940	42.05668734620
	-73.98165766430	42.05879730940
	-73.98163243090	42.05886532210
	-73.98159808450	42.05895834940
	-73.98088959890	42.06088122530
	-73.97953810060	42.06369295150
	-73.97853280530	42.06342983790
	-73.97833640980	42.06339955870
	-73.97835371970	42.06334970390
	-73.97837011130	42.06329984410
	-73.97838511950	42.06324980870
	-73.97838957690	42.06323490240
	-73.97840320690	42.06318451950
	-73.97841568920	42.06313396210
	-73.97842678810	42.06308340120
	-73.97843697140	42.06303249210
	-73.97844577000	42.06298158030

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.97845342220	42.06293049320
	-73.97845992190	42.06287923240
	-73.97846283230	42.06285299860
	-73.97846749050	42.06280173300
	-73.97847076890	42.06275046120
	-73.97847312690	42.06269901510
	-73.97847410600	42.06264773550
	-73.97847392870	42.06259645340
	-73.97847260510	42.06254499590
	-73.97846990140	42.06249370500
	-73.97846949090	42.06248495680
	-73.97846407530	42.06221772380
	-73.97840767570	42.06057052210
	-73.97836907110	42.05981746690
	-73.97837112210	42.05977974120
	-73.97838242360	42.05961015130
	-73.97839810230	42.05944074340
	-73.97841745950	42.05927152330
	-73.97844072720	42.05910265500

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
Ulster	-73.99583585750	41.98069697100
	-73.99567916540	41.98188833380
	-73.99265776040	41.98212560550
	-73.99239798710	41.98384378930
	-73.99235021220	41.98415978330
	-73.99283728510	41.98566364670
	-73.99228522820	41.98804102930
	-73.99266969930	41.98921075150
	-73.99276686250	41.98950882060
	-73.99295564650	41.98969060690
	-73.99319165370	41.98994035600
	-73.99353735700	41.99026762360
	-73.99329181360	41.99067076580
	-73.99216235990	41.99202865550
	-73.99216052210	41.99203132880
	-73.99216708400	41.99203517010
	-73.99252824450	41.99224655000
	-73.99323179010	41.99265831080
	-73.99295980420	41.99309090970
	-73.99308484820	41.99314016150
	-73.99345050720	41.99338222400
	-73.99382150710	41.99300344230
	-73.99470511890	41.99352056590
	-73.99469662050	41.99377952940
	-73.99423569330	41.99381127520
	-73.99378283840	41.99392553700
	-73.99368187210	41.99397446390
	-73.99342162200	41.99410061790
	-73.99322453370	41.99419625490
	-73.99303581640	41.99410118920
	-73.99278646090	41.99408055630
	-73.99225968580	41.99388264500
	-73.99218543350	41.99398446530
	-73.99178858530	41.99383687680
	-73.99140794350	41.99366691290
	-73.99110691950	41.99352016340
	-73.99082074260	41.99343658940
	-73.99059630720	41.99345713200
	-73.99045051130	41.99461318920
	-73.98907826680	41.99454256860
	-73.98919653300	41.99312508290
	-73.99045409630	41.99338382920
	-73.99082337280	41.99326999130
	-73.99104438290	41.99141208380
	-73.99166127080	41.98976030400
	-73.99207312160	41.98976842340
	-73.99214319860	41.98929619570
	-73.99243360800	41.98925371190
	-73.99231031780	41.98908150650
	-73.99218695630	41.98891380180

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99203990860	41.98866933330
	-73.99194447210	41.98835777160
	-73.99187464320	41.98800140060
	-73.99184239410	41.98765436460
	-73.99185113110	41.98710053980
	-73.99186995950	41.98590733790
	-73.99136064030	41.98547955570
	-73.99144458790	41.98336375760
	-73.99153306010	41.98335102260
	-73.99157807900	41.98221037330
	-73.99162587490	41.98099922410
	-73.99169899040	41.97914642420
	-73.99167608130	41.97914622370
	-73.99168499840	41.97802498460
	-73.99176836020	41.97542769210
	-73.99240040820	41.97542498520
	-73.99271486750	41.97524857020
	-73.99415481140	41.97539444760
	-73.99551738750	41.97553246850
	-73.99573304690	41.97770725310
	-73.99575836720	41.97786980030
	-73.99560678800	41.97790175130
	-73.99445867000	41.97795978200
	-73.99302469260	41.97803224220
	-73.99292040610	41.97813940410
	-73.99291891630	41.97823396170
	-73.99302401940	41.97970295030
	-73.99284124290	41.98091198330
	-73.99583585750	41.98069697100

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
Lloyd	-73.95676952870	41.73845361000
	-73.95676960390	41.73845338250
	-73.95701274540	41.73771765060
	-73.95725560870	41.73698259850
	-73.95738037320	41.73660497510
	-73.95774168570	41.73551183120
	-73.95889126730	41.73582328990
	-73.95920631380	41.73725379590
	-73.95920584650	41.73725533890
	-73.95920328460	41.73726322000
	-73.95920094790	41.73727092930
	-73.95919884190	41.73727864330
	-73.95919696640	41.73728652770
	-73.95919508620	41.73729441210
	-73.95919343680	41.73730229480
	-73.95919201940	41.73731018130
	-73.95919082800	41.73731806620
	-73.95918986740	41.73732595490
	-73.95918890330	41.73733384080
	-73.95918840040	41.73734190190
	-73.95918789790	41.73734979000
	-73.95918762110	41.73735784940
	-73.95918757290	41.73736573960
	-73.95918752960	41.73737362990
	-73.95918771080	41.73738169150
	-73.95918835140	41.73738958500
	-73.95918899210	41.73739747580
	-73.95918944350	41.73740313710
	-73.95918963250	41.73740553950
	-73.95919073120	41.73741343510
	-73.95939600430	41.73807891900
	-73.95943551590	41.73820701410
	-73.95943574320	41.73820787150
	-73.95943952730	41.73822640940
	-73.95944377180	41.73824494950
	-73.95944847340	41.73826331520
	-73.95945340590	41.73828168560
	-73.95945902380	41.73829988370
	-73.95946487370	41.73831808560
	-73.95947140880	41.73833628790
	-73.95947817500	41.73835432120
	-73.95948539830	41.73837218380
	-73.95949285120	41.73839004470
	-73.95950099410	41.73840791070
	-73.95950936710	41.73842543290
	-73.95951842420	41.73844295830
	-73.95952771320	41.73846048210
	-73.95953723120	41.73847766660
	-73.95954743560	41.73849485070
	-73.95955787220	41.73851186670

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.95956876720	41.73852871190
	-73.95958171970	41.73854590630
	-73.95959513420	41.73856293080
	-73.95960900570	41.73857978460
	-73.95962310800	41.73859663860
	-73.95963789720	41.73861315370
	-73.95965291630	41.73862949690
	-73.95966816430	41.73864549730
	-73.95968387510	41.73866150070
	-73.95970004200	41.73867716330
	-73.95970990880	41.73868658500
	-73.95971644100	41.73869282330
	-73.95973330100	41.73870797310
	-73.95975061680	41.73872312420
	-73.95976793540	41.73873793040
	-73.95978594300	41.73875256960
	-73.95980418060	41.73876703620
	-73.95982264700	41.73878116160
	-73.95984157560	41.73879494530
	-73.95986073370	41.73880872830
	-73.95988035180	41.73882199920
	-73.95989996880	41.73883527110
	-73.95992027520	41.73884802930
	-73.95994058430	41.73886061560
	-73.95996135170	41.73887303290
	-73.95998235040	41.73888510920
	-73.96000358160	41.73889683980
	-73.96002504260	41.73890840230
	-73.96004695970	41.73891962290
	-73.96006911060	41.73893049980
	-73.96009126410	41.73894120560
	-73.96011387360	41.73895157050
	-73.96013671690	41.73896159430
	-73.96015979000	41.73897144540
	-73.96018309560	41.73898095540
	-73.96020640170	41.73899012140
	-73.96023016750	41.73899894740
	-73.96025393260	41.73900742680
	-73.96027816220	41.73901556800
	-73.96030239080	41.73902353720
	-73.96032684830	41.73903116340
	-73.96035153960	41.73903844510
	-73.96037121540	41.73904397790
	-73.96037623360	41.73904538810
	-73.96040115540	41.73905198650
	-73.96040205400	41.73905507650
	-73.96040295120	41.73905834030
	-73.96040407920	41.73906160150
	-73.96040520380	41.73906469260
	-73.96040633180	41.73906795650
	-73.96040768850	41.73907104780

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.96040904370	41.73907431010
	-73.96041039920	41.73907740230
	-73.96041198300	41.73908049460
	-73.96041356930	41.73908358690
	-73.96041515320	41.73908667930
	-73.96041674090	41.73908960230
	-73.96041855560	41.73909269570
	-73.96042059620	41.73909578930
	-73.96042241240	41.73909870980
	-73.96042445810	41.73910163410
	-73.96042650020	41.73910455480
	-73.96042854600	41.73910747910
	-73.96043082030	41.73911023070
	-73.96043309330	41.73911315250
	-73.96043536770	41.73911590410
	-73.96043786930	41.73911865680
	-73.96044014370	41.73912140840
	-73.96044287610	41.73912416210
	-73.96044538010	41.73912691390
	-73.96044811390	41.73912949740
	-73.96045061570	41.73913207720
	-73.96045358040	41.73913466100
	-73.96045631300	41.73913724100
	-73.96045927430	41.73913965180
	-73.96046223900	41.73914223560
	-73.96046520030	41.73914464640
	-73.96046816520	41.73914705730
	-73.96047135870	41.73914929640
	-73.96047455080	41.73915170830
	-73.96047774320	41.73915394920
	-73.96048093670	41.73915618820
	-73.96048435770	41.73915825820
	-73.96048778350	41.73916032730
	-73.96049120310	41.73916256920
	-73.96049462910	41.73916446630
	-73.96049805130	41.73916653530
	-73.96050170450	41.73916843530
	-73.96050535660	41.73917033250
	-73.96050900980	41.73917223250
	-73.96051266450	41.73917395960
	-73.96051631780	41.73917585680
	-73.96052020210	41.73917758500
	-73.96052385820	41.73917914190
	-73.96052774030	41.73918069630
	-73.96053162600	41.73918225420
	-73.96053573900	41.73918380970
	-73.96053962110	41.73918536770
	-73.96054350830	41.73918675190
	-73.96054762410	41.73918796520
	-73.96055173730	41.73918935040
	-73.96055585310	41.73919056550

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.96055996770	41.73919177790
	-73.96056408350	41.73919299390
	-73.96056819960	41.73919403610
	-73.96057231560	41.73919507830
	-73.96057665910	41.73919594870
	-73.96058077640	41.73919699100
	-73.96058512350	41.73919786410
	-73.96058946960	41.73919856430
	-73.96059358730	41.73919926440
	-73.96059793580	41.73919996460
	-73.96060181980	41.73920058880
	-73.96035097000	41.73996862110
	-73.96036093690	41.74048479060
	-73.96039308460	41.74044444010
	-73.96043473280	41.74040890020
	-73.96047634240	41.74037812430
	-73.96052107300	41.74035451070
	-73.96056892480	41.74033805840
	-73.96063265900	41.74032406320
	-73.96068361200	41.74031715480
	-73.96074084590	41.74031980590
	-73.96078533720	41.74032477980
	-73.96083929060	41.74033932740
	-73.96089318420	41.74036102140
	-73.96094073700	41.74038030390
	-73.96098186810	41.74040670310
	-73.96101665730	41.74043069080
	-73.96104822560	41.74045942760
	-73.96107975530	41.74049292840
	-73.96110806300	41.74053118010
	-73.96112999010	41.74057178350
	-73.96114865660	41.74062190180
	-73.96116092130	41.74067675430
	-73.96116054290	41.74072201820
	-73.96109194660	41.74097958040
	-73.96100324460	41.74158734530
	-73.96101331200	41.74163511820
	-73.96101346110	41.74163582750
	-73.96052957120	41.74158927880
	-73.96005427350	41.74154355450
	-73.96007841020	41.74140431430
	-73.96000496400	41.74139708710
	-73.96013241540	41.74072838900
	-73.96013234510	41.73987614520
	-73.95997230540	41.73980843250
	-73.95916371670	41.73946631160
	-73.95880504110	41.73931456650
	-73.95693122420	41.73852176540
	-73.95682890730	41.73883469190
	-73.95651773170	41.73885526580
	-73.95642099840	41.73893574540

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.95620940640	41.73911010710
	-73.95619052440	41.73921343790
	-73.95618965190	41.73931685300
	-73.95619930720	41.73959568170
	-73.95624456370	41.73992414050
	-73.95631948960	41.74039263910
	-73.95699977840	41.74068720630
	-73.95604196990	41.74196996310
	-73.95491842540	41.74151073780
	-73.95603041610	41.73990100420
	-73.95599754290	41.73969769380
	-73.95597674670	41.73957352020
	-73.95512142860	41.73967764720
	-73.95503966670	41.73924641500
	-73.95497832120	41.73892484690
	-73.95667480110	41.73873909910
	-73.95676952870	41.73845361000

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
Kingston	-73.99216591610	41.96349770360
	-73.99225071060	41.96354308780
	-73.99227222970	41.96304283060
	-73.99228928520	41.96264599140
	-73.99231812450	41.96197819150
	-73.99234460970	41.96136355420
	-73.99237739200	41.96060280260
	-73.99239485060	41.96025896520
	-73.99240591260	41.96003722520
	-73.99241901710	41.95977776020
	-73.99243289490	41.95950200230
	-73.99245323600	41.95909673880
	-73.99245449120	41.95907172950
	-73.99248089010	41.95839647380
	-73.99252386340	41.95731611880
	-73.99253034400	41.95715337060
	-73.99253559530	41.95702150870
	-73.99254134550	41.95687708750
	-73.99232571000	41.95686478550
	-73.99125661870	41.95678476720
	-73.99142400120	41.95603659510
	-73.99136507210	41.95538898000
	-73.99134218110	41.95513743300
	-73.99123952910	41.95462411040
	-73.99116011300	41.95422698100
	-73.99108011780	41.95382694970
	-73.99105147190	41.95360168670
	-73.99103183050	41.95344723780
	-73.99124999590	41.95230901400
	-73.99093169740	41.95227873900
	-73.99091799120	41.95128132550
	-73.99091797320	41.95127995320
	-73.99082609670	41.94947154610
	-73.99086765810	41.94947595960
	-73.99088879270	41.94939678380
	-73.99092899680	41.94924615580
	-73.99119466380	41.94825057540
	-73.99123120570	41.94811363150
	-73.99123833520	41.94808691580
	-73.99133987810	41.94709945200
	-73.99141511880	41.94690671780
	-73.99144393520	41.94677663390
	-73.99147582530	41.94663266510
	-73.99166108250	41.94579635460
	-73.99169809910	41.94562924280
	-73.99157470800	41.94494366300
	-73.99153620040	41.94486022430
	-73.99255043380	41.94477023950
	-73.99253428780	41.94469592640
	-73.99211251610	41.94473223580

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99211756000	41.94342380090
	-73.99118637650	41.94317695860
	-73.99116731180	41.94317191290
	-73.99102314370	41.94313372630
	-73.99095245430	41.94277229240
	-73.99093211340	41.94266829140
	-73.99096619300	41.94239585030
	-73.99126343330	41.94235986050
	-73.99129845770	41.94165245470
	-73.99175435110	41.94167525050
	-73.99361354020	41.94250266980
	-73.99363025230	41.94246056690
	-73.99363266170	41.94245449890
	-73.99442871730	41.94044892560
	-73.99442620510	41.94044879570
	-73.99442876930	41.94044233580
	-73.99474181300	41.94045854430
	-73.99490336070	41.94046689320
	-73.99562118590	41.94050398680
	-73.99617558570	41.93912898370
	-73.99617819700	41.93912250510
	-73.99628101880	41.93886741660
	-73.99628358930	41.93886749900
	-73.99666027260	41.93887967570
	-73.99681218150	41.93888458610
	-73.99694508460	41.93888888170
	-73.99694874980	41.93888899950
	-73.99619871980	41.94019513810
	-73.99605685740	41.94043604570
	-73.99594913790	41.94064752750
	-73.99575555210	41.94102758180
	-73.99514477150	41.94265943250
	-73.99513767400	41.94267839520
	-73.99513157570	41.94269468640
	-73.99509768730	41.94278522680
	-73.99509568040	41.94279058700
	-73.99500867300	41.94302303930
	-73.99500808780	41.94302460250
	-73.99500717120	41.94302705300
	-73.99473444830	41.94375565120
	-73.99470193930	41.94386930450
	-73.99570977770	41.94411446860
	-73.99589236050	41.94367474270
	-73.99692889160	41.94065758350
	-73.99704307580	41.94049195770
	-73.99767679280	41.93878173190
	-73.99737375230	41.93877908570
	-73.99768407720	41.93624643260
	-73.99856225650	41.93625409610
	-73.99807969530	41.93543929030
	-73.99755375950	41.93542118970

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99744498050	41.93625335310
	-73.99744916980	41.93632032450
	-73.99739563200	41.93672523720
	-73.99680482860	41.93672642850
	-73.99664931590	41.93672545870
	-73.99663860120	41.93631694400
	-73.99679020850	41.93631757890
	-73.99715677060	41.93631910730
	-73.99715778200	41.93625084410
	-73.99716448250	41.93582308760
	-73.99655842960	41.93581779190
	-73.99656492530	41.93540354500
	-73.99630939030	41.93540131050
	-73.99631574310	41.93499607060
	-73.99684188730	41.93500066630
	-73.99684753420	41.93464045150
	-73.99762995890	41.93464728550
	-73.99713250780	41.93377380220
	-73.99696153610	41.93347509010
	-73.99671290240	41.93308112940
	-73.99629297370	41.93236143150
	-73.99570171730	41.93141506920
	-73.99546690260	41.93110228830
	-73.99534361680	41.93084001530
	-73.99520528340	41.93052807560
	-73.99492892550	41.92983665130
	-73.99465766430	41.92882103220
	-73.99458024750	41.92866273810
	-73.99453462580	41.92849571670
	-73.99441396520	41.92806684440
	-73.99435492150	41.92774659160
	-73.99433631910	41.92753927720
	-73.99425238370	41.92751978380
	-73.99424580180	41.92744769730
	-73.99426798840	41.92677112320
	-73.99302373910	41.92652293770
	-73.99182153410	41.92628312200
	-73.99160690220	41.92630426420
	-73.99135636590	41.92625412320
	-73.99134708110	41.92627244760
	-73.99116056160	41.92623364660
	-73.99097951810	41.92620188920
	-73.99080647320	41.92617684790
	-73.99052092070	41.92614683860
	-73.99036272880	41.92613624830
	-73.99012781450	41.92612800130
	-73.98975386960	41.92613460050
	-73.98956205620	41.92614054600
	-73.98854167280	41.92617093660
	-73.98788919580	41.92608030560
	-73.98768423250	41.92603716500

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98768524300	41.92595276740
	-73.98754744980	41.92572888380
	-73.98746990900	41.92560289260
	-73.98742304870	41.92552675590
	-73.98731276440	41.92534756210
	-73.98721572640	41.92524109990
	-73.98675883830	41.92457509400
	-73.98675126080	41.92443846970
	-73.98658615730	41.92418780090
	-73.98652442440	41.92409396380
	-73.98625082820	41.92418970370
	-73.98623852590	41.92417131640
	-73.98614716570	41.92420499870
	-73.98594994540	41.92427764210
	-73.98588264590	41.92423661640
	-73.98578673340	41.92417818280
	-73.98577769750	41.92415828660
	-73.98749605480	41.92340816080
	-73.98737462860	41.92298377570
	-73.98768477920	41.92277035310
	-73.98809645430	41.92257133140
	-73.98730528080	41.92174475220
	-73.98588486740	41.92034069080
	-73.98579665350	41.92029487850
	-73.98402174900	41.92114382390
	-73.98332779010	41.92146192110
	-73.98320210410	41.92130769420
	-73.98301411820	41.92108987010
	-73.98277613830	41.92084007770
	-73.98256217030	41.92064454160
	-73.98243477420	41.92059837640
	-73.98224278100	41.92063270310
	-73.98184441370	41.92080029850
	-73.98166852850	41.92062761190
	-73.98089262250	41.92045860600
	-73.98068728250	41.92057387120
	-73.98036431080	41.92078716300
	-73.97999077200	41.92100450800
	-73.97971990030	41.92116422120
	-73.97942415950	41.92132371020
	-73.97919200630	41.92146575250
	-73.97894768880	41.92156715700
	-73.97864092580	41.92161396500
	-73.97830875590	41.92164703640
	-73.97805248610	41.92169429190
	-73.97780859600	41.92176867660
	-73.97760242350	41.92188843170
	-73.97742028950	41.92210747100
	-73.97728746220	41.92244854030
	-73.97720678050	41.92268649750
	-73.97704997770	41.92292377570

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.97702449950	41.92295718890
	-73.97699273650	41.92299883380
	-73.97624372820	41.92297175980
	-73.97602088400	41.92305015340
	-73.97495540100	41.92356075440
	-73.97413829980	41.92397900050
	-73.97411428390	41.92399075690
	-73.97343634810	41.92432261760
	-73.97266817220	41.92470584650
	-73.97178326030	41.92514945460
	-73.97097275220	41.92554882330
	-73.97101896070	41.92560179810
	-73.97316660440	41.92806389690
	-73.97322785660	41.92800143240
	-73.97359482990	41.92789354070
	-73.97376412880	41.92784376720
	-73.97395922270	41.92778640770
	-73.97406854030	41.92762432260
	-73.97427346560	41.92757436300
	-73.97427414740	41.92757590850
	-73.97427505570	41.92757762800
	-73.97427596530	41.92757917450
	-73.97427687630	41.92758072020
	-73.97427801740	41.92758226780
	-73.97427892570	41.92758398450
	-73.97428006690	41.92758553220
	-73.97428097660	41.92758707870
	-73.97428211560	41.92758845340
	-73.97428325680	41.92759000110
	-73.97428462580	41.92759154970
	-73.97428576340	41.92759309730
	-73.97428690600	41.92759447210
	-73.97428827510	41.92759602070
	-73.97428964560	41.92759739650
	-73.97429101600	41.92759877500
	-73.97429238650	41.92760015080
	-73.97429375700	41.92760152660
	-73.97429535530	41.92760290340
	-73.97429672580	41.92760427920
	-73.97429832420	41.92760565870
	-73.97429992760	41.92760686270
	-73.97430152710	41.92760823950
	-73.97430313050	41.92760944620
	-73.97430473020	41.92761065290
	-73.97430633000	41.92761185680
	-73.97430816130	41.92761306460
	-73.97430976100	41.92761426850
	-73.97431159370	41.92761530340
	-73.97431342500	41.92761651110
	-73.97431502610	41.92761754490
	-73.97431685740	41.92761874900

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.97431891800	41.92761978490
	-73.97432075060	41.92762081980
	-73.97432258330	41.92762185460
	-73.97432464520	41.92762272030
	-73.97432647430	41.92762375520
	-73.97432853630	41.92762461820
	-73.97433037030	41.92762548290
	-73.97433243230	41.92762634590
	-73.97433449420	41.92762720890
	-73.97433655620	41.92762807460
	-73.97433861820	41.92762893770
	-73.97434573460	41.92762964550
	-73.97435285110	41.92763035610
	-73.97435996620	41.92763123330
	-73.97436708130	41.92763211400
	-73.97437419500	41.92763316500
	-73.97438130860	41.92763421590
	-73.97438819420	41.92763543860
	-73.97439530870	41.92763683260
	-73.97440218810	41.92763822730
	-73.97440930250	41.92763962130
	-73.97441618410	41.92764118710
	-73.97442306430	41.92764292300
	-73.97442971650	41.92764466060
	-73.97443659670	41.92764639660
	-73.97444324400	41.92764830350
	-73.97444989350	41.92765038140
	-73.97445654290	41.92765246210
	-73.97446319100	41.92765471290
	-73.97446983910	41.92765696100
	-73.97447625780	41.92765938370
	-73.97448267300	41.92766180540
	-73.97448909300	41.92766422540
	-73.97449527890	41.92766681710
	-73.97450169480	41.92766958280
	-73.97450788290	41.92767234750
	-73.97451406670	41.92767519580
	-73.97512555760	41.92794852890
	-73.97571462230	41.92819605160
	-73.97600478120	41.92819737610
	-73.97603755230	41.92878086930
	-73.97709321250	41.92875362920
	-73.97844301650	41.92874732300
	-73.97847779610	41.92943026600
	-73.97947472270	41.93022252490
	-73.97926469730	41.93108194770
	-73.97916429760	41.93107271250
	-73.97895602120	41.93188111840
	-73.97856442220	41.93183677960
	-73.97842836250	41.93273741200
	-73.97840839370	41.93286959500

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.97838743850	41.93300829060
	-73.97836708580	41.93314303260
	-73.97833211740	41.93337448170
	-73.97826229190	41.93383667890
	-73.97820020070	41.93455291570
	-73.97817663360	41.93482624200
	-73.97816779690	41.93492861100
	-73.97810448220	41.93565856420
	-73.97804613470	41.93590708470
	-73.97781261790	41.93588904040
	-73.97745166760	41.93586133970
	-73.97719243830	41.93584132420
	-73.97708635110	41.93583363960
	-73.97668359910	41.93580446490
	-73.97623516280	41.93577197930
	-73.97458837780	41.93564764980
	-73.97443109160	41.93563583700
	-73.97286083590	41.93554705400
	-73.97283341780	41.93576565120
	-73.97219209550	41.93572041660
	-73.97276623520	41.93468350990
	-73.97312873310	41.93418981730
	-73.97333991180	41.93368536040
	-73.97335873250	41.93365739830
	-73.97344808680	41.93352464570
	-73.97362227620	41.93326585370
	-73.97392761020	41.93231385870
	-73.97424356050	41.93166889560
	-73.97425546620	41.93164459060
	-73.97718772860	41.93158037830
	-73.97780327220	41.93039090850
	-73.97696812890	41.93043844470
	-73.97697076260	41.93027354150
	-73.97554230470	41.93023722600
	-73.97545635880	41.93000228640
	-73.97545931220	41.92981767580
	-73.97551402350	41.92960200450
	-73.97566077180	41.92919351510
	-73.97571634390	41.92892380990
	-73.97575334730	41.92873152200
	-73.97573635020	41.92848509310
	-73.97463921050	41.92800893050
	-73.97463897560	41.92800978840
	-73.97355004220	41.92837122650
	-73.97216088820	41.92881097640
	-73.96994056600	41.92929995240
	-73.96912773710	41.93221530450
	-73.96788744880	41.93208707610
	-73.96796398350	41.93262365760
	-73.96805630370	41.93320991450
	-73.96808165760	41.93374153610

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.96817720440	41.93417470960
	-73.96829179720	41.93445494500
	-73.96838905920	41.93473502530
	-73.96617672290	41.93471512480
	-73.96617290940	41.93387747330
	-73.96621376420	41.93349506230
	-73.96604319690	41.93350703600
	-73.96604916200	41.93313781670
	-73.96620217320	41.93313919530
	-73.96619036240	41.93279683790
	-73.96617748890	41.93256705550
	-73.96619938050	41.93223850840
	-73.96625456140	41.93199582810
	-73.96637648970	41.93182129710
	-73.96638019800	41.93159166020
	-73.96631606760	41.93136141630
	-73.96616611460	41.93117092600
	-73.96615168540	41.93099066480
	-73.96796922250	41.93122317520
	-73.96805990970	41.93088173750
	-73.96841725580	41.92980415470
	-73.96873874440	41.92889287120
	-73.96893475380	41.92861092520
	-73.96920710390	41.92831615070
	-73.96930107130	41.92805129920
	-73.96935696190	41.92776358950
	-73.96942302680	41.92759305670
	-73.96964639420	41.92720327280
	-73.96967477310	41.92703240280
	-73.96970452960	41.92677598010
	-73.96965972720	41.92637478280
	-73.96967804770	41.92603269410
	-73.96973051260	41.92592615030
	-73.96977077660	41.92584439050
	-73.96979842850	41.92571854530
	-73.97033074990	41.92434980730
	-73.97016950960	41.92406465450
	-73.97016067830	41.92381689270
	-73.96994471430	41.92374740580
	-73.96990859570	41.92360297450
	-73.96981206830	41.92327787090
	-73.96973015720	41.92329373950
	-73.96973045790	41.92329600450
	-73.96974227400	41.92338591230
	-73.96979968070	41.92382259250
	-73.97022172930	41.92436317770
	-73.96973220150	41.92425974960
	-73.96962723390	41.92454482350
	-73.96956588340	41.92471185770
	-73.96952832590	41.92481379360
	-73.96950593190	41.92487443860

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.96945227900	41.92502023000
	-73.96940375940	41.92515180240
	-73.96934450820	41.92531284050
	-73.96930765430	41.92541271860
	-73.96925451480	41.92554839440
	-73.96912926810	41.92552175410
	-73.96862680030	41.92458350570
	-73.96822093160	41.92382530880
	-73.96805985960	41.92363715620
	-73.96805673600	41.92363261900
	-73.96725040290	41.92381777190
	-73.96669985720	41.92392990340
	-73.96620063130	41.92403799220
	-73.96547012870	41.92418452550
	-73.96504777060	41.92429330200
	-73.96468869490	41.92435761550
	-73.96438212760	41.92439087580
	-73.96398500080	41.92447736040
	-73.96358692810	41.92462237620
	-73.96326441250	41.92484913410
	-73.96299195110	41.92510336240
	-73.96283524010	41.92533161660
	-73.96275384510	41.92561008460
	-73.96268688790	41.92583464710
	-73.96263802060	41.92605936910
	-73.96253814380	41.92631515560
	-73.96246817220	41.92653969040
	-73.96243564170	41.92673303760
	-73.96319970650	41.92684351620
	-73.96308313330	41.92757200010
	-73.96305303140	41.92766179440
	-73.96384076650	41.92789407080
	-73.96406850720	41.92798169070
	-73.96416926000	41.92809067840
	-73.96405969190	41.92852651070
	-73.96422521530	41.92854601610
	-73.96338380080	41.93009206460
	-73.96260907520	41.92984639310
	-73.96263594140	41.92977007820
	-73.96253416390	41.92972412610
	-73.96241959710	41.92972309090
	-73.96229270840	41.92964538620
	-73.96245172220	41.92932258620
	-73.96264345470	41.92930630660
	-73.96268267330	41.92921208920
	-73.96251721900	41.92918807810
	-73.96244277470	41.92908383110
	-73.96227790680	41.92902379820
	-73.96207394240	41.92900393890
	-73.96187063940	41.92894355870
	-73.96184866300	41.92871819550

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.96185194680	41.92851557510
	-73.96189454540	41.92825927140
	-73.96199739260	41.92819265170
	-73.96207580250	41.92809879180
	-73.96222895070	41.92809116870
	-73.96233223280	41.92799753230
	-73.96230850240	41.92788023370
	-73.96218266220	41.92778452480
	-73.96197884730	41.92775566460
	-73.96182679810	41.92769574600
	-73.96185380990	41.92761042790
	-73.96200680780	41.92761181210
	-73.96219839330	41.92760453670
	-73.96229041870	41.92746126050
	-73.96248243910	41.92742697000
	-73.96271068430	41.92748307270
	-73.96289004000	41.92743966060
	-73.96302035760	41.92730573810
	-73.96307466980	41.92711708920
	-73.96291043840	41.92697150020
	-73.96265642240	41.92692417240
	-73.96249002690	41.92695869570
	-73.96247517370	41.92708465290
	-73.96237179590	41.92713775920
	-73.96227033960	41.92711882850
	-73.96227377100	41.92690720470
	-73.96222668010	41.92665009090
	-73.96223375900	41.92621333360
	-73.96233132380	41.92572785790
	-73.96251687500	41.92530171900
	-73.96281581560	41.92494865770
	-73.96319111130	41.92462780980
	-73.96368025420	41.92439805330
	-73.96420562030	41.92425868690
	-73.96476957050	41.92411066140
	-73.96537180560	41.92397198300
	-73.96581959280	41.92392197770
	-73.96610227750	41.92378041720
	-73.96650026800	41.92363989610
	-73.96691179530	41.92345445850
	-73.96737323370	41.92330549940
	-73.96774540430	41.92322328130
	-73.96806361690	41.92326216780
	-73.96839608950	41.92321111580
	-73.96870347260	41.92317334840
	-73.96870564820	41.92303826890
	-73.96866960630	41.92288933470
	-73.96851922940	41.92272586540
	-73.96835281220	41.92260844310
	-73.96823297410	41.92259805480
	-73.96786405370	41.92257314680

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.96741203390	41.92252063830
	-73.96693151270	41.92245300320
	-73.96654986260	41.92238764510
	-73.96611980170	41.92228487030
	-73.96570182600	41.92215063060
	-73.96521414160	41.92198817290
	-73.96460770940	41.92176780650
	-73.96405936030	41.92156627340
	-73.96352210970	41.92133180500
	-73.96313579630	41.92114007890
	-73.96270929280	41.92091412090
	-73.96266111000	41.92088960430
	-73.96246368130	41.92100970180
	-73.96224219130	41.92077945500
	-73.96242224490	41.92068128150
	-73.96253731450	41.92072032690
	-73.96279445080	41.92079099730
	-73.96323982110	41.92102695030
	-73.96361938530	41.92121532930
	-73.96414638400	41.92144532030
	-73.96468846660	41.92164455110
	-73.96529177760	41.92186378340
	-73.96577554660	41.92202493770
	-73.96618424260	41.92215619780
	-73.96659848130	41.92225518820
	-73.96696907740	41.92231865620
	-73.96744317420	41.92238538900
	-73.96788647040	41.92243687990
	-73.96824951460	41.92246139240
	-73.96862423540	41.92252416100
	-73.96882767280	41.92257552320
	-73.96900722520	41.92251859090
	-73.96915912560	41.92258750610
	-73.96933577840	41.92271068130
	-73.96940150750	41.92260769510
	-73.96954168340	41.92260895240
	-73.96961992840	41.92252409320
	-73.96992612190	41.92251333010
	-73.97108906610	41.92242468430
	-73.97166075210	41.92240278650
	-73.97228887130	41.92224629160
	-73.97307055090	41.92205513910
	-73.97423539550	41.92179985570
	-73.97526160450	41.92149378600
	-73.97618502130	41.92120480610
	-73.97661010930	41.92096992100
	-73.97711191850	41.92074472350
	-73.97747186700	41.92057680230
	-73.97781777690	41.92048531450
	-73.97828186020	41.92021474180
	-73.97962130550	41.91945208280

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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.97981315100	41.91942676740
	-73.97994079790	41.91940988860
	-73.97994230470	41.91931533300
	-73.98007088110	41.91923991930
	-73.98041921670	41.91899532790
	-73.98112944890	41.91850626900
	-73.98171041410	41.91808810900
	-73.98254372040	41.91782079660
	-73.98294192470	41.91766220480
	-73.98362421220	41.91731698650
	-73.98483311540	41.91674675310
	-73.98542428270	41.91649078480
	-73.98605290810	41.91624865560
	-73.98649102280	41.91599583500
	-73.98677345470	41.91591276390
	-73.98724846010	41.91570980230
	-73.98778729880	41.91552091150
	-73.98858436270	41.91515866260
	-73.99005118790	41.91442852520
	-73.99068815790	41.91528075210
	-73.99098162050	41.91531034860
	-73.99137687860	41.91533633900
	-73.99192490310	41.91537717910
	-73.99219241340	41.91537952850
	-73.99246138720	41.91533685350
	-73.99261577530	41.91524814350
	-73.99296460880	41.91496749260
	-73.99326507740	41.91455131770
	-73.99352593120	41.91416181660
	-73.99376177090	41.91378110140
	-73.99367568520	41.91360021470
	-73.99347338730	41.91347685100
	-73.99328333400	41.91338962030
	-73.99304338500	41.91321639190
	-73.99276373400	41.91312387100
	-73.99250975010	41.91307660920
	-73.99225430310	41.91307436800
	-73.99188375420	41.91310714150
	-73.99175428270	41.91324110460
	-73.99163736180	41.91334365470
	-73.99143145310	41.91344992640
	-73.99118914220	41.91347481620
	-73.99108503090	41.91357747920
	-73.99100679930	41.91371189090
	-73.99082672130	41.91380487790
	-73.99065926640	41.91386194950
	-73.99037852200	41.91388650230
	-73.98952946200	41.91429784150
	-73.98747260000	41.91526144730
	-73.98314227160	41.91710106460
	-73.98283617600	41.91710735700

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98313339080	41.91685330060
	-73.98372799430	41.91638121410
	-73.98481537800	41.91544063220
	-73.98533174100	41.91505340700
	-73.98533323970	41.91495885130
	-73.98545081490	41.91481578320
	-73.98570700830	41.91472347690
	-73.98598793910	41.91473496610
	-73.98605244980	41.91465897880
	-73.98621926990	41.91464243840
	-73.98629687190	41.91454855180
	-73.98646179780	41.91460404950
	-73.98647325520	41.91468971410
	-73.98670351110	41.91466472640
	-73.98687363580	41.91439152560
	-73.98704062610	41.91431644220
	-73.98722056900	41.91423246450
	-73.98851698630	41.91379356210
	-73.98881203180	41.91367456990
	-73.98902890770	41.91368548650
	-73.98986295310	41.91341362010
	-73.99060632640	41.91320399850
	-73.99127127930	41.91309275500
	-73.99179661090	41.91299379180
	-73.99218017950	41.91294762590
	-73.99253685600	41.91298227640
	-73.99276791320	41.91285821100
	-73.99301111570	41.91282431780
	-73.99326804500	41.91273200050
	-73.99352547100	41.91260816520
	-73.99379339670	41.91258349420
	-73.99404855610	41.91260374250
	-73.99420166390	41.91259607650
	-73.99416471850	41.91250118380
	-73.99434422520	41.91244421420
	-73.99472821520	41.91237101680
	-73.99506129480	41.91232439930
	-73.99550956420	41.91218871730
	-73.99680316060	41.91187578710
	-73.99695581950	41.91194467260
	-73.99733980360	41.91187146910
	-73.99748129700	41.91178714230
	-73.99765945900	41.91181571470
	-73.99778863430	41.91169975630
	-73.99803105240	41.91171538120
	-73.99827474070	41.91164995930
	-73.99864591100	41.91157664050
	-73.99897879540	41.91149397830
	-73.99932434670	41.91142043390
	-73.99970909750	41.91129769360
	-73.99994172930	41.91111958800

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.00008293730	41.91105326840
	-74.00036616970	41.91091612930
	-74.00049534190	41.91080016790
	-74.00063772220	41.91070683600
	-74.00086798040	41.91063228570
	-74.00095925980	41.91052950210
	-74.00116584710	41.91037818690
	-74.00147457500	41.91020073830
	-74.00173225620	41.91005887390
	-74.00191125730	41.91003340810
	-74.00207870960	41.90992678510
	-74.00276599580	41.90924824880
	-74.00289543980	41.90911427400
	-74.00305119850	41.90893549430
	-74.00371467280	41.90813965840
	-74.00356255820	41.90808429840
	-74.00380827150	41.90783874690
	-74.00392257250	41.90790278520
	-74.00431387160	41.90735677160
	-74.00460220860	41.90684139000
	-74.00450153910	41.90677296770
	-74.00472308280	41.90648217250
	-74.00483655690	41.90655070470
	-74.00507034750	41.90629604010
	-74.00523910940	41.90610385950
	-74.00543356370	41.90590739620
	-74.00567882880	41.90573839500
	-74.00585844220	41.90567239830
	-74.00607620100	41.90562474740
	-74.00624300680	41.90555864370
	-74.00638489240	41.90544728530
	-74.00656422570	41.90539930340
	-74.00758846480	41.90602061350
	-74.00798110040	41.90621314600
	-74.00820777800	41.90636821730
	-74.00861037790	41.90591685750
	-74.00875015790	41.90599011750
	-74.00887804740	41.90595519210
	-74.00909699160	41.90583098960
	-74.00943142960	41.90564473790
	-74.00978104550	41.90530549860
	-74.01150211890	41.90623450390
	-74.01279768690	41.90499822760
	-74.01452600320	41.90624248450
	-74.01411221930	41.90663972760
	-74.01356884010	41.90625227950
	-74.01122452210	41.90771821450
	-74.01129944100	41.90779541650
	-74.00991516080	41.90842746360
	-74.00933878380	41.90856659940
	-74.00956115800	41.90900083710

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.00828361220	41.90994001500
	-74.00796190590	41.90930226530
	-74.00637926110	41.91013520780
	-74.00598528270	41.91002821990
	-74.00578276170	41.90991838570
	-74.00523463860	41.90988661900
	-74.00494238330	41.90978051060
	-74.00458942630	41.90950725270
	-74.00454125010	41.90935822370
	-74.00444150540	41.90918172950
	-74.00412837980	41.90881874720
	-74.00393342400	41.90904672660
	-74.00379049350	41.90917608280
	-74.00353294510	41.90935848520
	-74.00336570390	41.90945160330
	-74.00308199280	41.90962026740
	-74.00294065130	41.90969559510
	-74.00260722200	41.90981428900
	-74.00231083700	41.90997383460
	-74.00181009210	41.91019014610
	-74.00146335680	41.91034024460
	-74.00120553380	41.91049111540
	-74.00103737600	41.91064276430
	-74.00092005440	41.91077234170
	-74.00082875510	41.91092465920
	-74.00062111440	41.91114351510
	-74.00044105750	41.91123651740
	-74.00020975930	41.91132907480
	-74.00000408270	41.91142185330
	-73.99978538220	41.91152802670
	-73.99945250230	41.91161069120
	-73.99906809750	41.91171091840
	-73.99838862880	41.91188512530
	-73.99800478630	41.91194932620
	-73.99754511990	41.91199484910
	-73.99696995240	41.91205287340
	-73.99676483140	41.91210962490
	-73.99637992950	41.91224136150
	-73.99537944500	41.91255685030
	-73.99519775170	41.91275340730
	-73.99510551660	41.91296425790
	-73.99501330360	41.91312556900
	-73.99493510370	41.91321044850
	-73.99471438650	41.91349222670
	-73.99451832440	41.91378772800
	-73.99382460150	41.91486695130
	-73.99341639530	41.91566496740
	-73.99303103800	41.91582370640
	-73.99286362710	41.91592581510
	-73.99257950180	41.91611696500
	-73.99242447460	41.91624620120

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99184167890	41.91678598840
	-73.99058072050	41.91745941510
	-73.99054434390	41.91732850040
	-73.99041954470	41.91716528300
	-73.98952727370	41.91625226470
	-73.98789344470	41.91710251280
	-73.98798115790	41.91717984180
	-73.98662862030	41.91792264850
	-73.98668484390	41.91797544750
	-73.98689653340	41.91818303580
	-73.98711469000	41.91839706170
	-73.98688481570	41.91852415070
	-73.98659052010	41.91868667570
	-73.98649658780	41.91873933630
	-73.98739382790	41.91962446930
	-73.98803619220	41.92018404220
	-73.98730276160	41.92056936390
	-73.98808142390	41.92132828330
	-73.98878637520	41.92198297320
	-73.98831385590	41.92278940780
	-73.98810350000	41.92317483750
	-73.98786559470	41.92368161650
	-73.98784163710	41.92377371110
	-73.98780468630	41.92383243640
	-73.98779887870	41.92386016540
	-73.98779452580	41.92388795500
	-73.98779195600	41.92391576420
	-73.98779101250	41.92393634060
	-73.98779064070	41.92395704550
	-73.98779106330	41.92397778190
	-73.98779249170	41.92399846250
	-73.98779514640	41.92401899100
	-73.98779924020	41.92403928000
	-73.98780343980	41.92405446970
	-73.98780852630	41.92406957590
	-73.98781431150	41.92408459530
	-73.98782061230	41.92409952510
	-73.98783030400	41.92412101860
	-73.98783403230	41.92412912630
	-73.98784303020	41.92414811910
	-73.98785251110	41.92416703290
	-73.98786254420	41.92418579710
	-73.98787320710	41.92420435070
	-73.98788457150	41.92422262730
	-73.98789671270	41.92424056080
	-73.98790986650	41.92425836560
	-73.98792385580	41.92427587690
	-73.98793856110	41.92429310870
	-73.98795387150	41.92431005770
	-73.98796967240	41.92432673800
	-73.98798584670	41.92434315060

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98800139500	41.92435839630
	-73.98801734870	41.92437346640
	-73.98803373460	41.92438829610
	-73.98805058120	41.92440281730
	-73.98806790950	41.92441696610
	-73.98808574400	41.92443067690
	-73.98811132470	41.92444865760
	-73.98813813280	41.92446572640
	-73.98816585080	41.92448208870
	-73.98819416480	41.92449795670
	-73.98822276690	41.92451353060
	-73.98825134070	41.92452902070
	-73.98827929080	41.92454395150
	-73.98830759220	41.92455853540
	-73.98833616350	41.92457284050
	-73.98836492940	41.92458694110
	-73.98837743820	41.92459299090
	-73.98839380840	41.92460090720
	-73.98842272290	41.92461481320
	-73.98842841850	41.92461753880
	-73.98846348310	41.92463432370
	-73.98850441470	41.92465366490
	-73.98854557510	41.92467274050
	-73.98858701210	41.92469146170
	-73.98862878190	41.92470972520
	-73.98867093580	41.92472744470
	-73.98871847100	41.92474633970
	-73.98876660710	41.92476441810
	-73.98878878810	41.92477242060
	-73.98881515650	41.92478193460
	-73.98884120190	41.92479112660
	-73.98886392900	41.92479914600
	-73.98891273200	41.92481630970
	-73.98896137430	41.92483367890
	-73.98900788970	41.92485045160
	-73.98905446130	41.92486713890
	-73.98910106330	41.92488378320
	-73.98914766790	41.92490041840
	-73.98919425180	41.92491708950
	-73.98924078560	41.92493383160
	-73.98928621860	41.92495058040
	-73.98933143790	41.92496768390
	-73.98937663880	41.92498481880
	-73.98942200840	41.92500166270
	-73.98946773140	41.92501789320
	-73.98951399850	41.92503318790
	-73.98954788190	41.92504363020
	-73.98958200130	41.92505367820
	-73.98961631010	41.92506340650
	-73.98965074980	41.92507288510
	-73.98968527910	41.92508218040

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.98971984670	41.92509136320
	-73.98974980110	41.92509921100
	-73.98977982650	41.92510691590
	-73.98980991570	41.92511448700
	-73.98984006030	41.92512192680
	-73.98987026240	41.92512924350
	-73.98990050780	41.92513643880
	-73.98993991210	41.92514554410
	-73.98997943930	41.92515435370
	-73.99041812990	41.92522278540
	-73.99099230120	41.92534834360
	-73.99107612630	41.92490775560
	-73.99150913080	41.92493407760
	-73.99156222570	41.92481745640
	-73.99184241950	41.92487846020
	-73.99180206870	41.92499969580
	-73.99278166700	41.92521094380
	-73.99289983790	41.92498231100
	-73.99334541620	41.92507178110
	-73.99325226090	41.92529162510
	-73.99372304620	41.92540833690
	-73.99376296660	41.92531411540
	-73.99489423000	41.92561223660
	-73.99513324340	41.92498386450
	-73.99533692050	41.92502167470
	-73.99509911410	41.92557350190
	-73.99623074150	41.92584909610
	-73.99604117640	41.92654545280
	-73.99640933070	41.92667026040
	-73.99717162120	41.92689758300
	-73.99800217570	41.92599066250
	-73.99916775510	41.92655473700
	-73.99937545120	41.92633588370
	-74.00000904410	41.92664762990
	-73.99981479390	41.92682606970
	-74.00048417900	41.92725971550
	-74.00177612530	41.92605505910
	-74.00221324430	41.92630203870
	-74.00255424000	41.92652566160
	-74.00266689510	41.92658342070
	-74.00267467180	41.92658996160
	-74.00268152890	41.92659615550
	-74.00268838580	41.92660252220
	-74.00269501500	41.92660871510
	-74.00270141360	41.92661525180
	-74.00270780870	41.92662178680
	-74.00271397580	41.92662832340
	-74.00271991500	41.92663502920
	-74.00272584930	41.92664173500
	-74.00273155800	41.92664861270
	-74.00273703170	41.92665548940

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.00274250880	41.92666253810
	-74.00274775680	41.92666958400
	-74.00275277340	41.92667663150
	-74.00275755710	41.92668384830
	-74.00276234560	41.92669106780
	-74.00276690150	41.92669828350
	-74.00277122450	41.92670567120
	-74.00277555110	41.92671305880
	-74.00277941830	41.92672061730
	-74.00278328420	41.92672817500
	-74.00278691870	41.92673573250
	-74.00279055310	41.92674329000
	-74.00279373170	41.92675101570
	-74.00279690680	41.92675857130
	-74.00279985130	41.92676647160
	-74.00280279720	41.92677419900
	-74.00280528490	41.92678192440
	-74.00280777010	41.92678982000
	-74.00281002740	41.92679771730
	-74.00281205440	41.92680561370
	-74.00281384870	41.92681350630
	-74.00281564530	41.92682157450
	-74.00281698020	41.92682946780
	-74.00281831860	41.92683753400
	-74.00281942570	41.92684542630
	-74.00282030360	41.92685349060
	-74.00282118140	41.92686155480
	-74.00282159750	41.92686961700
	-74.00282201600	41.92687767920
	-74.00282220300	41.92688574050
	-74.00282216460	41.92689363050
	-74.00282212010	41.92690169080
	-74.00282161990	41.92690975170
	-74.00282111960	41.92691781000
	-74.00282038910	41.92692586990
	-74.00281942940	41.92693392890
	-74.00281823960	41.92694181400
	-74.00281682060	41.92694987370
	-74.00281539920	41.92695793060
	-74.00281375370	41.92696581380
	-74.00281187300	41.92697369860
	-74.00280976570	41.92698158240
	-74.00280742930	41.92698946520
	-74.00280508920	41.92699734800
	-74.00280252490	41.92700522990
	-74.00279972810	41.92701294050
	-74.00279670210	41.92702065020
	-74.00279344830	41.92702835980
	-74.00279019650	41.92703486910
	-74.00278579190	41.92704326160
	-74.00278115470	41.92705165040

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.00277628590	41.92706004090
	-74.00277142070	41.92706843140
	-74.00276609510	41.92707664970
	-74.00276077190	41.92708486540
	-74.00275498700	41.92709291250
	-74.00274920340	41.92710095590
	-74.00274341980	41.92710882920
	-74.00273718060	41.92711670060
	-74.00273093760	41.92712457190
	-74.00272423790	41.92713227100
	-74.00271753830	41.92713980090
	-74.00271083730	41.92714750010
	-74.00270367960	41.92715485420
	-74.00269651960	41.92716220830
	-74.00268913530	41.92716939120
	-74.00268151600	41.92717657410
	-74.00267390030	41.92718375330
	-74.00266582910	41.92719059300
	-74.00265775300	41.92719742990
	-74.00264968060	41.92720426680
	-74.00264137440	41.92721093340
	-74.00263284520	41.92721742530
	-74.00262408350	41.92722374600
	-74.00261532420	41.92723006670
	-74.00260633470	41.92723621720
	-74.00241410580	41.92735446820
	-74.00279466980	41.92723641520
	-74.00318531300	41.92773459710
	-74.00348726650	41.92814049350
	-74.00368941680	41.92806283510
	-74.00385420740	41.92799953040
	-74.00401964220	41.92793597600
	-74.00418279230	41.92787330030
	-74.00434134420	41.92781440870
	-74.00467134870	41.92768928720
	-74.00486763160	41.92761486720
	-74.00496590890	41.92757760720
	-74.00516154910	41.92750342880
	-74.00525799400	41.92746686030
	-74.00539510570	41.92741487280
	-74.00555685250	41.92735354510
	-74.00571915280	41.92729200520
	-74.00540410600	41.92668548680
	-74.00554000950	41.92657407980
	-74.00580321190	41.92627463630
	-74.00609581690	41.92592591080
	-74.00631224270	41.92553149190
	-74.00642243980	41.92523072440
	-74.00678932810	41.92504926040
	-74.00754980000	41.92476312350
	-74.00777098570	41.92469298040

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.00796255800	41.92468563120
	-74.00817079790	41.92486756330
	-74.00977032860	41.92666918630
	-74.00493794100	41.92850078630
	-74.00534454640	41.92911225730
	-74.00590120290	41.92889641590
	-74.00603469120	41.92908671070
	-74.00556450020	41.92931681120
	-74.00580451040	41.92958908840
	-74.00586988990	41.92955362920
	-74.00626086020	41.92981370180
	-74.00635405430	41.92978298630
	-74.00631933130	41.92973765300
	-74.00672421100	41.92953850570
	-74.00712685160	41.92996980490
	-74.00745984770	41.92978804840
	-74.00760143600	41.92994238520
	-74.00755051630	41.92996896290
	-74.00788869160	41.93037718550
	-74.00807750340	41.93025722520
	-74.00803969020	41.93021637130
	-74.00839659420	41.93004832680
	-74.00864107470	41.93032514000
	-74.00874750340	41.93026751760
	-74.00906781790	41.93061253210
	-74.00922180330	41.93055081760
	-74.00936250510	41.93071415070
	-74.00998961970	41.93042684280
	-74.01053257710	41.93104847890
	-74.01101036710	41.93081391740
	-74.01109476590	41.93091371830
	-74.01062457940	41.93114384030
	-74.01070254140	41.93122106880
	-74.01117265640	41.93099545000
	-74.01125712260	41.93109074820
	-74.01083799350	41.93128528380
	-74.01095870810	41.93137638940
	-74.01122096980	41.93157679340
	-74.01218477420	41.93111224100
	-74.01213011910	41.93099018320
	-74.01198721700	41.93082232950
	-74.01202374590	41.93080012600
	-74.01206368290	41.93085000880
	-74.01217757710	41.93079694840
	-74.01212941890	41.93074249180
	-74.01255717960	41.93052551120
	-74.01258868430	41.93058432340
	-74.01278498440	41.93066256960
	-74.01323700000	41.93043678630
	-74.01331145800	41.93039995310
	-74.01334724930	41.93044026910

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.01372451420	41.93025277630
	-74.01365713830	41.93017643380
	-74.01359135100	41.93010335660
	-74.01352948300	41.93002737230
	-74.01342716420	41.92991131340
	-74.01322457600	41.92968194480
	-74.01312111490	41.92956451030
	-74.01301788170	41.92944759080
	-74.01298659120	41.92941216950
	-74.01293673000	41.92937018020
	-74.01287208260	41.92929916210
	-74.01278687000	41.92920543760
	-74.01281013400	41.92919436410
	-74.01273474130	41.92911508050
	-74.01264791210	41.92902376760
	-74.01278971090	41.92895966360
	-74.01285417450	41.92893052180
	-74.01293588320	41.92889644510
	-74.01308434170	41.92883459750
	-74.01323394700	41.92877223870
	-74.01338401490	41.92870988160
	-74.01355778580	41.92863747080
	-74.01370393970	41.92857664450
	-74.01378917490	41.92872111340
	-74.01391416190	41.92893295840
	-74.01398066660	41.92904548800
	-74.01423282520	41.92942181290
	-74.01440299550	41.92966496740
	-74.01447228720	41.92976397260
	-74.01454757090	41.92987154070
	-74.01463308590	41.92999373050
	-74.01470113410	41.93009096550
	-74.01476994720	41.93018929060
	-74.01484775470	41.93030046180
	-74.01503744420	41.93057149690
	-74.01471061900	41.93069037400
	-74.01450514140	41.93076511220
	-74.01433771120	41.93082601070
	-74.01431874230	41.93083290680
	-74.01681023760	41.93313340370
	-74.01699293360	41.93306741650
	-74.01718942100	41.93337982750
	-74.01737783620	41.93357958810
	-74.01755066720	41.93351801820
	-74.01721420930	41.93299275460
	-74.01788817560	41.93274633670
	-74.01757008500	41.93225275360
	-74.01848435900	41.93196785980
	-74.01855006160	41.93205848810
	-74.01867519370	41.93201001900
	-74.01898432660	41.93244948250

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.01809107470	41.93278860250
	-74.01836402460	41.93322775640
	-74.01866725840	41.93311776870
	-74.01868808180	41.93318549520
	-74.01839930750	41.93328660260
	-74.01846939770	41.93338627590
	-74.01934394750	41.93303798500
	-74.01946847590	41.93352090380
	-74.02008288040	41.93342257430
	-74.02017946860	41.93381068180
	-74.02115130110	41.93370638880
	-74.02104341230	41.93321911130
	-74.02148006450	41.93306071500
	-74.02091326450	41.93256051820
	-74.02094792030	41.93280849710
	-74.02012890510	41.93292760230
	-74.01950127920	41.93305284020
	-74.01928392940	41.93228091750
	-74.01908607540	41.93186041790
	-74.02047289730	41.93128682620
	-74.02283861020	41.93354963880
	-74.02346483070	41.93435655380
	-74.02360503520	41.93435774780
	-74.02456399200	41.93425781780
	-74.02449362360	41.93382940620
	-74.02545325450	41.93368444410
	-74.02548567120	41.93323888910
	-74.02669691830	41.93335274180
	-74.02661277240	41.93348262390
	-74.02658214340	41.93361295980
	-74.02649347310	41.93379234080
	-74.02634306120	41.93426391370
	-74.02623835240	41.93420898570
	-74.02578896100	41.93416464410
	-74.02572057390	41.93424962540
	-74.02540507970	41.93422443220
	-74.02541858090	41.93398136650
	-74.02475655220	41.93403879140
	-74.02481020350	41.93432746220
	-74.02469473640	41.93433548680
	-74.02482773610	41.93505714520
	-74.02454074410	41.93504119770
	-74.02426328200	41.93499380730
	-74.02379442120	41.93498982250
	-74.02378708100	41.93503943850
	-74.02378139770	41.93506942540
	-74.02377841850	41.93511538400
	-74.02376223790	41.93523145910
	-74.02370701860	41.93562991780
	-74.02371459590	41.93563096670
	-74.02370253960	41.93570094640

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.02338157680	41.93572800700
	-74.02334707640	41.93573153290
	-74.02335143270	41.93581016160
	-74.02321739350	41.93580001310
	-74.02321629500	41.93587205880
	-74.02293793340	41.93588320030
	-74.02293191230	41.93568500190
	-74.02257852160	41.93562345180
	-74.02214679780	41.93565580280
	-74.02214133900	41.93565625820
	-74.02206141200	41.93529324040
	-74.02205879320	41.93517043430
	-74.02203632080	41.93517102500
	-74.02202341530	41.93499726640
	-74.02202140570	41.93497505680
	-74.02216911350	41.93496960560
	-74.02214030810	41.93479845400
	-74.02211418790	41.93464350390
	-74.02211187240	41.93459958970
	-74.02230255550	41.93454710540
	-74.02233757040	41.93457344380
	-74.02255291950	41.93455018430
	-74.02264319030	41.93453151970
	-74.02273121700	41.93451331930
	-74.02273007930	41.93451130220
	-74.02277730270	41.93450381890
	-74.02272166400	41.93439526460
	-74.02244169160	41.93392003270
	-74.02230054090	41.93373419560
	-74.02183887490	41.93390138950
	-74.02199742690	41.93418194640
	-74.02178540180	41.93424318600
	-74.02118092870	41.93433260250
	-74.02122600380	41.93454013810
	-74.02168602580	41.93448101430
	-74.02170817150	41.93455735990
	-74.02170664860	41.93455766960
	-74.02171889940	41.93458908980
	-74.02171950410	41.93459063650
	-74.02181276860	41.93498275630
	-74.02181908490	41.93500424100
	-74.02181221810	41.93500447530
	-74.02145752220	41.93502847180
	-74.02145510870	41.93518630430
	-74.02144585180	41.93518654750
	-74.02146872670	41.93548990770
	-74.02145050260	41.93548757440
	-74.02144685060	41.93572639480
	-74.02089212210	41.93571716180
	-74.02089377630	41.93560909600
	-74.02054839760	41.93561515470

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.02054155580	41.93547099130
	-74.02032137840	41.93547361750
	-74.02031644780	41.93547405790
	-74.02031815410	41.93548146270
	-74.02039108860	41.93578421920
	-74.02050594080	41.93626100490
	-74.02050642270	41.93626300320
	-74.02054352400	41.93641701810
	-74.01985901390	41.93622270950
	-74.01964489800	41.93529027110
	-74.01979643470	41.93525741090
	-74.01986953830	41.93524577370
	-74.01995176640	41.93523659390
	-74.01995337400	41.93523641520
	-74.01996400190	41.93523522780
	-74.02008088720	41.93522764340
	-74.02007710860	41.93512928200
	-74.01953108130	41.93519216780
	-74.01960217940	41.93552151770
	-74.01962813570	41.93569736880
	-74.01964511500	41.93586863980
	-74.01929855940	41.93595124380
	-74.01922456490	41.93581100870
	-74.01895593510	41.93582672650
	-74.01887096830	41.93576295150
	-74.01873831000	41.93566274790
	-74.01861655800	41.93549057920
	-74.01866590370	41.93541894740
	-74.01871484220	41.93532479840
	-74.01893557330	41.93528615430
	-74.01887110790	41.93511447800
	-74.01918107700	41.93490997400
	-74.01930110640	41.93519470690
	-74.01946454520	41.93515557430
	-74.01909086440	41.93454893870
	-74.01935024070	41.93449711530
	-74.01919708190	41.93386534160
	-74.01873631220	41.93392445050
	-74.01887676230	41.93415531910
	-74.01863574680	41.93423882350
	-74.01858750090	41.93428794720
	-74.01790164670	41.93466936700
	-74.01778755840	41.93458733210
	-74.01746820080	41.93481426700
	-74.01716464720	41.93464955150
	-74.01664383610	41.93424879940
	-74.01644076980	41.93441368340
	-74.01621789650	41.93459190680
	-74.01605265690	41.93474810490
	-74.01584834830	41.93494449940
	-74.01573093440	41.93512813130

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Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.01564057920	41.93536603020
	-74.01530755520	41.93525509450
	-74.01560136330	41.93419032970
	-74.01505693970	41.93410009740
	-74.01483582520	41.93480071790
	-74.01480874190	41.93528684290
	-74.01499053570	41.93532893130
	-74.01412929570	41.93715889070
	-74.01368308680	41.93690737580
	-74.01338830140	41.93676073780
	-74.01311347020	41.93659175300
	-74.01277279830	41.93634114110
	-74.01261198890	41.93620916180
	-74.01247996420	41.93606842390
	-74.01235815650	41.93590075400
	-74.01225568380	41.93570172680
	-74.01218246830	41.93551195920
	-74.01216558080	41.93533618550
	-74.01211030610	41.93457014690
	-74.01458953490	41.93522641950
	-74.01459660500	41.93476714110
	-74.01481882350	41.93404401650
	-74.01434128090	41.93396786460
	-74.01441467770	41.93355869140
	-74.01506372980	41.93365883200
	-74.01567291490	41.93326325920
	-74.01595569390	41.93296396090
	-74.01552069520	41.93257294930
	-74.01380671620	41.93103611750
	-74.01342241660	41.93117241970
	-74.01275900010	41.93141890220
	-74.01309596680	41.93190815770
	-74.01300934380	41.93195244590
	-74.01327115650	41.93237800720
	-74.01288574670	41.93253681570
	-74.01234036780	41.93250960820
	-74.01187397390	41.93229844010
	-74.01155118860	41.93216056440
	-74.01123758770	41.93201375890
	-74.00952363120	41.93140904950
	-74.00945556060	41.93152189800
	-74.00945734120	41.93152257830
	-74.00946009340	41.93152361650
	-74.00955873360	41.93155795610
	-74.00986297480	41.93166382090
	-74.00991523550	41.93168200610
	-74.01012068220	41.93175359330
	-74.01012762540	41.93174349340
	-74.01022644610	41.93177876150
	-74.01034406710	41.93182076990
	-74.01049783050	41.93189255570

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.01066123790	41.93196505220
	-74.01049638730	41.93217847000
	-74.01049552920	41.93217919390
	-74.01037604050	41.93213045070
	-74.01036586750	41.93214345680
	-74.01033148730	41.93212860840
	-74.01017540970	41.93206042140
	-74.01013620620	41.93204573070
	-74.01006696740	41.93201963780
	-74.00996516040	41.93198126930
	-74.00995615330	41.93199445690
	-74.00991378210	41.93197882970
	-74.00986054830	41.93195919690
	-74.00974382180	41.93192147860
	-74.00968947310	41.93190383000
	-74.00939273290	41.93180797330
	-74.00930097760	41.93177820460
	-74.00895341060	41.93235432950
	-74.00870725010	41.93218557990
	-74.00839428280	41.93199824220
	-74.00789961130	41.93176430080
	-74.00743308030	41.93161165830
	-74.00707034620	41.93152295970
	-74.00676544320	41.93144827010
	-74.00558248620	41.93116783000
	-74.00456297030	41.93210919240
	-74.00399400390	41.93175750450
	-74.00374080010	41.93199398190
	-74.00218565840	41.93107080930
	-74.00119454950	41.93197636500
	-74.00124222840	41.93201280700
	-74.00079542750	41.93243222990
	-74.00120332860	41.93266994970
	-74.00026105370	41.93353539360
	-74.00045986890	41.93364520210
	-74.00006199600	41.93402001720
	-73.99981606440	41.93383774270
	-73.99954045690	41.93367322030
	-73.99919762750	41.93399897440
	-73.99966512720	41.93428225430
	-73.99932839550	41.93460355940
	-73.99882226030	41.93428391330
	-73.99861578140	41.93447125280
	-73.99905814800	41.93472279250
	-73.99881169800	41.93495931890
	-73.99895131670	41.93504609780
	-73.99869204970	41.93528251310
	-73.99946311590	41.93577559180
	-73.99888020100	41.93631541230
	-73.99873809430	41.93643576110
	-73.99896372960	41.93682346350

Kingston Ulster Empire Zone
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Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99908132700	41.93678688270
	-73.99936098360	41.93669290100
	-73.99951709270	41.93678771060
	-73.99967451890	41.93688331810
	-73.99944415310	41.93696258310
	-73.99940749770	41.93689987230
	-73.99919399620	41.93697298590
	-73.99907355140	41.93701216200
	-73.99939665700	41.93756733140
	-73.99957129940	41.93782553940
	-73.99974446730	41.93817830910
	-73.99984367980	41.93839082850
	-73.99993010230	41.93855369960
	-74.00011742160	41.93882102720
	-74.00254234960	41.93890066130
	-74.00089674050	41.94043098830
	-74.00041758340	41.94089065860
	-73.99882398300	41.94236736630
	-73.99828113910	41.94279945280
	-73.99793078710	41.94312063250
	-73.99660062300	41.94409073380
	-73.99639335200	41.94427806190
	-73.99623656760	41.94451536550
	-73.99551188100	41.94432889430
	-73.99551470660	41.94432401300
	-73.99538184430	41.94428880870
	-73.99521213700	41.94424383860
	-73.99520559220	41.94424210450
	-73.99516498960	41.94423134530
	-73.99514487490	41.94422601480
	-73.99511678320	41.94421857100
	-73.99507391800	41.94420721210
	-73.99502989150	41.94419554550
	-73.99498031670	41.94418240850
	-73.99480927280	41.94413708350
	-73.99472488050	41.94434804360
	-73.99457785090	41.94511134290
	-73.99440378580	41.94589401040
	-73.99435565950	41.94604480290
	-73.99423620620	41.94641776230
	-73.99424158710	41.94641921760
	-73.99604825470	41.94673769130
	-73.99695743900	41.94689791320
	-73.99679913030	41.94739857180
	-73.99588934680	41.94724023140
	-73.99596379590	41.94700478740
	-73.99415201990	41.94668548590
	-73.99409286860	41.94686984260
	-73.99377013230	41.94792529100
	-73.99372821210	41.94814558550
	-73.99350951590	41.94905783720

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99319837230	41.95018993980
	-73.99275031760	41.95187474520
	-73.99260723340	41.95363428100
	-73.99251469740	41.95467372860
	-73.99242367430	41.95556908710
	-73.99421920120	41.95590906680
	-73.99421799650	41.95598561170
	-73.99356508690	41.95688505370
	-73.99371744970	41.95693142000
	-73.99386960320	41.95699129660
	-73.99395812800	41.95706862960
	-73.99407005230	41.95724073450
	-73.99409356530	41.95737603940
	-73.99401535370	41.95750595010
	-73.99385833860	41.95770722300
	-73.99361118720	41.95802929460
	-73.99336313580	41.95836036030
	-73.99315488530	41.95860621720
	-73.99307619910	41.95871810810
	-73.99297740990	41.96096888840
	-73.99284413170	41.96373273790
	-73.99290553570	41.96390440090
	-73.99292862440	41.96406672310
	-73.99537967480	41.96537613740
	-73.99672673210	41.96610687900
	-73.99536661160	41.96610090860
	-73.99450391840	41.96609474530
	-73.99446619620	41.96732284910
	-73.99534451680	41.96732671330
	-73.99695092450	41.96733376340
	-73.99695009770	41.96743886590
	-73.99850752940	41.96744796030
	-73.99850959050	41.96837565380
	-73.99948323760	41.96838414540
	-73.99954343400	41.96757407760
	-73.99973682680	41.96745867730
	-74.00054142620	41.96602463460
	-74.00224164640	41.96654829350
	-74.00274496040	41.96706604440
	-74.00380931660	41.96739952070
	-74.00366141150	41.96764591730
	-74.00302229770	41.96872566120
	-74.00248223290	41.96853183000
	-74.00172027180	41.96825050780
	-74.00097394010	41.96798282560
	-73.99979888720	41.96758981240
	-73.99973590000	41.96853045110
	-73.99928942120	41.96852656160
	-73.99906429070	41.97086180070
	-73.99991914400	41.97089627340
	-73.99995161560	41.96964013880

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-74.00098637200	41.96964914670
	-74.00092829220	41.97172465620
	-73.99963857350	41.97171342480
	-73.99968866350	41.97097081980
	-73.99905040820	41.97092923030
	-73.99898034480	41.97164100200
	-73.99823775100	41.97163833870
	-73.99806927350	41.97405381520
	-73.99535623090	41.97388396750
	-73.99519967600	41.97162739100
	-73.99756452110	41.97163591920
	-73.99763406210	41.96862970980
	-73.99374093740	41.96855778210
	-73.99372755580	41.97038277220
	-73.99461583860	41.97038708670
	-73.99460342090	41.97162523320
	-73.99329431160	41.97162048470
	-73.99328981120	41.97218829850
	-73.99365937370	41.97218992910
	-73.99365696970	41.97249346120
	-73.99332294900	41.97249198750
	-73.99331994090	41.97287153930
	-73.99202127690	41.97286574100
	-73.99200013710	41.97340891640
	-73.99292936300	41.97363170920
	-73.99331714260	41.97322460870
	-73.99422546090	41.97301827310
	-73.99430000790	41.97312689490
	-73.99444623730	41.97333996330
	-73.99471174460	41.97364519090
	-73.99483315450	41.97382066330
	-73.99494107280	41.97393776290
	-73.99506133360	41.97402788680
	-73.99515768380	41.97407408400
	-73.99526576980	41.97412590800
	-73.99523867630	41.97418201780
	-73.99577896270	41.97434548650
	-73.99649106060	41.97460210510
	-73.99650091660	41.97460727790
	-73.99651100680	41.97461228150
	-73.99652086190	41.97461711310
	-73.99653118030	41.97462194750
	-73.99654150140	41.97462643620
	-73.99655205060	41.97463092600
	-73.99656260110	41.97463524460
	-73.99657314930	41.97463939130
	-73.99658416480	41.97464319960
	-73.99659471800	41.97464717340
	-73.99660572870	41.97465097820
	-73.99661674430	41.97465461370
	-73.99662775770	41.97465807630

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
	-73.99663900180	41.97466119590
	-73.99665024820	41.97466448940
	-73.99666149710	41.97466760990
	-73.99667297200	41.97467038570
	-73.99668445050	41.97467316340
	-73.99669593170	41.97467559890
	-73.99670764090	41.97467803530
	-73.99671911990	41.97468029700
	-73.99673083040	41.97468256060
	-73.99674254510	41.97468431100
	-73.99675425480	41.97468623160
	-73.99676619880	41.97468781190
	-73.99677791480	41.97468938950
	-73.99680180470	41.97469185950
	-73.99681954090	41.97470151840
	-73.99686885420	41.97482804310
	-73.99698159280	41.97495061470
	-73.99709431020	41.97512272500
	-73.99712703420	41.97521919190
	-73.99710728420	41.97521502120
	-73.99651066860	41.97506885680
	-73.99650791680	41.97506848280
	-73.99635649880	41.97504780100
	-73.99598170800	41.97499661370
	-73.99438215940	41.97477812000
	-73.99313879870	41.97458451380
	-73.99313052700	41.97458227580
	-73.99181815580	41.97422693190
	-73.99180692360	41.97422599530
	-73.99183441500	41.97336930650
	-73.99183482890	41.97335640020
	-73.99189111330	41.97337490760
	-73.99191094990	41.97286525010
	-73.99227022370	41.96363313110
	-73.99216323480	41.96357815410
	-73.99216591610	41.96349770360

Kingston Ulster Empire Zone
Schedule A

Subzone	Longitude (decimal degrees)	Latitude(decimal degrees)
Prism Solar	-74.04784570710	41.71757957750
	-74.04685585310	41.71710491070
	-74.04694450080	41.71704149390
	-74.04714967150	41.71677168150
	-74.04712420960	41.71668019660
	-74.04720471540	41.71654197520
	-74.04721792700	41.71640238730
	-74.04727482720	41.71627045420
	-74.04715247540	41.71603550440
	-74.04727161840	41.71585775740
	-74.04737682940	41.71562045890
	-74.04737329340	41.71554034650
	-74.04915391540	41.71620564200
	-74.04906399490	41.71635070270
	-74.04867364940	41.71708386370
	-74.04828729810	41.71779147460
	-74.04784570710	41.71757957750

Local Law Number 9 Of 2008

County Of Ulster

A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1: FINDINGS.

The Legislature of the County of Ulster finds that smoking shall be prohibited upon all real property owned or leased by the County of Ulster in order to:

1. Protect the public health, safety and general welfare by eliminating exposure to secondhand smoke.
2. Acknowledge the need of nonsmokers, especially children, to breathe smoke-free air, recognizing the danger to public health which secondhand smoke causes.
3. Recognize that the need to breathe air free of the disease-causing toxins in secondhand smoke should have priority over the desire and convenience of smoking on real property owned or leased by the County of Ulster.
4. Recognize the right and benefit to municipal residents and visitors to be free from unwelcome secondhand smoke while on real property owned or leased by the County of Ulster.

SECTION 2: APPLICATION OF ARTICLE TO COUNTY-OWNED AND LEASED REAL PROPERTY.

All real property owned or leased by the County of Ulster shall be subject to the provisions of this Local Law. The term "real property" shall include real estate, lands and any structures, buildings or facilities located upon said real estate and lands. The term "real property" shall not include roadways and right of ways located within the County road system established under Section 115 of the New York State Highway Law.

SECTION 3: REGULATION AND PROHIBITION OF SMOKING UPON COUNTY-OWNED AND LEASED REAL PROPERTY.

"Smoking" shall mean inhaling of, exhaling of, burning of, or carrying of any lighted cigar, cigarette, pipe, weed, or other plant in any manner or any form.

Local Law Number 9 Of 2008

County Of Ulster

A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster

Smoking shall be prohibited upon all real property owned or leased by the County of Ulster as set forth herein, except when located within a moving motor vehicle which is in the process of exiting or entering real property owned or leased by the County of Ulster.

SECTION 4: POSTING OF SIGNS.

Signs, clearly stating "Smoking is Prohibited" or "No Smoking" and/or signs consisting of the universal ~~a~~ pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be predominantly and conspicuously posted upon the entrance to all real property where smoking is regulated by this Article.

SECTION 5: ENFORCEMENT.

A. For the purpose of this Local Law, the term "enforcement officer" shall mean the Ulster County Board of Health, or its designee. The enforcement officer may cause to have issued and served upon the person complained against a written notice, together with a copy of the complaint made against him, which shall specify the provisions of this Local Law of which such person is said to be in violation and a statement of the manner in which that person is said to violate it and shall require the person so complained against to answer the charges of such complaint at a public hearing before the Board of Health or its designated hearing officer at a time not less than fifteen (15) days after the date of service of notice.

The Board of Health may serve, together with a copy of complaint, a stipulation offer to the person complained against. The stipulation offer shall allow the person complained against to enter into a stipulation under the terms and conditions as set forth in the stipulation offer. The person complained against shall have the option of entering into the stipulation or proceeding with a formal hearing.

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A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster

B. If the enforcement officer determines after a hearing that a violation of this Local Law has occurred, a civil penalty may be imposed by the enforcement officer pursuant to Section 6 of this Local Law. Nothing herein shall be construed to prohibit an enforcement Officer from commencing a proceeding for injunctive relief to compel compliance with this Local Law.

C. Any person who desires to register a complaint under this Local Law may do so with any appropriate enforcement officer.

D. The decision of any hearing officer shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.

D. The enforcement officer, subsequent to any appeal having been finally determined, may bring an action to recover the civil penalty provided in Section 6 of this Local Law.

SECTION 6: VIOLATIONS AND PENALTIES.

A. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this Local Law.

B. Any person who violates any provision of this Local Law shall be guilty of a violation, punishable by a civil penalty not to exceed five hundred dollars ($500.00).

SECTION 7: OTHER APPLICABLE LAWS.

This Local Law shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Local Law Number 9 Of 2008

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A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster

SECTION 8: SEVERABILITY.

If any provision, clause, sentence, or paragraph of this Local Law or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Local Law which can be given effect without the valid provision or application, and to this end the provisions of this Local Law are declared to be severable.

SECTION 9. EFFECTIVE DATE.

This Local Law shall take effect upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and become operative on June 1, 2009.

Adopted: November 12, 2008

Local Law Number 10 Of 2008

County Of Ulster

A Local Law Adopting The Ulster County Administrative Code

The Ulster County Administrative Code is available for viewing in its entirety on the County website or by request.

Local Law Number 11 Of 2008

County Of Ulster

A Local Law Known As The Ulster County Ethics And Disclosure Law

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION I. TITLE

This Local Law shall be known as "The Ulster County Ethics and Disclosure Law."

SECTION II. PURPOSE

A) The purposes of this Local Law are:

1. To establish standards of ethical conduct for officers, employees and consultants of Ulster County;
2. To provide officers, employees and consultants of Ulster County, whether elected or appointed, paid or volunteer, with clear guidance on such standards;
3. To promote public confidence and integrity in the agencies and administrative offices of our local government;
4. To facilitate the consideration of potential ethical problems before they arise, to minimize unwarranted suspicion, and to enhance the accountability of government to the people by requiring public disclosure of financial interests that may influence or be perceived to influence the actions of Ulster County officers and employees; and
5. To provide for the fair and effective administration of this Local Law.

B) This Local Law is enacted pursuant to Section 806 of the General Municipal Law of the State of New York and Section 10 of the Municipal Home Rule Law and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law.

SECTION III. DEFINITIONS

Unless otherwise stated or unless the context otherwise requires, the following terms shall, for the purpose of this Local Law, have the meaning herein indicated:

A) "Appear" and "appear before" mean communicating in any form, including, without limitation, personally, through another person, by letter, or by telephone or electronic means.

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B) "Board of Ethics" means the Board of Ethics of the County of Ulster established pursuant to Section VIII of this Local Law.

C) "Chief fiscal officer" means the treasurer, commissioner of finance, or other officer possessing similar powers and duties.

D) "Contract" means any claim, account or demand against or agreement with the County, express or implied and shall include the designation of a depository of public funds and the designation of a newspaper including, but not limited to, an official newspaper for the publication of any notice, resolution, ordinance, local law or other proceeding where such publication is required or authorized by law.

E) "Contractual goods/services" means any work performed or goods delivered by the County officer to another person under mutual agreement of the two parties and provided the transaction has been finalized, without dispute, by the two parties.

F) "County" means County of Ulster, and shall include any county improvement district, district corporation, or other district or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of the County or to benefit the real property within the County.

G) "County officer or employee" means any officer or employee of the County, whether paid or unpaid, and includes, without limitation, all members of any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau or committee of the County. "County officer or employee" shall not include:

1. Judge, justice, officer or employee of the court system; or
2. Member of an advisory board of the County if, but only if, the advisory board has no authority to implement its recommendations or to act on behalf of the County or to restrict the authority of the County to act. No entity established pursuant to the General Municipal Law of the State of New York shall be deemed an advisory board for purposes of this paragraph.

H) "Customer" or "client" means any person for whom a County officer or employee has directly supplied contractual goods/services during the previous twenty-four (24) hours.

I) "Domestic partner" means a person at least eighteen years of age who, with respect to another person:

1. Is formally a party in a domestic partnership or similar relationship with the other person, entered into pursuant to the laws of the United States or any state, local or foreign jurisdiction, or registered as the domestic partner of the person with any registry maintained by the employer of either party or any state, municipality, or foreign jurisdiction; or
2. Is formally recognized as a beneficiary or covered person under the other person's employment benefits or health insurance; or
3. Is dependent or mutually interdependent on the other person for support, as evidenced by the totality of the circumstances indicating a mutual intent to be domestic partners including but not limited to: common ownership or joint leasing of real or personal property; common house-holding, shared income or shared expenses; children in common; signs of intent to marry or become domestic partners under subparagraph (1) or (2) of this paragraph; or the length of the personal relationship of the persons.

Each party to a domestic partnership shall be considered to be the domestic partner of the other party. "Domestic partner" shall not include a person who is related to the other person by blood in a manner that would bar marriage to the other person in New York State. "Domestic partner" shall also not include any person who is less than eighteen years of age or who is the adopted child of the other person or who is related by blood in a manner that would bar marriage in New York State to a person who is the lawful spouse of the other person.

J) "Gift" and "financial benefit" shall include any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, or any promise thereof, or any other gratuity or promise thereof or anything of value. A financial transaction may be a financial benefit but shall not be a gift unless it is on terms not available to the general public. "Gift" and "financial benefit" do not include campaign contributions authorized by law.

K) "Interest" means direct or pecuniary or material benefit accruing to a County officer or employee as a result of a contract with the County which such officer or employee serves. For purposes of this local law, a County officer or employee shall be deemed to have an interest in the contract of (a) his or her spouse, domestic partner, minor children and dependents, except that a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation, any stock of which is owned and controlled directly or indirectly by such officer or employee.

L) "Ministerial act" means an action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

M) "Outside employer or business" means:

1. Any activity, other than service to the County, from which the County officer or employee receives compensation for services rendered or goods sold or produced;
2. Any entity, other than the County, of which the County officer or employee is a member, officer, director, or employee and from which he/she receives compensation for services rendered or goods sold or produced; or
3. Any entity in which the County officer or employee has an ownership interest, except a corporation of which the County officer or employee owns less than five (5%) percent of the outstanding stock. For purposes of this definition, "compensation" shall not include reimbursement for necessary expenses, including travel expenses.

N) "Person" means both individuals and entities.

O) "Relative/immediate family member" means a spouse, domestic partner, child or person claimed as a dependent on the County officer's or employee's latest individual state income tax return.

P) "Subordinate" of a County officer or employee means another County officer or employee over whose activities he/she has direction, supervision, or control, except those who serve in positions that are in the exempt classification under Section 41 of the

Local Law Number 11 Of 2008

County Of Ulster

A Local Law Known As The Ulster County Ethics And Disclosure Law

Civil Service Law of the State of New York or in the unclassified service under subdivisions (a) through (f) of Section 35 of that law.

SECTION IV. STANDARD OF CONDUCT

A) General prohibition. A County officer or employee shall not use his/her official position or office, or take or fail to take any action in a matter which he/she knows or has reason to know may provide a personal financial benefit or secure unwarranted privileges or exemptions for any of the following persons:

1. County officer or employee;
2. His/her outside employer, employee or business;
3. Relative or immediate family member;
4. Customer or client;
5. Campaign contributors.

B) Recusal. A County officer or employee shall promptly recuse himself/herself from acting on a matter before the County, when acting on the matter, or failing to act on the matter, may benefit the persons listed above, financially or otherwise or give the reasonable appearance of a conflict of interest or impropriety. Whenever a County officer or employee is required to recuse himself/herself, he/she must refrain from further participation in the matter (as officer or employee, but not as a private citizen).

C) Gifts. A County officer or employee shall not accept or solicit any gift valued over seventh-five ($75) dollars, nor shall he/she accept or solicit any gift or financial benefit under circumstances in which it could reasonably be inferred that the gift was intended to influence such County officer or employee in the performance of his/her official duties or was intended to be a reward for any official action on his/her part.

D) Representation. A County officer or employee shall not represent any private interest before any County agency or in any litigation in which the County of Ulster is a party or complainant.

E) Appearances. A County officer or employee shall not appear before any agency of the County, except on his/her own behalf or on behalf of the County or on behalf of his or her constituent(s) in the case of a Legislator.

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F) Confidential information. The NY State Freedom of Information Law (Public Officers Law § 87(2)) describes information that is confidential. This description should guide County employees and officers as to the information that should be considered confidential. Confidential information under this Ethics and Disclosure Law does not exceed the bounds for confidential information set by Public Officers Law § 87(2). Before a County employee or officer discloses information that may be considered confidential, he/she is encouraged to seek a written determination from the County Records Access Officer. The County Records Access Officer may seek an opinion from the County Attorney prior to making a determination. The restrictions on disclosure and use of confidential information described herein apply without regard to the circumstances in which the information was acquired, and include information gained through means other that the possessor's association with the County.

G) Political solicitation. A County officer or employee shall not request or authorize anyone else to request any subordinate of the officer or employee to participate in an election campaign or contribute to a political committee.

H) Future employment. A County officer or employee shall not, after the termination of service or employment with the County, appear for financial gain before any board or agency of the County in relation to any case for a period of two (2) years and shall not appear for financial gain at any time in any proceeding or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

I) Avoidance of conflicts. County officers and employees shall not knowingly acquire, solicit, negotiate for, or accept any interest, employment, or anything of value which would put them in violation of this Local Law.

J) Inducement of others. A County officer or employee shall not induce or aid another officer or employee of the County to violate any of the provisions in this Local Law.

K) Investments. A County officer or employee shall not invest or hold any investment directly or indirectly in any business, financial, commercial or other private transaction, which would create a conflict with his/her official duties.

L) Disclosure regarding contract with employment of relatives and domestic partners.

1. Every County officer and employee related closer in degree, by blood or marriage than first cousin, including a domestic partner or person related by domestic partner circumstances, to any person(s) seeking a contractual relationship with the County or seeking employment within any department, section or function of the County shall disclose such relationship as provided for pursuant to the further provisions of this section.
2. Any member of any County board, commission, council or other County agency related closer in degree by blood or marriage than first cousin, including a domestic partner or person related by domestic partner circumstances, to any person(s) seeking employment or making application before such body in which they serve shall disclose such relationship as provided for in this section.
3. The disclosure requirements of this section shall be made in writing, directed to the Clerk of the Legislature and shall be made at the earliest opportunity next following the date upon which such officer, employee, or board member, commission member, council member, or agency member first learns of or has knowledge of the making of the application by the person seeking employment and/or appointment.

M) Use of public property. No officer or employee shall request or permit the use of County owned vehicles, equipment, materials or property for personal convenience or profit except when such services are available to the public generally or are provided as policy for the use of such officer or employee in the conduct of official duties.

N) Waiver. A County officer or employee may apply for a Waiver Request Form from any of the standards set forth herein upon a showing of compelling need. A Waiver Request Form will be available from the Clerk of the Legislature or the Board of Ethics, and may be modified from time to time as deemed necessary.

SECTION V. INTEREST IN CONTRACTS WITH THE COUNTY

A) Prohibited interests.

1. No County officer or employee shall have an interest in a contract with the County, or an interest in a bank or trust company, that is prohibited by Section 801 of the General Municipal Law of the State of New York.

2. Specifically, no County officer or employee shall have an interest in any contract with the County, when he or she, individually or as a member of a board, has the power or duty to negotiate, prepare, authorize or approve the contract or approve payment thereunder; audit bills or claims under the contract, or appoint an officer or employee who has any powers or duties set forth above; and no County chief fiscal officer, treasurer, or his or her deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent for investment of funds of the County of Ulster. This shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any County officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

3. Any contract willfully entered into by or with the County in which there is an interest prohibited shall be null, void, and wholly unenforceable, to the extent provided by § 804 of the General Municipal Law.

B) Discloseable interests.

In accordance with § 803 of General Municipal Law, any County officer or employee who has, will have, or later acquires an interest in or whose spouse or domestic partner has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the County, shall publicly disclose the nature and extent of such interest in writing to and filing with his or her immediate supervisor and the Clerk of the County Legislature as soon as he or she has knowledge of such actual or prospective interest and as more specifically set forth in Section VI (Annual Disclosure) herein. Such written disclosure shall be made a part of and set forth in the official records of the proceedings of the Legislature. The Clerk of the Legislature shall also immediately file a copy of such disclosure with County Executive and the Board of Ethics.

SECTION VI. ANNUAL DISCLOSURE

Annual disclosure. Annual disclosure will take place in accordance with § 812 of General Municipal Law except the following provisions shall be controlling:

Local Law Number 11 Of 2008

County Of Ulster

A Local Law Known As The Ulster County Ethics And Disclosure Law

A. County officials and employees required to file disclosure statement. Annual disclosure statements shall be filed by all elected County officials, department heads and their deputies and those individuals who have the authority for policy making decisions including, but not limited to, the following list of titles, which may be amended from time to time by the Chief Executive Officer of the County of Ulster with the approval of the County Legislature so as to include all those titles that are applicable.

1. COUNTY OFFICERS

EXECUTIVE
Executive
Deputy Executives

LEGISLATURE
Chairperson
Legislators
Clerk to the Legislature
Deputy Clerks
Counsel to the Legislature
Minority Counsel

DISTRICT ATTORNEY'S OFFICE
District Attorney
Assistant District Attorneys

CONSUMER FRAUD BUREAU
Director of Consumer Affairs

PUBLIC DEFENDER'S OFFICE
Public Defender
Assistant Public Defenders

COMPTROLLER
Comptroller
Deputy Comptrollers

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A Local Law Known As The Ulster County Ethics And Disclosure Law

DEPARTMENT OF FINANCE
Commissioner of Finance
Deputy Commissioners of Finance

AUDITING
County Auditor
Deputy County Auditors

PURCHASING
County Purchasing Agent
Deputy County Purchasing Agents
Director of Purchasing
Deputy Directors of Purchasing

REAL PROPERTY TAX SERVICE AGENCY
Director
Deputy Directors

COUNTY CLERK'S OFFICE
County Clerk
Deputy County Clerks
Motor Vehicle Supervisors

COUNTY ATTORNEY'S OFFICE
County Attorney
Deputy County Attorneys
Assistant County Attorneys

PERSONNEL OFFICE
Personnel Officer/Personnel Director
Deputy Personnel Officers/Directors

BOARD OF ELECTIONS
Commissioners
Deputy Commissioners

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County Of Ulster

A Local Law Known As The Ulster County Ethics And Disclosure Law

PUBLIC WORKS
Commissioner of Public Works
Deputy Commissioners of Public Works
Buildings and Grounds Administrative Manager
Highways and Bridges Administrative Manager

DEPARTMENT OF PUBLIC TRANSPORTATION
Director of Public Transportation
Deputy Directors of Public Transportation

ULSTER COUNTY AREA TRANSIT
Director of Transit
Deputy Directors of Transit

INFORMATION SERVICES
Information Services Director
Deputy Information Services Directors
Assistant Director I.S./Application Development
Assistant Director I.S./Operations
Assistant Director I.S./Technical Support

INSURANCE OFFICE
County Insurance Officer
Deputy Insurance Officers

SHERIFF'S DEPARTMENT
Sheriff
Under Sheriff
Head of Civil Division
Head of Criminal Division
Corrections Superintendent
Warden

PROBATION
Director
Deputy Probation Directors

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County Of Ulster

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ALTERNATIVE SENTENCING PROGRAM
Coordinator
Deputy Coordinators

STOP DWI
Coordinator
Deputy Coordinators

FIRE COORDINATOR
County Fire & Emergency Coordinator
Deputy Coordinators
Fire Advisory Board Members

EMERGENCY COMMUNICATIONS/EMERGENCY MANAGEMENT
Director
Deputy Directors

PUBLIC HEALTH
Public Health Director
Director of Patient Services
Medical Examiner
Deputy Medical Examiners
Commissioner of Health
Medical Consultant
Board of Health Members

MENTAL HEALTH SERVICES
Director
Deputy Director of Administration
Commissioner of Mental Health
Deputy Commissioners of Mental Health
Community Services Board Members

COMMUNITY CORRECTIONS PROGRAM
Director
Assistant Director

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County Of Ulster

A Local Law Known As The Ulster County Ethics And Disclosure Law

SOCIAL SERVICES DEPARTMENT
Commissioner of Social Services
Deputy Commissioners of Social Services

GOLDEN HILL HEALTH CARE CENTER
Director
Deputy Directors
Deputy Director for Clinical Services

DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES
Director of Residential Health Care Facilities
Deputy Directors

OFFICE OF EMPLOYMENT & TRAINING
Director of Employment and Training
Deputy Directors

VETERAN'S SERVICE AGENCY
Director
Deputy Directors

WEIGHTS AND MEASURES
Director
Weights and Measures Inspector

OFFICE FOR THE AGING
Director
Deputy Directors

YOUTH BUREAU
Director of the Youth Bureau
Deputy Directors

PLANNING DEPARTMENT
Director
Deputy Directors

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SAFETY DEPARTMENT
Safety Officer
Deputy Safety Officer

ULSTER COUNTY COMMUNITY COLLEGE
President
Vice President
Dean of Administration
Dean of Academic Affairs
Dean of Advancement & Continuing Education
College Attorney

HUMAN RELATIONS COMMISSION
Director/Commissioner of Human Relations
Deputy Directors/Commissioners of Human Relations
Members of the Commission on Human Relations

BOARD OF ETHICS
Members of the Board of Ethics

PERIODIC COMPENSATION REVIEW COMMITTEE
Members of Periodic Compensation Review Committee

ENVIRONMENTAL MANAGEMENT COUNCIL
Members of the Environmental Management Council

DEPARTMENT OF THE ENVIRONMENT
Director of the Department of Environment
Deputy Directors

DEPARTMENT OF TOURISM
Director of Tourism
Deputy Directors

TRAFFIC SAFETY BOARD
Coordinator of Traffic Safety
Deputy Coordinator

Local Law Number 11 Of 2008

County Of Ulster

A Local Law Known As The Ulster County Ethics And Disclosure Law

COUNTY HISTORIAN
County Historian

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Chief Executive Officer or Director of the Agency
Members of the Agency

ULSTER COUNTY RESOURCE RECOVERY AGENCY
Chief Executive Officer or Director of the Agency
Members of the Agency

2. LOCAL POLITICAL PARTY OFFICIALS

A) The Annual Financial Disclosure Statement shall also be required of local political party officials.

1. The term "local political party official" shall mean:

   a. Any chairperson of a County committee elected pursuant to § 2-112 of the Election Law, or his or her successor in office, who received compensation or expenses from constituted committee or political committee funds during the reporting period aggregating a combined total of thirty thousand ($30,000.00) dollars or more; or
   b. That person by whatever title designated who, pursuant to the rules of a County committee or in actual practice, possesses or performs any or all of the following duties or roles, provided that such person received compensation or expenses from constituted committee or political committee funds during the reporting period aggregating a combined total of thirty thousand ($30,000.00) dollars or more:
      (i) The principal political, executive and administrative office of the County committee;
      (ii) The power of general management over the affairs of the County committee;
      (iii) The power to exercise the powers of the chairman of the County committee as provided for in the rules of the County committee;

(iv) The power to preside at all meetings of the County Executive Committee if such a committee is created by the rules of the County committee or exists de facto, or any other committee or subcommittee of the County committee vested by such rules with or having de facto the power of general management over the affairs of the County committee at times when the County committee is not in actual session;

(v) The power to call a meeting of the County committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the County committee pursuant to the rules of the County committee, for the purpose of filling an office at a special election in accordance with § 6-114 of the Election Law, for the purpose of filling a vacancy in accordance with § 6-116 of such law, or for the purpose of filling a vacancy or vacancies in the County committee which exists by reason of an increase in the number of election districts with the County occasioned by a change of the boundaries of one or more election districts, taking effect after the election of its members, or for the purpose of determining the districts that the elected members shall represent until the next election at which such members of such committee are elected; provided, however, that in no event shall such power encompass the power of a chairperson of an assembly district committee or other district committee smaller than a county and created by the rules of the County committee, to call a meeting of such district committee for such purpose;

(vi) The power to direct the treasurer of the party to expend funds of the County committee or;

(vii) The power to procure from one or more bank accounts of the County committee the necessary funds to defray the expense of the County committee.

B) The terms “constituted committee” and “political committee,” as used in this subdivision, shall have the same meanings as those contained in Section 14-100 of the Election Law.

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C) Each appointing authority or department head shall annually determine, by February 1st of each year, if there are any other officers or employees, within his/her department, holding policy-making positions. A list of such employees or officers shall then be immediately forwarded to the Chairman of the Ulster County Legislature for the year 2008 and to the County Executive thereafter.

D) Time and Place for Filing. Annual Disclosure Statements shall be filed with the Clerk of the County Legislature:

1. Within sixty (60) days of taking office; and
2. No later than May 1st of each year thereafter.

E) Changes in Disclosed Information. Except as provided in Section V(B) herein, within thirty (30) days after a change in the information contained in his/her most recently filed Annual Disclosure Statement, a County officer or employee shall file a signed amendment to the statement.

F) Contents of Annual Disclosure Statements and Waiver Request Forms. The County Legislature shall have the power and authority to promulgate and amend the form from time to time by resolution and as provided for in and in conformity with § 811 of General Municipal Law.

G) The Annual Disclosure Form shall be acknowledged and notarized and in substantially the form which is annexed hereto and made a part hereof as Appendix "A".

H) Maintenance of Annual Disclosure Statements. The Clerk of the County Legislature shall transmit to the Board of Ethics and the Chief Executive Officer of the County all Annual Disclosure Statements required by this Local Law within five (5) business days of receiving such statements. All Annual Disclosure Statements shall be submitted in sealed envelopes.

I) Good Faith Efforts. Failure to disclose the information required by subsection A of this section with respect to a County officer's or employee's spouse or domestic partner or other relative shall not constitute a violation of the subsection if the officer or employee has made a good faith effort to obtain the information and if he/she sets forth those efforts in his/her Annual Disclosure Statement.

J) Distribution of Disclosure Form. On or before the 1st day of March of each year, beginning with the year 2009 and thereafter, the County Executive of the County of Ulster shall cause the Annual Statement of Financial Disclosure to be distributed to those persons filling the positions as denominated in subdivision A and B set forth above.

K) Hardship Provision. Any person who is subject to the reporting requirements of this section and who timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall be required to submit such financial disclosure statement on or before May 1st but may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplemental statement of financial disclosure, which shall be filed on or before the seventh day after the expiration of the period of such automatic extension of time within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this section respecting Annual Statements of Financial Disclosure as if such supplementary statements were an annual statement.

SECTION VII. PENALTIES FOR VIOLATIONS

A) Void Contracts. Any contract or agreement entered into by or with the County in which there is an interest prohibited by this law shall be null, void, and wholly unenforceable, to the extent provided by § 804 of General Municipal Law unless ratified by the County Legislature.

1. Such ratification shall not affect the imposition of any criminal or civil penalties pursuant to this local law or any other provision of law.

2. Upon determination by the Board of Ethics that such a violation has occurred, the Board of Ethics shall have the power, upon consultation with the head of the department involved, or with the chief executive officer of the County, to render forfeit and void the transaction in question.

B) Civil Penalties. Any County officer or employee who violates any provision of this law including any reporting individual who knowingly and willfully fails to file an Annual Statement of Financial Disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this law, shall be assessed a civil penalty in an amount not to exceed ten thousand ($10,000.00) dollars. Assessment of a civil penalty hereunder shall be made by the Ulster County Board of Ethics. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty (30) days of imposition and, upon becoming final, shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the Ulster County Board of Ethics pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.

C) Criminal Penalties. For a violation of this law, other than for conduct which constitutes a violation of Subdivision Twelve of § 73 of the Public Officers Law, the Ulster County Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction but only after such referral, such violation shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated.

D) Disciplinary Action. Any County officer or employee who violates any provision of this law may be warned or reprimanded or suspended or removed from office or employment, or be subject to any other sanction authorized by law or collective bargaining agreement, by the appointing authority or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal or other authorized sanction may be imposed in addition to any other penalty contained in this section or in any other provision of law.

SECTION VIII. BOARD OF ETHICS

A) Establishment.

1. There shall be a Board of Ethics consisting of five members, who, prior to January 1, 2009, shall be appointed by the Ulster County Legislature, and thereafter shall be appointed by the County Executive, subject to confirmation of the County Legislature.

2. Board of Ethics members shall serve without compensation and at the pleasure of the County Legislature prior to January 1, 2009 and thereafter at the pleasure of the County Executive.
3. No more than two members shall be of the same political party.
4. Members of the Board of Ethics shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.
5. There shall be support staff and funds as may be appropriated annually toward the Ethics Board's maintenance and operation.
6. The County Attorney or Attorney(s) shall provide legal and advisory services to the Board of Ethics as it may require in the performance of its duties. If the County Attorney or Attorney(s) for the County have a potential conflict of interest, the County shall make funds available for outside counsel.

7. The Board of Ethics shall elect a Chair from among its members. The Chair or a majority of the Board may call a meeting of the Board. The Board of Ethics shall meet a minimum of two (2) times a year.
8. Three (3) members of the Board shall constitute a quorum and shall be required for the purpose of conducting a meeting. A concurring vote of three (3) members shall be required for the Board to take action.
9. Prior to January 1, 2009, any Board of Ethics member may be removed from office by a majority vote of the County Legislature for failure to fulfill the duties of the office or for the violation of this Local Law and shall be given written notice and an opportunity to be heard. After January 1, 2009, members shall serve at the pleasure of the County Executive and may be removed from office by the County Executive at his or her discretion.

B) Qualifications.

1. All members of the Board of Ethics shall reside in the County of Ulster, be over twenty-five (25) years of age, and a registered voter for at least five (5) years prior to appointment.

2. No more than two (2) members of the Board of Ethics may be enrolled in the same political party. Enrollment in a political party shall be deemed effective in conformance with Article 5 of Election Law of the State of New York.
3. No member shall hold office in a political party or hold elective office in the County. For purposes of this section, office in a political party shall mean all offices in any political party including the office of committee person or committee member.
4. A member may make campaign contributions but not otherwise participate in any Ulster County election campaign.
5. One (1) member may be an appointed officer or employee of the County.

C) Powers and duties.

1. The Board of Ethics shall render advisory opinions to the officers and employees of the County of Ulster with respect to Article 18 of General Municipal Law, the Code Ethics of the County of Ulster (as Set forth herein and known as "The Ulster County Ethics and Disclosure Law"), and the Administrative Code. Such advisory opinions shall be in response to written request from any such officer or employee under such rules and regulations as the Board may prescribe.

   a. The Board shall render advisory opinions with respect to all matters covered by this law. An advisory opinion shall be rendered on the request of a county officer or employee or supervisory official of a county officer or employee and shall apply only to such public servant. The request shall be in such form as the Board may require and shall be signed by the person making the request. The opinion of the Board shall be based on such facts as presented in the request or subsequently submitted in a written, signed document.

b. Advisory opinions shall be issued only with respect to proposed future action by a public servant. A county officer or employee whose conduct or action is the subject of an advisory opinion shall not be subject to penalties or sanctions by virtue of acting or failing to act due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the request for an opinion. The Board may amend a previously issued advisory opinion after giving reasonable notice to the county officer or employee that it is reconsidering its opinion; provided that such amended advisory opinion shall apply only to future conduct or action of the public servant.

c. The Board shall make public its advisory opinions with such deletions as may be necessary to prevent disclosure of the identity of any county officer or employee or other involved party. The advisory opinions of the Board shall be indexed by subject matter and shall be maintained on an annual and cumulative basis.

d. For purposes of this subdivision, county officer or employee includes a current, prospective and county officer or employee, and a supervisory official includes a supervisory official who shall supervise, supervises or has supervised either a current, prospective or former county officer or employee.

2. The Board may also accept from the general public or any of its own members or any county officer or employee a complaint or allegation of conflict of interest of any officer or employee of Ulster County. The Board may also accept from the general public or any of its own members or any county officer or employee a complaint or allegation of a violation of this law by a county officer or employee.

a. All such complaints shall be signed; and

b. All such complaints or allegations are to be kept in the confidential records of the Board.

3. Should the Board determine that there appears to be no merit to the complaint, it shall dismiss the complaint and notify the county officer or employee of its determination in writing.

4. Hearings.

   a. Should the Board determine that there appears to be merit or probable cause in the complaint or allegation, it shall send a written invitation to the officer or employee in question to appear at a private meeting of the Board and explain the apparent conflict of interest. The written invitation shall be in the form of a notice and shall contain a statement of the facts upon which the Board has relied for its determination of probable cause and a statement of the provisions of law allegedly violated. The Board shall also inform the county officer or employee of the Board's procedural rules. Such county officer or employee shall have a reasonable time to respond either orally or in writing, and shall have the right to be represented by counsel or any other person.

   b. If, after consideration of the response of the officer or employee, the Board determines that there remains probable cause to believe that a violation has occurred, the Board shall hold or direct a hearing to be held on the record to determine whether such violation has occurred, or refer the matter to the appropriate department or appointing authority if the county officer or employee is subject to the jurisdiction of any state law or collective bargaining agreement which provides for conduct of disciplinary proceedings. When such matter is referred to such department or appointing authority, the department or appointing authority shall consult with the Board before issuing a final decision.

c. Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest or violation of this law, the Board shall send a written report on the matter to the County Executive and the Clerk of the Legislature. The report shall not be made public except by the County Executive or by the unanimous vote of the Board.

d. If the Board determines, after a hearing or the opportunity for a hearing, that a county officer or employee has violated this law, it shall, after consultation with the head of the department or appointing authority for the officer or employee, issue an order either imposing such penalties as provided for by this law as it deems appropriate, or recommending such penalties to the head of the department or appointing authority. The order shall include findings of fact and conclusions of law. When a penalty is recommended, the head of the department or the appointing authority shall report to the Board what action was taken.

e. Hearings of the Board shall not be public unless requested by the public servant. The order and the Board's findings and conclusions shall be made public.

f. The Board shall maintain an index of all persons found to be in violation of this law, by name, office and date of order. The index and the determination of probable cause and orders in such cases shall be made available for public inspection and copying.

g. Nothing contained in this section shall prohibit the appointing officer of a county officer or employee from terminating or otherwise disciplining such public servant, where such appointing officer is otherwise authorized to do so; provided, however, that such action by the appointing officer shall not preclude the Board from exercising its powers and duties under this law with respect to actions of any public servant.

h. For purposes of this subdivision, the term county officer or employee shall include both current and former county officers and employees.

i. The Board of Ethics shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the proceedings authorized herein including the assessment of the civil penalties herein authorized. Such rules shall provide for the due process procedural mechanisms substantially similar to those set forth in Article Three of the State Administrative Procedure Act but such mechanisms need not be identical in terms of scope.

j. Any person compelled to appear in person or who voluntarily appears before the Board of Ethics shall be accorded the right to be accompanied, represented by, and/or advised by counsel.

5. In addition, the Board may make recommendations with respect to the County Code of Ethics or amendments thereto upon the request of the Ulster County Legislature (as set forth herein and known as "The Ulster County Ethics and Disclosure Law"). The Board, upon its formulation, shall promulgate its own rules and regulations as to its forms and procedures and shall maintain records of its opinions and proceedings. Copies of all rules and regulations promulgated by the Board and any and all amendments thereto which may be adopted from time to time shall be filed with the Clerk of the Ulster County Legislature within ten days of their adoption.

6. The Board shall not act with respect to officers and employees of any municipality located within the County or agency thereof where such municipality has established its own Board of Ethics, except that the local board may, at its option refer matters to the County Board.

7. No meeting or proceeding or hearing of the Board of Ethics concerning a possible violation of this law by a county officer or employee shall be open to the public, except upon the request of the officer or employee or as required by the provisions of Article 7 of the Public Officers Law or by some other state or federal law or regulation.

D) The Board of Ethics shall also have the following powers and duties:

1. To administer the provisions of this County Law.
2. To prescribe and promulgate rules and regulations governing its own organization and procedures.
3. To review, index and maintain all Annual Disclosure Statements filed with the Board of Ethics.
4. To prepare and submit an annual report to the Ulster County Legislature summarizing the activities of the Board of Ethics, listing any recommended changes to the text or administration of this Local Law.
5. To provide for public inspection of certain records. The only records of the Board of Ethics which shall be available for public inspection are those whose disclosure is required by Article 6 of the Public Officers Law of the State of New York or by some other state or federal law or regulation.
6. To receive, review and approve or disapprove all requests for waivers related to this law. [See Section IV. (o)].

SECTION IX. JUDICIAL REVIEW

Any person aggrieved by a recommendation of the Board of Ethics, as implemented by the County, may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

SECTION X. SUPERSESSION OF GENERAL MUNICIPAL LAW SECTION 808

Whenever the requirements of this Local Law are inconsistent with the provisions of Section 808 of the General Municipal Law, the more restrictive provision, or those imposing higher standards shall govern.

SECTION XI. MISCELLANEOUS PROVISIONS

A) No existing right or remedy shall be lost, impaired, or affected by reason of this Local Law.

B) Nothing in this Local Law shall be deemed to bar or prevent a present or former county officer or employee from timely filing any claim, account, demand, or suit against the County on behalf of himself/herself or any member of his/her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.

C) If any provision of this Local Law is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this law.

SECTION XII. DISTRIBUTION AND POSTING

A) Within ninety (90) days after the effective date of this section, and thereafter as appropriate, the Board of Ethics shall transmit to the Ulster County Legislature and Clerk of the Legislature, in a form suitable for posting, copies of those provisions of this Local Law which the Board of Ethics deems necessary for posting in the County of Ulster. Within ten (10) days after receipt of those copies, the Clerk of the Legislature shall cause the copies to be posted conspicuously where public notices are generally posted.

B) Within ninety (90) days after the effective date of this section, and thereafter as appropriate, the Board of Ethics shall transmit to the Clerk of the Legislature, in a form suitable for distribution, copies of those provisions of this Local Law, which the Board of Ethics deems necessary for distribution to the officers and employees of the County. Within ten (10) days after receipt of those copies, the Clerk of the Legislature shall cause the copies to be distributed to every officer and employee of the County, and made readily available to the public. Every County officer or employee elected or appointed thereafter shall be furnished a copy of those provisions within ten (10) days after entering upon the duties of his/her position.

C) Failure of the County to comply with the provisions of this section or failure of any County officer or employee to receive a copy of these provisions of this Local Law shall have no effect on the duty of compliance with this Local Law or on the enforcement of its provisions.

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SECTION XIII. REPEALER

Local Law Number 1 of 1970, Local Law Number 1 of 1989 and Local Law Number 1 of 1990 are hereby superseded and repealed.

SECTION XIV. EFFECTIVE DATE

This Local Law shall take effect immediately upon the filing in the office of the Secretary of State in compliance with all applicable provisions of law.

Adopted: December 10, 2008

Local Law No. 1 Of 2009

County Of Ulster

A Local Law Requiring Chain Food Service Operators To Post Calorie Information On Menus

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE - "THE ULSTER COUNTY MENU LABELING ACT."

SECTION 2. LEGISLATIVE FINDINGS.

SECTION 3. DEFINITIONS.

SECTION 4. ENFORCEMENT AND PENALTIES.

SECTION 5. SEVERABILITY.

SECTION 6. EFFECTIVE DATE.

SECTION 1. THIS LAW SHALL BE KNOWN AS THE ULSTER COUNTY MENU LABELING ACT OF 2009.

A. Calorie information for menu items. Chain food service establishments shall post on menu boards, menus, and food display tags the calorie content values (in kcal) for each menu item next to the listing of each menu item.

(1) Menu boards and menus. The term "calories " or "cal" shall appear as a heading above a column listing the calorie content value of each menu item, or directly adjacent to the calorie content value for each menu item.

(i) Menu boards. On menu boards, calorie content values shall be legible, posted clearly and conspicuously, and displayed in a color as or more prominent than the color in which the name of the menu item or price of the menu item are displayed. Calorie content values shall also be posted in a size and typeface at least as large as the name of the menu item or price, whichever is larger.

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(ii) Menus. On printed menus, calorie content values shall be legible, printed conspicuously, and displayed in a color as or more prominent than the color in which the name of the menu item or price of the menu item are displayed. Calorie content values shall also be printed in a size and typeface at least as large as the name or price of the menu item.

(iii) Food display tags. If a restaurant or similar retail food establishment provides a salad bar, buffet line, cafeteria service, food display case, or arrangement where food is on display, it must provide calories per standard item next to where the item is offered in a size and typeface that is prominent and legible from where customers are choosing those items.

B. For menu items that come in different flavors and varieties but that are listed as a single menu item, such as, but not limited to, soft drinks, ice cream, pizza, and doughnuts, the median value for calories for all flavors or varieties shall be listed on menus and menu boards if the calorie values for all flavors or varieties are within 20% of the median. If the calorie values are not within 20% of the median, then the range for all the flavors or varieties of that menu item shall be listed from the lowest to the highest value. If a menu item that comes in different varieties is on display with a name placard or similar signage, the calories per serving as offered for sale shall be listed on the placard along with the name. If a menu item is not on display, nutrition information for each individual flavor or variety shall be provided in writing at the point of ordering.

C. Chain food service establishment owners or operators shall provide to the Department, if requested, information documenting the accuracy of the calorie labeling required by this section.

D. The Ulster County Board of Health may promulgate rules and regulations as may be necessary to outline parameters and procedures and as may otherwise be necessary to effectuate the purposes of this Act.

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SECTION 2. LEGISLATIVE FINDINGS.

The Healthy Eating and Living (*HEAL* Ulster County) initiative was created in 2007 to quantify the severity of childhood obesity in Ulster County schools, and develop initiatives that combat this public health crisis on a local level. In February 2007, Body Mass Index Screening Study was commissioned to help determine the scope of childhood obesity in Ulster County. HEAL- Ulster initiated a survey of all school districts in Ulster County to understand the level and type of data collection, and if they would be willing to participate in a Body Mass Index (BMI) screening for grades 1-3.

Participating school nurse, the school's health practitioner or the child's personal physician, recorded data from the 2006-2007 school year. Data was used from 2,105 students; 1,027 first graders and 1,078 second graders. Of the 2,105 children, 2% were underweight, 61.85% were of a healthy weight, 16.58% were at risk of becoming overweight, 19.57% were overweight with 4.75% being extremely overweight. In total, 36.15% of the children (18.48% males, and 17.67% females) or 1 in 3, are overweight or at risk of overweight.

One of the goals for Healthy People 2010 is to "promote health and reduce chronic disease associated with diet and weight" by reducing the proportion of children aged 6-11 who are overweight or obese to 5% (United States Department of Health and Human Services. (Healthy Eating And Living (HEAL) Body Mass Index Screening Study:
http://www.ulstercountyny.gov/health/UCHDBMIStudyfinal.pdf)

According to the United States Centers for Disease Control, since the mid-seventies, the prevalence of overweight and obesity has increased sharply for both adults and children. Data from two National Health and Nutrition Examination Surveys show that among adults aged 20 years, the prevalence of obesity increased from 15.0% (in the 19760 survey) to 32.9% (in the 20034 survey). The two surveys also show increases in overweight among children and teens. For children aged 2 years, the prevalence of overweight increased from 5.0% to

13.9%; for those aged 6 years, prevalence increased from 6.5% to 18.8%; and for those aged 12 years, prevalence increased from 5.0% to 17.4%. These increasing rates raise concern because of their implications for Americans health. Being overweight or obese increases the risk of many diseases and health conditions, including the following: hypertension, dyslipidemia (for example, high total cholesterol or high levels of triglycerides), type 2 diabetes, coronary heart disease, stroke, gallbladder disease, osteoarthritis, sleep apnea and respiratory problems, and some cancers (endometrial, breast and colon). A prime cause of overweight and obesity is eating too many calories and not getting enough physical activity.

A key recommendation of a recent Food and Drug Administration-sponsored expert group report on obesity and eating away from the home was that, "Away-from-home food establishments should provide consumers with calorie information in a standard format that is easily accessible and easy to use. Participants believe that information should be provided in a manner that is easy for consumers to see and use as part of their purchasing and eating decisions. Information should be provided for any standard menu item offered on a regular and ongoing basis that is prepared from a standardized recipe, whether the item is an entire meal or a meal component.

This law will require chain food service establishments in Ulster County to list the calorie content values of menu items on menus and menu boards. Such information, clearly displayed at the point of decision, will allow consumers in Ulster County to exercise personal responsibility and make informed choices for a growing part of their diets.

SECTION 3. DEFINITIONS.

For purposes of this chapter, the meaning of terms used in this chapter shall be as follows:

A. "Chain Food Service Establishment" is defined as a food service establishment, which is permitted for operation by the Ulster County Department of Health, that

A Local Law Requiring Chain Food Service Operators To Post Calorie Information On Menus

is one of a group of 15 or more food service establishment locations in the United States, whether in Ulster County or elsewhere, offering for sale substantially the same menu items, in servings that are standardized for portion size and content, that operate under common ownership or control, or as franchised outlets of a parent business, or do business under the same name.

B. "Department" shall mean the Ulster County Department of Health.

C. "Menu" shall mean a printed list or pictorial display of food items, and their price(s), that are available for sale from a chain food service establishment and shall include menus distributed or provided outside of the establishment.

D. "Menu Board" shall mean any list or pictorial display of food items and their price(s) posted in and visible within a chain food service establishment or outside of a chain food service establishment for the purpose of ordering, such as from a drive-through window.

E. "Food Display Tag" shall mean a written or printed description of a food or beverage placed in the vicinity of the item, such as a label or placard identifying a type or the price of ice cream, pastry or doughnut.

F. "Menu Item" shall mean any individual food item, or combination of food items, listed or displayed on a menu board, menu or food display tag that is/are sold by a chain food service establishment.

SECTION 4. ENFORCEMENT AND PENALTIES.

A. For the purpose of this Local Law, the term "enforcement officer" shall mean the Ulster County Board of Health, or its designee. The enforcement officer may cause to have issued and served upon the person complained against a written notice, together with a copy of the complaint made against him, which shall specify the provisions of this Local Law of which such person is said to be in violation and a statement of the manner in which that person is said to violate it and shall require the person so complained

against to answer the charges of such complaint at a public hearing before the Board of Health or its designated hearing officer at a time not less than fifteen (15) days after the date of service of notice. The Board of Health may serve, together with a copy of complaint, a stipulation offer to the person complained against to enter into a stipulation under the terms and conditions as set forth in the stipulation offer. The person complained against shall have the option of entering into the stipulation or proceeding with a formal hearing.

B. If the enforcement officer determines after a hearing that a violation of this Local Law has occurred, a civil penalty may be imposed by the enforcement officer pursuant to Section 6 of this Local Law. Nothing herein shall be construed to prohibit an enforcement officer from commencing a proceeding for injunctive relief to compel compliance with this Local Law.

C. Any person who desires to register a complaint under this Local Law may do so with any appropriate enforcement officer.

D. The decision of any hearing officer shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.

E. The enforcement officer, subsequent to any appeal having been finally determined, may bring an action to recover the civil penalty provided in Part F of this section of this Law.

F. Any person who violates any provision of this Local Law shall be guilty of a violation, punishable by a civil penalty not to exceed two hundred ($200) dollars a day.

SECTION 5. SEVERABILITY.

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment

shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect one hundred and eighty (180) days after its adoption by the Ulster County Legislature.

Adopted by the County Legislature: April 7, 2009

Approved by the County Executive: April 9, 2009

Local Law No. 2 Of 2009

County Of Ulster

A Local Law Establishing A Charge Of Aggravated Harassment For The Throwing, Tossing Or Expelling Of Bodily Fluids In Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

Section 240.32 of the New York State Penal Law protects Correctional Officers and certain other public employees who interact with inmates in a state or local correctional facility or a hospital by charging inmates who cause such employees to come into contact with blood, seminal fluid, urine or feces by throwing, tossing or expelling such fluid and material with Aggravated Harassment, which is a Class E Felony.

No provision of New York State Law, however, extends this protection to members of the general public. Recently, an Ulster County woman was victimized when another person threw seminal fluid on her. Incredibly, there is no specific state law that would allow victim's attacker to be charged with a crime.

The purpose of this Local Law is to protect Ulster County residents from such heinous and depraved attacks and from coming into contact with potentially infectious bodily fluids and/or deadly diseases.

SECTION 2. AGGRAVATED HARASSMENT OF ANOTHER PERSON.

A person, which for the purpose of this section means a human being, is guilty of Aggravated Harassment of Another Person when, with intent to harass, annoy, threaten or alarm a person, he or she causes or attempts to cause such person to come into contact with blood, seminal fluid, urine or feces by throwing, tossing or expelling such fluid or material.

SECTION 3. PENALTIES.

Any violation of the provisions of this Local Law will be an Unclassified "A" Misdemeanor, punishable by a prison term not to exceed one year and/or a fine not to exceed $1000.00 or both.

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A Local Law Establishing A Charge Of Aggravated Harassment For The Throwing, Tossing Or Expelling Of Bodily Fluids In Ulster County

SECTION 4. SEVERABILITY.

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE.

This Local Law shall become effective immediately upon its filing in the Office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: June 10, 2009

Approved by the County Executive: June 18, 2009

Local Law No. 3 Of 2009

County Of Ulster

A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages, E-mails Or Twitter While Operating A Motor Vehicle In The County Of Ulster

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE.

This law shall be known as the "Driving While Texting And/Or Twittering Law".

SECTION 2. LEGISLATIVE FINDINGS AND INTENT.

A. The use of mobile phones also known as "cellular phones" has increased in popularity during the last several years.

B. According to studies conducted by the American Automobile Association (AAA), any activity that takes a driver's attention off the road for more than two seconds can double a driver's risk of crash.

C. The federal government estimates that 30% of all crashes in the United States result from driver distraction. Statistics from the 2006 New York State Department of Motor Vehicles also indicated that nearly 30% of accidents in the State involve driver distraction or inattention. According to a 2006 joint report issued by the National Highway Traffic Safety Administration and the Virginia Tech Transportation Institute, nearly 80% of crashes and 65% of near-crashes observed in their study involved a driver distracted in the three seconds prior to an accident.

D. The New York State Legislature passed a state-wide ban on the use hand-held cell phones while driving.

E. When New York State banned motorists from talking on hand-held cellular phones in 2001, text messaging was fairly uncommon. However, since that time, text messaging has become an increasingly popular form of communication. Indeed, according to a trade group for the cell phone industry, the Cellular Telecommunications and Internet Association – The Wireless Association, in 2006, United States wireless subscribers, of which there are currently 251.45 million, sent 158 billion text messages, an increase of 95% from 2005, which translate into approximately 300,000 text messages per minute.

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A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages, E-mails Or Twitter While Operating A Motor Vehicle In The County Of Ulster

F. Text messaging is now one of the latest electronic obsessions and driving dangers. In fact, a January 2007 survey conducted by Nationwide Mutual Insurance Company found that 19% of motorists between the ages of 18 and 60 admitted to text messaging while driving, and that 37% of drivers between the ages of 18 and 27 indicated that they do text messaging while operating a motor vehicle (and text messaging is especially dangerous since text messaging requires drivers to take their eyes and mind off of the road, as well as their hands off of the steering wheel, while operating a motor vehicle).

G. The states of Washington and New Jersey passed laws banning text messaging while driving. Since July 2008, California drivers under the age of 18 are prohibited from using all cell phones and other electronic devices while driving, while older drivers may only use hands-free devices. There are also several bills pending in the New York State Legislature to ban the use of such devices. However, in the absence of a State law addressing text messaging while driving, and until such time as the New York State Legislature does take action, this proposed local law is warranted in order to protect motorists and pedestrians in Ulster County.

H. This local law would ban motorists from using wireless handsets to compose, read or send text messages while operating a motor vehicles on any public street or public highway within the County of Ulster. Use of hands-free wireless handsets would be permitted under the proposed law. Notably, the proposed law exempts from its coverage the use of wireless handsets by law enforcement, emergency and fire personnel in the performance of their duties, and motorists using such devices to contact law enforcement, emergency and fire personnel. The proposed law also exempts motorists using such devices while their motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules or ordinances, or is stopped due to the inoperability of such motor vehicle. A vehicle is inoperable when such vehicle is incapable of being operated or being operated in a safe and prudent manner due to mechanical failure, including but not limited to, engine overheating or tire failure.

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County Of Ulster

A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages, E-mails Or Twitter While Operating A Motor Vehicle In The County Of Ulster

I. The Ulster County Legislature shall request the State to include educating new drivers in pre-licensing courses on the hazards of cell phone and electronic devices while driving.

SECTION 3. DEFINITIONS.

As used in this Chapter, the following terms shall have the meanings indicated:

A. "Hands-free" shall mean the manner in which a wireless handset is operated for the purpose of composing, reading or sending text messages, by using an internal feature or function, or through an attachment or addition, including but not limited to an ear piece, head set, remote microphone or short-range wireless connection, thereby allowing the user to operate said device without use of hands.

B. "Inoperability" shall mean a motor vehicle that is incapable of being operated or incapable of being operated in a safe and prudent manner due to mechanical failure, including but not limited to engine overheating, non-functioning brakes or tire failure.

C. "Motor vehicle" shall mean any vehicle that is self-propelled by a motor, including but not limited to, automobiles, trucks, vans, construction vehicles, etc.

D. "Person" shall mean any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association or other entity, or business organization of any kind.

E. "Stopped" shall mean not in motion.

F. "Text Message" also referred to as "Short Messaging Service (SMS)" shall mean the process by which users send, read or receive messages on a wireless handset, including but not limited to, text messages, instant messages, electronic messages or e-mails, in order to communicate with any person or device.

G. "Twittering" shall mean social networking and using micro-blogging service that enables its users to send and read other users' updates known as *tweets*. Tweets are text-based posts of up to 140 characters in length which are displayed on the user's profile page and delivered to other users who have subscribed to them (known as *followers*). Senders can restrict delivery to those in their circle of friends or, by default, allow anybody to access them. Users can send and receive tweets via a "twitter" website, Short Message Service (SMS) or external applications. The service is free to use over the Internet, but using SMS may incur phone service provider fees.

H. "Use" shall mean to hold a wireless handset in one's hand or read or touch one within arm's length of the driver.

I. "Wireless handset" shall mean a portable electronic or computing device, including but not limited to cellular telephones, portable computers and personal digital assistants (PDAs), capable of transmitting data in the form of a text message.

SECTION 4. BAN OF THE USE OF WIRELESS HANDSETS TO COMPOSE, READ OR SEND TEXT MESSAGES AND/OR TWITTER MESSAGES WHILE OPERATING A MOTOR VEHICLE.

A. No person shall use a wireless handset to compose, read or send text messages and/or twitter messages while operating a motor vehicle on any public street or public highway within the County of Ulster.

B. Notwithstanding Section 3 A, this law shall not be construed to prohibit the use of any wireless handset by:

a. Any law enforcement, public safety or police officers, emergency services officials, first aid, emergency medical technicians and personnel, and fire safety officials in the performance of duties arising out of and in the course of their employment as such;

b. A person using a wireless handset to contact an individual listed in subsection (a) in furtherance of obtaining or giving assistance to first responders, or addressing emergency service or public safety matters, except as may be prohibited by other laws; or

c. A person using a wireless handset inside a motor vehicle while such motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules or ordinances, or is stopped due to the inoperability of such motor vehicle.

C. Notwithstanding subsection "A", this law shall not be construed to prohibit a person operating a motor vehicle from utilizing a hands-free wireless handset other than as prohibited above.

SECTION 5. ENFORCEMENT AND PENALTIES.

A. A violation of any provision of this chapter shall constitute an offense and be punishable by a fine of $250.00 imposed on any person violating this law and a $1,000.00 fine for anyone violating this law while driving in a school zone or where highway workers are present, for each single violation. Each such violation shall constitute a separate and distinct offense.

B. This law shall be enforced by the Ulster County Sheriff's Department and shall be enforced by any other law enforcement agency having jurisdiction to act in the County of Ulster who shall enforce the provisions of this law by the issuance of a summons to a party violating the provisions of this act.

SECTION 6. REVERSE PREEMPTION.

This law shall be null and void on the day that statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County

of Ulster. The Ulster County Legislature may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

SECTION 7. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 8. EFFECTIVE DATE.

This Local Law shall become effective immediately upon its filing in the Office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: June 10, 2009

Approved by the County Executive: June 18, 2009

Local Law No. 4 Of 2009

County Of Ulster

A Local Law Requiring Non-Toxic Landscape Maintenance On Land Owned Or Leased By The County Of Ulster, With Exceptions And Waivers In Appropriate Circumstances

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. NAME OF LOCAL LAW.

This law shall be known as "The Ulster County Non-Toxic Landscape Maintenance Act."

SECTION 2. DEFINITIONS.

For the purpose of this local law the following are defined as follows:

"Natural, Non-Toxic, Least Toxic or Biological Pesticide" shall mean a pesticide that is a naturally occurring substance or microorganism that controls pests in a non-toxic manner, or, if approved by the Department of the Environment or the Advisory Committee, the least toxic method possible.

"Integrated Pest Management" shall mean technique for agricultural disease and pest control in which as many pest control methods as possible are used in an ecologically harmonious manner to keep infestation within manageable limits.

"Non-toxic Pest Management ("NPM")" shall mean a problem-solving strategy that prioritizes a natural, non-toxic approach to turf grass and landscape management without the use of toxic and synthetic pesticides. It mandates the use of natural, non-toxic, or, as a last resort with the Advisory Committee approval, least toxic cultural practices that promote healthy soil and plant life as a preventative measure against the onset of turf and landscape pest problems.

Essential NPM practices include, but are not limited to:

- regular soil testing;
- addition of approved soil amendments as necessitated by soil test results, following, but not limited to, the recommendations of the Northeast Organic Farmers' Association Massachusetts and Connecticut Chapters Organic Land Care Program and/or the Organic Material Review Institute of Eugene, or;

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A Local Law Requiring Non-Toxic Landscape Maintenance On Land Owned Or Leased By The County Of Ulster, With Exceptions And Waivers In Appropriate Circumstances

• selection of plantings using criteria of hardiness; suitability to native conditions; drought, disease and pest-resistance; and ease of maintenance;
• using, with the Advisory Committee approval, the least toxic organic, or non-toxic non-organic, products as some organic products are toxic;
• modification of outdoor management practices to comply with organic horticultural science, including scouting, monitoring, watering, mowing, pruning, proper spacing, and mulching;
• the use of physical controls, including hand-weeding and over-seeding;
• the use of biological controls, including the introduction of natural predators, and enhancement of the environment of a pest's natural enemies;
• through observation, determining the most effective treatment time, based on pest biology and other variables, such as weather and local conditions; and
• eliminating pest habitats and conditions supportive of pest population increases.

"Pest" shall mean (1) any insect, rodent, fungus, weed or (2) any other form of terrestrial or aquatic or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria or other micro-organisms ordinarily present on or in humans or living animals) which the commissioner of the New York State Department of Environmental Conservation declares to be a pest.

"Pesticide" shall mean any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest; and any substance or mixture of substances intended for use as a plant regulator, defoliator or desiccant. It shall include all pesticide products registered as such by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation, and all products for which experimental use permits and provisional registrations have been granted by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation.

"Toxic" shall mean any substance that is harmful to humans. It is recognized that, by their very nature, pesticides and herbicides are toxic to those pests they are designed to eliminate. Obviously, the concern of this local law is to limit

pesticides' toxicity to humans while preventing pests from multiplying and thereby endangering humans. A pesticides' relative toxicity to humans is the standard that should govern the determination as to which pesticides should be utilized. Measures of relative toxicity have been determined by measuring their effect upon adult humans, who have greater mass and weights than children. Thus, children are at grater risk from exposures to even low levels or pesticides.

SECTION 3. LEGISLATIVE INTENT.

The County of Ulster agrees with the U.S. Environmental Protection Agency (EPA) that "all pesticides are toxic to some degree…, and the commonplace, widespread use of pesticides is both a major environmental problem and a public health issue."

The County of Ulster recognizes that all residents, (particularly children), as well as other inhabitants of our natural environment, have a right to protection from exposure to hazardous chemicals and pesticides in particular.

The County of Ulster recognizes that a balanced and healthy ecosystem is vital to the health of the town and its citizens; and as such is also in need of protection from exposure to hazardous chemicals and pesticides, in particular.

Furthermore, the County of Ulster recognizes that it is in the best interest of public health to eliminate the use of toxic pesticides on County-owned land; to encourage the reduction and elimination of the use of toxic pesticides on private property; and to introduce and promote natural, non-toxic, or as a last resort and with the Advisory Committee approval, least toxic management practices to prevent and, when necessary, control pest problems on County-owned and leased land.

Therefore, the County of Ulster seeks to implement non-toxic pest management (NPM) on County-owned and leased lands.

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A Local Law Requiring Non-Toxic Landscape Maintenance On Land Owned Or Leased By The County Of Ulster, With Exceptions And Waivers In Appropriate Circumstances

SECTION 4. DECLARATION OF PHILOSOPHY AND PRINCIPLES.

The County of Ulster hereby adopts the precautionary principle (as defined by the Wingspread statement) as the basis for its non-toxic pest management (NPM) policy. The precautionary principle states:

"When an activity raises threats of harm to the environment or human health, precautionary measures should be taken, even if some cause and effect relationships are not yet fully established."

SECTION 5. ENACTMENTS.

The County of Ulster hereby adopts an NPM policy that mandates the following on all properties where the County is responsible to maintain the outside areas, including lawns and grassy areas:

1. that the use and application of toxic chemical pesticides, either by County of Ulster employees or by private contractors, for the purpose of turf and landscape maintenance, is prohibited on all lands maintained by the County of Ulster;

2. that, if toxic products must be used, based upon a waiver or exemption, then natural, least toxic turf and landscape cultural practices and maintenance shall be the method of choice to understand, prevent, and control potential pest problems;

3. that all control products used under the terms of this policy shall be in keeping with, but not limited to, those products on the approved list of the Northeast Organic Farming Association Connecticut and Massachusetts Chapters' Organic Land Care Program or approved by the Advisory Committee;

4. that County of Ulster employees who work with turf grass and the landscape receive education and training in natural, least toxic turf and landscape management to be coordinated by the Advisory Committee, if, in its opinion and discretion, such training is necessary;

5. that a listing of all County-maintained lands affected by this policy be made available to the public by posting a list on the County website.

SECTION 6. ADVISORY COMMITTEE ON NON-TOXIC PEST MANAGEMENT.

1. An Advisory Committee on Non-toxic Pest Management will be formed with the following members: Commissioner of Public Works or designee, Coordinator of the Department of the Environment or designee, Executive Director of the Soil and Water Conservation District or designee, Director of Cornell Cooperative Extension or designee, and the Chairman of the Environmental Management Council or designee.

The Advisory Committee will oversee and assist in the implementation of the NPM policy, to develop an NPM program consistent with this local law, and to advise the Chairperson of the Ulster County Legislature's Committee responsible for environmental issues of any problems encountered or amendments required to achieve the full and successful implementation of this policy.

2. The Advisory Committee shall seek the participation, advice, and counsel of experts in the fields of non-toxic turf and landscape management and NPM protocol. Broad community participation, including parents, schools, advocates, and local landscaping businesses shall be encouraged on a non-voting basis.

3. Any decision by the Advisory Committee, pursuant to this local law shall be by majority vote of the entire committee membership, and not merely a majority or those present and voting.

SECTION 7. EXEMPTIONS.

All turf and landscape pest management activities taking place on land maintained by the County of Ulster land shall be subject to this local law, except as follows:

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1. Pesticides or classes of pesticides classified by the United States environmental protection agency as not requiring regulation under the federal insecticide, fungicide and rodenticide act under 40 CFR § 152.25, and therefore exempt from such regulation when intended for use, and used only in the manner specified.

2. Biological pesticides, such as bacillus thuringiensis or milky spore, that are not genetically modified.

3. Pesticides in contained baits for the purpose of rodent control.

4. Poison ivy and poison oak that constitutes a health hazard.

5. Tick control.

6. Any property, or categories of properties, as recommended from time to time by the Ulster County coordinator of environmental resources and approved by the Ulster County Legislature by mere resolution.

SECTION 8. WAIVERS.

1. Any County agency or contractor may apply to the Advisory Committee for a single-use waiver of the restrictions established pursuant to this local law. Such application shall be in a form and manner prescribed by the Advisory Committee and shall contain such information as the committee deems reasonable and necessary to determine whether such waiver should be granted. The Advisory Committee may grant such waivers by a majority vote of the voting membership, not merely a majority of those present and voting. In determining whether to grant or deny a request for a waiver, the Advisory Committee shall consider (i) the magnitude of the infestation, (ii) whether the pest situation poses an immediate threat to public health, property, or the environment (iii) the availability of effective alternatives consistent with this local law, and (iv) the likelihood of exposure of humans to the pesticide.

A Local Law Requiring Non-Toxic Landscape Maintenance On Land Owned Or Leased By The County Of Ulster, With Exceptions And Waivers In Appropriate Circumstances

No waiver shall be approved unless the following conditions have been met: (i) Any pesticide used of all available choices must have the least acute and chronic toxic effect on human health or safety; and, (ii) The applicant must submit a plan demonstrating how underlying causes of the pest outbreak will be addressed in a manner consistent with this local law to prevent future outbreaks.

2. If a pest situation poses an immediate threat to human health and warrants the use of pesticides that would otherwise not be permitted under this local law, the Ulster County Commissioner of Health or Public Health Director shall have the authority to grant a temporary emergency waiver for a period of thirty days. Notice of the waiver request shall be given to the Advisory Committee for advice on resolving the problem without the use of pesticides. The Commissioner or Public Health Director may extend the waiver for one additional period not to exceed six months. Nothing in this waiver provision prohibits the County of Ulster from adopting additional waivers via resolution for as long as the condition exists.

Any County Department using a pesticide under such a waiver must comply with all applicable federal and state laws regarding pesticide use and the Ulster County pesticide neighbor notification law.

SECTION 9. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 10. EFFECTIVE DATE.

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A Local Law Requiring Non-Toxic Landscape Maintenance On Land Owned Or Leased By The County Of Ulster, With Exceptions And Waivers In Appropriate Circumstances

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: June 10, 2009

Local Law Number 5 Of 2009

County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) To Reflect The Duties Of The Chairman Of The Ulster County Legislature Pertaining To The Intermunicipal Collaboration Council

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

1. Pursuant to the Administrative Code "§ A2-6 Powers and Duties of Chairman.

A. There is hereby assigned to the Chairman of the Ulster County Legislature the following specified administrative powers and duties on behalf of the Ulster County Legislature and his or her performance thereof:

(1) To become familiar with the property functions and fiscal matters of the County".

2. Pursuant to the Ulster County Charter "§ C-116 and the Administrative Code §A37-2, Intermunicipal Collaboration Council:

A. There shall be a seven-member Intermunicipal Collaboration Council established whose purpose is to advance communication, coordination and collaboration among the local governments in Ulster County so as to achieve greater economy, efficiency, equity, effectiveness and responsiveness of public service.

B. Membership of the Intermunicipal Collaboration Council shall include the County Executive, the majority leader of the Ulster County Legislature or his or her respective designee, the minority leader of the Ulster County Legislature or his or her respective designee, the Mayor of the City of Kingston or his or her respective designee, a representative of the Ulster County Board of Cooperative Educational Services (BOCES), and two representatives of the Ulster County Town Supervisors' Association to be selected by the Association. Any designee appointed by the majority or minority leader pursuant to this subsection shall be a member of the

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County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) To Reflect The Duties Of The Chairman Of The Ulster County Legislature Pertaining To The Intermunicipal Collaboration Council

Legislature. Any designee appointed by the Mayor of the City of Kingston pursuant to this subsection shall be a duly elected official. Designations shall be in writing and filed with the Clerk of the Legislature.

C. The Council shall meet at the call of the County Executive, but no fewer than two times annually, to consider matters or issues that might be brought before it by any member and to take initiatives designed to advance its objectives".

3. The Ulster County Legislature finds that the local laws should be amended to include the Chairman of the Ulster County Legislature as a member of the Intermunicipal Collaboration Council to properly reflect his duties as Chairman.

SECTION 2.. Section A2-6 Of Local Law No. 10 Of 2008 is amended to read as follows:

§A2-6 Powers and Duties of Chairman.

A. There is hereby assigned to the Chairman of the Ulster County Legislature the following specified administrative powers and duties on behalf of the Ulster County Legislature and his or her performance thereof:
   (1) To become familiar with the proper functions and fiscal matters of the County";

and, Section C-116 of Local Law No. 2 of 2006 and Section A37-2 of Local Law No. 10 of 2008 is amended to read as follows:

Local Law Number 5 Of 2009

County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) To Reflect The Duties Of The Chairman Of The Ulster County Legislature Pertaining To The Intermunicipal Collaboration Council

2. Pursuant to the Ulster County Charter "§ C-116 and the Administrative Code §A37-2, Intermunicipal Collaboration Council:

A. There shall be a nine-member Intermunicipal Collaboration Council established whose purpose is to advance communication, coordination and collaboration among the local governments in Ulster County so as to achieve greater economy, efficiency, equity, effectiveness and responsiveness of public service.

B. Membership of the Intermunicipal Collaboration Council shall include the County Executive, the Chairman of the Ulster County Legislature, the majority leader of the Ulster County Legislature or his or her respective designee, the minority leader of the Ulster County Legislature or his or her respective designee, the Mayor of the City of Kingston or his or her respective designee, a representative of the Ulster County Board of Cooperative Educational Services (BOCES), one community member, appointed by the County Executive, and two representatives of the Ulster County Town Supervisors' Association to be selected by the Association. Any designee appointed by the majority or minority leader pursuant to this subsection shall be a member of the Legislature. Any designee appointed by the Mayor of the City of Kingston pursuant to this subsection shall be a duly elected official. Designations shall be in writing and filed with the Clerk of the Legislature.

SECTION 3. **EFFECTIVE DATE.** This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: June 10, 2009

Local Law Number 6 Of 2009

County Of Ulster

A Local Law Authorizing The Sale Of Surplus County Real Property To Dorothy Burke – Private Sale

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

From time to time, the County has acquired real property from various sources. Many of such properties are not required for the corporate purposes of the County and could be better put to private use; the transfer of such surplus property at private sale would result in economic benefit to the County in that the real property will be placed upon the tax rolls for fully taxable status.

The purpose of this local law is to provide authority for the sale of such surplus property to Dorothy Burke, said property located along Route 212 in the Town of Woodstock consisting of 12,147 square feet of land which is more particularly described in a metes and bounds description prepared by surveyor, Brooks and Brooks as follows:

"ALL THAT PARCEL OF LAND situate in the Town of Woodstock, County of Ulster, and State of New York being designated as "Proposed Spring House and Driveway Easement" on a map entitled "Map of Minor Subdivision of Lands of Louise Smith and Dorothy Burke" to be filed the office of the Ulster County Clerk, said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the northerly highway bounds of Route 212 at the northeast corner of the herein described parcel, said point being in the southwest bounds of Lot 2 as shown on the above referenced map, a copy of which is annexed hereto and made a part hereof as Exhibit "A", and runs hence through said highway, South 80º5107 West 57.56 feet to a point, thence North 67º44′11″ West 385.00 feet, thence North 39º33′09″ East 31.42 feet to a point on the northerly highway bounds, thence along said highway bounds South 67º4411″ East 424.79 feet to the place of beginning."

The surplus property herein described has been appraised by Hudson Valley Appraisal Corporation in a restricted appraisal dated April 21, 2009, which has determined that the market value of the fee simple interest of the 12,147 square foot parcel is $7,730.00.

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A Local Law Authorizing The Sale Of Surplus County Real Property To Dorothy Burke – Private Sale

The Commissioner of Public Works has advised that said real property is no longer necessary for public use and has no objection that it be sold.

Based upon the examination of the Ulster County Legislature finds and determines that the action herein is an "unlisted action" which would not have a significant effect on the environment as such terms are defined under SEQRA.

SECTION 2. AUTHORIZATION OF SALE.

This local law shall provide authority pursuant to Section 215(5) of the County Law that said surplus property shall be sold to adjacent land owner Dorothy Burke which will enable her to legally own her source of drinking water.

This local law shall provide that all of the County's right, title and interest in said real property shall promptly be sold to Dorothy Burke for the sum of $7,730.00.

SECTION 3. VOTING REQUIREMENT ON RESOLUTION.

Such property shall be sold as provided in Section 215(5) of the County Law adopted by the affirmative vote of two-thirds of the total membership of the Ulster County Legislature taken by roll call and entered into the minutes.

SECTION 4. PUBLIC ADVERTISEMENT, BIDDING DISPENSED.

Notwithstanding the provisions of §215(6) of the County Law, such property may be sold to Dorothy Burke at private sale without public advertisement or bidding.

Local Law Number 6 Of 2009

County Of Ulster

A Local Law Authorizing The Sale Of Surplus County Real Property To Dorothy Burke – Private Sale

SECTION 5. **EFFECTIVE DATE.** This local law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Ulster voting on a proposition for its approval if within 45 (45) days after its adoption there is filed with the Clerk of the Ulster County Legislature a petition protesting against such local law in conformity with the provisions of §(1) (a) of the Municipal Home Rule Law, and upon filing in the Office of the Secretary of State.

Adopted by the County Legislature: July 8, 2009

Approved by the County Executive: July 14, 2009

Local Law Number 7 Of 2009

County Of Ulster

A Local Law Amending Local Law No. 14 Of 2007 (A Local Law Requiring Criminal Background Checks Of Prospective Applicants For Employment With The County Of Ulster)

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION I. of Local Law No. 14 of 2007 is amended to read as follows:

SECTION I. LEGISLATIVE INTENT AND PURPOSE.

1. This Legislature finds and determines that it would promote the safety of the people of Ulster County and the security of County property to investigate the character of prospective applicants for employment with the County of Ulster by reviewing such applicants' criminal history report.

2. This Legislature further finds and determines that the New York State Division of Criminal Justice Services is capable of conducting fingerprint-based searches of the criminal history reports it maintains but that it requires either statute or local law to grant it authority to conduct fingerprint and criminal history checks. Subdivision 8-a of Section 837 of the New York State Executive Law authorizes the New York State Division of Criminal Justice Services to charge a fee when, pursuant to statute, it conducts a search of its criminal history records and returns a report thereon in connection with an application for employment.

3. This Legislature further finds that the office of the Ulster County Personnel Officer performs the duties of a municipal civil service commission of the County of Ulster pursuant to the terms of Section 15 of the New York State Civil Service Law and Local Law No. 6 of 1978 of the County of Ulster; and the Ulster County Personnel Officer administers civil service law with respect to offices and employment in the classified service of such county pursuant to Section 17 of Civil Service Law; and the Ulster County Personnel Officer, pursuant to section 50 of the New York State Civil Service Law, is directed to ascertain the fitness of applicants for positions in the competitive class of the civil service and may refuse to examine an applicant, or may refuse to certify an eligible, who has been guilty of a crime. In addition, the Ulster County Personnel Officer is responsible for the administration of personnel matters for with respect to offices and employment in the unclassified service of such county.

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County Of Ulster

A Local Law Amending Local Law No. 14 Of 2007 (A Local Law Requiring Criminal Background Checks Of Prospective Applicants For Employment With The County Of Ulster)

4. This Legislature finds that the Ulster County Sheriff or his/her deputies or designees have the equipment and expertise to prepare and process fingerprints.

5. Accordingly, the purpose of this Local Law is to provide authority for fingerprinting and criminal history record checks of prospective employees of the County of Ulster where such authority does not exist by statute or any other state or federal law, the same of which shall be administered by and/or through the office of the Ulster County Personnel Officer with the assistance of the Ulster County Sheriff.

6. This Legislature finds and determines that due to their unique nature, several categories of service at Ulster County Community College would be unduly burdened by the full implementation of this local law. In particular the areas which are burdened are as follows:

(a) The Continuing and Professional Education Department at Ulster County Community College that engages in excess of 200 short-term presenters, lecturers, and instructors over the course of any given year who, despite their short-term service, do not meet NYS Department of Labor criteria to be retained as independent contractors; and

(b) Many of the above-mentioned individuals come from a variety of governmental, corporate, and community programs to share their expertise and enhance the offerings of Continuing Education; many others travel from outside of the region or from out-of-state to offer one or two-day weekend workshops or provide professional training for area businesses, some of whom may teach for three (3) or fewer hours, one time only; and

(c) Up to forty (40) percent of all advertised Continuing Education courses may be cancelled. Ulster County Community College in its credit-bearing program frequently requires a large number of adjunct faculty who teach one or two courses for one semester and may not return again for a full year; and

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(d) College Work-study students, whose work at Ulster County Community College is part of their Financial Aid package, Student Aides, and Student Interns, who comprise a significant number each semester, all of whom, despite being enrolled students, must also be entered as employees.

SECTION II. of Local Law No. 14 of 2007 is amended to read as follows:

SECTION II. CLASSIFICATIONS OF EMPLOYEES SUBJECT TO FINGERPRINTING AND BACKGROUND CHECKS

1. All prospective employees shall be subject to fingerprinting and background checks who are candidates for the following positions for county service as set forth in the Ulster County Civil Service Rules:

(a) All positions which are, now or in the future, designated as classified service in the competitive class, non-competitive class, labor class, and exempt class;

(b) All positions which are, now or in the future, designated as unclassified service except those designated as elected officials, Commissioners of Elections, County Treasurer, District Attorney, Sheriff and County Clerk;

2. The following categories of staff at Ulster County Community College shall be exempt from the requirement of being fingerprinted and having criminal background checks completed:

(a) Matriculated students who are classified as work-study, student aides, or interns; and

(b) Individuals engaged by Continuing and Professional Education, who are not engaged to offer programs for school aged youth, or engaged in security duties and who do not meet the standards to be compensated as Independent Contractors, and who are providing non-credit course content for 15 or fewer contact hours during any given semester; and

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(c) The adjunct faculty, hired to teach credit-bearing or non-credit-bearing courses, whose service at Ulster County Community College, is interrupted for a semester or more, will not be required to be re-fingerprinted and undergo a criminal background check for a three-year period; and

(d) The SUNYUlster Dean of Continuing Education shall each semester, certify the application of exemptions made pursuant to the Local Law, in form substantially in conformance with that attached hereto as Exhibit "A".

SECTION III. EFFECTIVE DATE. This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: September 9, 2009

Approved by the County Executive: September 16, 2009

Local Law Number 8 Of 2009

County Of Ulster

A Local Law Revising The Kingston/Ulster Empire Zone Boundary

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. The City of Kingston and the Town of Ulster ("the applicants") are hereby authorized and empowered to submit an application for redesignation of certain areas within Ulster County as an Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the concurrence, through properly adopted resolution(s) with respect to such application of the governing bodies of any and all cities, towns and villages in which such zone is located.

SECTION 2. The applicants have received Empire Zone approval to submit said application from New York State Department of Economic Development.

SECTION 3. It is the desire of this Legislature to authorize an application to revise the boundaries of the Kingston/Ulster Empire Zone to include 1,240.39 acres located in the Kingston/Ulster Empire Zone.

SECTION 4. The boundaries of said areas to be included in said Empire Zone shall be as set forth in Schedule A, which is attached hereto and made a part hereof. Pursuant to Section 205-4 and Section 205-8 of the Code of the City of Kingston, said map and description shall heretofore be placed on file with the City of Kingston Clerk's Office, and also filed with the Ulster County Clerk.

SECTION 5. Pursuant to Article 18-B of the General Municipal Law, the Local Empire Zone Administrative Board as presently constituted is hereby continued. The Local Empire Zone Administrative Board, pursuant to Section 963(a) of the General Municipal Law, as amended, shall sponsor and recommend for certification by the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, the applications of those businesses eligible for certification to receive the benefits referred to in Section 966 of the General Municipal Law, and shall perform all other duties required of it pursuant to Section 963(b) of the General Municipal Law.

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SECTION 6. Local Law No. 1 of 2002, (A Local Law Amending the Kingston/Ulster Empire Zone Boundary), Local Law No. 3 of 2002, (A Local Law Amending Local Law No. 1 of 2002 To Revise the Kingston/Ulster Empire Zone Boundary), Local Law No. 2 of 2004, (A Local Law Amending Local Law No. 1 of 2002 As Amended by Local Law No. 3 of 2002 To Revise the Kingston/Ulster Empire Zone Boundary), Local Law No. 3 of 2004 (A Local Law Amending Local Law No. 2 of 2004 As Amended by Local Law No. 1 of 2002 As Amended by Local Law No. 3 of 2002 To Revise the Kingston/Ulster Empire Zone Boundary), and Local Law No. 2 of 2005 (A Local Law Amending Local Law No. 3 of 2004 As Amended by Local Law No. 1 of 2002 As Amended by Local Law No. 3 of 2002 As Amended by Local Law No. 2 of 2004 To Revise the Kingston/Ulster Empire Zone Boundary), are hereby repealed.

SECTION 7. The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Kingston/Ulster Empire Zone in accordance with this Local Law.

SECTION 8. This Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: November 10, 2009

Approved by the County Executive: November 19, 2009

Local Law Number 9 Of 2009

County Of Ulster

A Local Law Authorizing The Sale Of Surplus County Real Property To Richard L. And Andrea Tomasetti – Private Sale

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

From time to time, the County has acquired real property from various sources. Many of such properties are not required for the corporate purposes of the County and could be better put to private use; the transfer of such surplus property at private sale would result in economic benefit to the County in that the real property will be placed upon the tax rolls for fully taxable status.

The purpose of this local law is to provide authority for the sale of such surplus property to Richard L. and Andrea Tomasetti, said property located on Lost Clove Road, Big Indian, in the Town of Shandaken consisting of .0563 acres more or less, tax map #12.7-1-32, which is more particularly described in a metes and bounds description prepared by George E. Williams, Jr., Professional Land Surveyor, as follows:

"ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Shandaken, County of Ulster, and the State of New York and said parcel being more particularly bounded and described as follows:

BEGINNING on the southerly side of the existing traveled way of Lost Clove Road, opposite station 34+00 of the main water pipe line as shown on filed map number 278, said place of beginning being a northwesterly corner of other lands of Richard L. and Andrea Tomasetti, L. 4645~P. 311 and is the northeasterly corner of the herein described parcel of land;

1) THENCE from said place of beginning and following the bounds of the said lands of Tomasetti, the following (3) three courses and distances: South 00 degrees 09 minutes 58 seconds West 100.00 feet;

2) THENCE North 89 degrees 50 minutes 02 seconds West, 200.00 feet to a point which is located North 49 degrees 11 minutes 10 seconds East, 756.48 feet from a found 2" pipe in a pile of stones;

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3) THENCE North 00 degrees 09 minutes 48 seconds East, 158.74 feet to the southerly side of the existing traveled way of Lost Clove Road, said point being located North 41 degrees 15 minutes 30 seconds East, 868.88 feet from a found pipe on the southerly side of Lost Clove Road and on the westerly bounds of other lands of Richard L. and Andrea Tomasetti, L. 4645~P. 311;

4) THENCE following the southerly side of the existing traveled way of Lost Clove Road, the following (5) five courses and distances: South 67 degrees 50 minutes 29 seconds East, 88.81 feet;

5) THENCE South 70 degrees 12 minutes 49 seconds East, 34.43 feet;

6) THENCE South 74 degrees 46 minutes 26 seconds East, 27.12 feet;

7) THENCE South 78 degrees 49 minutes 55 seconds East, 24.89 feet;

8) THENCE South 86 degrees 19 minutes 29 seconds East, 34.66 feet to the place of beginning.

CONTAINING 0.563 acres more or less.

ALL bearings in reference to north per filed map number 7919.

BEING the same parcel as shown on a certain map entitled, “Map of Big Indian Water Company,” filed in the Ulster County Clerk’s Office on September 14, 1894 as map number 278.

SUBJECT to utility grants and easements of record, if any.

SUBJECT to the rights, which may be in the possession of the Town of Shandaken, for highway purposes, in and to that portion of land which may lie within the bounds of Lost Clove Road.

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SUBJECT to a 25.00 feet right of way, as shown on filed map number 278, as the same may impact the subject premises.

BEING AND INTENDING TO BE the same premises as conveyed by Catherine J. Griffin to the Big Indian Water Company by deed dated September 14, 1894, and recorded in the Ulster County Clerk's Office in Liber 320 of deeds at Page 129".

The surplus property herein described has been appraised by John B. Haluska, 34 Bennett Avenue, Saugerties, New York, in an appraisal dated September 6, 2006 and November 11, 2009, which has determined that the market value of the .483 acre parcel to be $550.00. In addition to the sale price, there may be other fees, taxes or costs to be determined by the County Attorney and that are associated with this conveyance for which the purchaser will be responsible.

The Commissioner of Public Works has advised that said real property is no longer necessary for public use and has no objection that it be sold.

Based upon the examination of the Ulster County Legislature finds and determines that the action herein is an "unlisted action" which would not have a significant effect on the environment as such terms are defined under SEQRA.

SECTION 2. AUTHORIZATION OF SALE.

This local law shall provide authority pursuant to Section 215(5) of the County Law that said surplus property shall be sold to adjacent land owner Richard L. and and Andrea Tomasetti.

This local law shall provide that all of the County's right, title and interest in said real property shall promptly be sold to Richard L. and Andrea Tomasetti for the sum of $550.00. In addition to the sale price, there may be other fees, taxes or costs to be determined by the County Attorney and that are associated with this conveyance for which the purchaser will be responsible.

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A Local Law Authorizing The Sale Of Surplus County Real Property To Richard L. And Andrea Tomasetti – Private Sale

SECTION 3. VOTING REQUIREMENT ON RESOLUTION.

Such property shall be sold as provided in Section 215(5) of the County Law adopted by the affirmative vote of two-thirds of the total membership of the Ulster County Legislature taken by roll call and entered into the minutes.

SECTION 4. PUBLIC ADVERTISEMENT, BIDDING DISPENSED.

Notwithstanding the provisions of §215(6) of the County Law, such property may be sold to Richard L. and Andrea Tomasetti at private sale without public advertisement or bidding.

SECTION 5. **EFFECTIVE DATE.** This local law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Ulster voting on a proposition for its approval if within 45 (45) days after its adoption there is filed with the Clerk of the Ulster County Legislature a petition protesting against such local law in conformity with the provisions of §(1) (a) of the Municipal Home Rule Law, and upon filing in the Office of the Secretary of State.

Adopted by the County Legislature: December 16, 2009

Approved by the County Executive: December 22, 2009

Local Law Number 1 Of 2010

County Of Ulster

A Local Law Superseding Section 214(2) Of The County Law To Authorize Abstract Publication Of Local Laws

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT.

Pursuant to Section 214(2) of the County Law, the Clerk of the Legislature is required to publish a true copy of the full text of each local law in the official newspapers of the County. This Local Law is intended to supersede that requirement by authorizing publications of an abstract, rather that the full text, of each local law.

SECTION 2. PUBLICATION OF ABSTRACTS OF LOCAL LAWS.

Except as otherwise provided by law, the Clerk of the Legislature shall cause an abstract of each local law to be published in the County's official newspapers at least one a week for two successive weeks, the first publication of which shall be had within ten days after such local law has become effective; provided, however, that any local law which is subject to a permissive referendum shall be published in such official newspapers at least once a week for two successive weeks, the first publication of which shall be had within ten days after such local law is adopted. Such abstract shall concisely state the purpose and effect of each local law.

SECTION 3. PUBLIC INSPECTION AND COPYING.

Such abstract shall include the location and availability of a copy of the actual text of each local law for public inspection and copying.

SECTION 4. EFFECTIVE DATE.

This Local Law shall become effective immediately upon its filing in the Office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: May 18, 2010

Approved by the County Executive: May 24, 2010

Local Law Number 2 Of 2010

County Of Ulster

A Local Law To Adopt Part A Of The 2010 New York State Retirement Incentive Program

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1: ADOPTION OF STATE LAW.

Ulster County hereby elects to provide all of its eligible employees, as determined by the Chief Executive Officer of the County, with a retirement incentive program authorized by Part A of Chapter 105 of the New York Legislature's Laws of 2010.

SECTION 2: COMMENCEMENT DATE.

The commencement date of the retirement incentive program shall be October 1, 2010.

SECTION 3: DURATION OF OPEN PERIOD FOR RETIREMENT.

The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 90 days in length and shall end on December 29, 2010.

SECTION 4: PAYMENT OF ACTUARIAL PRESENT VALUE OF THE ADDITIONAL RETIREMENT BENEFITS.

The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Ulster for each employee who receives the retirement benefits payable under this local law.

Local Law Number 2 Of 2010

County Of Ulster

A Local Law To Adopt Part A Of The 2010 New York State Retirement Incentive Program

SECTION 5: EFFECTIVE DATE.

This Local Law shall become effective immediately upon its filing in the Office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: July 20, 2010

Approved by the County Executive: August 10, 2010

Local Law Number 3 Of 2010

County Of Ulster

A Local Law To Provide For The Codification Of The Local Laws Of The County Of Ulster Into A Code To Be Designated The "Code Of The County Of Ulster"

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

ARTICLE I
Adoption of Code

§ 1-1. Legislative intent.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws of the County of Ulster, as codified by General Code, and consisting of the Charter, Administrative Code and Chapters 1 through 325, together with an Appendix, shall be known collectively as the "Code of the County of Ulster," hereafter termed the "Code." Wherever reference is made in any of the local laws contained in the "Code of the County of Ulster" to any other local law appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number where such legislation appears in the Code, as if such local law had been formally amended to so read.

§ 1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of local laws in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the County Legislature of the County of Ulster, and it is the intention of said Legislature that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

§ 1-3. Repeal of enactments not included in Code.

All local laws of a general and permanent nature of the County of Ulster in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

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County Of Ulster

A Local Law To Provide For The Codification Of The Local Laws Of The County Of Ulster Into A Code To Be Designated The "Code Of The County Of Ulster"

§ 1-4. Enactments saved from repeal; matters not affected.

The repeal of local laws provided for in § 1-3 of this local law shall not affect the following classes of local laws, rights and obligations, which are hereby expressly saved from repeal:

A. Any right or liability established, accrued or incurred under any legislative provision of the County of Ulster prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.

B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the County of Ulster or any penalty, punishment or forfeiture which may result therefrom.

C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the County of Ulster.

D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the County of Ulster.

E. Any local law of the County of Ulster providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the County of Ulster or any portion thereof.

F. Any local law of the County of Ulster appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the County of Ulster or other instruments or evidence of the County's indebtedness.

G. Local laws authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.

H. The levy or imposition of special assessments or charges.

I. The annexation or dedication of property.

J. Any local law relating to salaries and compensation.

K. Any local law amending a Zoning Map.

L. Any local law relating to or establishing a pension plan or pension fund for County employees.

M. Any local law or portion of a local law establishing a specific fee amount for any license, permit or service obtained from the County.

N. Local Law No. 1-2003, providing legislative districts for elections through the terms ending December 31, 2011.

O. Any local law adopted subsequent to December 16, 2009.

P. Local Law No. 2-2006, the Charter, and any amendments thereto.

Q. Local Law No. 10-2008, the Administrative Code, and any amendments thereto.

§ 1-5. Severability.

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been

rendered. If any provision of this Code or the application thereof to any person or circumstances is held invalid, the remainder of this Code and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 1-6. Copy of Code on file.

A copy of the Code has been filed in the office of the Clerk of the Legislature and shall remain there for use and examination by the public until final action is taken on this local law, and, if this local law shall be adopted, such copy shall be certified to by the Clerk of the Legislature by impressing thereon the Seal of the County of Ulster, and such certified copy shall remain on file in the office of said Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws known collectively as the "Code of the County of Ulster" or any new local laws, when enacted or adopted in such form as to indicate the intention of the County Legislature to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be inserted in the Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law contained herein, and such local laws may be amended, deleted or changed from time to time as the County Legislature deems desirable.

§ 1-8. Code book to be kept up-to-date.

It shall be the duty of the Clerk of the Legislature to keep up-to-date the certified copy of the Code of the County of Ulster required to be filed in the office of the

Clerk for use by the public. All changes in said Code and all local laws adopted by the County Legislature subsequent to the enactment of this local law in such form as to indicate the intention of said County Legislature to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes or local laws until such changes or local laws are included as supplements to said Code.

§ 1-9. Sale of Code; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk of the Legislature, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the County Legislature. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 1-10. Penalties for tampering with Code.

Any person who alters or tampers with the Code of the County of Ulster in any manner whatsoever which will cause the legislation of the County of Ulster to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than $250 or imprisonment for a term of not more than 15 days, or both.

§ 1-11. Changes in previously adopted legislation; new provisions.

A. In compiling and preparing the local laws for publication as the Code of the County of Ulster, no changes in the meaning or intent of such local laws have been made, except as provided for in Subsection B hereof. Certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the County Legislature that all such changes be adopted as part of the Code as if the local laws had been previously formally amended to read as such.

B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section

number references are to the local laws as they have been renumbered and appear in the Code.)

§ 1-12. Incorporation of provisions into Code.

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the County of Ulster, such local law to be titled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered §§ 1-1 to 1-13, inclusive.

§ 1-13. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

Adopted by the County Legislature: August 17, 2010

Approved by the County Executive: September 1, 2010

Schedule A
(As Referenced in § 1-11B)
LOCAL LAW NO. 3 OF 2010

Chapter 44, Ethics and Disclosure.

The definition of "Chief Fiscal Officer" in § 44-3 and § 44-5A(2) are amended to delete "Treasurer."

Subsection A of the definition of "interest" in § 44-3 is amended to change "employment with the municipality" to "employment with the County."

Section 44-6A(1) is amended to change "Director" to "Coordinator" in the entry for the Department of the Environment and to add the following entry:

> ULSTER COUNTY DEVELOPMENT CORPORATION
> Members of Ulster County Development Corporation and/or Public Authority

Section 44-8C(1)(d) is amended to change "current, prospective and County officer or employee" to "current, prospective and former County officer or employee."

Item 12 of Appendix A, Annual Statement of Financial Disclosure, is amended to revise the second sentence to read as follows:

> Nature of income includes, but is not limited to, salary for government employment, income from other compensated employment, whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property.

Chapter 90, Officers and Employees.

Section 90-6 is amended to change "the same of which" to "the cost of which."

Chapter 98, Personnel Policies.

Sections 98-1C, 98-1E, 98-3A, 98-3B, 98-3E and 98-3F are amended to change “Personnel Officer” to “Personnel Director.”

Section 98-1C is amended to change "and Local Law No. 6 of 1978 of the County of Ulster" to "and the Administrative Code of the County of Ulster"; to add "applicant" after "certify an eligible"; and to delete "for" before "with respect to offices."

Schedule A
(As Referenced in § 1-11B)
LOCAL LAW NO. 3 OF 2010

Section 98-1E is amended to add a period after "federal law" and to change "the same of which shall be administered" to "This article shall be administered."

Section 98-2A(2) is amended to delete the words "County Treasurer" and add "County Executive" and "County Comptroller."

Section 98-3F is amended to delete "for review by the Ulster County Personnel Officer."

Chapter 110, Records.

Section 110-3 is amended to change "Director of Data Processing" to "Director of Information Services" and "County Treasurer" to "Commissioner of Finance."

The definition of "archives" in § 110-6 is amended to change "Advisory Committee" to "Advisory Board."

The definition of "records center" in § 110-6 is amended to change "maintained by the department" to "maintained under the jurisdiction of the Ulster County Clerk."

Section 110-13 is amended to delete "the fee for" before "any cover page" and to delete "County of" before "Ulster County Clerk."

Chapter 117, Sheriff's Department.

Section 117-2 is amended to change "Personnel Officer" to "Personnel Director."

Chapter 145, Alarms.

The definition of "911 Coordinator" in § 145-3 is amended to change "Emergency Management Coordinator" to "Director of Emergency Communications/Emergency Management."

Section 145-4B is amended to change "Communications Center" to "Emergency Communications Center."

Chapter 166, Construction Codes, Uniform.

Sections 166-2B, 166-5A, 166-9B, 166-10B and 166-12A(3) are amended to change "Safety Office" to "Safety Department."

Sections 166-7C and 166-16A(2) are amended to change "registered mail/certified mail" to "certified mail."

Section 166-12A(3) is amended to change "Division of Sanitation" to "Environmental Sanitation Division."

Section 166-14A(8) is amended to delete "including" from the end of the subsection.

Section 166-17 is amended to add the following: "A fee schedule shall be established by resolution of the Legislature of the County of Ulster. Such fee schedule may thereafter be amended from time to time by like resolution."

Chapter 169, Consumer Protection.

The definition of "food store" in § 169-4 is amended to change "Commissioner" to "Legislature."

Section 169-6E is amended to change "a violation rate in excess of 2% or less" to "a violation rate of 2% or less."

Chapter 181, Dredge Material Sites and Disposal Facilities.

Section 181-4E is added to read as follows: "In accordance with Chapter 304, Solid Waste, Article I, § 304-3, no dredge material originating outside the County may be deposited, or caused or allowed to be deposited, in any refuse disposal area within the County of Ulster."

Chapter 205, Food Service.

Section 205-3D is amended to change "19760 survey" to "1976 survey" and to change "20034 survey" to "2003 survey.

Chapter 245, Mobile Homes and Manufactured Homes.

Throughout this chapter, "mobile home" is amended to read "manufactured or mobile home."

Schedule A
(As Referenced in § 1-11B)
LOCAL LAW NO. 3 OF 2010

The definitions of "manufactured home" and "mobile home" are added in § 245-2 to read as follows:

MANUFACTURED HOME -- As defined in Real Property Law § 233, Subdivision (a)4.

MOBILE HOME -- As defined in Real Property Law § 233, Subdivision a(5).

Section 245-3A(1) is amended to add "with at least 30 days' notice in writing."

Section 245-3A(7) is added to read as follows: "The manufactured or mobile home tenant continues in possession of any portion of the premises after the expiration of his term without the permission of the manufactured or mobile home park owner or operator."

Chapter 249, Motor Vehicle Fuel, Sale of.

The definition of "Director" in § 249-2 is amended to read "The Director of Weights and Measures."

The definitions of "gasoline station," "motor fuel" and "storage tank" in § 249-2 are amended to change "motor fuel" to "motor vehicle fuel."

Section 249-8A is amended to change "Department of Weights and Measures" to "Consumer Fraud Bureau, Division of Weights and Measures."

Section 249-9A(2) is amended to change "Weights and Measures Office" to "Consumer Fraud Bureau, Division of Weights and Measures."

Chapter 284, Property Maintenance.

Section 284-9C is amended to change "health of the town" to "health of the County."

Schedule A
(As Referenced in § 1-11B)
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Chapter 304, Solid Waste.

The definition of "charitable organization" in § 304-9 is amended to add "not" before "operating for profit."

The definition of "corrugated cardboard" in § 304-9 is amended to add "but excluding" before "plastic, foam, or wax-coated or soiled cardboard."

Section 304-31A(1)(a)[1] is amended to change "the addition of materials from the definition" to "the addition of materials to and/or the deletion of materials from the definition."

Section 304-42B is amended to add "facility" after "waste-to-energy."

Chapter 308, Storm Sewers.

Section 308-17C is amended to change "the SPDES regulatory" to "the State Pollutant Discharge Elimination System (SPDES) requirements."

Section 308-20 is amended to add "to make such determinations" after "it is within the discretion of the Stormwater Management Office."

Chapter 312, Taxation.

Throughout this chapter, references to the "Treasurer" are amended to read "Commissioner of Finance."

Section 312-9C(1) is amended to add the following wording after "in any action or proceeding": "in any court, except on behalf of the Commissioner of Finance in an action or proceeding."

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BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

ULSTER COUNTY MANDATORY SOURCE SEPARATION AND RECYCLING LAW

Section 1. Short Title.

Section 2. Findings and Legislative Intent.

Section 3. Statutory Authority.

Section 4. Definitions.

Section 5. Administration.

Section 6. Rules and Regulations.

Section 7. Program Established.

Section 8. Preparation and Separation of Regulated Recyclable Materials.

Section 9. Preparation and Separation by Multi-Family Dwellings of Regulated Recyclable Materials.

Section 10. Commercial and Institutional Sector Recycling.

Section 11. Private Disposal of Regulated Recyclable Materials.

Section 12. Collection and Disposal of Regulated Recyclable Materials.

Section 13. Collection and Disposal of Regulated Recyclable Materials by Haulers.

Section 14. Preparation, Separation, and Disposal of Yard Waste.

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Section 15. Ownership, Direction, and Control of Regulated Recyclable Materials.

Section 16. Reporting Requirements.

Section 17. County Household Recycling Containers.

Section 18. Unlawful Acts.

Section 19. Enforcement.

Section 20. Independent Administrative Hearing Officer.

Section 21. Penalties.

Section 22. Collection.

Section 23. Consent Agreement and Order.

Section 24. Temporary Cease and Desist Order.

Section 25. Addition or Removal of Regulated Recyclable Materials.

Section 26. Recycling Oversight Committee.

Section 27. Reparability.

Section 28. Priority.

Section 29. Effective Date.

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Section 1. Short Title.

This local law shall be known as the "Ulster County Mandatory Source Separation and Recycling Law."

Section 2. Findings and Legislative Intent.

The Ulster County Legislature finds that:

(a) The County faces an increasing threat to its environmental and economic well-being from the solid waste disposal crisis.
(b) The solid waste disposal crisis is exacerbated by people discarding in landfills a significant amount of material that can be recycled.
(c) The State Legislature, in order to resolve the solid waste disposal crisis, delegated to the Agency extensive authority, responsibility, and power to plan, construct, operate, maintain, and finance projects for the management of the County's solid waste stream.
(d) The County Legislature, in order to resolve the solid waste disposal crisis, established the Agency as the planning unit to prepare a Solid Waste Management Plan (the "Plan") for the County and approved the Plan.
(f) Maximizing waste reduction, reuse, and recycling ensures the attainment of not only the State's recycling goals as set forth in the 1988 Solid Waste Management Act, but also the County's recycling goals as set forth in the Plan.
(g) In order to implement the Plan and maximize reduction, reuse, and recycling, the County wishes to adopt this Mandatory Source Separation and Recycling Law.
(h) The Mandatory Source Separation and Recycling Law should, in part, address the solid waste disposal crisis by removing regulated recyclable materials from the solid waste stream, thereby, reducing the required capacity of existing and proposed landfills; decreasing the flow of solid waste to landfills; increasing the life expectancy of existing and future landfills; reducing the cost of solid waste disposal; aiding in the conservation of valuable resources; preserving the health, safety and welfare of the public; and preserving the environmental quality of Ulster County.
(i) The Mandatory Source Separation and Recycling Law is consistent with the Plan because the purpose of this local law is to:

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(1) source separated all regulated recyclable materials, as defined in Section 4, from the solid waste stream in Ulster County;

(2) separate regulated recyclable materials into designated recyclable categories before such materials enter the Municipal Recycling System;

(3) account for all regulated recyclable materials through reporting requirements so that the County may measure its progress in attaining the State and County recycling goals;

(4) direct the flow of regulated recyclable materials so as (a) to ensure that such materials are not disposed of in a landfill or incinerator, but recycled and (b) to ensure the success of the Plan which the State has mandated and to which the County has committed a substantial amount of public funds;

(5) ensure that separate regulated recyclable materials are properly and economically aggregated, processed, and sold or delivered to recycling markets;

(6) secure long-term, stable, and environmentally appropriate markets for the county and its municipalities to survive periods of market downturns; and

(7) ensure that education and technical assistance are provided to all persons in the County on source separation and recycling.

(j) The Mandatory Source Separation and Recycling Law will be implemented by the Ulster County Resource Recovery Agency because the Agency has been delegated authority and responsibility to manage the solid waste stream and has been established as the planning unit for the County.

(k) The Mandatory Source Separation and Recycling Law seeks to maximize recycling by:

(1) maintaining a partnership effort between the Agency and private sector;

(2) ensuring that a sufficient amount of regulated recyclable materials enters the County's Municipal Recycling System to result in a cost-effective, successful operation.

(3) having the Municipal Recycling System serve as the market of last resort; and

(4) ensuring that private sector recycling, which contributes to both County and State recycling goals, is in accordance with the County Solid Waste Management Plan and Article 27 of the Environmental Conservation Law.

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Section 3. Statutory Authority.

This local law adopted pursuant to Section 120-aa of the General Municipal Law, Section 10 of the Municipal Home Rule Law, Section 2050-t(3) of the Public Authorities Law, and Article 27 of the Environmental Conservation Law.

Section 4. Definitions.

As used in this local law, the following terms shall have the following meanings:

"Agency" shall mean the Ulster County Resource Recovery Agency created under Chapter 936 of the Laws of 1986 of the State, as amended.

"Catalog" shall mean a publication, such as a book, pamphlet, or magazine, created for the purposes of advertising or sales as specified by the Agency in the rules and regulations.

"Charitable Organization" shall mean any charitable organization registered under Article 7-A of the Executive Law.

"Commercial Sector" shall mean businesses, industries, and manufacturing enterprises operating for profit.

"Commingled Recycling" shall mean the process of mixing various regulated recyclables as specified by the Agency in the rules and regulations.

"Commingled Paper" shall mean the process of mixing various categories of recyclable paper as specified by the Agency in the rules and regulations. See also "mixed paper".

"Composting" shall mean the process of aerobic, thermophilic decomposition by microbial degradation of solid organic constituents of solid waste to produce a stable, humus-like material called compost.

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"Composting Facility" shall mean a solid waste management facility used to provide aerobic, thermophilic decomposition by microbial degradation of solid organic constituents of solid waste to produce a stable, humus-like material.

"Computer Paper" shall mean clean, untreated or uncoated, white sulphite or sulphate papers, with or without colored stripes, manufactured for use in computer printers, which may or may not be imprinted with impact (non-laser) or laser printing, as specified by the Agency in the rules and regulations, excluding, however, ground wood computer printout or other contamination.

"Construction and Demolition Debris" or "C&D" shall mean uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated solid waste resulting from land clearing. Such waste includes, but is not limited to bricks, concrete and other masonry materials, soil, rock, wood (including painted, treated and coated wood and wood products), land clearing debris, wall coverings, plaster, drywall, plumbing fixtures, nonasbestos insulation, roofing shingles and other roof coverings, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, empty buckets ten gallons or less in size and having no more than one inch of residue remaining on the bottom, electrical wiring and components containing no hazardous liquids, and pipe and metals that are incidental to any of the above.

"Contamination" shall mean the inclusion of substance(s) or condition(s) that render the otherwise recyclable or compostable materials, including regulated recyclable materials and yard waste less marketable as specified by the rules and regulations.

"Corrugated Cardboard" shall mean all clean, dry brown, paperboard, referred to in industry as "old corrugated cardboard". This induces includes boxes, cartons or other containers or dividers made of either kraft, test liner or jute, with a center fluting between layers, commonly used for packing, mailing, shipping of containerizing goods, merchandise or other material, or other cardboard as

specified by the Agency in the rules and regulations, excluding, however, non cardboard materials, plastic, foam, or wax-coated or soiled cardboard.

"County" shall mean the entire County of Ulster as constituted and existing under the Laws of the State.

"Designated Recyclable Categories" shall mean the categories into which the regulated recyclable materials shall be separated as designated by the Agency through rules and regulations.

"Electronic Waste" or "E-Waste" shall mean any surplus, obsolete, broken, or discarded electrical or electronic devices, including, but not limited to televisions, computer monitors, computer peripherals, electronic office equipment, telephones, and electronic entertainment devices as specified by the Agency in the rules and regulations.

"Economic Market" shall mean instances in which the full avoided costs of proper collection, transportation, and disposal of source separated materials are equal to or greater than the cost of collection, transportation, and sale of said material less the amount received from the sale of said material per Subdivision 2 of Section 120-aa of New York State General Municipal Law.

"Generator" shall mean any person or legal entity that produces solid waste including regulated recyclable materials requiring off-site disposal.

"Glass" shall mean all clean, empty glass containers made from silica or sand, soda ash and limestone, which are transparent or translucent, and are commonly used for the packaging or bottling of various products. These containers shall include all clear or colored glass bottles, jars, and jugs, as specified by the Agency in the rules and regulations, excluding, however, pottery or ceramics, leadbased glass (such as crystal) plate glass, window or auto pane, mirrors, light bulbs, heat-resistant glass or ovenware, thermopane, laboratory glass, safety glass, or other contaminated glass.

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"Hauler" shall mean any person engaged in the business or activity of collecting, storing, and transporting regulated recyclable materials.

"Household Hazardous Waste" shall mean household products that contain corrosive, toxic, ignitable, or reactive ingredients including, but not limited to, pesticides, oil based paints, solvents and certain batteries as specified by the Agency in the rules and regulations.

"Institutional Sector" shall mean private or public organizations such as schools, hospitals, prisons, religious establishments, and not-for-profit organizations, whose purpose is to provide for the public welfare.

"Magazine" shall mean a periodical containing a collection of articles, stories, pictures or other features.

"Mandatory Source Separation and Recycling Law" shall mean the Local Law No. 8 passed by the Ulster County Legislature on December 31, 1991 and all subsequent revisions approved by the Legislature.

"Market" shall mean a business which buys, sells, or accepts recyclable materials, including regulated recyclable materials, or compost for the purpose of reuse as a product or in the manufacturing of new products.

"Materials Recovery Facility" or "MRF" shall mean a facility that accepts recyclable commingled materials that have already been separated at the source from municipal solid waste generated by either residential or commercial sources. Material is sorted to specifications, then baled, shredded, crushed, or otherwise prepared for shipment to market. MRFs are either dual stream or single stream. A dual stream MRF is where source-separated recyclables are delivered in a mixed container stream (typically glass, ferrous metal, aluminum and other non-ferrous metals, PET [No.], HDPE [No.2] plastics) and a mixed fiber stream (including cardboard, newspaper, magazines, office paper, junk mail,etc.) Single stream is a MRF that accepts and processes all recyclable materials mixed together, both mixed container and mixed fiber.

"Metal Cans" shall mean clean, empty metal containers made of aluminum or tin-plated or zinc-plated steel, which are commonly used for packaging food, beverages or other products, as specified by the Agency in the rules and regulations and are free of food, beverage or other contamination.

"Mixed Paper" shall mean various categories of recyclable paper including, but not limited to, white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, office paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogs, envelopes, newspaper, paperboard, soft cover books, and hard cover books with the cover removed as specified by the Agency in the rules and regulations.

"Multi-Family Dwelling Generator" shall mean solid waste generated from apartment complexes, condominium complexes, cooperative apartment complexes, recreational vehicle or trailer parks, hotels, motels, bungalow or resort colonies, or campgrounds.

"Municipal Yard Waste Composting Facility" shall mean site(s) or area(s) designated by municipalities for the purpose of composting yard waste.

"Municipal Recycling Drop-Off Centers" also known as "Transfer Stations" shall mean sites or areas designated by municipalities and registered or permitted by the New York State Department of Environmental Conservation as collection points for regulated recyclable materials.

"Municipal Recycling System" formerly known as the "Satellite Aggregation Center System" shall mean the entire county system as set forth in the County's Solid Waste Management Plan for maximizing reduction, reuse and recycling including, but not limited to, purchasing any and all equipment, constructing and permitting two Satellite Aggregation Centers, establishing a transportation network for regulated recyclable materials, securing long-term, stable markets for the County and its municipalities, and educating the public on how to maximize reduction, reuse and recycling of the solid waste stream.

"Newspaper" shall mean all clean, dry, paper commonly referred to as newspapers or newsprint, not sunburned and free from paper other than news or other contamination, and containing not more than the normal percentage of rotogravure and colored sections, as specified by the Agency in the rules and regulations.

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"Not-for-Profit Organization" shall mean any corporation organized according to the New York State Not-for-Profit Corporation Law.

"Office Paper" shall mean clean, white or colored ledger, bond, writing, copier or other paper, with or without printing or writing, but free of glossy, treated, coated or padded stock, carbon, plastic, or other contamination, as specified by the Agency in the rules and regulations.

"Paperboard" shall mean clean, flat, pressed, uncorrugated, stiff paper as specified by the Agency in the rules and regulations. Paperboard is also known as thin cardboard or greyboard and is used in products such as cereal boxes. Paperboard cannot be plastic or wax coated.

"Person" shall mean any natural person, individual, partnership, co-partnership, association, owner or manager of a business, commercial or industrial establishment, joint venture, corporation, trust, estate, institution, not-for-profit organization or any other legal entity including a municipality or any other waste generator.

"Pharmaceutical Waste" shall mean waste containing pharmaceutical substances including expired, unused, spilt, and contaminated pharmaceutical products, drugs, vaccines, and sera that are no longer required and need to be disposed of appropriately. The category also includes discarded items used in the handling of pharmaceuticals, such as bottles or boxes with residues, gloves, masks, connecting tubing, and drug vials.

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"Plastic" shall mean all clean, empty containers made of the plastic resins specified by the Agency in the rules and regulations, including, but not limited to, plastic bottles or jugs having contained spring water, various beverages or foods, and excluding contamination.

"Recycling Oversight Committee" shall mean the committee established and appointed pursuant to the Recycling Law.

"Recyclable Materials" shall mean any solid waste that exhibits the potential to be returned to the economic resource stream in the form of raw materials to be used in place of virgin materials in the manufacture of new products.

"Recyclables Handling and Recovery Facilities" shall mean a solid waste management facility, properly permitted under the New York State Department of Environmental Conservation rules and regulations, other than collection and transfer vehicles, at which recyclables are separated from the solid waste stream, or at which previously separated recyclables are collected.

"Regulated Recyclable Materials" shall include newspaper, mixed paper, glass bottles, jugs and jars, metal cans, plastic, corrugated cardboard, paperboard, and any other materials as may be designated by the Agency in accordance with this law.

"Residential Generator" shall mean solid waste generated from single or multiple-family dwellings and other residential sources.

"Transfer Station" shall mean the location designated by each municipality and registered or permitted by the New York State Department of Environmental Conservation as a municipal drop-off center for regulated recyclable materials, solid waste or yard waste.

"Self Hauler" shall mean any person who hauls or transports the regulated recyclable material it generates.

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"Solid Waste" shall mean all materials or substances discarded or rejected within the County of Ulster as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous materials, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, source, special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended, and waste which appears on the list of hazardous waste promulgated by the Commissioner of Environmental Conservation pursuant to Section 27-0903 of the environmental conservation law.

"Solid Waste Management Facility" shall mean any facility, plant, works, system, building, structure, improvement, machinery, equipment, fixture or other real or personal property which is to be used, occupied or employed for or is incidental to the collecting, receiving, transporting, storage, processing or disposal of solid waste as more fully defined in Public Authorities Law Section 2050-b(16).

"Ulster County Resource Recovery Agency" shall mean the Agency established pursuant to chapter 936 of the session laws of 1986 and is referred to herein as "Agency".

"Yard Waste" shall mean grass clippings, leaves, twigs, branches, lawn and garden wastes, weeds, brush, shrubbery clippings, clean wood and clean pallets as specified by the Agency in the rules and regulations, excluding treated painted or glued wood, construction and demolition wood, or other debris.

Section 5. Administration.

This local law shall be put into effect, administered, and enforced by the Agency. In order to carry out this responsibility, the Agency, acting consistently with the purposes of this local law, shall be empowered to do the following:

a. Execute contracts.
b. Establish, revise, amend, and repeal standards, practices, and procedures for the proper preparation, separation, collection, and disposal of regulated recyclable materials.
c. Establish, revise, amend, and repeal rules and regulations as it shall deem reasonable, necessary and proper to carry out the responsibilities and requirements of this local law pursuant to Section 6.
d. Designate solid waste management facilities within Ulster County which may receive, aggregate, or process regulated recyclable materials or compost yard waste.
e. Direct the flow of regulated recyclable materials to solid waste management facilities that receive, aggregate, or process regulated recyclable materials or compost yard waste.
f. Add regulated recyclable materials to the solid waste stream based on market availability, technology and other factors subject to Section 25.
g. Alter or delete regulated recyclable materials to be removed from the solid waste stream based on market availability, technology and other factors subject to approval by a majority vote of the Recycling Oversight Committee.
h. Establish reporting procedures to account for all recyclable materials, including regulated recyclable materials and yard waste, in the County.
i. Secure long-term, stable markets for the recycling of regulated recyclable materials and sell or otherwise market the regulated recyclable materials.
j. Investigate violations of this law through the subpoena power of the hearing officer and others, issue warnings, seek civil and criminal penalties from the independent administrative hearing officer or in a Court of competent jurisdiction, issue Temporary Cease and Desist Orders, enter into consent agreements, and pursue the collection of penalties in accordance with Sections 19, 20, 21, 22, 23, and 24.

Section 6. Rules and Regulations.

When specified in this local law, the Agency may, from time to time, promulgate rules and regulations consistent with the provisions of this local law in order to effectuate the purposes hereof. This procedure for rule making shall be as follows:

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a. The Executive Director must prepare and submit proposed rules and regulations to the Agency**,** the Community**,** the appropriate Committee of the County Legislature, the County Executive and the Recycling Oversight Committee.

b. The Agency may authorize notification of a hearing in the official newspaper of the County, as designated by the County Legislature.

c. The notice shall be published at least thirty (30) days prior to the public hearing and shall:

(1) cite the statutory authority under which the rules and regulations are proposed,

(2) give the date, time, and place of the public hearing,

(3) state the proposed rules and regulations or synopses thereof,

(4) give the name and address of the Agency representative to whom written comments may be submitted. The express terms of the proposed rules and regulations shall be available to the public on the date such notice is first given pursuant to this subdivision.

d. The Executive Director shall conduct a public hearing and, upon request of the appropriate Committee of the County Legislature, appear before that Committee in public session to discuss the proposed rule making.

e. The Executive Director shall prepare the record of the public hearing and a document responding to the comments received at the public hearing.

f. The record of public comment and the response document shall be made available for public review and submitted to the Agency.

g. The Agency shall make such changes and modifications in response to public comment as it deems appropriate and shall adopt the final rules and regulations by resolution.

h. The Executive Director shall publish the final rules and regulations, or synopses thereof in the same manner as the proposed rules and regulations, no less than ten (10) days after the Agency adopts the final rules and regulations. The final rules and regulations shall take effect twenty (20) days after publication.

i. The Agency shall post any changes to the rules and regulations in addition to the full Local Law at all designated Transfer Stations and online.

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Section 7. Program Established.

A program is hereby established within Ulster County for the mandatory source separation of regulated recyclable materials from the solid waste stream. Regulated recyclable materials established under this local law shall, as defined in Section 4, include the following: glass, metal cans, plastics, newspaper, corrugated cardboard, paperboard, and mixed paper. All persons shall separate regulated recyclable materials from solid waste before either setting out solid waste for collection pursuant to lawful procedure or disposing of it in an authorized solid waste management facility.

Section 8. Preparation and Separation of Regulated Recyclable Materials.

(a) Upon the effective date of this local law, all persons in the County shall separate regulated recyclable materials from solid waste for the purposed of collection and recycling.
(b) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 specifying requirements for preparation and separation of regulated recyclable materials. The Agency will provide such rules and regulations to be posted online and at all designated Transfer Stations.
(c) All persons shall prepare and separate regulated recyclable materials in accordance with the rules and regulations.

Section 9. Preparation and Separation by Multi-Family Dwellings of Regulated Recyclable Materials.

(a) All residents of multi-family dwellings must source separate regulated recyclable materials from solid waste according to Section 8 and the rules and regulations promulgated thereunder, and deposit the regulated recyclable materials in the receptacles and/or collection area(s) provided therefore by the lessor, owner, or manager.

(b) Lessors, owners, or managers of multi-family dwellings must establish a program which facilitates the multi-family resident to source separate regulated recyclable materials, and must include, providing in a neat and sanitary condition, receptacles and/or collection area(s) to receive all regulated recyclable materials generated by residents of the multi-family dwelling. In cases where a condominium association exists, the condominium association shall be responsible for provision and maintenance of the receptacles and/or collection area(s).

(c) By March 1, 1992 and every year thereafter, lessors, owners, or managers of all multifamily dwellings of five (5) units or more, shall submit to the Agency for approval a Multi-Family Dwelling Recycling Plan implementing Section (b). Such a plan shall include:

1. Location of multi-family dwelling and number of units;
2. Collection system for regulated recyclable materials once the residents have deposited such materials in the receptacles and/or collection area(s);
3. Provisions for publicizing recycling program; and
4. Implementation date of September 1, 1992.

(d) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 for additional information and implementation of the Multi-Family Dwelling Recycling Plan.

(e) All multi-family residents, lessors, owners, or managers shall report as required pursuant to Section 16.

Section 10. Commercial and Institutional Sector Recycling.

(a) All commercial and institutional sector generators shall prepare and separate regulated recyclable materials according to Section 8 and the rules and regulations promulgated thereunder.

(b) All commercial and institutional sector generators of ten (10) employees or more shall submit a Commercial/Institution Solid Waste Reduction and Recycling Plan to the Executive Director. The plan will remain on file with the Agency. All commercial and institutional sector generators shall submit revisions as applicable.

Such a plan shall include:

(1) Organization Identification including a general description of the business, its location and type of operation and the number of employees;

(2) Waste Composition analysis including an identification of the amounts of recyclable and non-recyclable materials in their solid waste stream;

(3) Waste Reduction and Recycling Practices including an identification of waste reduction efforts, present recycling, potential recycling, and waste exchanges; and

(4) Waste Disposal for residual waste including an identification of materials in the organization's waste stream that will not be reduced or recycled and disposal methods.

(c) The Agency, from time to time, may promulgate rules and regulations pursuant to Section 6 for additional information and implementation of the Commercial/Institutional Solid Waste Reduction and Recycling Plan.

(d) All commercial and institutional sector generators shall report as required in Section 16.

Section 11. Private Disposal of Regulated Recyclable Materials.

(a) Nothing shall prevent any commercial sector generators of regulated recyclable materials from Directly Selling to markets the regulated recyclable materials they generate so long as:

(1) all costs of separating, preparing, processing, transporting and marketing such materials are directly and fully absorbed by the generators and no public funds contribute to such separation, preparation, processing, transporting or marketing;

(2) a minimum of thirty (30) days' written notice of intent to Directly Sell or to cease Directly Selling Regulated Recyclable Materials is provided to the Agency prior to implementing such option; and

(3) the generators comply with all reporting requirements of this local law and the rules and regulations promulgated hereunder.

(b) Private not-for-profit or charitable organizations may receive donations of regulated recyclable materials from generators as part of an announced fund-raising event, provided that they request and receive the prior written approval of the Executive Director of the Agency.

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Section 12. Collection and Disposal of Regulated Recyclable Materials.

(a) No person shall collect or dispose of regulated recyclable materials except as directed by the Agency pursuant to this local law and the rules and regulations promulgated pursuant to Section 6 or, if the Agency has not acted, the Municipality.
(b) All solid waste management facilities, whether public or private, shall provide adequate facilities for the acceptance of regulated recyclable materials.
(c) The Agency is authorized to promulgate rules and regulations pursuant to Section 6 regulating the collection and disposal of regulated recyclable materials.

Section 13. Collection and Disposal of Regulated Recyclable Materials by Haulers.

(a) No hauler shall collect, transport, or dispose of regulated recyclable materials except as directed by the Agency pursuant to this local law and the rules and regulations promulgated pursuant to Section 6.
(b) The Agency is authorized to promulgated rules and regulations pursuant to Section 6 regulating collection, transportation, and disposal of regulated recyclable materials by haulers.
(c) All haulers shall collect, transport, maintain, and dispose of regulated recyclable materials (1) separated from the solid waste stream and (2) in a condition specified in the rules and regulations promulgated pursuant to Section 6.
(d) Source separated regulated recyclable materials shall be transported and delivered only to a solid waste management facility(ies) designated by the Agency that receives, aggregates or processes regulated recyclable materials. If no facility is designated, the hauler may deliver the regulated recyclable materials to a recycling facility or market of its choice.
(e) All haulers shall report as required pursuant to Section 16.

Section 14. Preparation, Separation and Disposal of Yard Waste.

(a) All persons shall separate yard waste from solid waste for the purposes of collection and composting.

(b) Each Municipality within the County may provide, or obtain rights in, a yard waste composting facility for the disposal of yard waste.
(c) Yard waste may be composted at a composting facility designated by the Municipality or at a solid waste management facility that receives and composts yard waste as may from time to time be designated by the Agency. If no facility is designated, the hauler of yard waste may deliver the yard waste to a private composting facility.
(d) This section shall not prohibit private composting or on site disposal in compliance with any existing law of yard waste by any person.
(e) The Agency may, from time to time, promulgate rules and regulations pursuant to Section 6 for the preparation, separation, collection, and disposal of yard waste.
(f) All yard waste shall be prepared, separated, collected and disposed according to the rules and regulations.

Section 15. Ownership, Direction and Control of Regulated Recyclable Materials.

(a) Except as set forth in Section 11, once regulated recyclable materials are set out for collection, placed in Agency containers, or deposited in the Municipal Recycling Drop-Off Centers or Municipal Recycling System, all such materials become the property of the County, and the Agency shall direct and control the processing, transporting and marketing of that property.
(b) The County does not assume ownership of improperly prepared regulated recyclable materials, including those in an improper condition, container, or location.
(c) Improperly prepared regulated recyclable materials must be removed by the generators and properly prepared and separated according to this law.

Section 16. Reporting Requirements.

(a) All persons shall report information as designated by the rules and regulations promulgated by the Agency pursuant to Section 6.

(b) The Agency may, from time to time, pursuant to Section 6 promulgated rules and regulations requiring the reporting on regulated recyclable materials, recyclable materials being studied as possible regulated recyclable materials, regulated recyclable materials directly sold or donated pursuant to Section 11, categories of solid waste as designated by the Agency or any other information needed to further the purposes of this law, including information needed to study possible economic markets, track flow of regulated recyclable materials, or monitor progress in meeting the State and County recycling goals.

Section 17. County Household Recycling Containers.

It shall be a violation for any person to:

(1) remove a County recycling container from the County;

(2) to take, without authorization, a County recycling container;

(3) dispose of a County recycling container other than by returning such container to the issuing Municipality; and

(4) use such container for other than the temporary storage of regulated recyclable materials.

Section 18. Unlawful Acts.

It shall be unlawful for:

(a) Any person to fail to separate, prepare for collection, collect, transport, or dispose of regulated recyclable materials or yard waste in accordance with this law or any rules and regulations promulgated pursuant to Section 6.

(b) Any person to dispose of any solid waste generated in Ulster County unless such regulated recyclable materials have been removed from such solid waste.

(c) Any person to place regulated recyclable materials at other than a designated location.

(d) Any person to alter regulated recyclable materials or fail to maintain these materials in the condition specified by the Agency in the rules and regulations.

(e) Any person to dispose or cause to be disposed of regulated recyclable materials or yard waste in a landfill, incinerator, or any other solid waste disposal facility.

(f) Any hauler to collect, transport, store, or deliver regulated recyclable materials that contain solid waste.
(g) Any hauler to deliver regulated recyclable materials to a solid waste management facility not designated by the Agency.
(h) Any solid waste management facility to accept solid waste unless the regulated recyclable materials are separated therefrom.
(i) Any person not authorized under this local law to remove regulated recyclable materials once set out for collection or brought to a Municipal Recycling Drop-Off Center or Municipal Recycling System.
(j) Any person to fail to report as required by this law or the rules and regulations.
(k) Any person to knowingly make a false material statement or representation in any report required under this local law.
(l) Any person to violate, cause, or assist in the violation of any provision herein.

Section 19. Enforcement.

(a) The Agency, acting through the Executive Director, is delegated the authority and responsibility to enforce this local law by investigating possible violations through the subpoena power of the independent administrative hearing officer provided for hereunder and the Courts; seeking civil or criminal penalties for violations of this local law or the rules and regulations promulgated pursuant to this local law in a Court of competent jurisdiction or from the independent administrative hearing officer provided for hereunder; issuing Temporary Cause and Desist Orders; and collecting penalties pursuant to this local law.
(b) The Agency shall employ a dedicated Recycling Compliance Officer(s) who will also act as Recycling Educator. The duties of the Recycling Compliance Officer(s) shall include:

(1) coordination of efforts to educate the public and private sector as to the standing recycling/source separation laws and regulations,

(2) the responsibility to answer and record all complaints regarding possible violations of this law, and

(3) inspection of sites to determine compliance with this law. The Recycling Compliance Officer will report at least quarterly with the Recycling Oversight Committee. The Recycling Compliance Officer will report monthly to the Agency board.

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(c) The Executive Director may issue written warnings that include educational material on how to properly comply with this local law.
(d) The Ulster County Health Department shall issue licenses to haulers to collect and transport regulated recyclable materials pursuant to the Sanitary Code and its rules and regulations. The Agency, acting through the Executive Director, may include provisions in the haulers' license as provided by the Sanitary Code and its rules and regulations and may seek enforcement of the Sanitary Code or its rules and regulations.
(e) Notwithstanding anything in this local law or in the Ulster County Sanitary Code to the contrary, no hauler shall be issued a license pursuant to the Sanitary Code to collect, transport, and/or dispose of solid waste unless the hauler also collects and transports regulated recyclable materials in accordance with this local law.
(f) Notwithstanding anything in this section to the contrary, this local law may be enforced by the Sheriff of the County or any police agency of the State or any Municipality of the County.

Section 20. Independent Administrative Hearing Officer.

(a) An independent administrative hearing officer is hereby created, established and authorized to issue orders assessing civil penalties for violations of this local law.
(b) The officer shall be appointed by the County Legislature to serve at the pleasure of the County Legislature.
(c) The Executive Director and/or the Recycling Compliance Officer(s) as complainant may institute a proceeding with the officer seeking an order assessing civil penalties for the violation of this local law.
(d) The officer has the authority to require the attendance of witnesses or the production of documentary evidence by subpoena.
(e) Before issuing an order assessing a civil penalty, the officer shall give to the person to be assessed such penalty written notice of the proposed order and an opportunity to request a hearing on the proposed order.

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(f) The written notice shall include, at a minimum:

(1) a concise statement of the factual basis for the violation;

(2) the amount of the civil penalty that is proposed to be assess;

(3) the provisions of the local law alleged to have been violated;

(4) the right to request a hearing on the material facts and/or the amount of the civil penalty; and

(5) a copy of the rules of the hearing procedures.

(g) The hearing shall provide a reasonable opportunity to be heard, cross-examine witnesses, and present evidence free from interference, coercion, restraint, discrimination, or reprisal, and the respondent shall have the right to be represented by a person of his/her choice at any stage of the hearing and proceedings.

(h) If the respondent fails to appear at the hearing without good cause being shown and the Executive Director presents a prima facie case against the respondent, the respondent may be found in default.

The motion for default and a proposed default order shall be served by the officer on all parties, and the defaulting party shall have twenty (20) days from service to reply to the motion. The proposed default order may be set aside for good cause should in accordance with the civil practice law and rules. Default by the complainant shall result in the dismissal of the complaint with prejudice.

(i) In determining the amount of the civil penalty, the officer, in accordance with Section 21, shall consider the seriousness of the violation(s); any history of such violations; good faith efforts to comply with the applicable requirements; the number of individual generators the violator employs, services, represents, or is otherwise responsible for; the economic impact (benefit or harm) resulting from the violation(s); the economic impact of the penalty; the Executive Director's recommendation for a penalty; and such other factors as justice may require. Civil penalties shall constitute a judgment as that term is defined in the Civil Practice Law and Rules which may be enforced in accordance with that statute.

(j) The officer may establish rules for discover, administration and implementation of this section, and procedures for conducting hearings and other proceedings.

(k) Any person against whom a civil penalty is assessed under this section may obtain judicial review of such assessment.

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Section 21. Penalties.

(a) Criminal Penalties: Any person who violated this local law shall be guilty of a violation and subject to a fine not to exceed one thousand dollars ($1000) per day per violation and/or up to five days imprisonment.
(b) Civil Penalties: Any person who violated this local law shall be liable to pay a civil penalty. If a decision of liability is made by a hearing officer or a Court competent jurisdiction, a civil penalty shall be assessed of not more than one thousand dollars ($1000) per day per violation and/or suspension or revocation of collection or disposal privileges in conjunction with solid waste and/or regulated recyclable materials disposed within the County, and/or any other just and equitable remedies available at law.
(c) Each and every act prohibited hereunder shall be deemed a separate violation of this local law.
(d) All fines and penalties shall become due and payable to the Agency.

Section 22. Collection.

If any person fails to pay an assessment of a civil penalty, the Agency may bring a civil action in an appropriate Court to recover the amount assessed (plus interest) at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be. Such person shall be required to pay, in addition to such amount and interest, attorney's fees and costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such non-payment penalty shall be in an amount equal to twenty (2) percent of the aggregate amount of such person's penalties and non-payment penalties which are unpaid as of the beginning of such quarter.

Section 23. Consent Agreement and Order.

(a) The Executive Director and Respondent or Defendant may confer concerning settlement.
(b) The Executive Director and Respondent or Defendant shall forward a written consent agreement and a proposed consent order to the hearing officer or District Attorney or Court of competent jurisdiction, as the case may be, whenever

settlement or compromise is proposed. The consent agreement shall state that, for the purpose of the proceeding, respondent:

(1) admits the jurisdictional allegations of the complaint,

(2) admits the facts stipulated in the consent agreement or neither admits nor denies specific factual allegations contained in the complaint; and

(3) consents to the assessment of stated penalty. The consent agreement shall include any and all terms of the agreement, and be signed by all parties or their representatives.

(c) No settlement or consent agreement shall dispose of any proceeding without a consent order from the hearing officer or Court of competent jurisdiction. In preparing such an order, the hearing officer or Court may require that the parties to the settlement appear before him/her to answer inquires relating to the consent agreement or order. All settlements are due and payable to the Agency.

Section 24. Temporary Cease and Desist Order.

(a) Upon receipt of evidence that an emergency exists, the Agency, acting through the Executive Director, may issue a Temporary Cease and Desist Order immediately suspending and restraining such activity causing or contributing to the emergency before the holding of a hearing.

(b) The person suspended or restrained shall have an opportunity to an expedited hearing within 5 days of the Agency order before the hearing officer on the question of whether an emergency exists.

(c) If the hearing officer determines that such an emergency exists, he/she shall schedule a full hearing to be held in accordance with Section 20 at least twenty (20) days after the expedited hearing. If the hearing officer determines that an emergency does not exist, he/she shall annual the Agency Order.

(d) The Agency Order shall be in effect pending the completion of the expedited and full hearing, however the case may be.

Section 25. Addition or Removal of Regulated Recyclable Materials.

(a) In addition to the regulated recyclable materials defined in Section 4, the Agency, subject to Section 26, shall be authorized to designate regulated recyclable materials to be separated from other solid waste**.**

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(b) In addition to the regulated recyclable materials defined in Section 4, the Agency, subject to Section 26, shall be authorized to remove previously designated regulated recyclable materials from the list of regulated recyclable materials subject to the approval of the Recycling Oversight Committee.

(c) If removal of the regulated recyclable material is based upon the lack of an economic market for the material in accordance with Section 120-aa of the General Municipal Law, the Agency shall conduct such studies as it deems necessary and proper to establish the lack of an economic market, and shall state specifically in the notice of its action removing the regulated recyclable material, the grounds for its action and all studies upon which its determination is based. Such designation or removal shall be made in writing, published in the Environmental News Bulletin and the official newspapers of the County as designated by the County Legislature, and shall take effect thirty (30) days after such publication.

Section 26. Recycling Oversight Committee.

(a) A recycling oversight committee consisting of one member of the Agency designated by the Agency Board to serve as a non-voting, ex-officio member and not more than eleven (11) voting members to be appointed by the County Legislature is hereby created and established for the following purposes:

(i) advising the Agency on the addition of materials from the definition of regulated recyclable materials;

(ii) approving the removal of materials from the definition of regulated recyclable materials;

(iii) advising the Agency and the County Legislature on the progress made towards meeting the percent reduction goals established in the Solid Waste Management Act of 1988 and the Plan;

(iv) advising the Agency on the adoption, repeal or amendment of rules and regulations provided for in Section 6 of this Local Law; and (iv) such other matters as the Agency may suggest. The members of the recycling oversight committee to be appointed by the County Legislature shall consist of an appointee from the following:

(1) Town Supervisor’s Association;

(2) City of Kingston;

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(3) Community and Environmental Affairs Committee of the Ulster County Legislature;
(4) Ulster County Environmental Management Council;
(5) Commercial Waste Hauling Industry;
(6) Municipal Recycling Coordinators;
(7) Commercial or Institutional Sector;
(8) Multi Family Dwelling Interest.

Additionally the County Legislature shall appoint three (3) at-large community members with interest and concern which may include students but shall not include members that fall into previously mentioned categories.

(b) The appointment in subsection (a) of this Section, other than the Agency appointment, shall be for a three year term from the date of appointment. Should a member no-longer be eligible to serve due to a change in their employment status, appointed or elected status, or interest that member shall serve until the point that they are replaced by the County Legislature. Should a member fail to attend at least 50% of the Committee's calendar meetings, that member is eligible for replacement by the County Legislature. Replacement members shall serve out the original member's term. The chairman shall be elected by the members of the recycling oversight committee at its first regular meeting, and the Committee shall adopt operating by-laws as they deem appropriate.
(c) The Committee shall meet at least quarterly, and the majority of the members shall constitute a quorum. Any recommendation issued by the Committee shall be approved by a majority of its membership.
(d) The Agency shall request and receive the recommendation of the Committee before its order the addition of any material from designation as a regulated recyclable material, except that if such recommendation is not received within thirty (30) days after written request by the Agency, it may act without such recommendation. The Agency shall request and receive the approval of the Committee before its order the removal of any material from designation as a regulated recyclable material, except that if such approval is not received within ninety (90) days after written request by the Agency, it may act without such approval.

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Section 27. Separability.

If any section, provision, or part thereof, in this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional by a Court of competent jurisdiction, then such adjudication shall not effect the validity of the remainder of the local law as a whole or any sections, provisions, or part thereof, not so adjudged invalid or unconstitutional and the application of the local law or any section, provision or part thereof, to other persons or circumstances shall not be affected by said adjudication.

Section 28. Priority.

(a) Pursuant to Section 1 of Chapter 936 of Laws of 1986 of the State of New York, this local law shall take precedence over and supersede any inconsistent provisions of any local law enacted by any Municipality within the County;
(b) A Municipality may adopt and enforce its own local law which, at a minimum, must be procedurally and substantively as comprehensive as this local law.

Section 29. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Adopted by the County Legislature: September 21, 2010

Approved by the County Executive: October 6, 2010

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A Local Law To Provide For 23 Single-Member Legislative Districts For Election Of Ulster County Legislators Commencing With The Election Of 2011 For Two-Year Terms Beginning January 1, 2012 And Thereafter

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. The purpose of this local law is to provide a plan of districting based on data from the census of 2010 to create 23 single-member districts for the elections of County Legislators commencing with the election of 2011 for two years terms beginning January 1, 2012 and thereafter, pursuant to the Ulster County Charter Section C-10. Commission on Reapportionment and the Administrative Code Section A2-4. Commission on Reapportionment.

SECTION 2. Each of the following described Legislative Districts shall elect one (1) representative to the Ulster County Legislature from within its boundaries, as hereinafter set forth:

District 1
1 Representative

Saugerties (Census Blocks)
Census Tracts

36111950100	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1042	1043	1044	1045	1047	1071	1081	1082	1083
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043
	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054
	2055	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009
	3010	3011	3012	3013	3014	3015	3016	3017	3018	3019	3020
	3021	3022	3023	3024	3025	3026	3027	3028	3029	3030	4000
	4001	4002	4003	4004	4005	4006	4007	4008	4009	4010	4011
	4012	4013	4014	4015	4016	4017	4018	4019	4020	4021	4022
	4023	5000	5001	5002	5004	5005	5006	5007	5008	5009	5010
	5011	5012	5013	5015	5016	5017	5018	5019	5020	5021	5022
	5023	5024	5025	5026	5027	5028	5029	5030	5031	5032	5033
	5034	5035	5036	5037	5038	5039					

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36111950400	1001	1002	1003	1006	1007	1008	1009	1011	1012	1013	1014
	1015	1016	2009	2010	2011	2012	2013	3000	3001	3002	3003
	3004	3005	3006	3007	3008	3009	3010	3011	3016	3017	3018
	3019	4000	4001	4002	4003	4004	4005	4006	4007	4008	4009
	4010	4011	4012	4013	5000	5001	5002	5003	5004	5005	5006
	5007	5008	5009	5010	5011	5012	5013	5014	5015	5016	5017
	6000	6001	6002	6003	6004	6005	6006	6007	6008	6009	6010

36111950600	1002	1006

District 2
1 Representative

Saugerties (Census Blocks)
Census Tracts

36111950100	1035	1036	1037	1038	1039	1040	1041	1046	1048	1049	1050
	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061
	1062	1063	1064	1065	1066	1067	1068	1069	1070	1072	1073
	1074	1075	1076	1077	1078	1079	1080	1084	5003	5014	

36111950200	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	2000	2001	2002	2003	2004	2005	2006	2007	2008
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
	2020	2021	2022	2023	2024	2025	2026	2027	2028	3000	3001
	3002	3003	3004	3005	3006	3007	3008	3009	3010	3011	3012
	3013	3014	3015	3016	3017	3018	3019	3020	3021	3022	3023
	3024										

36111950300	1000	1001	1002	1003	1004	1005	1006	1010	1011	1012	1013
	1014	1015	1018	1019	1027	2000	2001	2002	2003	2004	2005
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
	2017	2018	2019	2020	3000	3001	3002	3003	3004	3005	3007
	3008	3009	3010	3011	3013						

36111950400	1000	1004	1005	1010	1017

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36111954900	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1014	1016	1017	1019	1020	1021	1022	1023	1024
	1025	1028	1029	1045	1046	1047					

District 3
1 Representative

Saugerties (Census Blocks)
Census Tracts

36111950300	1007	1008	1009	1016	1017	1020	1021	1022	1023	1024	1025
	1026	1028	1029	1030	3006	3012	3014	3015			
36111950400	2000	2001	2002	2003	2004	2005	2006	2007	2008	3012	3013
	3014	3015									
36111954900	1013	1015	1018	1026	1027	1030	1031	1032	1033	1034	1035
	1036	1037	1038	1039	1040	1041	1042	1043	1044	1048	1049
	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060
	1061	1062	1063								

Ulster (Census Blocks)
Census Tracts

36111951300	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1040	1041	1042	1043	1044
	1045	1046	1047	1048	1049	1050	1051	1057	1060	2004	2005
	2006	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
	2022	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009
	3010	3011	3012	3013	3014	3015	3016	3017	3018	3019	3020
	3021	3022	3023	3024	3025	3026	3027	3028	3029	3030	
36111951500	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1019	2000	2001	2002	2003
	2004	2005	2015	2018	2019	2020	2021	2022	2023	2024	2025
	2026	2027	2028	2031							

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District 4
1 Representative

Kingston Town (Census Blocks)
Census Tracts

36111951500	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009	3010
	3011	3012	3013	3014	3015	3016	3017	3018	3019	3020	3021
	3022	3023	3024	3025	3026	3027	3028	3029	3030	3031	3032
	3033	3034	3035	3036							

Ulster (Census Blocks)
Census Tracts

36111951300	1039	1052	1053	1054	1055	1056	1058	1059	2000	2001	2002
	2003	2007	2008	2009	2010	2011	2023	2024	2025		
36111951400	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054
	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065
	1066	1067	1068	2000	2001	2002	2003	2004	2005	2006	2007
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009	3010
	3011	3012	3013	3014	3015	3016	3017	3018	3019	3020	3021
	3022	3023	3024	3025	3026	3027					
36111951500	1017	1018	1020	1021	1022	1023	1024	1025	1026	1027	1028
	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039
	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2016	2017
	2029	2030	2032	2033	2034	2035	2036	2037	2038	2039	4000
	4001	4002	4003	4004	4005	4006	4007	4008	4009	4010	4011
	4012	4013	4014	4015	4016	4017	4018	4019	4020	4021	4022
	4023	4024	4025	4026	4027	4028	4029	4030	4031	4032	4033
	4034	4035	4036	4037	4038	4039	4040	4041	4042	4043	4044
	4045	4046	4047	4048	4049	4050	4051	4052	4053	4054	4055
	4056	4057	4058	4059	4060	4061	4062	4063	4064	4065	4066

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	4067	4068	4069	4070	4071	4072	4073	4074	4075	4076	4077
	4078	4079	4080	4081	4082	4083	4084	4085	4086	4087	4088
	4089	4090	4091	4092	4093	4094	4095	4096	4097	4098	4099
	4100	4101	4102	4103	4104	4105	4106	4107	4108	4109	4110
	4111	4112									
36111951600	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	2000	2001	2002
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046
	2047	2048	2049	2050							

District 5
1 Representative

Kingston City(Census Blocks)
Census Tracts

36111952000	1008	1012	1013	1014	1015	1016	1017	1018	2003	2004	2005
	2006	2007	2009	2010	2011	2012	2013	2014	2015	2016	2017
	2023	2024	2025								
36111952100	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
	2011	3000	3001	3002	3003	3004	3005	3006	3007	3008	3010
	3011	4000									
36111952200	1000	1001	1002	1003	1004	1005	1006	1009	1010	1011	1012
	1013	1014	1015	2000	2001	2002	2003				
36111952300	1000	1001	1002	1003	1004	1005	1006	2000	2001	2002	2003
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	
36111952400	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054
	2012	2016									

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District 6
1 Representative

Kingston City(Census Blocks)
Census Tracts

36111951700	3011	3017	3018	3019	3020	4000	4001	4002	4003	4004	4005
	4006	4007	4008	4009	4010	4011	4012	4013	4018	4019	4020
	4021	4022	4023	4024	4035	4036	4039	4040	4041	4042	4043
36111951900	1010	1011	1012	2006	2007	2008	2009	2010	3000	3001	3002
	3003	3004	3005	3006	3007	3008	3009	3010	3011	3012	3013
	3014	3015	3016	3017	4000	4001	4002	4003	4004	4005	
36111952000	1019	2018	2019	2020	2021	2022	2026				
36111952100	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	3009	3012	3013	3014	3015	4001	4002	4003	4004	4005	4006
	4007	4008	4009	4010							
36111952200	1007	1008	1016	1017	2004	2005	2006	2007	2008	3000	3001
	3002	3003	3004	3005	3006	3007	3008	3009	3010	4000	4001
	4002	4003	4004	4005	4006	4007	4008	4009	4010	4011	4012
	4013	4014	4015	4016	4017	4018	4019	4020	4021	4022	4023
	4024	4025	4026	4027	4028	4029	4030	4031	4032	4033	4034
	4035	4036									

District 7
1 Representative

Kingston City(Census Blocks)
Census Tracts

36111951700	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	2000	2001	2002	2003	2004
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	3000
	3001	3002	3003	3004	3005	3006	3007	3008	3009	3010	3012
	3013	3014	3015	3016	3021	3022	3023	3024	3025	3026	4014
	4015	4016	4017	4025	4026	4027	4028	4029	4030	4031	4032
	4033	4034	4037	4038							

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36111951800	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	
36111951900	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1013
	1014	1015	1016	1017	1018	1019	1020	2000	2001	2002	2003
	2004	2005									
36111952000	1000	1001	1002	1003	1004	1005	1006	1007	1009	1010	1011
	1020	2000	2001	2002	2008						
36111952400	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
	2011	2013	2014	2015	2017	2018	2019	2020	2021	2022	2023
	2024	2025									

District 8
1 Representative

Esopus (Census Blocks)
Census Tracts

36111952500	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	2000	2001	2002	2003	2004
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	3000
	3001	3002	3003	3004	3005	3006	3007	3008	3009	3010	3011
	3012	3013	3014	3015	3016	3017	3018	3019			
36111952600	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	2000	2001	2002	2003	2004	2005	2006	2007
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
	2019	2020	2021	2045	2046	2047	2048	2049	2050	2051	2052
	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063
	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074
	2081	3000	3001	3002	3005	3006	3007	3008	3009	3010	3011
	3012	3019	3020	3021	3025	4000	4001	4002	4003	4004	4005
	4006	4007	4008	4009	4010	4011	4012	4013	4014	4015	4016
	4017	4018	4019	4020	4021	5000	5001	5002	5003	5004	5005
	5006	5007	5008	5009	5010	5011	5012	5013	5014	5015	5016
	5017	5018	5019	5020	5021	5022	5023				

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District 9
1 Representative

Lloyd (Census Blocks)
Census Tracts

36111953600	2000	2001	2002	2003	2004	2005	2006	2007	2018	2019	2041
	3037										
36111953700	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015
	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026
	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037
	1041	1042	2000	2001	2002	2003	2004	2005	2006	2007	2008
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052
	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063
	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074
	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085
	2086	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009
	3010	3012	3013	3014	3015	3016	3018	3019	3021	3022	3023
	4018	4019	4020								

Plattekill (Census Blocks)
Census Tracts

36111954000	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	2000	2001	2002
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2038
	2039	2040	2041	2059	2066						
36111954100	1000	1001	1002	1003	1004	1005	1006	1008	1012	1016	3000
	3001	3004	3005	3006							

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District 10
1 Representative

Lloyd (Census Blocks)
Census Tracts

36111953600	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	2008	2009	2010	2011	2012
	2013	2014	2015	2016	2017	2020	2021	2022	2023	2024	2025
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
	2037	2038	2039	2040	3000	3001	3002	3003	3004	3005	3006
	3007	3008	3009	3010	3011	3012	3013	3014	3015	3016	3017
	3018	3019	3020	3021	3022	3023	3024	3025	3026	3027	3028
	3029	3030	3031	3032	3033	3034	3035	3036	3038	3039	3040
	3041										
36111953700	1000	1001	1002	1003	1004	1038	1039	1040	3011	3017	3020
	4000	4001	4002	4003	4004	4005	4006	4007	4008	4009	4010
	4011	4012	4013	4014	4015	4016	4017				

Marlborough (Census Blocks)
Census Tracts

36111953800	1000	1003	1004	1005	1006	1007	1008	1009	1012	1014	1019
36111953900	1000	1001	1002	1003	1004	1005	1006	1007	1008	1021	2000
	2001	2002	2003	2004	2005						

District 11
1 Representative

Marlborough (Census Blocks)
Census Tracts

36111953800	1001	1002	1010	1011	1013	1015	1016	1017	1018	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	2000	2001	2002	2003	2004	2005	2006	2007	2008
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030

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	2031	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009
	3010	3011	3012	3013	3014	3015	3016	3017	3018	3019	3020
	3021	3022									
36111953900	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019
	1020	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031
	1032	1033	1034	1035	1036	1037	1038	2006	2007	2008	2009
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009	3010
	3011	3012	3013	3014	3015						

District 12
1 Representative

Plattekill (Census Blocks)
Census Tracts

36111954000	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
	2035	2036	2037	2042	2043	2044	2045	2046	2047	2048	2049
	2050	2051	2052	2053	2054	2055	2056	2057	2058	2060	2061
	2062	2063	2064	2065	2067	2068	2069	3000	3001	3002	3003
	3004	3005	3006	3007	3008	3009	3010	3011	3012	3013	3014
	3015	3016	3017	3018	3019	3020	3021	3022	3023	3024	3025
	3026	3027	3028	3029	3030	3031	3032	3033	3034	3035	3036
	3037	3038	3039	3040	3041	3042	3043	3044	3045	3046	3047
	3048	3049	3050	3051	3052	3053	3054	3055	3056	3057	3058
	3059	3060	3061	3062	3063	3064	3065	3066	3067	3068	3069
36111954100	1007	1009	1010	1011	1013	1014	1015	1017	2000	2001	2002
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	3002
	3003	3007	3008	3009	3010	3011	3012	3013	3014	3015	3016
	3017	3018	3019	3020	3021	3022	3023	3024	3025	3026	3027
	3028	3029	3030	3031	3032	4000	4001	4002	4003	4004	4005
	4006	4007	4008	4009	4010	4011	4012	4013	4014	4015	4016
	4017	4018	4019	4020	4021	4022	4023	4024	4025	4026	4027
	4028	4029	4030	4031	4032	4033					

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District 13
1 Representative

Shawangunk (Census Blocks)
Census Tracts

36111954400	1001	1003	1004	1005	1006	1007	1009	1010	1011	1012	1013
	1014	1015	1018	1019	1020	1021	1022	1033	2007	5003	5004
	5005	5006	5007	5008	5009	5010	5011	5012	5013	5014	5015
	5016	5017	5018	5019	5020	5021	5022	5023	5024	5025	5026
	5027	5028	5029	5030	5031	5032	5033	5034	5035	5036	5037
	5038	5039									

36111955400	1003	1004	1005	1006	1007	1008	1009	1010	1012	1013	1014
	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025
	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036
	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047
	1048	1049	1050	1051	1052	1053	1054	1055	1056	1058	1059
	1060	2006	2007	2008	2014	2015	2016	2017	2018	2020	2021
	2023	2024	2025	2026	2027	2028	2030	2034	2035	2036	2037
	2039	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050
	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061
	2062	2063	2064	2065	2066	2067	2068	2069	3000	3001	3002
	3003	3004	3005	3006	3007	3008	3009	3010	3011	3012	3013
	3014	3015	3016	3017	3018	3019	3020	3021	3022	3023	3024
	3025	3026	3027	3028	3029	3030	3031	3032	3033	3034	3035
	3036	3037	3038	3039							

District 14
1 Representative

Shawangunk (Census Blocks)
Census Tracts

36111954400	1031	1032	1034	1035	1036	1037	1038	1039	1040	1041	2000
	2001	2002	2003	2004	2005	2006	2021	2022	2023	2024	2025
	2026	3000	3001	3002	3003	3004	3005	3006	3007	3008	3009
	3010	3011	3012	3013	3014	3017	3018	3019	3020	3021	3022
	3023	3024	4000	4001	4002	4003	4004	4005	4006	4007	4008
	4009	4010	4011	4012	4013	4014	4015	4016	4017	4018	4019
	4020	4021	4022	4023							

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Wawarsing (Census Blocks)
Census Tracts

36111954500	4024	4025	4026	4028	4029	4030	4031	4032	4033	4034	4035
	4036	4038	4039	4040	4041	4042	4043	4044	4045	4046	4047
	4048	4049	4050	4052	4053						
36111954600	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054
	1055	1061	1062	1063	1064	1065	1066	1070	1072	1073	1074
	1075	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089
	1090	1091	1092	1093	1094	1095					
36111954700	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054
	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065
	1066	1067	1068	1069	1070	1071	1072	1075	1076	1078	1079
	1080	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053
	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064
	2065	2066	2067	2068	2069	2070	2071				
36111954800	1044	3003	3029	3030							

District 15
1 Representative

Wawarsing (Census Blocks)
Census Tracts

36111954500	2000	2001	2002	2003	2004	2005	2006	2016	2017	2018	2019
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	2031	2032	2033	2036	2037	2038	2039	2040	2041	2042	2043

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	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054
	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065
	2066	2067	2068	2069	3000	3001	3002	3003	3004	3005	3006
	3007	3008	3009	3010	3011	3012	3013	3014	3015	3016	3017
	3018	3019	3020	3021	3022	3023	3024	3025	3026	3027	3028
	3029	3030	3031	3032	3033	3034	3035	3036	3037	3038	3039
	3040	3041	3042	3043	3044	3045	3046	3047	4000	4001	4002
	4003	4004	4005	4006	4007	4008	4009	4010	4011	4012	4013
	4014	4015	4016	4017	4018	4019	4020	4021	4022	4023	4027
	4037	4051									
36111954600	1056	1057	1058	1059	1060	1069	1076	1077	1078	1079	
36111954700	1073	1074	1077								
36111954800	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1045	1046	1047	1048	1049	1050	1051	1052	1053	2000	2001
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045
	2046	3000	3001	3002	3004	3005	3006	3007	3008	3009	3010
	3011	3012	3013	3014	3015	3016	3017	3018	3019	3020	3021
	3022	3023	3024	3025	3026	3027	3028	3031			

District 16
1 Representative

Gardiner ALL
Shawangunk (Census Blocks)
Census Tracts

36111954400	1000	1002	1008	1016	1017	1023	1024	1025	1026	1027	1028
	1029	1030	2008	2009	2010	2011	2012	2013	2014	2015	2016
	2017	2018	2019	2020	2027	2028	2029	2030	2031	2032	3015
	3016	5000	5001	5002							

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A Local Law To Provide For 23 Single-Member Legislative Districts For Election Of Ulster County Legislators Commencing With The Election Of 2011 For Two-Year Terms Beginning January 1, 2012 And Thereafter

36111955400 1000 1001 1002 1011 1057 2000 2001 2002 2003 2004 2005
2009 2010 2011 2012 2013 2019 2022 2029 2031 2032 2033
2038 2040

District 17
1 Representative

Esopus (Census Blocks)
Census Tracts

36111952600 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032
2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043
2044 2075 2076 2077 2078 2079 2080 2082 2083 2084 3003
3004 3013 3014 3015 3016 3017 3018 3022 3023 3024 4022
4023 4024 4025 4026 4027 4028 4029 4030 4031 4032 4033
4034 4035 4036 4037

New Paltz (Census Blocks)
Census Tracts

36111953300 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010
1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021
1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032
1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043
1044 1045 1046 1047 1049 1050 2000 2001 2002 2003 2004
2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026
2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037
2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048
2049 2050 2051 2052 2054 2055 2056 2057 2060 2061 2062
2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073
2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084
2085 2086 2087 2088 2089 2090 2091 2092 3000 3001 3002
3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013
3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024
3025 3026 3027 3028 3029 3030 3031 3032 3033 3034 3035
3036 3037 3038 3039 3040 3041 3042 3043 3044 3045 3046
3047 3048 3049 3050 3051 3052 3053 3054 3055 3056 3057
3058 3059

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36111953400	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	3000	3001	3003	3019
	3020	3021	3027								
36111953500	3012	3013	3015	3016	3017	3018	3019	3020	3021	3022	3023
	3024	3025									

District 18
1 Representative

Hurley (Census Blocks)
Census Tracts

36111951100	2013	2014	2019	3036							
36111951200	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	2000	2001	2002	2003
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047
	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058
	2059	2060	3000	3001	3002	3003	3004	3005	3006	3007	3008
	3009	3010	3011	3012	3013	3014	3015	3016	3017	3018	3019
	3020	3021	3022	3023	3024	3025	3026	3027	3028	3029	3030
	3031	3032	3033	3034	3035	3036	4000	4001	4002	4003	4004
	4005	4006	4007	4008	4009	4010	4011	4012	4013	4014	4015
	4016	4017	4018	4019	4020	4021	4022	4023	4024	4025	4026
	4027										

Marbletown (Census Blocks)
Census Tracts

36111952900	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
	2043	2044	2045	2046	2047	2048	3000	3001	3002	3003	3004

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	3005	3006	3007	3008	3009	3010	3011	3012	3013	3014	3015
	3016	3017	3018	3019	3020	3021	3022	3023	3024	3025	3026
	3027	3028	3029	3030	4000	4001	4002	4003	4004	4005	4006
	4007	4008	4009	4010	4011	4012	4013	4014	4015	4016	4017
	4018	4019	4020	4025	4026	4027	4028	4029	4030	4031	4032
	4033	4034	4035	4036	4037	4042	4043	4044	4045		

District 19
1 Representative

Marbletown (Census Blocks)
Census Tracts

36111952900	4021	4022	4023	4024	4038	4039	4040	4041	4046	4047	4048
	4049	4050	4051	4052	4053	4054	4055	4056	4057	5000	5001
	5002	5003	5004	5005	5006	5007	5008	5009	5010	5011	5012
	5013	5014	5015	5016	5017	5018	5019	5020	5021	5022	5023
	5024	5025	5026	5027	5028	5029	5030	5031	5032	5033	5034
	5035	5036	5037	5038	5039	5040	5041	5042	5043	5044	5045
	5046	5047	5048	5049	5050	5051	5052	5053	5054	5055	5056
	5057	5058	5059	5060	5061	5062	5063	5064	5065	5066	5067
	5068	5069	5070	5071	5072	5073	5074	5075	5076	5077	5078
	5079	5080	5081	5082	5083	5084	5085	5086	5087	5088	5089
	5090	5091	5092	5093	5094	5095	5096	5097	5098	5099	5100
	5101	5102	5103	5104	5105	5106	5107				

Rosendale (Census Blocks)
Census Tracts

36111952700	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	2000
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044
	2045	2046	2047	2048	2049	3000	3001	3002	3003	3004	3005
	3006	3007	3008	3009	3010	3011	3012	3013	3014	3015	3016
	3017	3018	3019	3020	3021	3022	3023	3024	3025	3026	3027
	3028	3029	3030	3031	3032	3033	3034	3035	3036	3037	3038
	3039	3040	3041	3042	3043	3044	3045	3046	3047	3048	3049

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	3050	3051	3052	3053	3054						
36111952800	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054
	1055	1056	1057	2000	2001	2002	2003	2004	2005	2006	2007
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
	2041	2042	2043	3000	3001	3002	3003	3004	3005	3006	3007
	3008	3009	3010	3011	3012	3013	3014	3015	3016	3017	3018
	3019	3020	3021	3022	3023	3024	3025	3026	3027	3028	

District 20
1 Representative

New Paltz (Census Blocks)
Census Tracts

36111953300	1048	2053	2058	2059							
36111953400	1018	1019	2000	2001	2002	2003	2004	2005	2006	2007	2008
	2009	2010	2011	2012	2013	2014	2015	2016	3002	3004	3005
	3006	3007	3008	3009	3010	3011	3012	3013	3014	3015	3016
	3017	3018	3022	3023	3024	3025	3026	3028	3029	3030	3031
	4000	4001	4002	4003	4004	4005	4006	4007	4008	4009	4010
	4011	4012	4013	4014	4015	4016	4017				
36111953500	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	2000	2001	2002	2003	2004	2005	2006	2007
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
	2030	2031	2032	2033	2034	3000	3001	3002	3003	3004	3005
	3006	3007	3008	3009	3010	3011	3014				

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District 21
1 Representative

Rochester ALL

Wawarsing (Census Blocks)
Census Tracts

36111954500	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043
	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2034	2035
36111954600	1067	1068	1071								

District 22
1 Representative

Denning ALL

Hardenburgh ALL

Olive ALL

Shandaken ALL

District 23
1 Representative

Woodstock ALL

Hurley (Census Blocks)
Census Tracts

36111951100	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010
	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010

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2011	2012	2015	2016	2017	2018	2020	3000	3001	3002	3003
3004	3005	3006	3007	3008	3009	3010	3011	3012	3013	3014
3015	3016	3017	3018	3019	3020	3021	3022	3023	3024	3025
3026	3027	3028	3029	3030	3031	3032	3033	3034	3035	

SECTION 3. This Local Law shall take effect immediately upon filing with the Secretary of State.

SECTION 4. This Local Law is adopted under authority of the Municipal Home Rule Law but not pursuant to subparagraph thirteen of paragraph a of subdivision one of section 10 and subparagraph four of section 34 of that law and is not subject to permissive or mandatory referendum.

Adopted by the County Legislature: May 17, 2011

Approved by the County Executive: May 31, 2011

Local Law Number 1 Of 2012

County Of Ulster

A Local Law Amending Local Law No. 5 Of 2008, A Local Law Amending Local Law No. 5 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE

The Ulster County Legislature finds and determines that all senior residents of Ulster County deserve respect and appreciation for their lifelong contributions to society. The Legislature also finds that the presence of seniors is a benefit to the various municipalities throughout Ulster County by creating a well-rounded, diverse community.

Accordingly, in an effort to maintain the presence of senior land owners in the County, especially of those of limited income, the Legislature hereby intends to increase the maximum allowable annual income levels for eligibility purposes for a real property tax exemption pursuant to New York State Real Property Tax Law sec. 467.

SECTION 2. Section 3 of Local Law No. 5 of 2008 is amended to read as follows:

SECTION 3. Real property owned by persons sixty-five years of age or over or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with Section 467 of the Real Property Tax Law and subject to the following:

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$29,000.00 or less	50%
$29,000.01 to $29,999.99	45%
$30,000.00 to $30,999.99	40%
$31,000.00 to $31,999.99	35%
$32,000.00 to $32,899.99	30%

Local Law Number 1 Of 2012

County Of Ulster

A Local Law Amending Local Law No. 5 Of 2008, A Local Law Amending Local Law No. 5 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence

$32,900.00 to $33,799.99	25%
$33,800.00 to $34,699.99	20%
$34,700.00 to $35,599.99	15%
$35,600.00 to $36,499.99	10%
$36,500.00 to $37,399.99	5%

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income Tax return or, if no such return was filed, the calendar year.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2013.

Adopted by the County Legislature: June 19, 2012

Approved by the County Executive: July 9, 2012

Local Law Number 10 of 2012

County of Ulster

A Local Law Amending Local Law Number 9 of 1991, Ulster County Solid Waste Management Law

BE IT ENACTED, by the Legislature of the County of Ulster, New York as follows:

ULSTER COUNTY SOLID WASTE MANAGEMENT LAW

Section 1. Short Title.

Section 2. Findings and Legislative Intent.

Section 3. Statutory Authority

Section 4. Definitions

Section 5. Administration

Section 6. Rules and Regulations

Section 7. Hauler Licensing Requirements

Section 8. Revocation or Denial of Licenses

Section 9. Flow Control

Section 10. Priority

Section 11. Severability.

Section 12. Effective Date

Local Law Number 10 of 2012

County of Ulster

A Local Law Amending Local Law Number 9 of 1991, Ulster County Solid Waste Management Law

Section 1. Short Title.

This local law shall be known as the "Ulster County Solid Waste Management Law"

Section 2. Findings and Legislative Purpose

The Ulster County Legislature finds that:

(a) In 1991, the County of Ulster and the Ulster County Resource Recovery Agency (hereinafter the Agency) prepared a Local Solid Waste Management Plan pursuant to the provisions of Environmental Conservation Law §27-0106 and §27-0107 in order to define the County's policies with respect to solid waste management. It is the policy of the County, in accordance with the solid waste management policies of the State of New York, to reduce the amount of solid waste generated; reuse material for the purpose for which it was originally intend or recycle material that cannot be reused; recover energy from solid waste that cannot be economically or technically reused or recycled; and dispose of solid waste that is not being reused, recycled or from which energy is not being recovered by land burial or other means approved by law. This local law is intended to advance and support the policies expressed in the Local Solid Waste Management Plan.

(b) The Agency's mission is to provide an efficient, economical and environmentally sound solid waste management system in and for the County of Ulster. The Agency strives to carry out the principles of New York's solid waste hierarchy in its work, emphasizing reuse of materials, reduction of Municipal Solid Waste (MSW), and the carrying out of an effective and user friendly recycling program, with landfill disposal of MSW that cannot be reused, reduced or recycled. The Agency also provides a pilot organics composting project, and holds Household Hazardous Waste and Electronics recycling events for the residents of the County. Municipal drop off centers for disposal of solid waste and recycling developed by the Agency offer County residents a convenient alternative to private collection contracts. The Agency routinely negotiates contracts with area solid waste collection firms for disposal of MSW at its two conveniently placed transfer stations, and long

hauls through private contractors the processed waste to permitted landfills in New York State.

(c) Together with the preparation of the Local Solid Waste Management Plan, the County adopted Local Law Number 8 of 1991 (the Ulster County Mandatory Source Separation and Recycling Law) and Local Law Number 9 of 1991 (the Ulster County Solid Waste Management Law) with the intent that the provisions of each law should complement the other in the management of solid waste and recyclables collection and disposal in the County.

(d) Section 4 of Local Law Number 9 of 1991 provided for the restriction of competition in solid waste disposal to the extent that waste generated or brought within the County of Ulster could be directed to a solid waste facility designated by the Agency, as authorized by Public Authorities Law § 2050-t(3). Enforcement of section 4 of Local Law Number 9 of 1991 was suspended following judicial decisions calling similar provisions in the laws of other communities into question on constitutional grounds. In 2007, the United States Supreme Court affirmed the power of local government to direct the flow of solid waste and recyclables to public facilities, and this amendment to Local Law Number 9 of 1991 is adopted to advance the goals of the Ulster County Local Solid Waste Management Plan in a manner conforming to the standards established by the Court.

(e) Local Law Number 8 of 1991 (the Ulster County Mandatory Source Separation and Recycling Law) has been amended on two occasions: by Local Law No. 8 of 2007 and Local Law No 4 of 2010. The most recent amendment set forth in Local Law No 4 of 2010 sets forth Findings and Legislative Purposes with respect to County policy on recycling and solid waste management which the Legislature hereby re-affirms and adopts as additional Findings and Purposes for this amendment.

(f) In addition, the Legislature finds that the establishment of a requirement for an occupational license for persons engaged in the collection of solid waste and recyclables in Ulster County, together with the re-institution of flow control over the disposal of solid waste generated within the County will assist the County and the Agency in fulfilling the goals of the Local Solid Waste Management Plan. The license and flow control requirements established

herein are intended to enhance the ability of the Agency to gather information relevant to the generation, type and quantity of waste and recyclables in the County; assist in the environmentally sound and economical disposal of solid waste; provide sufficient user revenue to the Agency to administer the operation of an integrated solid waste management system; reduce the subsidy provided by Ulster County taxpayers to the solid waste system; and assist the County and the Agency in the enforcement of environmental laws and regulations.

(g) The Legislature further finds that the amendments contained herein will assist the Agency in establishing a structured disposal fee for all haulers operating within the County and thereby encourage competition among haulers, for the benefit of all consumers of solid waste services within the County.

Section 3. Statutory Authority

This local law is adopted pursuant to Section 120-aa of the General Municipal Law, Section 10 of the Municipal Home Rule Law, Section 2050-t(3) of the Public Authorities Law, and Article 27 of the Environmental Conservation Law.

Section 4. Definitions

As used in this local law, the following terms shall have the following meanings:

"Agency" shall mean the Ulster County Resource Recovery Agency created under Chapter 936 of the Laws of 1986 of the State, as amended.

"Agency Executive Director" shall mean the Executive Director of the Ulster County Resource Recovery Agency.

"Collection" shall mean the pick-up, collection or delivery of Solid Waste to a Hauler at the point of generation.

"Construction and Demolition Debris" or "C&D" shall mean uncontaminated Solid Waste resulting from the construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated Solid Waste resulting from land clearing. Such waste includes, but is not limited to bricks, concrete and other masonry materials, soil, rock, wood (including painted, treated and coated wood

and wood products), land clearing debris, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles and other roof coverings, asphalt pavement, glass, plastics that are not sealed in a manner that conceals other wastes, empty buckets ten gallons or less in size and having no more than one inch of residue remaining on the bottom, electrical wiring and components containing no hazardous liquids, and pipe and metals that are incidental to any of the above.

"County" shall mean the entire County of Ulster as constituted and existing under the Laws of the State.

"Disposal" shall mean the post-collection delivery of Solid Waste to any location for processing, transfer, transportation, or any permanent disposition.

"Generator" shall mean any person or legal entity that produces Solid Waste including regulated Recyclable Materials requiring off-site disposal.

"Hauler" shall mean any person engaged in the business of collecting, storing, and transporting Municipal Solid Waste, including Recyclable Materials, except where otherwise designated in this local law.

"**Independent Administrative Hearing Officer**" shall have the meaning set forth in section 20 of Local Law No 4. of 2010.

"Municipality" shall mean any county, city, town, village, improvement district, public authority, or other municipal corporation established by law.

"Municipal Solid Waste" or "MSW" shall mean that Solid Waste which is generated at residences, institutions, businesses, or other properties, exclusive of Construction and Demolition Debris and Recyclable Materials that have been separated from MSW.

"Person" shall mean any natural person, individual, partnership, co-partnership, association, owner or manager of a business, commercial or industrial establishment, joint venture, corporation, trust, estate, institution, not-for-profit

organization or any other legal entity including a municipality or any other waste generator.

"Recyclable Materials" shall mean any Solid Waste that exhibits the potential to be returned to the economic resource stream in the form of raw materials to be used in place of virgin materials in the manufacture of new products.

"Solid Waste" shall mean all materials or substances discarded or rejected within the County of Ulster as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous materials, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, source, special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended, and waste which appears on the list of hazardous waste promulgated by the Commissioner of Environmental Conservation pursuant to Section 27-0903 of the Environmental Conservation Law.

"Solid Waste Management Facility" shall mean any facility, plant, works, system, building, structure, improvement, machinery, equipment, fixture or other real or personal property which is to be used, occupied or employed for or is incidental to the collecting, receiving, transporting, storage, processing or disposal of Solid Waste as more fully defined in Public Authorities Law Section 2050-b(16).

Section 5. Administration

This local law shall be implemented, administered, and enforced by the Agency. In order to carry out this responsibility, the Agency, acting consistently with the purposes of this local law, shall be empowered to do the following:

(a) Establish, revise, amend, and repeal rules and regulations as it shall deem reasonable, necessary and proper to carry out the responsibilities and requirements of this local law pursuant to Section 5.

(b) Designate Solid Waste Management Facilities that may receive, process, transfer, transport or dispose of Municipal Solid Waste.

(c) Issue summonses, notices and administrative complaints to persons in violation of the provisions of this Local Law, adjudicate alleged violations, impose civil penalties and license suspensions and/or revocations as provided herein, and take all lawful action to enforce the provisions of this local law, including but not limited to applications to courts of competent jurisdiction.

Section 6. Rules and Regulations

When specified in this local law, the Agency may, from time to time, promulgate rules and regulations consistent with the provisions of this local law in order to effectuate the purposes hereof. The procedure for rule making shall be the procedure set forth in section 6 of Local Law Number 4 of 2010 (the Ulster County Mandatory Source Separation and Recycling Law).

Section 7. Hauler Licensing Requirements

(a) No Hauler shall collect, transport or dispose of Solid Waste and/or Recyclable Materials generated within the County without obtaining a Hauler License issued by the Agency. Licenses issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and shall not be deemed to create a property interest with respect to the License in the holder thereof.

(b) The Agency shall be authorized to issue a Hauler License to qualified applicants upon submission of a written application containing such information as may be required by the Agency for administrative purposes, including, but not limited to, the following:

1. The name and address of the applicant, specifying, in the case of any corporation, the names and addresses of each officer and director thereof.

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2. If the applicant conducts business under a trade name or if the applicant is a partnership, the application for a license must be accompanied by a copy of the trade name or partnership certificate duly certified by the Clerk of the county in whose office the certificate was filed.

3. The experience of the applicant in the business of collection and disposal of refuse and similar material.

4. The number of collection vehicles to be operated by the applicant and a description of each such vehicle, including the ownership of the vehicle, the make, year, model of chassis and body type, the cubic capacity or tare weight, and color of vehicle, the current New York State registration number, and the community or communities in which the vehicle will operate. All vehicles shall be marked with the name of the licensee. The Agency shall be authorized to issue identification numbers for each vehicle, to be marked or affixed thereto.

5. The number and location of all waste and Recyclable Materials containers distributed by the licensee to customers within the County. All such containers shall be marked with the name of the licensee. The Agency shall be authorized to issue identification numbers for each such container, to be marked or affixed thereto.

6. The location of any and all terminals proposed to be used by the applicant for the storage of licensed vehicles.

7. Applicant’s proposed daily route and pickup schedule for each area and building to be serviced. Within thirty (30) days of occurrence, any changes in the daily route and pickup schedule shall be reported, in writing, to the Agency. This subdivision shall not apply to such routes and special districts as are provided for by contract with a Municipality.

8. The name, address and telephone number, both day and night, of the applicant or the person in charge of the business.

9. Any other relevant information the Agency may require.

(c) Additional requisites for obtaining and holding a license.

1. Fees. Each application shall be accompanied by an application fee of $200, plus $100 for each vehicle to be used by the licensee in the provision of service in the County. A municipality is not subject to the application fee under the provisions of this paragraph.

2. Insurance. Before a license may be issued by the Agency, each applicant shall file with the Agency proof of the following insurance coverage, consisting of a certificate of the insurance carrier:

   i. Workmen's compensation insurance or proof of exemption.

   ii. Disability benefits insurance.

   iii. Bodily Injury Liability Insurance in an amount not less than **ONE MILLION AND 00/100 ($1,000,000.00) DOLLARS** for each occurrence, and in an amount not less than **ONE MILLION AND 00/100 ($1,000,000.00) DOLLARS** general aggregate.

   iv. Property Damage Liability Insurance in an amount not less than **ONE MILLION AND 00/100 ($1,000,000.00) DOLLARS** for each occurrence and in an amount of not less than **ONE MILLION AND 00/100 ($1,000,000.00) DOLLARS** general aggregate.

3. Duty to keep records. Every licensee shall keep complete and accurate books of account with respect to the operation of its business, in which shall be entered and shall show, among other things, all income derived or received from each of its customers and/or other sources, together with

details of all expenses disbursements made or incurred in the operation of its business. Such books of account shall be kept current on a monthly or quarterly basis and brought up-to-date not later than thirty (30) days after the expiration of such period. All such records shall be retained by the licensee for at least three (3) years.

4. Right of inspection. The Agency shall have the right to inspect books of account and records maintained by the licensee. Every Hauler shall keep and maintain records of every customer serviced by the Hauler. Such records shall be available for inspection and examination at any time upon demand by the Agency, or its duly authorized agent or employee, and shall be preserved for a period of three (3) years, except that the Agency may consent to their destruction within that period or may require that they be kept longer. Such consent shall be in writing and signed by the Agency Executive Director.

5. Global Positioning System. Each licensee may be required, at the discretion of the Agency, to install and maintain equipment to be identified by the Agency for the tracking of collection vehicles by satellite or other means. If the Agency determines that it is necessary to install a GPS system, then in that event, the Agency shall give the licensee thirty (30) days notice prior to the date of required installation of the GPS system. It shall be the responsibility of the licensee to bear the cost of the GPS system.

(d) Term of License. Each license issued pursuant to this section shall be valid for a term expiring on December 31 of the year of issuance, unless issued in the month of December, in which case it shall expire the 31st Day of December of the next year. License renewals shall be considered in the same manner and subject to the same conditions as original applications.

(e) Licenses Not Transferable. Licenses issued pursuant to this local law shall not be transferable or assignable by the licensee. Changes in ownership or control of a licensed entity shall be reported to the Agency within 10 days.

Local Law Number 10 of 2012

County of Ulster

A Local Law Amending Local Law Number 9 of 1991, Ulster County Solid Waste Management Law

Section 8. Revocation or Denial of Licenses

(a) The Agency shall be authorized to deny an application or suspend or revoke a Hauler license issued pursuant to this local law where one (1) or more of the following situations is found to exist:

1. That the Hauler has failed and refused, without reasonable cause, to collect and dispose of Municipal Solid Waste, except in a situation where a contract has been lawfully terminated.

2. That the Hauler has failed to account or pay, without reasonable cause, any disposal bills to the Agency.

3. That the Hauler is insolvent or has made a general assignment for the benefit of creditors or has been adjudged a bankrupt, or a money judgment has been secured against it upon which an execution has been returned wholly or partly unsatisfied.

4. That the Hauler has failed to keep and maintain records or has refused to allow the inspection thereof as otherwise provided in this local law.

5. That the Hauler has violated any of the provisions of this local law or the provisions of Local Law No. 4 of 2010 as it currently exists or may be amended from time to time.

6. That the Hauler has ceased to operate as a private refuse collector for which a license was previously issued.

7. That the Hauler has been convicted of a felony or misdemeanor which in the judgment of the Agency renders such person unfit or undesirable to hold such license.

8. That the Hauler has failed to abide by any rule or regulation promulgated by the Agency and implemented in furtherance of its administrative or enforcement efforts.

(b) Procedure. Whenever, in the judgment of the Executive Director of the Agency, sufficient evidence exists to support a determination that a license held by any Hauler should be suspended or revoked, or that civil penalties should be imposed pursuant to this local law, the Agency shall serve written notice of such suspension or revocation, and/or the amount of civil penalty imposed, upon the Hauler, together with notice of the effective date of such suspension, revocation or penalty, which date shall be not less than twenty (20) days from the date of such notice. Written notice of suspension or revocation of a license shall be served personally or by certified mail, return receipt requested, addressed to such Hauler's last-known address; and if by certified mail, a copy of the notice shall be posted on the Hauler's premises as stated in the license application. Such notice shall contain factual allegations sufficient to inform the Hauler of the nature and circumstances of the violation charged, and shall further inform the Hauler of the right to a hearing to contest the suspension, revocation and/or penalty. The Hauler may invoke the right to a hearing by serving a written demand for hearing upon the Agency at any time prior to the effective date of the suspension, revocation or penalty, and service of such demand shall serve to stay such suspension, revocation or penalty pending the determination of the Independent Administrative Hearing Officer, pursuant to the procedures set forth in section 20 of Local Law No 4. Of 2010. Any applicant aggrieved by the denial of a license after application pursuant to this section may request that the Agency hold a hearing on such denial.

(c) Nothing herein shall prevent the Agency from enforcement of the provisions of this local law, and all rules, regulations, orders and determinations made pursuant thereto, by actions or proceedings for legal and/or equitable relief, brought in the name of the Agency or the County in any court of competent jurisdiction.

Section 9. Flow Control

(a) All Municipal Solid Waste generated within the County of Ulster shall be delivered for disposal to a Solid Waste Management Facility designated by the Agency. The County hereby intends to regulate and control the collection, transportation and disposal of all Municipal Solid Waste, by whomever collected, within the municipalities within the County and to authorize the

Agency to establish standards and promulgate regulations to accomplish such control. The Agency's designation may include a determination that a particular Solid Waste Management Facility shall be the only facility used for the disposal of Municipal Solid Waste generated within all of, or a described area within, the County of Ulster or by a particular person or persons.

(b) In administrative proceedings under Local Law No. 4 of 2010 to enforce the provisions of this section there shall be rebuttable evidentiary presumptions that:

1. The placement of a Municipal Solid Waste container that is marked or identified with the name of a Hauler holding or required to hold a license for the collection of Municipal Solid Waste pursuant to this local law at any location within the County shall be presumptive evidence that such Hauler is providing Solid Waste collection service at said location.

2. Evidence of Municipal Solid Waste in a container located in the County as described in sub-section (1) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Municipal Solid Waste was collected from the container by the Hauler whose name is marked on the container.

3. The failure to deliver any Municipal Solid Waste to an Agency designated Solid Waste Management Facility within three (3) days of the collection of Municipal Solid Waste from any location within the County shall be presumptive evidence of a violation of this section.

(c) Penalties. Any Hauler who violates any of the provisions of this section 9 of this local law, or who fails to perform any duty imposed by this local law or any rule or regulations promulgated pursuant thereto, may be liable for a civil penalty not to exceed $5,000 and/or revocation of all licenses issued pursuant to this local law.

Local Law Number 10 of 2012

County of Ulster

A Local Law Amending Local Law Number 9 of 1991, Ulster County Solid Waste Management Law

Section 10. Priority.

Pursuant to Title 13-G of the Public Authorities Law of the State, this local law takes precedence over and shall supersede any inconsistent provisions of any local law enacted by any municipality within the County.

Section 11. Severability.

If any section, provision, or part thereof, in this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the remainder of the local law or the validity of the local law as a whole or any sections, provision or part thereof, not so adjudged invalid or unconstitutional and the application of the local law or any section, provision or part thereof to other persons or circumstances shall not be affected by said adjudication.

Section 12. Effective Date

This law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: December 4, 2012

Approved by the County Executive: December 18, 2012

Local Law Number 2 Of 2012

County Of Ulster

A Local Law Amending Local Law No. 6 Of 2008, A Local Law Amending Local Law No. 6 Of 1999 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE

The Ulster County Legislature finds and determines persons with disabilities are often an economically disadvantaged group; while the County also desires that all of its residents have the opportunity for home ownership. Therefore, the Legislature wishes to remove some of the financial barriers of home ownership for persons with disabilities.

Accordingly, the Legislature hereby intends to increase the maximum allowable annual income levels for eligibility purposes for a real property tax exemption for persons with disabilities pursuant to New York State Real Property Tax Law sec. 459-c.

SECTION 2. Section 1 of Local Law No. 6 of 2008 is amended to read as follows:

SECTION 2. Real property owned by persons with disabilities shall be exempt from County taxes to the extent of the scheduled percentage exemption as set forth below in accordance with § 459-c of the Real Property Tax Law and subject to the following:

A. The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be used to compute the percentage of exemption in accordance with the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$29,000.00 or less	50%
$29,000.01 to $29,999.99	45%
$30,000.00 to $30,999.99	40%

Local Law Number 2 Of 2012

County Of Ulster

A Local Law Amending Local Law No. 6 Of 2008, A Local Law Amending Local Law No. 6 Of 1999 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income

$31,000.00 to $31,999.99	35%
$32,000.00 to $32,899.99	30%
$32,900.00 to $33,799.99	25%
$33,800.00 to $34,699.99	20%
$34,700.00 to $35,599.99	15%
$35,600.00 to $36,499.99	10%
$36,500.00 to $37,399.99	5%

Income Tax Year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income Tax return or, if no such return was filed, the calendar year.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2013.

Adopted by the County Legislature: June 19, 2012

Approved by the County Executive: July 9, 2012

Law Number 3 Of 2012

County Of Ulster

A Local Law Amending Local Law No. 7 Of 2008, A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War"

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

Ulster County is indebted to our Veterans, whether they have served in open hostilities or during the term of the "Cold War," for the sacrifices they have made on behalf of Ulster County's residents as well as the entire country. In appreciation for their tireless service, Ulster County wishes to grant the maximum exemption allowable to "Cold War" Veterans under New York State Real Property Tax Law (RPTL).

The Legislature hereby intends to grant to honorably discharged veterans, the maximum allowable "Cold War" property tax exemption of 15% of the assessed value, not to exceed $36,000.00, pursuant to RPTL sec. 458-b(2)(a)(ii) and; for honorably discharged veterans who suffered a service oriented disability, an additional exemption equal to the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran as determined by Veterans Affairs, not to exceed $120,000.00.

SECTION 2. This Local Law is enacted pursuant to Real Property Tax Law (RPTL) section 458-a. All terms and definitions of RPTL section 458-a shall be equally applicable in this Local Law.

SECTION 3. Section 3 of Local Law No. 7 of 2008 is amended to read as follows:

SECTION 3. The maximum exemptions allowable from County real property taxation pursuant to § 458-b of the Real Property Tax Law shall be 15% of the property's assessment, not to exceed $36,000.00 multiplied by the latest final state equalization rate for service during the Cold War and a percentage of the property's assessment equal to 1/2 of any service-connected disability rating, not to exceed $120,000.00 multiplied by the latest final state equalization rate.

Law Number 3 Of 2012

County Of Ulster

A Local Law Amending Local Law No. 7 Of 2008, A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War"

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2013.

Adopted by the County Legislature: June 19, 2012

Approved by the County Executive: July 9, 2012

Local Law Number 4 Of 2012

County Of Ulster

A Local Law To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled "Veterans' Alternative Exemption"

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

Ulster County is indebted to our Veterans for the sacrifices they have made on behalf of Ulster County's residents as well as the entire country. In appreciation for their heroic efforts, the County wishes to grant the maximum exemption allowable to Veterans under New York Real Property Tax State Law (RPTL).

The Legislature hereby intends to grant to honorably discharged veterans, the maximum allowable property tax exemptions as follows: pursuant to RPTL sec. 458-a(2)(a) an exemption equal to 15% of the assessed value, not to exceed $36,000.00; pursuant to RPTL sec. 458-a(2)(b) for veterans who served in a combat zone, an additional exemption equal to 10% of the assessed value, not to exceed $24,000.00; and, pursuant to RPTL sec. 458-a(2)(c) for veterans who suffered a service oriented disability, an additional exemption equal to the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran as determined by Veterans Affairs, not to exceed $120,000.00

SECTION 2. This Local Law is enacted pursuant to Real Property Tax Law (RPTL) section 458-a. All terms and definitions of RPTL section 458-a shall be equally applicable in this Local Law.

SECTION 3. As authorized by RPTL section 2(d)(ii), Ulster County hereby elects to increase the exemption amounts to the maximum levels allowable. The maximum exemptions are as follows: for exemptions pursuant to paragraph 2(a), 15% or a maximum of $36,000.00 multiplied by the latest state equalization rate; for exemptions pursuant to paragraph 2(b), 10% or a maximum of $24,000 multiplied by the latest state equalization rate; and for exemptions pursuant to paragraph 2(c), the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran, multiplied by the latest state equalization rate with a maximum of $120,000.00.

Local Law Number 4 Of 2012

County Of Ulster

A Local Law To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled "Veterans' Alternative Exemption"

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2013.

Adopted by the County Legislature: June 19, 2012

Approved by the County Executive: July 9, 2012

Local Law Number 5 Of 2012

County Of Ulster

A Local Law Enacting A First Time Homebuyer County Property Tax Exemption

BE IT ENACTED, BY THE LEGISLATURE OF THE COUNTY OF ULSTER, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

The Ulster County Legislature finds and determines that home ownership within the County by persons of moderate income is essential in order to create a positive climate for economic growth and to attract future homeowners.

The Legislature further finds that the New York State Legislature has enacted New York Real Property Tax Law section 457 to allow local municipalities the option to offer a partial County property tax exemption for certain first time homebuyers of newly constructed homes.

Therefore, the purpose of this law is to enact a local first time homebuyer partial County property tax exemption pursuant to New York Real Property Tax Law section 457.

SECTION 2. REAL PROPERTY TAX EXEMPTION FOR FIRST TIME HOMEBUYERS

A. Statutory Authority

The County of Ulster hereby elects to grant the tax exemption authorized under § 457 of the New York Real Property Tax Law.

B. Definitions

As used in this article, the following terms shall have the meanings indicated:

FIRST-TIME HOMEBUYER -- A person who has not owned a primary residential property and is not married to a person who has owned a residential property during the three-year period prior to his or her purchase of the primary residential property and who does not own a vacation or investment home.

HOUSEHOLD INCOME -- The total combined income of all the owners, and of any owners' spouses residing on the premises, for the income tax year preceding the date of making application for the exemption.

Local Law Number 5 Of 2012

County Of Ulster

A Local Law Enacting A First Time Homebuyer County Property Tax Exemption

INCOME -- The adjusted gross income for federal income tax purposes as reported on the applicant's latest available federal or state income tax return subject to any subsequent amendments or revisions, reduced by distributions, to the extent included in federal adjusted gross income, received from an individual retirement account, and an individual retirement annuity, provided that if no such return was filed within the one-year period preceding taxable status date, "income" shall mean the adjusted gross income that would have been so reported if such a return had been filed. For purposes of this definition, "latest available return" shall mean the federal or state income tax return for the year immediately preceding the date of making application; provided, however, that if the tax return for such tax year has not been filed, then the income tax return for the tax year two years preceding the date of making application shall be considered the latest available.

NEWLY CONSTRUCTED -- An improvement to real property which was constructed as a primary residential property, and which has never been occupied and was constructed after the effective date of this article. "Newly constructed" shall also mean that portion of a primary residential property that is altered, improved, or reconstructed.

PRIMARY RESIDENTIAL PROPERTY -- Any one- or two-family house, townhouse, or condominium located in this state which is owner-occupied by such homebuyer.

C. Real Property Tax Exemption For First Time Homebuyers Of Newly Constructed Homes Granted

1. Newly constructed primary residential property located within the County of Ulster and purchased by one or more persons, each of whom is a first-time homebuyer and has not been married to a homeowner in the three years prior to applying for this first-time homeowners exemption, shall be exempt from taxation levied by or on behalf of the County of Ulster, for a period of five years.

2. Such exemption shall be computed in accordance with the following table:

Year of Exemption	Percentage of Assessed Valuation Exempt From Tax
1	50%
2	40%
3	30%
4	20%
5	10%
6 or more	0%

D. Eligibility

1. Any newly constructed primary residential real property within the purchase price limits defined by the State of New York Mortgage Agency (SONYMA) low interest rate mortgage program in the non-target, "one-family, new" category for Ulster County, and in effect on the contract date for the purchase and sale of such property, shall be eligible for the exemption allowed pursuant to paragraph C of this article.

2. A first-time homebuyer who either as part of a written contract for sale of the primary residential property or who enters into a written contract within 90 days after closing on the sale of the primary residence for reconstruction, alteration or improvements, the value of which exceeds $3,000, to the primary residential property shall be exempt from taxation to the extent provided by this article. Such exemption shall apply solely to the increase in assessed value thereof attributable to such reconstruction, alteration, or improvement, provided that the assessed value after reconstruction, alteration, or improvements does not exceed 15% more than the purchase price limits as defined in Subsection A of this section. For purposes of this subsection, the terms "reconstruction," "alteration" and "improvement" shall not include ordinary maintenance and repairs.

3. A first-time homebuyer shall not qualify for the exemption authorized pursuant to this article if the household income exceeds income limits defined by the SONYMA low interest rate mortgage program in the non-target, one- and two-person-household category for Ulster County in effect on the contract date for the purchase and sale of such property.

E. Applicability to newly constructed property; cutoff date for exemption

1. Newly constructed primary residential property purchased by first-time homebuyers at a sales price greater than the maximum eligible sales price shall qualify for the exemption allowed pursuant to this article for that portion of the sales price of such newly constructed primary residential property equal to the maximum eligible sales price; provided, however, that any newly constructed primary residential property purchased at a sales price greater than 25% above the maximum eligible sales price shall not be allowed any exemption.

2. No exemption shall be allowed pursuant to this article for any newly constructed primary residential property purchased by a first-time homebuyer on or after December 31, 2016, unless such purchase is pursuant to a binding written contract entered into prior to December 31, 2016; provided, however, that any first-time homebuyer who is allowed an exemption pursuant to this article prior to such date shall continue to be allowed further exemptions pursuant to paragraph C of this article.

F. Restrictions on use of eligible property

1. No portion of a single family newly constructed primary residential property shall be leased during the period of time when the first-time homeowner exemption shall apply to the residence. If any portion of the single-family newly constructed primary residential property is found to be the subject of a lease agreement, the Assessor shall discontinue any exemption granted pursuant to this article.

Local Law Number 5 Of 2012

County Of Ulster

A Local Law Enacting A First Time Homebuyer County Property Tax Exemption

2. In the event that a primary residential property granted an exemption pursuant to this article ceases to be used primarily for residential purposes or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this article shall be discontinued.

3. Upon determining that an exemption granted pursuant to this article should be discontinued, the Assessor shall mail a notice so stating to the owner or owners thereof at the time and in the manner provided by § 510 of the New York Real Property Tax Law. Such owner or owners shall be entitled to seek administrative and judicial review of such action in the manner provided by law, provided that the burden shall be on such owner or owners to establish eligibility for the exemption.

G. Application for exemption

1. Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the State Board of Real Property Services. The application shall be filed with the Assessor of the pertinent town having the power to assess property for taxation on or before the appropriate taxable status date of Ulster County.

2. If satisfied that the applicant is entitled to an exemption pursuant to this article, the Assessor shall approve the application, and such primary residential property shall thereafter be exempt from taxation and special ad valorem levies as provided in this article commencing with the assessment roll prepared on the basis of the taxable status date referred to in Subsection A of this section. The assessed value of any exemption granted pursuant to this article shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

Local Law Number 5 Of 2012

County Of Ulster

A Local Law Enacting A First Time Homebuyer County Property Tax Exemption

H. Filing

The Clerk of the Ulster County Legislature is hereby directed to file a copy of this article with the State Board of Real Property Services and the 20 Town Assessors and 1 City Assessor who prepare the assessment roll on which the taxes of this County are levied.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the office of the Secretary of State and shall apply to taxable years beginning on or after January 1, 2013.

Adopted by the County Legislature: June 19, 2012

Approved by the County Executive: July 9, 2012

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR	2. PROJECT NAME
ULSTER COUNTY	Consideration of proposed Local Law # 1 of 2012

3. PROJECT LOCATION:
Municipality Ulster County County Ulster

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
All county roads and county property (whether such property is owned or leased)

5. PROPOSED ACTION IS:
☑ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
Proposes a local law to prohibit brine, as defined in the local law, from being applied to County roads or property.

7. AMOUNT OF LAND AFFECTED:
Initially N/A acres Ultimately N/A acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☑ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☑ Residential ☑ Industrial ☑ Commercial ☑ Agriculture ☑ Park/Forest/Open Space ☐ Other
Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☑ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: ULSTR County Legislature Date: 8/8/12

Signature: Counsel/Guy Bernardo, Chairman

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☒ No

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

NC

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

NC

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

NC

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

NC

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

NC

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

NC

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

NC

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
☐ Yes ☒ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☒ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☑ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Ulster County Legislature	8/2/12
Name of Lead Agency	Date
Terry Bernardo	Chairman, Ulster County Legislature
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Terry Bernardo	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)

[redacted]

Local Law Number 6 Of 2012

County Of Ulster

A Local Law Of The County Of Ulster, New York Known As The "Hydraulic Fracturing Brine Prohibition Act"

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

A new Chapter, Chapter 306 is added to the Code of the County of Ulster to read as follows.

§306-1

Title. This Local Law shall be known by and may be cited as the "Hydraulic Fracturing Brine Prohibition Act".

§306-2

Definitions. As used in this Chapter, the following terms shall have the following meanings:

"Application" shall mean the physical act of placing Brine on one or more County roads or one or more pieces of County property. Each physical act shall be deemed separate when the person committing the act stopping for any reason the placement of the Brine for any purpose, including but not limited to stopping a vehicle used in the placement of the Brine, stopping work for any reason, re-loading or replacing any material or equipment necessary to apply the brine.

"Brine" shall mean: (a) production brine; or (b) produced waters; or (c) flowback; or (d) flowback fluids; or (e), hydraulic fracturing fluid, any or all, which are generated as a result of drilling for, or seeking gas in wells including but not limited to High Volume Hydraulic Fracturing, as defined herein.

"Commissioner" shall mean: The Commissioner of the Department of Public Works except for the use of the word "commissioner" in Section 306-5 may mean any other commissioner designated by the County Executive or may mean the Commissioner of Public Works as determined by the County Executive.

"Flowback" shall mean liquids and solids produced during initial completion and clean-up of the well or clean-up of a well following a re-fracture or workover.

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"Flowback fluids" shall mean liquids produced following drilling and initial completion and clean-up of the well or clean-up of a well following a re-fracture of workover.

"High Volume Hydraulic Fracturing" shall mean a natural gas well stimulation technique consisting of the injection into the earth of a water and chemical mix with the intent of increasing the ability to extract natural gas from very tight rock."

"Hydraulic fracturing fluid" shall mean fluid used to perform hydraulic fracturing and includes the primary carrier fluid and all applicable additives.

"Municipality" shall mean the County of Ulster
"Production brine or produced waters" shall mean liquids co-produced during oil and gas production.

"Property" shall mean real property, improved or otherwise, which the County of Ulster owns or controls.

"Roads" shall mean public roads, streets, or bridges owned or controlled by the municipality.

§306-3

Use of Brine prohibited. No Brine shall be applied to or placed upon property or roads of the municipality. In any bid for materials, services, or equipment which relate to property maintenance or road improvements or road construction, the municipality in a bid specification or bid document describing the nature of the services or equipment sought, and any agency or division of the municipality, shall expressly state in capitalized, bold font, "THE PLACEMENT OF BRINE ON ANY ROAD OR PROPERTY OF THE COUNTY OF ULSTER IS UNLAWFUL. ANY BIDDER SHALL FILE A SWORN STATEMENT WITH THEIR BID THAT NO BRINE AS DEFINED BY LOCAL LAW OF THE MUNICIPALITY WILL BE SOLD TO THE MUNICIPALITY AS PART OF THE BID, OR UTILIZED ON OR PLACED ON ANY

PROPERTY OR ROAD OF THE COUNTY OF ULSTER. BIDDERS ARE DIRECTED TO CHAPTER 306 OF THE LAWS OF THE COUNTY OF ULSTER FOR THE DEFINITION OF BRINE."

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§306-4

Statement to be included in Bid. The Statement provided for in §306-3, which shall be a sworn statement under penalty of perjury, shall read substantially as follows:

"We, _____hereby submit a bid for materials, equipment, or labor for the _____ of _____. The bid is for bid documents titled _____. We hereby certify under penalty of perjury that no Brine will be used by the undersigned bidder or any contractor, sub-contractor, agent, or vendor thereof in connection with the bid; nor will the undersigned Bidder or any sub-contractor, agent, or vendor thereof and/or therefor apply or supply any Brine to any property or road(s) of the County of Ulster as a result of the submittal of this bid if selected." The Statement shall otherwise be sworn to under penalty of perjury in a form satisfactory to the County Attorney.

§306-5

Duty of Employees to be Familiar with this Chapter. The County Executive or, at the County Executive's option, a department head of a commissioner of any Department appointed by the County Executive is authorized to develop policies to ensure county employees are familiar with this Chapter and take such steps as are directed by the County Executive or such department head or commissioner to ensure a diligent effort by the County that materials supplied to the County or used on County roads or property comply with this Law. This shall not excuse non-compliance by a contractor or vendor of the County.

§306-6

Penalties for Violations.

A. Breach of Contract. A violation of the provisions of this Chapter shall be deemed a breach of contract and shall authorize the Director of Purchasing in cooperation with the County Attorney and any other officer or employee of the County deemed necessary by the County Attorney, commence a civil Breach of Contract action against the violator of the provisions of this Chapter. Damages sought shall be determined by the County Attorney but may include, but shall not be

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limited to the cost of any consequential damages of the breach of contract. In addition, a determination by the Director of Purchasing that the contract was awarded through shall make a finding that the Contractor was not a responsible bidder and shall cause notice of such irresponsibility to be circulated in a form approved by the County Attorney to each other County in New York State. The County Attorney is further authorized to commence any necessary action to enjoin any violation of this Chapter he or she believes to be occurring.

B. Criminal Penalties. In addition to prosecution for Perjury as determined by the District Attorney, any person who violates this article shall be guilty of an unclassified misdemeanor and subject to a fine not to exceed $25,000.00 per violation and/or up to fifteen days' imprisonment. Each application of brine shall constitute a separate and distinct violation.

§306-7. Separability. If any sentence, clause, paragraph, subdivision, sub-paragraph, part or provision of this article or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this article or the application thereof to other persons or circumstances and the Legislature hereby declares that it would have enacted this article or the remainder thereof had the invalidity of such provision or application thereof been apparent.

§306-8

Effective Date. This act shall take effect 30 days after it shall have been filed with the Secretary of State.

Adopted by the County Legislature: July 25, 2012

Approved by the County Executive: August 13, 2012

Local Law Number 7 Of 2012

County Of Ulster

A Local Law Amending The Ulster County Charter And Ulster County Administrative Code By Deleting Article XVII From Each (Real Property Tax Service Agency), And Amending The Ulster County Charter With Respect To Article VIII (Department Of Finance)

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

The Ulster County Executive and Ulster County Legislature find and determine that in order to assure the provision of services to the residents of Ulster County in the most efficient and cost effective way possible, the Legislature hereby deletes Article XVII from the Ulster County Charter as well as Article XVII of the Administrative Code of Ulster County and transfers all powers and duties inherent to the Real Property Tax Service Agency to the Department of Finance.

SECTION 2. Section C-53 of the Ulster County Charter is hereby amended by adding the following which shall read as follows:

C. There shall be within the Department of Finance, an independent Division of Real Property Tax Service under the direction of a Deputy Commissioner of Finance/Director of Real Property Tax Service, who shall be appointed by the County Executive and serve at the pleasure of the County Executive. At the time of his or her appointment, and throughout his or her term of office, he or she shall possess such qualifications that conform to those prescribed by the State of New York for county directors of real property tax service agencies pursuant to Article 15-A, Section 1530 of the New York State Real Property Tax Law. He or she shall be appointed on the basis of his or her administrative experience and other qualifications for the responsibilities of this office, except that if the Deputy Commissioner of Finance/Director of Real Property Tax Service is appointed for a fixed term of years pursuant to a provision of state law, he or she may only be removed for cause, after written notice of charges and an opportunity to be heard.

D. The independent Division of Real Property Tax Service shall:

(1) Have all of the powers and perform all of the duties conferred or imposed by Article 15-A of the Real Property tax Law, including but not limited to the extension of real estate taxes, the issuance of tax bills, the maintenance of County assessment records, the submission to the County Executive of tax equalization rates and the rendering of assistance to assessors throughout the County in the performance of their respective responsibilities;

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(2) Prepare tax maps for the use of the assessor of all the assessing units in the County; on such maps shall be shown each separately assessed parcel of real property with its boundaries properly marked, pursuant to the Real Property Tax Law;

(3) Shall perform such other and related duties as required by the County Executive; and

(4) On or before March 1 of each year, make an annual report to the County Executive and County Legislature for the immediately preceding calendar year, covering generally the work of the division. The Deputy Commissioner of Finance/Director of Real Property Tax Service shall make such other reports at such times as may be required by the County Executive, County Legislature or any applicable law. Copies of all reports shall be filed with the County Executive and the Clerk of the County Legislature.

SECTION 3. Article XVII of the Ulster County Charter is hereby deleted in its entirety.

SECTION 4. Article XVII of the Administrative Code of Ulster County is hereby deleted in its entirety.

SECTION 5. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: August 14, 2012

Approved by the County Executive: September 6, 2012

Local Law No. 8 Of 2012

County of Ulster

A Local Law Entitled "Mandate And Taxation Information Act"

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE.

This Local Law shall be known and may be cited as the "Mandate and Taxation Information Act."

SECTION 2. LEGISLATIVE FINDINGS AND PURPOSE.

It is generally recognized that property taxpayers have a substantial interest in receiving complete tax bill information. Part of having complete information should include a description of major programs funded by the County as well as a summary of the impact that State mandates have on property taxes. It is the intent of this law to provide a tax bill insert to be included with the annual tax bill to ensure that the citizens of Ulster County receive such information in as clear and as complete a way as possible to assist their understanding as to what their real property taxes pay for.

SECTION 3: COUNTY TAX BILL INFORMATION STATEMENT

The County Executive is hereby authorized to cause an information statement to be provided on County tax bill in bold, capitalized font of at least 14 point type, reading as follows:

The State of New York requires local governments to perform many functions and provide services without financial support. These State requirements or "unfunded State mandates" have a direct impact on local spending and represent a significant portion of the County and Town real property taxes that are due. Please see the notice enclosed with this tax bill for a more detailed explanation of the spending required by the State of New York and the impact on local property tax rates or visit the following website: http://co.ulster.ny.us or http://www.co.ulster.ny.us/Legislature

This statement shall be prominently displayed on the tax bill as a separate section and not included with any other information provided on the County tax bill.

The County Executive is hereby authorized to cause the County Tax Bill Insert required by Section 4 to be prominently posted on the County website.

In the event the websites of the County or the County Legislature are changed, the website(s) otherwise listed in this Section shall change to reflect the new website(s).

SECTION 4. COUNTY TAX BILL INSERT.

The County Executive is hereby authorized to take any and all action necessary to cause a Tax Bill Insert summarizing County budget information and the impact that State mandates have on the County tax levy to be included as an enclosure with each annual property tax bill. The Tax Bill Insert shall include the following sections:

a. Summary of revenues and expenses included in the County budget, including a tabulation and/or graphical depiction of major cost centers and the respective percentage of total spending of each item.

b. Standard statement defining State mandates which shall include an explanation that some mandated amounts are approximate or qualified and that all mandates are not identified, if such be the case.

c. Narrative and/or graphical summary of financial impacts of identified State mandates and the percentage of total spending that these mandates represent.

d. Other information deemed necessary by the County Executive to implement this Local Law.

SECTION 5. OPTIONAL TOWN TAX BILL INSERT.

A Town may, by Local Law, request that the County include a Town Tax Bill Insert summarizing Town budget information and the impact that State or County mandates have on the Town tax levy to be included as an enclosure with each annual property tax bill. The County Executive is authorized to develop a uniform Town Tax Bill Insert template that shall include the following sections:

a. Summary of revenues and expenses included in the Town's budget, including a tabulation and/or graphical depiction of major cost centers and the respective percentage of total spending of each item.

b. Standard statement defining State or County mandates which shall include an explanation that some mandated amounts are approximate or qualified and that all mandates are not identified, if such be the case.

c. Narrative and/or graphical summary of financial impacts of identified State or County mandates and the percentage of total spending that these mandates represent.

d. Other information deemed necessary by the County Executive to implement this Local Law.

The County Executive is authorized to develop, with the advice of the Ulster County Association of Town Supervisors and the Chairman of the Ways and Means Committee, or his or her designee, procedures necessary to implement this section.

SECTION 6. PROCEDURE.

The County Executive shall submit proposed tax bill insert templates to the Ways and Means Committee, which shall approve on an annual basis. Should the Ways and Means Committee fail to take any action within 45 days of submission, the County Executive's templates shall be deemed approved. The procedures required by this local law shall be carried out in addition to, and in accordance with, other annual tax billing procedures existing within the County of Ulster. Nothing contained in this local law, or any amendments or regulations pertaining thereto, shall be construed to in any way affect, modify or alter in any manner whatsoever, the County tax levy, definition or description of the County tax levy, or calculation thereof.

SECTION 7. EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: August 14, 2012

Approved by the County Executive: September 11, 2012

Local Law Number 9 Of 2012

County Of Ulster

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. Section C-10 of the Ulster County Charter is REPEALED and a new Section C-10 is added to the Ulster County Charter to read as follows:

§ C-10. Commission on Reapportionment (Redistricting).

A. A Commission on Reapportionment shall be established pursuant to this section. It shall meet as soon as practicable after the availability of data from each decennial census to evaluate existing legislative districts pursuant to the process established herein and reapportion them as necessary to meet established standards in state and federal law for equal and fair representation of all people in Ulster County, keeping districts compact and contiguous while taking also into account existing town, city, village and election district boundaries, defining geographic features, and equal population within applicable law, but giving no consideration to providing advantage to one or another political party. This Commission shall consist of seven (7) members who are County residents, are eligible to register to vote and are not currently, nor have been for the three (3) years preceding the formation of the Commission, public officers, employees of New York State, Ulster County or any Town, City or Village in that County, or members or officers of any political committee. For the purposes of this statute, public officers shall not include notaries public.

B. To establish a pool from which Commission members will be appointed, the County Executive shall, no later than June 1st of each year ending in "0", commence the process for widely soliciting interest in serving on the Commission through such means as direct mail and e-mail, contact with civic groups, public service announcements on radio and television and in daily and weekly newspapers, paid advertisement and announcement on the County website. The pool of candidates qualified to serve as members of the Commission shall be submitted to the County Legislature no later than September 1st of each year ending in "0".

C. Initial appointments to the Commission on Reapportionment from the pool of interested parties gathered in this manner shall represent various geographic areas of the County and shall be made no later than October 1st of each year

ending in "0", with two (2) members appointed by the Legislature's majority leader and two (2) members by the Legislature's minority leader.

D. 1) The four (4) appointed Commissioners shall select the additional three (3) Commission members from the pool previously established no later than October 15th of each year ending in "0". In the event that all of the three (3) additional Commission members are not appointed by the prescribed October 15th deadline, the appointment of the initial four (4) members and additional members appointed by the four (4) Commissioners will no longer have force and effect and these members will no longer be eligible to serve on the Commission on Reapportionment.

2) The majority and minority leaders will then make new appointments, other than any previously selected who could not agree on the selection of the three (3) additional members, in the manner prescribed in subsection "C" above no later than November 1st of each year ending in "0". The four (4) newly appointed members will appoint three (3) additional members as set forth above by November 15th of each year ending in "0". In the event that all of the three (3) additional Commission members are not appointed by the prescribed November 15th deadline, the appointment of the initial four (4) members and additional members appointed by the four (4) Commissioners will no longer have force and effect and these members will no longer be eligible to serve on the Commission on Reapportionment.

3) The majority and minority leaders will then make new appointments, other than any previously selected who could not agree on the selection of the three (3) additional members, in the manner prescribed in Subsection "C" above but no later than December 1st of each year ending in "0".

4) In the event that these four (4) Commission members fail to select all of the three (3) additional members by December 15th of each year ending in "0", then by January 1st of each year ending in "1", the three (3) additional members of the Commission shall be selected by a drawing of names from a receptacle containing the names of the remaining members of the pool of

interested parties that the four (4) Commissioners have agreed by majority vote meet the criteria set forth in Subsection C-10 (A) of this Charter. The four (4) newly appointed members shall verify that the receptacle contains the names of all remaining members of the pool of interested parties. The County Clerk shall draw three (3) names from the receptacle containing the names of all of the remaining interested parties. If the four (4) newly appointed members determine that any one (1) of the three (3) additional members together with the four (4) appointed members thus selected do not represent the criteria set forth in section C-10 (A) of this Charter, the process shall be repeated with respect to the number of additional members to be appointed. The rejected members shall not be placed back in the receptacle. This process shall be repeated until a majority of the four (4) members determine that the three (3) additional members together with the four (4) appointed members represent the criteria set forth in section C-10 (A) of this Charter. The three (3) names thus selected shall constitute the three (3) additional members of the Commission on Reapportionment.

E. The Commission shall meet no later than fifteen (15) days after it is fully appointed. The Commission shall elect a Chairperson at its first meeting by a majority vote of the entire membership of the Commission.

F. Powers and Duties of the Commission; hearings; submissions and approval of the plan.

1) Following each decennial census, the Commission shall prepare a plan to divide the County into twenty-three (23) single member districts as set forth in subsection C-8 of this Charter for the election of County Legislators. The plan shall be solely limited to the designation of creating district boundary lines delineating each of the twenty-three (23) Legislative districts. The Commission shall have no power or authority to increase or decrease the number of Legislative districts as that power and authority shall vest solely with the power and authority granted to the Ulster County Legislature, Ulster County Executive and the electorate pursuant to the Ulster County Charter and Section 23 of Municipal Home Rule Law. In preparing the plan, the Commission shall be guided by the criteria set forth in section C-10 (A) of the County Charter.

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2) Each of the twenty-three (23) single member Legislative districts shall be created, taking into consideration subsection C-10 of this Charter based upon population.

3) The Commission shall hold one (1) or more public hearings on or prior to May 20 of each year ending in "1" and shall make its draft plan available to the public for inspection and comment not less than ten (10) days before such public hearing.

4) The Commission shall prepare and adopt by majority vote, a final plan for reapportionment and submit its plan to the Clerk of the Legislature on or before June 1st of each year ending in "1" unless the Legislature shall adopt a resolution extending the deadline for a period of up to fifteen (15) days if the necessary census data has not been supplied in a timely fashion and the Commission requests such extension. Such plan shall be able to be subjected to a permissive referendum, as if it were a local law, provided the New York State Legislature shall have enacted legislation and the Governor shall have signed into law such legislation or such legislation is otherwise caused to become law.

5) If the Commission on Reapportionment's plan is not subjected to a permissive referendum or is approved at referendum, it shall have the force and effect of law and shall be deemed the reapportionment plan of the County Legislature commencing with the General Election in the year ending in "3". If the Commission on Reapportionment's plan is subjected to a permissive referendum and is defeated or otherwise not enacted in such permissive referendum, such plan shall not take effect and a new Commission on Reapportionment shall be established and such persons on the Commission shall meet all criteria as the prior Commission. The County Executive shall undertake the same or substantially similar procedures as were utilized in the formation of the Commission on Reapportionment in the prior year to solicit volunteers for the pool who will be considered for the Commission on Reapportionment. Such pool of candidates shall be established by December 15 of the year ending in "1". The Majority Leader and Minority Leader in office as of January 10 in a year ending in "2" shall pick two persons each from the pool of candidates to serve on the Commission by January 15 in a year ending in "2".

The four (4) appointed Commissioners shall select the additional three (3) Commission members from the pool previously established no later than February 1st of each year ending in "2". In the event that all of the three (3) additional Commission members are not appointed by the prescribed February 1st deadline, the appointment of the initial four (4) members and any additional members appointed by the four (4) Commissioners will no longer have force and effect and these members will no longer be eligible to serve on the Commission on Reapportionment.

6) The majority and minority leaders will then make new appointments, other than any previously selected who could not agree on the selection of the three (3) additional members, in the manner prescribed in subsection "C" above no later than February 10th of each year ending in "2". The four (4) newly appointed members will appoint three (3) additional members as set forth above by February 20th of each year ending in "2". In the event that all of the three (3) additional Commission members are not appointed by the prescribed February 20th deadline, the three (3) additional members of the Commission shall be selected by a drawing of names from a receptacle containing the names of the remaining members of the pool of interested parties that the four (4) Commissioners have agreed by majority vote meet the criteria set forth in Subsection C-10 (A) of this Charter by February 25th of each year ending in "2".

The four (4) newly appointed members shall verify that the receptacle contains the names of all remaining members of the pool of interested parties. The County Clerk shall draw three (3) names from the receptacle containing the names of all of the remaining interested parties. If the four (4) newly appointed members determine that any one (1) of the three (3) additional members together with the four (4) appointed members thus selected do not represent the criteria set forth in section C-10 (A) of this Charter, the process shall be repeated with respect to the number of additional members to be appointed. The rejected members shall not be placed back in the receptacle. This process shall be repeated until a majority of the four (4) members determine that the three (3) additional members together with the four (4) appointed members represent the criteria set forth in section C-10 (A) of this

Charter. The three (3) names thus selected shall constitute the three (3) additional members of the Commission on Reapportionment.

G. The Commission shall meet no later than seven (7) days after it is fully appointed. The Commission shall elect a Chairperson at its first meeting by a majority vote of the entire membership of the Commission.

H. Powers and Duties of the Commission; hearings; submissions and approval of the plan.

1) The Commission shall prepare a plan to divide the County into twenty-three (23) single member districts as set forth in subsection C-8 of this Charter for the election of County Legislators. The plan shall be solely limited to the designation of creating district boundary lines delineating each of the twenty-three (23) Legislative districts. The Commission shall have no power or authority to increase or decrease the number of Legislative districts as that power and authority shall vest solely with the power and authority granted to the Ulster County Legislature, Ulster County Executive and the electorate pursuant to the Ulster County Charter and Section 23 of Municipal Home Rule Law. In preparing the plan, the Commission shall be guided by the criteria set forth in section C-10 (A) of the County Charter.

2) Each of the twenty-three (23) single member Legislative districts shall be created, taking into consideration subsection C-10 of this Charter based upon population.

3) The Commission shall hold one (1) or more public hearings not less than ten (10) days before it submits its final plan to the Clerk of the Ulster County Legislature, in accordance with subdivision 4 of this section. The Commission shall make its draft plan available to the public for inspection and comment not less than ten (10) days before the first such public hearing.

4) The Commission shall prepare and adopt by majority vote, a plan for reapportionment and submit its plan to the Clerk of the Legislature on or before May 1st of each year ending in “2”. Such plan shall divide the County into twenty-three (23) single member districts for the election of the County Legislature. Such plan shall be able to be subjected to a permissive

referendum, as if it were a local law, provided the New York State Legislature shall have enacted legislation and the Governor shall have signed into law such legislation or such legislation is otherwise caused to become law.

5) If the Commission on Reapportionment's plan is not subjected to a permissive referendum or is approved at referendum, it shall have the force and effect of law and shall be deemed the reapportionment plan of the County Legislature commencing with the General Election in the year ending in "3". If the Commission on Reapportionment's plan is subjected to a permissive referendum and is defeated or otherwise not enacted in such permissive referendum it shall not take effect. In such a case, any resident of Ulster County may apply to a Court of Competent jurisdiction to reapportion the County Legislature into twenty three (23) single member districts which otherwise meet the criteria of this Charter and applicable laws.

6) Upon any such Reapportionment plan becoming effective, it shall be submitted to the Ulster County Board of Elections, which shall make adjustments as may be necessary and appropriate to comply with the adopted plan or pursuant to any Court Order.

I. The County Legislature shall appropriate such funds as it deems are necessary for the Commission(s) to effectively conduct its business. The expenditure of such funds shall be under the sole control and discretion of the Commission(s) subject to the provisions set forth in this Charter and applicable federal, state, and local laws.

J. A Reapportionment Commission shall be dissolved on the day following the General Election in which it submits its plan to the Clerk of the County Legislature.

K. A vacancy in any Reapportionment Commission shall be filled in the manner that the vacant position was originally filled. A vacancy shall be filled no later than fifteen (15) days from the date of the vacancy.

L. If the County of Ulster is not authorized to reapportion in the manner provided for herein pursuant to an applicable State law, including but not limited to the portion

authorizing a permissive referendum, the Ulster County Charter Revision Commission shall be reconvened, as provided for in Section C-5 of the Ulster County Charter, not earlier than September 1, 2017 and not later than November 1, 2017 for the purpose of providing for a method of reapportionment of the twenty-three (23)Ulster County legislative districts pursuant to Section C-10 of the Ulster County Charter.

SECTION 2. Paragraphs I, K and P of SECTION C-11 of the Ulster County Charter are hereby REPEALED and new Paragraphs I, K and P of Section C-11 of the Ulster County Charter are added to read as follows:

I. To approve all labor contracts and amendments thereto;

K. To conduct studies and investigations in furtherance of its legislative functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses, administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations. A subpoena issued under this section shall be regulated by the Civil Practice Law and Rules together with any state or federal laws or rules that may be applicable. The subpoena shall not extend to disclose the identity or jeopardize the safety of victims, confidential informants, witnesses, and undercover officers or operatives;

P. To appropriate funds for the annual audit of the books and records of the County by independent auditors.

SECTION 3. A new section C-11.1 is hereby added to the Ulster County Charter to read as follows:

§ C-11.1

There shall be an Audit Committee consisting of seven (7) members: The Chairman of the Legislature or his/her designee will serve on and chair the committee and will appoint two (2) additional members, at least one of whom must be a County Legislator; the minority leader will appoint two (2) members, at least one of whom must be a County Legislator; the County Executive or designee; the Comptroller or designee. The County Executive and the

Comptroller shall be non-voting members. It shall take the affirmative action of three out of the five voting members to act.

A. The Audit Committee shall: (1) select the independent auditor to perform the annual audit of the books and records of the County; (2) select the independent auditor in a fashion consistent with the County's existing procurement policy and the Audit Committee shall consult with the Director of Purchasing in this respect; and (3) report the independent auditor's findings to the Legislature, County Executive and County Comptroller.

SECTION 4. Section C-15 of the Ulster County Charter is hereby REPEALED and new Section C-15 is hereby added to the Ulster County Charter to read as follows:

§ C-15. Confirmation of Appointments.

A proposed appointment or proposed appointments to County office by the County Executive that requires confirmation by the County Legislature under provisions of this Charter shall be presented by the County Executive to the Clerk of the Legislature in writing in sufficient time to allow the Clerk to inform the full Legislature of the proposed appointment or appointments at least thirty (30) days prior to the Legislature's next scheduled meeting. The Legislature shall vote on the confirmation of such individual at its next regular meeting at least thirty (30) days after such nomination has been made by the County Executive. If the Legislature fails to vote upon the proposed appointment or appointments, the proposed appointment or appointments shall be deemed confirmed. When an appointment is not confirmed by the Legislature, but such appointment was considered at a regular meeting of the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive for twelve (12) months after the Legislature votes upon the proposed appointment.

SECTION 5. Section C-19 of the Ulster County Charter is hereby REPEALED and a new Section C-19 is added to the Ulster County Charter to read as follows:

§ C-19. Clerk of the County Legislature.

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter.

A Clerk of the County Legislature shall be elected by the County Legislature on an annual basis commencing upon the organizational meeting of the County Legislature which shall take place in January, 2014. Until such time, the Clerk shall be appointed by the Chairman of the County Legislature. The Clerk shall be and remain an elector of the County, and he or she shall serve at the pleasure of the Legislature until his or her successor shall be appointed and shall qualify. A vacancy in the office of Clerk shall be filled by election of the County Legislature effective after the organizational meeting of the County Legislature in January, 2014. The Clerk of the Legislature incumbent as of December 31, 2013 shall holdover and continue in his or her position as Clerk of the County Legislature until his or her successor shall have been elected; provided, however, that nothing shall preclude the election of the incumbent in the position of the Clerk of the County Legislature as of December 31, 2013. Effective January 1, 2014, Deputy Clerks of the Legislature and employees of the Legislature shall be appointed pursuant to the Rules of the Legislature. Until January 1, 2014 such Deputy Clerks and employees shall be appointed by the Chairman of the Legislature.

SECTION 6. Paragraph C of Section C-20 of the Ulster County Charter is hereby REPEALED and a new Paragraph C of Section C-20 is added to the Ulster County Charter to read as follows:

C. Minority Counsel. There shall also be a Minority Counsel who shall be an attorney at law licensed to practice law in the State of New York and who shall generally provide legal advice and assistance to the members of the County Legislature belonging to the political party holding the second largest number of seats in the Legislature. He or she shall be selected by that party's caucus and shall serve at the pleasure of said caucus.

SECTION 7. Section C-20 of the Ulster County Charter is hereby amended by adding a paragraph D to the Ulster County Charter to read as follows:

D. To advise the Legislature, the Legislature may retain Special Counsel where it deems it necessary notwithstanding the provisions of § C-72 of this County Charter.

Local Law Number 9 Of 2012

County Of Ulster

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter.

SECTION 8. Paragraph A of Section C-25 of the Ulster County Charter is hereby REPEALED and a new Paragraph A is added to Section C-25 to read as follows:

A. Appoint department heads and other officers and employees as provided in this Charter. Should the County Executive fail to make such appointment in writing, signed and filed in the offices of the Clerk and the County Clerk within a period of one hundred twenty (120) days from a vacancy in such department or administrative unit, except in the case of the departments of health and social services, in which case such appointment shall be made within one hundred eighty (180) days, the County Legislature may appoint such department head or administrative unit head. In no event shall, unless a default occurs in the confirmation process by the County Legislature, any person appointed by the County Executive enter upon his or her office unless confirmation by the County Legislature shall have been filed by the Clerk in the offices of both the County Clerk and the Clerk;

SECTION 9. Section C-25 of the Ulster County Charter is hereby amended by adding a new paragraph P to read as follows:

P. To conduct studies and investigations in furtherance of his or her executive functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards.

SECTION 10: Paragraphs B and E of Section C-26 of the Ulster County Charter are hereby REPEALED and new Paragraphs B and E of Section C-26 of the Ulster County Charter are added to read as follows:

B. The appointment by the County Executive of the head of each department or other administrative unit shall, unless otherwise specified in this charter, be subject to the confirmation by the County Legislature by vote of a majority of the whole number of members elected to that body, taken at a regular or special meeting pursuant to section C-15 of this Charter.

E. The County Executive may designate a qualified person to serve temporarily or on an interim basis as the head of a department or administrative unit until an appointment is made pursuant to this Charter.

Local Law Number 9 Of 2012

County Of Ulster

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter.

SECTION 11: Section C-29 of the Ulster County Charter is hereby REPEALED and a new Section C-29 is hereby added to the Ulster County Charter to read as follows:

§ C-29. Acting County Executive.

A. The County Executive shall designate in writing, and in order of succession, the person or persons who shall serve as Acting County Executive in the event that he or she resigns, dies or certifies in writing and files with the County Clerk a statement that he or she is unable to perform and/or exercise the powers and duties of the Office of County Executive, or in the event that, upon advice sought by a majority of the whole number of members elected to the Ulster County Legislature by formal action not subject to veto by the County Executive, his or her inability to serve is certified by qualified and competent medical authority.

B. Only persons incumbent in County government may be designated to any list of succession for possible service as Acting County Executive.

C. If a vacancy occurs in the Office of County Executive other than by regular expiration of the term, the person designated under subsection C-29 (A) as the first successor shall become Acting County Executive until the vacancy is filled in accordance with subsections D, E and F of this section. Should the person designated as the first successor be unable to perform and/or exercise the duties of the office, then the person next designated under C-29 (A) shall become the Acting County Executive.

D. If the vacancy in the Office of the County Executive occurs more than one hundred eighty (180) days before the next general election, it shall be filled for the remainder of the unexpired term by a special election to be held no later than ninety (90) days from the date the vacancy occurs. The person so elected shall serve for the balance of the unexpired term commencing thirty (30) days from the date of the certification by the Board of Elections. The Acting County Executive shall continue to serve until such time as the person so elected takes office.

Notice of a special election called hereunder shall be in a manner set forth in election law for notice of a general election. It shall be the duty of the Board of Elections to prepare ballots, voting machines and other matters so that such

election may be properly held and conducted. Notwithstanding any law to the contrary, the expenses of a special election conducted pursuant to this section shall be borne by the County, except where the special election will be held on the date of a primary election or the next general election.

E. If said vacancy may be filled by a general election to be held no more than one hundred eighty (180) days after the vacancy occurs, then no special election shall be held, and the vacancy shall be filled by a general election. The person so elected at the general election shall serve for the balance of the unexpired term and shall take office on the first (1) day of January next succeeding the vacancy.

F. At any time during the remainder of the term for which a County Executive was elected after he or she was found unable to perform and/or exercise the duties of the office by competent medical authority, that authority may file a retraction in writing with the County Clerk, and thereafter the County Executive may immediately resume service in that office so long as he or she has not been replaced at a special or general election.

G. Commencing with the enactment of these provisions, the County Executive shall, on or before December 1, 2012, and for every new County Executive entering into a term thereafter on the first day of such term, be authorized to file the name of two persons to serve as Acting County Executive to take effect immediately. Within ten (10) days thereafter, the County Executive shall file a list with the County Clerk and Clerk of the County Legislature consisting of a list of one or more names to serve as Acting County Executive. Such list shall take precedence over the first persons initially designated forty-five (45) days after the filing of such list.

Such list may be modified from time to time, but shall not take effect until the expiration of forty-five (45) days the entire duration of which the County Executive who filed such list shall have had to remain in office, or such list shall not otherwise take effect. During such 45 day period, the prior list shall remain in effect.

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter.

In the absence of such written designation of order of succession and in the event of the County Executive's inability to perform and exercise the powers and duties of his or her office, the County Legislature shall appoint a person then serving in County Government to serve as Acting County Executive.

H. The Acting County Executive shall have all the powers and perform all the duties of the County Executive.

SECTION 12. Sub-paragraphs 6 and 7 of Paragraph B of Section C-53 of the Ulster County Charter are REPEALED and new sub-paragraphs 6 and 7 are added to Paragraph B of Section C-53 of the Ulster County Charter to read as follows:

6) Submit a complete statement of County finance to the County Executive and the County Legislature on or before the first day of March and at such other times as either may require;

7) Have all the powers and perform all the duties conferred or imposed by law upon a County Commissioner of Finance and perform such other duties required by the County Executive or County Legislature;

SECTION 13. Paragraph B of Section C-53 of the Ulster County Charter is amended by adding two new sub-paragraphs, 8 and 9, to read as follows:

8) Be the chief accounting officer of the County; and

9) Maintain the financial books and records for all units of County Government unless otherwise required by law.

SECTION 14. Section C-57 of the Ulster County Charter is REPEALED and a new Section C-57 is hereby added to the Ulster County Charter to read as follows:

§ C-57. Powers and Duties.

The Comptroller shall be the chief auditing officer of the County. Except as may otherwise be provided in this Charter he or she shall:

Local Law Number 9 Of 2012

County Of Ulster

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter.

A. Examine, audit, and verify all books, records, and accounts kept by the administrative units, offices and officials paid from County funds, institutions and other agencies of the County, including bond and note registers and trust accounts, and the accrual and collection of all County revenues and receipts, and for this purpose have access to all such books, records, and accounts at any time except where precluded by law. The Comptroller shall prepare an annual audit report including a risk assessment of the accounting methods utilized by the County, and shall submit a copy of the report to the County Legislature and the County Executive by April 1st of each year;

B. Procure from the depositories with which the Commissioner of Finance shall have deposited the funds and monies coming into the Comptroller's possession statements, at least monthly, of all monies deposited by the Commissioner of Finance or paid out pursuant to the Comptroller's order, and reconcile such statements with the County accounts;

C. Audit records of appropriations, encumbrances and expenditures, and prescribe generally accepted government accounting methods to be used by all units of County government, unless otherwise required by the State Comptroller;

D. Certify the availability of funds for all requisitions, contracts, purchase orders and other documents by which the County incurs financial obligations or for the expenditure of funds for which the County is responsible;

E. Prescribe the form for records of appropriation, encumbrances, and expenditures for all units of County government, receipts, vouchers, bills and claims, unless otherwise required by the State Comptroller;

F. Audit and certify for payment all lawful claims or charges against the County, whether for payroll or otherwise, or against funds for which the County is responsible in whole or in part;

G. As he or she determines necessary or appropriate, audit any department, program or function of County government to assess the degree to which its operation is economical, efficient and/or effective;

H. To conduct studies and investigations in furtherance of his or her functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses, administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations. A subpoena issued under this section shall be regulated by the Civil Practice Law and Rules together with any state or federal laws or rules that may be applicable. The subpoena shall not extend to disclose the identity or jeopardize the safety of victims, confidential informants, witnesses, and undercover officers or operatives;

I. Submit to the County Legislature and Executive, and post on the County website as frequently as he or she deems necessary, but at least quarter-annually, reports on the financial condition of the County and the economy, efficiency and/or effectiveness with which the County government or any of its departments, agencies or programs is managed;

J. Have all the powers and perform all the duties conferred or imposed by law upon a county comptroller, and perform such other related duties required by the County Executive or County Legislature.; and

SECTION 15. Section C-60 of the Ulster County Charter is REPEALED and a new Section C-60 is hereby added to the Ulster County Charter to read as follows:

§ C-60. Vacancy.

A. Filling Comptroller Vacancy. If a vacancy occurs in the Office of the Comptroller of Ulster County for any reason other than the expiration of a term, the County Legislature shall fill this office ad interim by the appointing of a person fully qualified by law to hold that office by a majority of its full number at its next regularly scheduled session or at a special session held for the purpose, and any such session shall be held no sooner than two (2) weeks after the vacancy occurs, and no later than one (1) month after the vacancy occurs.

B. Appointee to serve on interim basis. A person appointed by the Legislature in this manner to fill an office ad interim shall serve until the end of the 31st day of December following the first general election day at which a general election may be held under law to fill this position.

C. Election; person to serve for duration of unexpired term. The person chosen at general election, held as soon as practicable on a general election day under state law to fill a vacancy in the position of the Comptroller of Ulster County, shall serve for the duration of the unexpired term of the office.

SECTION 16. Section C-72 of the Ulster County Charter is REPEALED and a new Section C-72 is hereby added to the Ulster County Charter to read as follows:

§ C-72. Special counsel.

Except as provided in § C-20(D), the County Attorney shall have the power to retain special counsel where necessary and within appropriations made therefore by the County Legislature.

SECTION 17. Section C-106 of the Ulster County Charter is REPEALED and a new Section C-106 is hereby added to the Ulster County Charter to read as follows:

§ C-106. Membership; appointment; compensation.

A. There shall be a Board of Ethics consisting of five (5) members appointed by the County Executive, subject to the confirmation of the County Legislature. Board of Ethics members shall serve without compensation and for a term of five (5) years. No more than two (2) members shall be of the same political party. Members of the Board of Ethics shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes. Vacancies shall be filled for the unexpired term.

B. The County Legislature shall vote on any nominee of the County Executive to the Board of Ethics. The Legislature shall vote on the confirmation of such individual at its next regular meeting at least thirty (30) days after such nomination has been made by the County Executive. If the Legislature fails to vote upon the proposed appointment or appointments, the proposed appointment or appointments shall be deemed confirmed. When an appointment is not confirmed by the Legislature, but such appointment was considered at a regular

meeting of the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive for twelve (12) months after the Legislature votes upon the proposed appointment.

C. Notwithstanding the preceding portions of this section of the County Charter, the existing members of the Board of Ethics, existing as of December 31, 2012 shall be re-appointed by the County Executive for initial terms of one, two, three, four, or five years, unless they decline such nomination, such terms to take effect January 1, 2013. Upon the expiration of such initial term, the term of office for any person nominated or renominated to the Board of Ethics shall be for five (5) years. Confirmation by the Legislature of such appointees for initial terms of one, two, three, four, or five years shall not be required provided such person has previously been confirmed by the County Legislature to membership on the Board of Ethics and such person was a member of such Board on December 31, 2012. If a member of the Board of Ethics in office as of December 31, 2012 declines re-appointment, then any other such person nominated for a term of year(s) effective January 1, 2013 shall require confirmation of the Legislature pursuant to the provisions of C-106(A) and C-106(B).

SECTION 18. Paragraph C of Section C-116 of the Ulster County Charter is REPEALED and a new Paragraph C of Section C-116 of the Ulster County Charter is added to read as follows:

C. The Council shall meet at the call of the County Executive, or upon the call of a majority of the Council Members, but no fewer than two times annually, to consider matters or issues that might be brought before it by any member and to take initiatives designed to advance its objectives.

SECTION 19. Mandatory Referendum Question: The question that shall be submitted to the voters is as follows:

Shall the amendments to the Ulster County Charter approved as Proposed Local Law # 11 of Ulster County for 2012 be adopted and become part of the Ulster County Charter?

Local Law Number 9 Of 2012

County Of Ulster

A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter.

SECTION 20. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 21. EFFECTIVE DATE.

Pursuant to Municipal Home Rule Law Section 23, this Local Law shall not become operative unless and until this Local Law is approved by the duly qualified voters of Ulster County in a manner prescribed by law at the general election on November 6, 2012, and thereafter filed with the Secretary of State.

Adopted by the County Legislature: August 14, 2012

Approved by the County Executive: August 30, 2012

Approved by the Voters of Ulster County: November 6, 2012

Local Law No. 1 Of 2013

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) to Delete the References to "Abstract of Contracts" to Require the Approval of a Contract $50,000 or More By a Corresponding Resolution for Each Contract

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature finds that in furtherance of its fiduciary duty, contracts over $50,000 should be voted on individually instead of in "Abstract" format. In order to fully and thoughtfully execute its duties pursuant to the Ulster County Charter, the Legislature hereby amends sections of the Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) to delete references to "Abstracts of Contracts" and to require the approval of a contract $50,000 or more by a corresponding resolution for each contract.

1. Pursuant to Ulster County Charter §C-11(O), "*The County Legislature shall be the legislative, appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto, including but not limited to the power:*

> *O. To approve the execution of all contracts in excess of $50,000 entered into by the County."*

2. Pursuant to Administrative Code §A2-5A., "*The County Legislature shall be the legislative, appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto,* and all the powers assigned to it by the Ulster County Charter and restricted as therein provided. Among such powers and duties, but not by way of limitation, it shall have the power:

> (15) *To approve the execution of all contracts* and change orders in the amount of $50,000 or *in excess of $50,000 entered into by the County*, except that:
>
> (a) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York State

Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to the abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive and the Clerk of the Legislature.

(b) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved by the County Legislature for all contracts in the amount of $50,000 or more. Upon approval of said abstract by the County Legislature, the Director of Purchasing shall present the abstract to the County Executive. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) in the County Charter."

3. Pursuant to Administrative Code §A3-4 "*The County Executive shall be the chief executive* and administrative head *of the County.* The County Executive shall be responsible for the administration of all County affairs. *Except as may be otherwise provided in the Charter, he or she shall have and exercise all the executive powers and duties conferred by the Charter and/or in law upon a County executive officer or the executive branch of a County government, and all powers and duties necessarily implied or incidental thereto:*

X. *Execute all contracts and change orders under the sum of $50,000 and, with the approval of the County Legislature, all contracts* and change orders in the amount of $50,000 or *in excess of $50,000*, except that:

(1) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall

provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive and the Clerk of the Legislature;

(2) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of $50,000. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter; and

(3) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved by the County Legislature for all contracts in the amount of $50,000 or more. Upon approval of said abstract by the County Legislature, the Director of Purchasing shall present the abstract to the County Executive. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter."

4. Pursuant to Administrative Code §A16-1B "*The Director of Purchasing shall:*

(2) *Approve and execute certain contracts as shall be prescribed by the Administrative Code:*

(a) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York State Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which

shall be filed with the County Executive and the Clerk of the Legislature.

(b) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of $50,000. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § A3-4X of the Administrative Code.

(c) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved by the County Legislature for all contracts in the amount of $50,000 or more. Upon approval of said abstract by the County Legislature, the Director of Purchasing shall present the abstract to the County Executive. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § A2-5A(15) of the Administrative Code."

5. The Ulster County Legislature finds that the local law should be amended to allow the Ulster County Legislature to approve contracts which are $50,000 or more by a corresponding resolution for each contract so as to allow the Ulster County Legislature to vote on such contracts separately.

SECTION 2. Section A2-5A(15)(b) of Local Law No. 10 of 2008 is amended to read as follows:

"(b) The Director of Purchasing shall review and approve all contracts $50,000 or in excess of $50,000 as to the content and compliance with requirements for municipal purchasing, and present each contract to the County Legislature for the County Legislature's

approval. Upon the approval of a contract by the County Legislature, the Director of Purchasing shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of Purchasing shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter."

And Section A3-4X(3) of Local Law No. 10 of 2008 is amended to read as follows:

"(3) The Director of Purchasing shall review and approve all contracts $50,000 or in excess of $50,000 as to the content and compliance with requirements for municipal purchasing, and present each contract to the County Legislature for the County Legislature's approval. Upon the approval of a contract by the County Legislature, the Director of Purchasing shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of Purchasing shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter."

And Section A16-1B(2)(c) of Local Law No.10 of 2008 is amended to read as follows:

"(c) The Director of Purchasing shall review and approve all contracts $50,000 or in excess of $50,000 as to the content and compliance with requirements for municipal purchasing, and present each contract to the County Legislature for the County Legislature's approval. Upon the approval of a contract by the County Legislature, the Director of Purchasing shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of Purchasing shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter."

Local Law No. 1 Of 2013

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) to Delete the References to "Abstract of Contracts" to Require the Approval of a Contract $50,000 or More By a Corresponding Resolution for Each Contract

SECTION 3. SEVERABILITY.

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

***Please note Charter language is denoted in italics.

Adopted by the County Legislature: May 14, 2013

Approved by the County Executive: May 29, 2013

Local Law No. 2 Of 2013

County Of Ulster

A Local Law Establishing The Ulster County School-Based Mental Health and Safety Act of 2013

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE
SECTION 2. LEGISLATIVE FINDINGS
SECTION 3. DEFINITIONS
SECTION 4. ADMINISTRATION
SECTION 5. SEVERABILITY
SECTION 6. LEGISLATIVE HISTORY
SECTION 7. EFFECTIVE DATE

SECTION 1. TITLE.

This Law shall be known as the Ulster County School-based Mental Health And Safety Act of 2013.

SECTION 2. LEGISLATIVE FINDINGS.

The Ulster County Legislature finds that a lack of adequate mental health services significantly affects school attendance and limits academic success for students suffering from mental health issues. It has been demonstrated that access to school-based mental health treatment services improves school attendance and academic performance, and is especially effective in rural areas, like Ulster County, where families are often unable to travel great distances to reach mental health professionals.

It is imperative that students receive greater access to mental health services, which will both increase school attendance and academic performance, and also alleviate the pressure on families in Ulster County struggling with their child's mental health needs, coupled with a lack of access to adequate mental health service. The stigmatization of people dealing with mental health issues combined with the economic pressures on schools has reduced access to mental health services in Ulster County. Recent funding cuts to Ulster County-based mental health programs have only exacerbated this gap in services.

School districts in Ulster County depend on the Ulster Board of Educational Cooperative Services (BOCES) for a variety of programs and services to meet their educational and financial goals. The BOCES model provides accountability,

municipal sharing, efficiency and equity. As such, school districts may authorize Ulster BOCES to centralize mental health professionals and deploy staff to meet the individual needs of each school district.

SECTION 3. DEFINITIONS.

As used in this local law, the following terms shall have the following meanings:

1. Ulster County Charter and Government (Ulster County): shall mean the government of Ulster County as defined by Article I of Chapter C. Except as outlined herein, no function, agreement, duty or power of any city, town, or village, is or shall be transferred, altered, or impaired by this Law.

2. Ulster County Legislature (Legislature), pursuant to Article II section 5 of the Ulster County Charter, is defined as the appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto, and all the powers assigned to it by the Ulster County Charter and restricted as therein provided. Among such powers and duties, but not by way of limitation. Further, Section C11(O) of the Ulster County Charter authorizes the Legislature to approve the execution of all contracts in excess of $50,000 entered into by the County and Section A2-6(A)(3) of the Ulster County Administrative Code provides that the Chairman of the Ulster County Legislature can, upon approval of the County Legislature, enter into an inter-municipal Shared Services agreement (ISSA) on behalf of the County of Ulster.

3. School-Based Mental Health Clinic (SBMH) shall mean a treatment center within each school for the purposes of treating mental health issues which offers an assortment of programs and services targeting those students who have emotional and behavioral difficulties in educational settings.

4. Ulster County School Districts shall mean (Schools); all public schools within Ulster County, as defined by the New York State Education Department.

5. Board of Cooperative Educational Services (BOCES), created in 1948 by the New York State legislature. BOCES serve New York State schools. BOCES has grown from the birth of the cooperative services concept in 1948 to the present through an evolutionary process combining the success of BOCES services with appropriate changes in legislation. The BOCES of New York State have become true educational service agencies serving local school districts, the community, and the State Education Department. New York General Municipal Law, Section 119-n(a), the definition of a municipal corporation includes a board of cooperative educational services (BOCES).

6. Ulster County Mental Health Department (UCMHD), pursuant to Article VI of the Ulster County Charter, is the Local Government Agency responsible for planning, funding and monitoring of community mental health, mental retardation/developmental disability and alcohol and substance abuse services in Ulster County.

7. Commissioner of the Ulster County Mental Health Department (Commissioner of Mental Health), pursuant to Article VI, Section C-44 of the Ulster County Charter, is experienced in public mental health administration and meets the qualifications for this position as specified in the New York State Mental Hygiene Law and/or by the State Commissioner of Mental Hygiene. He or She shall have and exercise all the powers and duties conferred or imposed upon a Director of Community Mental Health or Community Services Board by the Mental Hygiene Law or any other law.

8. Community Services Board (CSB): pursuant to Article VI, Section C-45 of the Ulster County Charter, consists of 15 members who have demonstrated interest in behavioral health services.

9. Ulster County Sheriff (Sheriff): Pursuant to Article XX of the Ulster County Charter, is the Chief Law Enforcement Official in Ulster County. The Sheriff is responsible for protecting life and property, preventing crime, solving problems and fostering good will through courtesy and professionalism.

10. School Resource Officer (S.R.O.) Program: Shall mean a member of law enforcement hired by the school district who visits classrooms and teaches students concepts of safety, traffic laws, general law, and crime prevention techniques. The S.R.O. will work closely with individual teachers to create special programs tailored to specific units of study to help increase student awareness and understanding of laws and personal safety. The S.R.O. provides a positive image of law enforcement in an effort to help young people make constructive choices in their lives. The S.R.O.'s primary duty is to protect the school's safe environment and to maintain an atmosphere where students, teachers and staff feel safe enough to learn.

11. Inter-municipal Shared Services Agreement (ISSA): A shared service agreement is the joint provision, performance, or delivery of a service, facility, activity, project or undertaking by two or more municipalities which each may lawfully undertake separately. For purposes of this Local Law, School Districts shall be considered and treated as municipalities.

12. Superintendent of Schools (Superintendent): is the chief executive officer of a school district.

SECTION 4. ADMINISTRATION.

This local law shall be implemented and administered in the following manner:

a) The Commissioner of the Ulster County Mental Health Department, in consultation with the Community Services Board, shall be authorized and directed to perform the following actions:

1. Conduct a needs assessment every three years of mental health services in Ulster County School Districts and report its findings to the Legislature.
2. Provide assistance to Ulster County School Districts and BOCES based upon the findings of the needs assessment.
3. Procure Intermunicipal shared services agreements on behalf of the County.
4. Report the Program's efficacy to the County Legislature on an annual basis.

5. The Commissioner of Mental Health Department, in consultation with the Legislature's committee assigned to oversee health matters, is hereby authorized to develop procedures necessary to implement this section.

b) In furtherance of this local law, School Districts should offer students counseling, conflict mediation and resiliency building, alternatives to violence and gangs, attendance monitoring, community referral and liaison work, school dropout reduction, suicide prevention, crisis intervention, child and family advocacy, peer mediation and intervention programs, anti-bullying, and eating disorders awareness and prevention programs.

c) Schools may consult with the Ulster County Sheriff to safely provide security, including the possibility of placement of School Resource Officers, for those in educational settings.

SECTION 5. SEVERABILITY

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered

SECTION 6. LEGISLATIVE HISTORY

Resolution No. 104 of 2007 http://www.co.ulster.ny.us/resolution-archives/2007/104-07.pdf
Resolution No. 345 of 2007 http://www.co.ulster.ny.us/resolution-archives/2007/345-07.pdf
Resolution No. 292 of 2009 http://www.co.ulster.ny.us/resolution-archives/2009/292-09.pdf
Resolution No. 224 of 2010 http://www.co.ulster.ny.us/resolution-archives/2010/224-10.pdf
Resolution No. 39 of 2010 http://www.co.ulster.ny.us/resolution-archives/2010/39-10.pdf
Resolution No. 107 of 2010 http://www.co.ulster.ny.us/resolution-archives/2010/107-10.pdf
Resolution No. 187 of 2010 http://www.co.ulster.ny.us/resolution-archives/2010/187-10.pdf

Local Law No. 2 Of 2013

County Of Ulster

A Local Law Establishing The Ulster County School-Based Mental Health and Safety Act of 2013

Resolution No. 12 of 2011 http://www.co.ulster.ny.us/resolution-archives/2011/12-11.pdf
Resolution No. 127 of 2011 http://www.co.ulster.ny.us/resolution-archives/2011/127-11.pdf
Resolution No. 227 of 2011 http://www.co.ulster.ny.us/resolution-archives/2011/227-11.pdf
Resolution No. 288 of 2012 http://www.co.ulster.ny.us/resolution-archives/2012/288-12.pdf

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect one hundred and twenty (120) days after its adoption by the Ulster County Legislature.

Adopted by the County Legislature: July 23, 2013

Approved by the County Executive: August 21, 2013

Local Law No. 3 Of 2013

County Of Ulster

A Local Law Amending Local Law No. 8 of 2012 (A Local Law Entitled "Mandate and Taxation Information Act")

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE

The Ulster County Legislature finds and determines that the purpose of the "Mandate and Taxation Information Act" has been frustrated by the 14 point type requirement, which has led the County tax bill to be in non-conformity with standard mailing procedures. It is the intent of this law to deliver a detailed and clear explanation of the New York State mandated spending requirements, while doing so in the most efficient and cost-effective way for the County taxpayers.

SECTION 2. Section 3 of Local Law No. 8 of 2012 is amended to read as follows:

The County Executive is hereby authorized to cause an information statement to be provided on the County tax bill, reading as follows:

The State of New York requires local governments to perform many functions and provide services without financial support. These State requirements or "unfunded State mandates" have a direct impact on local spending and represent a significant portion of the County and Town real property taxes that are due. Please see the notice enclosed with this tax bill for a more detailed explanation of the spending required by the State of New York and the impact on local property tax rates or visit the following website: http://co.ulster.ny.us or http://www.co.ulster.ny.us/Legislature

This statement shall be prominently displayed on the tax bill as a separate section and not included with any other information provided on the County tax bill. The County Executive may modify the information statement, if necessary to conform the County tax bill to standard mailing procedures, and to promote efficiency. The County Executive is hereby authorized to cause the County Tax Bill Insert required by Section 4 to be prominently posted on the County website.

In the event the websites of the County or the County Legislature are changed, the website(s) otherwise listed in this Section shall change to reflect the new website(s).

Local Law No. 3 Of 2013

County Of Ulster

A Local Law Amending Local Law No. 8 of 2012 (A Local Law Entitled "Mandate and Taxation Information Act")

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: September 24, 2013

Approved by the County Executive: October 23, 2013

Local Law No. 4 Of 2013

County Of Ulster

A Local Law Amending Local Law No. 5 of 1989 (A Local Law Requiring Regulations Regarding The Sale Of Motor Vehicle Fuels), As Amended, To Provide Consumers With A Convenient And Accessible Way To File Complaints Regarding The Practices Of Motor Fuel Dealers

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature hereby determines that is appropriate and necessary to amend Local Law Number 5 of 1989 to provide consumers with the Ulster County Consumer Fraud Bureau and Ulster County Bureau of Weights and Measures consumer complaint telephone number, so that consumers have the information necessary to make complaints regarding the practices of the operators of gasoline stations.

SECTION 2. REGULATION.

Section 6 (c) of Local Law Number 5 of 1989, as amended, is hereby further amended to add a new subdivision "7." as follows:

7. The Ulster County Bureau of Weights and Measures shall issue stickers that state the Ulster County Consumer Fraud Bureau telephone number and the Ulster County Bureau of Weights and Measures Consumer Complaint telephone number to every operator which shall be affixed to each gasoline pump.

SECTION 3. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction such judgment shall be confined in its operation to the part of the provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Ulster County Legislature hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Local Law No. 4 Of 2013

County Of Ulster

A Local Law Amending Local Law No. 5 of 1989 (A Local Law Requiring Regulations Regarding The Sale Of Motor Vehicle Fuels), As Amended, To Provide Consumers With A Convenient And Accessible Way To File Complaints Regarding The Practices Of Motor Fuel Dealers

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect one hundred and twenty (120) days after its adoption.

Adopted by the County Legislature: September 24, 2013

Approved by the County Executive: October 23, 2013

Local Law No. 1 of 2014

County of Ulster

A Local Law Applying The Salary Revisions of Resolution No. 69 Of 2014 To All County Officers Serving For Fixed Terms

BE IT ENACTED, by the Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Legislature finds and determines that the salaries of County Officers serving for fixed term of office may be changed and adjusted only by local law.

SECTION 2. SEVERABILITY

The annual salaries of such County Officers as are serving for a fixed term of office shall be adjusted and changed in accordance with the provisions of Resolution No. 69 of 2014.

For the balance of the year 2014 on and after the effective date of this Local Law, the foregoing officers shall be paid at such a rate which, when added to amounts paid during the year 2014 prior to such effective date, will equal the annual salary fixed for such office for the year 2014 as above set forth.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect upon compliance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

Local Law No. 1 of 2014

County of Ulster

A Local Law Applying The Salary Revisions of Resolution No. 69 Of 2014 To All County Officers Serving For Fixed Terms

Addendum

Title	2013 Salary	2014 Salary
Commissioner of Elections	$ 76,343	$ 77,869
Commissioner of Elections	$ 76,343	$ 77,869
Commissioner of Public Health	$ 150,015	$ 153,015
Commissioner of Social Services	$ 101,709	$ 103,743
Personnel Director	$ 89,267	$ 91,053
Real Property Tax Service Agency Director	$ 73,171	$ 74,635

Adopted by the County Legislature: April 15, 2014

Approved by the County Executive: April 29, 2014

Local Law No. 2 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) To Require Certain Resolutions Approving The Execution Of Contracts And Contract Amendments In Excess Of $50,000.00 Entered Into By The County For Public Services Be Supplemented With Standardized Information Upon Filing

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BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature finds:

1. The public sector's role has increasingly evolved from a direct provider of service to that of a broker of services. The success of this role, overseeing a network of public, private, and not-for-profit organizations to ensure County services, relies on its ability to manage and oversee the entire operation, from project analysis and vendor selection to contracting and procurement.

2. The Ulster County Legislature is the appropriating body of Ulster County. As such it has a fiduciary duty to allocate funds in a fiscally and ethically responsible way with a view towards both the short and long term impacts on the citizens and businesses of Ulster County.

3. Individual Legislators, Committees and the Legislative body as a whole cannot fulfill their legislative duties without specific information as to the impact upon the citizens and businesses of Ulster County.

4. Thorough analysis of Resolutions approving the execution of contracts and contract amendments in excess of $50,000 entered into by the County for public services enables the Legislature to determine whether the value of an action's positive consequences exceeds the value of the County's resources required to implement the program.

5. While certain analytical metrics may indicate a positive consequence, without annual review and ongoing oversight, implementation costs could surpass the initially estimated benefits.

Local Law No. 2 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) To Require Certain Resolutions Approving The Execution Of Contracts And Contract Amendments In Excess Of $50,000.00 Entered Into By The County For Public Services Be Supplemented With Standardized Information Upon Filing

6. Pursuant to Ulster County Administrative Code §A-2-9. Resolutions.

"*A. Adoption, amendment and repeal. The County Legislature may adopted, amend and repeal resolutions by a majority vote of the whole number of its members. Each resolution shall embrace only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.*

B. Procedure. Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law."

7. Ulster County will be joining Federal, State and local officials throughout the Nation in the implementation of analytical metrics as part of their rule making procedures.

8. The local law should be amended to require standardized supplemental information be included upon filing certain resolutions approving the execution of contracts and contract amendments in excess of $50,000 entered into by the County for public services.

SECTION 2. Section §A-2-9 (B) of Local Law No. 10 of 2008 is amended to read as follows:

"B. Procedure.

1. **Upon being submitted for consideration, resolutions approving the execution of contracts and contract amendments in excess of $50,000 entered into by the County for public services shall include supplemental information, including but not limited to the following:**

Local Law No. 2 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) To Require Certain Resolutions Approving The Execution Of Contracts And Contract Amendments In Excess Of $50,000.00 Entered Into By The County For Public Services Be Supplemented With Standardized Information Upon Filing

a. **Written justification on why the legislation is being proposed;**

b. **A list of any county positions or titles being added or eliminated;**

c. **The specific financial impact, including any related cost savings comparisons ;**

d. **The environmental impact, if any, of said resolution/contract;**

e. **Financial implications on current budget, if any, of said resolution/ contract;**

f. **Contracts; and**

g. **State aid award letters**

Supplemental information submissions shall be limited to contracts or projects receiving 50% or more of county funding and does not apply to contracts that are pass-through contracts with State and Federal funding.

Supplemental information submissions shall not apply to professional service contracts for independent contractors, such as doctors, engineers, accountants, legal services, etc.

Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law."

Local Law No. 2 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) To Require Certain Resolutions Approving The Execution Of Contracts And Contract Amendments In Excess Of $50,000.00 Entered Into By The County For Public Services Be Supplemented With Standardized Information Upon Filing

SECTION 3. SEVERABILITY.

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: August 19, 2014

Deemed Approved by the County Executive: September 19, 2014

Local Law Number 3 Of 2014

County Of Ulster

A Local Law Authorizing The Award Of Purchase And Service Contracts On The Basis Of Best Value Criteria Pursuant To New York State General Municipal Law And New York State Finance Law

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. SHORT TITLE.

This Local Law shall be known as the "Ulster County Best Value Procurement Law."

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.

The intent of this Local Law is to authorize the use of Best Value criteria when awarding purchase and service contracts consistent with section 103 of the New York State General Municipal Law and section 163 of the New York State Finance Law. Use of Best Value criteria is intended to provide the County greater flexibility in awarding contracts and ensure that the County obtains the highest quality goods and services at a low cost. Awarding contracts on the basis of Best Value standards is further intended to promote competition, foster fairness among vendors and competitors, expedite contract awards, optimize quality, control costs and enhance efficiency among responsive and responsible vendors/offerors.

SECTION 3. DEFIITIONS.

Whenever used in this local law, the following terms shall mean:

a. **County**. Ulster County, New York

b. **Director of Purchasing.** The Director of Purchasing for the County of Ulster, New York.

c. **Procuring Agency.** The unit of County government procuring a commodity, technology or service.

d. **Purchase Contracts**. Contracts for goods, commodities and equipment, including technology.

e. **Service or Services**. The performance of a task or tasks and may include a material good or a quantity of material goods, and which is the subject of any purchase or other exchange.

f. **Best Value**. The basis for awarding contracts for purchases and/or services to a responsive and responsible vendor/offeror and/or bidder who optimizes quality, costs and efficiency for the County based upon objective and quantifiable analysis whenever possible. Such basis may also identify a quantitative factor for vendors/offerors that are small businesses or certified minority or women-owned business enterprises as defined in Executive Law §§310 (1),(7),(15) and (20) and as may be amended.

SECTION 4. REQUIREMENTS.

1. When the basis for award is based upon Best Value, the Director of Purchasing and/or his or her designee shall document the evaluation criteria and the process used to make such determination.

2. Whenever possible, the evaluation shall be based upon objective and quantifiable factors and shall not be based solely on cost. Whenever possible and applicable, factors including, but not limited to, quality, reliability, maintenance, useful lifespan and performance shall be evaluated.

3. The process for procurements based upon Best Value or general evaluation criteria shall be identified in the County's Procurement Policy, a copy of which shall be maintained in the Department of Purchasing and be made available to the public.

4. The solicitation documents shall state the minimum requirements and specifications that must be met in order for the vendor/offeror to be deemed responsive and responsible; and shall, additionally identify the general procedure and manner in which the evaluation and selection shall be conducted. All such requirements shall remain consistent with the County's procurement policy.

5. The Director of Purchasing and/or his or her designee shall make every effort to ensure that the solicitation documents, evaluation criteria and procedure for awarding purchase and services contracts on the basis of Best Value complies with the County's procurement policy, local, state and/or federal rules, regulations and/or laws.

SECTION 5. EFFECTIVE DATE.

This local Law shall take effect upon filing in the Office of the Secretary of State.

Adopted by the County Legislature: September 23, 2014

Approved by the County Executive: October 8, 2014

Law Number 3 Of 2014

County Of Ulster

A Local Law Authorizing The Award Of Purchase And Service Contracts On The Basis Of Best Value Criteria Pursuant To New York State General Municipal Law And New York State Finance Law

Local Law No. 4 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 5 of 1989 (A Local Law Requiring Regulations Regarding The Sale Of Motor Vehicle Fuels) To Establish Certain Consumer Protection Practices In Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature hereby determines that is appropriate and necessary to amend Local Law Number 5 of 1989 to prevent misleading and deceptive trade practices with respect to the pricing of gasoline on signs at gasoline stations located within Ulster County that are not regulated by Article 16 of the New York State Agriculture and Markets Law.

SECTION 2. REGULATION.

Section 6 (c) of Local Law Number 5 of 1989 is hereby amended to add a new subdivision "6." as follows:

> 6. Displaying gasoline prices in a manner which fails to include and make plainly visible to the consumer of the difference, if any, between the price per gallon for payment by cash, debit, or credit shall be prohibited. For example, a sign which only reveals the price per gallon for a cash payment but fails to include and make equally and plainly visible the price per gallon by debit or credit payment, when a difference in price exists, shall constitute a deceptive trade practice. However, a sign which does not distinguish between the price per gallon for payment by cash and payment by credit or debit shall not be considered a deceptive trade practice, only if the price per gallon is the same regardless of the form of payment. The price of gasoline available to retail customers on one or more signs must be so positioned and lit so that the price that the signs display will be readily seen by motorists approaching the gasoline station at any time that the gasoline station is open for business to supply gasoline. If only one price is posted, such signs must display in all instances the price of gasoline at the standard retail price available to all customers, without any discounts or special offers. If discounted pricing is displayed on the sign it must be of the same size as the regular price of gasoline.

Local Law No. 4 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 5 of 1989 (A Local Law Requiring Regulations Regarding The Sale Of Motor Vehicle Fuels) To Establish Certain Consumer Protection Practices In Ulster County

SECTION 3. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction such judgment shall be confined in its operation to the part of the provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Ulster County Legislature hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect one hundred and twenty (120) days after its adoption.

Adopted by the County Legislature: September 23, 2014

Approved by the County Executive: October 8, 2014

Local Law Number 5 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Update The Term Of Membership To The Environmental Management Council

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature finds that the respective members of the Environmental Management Council have dedicated their time and energy to the preservation and protection of Ulster County's largest asset, it's environment and should be allowed to continue to service devoid of unnecessary statutory restrictions.

As required by Section 47-0105 of the New York State Environmental Conservation Law, these members represent the City, Town and Village Conservation Advisory Councils within the County as recommended by the leaders of these communities.

SECTION 2. Section C-111 of the Ulster County Charter is AMENDED to read as follows:

"There shall be an Ulster County Environmental Management Council comprised of one member from each city, town and village environmental council and commission within the County, nominated by the governing body of that city, town or village and appointed by the County Executive with the confirmation of the Legislature for a term of three years, and up to an equal number of at-large appointees appointed by the County Executive with the confirmation of the Legislature for a term of three years, and the County Director of Planning, serving ex officio. The presiding officer of the Environmental Management Council shall be chosen annually by its members from among their members but shall not be an employee of the County of Ulster. Members of the Ulster County Environmental Management Council shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes",

Local Law Number 5 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Update The Term Of Membership To The Environmental Management Council

SECTION 3. SECTION A35-1 of the Ulster County Administrative Code is hereby AMENDED to read to read as follows:

"There shall be an Ulster County Environmental Management Council comprised of one member from each city, town and village environmental council and commission within the County, nominated by the governing body of that city, town or village and appointed by the County Executive with the confirmation of the Legislature for a term of three years, and up to an equal number of at-large appointees appointed by the County Executive with the confirmation of the Legislature for a term of three years, and the County Director of Planning, serving ex officio. The presiding officer of the Environmental Management Council shall be chosen annually by its members from among their members but shall not be an employee of the County of Ulster. Members of the Ulster County Environmental Management Council shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes",

SECTION 4. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Secretary of State and shall not affect the current term of any existing member.

Adopted by the County Legislature: October 21, 2014

Approved by the County Executive: November 18, 2014

Local Law Number 6 Of 2014

County Of Ulster

A Local Law To Establish A Sustainable Energy Loan Program In The County Of Ulster

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. SHORT TITLE

This Local Law shall be known as the "Energize NY Benefit Financing Program", and shall read as follows:

SECTION 2. LEGISLATIVE INTENT AND PURPOSE

A. It is the policy of both the County of Ulster and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County of Ulster finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewable energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation ("EIC"), a local development corporation, acting on behalf of the County of Ulster, to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this section and fulfilling an important public purpose.

B. The County of Ulster is authorized to implement this Energize NY Benefit Financing Program pursuant to Article 5-L of the New York General Municipal Law.

C. This Local Law shall be known and may be cited as the "Energize NY Benefit Financing Program Law of the County of Ulster".

SECTION 3. DEFINITIONS

For purposed of this Local Law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Local Law Number 6 Of 2014

County Of Ulster

A Local Law To Establish A Sustainable Energy Loan Program In The County Of Ulster

a. **Authority –** The New York State Energy Research and Development Authority, as defined by subdivision two of section eighteen hundred fifty-one of the public authorities law, or its successor.

b. **County –** County of Ulster, State of New York

c. **EIC –** The Energy Improvement Corporation, a local development corporation, duly organized under section fourteen hundred eleven of the Not-For-Profit Corporation Law, authorized hereby on behalf of the County to implement the Energize NY Benefit Financing Program by providing funds to qualified property owners (as defined in this chapter) and providing for repayment of such funds from monies collected by the County tax collector as a charge to be levied on the real property and collected in the same manner and same form as the County taxes.

d. **Energy Audit** – A formal evaluation or "assessment" of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

e. **Energy Efficiency Improvement** – Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weather stripping, air sealing, insulation, and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority, not including lighting measures or household appliances that are not permanently fixed to real property.

f. **Qualified Property Owner** – An owner of residential or commercial real property located within the boundaries of the County that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this Local Law.

g. **Renewable Energy System** – An energy generating system for the generation of electric or thermal energy, to be used primarily as such property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

h. **Renewable Energy System Feasibility Study** – A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

SECTION 4. ESTABLISHMENT OF AN ENERGIZE NY BENEFIT FINANCING PROGRAM

A. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC acting on its behalf, may provide funds to Qualified Property Owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.

B. The funds provided shall not exceed the lesser of ten percent (10%) of the appraised value of the real property where the Renewable Energy Systems and / or Energy Efficiency Improvements will be located, or the actual cost of installing the Renewable Energy Systems and / or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

SECTION 5. PROCEEDURES OF ELIGIBILITY

A. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and on the Ulster County Government website.

B. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in subsection A of section 6 of this Local Law. EIC may also request further information from the property owner where necessary to aid in its determination.

C. If a positive determination on an application is made by EIC acting on behalf of the County, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under section 7 of this Local Law; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and /or Renewable Energy Systems be deemed a Qualified Property Owner.

SECTION 6. APPLICATION CRITERIA

A. Upon the submission of an application, EIC acting on behalf of the County, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

1. The proposed Energy Efficiency Improvement and / or Renewable Energy Systems are determined to be cost effective by the Authority;
2. The proposed Energy Efficiency Improvements and / or Renewable Energy Systems will generate an estimated annual cost savings greater than the annual charge payments;
3. Sufficient funds are available to provide to the property owner;
4. The property owner is current in payments on any existing mortgage;
5. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three years; and
6. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

A Local Law To Establish A Sustainable Energy Loan Program In The County Of Ulster

SECTION 7. OPT-IN, ENERGIZE FINANCE AGREEMENT

A. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an Energize Finance Agreement made by and between the Qualified Property Owner and EIC, acting on behalf of the County.

B. Upon execution of the Energize Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of the County, for the acquisition, construction, and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of section 8 of this Local Law have been met.

C. The Energize Finance Agreement shall include the terms and conditions of repayment set forth under section 9 of this Local Law.

SECTION 8. ENERGY AUDIT, RENEWABLE ENERGY SYSTEM FEASIBILITY STUDY

A. No funds shall be made available for Energy Efficiency Improvements unless determined to be appropriate through an Energy Audit as defined in Section 3.

B. No funds shall be made available for a Renewable Energy System unless determined to be feasible through a Renewable Energy System Feasibility Study as defined in Section 3.

C. The cost of such Energy Audit and / or Renewable Energy System Feasibility Study shall be borne solely by the property owner but may be included in the financed amount if the work is approved.

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SECTION 9. TERMS AND CONDITIONS REPAYMENT

The Energize Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the County, shall set forth the terms and conditions of repayment in accordance with the following:

A. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on their real property tax bill and shall be levied and collected at the same time and in the same manner as County taxes, provided that such charge shall be separately listed on the tax bill. The County shall make payment to EIC or its designee in the amount of all such separately listed charges within thirty (30) days of the County real property tax due date.

B. The term of such repayment shall be determined at the time the Energize Finance Agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by EIC acting on behalf of the County.

C. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County at the time the Energize Finance Agreement is executed by the property owner and EIC.

D. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

SECTION 10. VERIFICATION AND REPORT

A. EIC shall be responsible for verifying and reporting to the County on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such program.

B. The County shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

SECTION 11. EFFECTIVE DATE

This Local Law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: October 21, 2014

Approved by the County Executive: November 18, 2014

Local Law No. 7 Of 2014

County Of Ulster

A Local Law Respecting the Outdoor Restraint of Companion Animals

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature has determined that the practice of fastening a dog outdoors for a prolonged period to a stationary object, such as a structure, a pole, or a tree can be inhumane and may present a threat to the safety of the dog, other animals and human beings. The Legislature has further determined that it is in the best interest of the residents of Ulster County, as well as their pets, to ensure the safety of all by regulating the amount of time, as well as the manner in which, a dog may be restrained outdoors.

SECTION 2. DEFINITIONS.

As used in this section:

a) "Tether" means to restrain a dog by attaching the dog to any object or structure, including without limitation a house, tree, fence, post, garage, or shed, by any means, including without limitation a chain, rope, cord, leash, or running line. Tethering does NOT include the use of a leash to walk a dog.

b) "Weather Alert" shall mean a National Weather Service warning for heat advisory, frigid weather, snow or ice storm, tornados, tropical storm, high winds or thunderstorms.

SECTION 3. TETHERING REQUIREMENTS.

It shall be unlawful to tether a dog outdoors, except when all of the following conditions are met:

a) The tether must be attached to the dog with a buckle type collar or a body harness made of nylon or leather that is at least one inch thick. Choke or pinch type collar, attached weights and chains over one-quarter inch thick cannot be utilized for tethering.

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b) (i) The length of a stationary tether shall not be less than ten feet or five times the length of the dog's body as measured from the tip of the nose to the base of the tail, whichever length is greater; shall connect at both ends with a swivel; shall weigh less than 1/10th of the dog's weight; shall be free of tangles; and shall restrain the dog to the owner's property.

(ii) If the dog is tethered to a pulley, running line, or trolley or cable system, it must be a minimum of fifteen (15) feet long and less than seven (7) feet above the ground.

c) The dog must have access to shade, food, water, shelter and dry ground

d) The dog must not be tethered outdoors during a weather alert event.

e) The tethered dog is at least 6 months old.

f) The tethered dog is apparently free of any health condition that would be exacerbated by tethering.

g) If there are multiple dogs, each must be tethered separately.

h) A tethered dog shall have access to appropriate shelter that will allow the dog to remain dry and to be protected from the elements. In addition to complying with the requirements of Section 353-b of New York State Agriculture and Markets Law, the shelter shall: be fully enclosed on all sides except one, which side shall have an opening that will allow the dog easy entry to and exit from the shelter; have a slanted, waterproof roof; have a solid floor. The shelter shall contain clean bedding and shall be small enough to retain the dog's body heat, and large enough to allow the dog to stand, lie down with limbs outstretched, and turn around comfortably. The area around the shelter shall be kept free of standing water, ice and waste.

i) A dog may be tethered outside for a maximum of 12 hours in any 24 hour period.

j) In addition to the above requirements, tethered dogs must be free of cruel conditions or inhumane tethering at any time. For purposes of this section, "cruel conditions or inhumane tethering" shall include the following:

(i) Exposure to animal waste, garbage, noxious odors or objects that could injure or kill a dog.

(ii) Exposure to taunting, prodding, provoking, hitting, harassing, threatening or otherwise harming a tethered or confined dog.

(iii) Exposing a dog to dangerous conditions, including potential attacks by other animals.

SECTION 4. ENFORCEMENT.

This Local Law shall be enforced by the office of the Ulster County Sheriff and may also be enforced by any police officer, local Dog Control or Animal Control officer, or humane law officer or investigator with jurisdiction within Ulster County.

A violation of any of the provisions of this section shall, for a first offense, be punishable by a fine of up to $100, and/or an educational component at the judge's discretion.

For a second offense, the fine shall be up to five hundred dollars and/or 50 hours of community service plus reimbursement of investigation costs.

For a third or subsequent violation, the fine shall be one thousand dollars and/or 150 hours of community service plus surrender of dog, if ordered by court, plus costs of investigation and prosecution, not to exceed $2,000. In addition, all third time offenders, subsequent to the enactment of this law, are required to register as an animal abuser at such time that an animal abuse registry is lawfully established.

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Fines collected pursuant to this Section shall be deposited with the Ulster County Commissioner of Finance, identified with a separate General Ledger account number in the Sheriff's budget, and shall be used for animal protection education in the County of Ulster and/or the maintenance of an animal abuse registry as may be lawfully established.

SECTION 5. EXCEPTIONS.

A dog tethered in compliance with the requirements of a campground area holding an Ulster County Health Department Permit shall be exempt from these regulations.

Tethering a dog for less than 15 minutes in a public location shall be exempt from this law.

SECTION 6. EFFECT OF OTHER LAWS, REGULATIONS.

This Local Law will have no effect in a city, town or village located within the County of Ulster that has enacted an ordinance, resolution, or law regulating the tethering of dogs within its Jurisdiction.

SECTION 7. SEVERABILITY.

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on the remaining portions of this local law, the application thereof, or on any provisions of the Ulster County Charter, all of which shall remain in full force and effect.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.

Adopted by the County Legislature: November 18, 2014

Approved by the County Executive: December 3, 2014

Local Law Number 1 Of 2015

County Of Ulster

A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Provide Status Of Contract Negotiations

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature finds the Administrative Code outlines the organizational structure of the County government as prescribed in the New York State Municipal Home Rule Law, delineates the location of the responsibilities of the County government and makes provision for administrative leadership in order to promote an efficient and responsible County government.

The Legislature finds it beneficial to receive updates from the County Executive informing them of the progress in relation to contract negotiations. This objective information educates the legislative body, ensures informed decisions about public policy and maintains the open lines of communication with the County Executive.

SECTION 2. SECTION A3-4 OF THE ULSTER COUNTY ADMINISTRATIVE CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

J. *Conduct or supervise the conduct of collective bargaining negotiations with legally designated bargaining agents of County employees.* The County Executive shall be responsible for the negotiation of all employee contracts, which shall be subject to approval by the County Legislature. **Upon the request of the Chairman, Majority Leader or Minority Leader of the Legislature, but not more than once per quarter, the County Executive shall provide the status of all County employee contract negotiations within two weeks of the day the request is made**;

SECTION 3. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

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County Of Ulster

A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Provide Status Of Contract Negotiations

Adopted by the County Legislature: December 17, 2014

Deemed Adopted by the County Executive: January 16, 2015

Filed with New York State Department of State: January 27, 2015

Local Law Number 2 Of 2015

County Of Ulster

A Local Law Establishing A Construction Apprenticeship For Agreements For Certain Bridge Contracts In Excess Of $500,000

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. INTENT.

The County of Ulster hereby establishes a policy to promote apprenticeship training as authorized by § 816-b of the New York Labor Law.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms shall have the meanings indicated:

CONSTRUCTION CONTRACT: Any contract to which the County of Ulster shall be a signatory which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition of, or otherwise providing for any bridge, culvert or any appurtenance thereto of any kind with a value in excess of $500,000.

CONTRACTOR or SUBCONTRACTOR: A contractor or subcontractor which directly employs labor under a construction contract for which an apprenticeship program has been approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

SECTION 3. REQUIREMENTS AND EXCEPTIONS.

A. The County of Ulster hereby requires any contractor, prior to entering into a construction contract with the County of Ulster, or any subcontractor entering into a contract with a contractor who has a construction contract with the County of Ulster, to have apprenticeship agreements appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York State Labor Law, anything in § 103 of the New York General Municipal Law to the contrary notwithstanding.

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B. If a specific trade required for performance of a contract or project does not have a New York State Department of Labor-approved apprenticeship training program at the time of the award of a construction contract, such contract is not subject to the provisions of this Local Law.

C. If a single bid is received for a construction contract subject to this Local Law from a contractor that does not maintain an approved apprenticeship training program, the Director of Purchasing may elect, in his/her sole discretion, to award said contract to the single bidder rather than rebidding the construction contract.

D. Notwithstanding anything in this Local Law to the contrary, at its discretion the Director of Purchasing reserves the right to accept any bid, in whole or in part, or reject all bids and readvertise in the manner outlined by §§ 101 and 103 of the General Municipal Law.

SECTION 4. ENFORCEMENT.

The Director of Purchasing is hereby authorized, empowered and directed to promulgate such rules and regulations that are lawful, necessary and appropriate for the implementation and enforcement of any provisions of this Local Law.

SECTION 5. APPLICABILITY.

This Local Law shall apply to construction contracts advertised for bids on or after the effective date.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Office of the Secretary of State of the State of New York.

Adopted by the County Legislature: February 17, 2015

Adopted by the County Executive: March 13, 2015

Local Law Number 3 Of 2015

County Of Ulster

A Local Law Amending Local Law No. 9 Of 2008 (A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster)

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

The Legislature of the County of Ulster previously prohibited smoking upon all real property owned or leased by the County in order to protect public health. Electronic smoking devices have become increasingly popular despite the fact that they have not been approved as to safety and efficacy by the federal Food and Drug Administration (FDA), and their use may pose a health risk to persons exposed to their smoke/vapor because of the presence of known irritants contained therein, and other substances that are potentially harmful and toxic to those inhaling the smoke/vapor. Therefore, it is the intent of this Local Law to amend Local Law No. 9 of 2008 by including the use of electronic smoking devices on property owned or leased by the County of Ulster as a prohibited activity.

SECTION 2. DEFINITIONS.

Section 3 of Local Law No. 9 of 2008 is hereby amended as follows:

"Smoking" shall mean inhaling of, exhaling of, burning of, or carrying of any lighted cigar cigarette, pipe, weed, or other plant in any manner or any form, **and shall also include the inhaling or exhaling of smoke/vapor from an electronic smoking device.**

"Electronic Smoking Devices" shall mean an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.

SECTION 3. EFFECTIVE DATE.

This local Law shall take effect upon filing in the Office of the Secretary of State.

Adopted by the County Legislature: February 17, 2015

Adopted by the County Executive: March 16, 2015

Local Law Number 4 Of 2015

County Of Ulster

A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Ulster County

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. TITLE.

This local law shall be known as "Food Service Waste Reduction Act."

SECTION 2. LEGISLATIVE INTENT AND FINDINGS.

The Legislature finds and determines that polystyrene foam is a common environmental pollutant and non-biodegradable substance commonly used as food service ware and that there is no meaningful recycling or reuse of polystyrene foam food service ware.

The Legislature further finds and determines that the Environmental Protection Agency has found that the polystyrene manufacturing process is the fifth largest creator of hazardous waste in the United States.

The Legislature further finds and determines that evidence suggests that a component of polystyrene foam, styrene, is a carcinogen and neurotoxin. According to EPA studies, styrene is now detectable in the fat tissue of every man, woman and child in the United States.

The Legislature further finds and determines that alternative cost-effective biodegradable, compostable and/or reusable food service ware is readily available. Such alternatives are less toxic and more environmentally friendly than polystyrene foam.

The Legislature further finds and determines that the use of biodegradable, compostable food, and/or re-useable service ware will reduce the waste stream and reduce waste costs. Therefore, the purpose of this local law is to eliminate the use of polystyrene foam food service ware by Food Service Establishments within Ulster County.

Therefore, the Legislature hereby finds and determines that the prohibition of the use of polystyrene foam disposable food service ware in Ulster County is in the best interests of the citizens of Ulster County.

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A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Ulster County

SECTION 3. DEFINITIONS.

As used in this local law, the following terms shall have the meanings indicated:

"Chain Food Service Establishment" – means a food service establishment or food service establishments operating in Ulster County that is or are part of a group of fifteen or more food service establishment locations nationally, doing business under the same trade name, offering predominantly the same types of meals, foods or menus regardless of the type of ownership of the individual food service establishment locations.

"County" – The County of Ulster.

"Customer(s)" – Any person(s) obtaining Prepared Food from any Food Service Establishment.

"Disposable Food Service Ware" – All bowls, plates, cartons, cups, other containers, trays, or other items designed for one time use on or in which any Food Service Establishment directly places and/or packages food or provides same to Customer(s) to place and/or package food or which are used by Customer(s) to consume or transport food. This includes, but is not limited to, service ware for takeout Prepared Food and/or leftovers from partially consumed meals prepared at or by Chain Food Service Establishments for consumption at a specific location. This does not include single-use disposable items such as straws, cup lids, or utensils.

"Food Service Establishment" means any establishment, located or providing food within the County of Ulster, which sells or otherwise provides prepared food and/or beverages for public consumption on or off its premises and includes, but is not limited to, any store, shop, sales outlet, restaurant, bar, pub, coffee shop, cafeteria, caterer, convenience store, liquor store, grocery store, super market, delicatessen, catering truck, mobile food truck, cart or vehicle, or any other person who provides prepared food; and any organization, group or individual which regularly provides food as a part of its services.

"Health Commissioner" – The Commissioner of Health for Ulster County.

A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Ulster County

"Polystyrene Foam" – Any blown polystyrene, expanded, and extruded foams (commonly referred to as Styrofoam, a Dow Chemical Company trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques, including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion blow molding (extruded from polystyrene). Polystyrene foam is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

"Prepared Food" – Any food or beverage which is (1) served in Ulster County or (2) which is packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared on the premises. Prepared food does not include raw meats, poultry and/or seafood sold for the purpose of cooking off premises.

SECTION 4. PROHIBITION ON THE USE OF DISPOSABLE POLYSTYRENE FOAM FOOD SERVICE WARE.

A. No Chain Food Service Establishment shall sell or otherwise provide prepared food in any disposable food service ware that contains polystyrene foam.

B. No Food Service Establishment shall sell or otherwise provide prepared food in any disposable food service ware that contains polystyrene foam.

C. No County facilities, County managed concessions, County sponsored events or County permitted events shall distribute or utilize disposable food service containers containing expanded polystyrene or non-recyclable plastic.

SECTION 5. EXEMPTIONS TO THE POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE PROHIBITION.

A Chain Food Service Establishment or Food Service Establishment may seek an exemption from the prohibition under Section 5 due to a "unique packaging hardship" under Subsection A of this Section or a "financial hardship" under Subsection B of this Section.

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A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Ulster County

A. The Chain Food Service Establishment or Food Service Establishment must demonstrate that no reasonably feasible alternative exists to a specific and necessary polystyrene foam disposable food service ware to qualify for a "unique packaging hardship" exemption.

B. The Chain Food Service Establishment or Food Service Establishment must demonstrate both of the following to qualify for a "financial hardship" exemption: (1) a gross income under $300,000 on their annual income tax filing for the most recent tax year, and (2) with respect to each specific and necessary polystyrene foam disposable food service ware, that there is no feasible alternative that would cost the same or less than the polystyrene foam disposable food service ware.

C. The Chain Food Service Establishment or Food Service Establishment may submit a written application for an exemption on a form provided by the Department of Health. The Commission of Health or designee ("Commissioner") may require the applicant to submit additional information or documentation to make a determination regarding the exemption request. Within thirty (30) days of receiving a completed application and supporting documentation, if any, the Commissioner must either grant or deny the applicant's request for an exemption and must notify the applicant of his or her determination. A request for exemption shall be reviewed on a case by case basis, and may be granted in whole or in part, with or without conditions, for a period of up to twelve (12) months. The Chain Food Service Establishment or Food Service Establishment must apply for a new exemption period no later than sixty (60) days prior to the expiration of the then current exemption period to preserve a continuous exemption status. Each application shall be reviewed anew and will be based on the most current information available. The determination of the Commissioner shall be final and is not subject to appeal.

SECTION 6. ENFORCEMENT AND NOTICE OF VIOLATION.

A. The Commissioner of Health or designee shall have responsibility for notification and enforcement of this local law. The Commissioner of Health or designee is authorized to promulgate rules and regulations and take any

and all other reasonable actions necessary to implement and enforce this local law. Any rules and regulations so promulgated shall be made available on the County of Ulster website in a manner approved by the Commissioner of Health.

B. Anyone violating or failing to comply with any of the requirements of this Chapter or of any regulation or administrative procedure authorized by it shall be guilty of an infraction.

C. The County Attorney may seek legal, injunctive, or any other relief to enforce this Chapter and any regulation or administrative procedure authorized by it.

D. The remedies and penalties provided in this Chapter are cumulative and not exclusive of one another.

SECTION 7. PENALTIES.

Violations of this local law shall be enforced as follows:

A. For the first violation, the Commissioner of Health, or designee, upon determination that a violation of this local law has occurred, shall issue a written warning notice to the Chain Food Service Establishment or Food Service Establishment which will specify the violation and the appropriate penalties in the event of future violations.

B. Thereafter, the following penalties shall apply:

1. First Offense. Any Chain Food Service Establishment or Food Service Establishment guilty of a first offense shall be guilty of a violation and shall be fined an amount not to exceed two hundred and fifty ($250) dollars.

2. Second Offense. Any Chain Food Service Establishment or Food Service Establishment guilty of a second offense shall be guilty of a violation and shall be fined an amount not to exceed five hundred ($500) dollars.

3. Third and Subsequent Offense. Any Chain Food Service Establishment or Food Service Establishment guilty of a third or subsequent offense shall be guilty of a violation and shall be fined an amount not to exceed one thousand ($1,000) dollars.

4. Fines are cumulative and each day that a violation occurs shall constitute a separate violation.

For the purpose of this section, each physical location or establishment shall be treated individually, and offenses and fines for separate locations shall be considered individually.

SECTION 8. REVERSE PREEMPTION.

This local law shall be null and void on the day that federal or statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Ulster. The County Legislature may determine via mere resolution whether or not identical or substantially similar federal or statewide legislation, or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

SECTION 9. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be inconsistent with any federal or state statute, law, regulation or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

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SECTION 10. EFFECTIVE DATE AND APPLICABILITY.

This local law shall be effective six (6) months subsequent to filing in the Office of the Secretary of State for Chain Food Service Establishments, County facilities, County managed concessions, County sponsored events and County permitted events, and one (1) year subsequent to filing in the Office of the Secretary of State for Food Service Establishments. The local law shall apply to all transactions occurring on or after the effective dates referenced above.

Adopted by the County Legislature: March 17, 2015

Approved by the County Executive: April 16, 2015

Local Law Number 5 Of 2015

County Of Ulster

A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

a. The Ulster County Legislature hereby determines that it is appropriate and necessary to adopt a Local Law requiring the automatic re-canvassing of all paper and optical scan ballots cast for a given contest provided that certain criteria as set forth herein has been satisfied.

b. The County of Ulster is authorized to enact a local law requiring an automatic re-canvasing of the ballots cast in accordance with the New York State Election Law and New York State Municipal Home Rule Law.

c. No provision of this Local Law is intended to supplant or contradict any provision of New York State Election Law.

SECTION 2. DEFINITIONS.

a. COUNTY: County of Ulster, State of New York.

b. ELECTION: any primary, regular or special election for municipal office, or referendum held within the County of Ulster, State of New York.

c. MARGIN OF VICTORY: difference between the number of votes cast for the winner certified by the Ulster County Board of Elections and the next highest vote getter.

SECTION 3. REGULATION.

a. Forthwith after a primary, regular or special election for municipal office, the Ulster County Board of Elections shall manually re-canvass all paper ballots for a given election where one person is to be elected in an election contest if the following criteria is met:

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1. The margin of victory is less than one-half (1/2) of one (1) percent of the total votes cast, minus blanks and voids, in any particular contest where the total number of votes cast is less than 3,000; or

2. The margin of victory is less than two-tenths (2/10) percent of the total votes cast, minus blanks and voids, in any particular contest where the total number of votes cast is 3,000 or greater.

b. Forthwith after a primary, regular or special election for municipal office the Ulster County Board of Elections shall manually re-canvass all paper ballots for a given election where more than one person is to be elected in a single election contest if the following criteria is met:

1. The margin of victory between the candidate who won the election with the least votes and the candidate who won the election with the most votes is less than or equal to one-half (1/2) of one (1) percent of the votes cast for the candidate who won the contest with the least votes.

c. Forthwith after an election or referendum wherein the difference between a "Yes" and "No" on a question was less than one-half (1/2) of one (1) percent of the total number of votes cast, minus blanks and voids, for a question but not more than two (2) thousand votes, the Ulster County Board of Elections shall manually re-canvass all paper ballots for the election.

d. An automatic re-canvasing as provided for in this Local Law shall only occur after the Board of Elections completes the canvassing and re-canvassing procedures, but prior to the certification of the original vote count in accordance with the New York State Election Law.

e. The method of automatic re-canvassing as prescribed in this Local Law shall be in accordance with the New York State Election Law.

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A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York

f. Cost of Automatic Re-Canvassing: The cost of any automatic re-canvassing provided for in this Local Law shall be borne by the Ulster County Board of Elections.

g. The losing candidate in a contest that meets the criteria as set forth above may waive the automatic recount provisions of this local law by giving written notice to the Ulster County Board of Elections within five days after the certification of the election results.

SECTION 4. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction such judgment shall be confined in its operation to the part of the provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Ulster County Legislature hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5. EFFECTIVE DATE.

This Local Law shall take effect upon its filing with the New York State Secretary of State.

Adopted by the County Legislature: March 17, 2015

Deemed Approved by the County Executive: April 16, 2015

Local Law Number 6 Of 2015

County Of Ulster

A Local Law Establishing A Tobacco Retail License and Reducing Youth Exposure to Tobacco

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. TITLE.

This Local Law shall be known as the "Ulster County Tobacco Licensing and Reduced Youth Exposure to Tobacco Law."

SECTION 2. LEGISLATIVE INTENT.

The Ulster County Legislature hereby finds and determines that Ulster County has a substantial interest in reducing the number of individuals of all ages who use cigarettes and other tobacco products, and a particular interest in protecting adolescents from tobacco dependence and the illnesses and premature death associated with tobacco use.

Tobacco companies sell products that are addictive and inherently dangerous, causing cancer, heart disease, and other serious illnesses.

An overwhelming majority of Americans who use tobacco products begin using such products while they are adolescents and become addicted before reaching the age of eighteen (18). The Surgeon General of the United States has concluded that if young people don't start using tobacco by age 26, they almost certainly will never start.

Studies have found higher rates of smoking at schools with more tobacco retailers within walking distance. Researchers suggest that limiting the proximity of tobacco outlets to schools may be an effective strategy to reduce youth smoking rates.

Although it is unlawful to sell tobacco products to minors, 5.9% of New York retailers surveyed do sell to minors (New York State Department of Health, 2010 Youth Access Tobacco Enforcement Program Annual report); and 20% of underage smokers in New York report that they usually purchase their cigarettes from a retail store (New York Youth Tobacco Survey 2008).

A local licensing system for tobacco retailers will provide a local enforcement mechanism to allow Ulster County to monitor and increase Tobacco Retailers' compliance with state and federal laws that prohibit sales of tobacco products to

minors by requiring compliance with these laws as a condition for obtaining and maintaining a local Tobacco Retail License. A local licensing system for Tobacco Retailers is consistent with the County's power pursuant to General Municipal Law to protect and promote the health of its youth. Moreover, the Family Smoking Prevention and Control Act of 2009 provides local governments with the freedom to implement tobacco control policy options, including tobacco licensing and reducing the number of tobacco retailers in heavily youth populated areas.

A recent survey by the Baruch College School of Public Affairs found that 78% of Ulster County residents surveyed opposed tobacco sales at stores near schools and 61% percent favored an outright ban on the sale of tobacco products nears schools.

Therefore, it is the intent of Ulster County to reduce youth smoking rates by implementing effective measures through this Local Law to license all tobacco retail outlets, restrict the establishment of new tobacco retail outlets near schools, provide locally enforceable penalties, and increase education and awareness of the harm associated with tobacco use in youth populations.

SECTION 3. DEFINITIONS.

ADMINISTRATIVE HEARING means a hearing administered by the Ulster County Department of Health as allowed by New York Public Health Law Section 309 and according to regulations adopted by the Ulster County Department of Health.

APPLICANT means an individual, partnership, limited liability company, corporation, or other business entity seeking an Ulster County Tobacco Retail License.

DEPARTMENT means the Ulster County Department of Health.

EXISTING TOBACCO RETAILER means any Person who is lawfully engaged in the retail sale of Tobacco Products and possesses a valid certificate of registration as a tobacco retail dealer from the New York State Department of Taxation and Finance on the effective enforcement date of this Article.

LEGAL AGE means the minimum age at which individuals are permitted to legally purchase tobacco products.

NEW TOBACCO RETAIL LICENSE means any Tobacco Retail License that is not a Renewed Tobacco Retail License.

PERSON means any natural person, company, corporation, firm, partnership, business organization, or other legal entity.

RENEWED TOBACCO RETAIL LICENSE means a Tobacco Retail License issued to an Applicant for the same location at which the Applicant previously possessed a valid Tobacco Retail License during the previous year.

SCHOOL means a public or private kindergarten, elementary, middle, junior high, or high school; or a Board of Cooperative Educational Services Center.

TOBACCO PRODUCT means any manufactured product containing tobacco or nicotine, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products and electronic cigarette cartridges.

TOBACCO RETAIL LICENSE means a license issued by the Ulster County Department of Health to a Person engaged in the sale of Tobacco Products in Ulster County.

TOBACCO RETAILER means any Person who sells or offers for sale any Tobacco Product, or any employee of such a person.

SECTION 4. TOBACCO RETAIL LICENSE.

(A) Effective January 1, 2016, no Person shall sell, offer for sale, or permit the sale of Tobacco Products to consumers in Ulster County, without possessing a valid Tobacco Retail License issued by the Ulster County Department of Health. A Tobacco Retail License is not required for a wholesale dealer who sells Tobacco Products to retail dealers for the purpose of resale only and does not sell any Tobacco Products directly to consumers.

(B) All Tobacco Retail Licenses issued pursuant to this Local Law are nontransferable and non-assignable and are valid only for the Applicant and the specific address indicated on the Tobacco Retail License. A separate Tobacco Retail License is required for each address at which Tobacco Products are sold or offered for sale.

(C) All Tobacco Retail Licenses issued pursuant to this Local Law are valid for no more than one (1) year and expire on the next occurring December 31st following the effective date of the Tobacco Retail License. As set forth in Section 9, a Tobacco Retail License may be revoked by the Department prior to its expiration date for cause.

(D) No Tobacco Retail Licenses shall be issued to an Applicant who does not have a fixed, permanent retail location.

(E) With the exception of the first year subsequent to this Local Law's effective date, no New Tobacco Retail License shall be issued to any establishment located within 1000 feet of the nearest point of the property line of a School. Renewed Tobacco Retail License(s) shall be issued to Person(s) located within 1000 feet of a School which have previously held a Tobacco Retail License. A new Applicant who purchases a business located within 1000 feet of a School may apply for a New Tobacco Retail License only if the previous owner held a valid and current Tobacco Retail License and the operations of the business are staying at the same location and within the same scope.

(F) Existing Tobacco Retailers shall submit applications for a New Tobacco Retail License to the Department in writing upon a form provided by the Department at least thirty (30) days prior to January 1, 2016. Thereafter, all applications for a Renewed Tobacco Retail License shall be submitted to the Department in writing upon a form provided by the Department at least thirty (30) days prior to the expiration of the current Tobacco Retail License.

(G) Tobacco Retailers not in existence prior to January 1, 2016 shall submit an application for a New Tobacco Retail License at least thirty (30) days prior to opening and may not sell tobacco products until such a license is issued.

(H) The Department may require all forms and the documentation therefor to be signed and/or verified by the Applicant or an authorized agent thereof.

(I) Within thirty (30) days of receiving a completed application and supporting documentation, if any, the Commissioner must either grant or deny the applicant's request for a Tobacco Retail License and must notify the applicant of his or her determination. If the applicant is an Existing Tobacco Retailer, the retailer may continue to engage in the sale of Tobacco Products until such time as a determination is made by the Commissioner and the retailer receives notification of such determination. If the applicant is applying for a New Tobacco Retail License and was not in existence prior to January 1, 2016, the applicant may not begin selling Tobacco Products until he or she receives notification of the Commissioner's determination.

SECTION 5. NOTICE.

(A) The Commissioner shall, at least forty-five (45) days prior to the effective date of this Local Law, send to each Existing Tobacco Retailer in Ulster County a Tobacco Retail License application and a copy of this Local Law. The Commissioner shall, as part of the application process, identify and notify any Existing Tobacco Retailer in Ulster County that is located within 1000 feet from the nearest point of the property line of a School.

(B) Any Existing Tobacco Retailer identified as being located within 1000 feet of the nearest point of the property line of a School, may dispute such designation. Any such dispute must be made in writing to the Commissioner within fifteen (15) days of receipt of the notice provided for in Section 5(A) above and include any and all evidence the retailer relies on to support its claim that its business is not located within 1000 feet of the nearest point of the property line of a School. The Commissioner shall consider such evidence as part of the application. The Commissioner shall have final authority to determine whether the retailer is located within 1000 feet of a School.

SECTION 6. ISSUANCE OF LICENSES.

(A) Upon the receipt of a fully completed application for a New or Renewed Tobacco Retail License, and any additional documents as may be required by the Department, the Department shall inspect the location at which tobacco sales are to be permitted. The Department may also require the Applicant to provide additional information that is reasonably related to the determination of whether a license may issue.

(B) The Department may refuse to issue a Tobacco Retail License to an Applicant if it finds that one or more of the following bases for denial exists:

(1) The information presented in the application is incomplete, inaccurate, false, or misleading;

(2) The Applicant does not possess a valid certificate of registration as a tobacco retail dealer from the New York State Department of Taxation and Finance;

(3) The application seeks a New Tobacco Retail License at a location for which this Local Law prohibits the issuance of a New Tobacco Retail License;

(4) A Tobacco Retail License issued under this Local Law was previously revoked;

(5) The Applicant has been found by a court of law or administrative body to have violated any federal, state, or local laws pertaining to (a) trafficking in contraband Tobacco Products, (b) the payment or collection of taxes on Tobacco Products, (c) the display of Tobacco Products, or (d) the sale of Tobacco Products;

(6) The Applicant has not paid to the Department outstanding fees, fines, penalties, or other charges owed to Ulster County; or

(7) The Department determines in accordance with written criteria established by the Department to further the purposes of this Local Law, that a Tobacco Retail License should not be issued to the Applicant.

SECTION 7. TRAINING AND EDUCATION

The Department shall create appropriate training materials and programs that shall be made available to any Existing Tobacco Retailer.

SECTION 8. DISPLAY OF LICENSE REQUIRED.

(A) Any Tobacco Retail License issued pursuant to this Local Law shall be displayed prominently at the location where the Tobacco Products are sold so that it is readily visible to customers.

(B) Selling, offering for sale, or permitting the sale of any Tobacco Product without a valid Tobacco Retail License displayed in accordance with Section 8(A) constitutes a violation of this Local Law.

SECTION 9. SUSPENSION AND REVOCATION OF LICENSES.

(A) Any Existing Tobacco Retailer who is found to be in violation of the terms and conditions of this Local Law or for violation of any federal, state, or local law pertaining to (a) the display of Tobacco Products or of health warnings pertaining to Tobacco Products, or (b) the sale of Tobacco Products, shall have their Tobacco Retail License suspended for up to three (3) months for a first offense; up to six (6) months for a second offense within a two (2) year period; or revoked for a third offense within a two (2) year period, after notice and an opportunity to be heard at an Administrative Hearing. Any such violator may also be required to complete a training program designated by the Department prior to reinstatement of such license.

SECTION 10. VIOLATIONS AND ENFORCEMENT.

(A) The Department or its authorized designee(s) shall enforce this Local Law's provisions. The Department may conduct periodic inspections in order to ensure compliance with this Local law.

(B) In addition to the penalties provided for in Section 9, any Person found to be in violation of this Local Law, after notice and an opportunity to be heard at an Administrative Hearing, shall be liable for a civil penalty of not more than $250 for the first violation, not more than $500 for the second violation within a two (2) year period, and not more than $1,000 for the third and each subsequent violation within a two (2) year period.

SECTION 11. ADMINISTRATION.

(A) The Commissioner of the Ulster County Health Department, in consultation with the Ulster County Board of Health, is hereby authorized to develop rules, regulations, and procedures necessary to implement this Local Law.

(B) The Commissioner shall have the authority to waive the distance requirement of Section 4(E) for any new Applicant who did not previously possess a valid Tobacco Retail License, only if it can be shown by clear and convincing evidence by the Applicant that a waiver of such distance requirement will not compromise the aforestated purpose and the general intent of this Local Law.

SECTION 12. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this regulation or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order of judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this regulation, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order of judgment shall be rendered.

Local Law Number 6 Of 2015

County Of Ulster

A Local Law Establishing A Tobacco Retail License and Reducing Youth Exposure to Tobacco

SECTION 13. EFFECTIVE DATE.

The effective date of this Local Law shall be on January 1, 2016.

Adopted by the County Legislature: April 21, 2015

Approved by the County Executive: May 14, 2015

Filed with New York State Department of State: May 21, 2015

Local Law No. 7 Of 2015

County Of Ulster

A Local Law To Authorize The Sale And Use Of Sparkling Devices

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE FINDINGS.

The Ulster County Legislature finds enacted state law Chapter 477 of the Laws of 2014 amended the State Penal Law, the Executive Law, and the General Business Law with the intent to modernize the statute dealing with illegal fireworks, provide additional definitions of what constitutes fireworks and dangerous fireworks and remove certain novelty devices, which are not recognized as fireworks by the federal government, out of the definition of fireworks.

The Ulster County Legislature finds the law, prior to the recently enacted changes, was not used effectively due to poor definitions and courts had thrown out indictments due to these poor definitions. Through the modernization of the statute and clearly defining the terms fireworks, dangerous fireworks and novelty devices, the new law provides law enforcement with an important tool in reducing the use of illegal fireworks and homemade devices and encourages the use of safe and legally regulated novelty devices.

The Ulster County Legislature finds the new law allows sparkling devices to be sold and used in municipalities that affirmatively enact a local law authorizing the exclusion "sparkling devices" from the definitions of "fireworks" and "dangerous fireworks".

The Ulster County Legislature finds that allowing residents and visitors the opportunity to use safe "sparkling devices" will benefit them and local businesses.

The Ulster County Legislature finds that only those who 18 years of age or older may purchase sparkling devices and that the sparkling devices shall only be sold between June 1st and July 5th and December 26th and January 2nd of each calendar year.

The Ulster County Legislature further finds that all distributors, manufacturers, and retailers of sparkling devices must be licensed through the New York State Department of State.

Local Law No. 7 Of 2015

County Of Ulster

A Local Law To Authorize The Sale And Use Of Sparkling Devices

SECTION 2. AUTHORIZED SALE AND USE OF SPARKLING DEVICES.

1. Pursuant to section 405 (5) (b) of the New York State Penal Law (Penal Law) and Penal Law section 270 (3)(b)(v) as enacted by Chapter 477 of the Laws of 2014, "sparkling devices" shall be excluded from the definition of "fireworks" and "dangerous fireworks" as those terms are defined by Penal Law sections 270(1)(a)(i) and 270(1)(b) respectively.

2. The sale and use of "sparkling devices" as defined in Penal Law section 270(1)(a)(vi) which is incorporated hereunder shall be lawful in Ulster County provided such sale and use are not in violation of Sections 156-h and 377 of the Executive Law or any rules and regulations thereunder.

3. "Sparkling Devices" are defined as follows:

"Sparkling Devices" which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

(1) cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

(2) cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.

(3) wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.4) novelties which do not require approval from the United States department of transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:

(A) party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

(B) snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 4. SEVERABILITY

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

Local Law No. 7 Of 2015

County Of Ulster

A Local Law To Authorize The Sale And Use Of Sparkling Devices

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: April 21, 2015

Deemed Approved by the County Executive: May 21, 2015

Filed with New York State Department of State: May 27, 2015

Local Law No. 8 Of 2015

County Of Ulster

A Local Law Requiring That The County Of Ulster Be Reimbursed For The Cost Of Medical Or Dental Services Provided To Inmates At The Ulster County Jail From Any Third Party Coverage Of Indemnification Carried By An Inmate

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. SHORT TITLE.

This Local Law shall be known as the "Reimbursement for Inmate Healthcare Law."

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.

The Ulster County Legislature (hereinafter the "Legislature") hereby finds and determines that the County of Ulster (hereinafter the "County") incurs a variety of costs in connection with providing inmates in the Ulster County Jail (hereinafter the "Jail") with medical and dental services.

The Legislature also finds that, pursuant to Section 500-h (2) of the New York State Corrections Law, the County may pursue reimbursement for costs from any third party coverage or indemnification carried by an inmate for medical and dental services received by the inmate.

Accordingly, it is the intent of this Local Law to direct and empower the County to seek reimbursement from any third party coverage or indemnification carried by an inmate for medical and dental services received by the inmate.

SECTION 3. PAYMENT FOR MEDICAL OR DENTAL SERVICES, IF INSURED.

The County may be entitled to reimbursement from any third party coverage or indemnification carried by an inmate at the Jail for costs paid by the County on behalf of the inmate for tests, studies or analyses for the diagnoses of a disease or disability; for care and treatment by a hospital, as defined in Article 28 of the Public Health Law, or for care and treatment by a physician or dentist.

Therefore, the Sheriff of Ulster County, upon receiving a person committed to the Jail as an inmate, shall determine by questioning such person or by other procedures, if the person carries third party coverage, medical or hospitalization insurance or indemnification for services received from a hospital, doctor or dentist, required to be provided to an inmate pursuant to Section 500-h (1) of the New York State Corrections Law.

Local Law No. 8 Of 2015

County Of Ulster

A Local Law Requiring That The County Of Ulster Be Reimbursed For The Cost Of Medical Or Dental Services Provided To Inmates At The Ulster County Jail From Any Third Party Coverage Of Indemnification Carried By An Inmate

Such third party coverage or indemnification shall first be applied against the total cost to the hospital or other provider as established in accordance with the provisions of Section 2807 of the Public Health Law relating to rates of payment of an individual's care and treatment, as provided herein.

SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this regulation, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order of judgment shall be rendered.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: April 21, 2015

Approved by the County Executive: May 21, 2015

Filed with New York State Department of State: June 4, 2015

Local Law No. 9 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

The Ulster County Legislature finds that government must be innovative, efficient, and cost effective.

Ulster County recognizes that energy use associated with the operation of its motor vehicle fleets exacerbates local air quality problems and results in greenhouse gas emissions that contribute to global climate change. While the operation and maintenance of the County vehicle fleet is essential to the ability to provide a wide range of services to the public, the fleet represents a significant environmental and financial cost to Ulster County.

In 2012, the County's baseline year for its Greenhouse Gas (GHG) Inventory, the fleet consumed 201,000 gallons of gasoline and over 306,000 gallons of diesel fuel and was responsible for the emission of approximately 4,899 metric tons of CO2 equivalent or approximately 35% of the County's total GHG emissions.

Energy costs represent a significant amount of spending for Ulster County government and Ulster County desires to continue in its leadership role in environmental stewardship. The County's energy costs totaled $4,178,670 in fiscal year 2014 of which $1,734,637 is vehicle energy costs.

Ulster County recognizes that its agencies and/or departments have a significant role to play in improving local air quality and reducing greenhouse gas emissions by improving the energy efficiency of its Fleet and reducing emissions from fleet operations.

Ulster County recognizes that improving the energy efficiency of its fleet can lead to significant long-term monetary savings.

Ulster County wishes to exercise its power as a participant in the marketplace to ensure that purchases and expenditures of public monies are made in a manner consistent with the policy of improving local air quality and reducing greenhouse gas emissions.

Ulster County wishes to establish a "Green Fleet" policy addressing the vehicles of the fleet under the control of the County in order to improve vehicle fuel efficiency and reduce greenhouse gas emissions.

Local Law No. 9 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

A Green Fleet Policy involves a number of different steps to reduce emissions, decrease costs, and increase efficiency. These steps include:

a. the downsizing of vehicles
b. the optimization of vehicle use
c. incorporate efficiency into bid specifications
d. maximize vehicle efficiency through maintenance and operation
e. the elimination of vehicles
f. where possible encourage the use of transit systems, bike riding, walking, & telecommuting

Ulster County is committed to using electric, hybrid-electric, hybrid and sustainable green vehicles across the fleet. Any initiative to introduce alternative fuel technologies will consider the sustainability of the fuel including lifecycle energy and emissions, as well as the renewability of the fuel source.

Additionally Ulster County seeks to move toward zero emission vehicles by promoting the use of electric, hybrid-electric, hybrid, and sustainable green vehicles by residents and will do so by:

1. Giving priority to purchasing hybrid, hybrid-electric, and sustainable green vehicles; and

2. Installing electric vehicle charging stations at County-owned facilities.

3. Supporting initiatives and research which will lead to the further deployment of electric, hybrid-electric, hybrid, and sustainable green vehicles across the community.

SECTION 2. DEFINITIONS.

1. "**Green Vehicle**" refers to any vehicle that employs technology that reduces fuel consumption or emissions and shall include, but is not limited to, vehicles that have electric drive trains (EVs), hybrid-electric, and hybrid vehicles that use both a rechargeable energy storage system and combustible fuel (HVs).

2. "**Passenger Vehicle**" means any motor vehicle designed primarily for the transportation of persons and having a design capacity of twelve persons or less.

3. "**Light Duty Truck**" means any motor vehicle, with a manufacturer's gross vehicle weight rating of 6,000 pounds or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.

4. "**Medium Duty Vehicle**" means any vehicle having a manufacturer's gross vehicle weight rating of 14,000 pounds or less and which is not a light-duty truck or passenger vehicle.

5. "**Heavy Duty Vehicle**" means any motor vehicle, licensed for use on roadways, having a manufacturer's gross vehicle weight rating greater than 14,000 pounds.

SECTION 3. FLEET INVENTORY.

1. In order to establish a baseline of data so that the "Green Fleet" policy can be established, implemented, and monitored, the Fleet Manager, in consultation with the Coordinator of the Department of Environment, shall develop an inventory and assessment of the fleet vehicles within each department or agency. This inventory shall include:

    a. Number of vehicles classified by the model year, make, model, engine size, vehicle identification number (VIN), drivetrain type (2-wheel drive or 4-wheel drive), and the rated vehicle weight and classification (light-duty, medium-duty, heavy-duty);

    b. Miles per gallon (or gallon equivalent) per vehicle;

    c. Type of fuel (or power source, e.g., electricity) used;

    d. Average cost per gallon (or gallon equivalent) of fuel;

    e. Average fuel cost per mile;

f. Annual miles driven per vehicle;

g. Total fuel (or power) consumption per vehicle;

h. Vehicle function (i.e., the tasks associated with the vehicle's use);

i. Estimated emissions per mile for each pollutant by vehicle type/class based on EPA tailpipe standards for the following: Carbon Monoxide (CO), Nitrogen Oxides (NOx), and Particulate Matter (PM).

j. Carbon Dioxide (CO2) calculations based on gallons (or gallon equivalent) of fuel consumed.

2. Once the Fleet Inventory from each department is submitted, an assessment on vehicular use will be performed by the Fleet Manager, in consultation with the Coordinator of the Department of Environment. The assessment will examine;

a. vehicle needs;

b. the use of the smallest, most efficient vehicle to carry out necessary tasks; and

c. replacing existing vehicles with Green vehicles that will accomplish substantially the same tasks.

SECTION 4. THE ULSTER COUNTY GREEN FLEET POLICY.

It is the policy of Ulster County:

1. to purchase, lease, or otherwise obtain the most energy efficient and cost effective vehicles possible that meet the operational needs of the County.

2. to purchase vehicles that are appropriately sized for the purposes to which they are intended.

3. to manage and operate its fleet in a manner that is energy efficient and minimizes emissions.

4. that all County employees in Ulster County owned vehicles at any time, or in personal vehicles while on County property during work shifts, shall not allow a vehicle to be left to idle for any period of time greater than five minutes. This policy shall not apply during times of emergency response or for vehicles which require longer idling periods for equipment operations needs.

SECTION 5. GREEN FLEET POLICY STRATEGIES.

In order to accomplish the goals stated in Section 4 above, the following policies shall be implemented:

1. Include a minimum efficiency standard in miles per gallon (or gallon equivalent) for each vehicle class for which the County has a procurement specification for and include such a standard in any new vehicle procurement specification.

2. Include a minimum emissions standard for each vehicle class for which the County has a procurement specification for and include such a standard in any new vehicle procurement specifications.

3. Ensure a minimum of 5% of the fleet by 2020 are Green vehicles. Thereafter, annually, a minimum of 20% of passenger vehicles purchased, leased or otherwise obtained will be Green and Green vehicles that qualify in another vehicle weight class may, for the purposes of this requirement, qualify as a passenger vehicle on a one vehicle for one vehicle basis.

4. Review all vehicle procurement specifications and modify them as necessary to ensure that the specifications are written in a manner flexible enough to allow the purchase or lease of green vehicles.

5. Review every new vehicle purchase request and modify them as necessary to ensure that the vehicle class to which the requesting vehicle belongs is appropriate for the duty requirements that the vehicle will be called upon to perform.

6. Review the fleet inventory taken in Section 3 above to identify older vehicles that are used infrequently (or not at all), as well as those vehicles that are disproportionately inefficient, and schedule their elimination or replacement.

7. Implement a program that will train County employees to drive efficiently and utilize efficient operating techniques such as route optimization.

8. Reduce motor vehicle use by the utilization of fleet-management software, optimizing vehicle use, the selection of the right vehicle for the employees' tasks, and encourage transit use, bicycle riding, walking, and ride sharing and telecommuting where feasible.

9. Maximize efficiency of the vehicles by having them regularly maintained and checking tire pressure and keeping them aerodynamic (putting racks, ladders and tools on vehicle roofs only when necessary).

10. Procure and utilize Green vehicles when their use is appropriate to the application and a life-cycle cost analysis demonstrates the procurement and utilization of the vehicle to be economically feasible.

11. Purchase the right size vehicle for the job.

12. Keep apprised of the technological advances and product innovations for fleet vehicles such as, but is not limited to, the use of low rolling resistance tires and using nitrogen to inflate tires.

SECTION 6. MONITORING OF THE GREEN FLEET POLICY.

In order to determine whether the goals outlined in Section 4 above and the actions outlined in Section 5 above, have been reached, and/or whether or not they should be modified or amended, annually, on or before March 1st of each year, a report, prepared by the Coordinator of the Ulster County Department of the Environment, in conjunction with the Ulster County Fleet Manager and any other department of the County that the Coordinator of the Department of Environment may deem necessary, shall be filed with the County Executive and the Ulster County Legislative Standing Committee assigned with the Department of the Environment and any other Committee as determined by the Clerk of the Legislature.

The annual report shall include, but not be limited to:

a. Information addressing the criteria of Sections 1, 3 and 5 above;
b. Documentation of the fuel use and emissions associated with the ulster county fleet;
c. An assessment of whether or not the goals set forth in the policy have been attainable; and if not, the reasons relevant;
d. Recommendations regarding actions to be taken in order to meet the goals set forth in the Policy; and
e. Recommendations as to specific changes or modifications to the Policy that would promote the goals of the Policy.

The Legislative Standing Committee(s) as designated, having reviewed the information and recommendations set forth in the annual report, shall, if it deems necessary, propose to the full Legislature any changes or modifications to this Policy.

SECTION 7. WAIVER

The County Executive may request a waiver of the purchase requirements of Section 5 of this Law by resolution of the County Legislature if he/she determines that such a waiver is in the best interest of the
taxpayers and residents of Ulster County. No such waiver shall take effect unless such a resolution is deemed passed with a majority of the County Legislature voting in the affirmative.

SECTION 8. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this regulation, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order of judgment shall be rendered.

Local Law No. 9 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

SECTION 9. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: August 18, 2015

Approved by the County Executive: September 17, 2015

Filed with New York State Department of State: September 28, 2015

Local Law No. 10 of 2015

County Of Ulster

A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding $50,000.00

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1: Section A3-4 (X) of the Administrative Code is amended to read as follows:

Section A3-4: Powers and duties of County Executive.

X. *Execute all contracts* and change orders *under the sum of $50,000 and, with the approval of the County Legislature, all contracts* and change orders in the amount of $50,000 or *in excess of $50,000*, except that:

(1) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive; AND

(2) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of $50,000. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter; and

(3) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing for all contracts in the amount of $50,000 or more. ALL SAID CONTRACTS SHALL BE PRESENTED TO THE COUNTY LEGISLATURE FOR ITS APPROVAL. Upon THE approval of A CONTRACT by the County Legislature, the Director of Purchasing shall present the CONTRACT to the County Executive. Upon approval of A CONTRACT by the County Executive, the Director of Purchasing

shall have the authority to execute the CONTRACT as provided in § C-74B(2) of the County Charter; AND

(4) THE DIRECTOR OF PURCHASING SHALL PRESENT A CHANGE ORDER OR AN AMENDMENT TO A CONTRACT TO THE COUNTY LEGISLATURE FOR APPROVAL WHEN:

(A) THE CHANGE ORDER OR THE AMENDMENT IS FOR A CAPITAL PROJECT AND THE AMOUNT THEREOF IS 20% OR MORE OF THE CONTRACT TOTAL; OR

(B) THE CHANGE ORDER OR AMENDMENT CAUSES THE AGGREGATE AMOUNT OF THE CHANGES OR AMENDMENTS TO A NON-CAPITAL PROJECT CONTRACT TO BE EQUAL TO OR EXCEED $50,000.00 DURING THE TERM OF THE CONTRACT, EXCEPT WHERE THE CONTRACT AGENCY OR VENDOR IS THE RECIPIENT OF FUNDS PASSING THROUGH THE COUNTY AND RECEIVED BY THE COUNTY FROM ANOTHER GOVERNMENT OR ENTITY DURING A TWELVE MONTH PERIOD.

(5) ON A MONTHLY BASIS, THE DIRECTOR OF PURCHASING SHALL FILE WITH THE CLERK OF THE LEGISLATURE A LIST OF ALL CONTRACTS, CHANGE ORDERS, AND AMENDMENTS THAT THE COUNTY EXECUTIVE OR DIRECTOR OF PURCHASING HAS EXECUTED THAT MONTH. THE LIST SHALL INCLUDE THE DEPARTMENT NAME, NAME OF THE VENDOR, THE AMOUNT OF THE CONTRACT, CHANGE ORDER, OR AMENDMENT, A BRIEF DESCRIPTION THEREOF, THE FUNDING SOURCE, THE BASIS FOR THE AWARD, AND THE CONTRACT DATES.

Local Law No. 10 of 2015

County Of Ulster

A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding $50,000.00

SECTION 2. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: August 18, 2015

Deemed Approved by the County Executive: September 17, 2015

Filed with New York State Department of State: September 28, 2015

Local Law Number 11 Of 2015

County Of Ulster

A Local Law Amending Local Law No. 5 Of 2015, A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. Section 2. b. of Local Law No. 5 of 2015 is hereby amended to read as follows:

b. ELECTION: any primary, regular or special election for municipal office, or referendum held within the County of Ulster, State of New York. This Local Law shall not extend to any contests for municipal office or referendum if such contest or referendum crosses beyond the geographical borders of the County of Ulster, State of New York.

SECTION 2. Section 3. a. of Local Law No. 5 of 2015 is hereby amended to read as follows:

a. Forthwith after a primary, regular or special election for municipal office and prior to certification of the final vote count, the Ulster County Board of Elections shall manually re-canvass all paper ballots for a given election where one person is to be elected in an election contest if the following criteria is met:

SECTION 3. Section 3 b. of Local Law No. 5 of 2015 is hereby amended to read as follows:

b. Forthwith after a primary, regular election for municipal office, and prior to certification of the final vote count, the Ulster County Board of Elections shall manually re-canvas all paper ballots for a given election where more than one person is to be elected in a single election contest if the following criteria is met.

Local Law Number 11 Of 2015

County Of Ulster

A Local Law Amending Local Law No. 5 Of 2015, A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York

SECTION 4. Section 3 b. 1. of Local Law No. 5 of 2015 is hereby amended to read as follows:

1. The margin of victory between the candidate who won the election with the least votes and the candidate who lost the election with the most votes is less than or equal to one-half (1/2) of one (1) percent of the votes cast for the candidate who won the contest with the least votes.

SECTION 5. Section 3. c. of Local Law No. 5 of 2015 is hereby amended to read as follows:

c. Forthwith after an election or referendum and prior to the certification of the final vote count wherein the difference between a "Yes" and "No" on a question was less than one-half (1/2) of one (1) percent of the total number of votes cast, minus blanks and voids, for a question but not more than two (2) thousand votes, and prior to certification of the final vote count, the Ulster County Board of Elections shall manually re-canvass all paper ballots for the election.

SECTION 6. Section 3. d. of Local Law No. 5 of 2015 is hereby amended to read as follows:

d. An automatic re-canvasing as provided for in this Local Law shall only occur after the Board of Elections completes the canvassing and re-canvassing procedures, but prior to the certification of the vote count in accordance with the New York State Election Law.

SECTION 7. Section 3. e. of Local Law No. 5 of 2015 is hereby amended to read as follows:

e. The method of re-canvassing as prescribed in this Local Law shall be in accordance with the New York State Election Law.

Local Law Number 11 Of 2015

County Of Ulster

A Local Law Amending Local Law No. 5 Of 2015, A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York

SECTION 8. Section 3 g. of Local Law No. 5 of 2015 is hereby REPEALED and a new Section 3 g. is added to read as follows:

g. The losing candidate in a contest that meets the criteria as set forth above may waive the automatic re-canvass provisions of this local law by giving written notice to the Ulster County Board of Elections after the Board of Elections completes the canvassing and re-canvassing procedures but prior to the certification of the original vote count in accordance with the New York State Election Law.

SECTION 9. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction such judgment shall be confined in its operation to the part of the provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Ulster County Legislature hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 10. EFFECTIVE DATE.

This Local Law shall take effect upon its filing with the New York State Secretary of State.

Adopted by the County Legislature: August 18, 2015

Approved by the County Executive: September 17, 2015

Filed with New York State Department of State: September 28, 2015

Local Law Number 12 Of 2015

County Of Ulster

A Local Law Establishing The Ulster County Animal Abuse Registry

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE INTENT.

The Ulster County Legislature (the "Legislature") hereby finds that animal cruelty is a serious problem, resulting in the abuse and neglect of thousands of animals each year in the United States.

The Legislature also finds that while New York State has criminalized the cruel treatment of animals, animal abuse continues to occur in Ulster County and throughout the state.

The Legislature also finds that people who have abused animals in the past are likely to do so in the future and studies show that there is a near 100% recidivism rate for certain types of abuse such as animal hoarding.

The Legislature finds that, statistically, individuals who abuse animals are more likely to commit violent acts against humans.

The Legislature also finds that a strong correlation has been established linking individuals who abuse animals with incidents of domestic violence.

The Legislature further finds that it is in the best interests of Ulster County residents to establish an animal abuse registry to identify individuals who abuse animals and who, therefore, may be more likely to commit other acts of violence, and to prevent these individuals from adopting, purchasing, or otherwise obtaining animals by adoption, sale, or other means.

Therefore, the purpose of enacting this Local Law is to establish an online registry for individuals who are convicted of animal abuse and neglect crimes.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms shall have the meanings indicated:

A. **"Animal Abuse Crime"** shall mean the commission of the following enumerated crimes against an animal:

a. Animal fighting, as defined in the New York State Agriculture and Markets Law (hereinafter "AML") § 351;
b. Overdriving, torturing, and injuring animals; failure to provide proper sustenance, as defined in AML § 353;
c. Aggravated cruelty to animals, as defined in AML § 353-a;
d. Electrocution of fur bearing animals, as defined in AML § 353-C;
e. Abandonment of animals, as defined in AML § 355;
f. Failure to provide proper food and drink to an impounded animal, as defined in AML § 356;
g. Poisoning or attempting to poison animals, as defined in AML § 360;
h. Interference with or injury to certain domestic animals, as defined in AML § 361;
i. Clipping or cutting the ears of dogs, as defined in AML § 365;
j. Companion animal stealing, as defined in AML § 366 (3);
k. Removing, seizing or transporting dogs for research purposes, as defined in AML § 366-a;
l. Operating upon tails of horses, in violation of AML § 368;
m. Sexual misconduct with an animal, as defined by New York State Penal Law (hereinafter "PL") § 130.20(3);
n. Harming an animal trained to aid a person with a disability, as defined by PL § 195.11;
o. Killing or injuring a police animal, as defined by PL § 195.12;
p. Harming a service animal in the second degree, as defined by PL § 242.10
q. Harming a service animal in the first degree, as defined by PL § 242.15.

B. "**Convicted of"** shall mean an adjudication of guilty by any court of competent jurisdiction, whether upon a verdict of guilty or a plea of guilty.

C. **"Ulster County Animal Abuse Registry"** shall mean the on-line registry established by this Local Law for registering any person living in Ulster County convicted of an Animal Abuse Crime.

Local Law Number 12 Of 2015

County Of Ulster

A Local Law Establishing The Ulster County Animal Abuse Registry

SECTION 3. CREATION OF REGISTRY.

A registry is hereby created which shall contain the names and residence information of individuals who are convicted of Animal Abuse Crimes. The Ulster County District Attorney is hereby authorized and empowered to contract with qualified organizations dedicated to animal protection, rescue, and/or preventing animal abuse to establish and maintain a publicly accessible registry for such individuals. All fees collected by Ulster County shall be used for the maintenance and administration of the registry.

SECTION 4. REGISTRATION REQUIREMENTS.

A. All persons 18 years of age or older who reside in Ulster County and are convicted of an Animal Abuse Crime on or after the effective date of this Local Law must register with the Ulster County Animal Abuse Registry at the office of the Ulster County District Attorney, or the office of his or her authorized agent, within ten (10) days following their release from incarceration or, if not incarcerated, from the date of conviction.

B. The Ulster County District Attorney, or his or her authorized agent, shall promptly notify all persons convicted of ~~an~~ Animal Abuse Crime**s** in Ulster County that they must register with the Ulster County Animal Abuse Registry within ten (10) days following their release from incarceration or, if not incarcerated, from the date of conviction.

C. Each person required to register with the Ulster County Animal Abuse Registry shall submit:

(1) His or her name;
(2) Any aliases he or she is known under;
(3) His or her residential address; and
(4) A photograph of his or her head and shoulders from the front.

D. Each person registered with the Ulster County Animal Abuse Registry shall update his or her registration information within ten (10) days of moving from one residential address to another.

E. For the first conviction of an Animal Abuse Crime, a person required to register with the Ulster County Animal Abuse Registry shall remain on the Registry for fifteen (15) years following his or her release from incarceration or the date of conviction, whichever is later. For a second conviction, and any convictions thereafter, a registered person shall remain permanently on the registry.

F. Upon notification to the Ulster County District Attorney's Office, or his or her authorized agent, of a successful appeal of a conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this Local Law, the registration information for that individual shall be removed from the Ulster County Animal Abuse Registry within five (5) days following the notification.

SECTION 5. SHARING OF REGISTRATION INFORMATION.

A. The Ulster County District Attorney, or his or her authorized agent, shall make the Animal Abuse Registry available to the Ulster County Child Protective Services and the Department of Social Services, and is authorized to make the Registry available to any state, regional, or national government-operated registry of animal abusers for the purpose of sharing information.

B. The Ulster County District Attorney, or his or her authorized agent, may accept files from any state, regional, or national registry of animal abusers.

C. The Ulster County District Attorney, or his or her authorized agent, is authorized to make the registry information available within a reasonable amount of time to any animal registry.

SECTION 6. FEES.

Every person required to register with the Animal Abuse Registry shall pay a fee of $100.00 to Ulster County at the time of registration. These funds will be used to pay the administrative costs of maintaining the registry.

Local Law Number 12 Of 2015

County Of Ulster

A Local Law Establishing The Ulster County Animal Abuse Registry

SECTION 7. RULES AND REGULATIONS.

The Ulster County District Attorney is hereby authorized and empowered to promulgate such rules and regulations as are necessary to implement this Local Law.

SECTION 8. PENALTIES FOR OFFENSES.

Any person required to register with the Ulster County Animal Abuse Registry who fails to so register shall be guilty of a violation punishable by a fine of not less than $100.00 dollars and not more than $250.00 dollars; or imprisonment for not more than fifteen (15) days; or both. Violations under this Local Law shall be prosecuted by the Ulster County District Attorney's Office and shall be adjudicated by a court of competent jurisdiction.

SECTION 9. APPLICABILITY.

This Local Law shall apply to all persons convicted of an Animal Abuse Crime on or after the effective date of this Local Law.

SECTION 10. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment

SECTION 11. EFFECTIVE DATE.

This Local Law shall take effect on the 90th day immediately subsequent to filing in the Office of the Secretary of State.

Adopted by the County Legislature: September 15, 2015

Approved by the County Executive: October 8, 2015

Local Law No. 13 Of 2015

County Of Ulster

A Local Law Of The County Of Ulster, New York, Known As The "False Alarm Reduction Act"

BE IT ENACTED, by the County Legislature of the County of Ulster, New York as follows:

SECTION 1. TITLE.

This Local Law shall be known by and may be cited as the False Alarm Reduction Act.

SECTION 2. LEGISLATIVE FINDINGS.

The Ulster County Legislature hereby finds and declares that false alarms drain resources of the Ulster County Sheriff, police officers, and other first responders such as firefighters and emergency services workers. Each false alarm amounts to a waste of taxpayer money without any public safety benefit and otherwise imperils the rest of the public who may need actual assistance. The Ulster County Legislature hereby further finds it important and necessary to ensure that the alarms being called into the Ulster County Sheriff, police officers and other first responders such as firefighters and emergency services workers must have valid permits issued by the Ulster County Sheriff. For those reasons, and in furtherance of enhancing the public's health, safety, and general welfare, this law is enacted. Therefore, the alarm permit fees together with fines levied in accordance with this Local Law shall be used to offset the administrative and operational expenses caused by the large number of responses by the Ulster County Sheriff, police officers and other first responders.

SECTION 3. DEFINITIONS.

As used in this Chapter, the following terms shall have the following meanings:

"Alarm System" shall mean a device or series of devices, including but not limited to devices interconnected with a telephone and/or radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon the Law Enforcement and/or fire protection and/or medical emergency service and/or Emergency Services which perform services in Ulster County or a Municipality therein. "Alarm System" shall not include any personal alarm device nor any vehicle alarm device unless the vehicle is permanently located at a site where the device or devices constituting the Alarm System are intended to summon Emergency Services to.

Local Law No. 13 Of 2015

County Of Ulster

A Local Law Of The County Of Ulster, New York, Known As The "False Alarm Reduction Act"

"County" shall mean the County of Ulster.

"County Attorney" shall mean the Ulster County Attorney.

"Commissioner of Finance" shall mean the Ulster County Commissioner of Finance as defined in the Ulster County Charter.

"Dispatched" means a verbal, electronic, or written communication to Law Enforcement or Emergency Services made through the Ulster County Sheriff's Office, 911, or local law enforcement dispatch and caused through an Alarm System which actually causes a police officer, firefighter (paid or volunteer), ambulance corps volunteer or employee, rescue squad worker (paid or volunteer), or auxiliary member of any police or fire department or ambulance corps or rescue squad to physically leave the premises such person is at or change directions in their motor vehicle with the plan to respond (or actually responding) to what is determined to be a false alarm.

"Emergency" shall mean (i) a need for prompt medical services; and/or (ii) a need for prompt police services due to an impending or actually occurring trespass, break in, robbery; and/or (iii) a circumstance perceived by a human witness or believed by a person based on his or her actual observation or the observation of another human reporting such human's personal, for anything described in (i) or (ii).

"Emergency Services" shall mean a fire department, district, company, ambulance corps, or rescue squad.

"False Alarm" shall mean an automated action which emanates from an Alarm System in a structure and causes a call or signal to come into an Ulster County Sheriff's Office, 911, or local law enforcement dispatch where a person therein contacts Law Enforcement or Emergency Services and dispatches Law Enforcement or Emergency Services to such structure (whether the Law Enforcement personnel or Emergency Services personnel actually arrive at such structure or not) without any actual emergency existing at that structure.

"Law Enforcement" shall mean the Ulster County Sheriff and the Deputies who work under the Sheriff, and members or officers of any City, Town, or Village

police department, or the New York State Police. Law Enforcement shall also include the dispatchers, civilian or otherwise, who answer the phones at any structure or portion thereof used by Law Enforcement to dispatch police officers or Emergency Services to potential emergencies.

"Municipality" shall mean any City, Town, or Village wholly contained within the County of Ulster and Ulster County.

"Owner" shall mean the person, firm, partnership, association, or corporation which has legal title to the real property where the false alarm emanates from.

"Police phone number" shall mean emergency communications or any phone number designed to be answered by Law Enforcement or Emergency Services.

"Sheriff" shall mean the Ulster County Sheriff.

"Statement" shall mean a written invoice stating a fine. Such statement shall include a statement that the addressee or his or her attorney or a tenant of the addressee acting with the written (notarized) approval of the addressee may appeal the fine provided for in the invoice in the process authorized under law. Statements shall be served personally upon the addressee or may be served certified mail return receipt requested along with a copy sent first class mail at the address of the property owner.

"Structure" shall mean a physical improvement to real property which has an alarm in it placed there by or under the control of an owner or tenant of the structure.

SECTION 4. EXEMPTIONS.

The requirements of this Local Law shall not apply to any Ulster County municipality that has enacted local false alarm reduction legislation.

SECTION 5. FALSE ALARMS PROHIBITED.

False Alarms caused by an Alarm System are prohibited. It is the responsibility of the property owner to ensure that their Alarm System is properly licensed**,** in proper working order and does not cause a False Alarm.

Local Law No. 13 Of 2015

County Of Ulster

A Local Law Of The County Of Ulster, New York, Known As The "False Alarm Reduction Act"

SECTION 6. PERMIT REQUIRED; APPLICATION; FEE; TRANSFERABILITY; FALSE STATEMENTS

(A) A person commits a violation if he or she operates or causes an alarm system to operate that results in a call to the Ulster County Sheriff, police officers, and other first responders such as firefighters and emergency services without a valid permit issued by the Ulster County Sheriff. A separate permit shall be required for each alarm system.

(B) It shall be the responsibility of the alarm system installer at the time of installation or activation to submit an alarm permit application form together with the required fee(s) to the Ulster County Sheriff's Department on behalf of and at the expense of the user, unless the installer has confirmed that the user already holds a valid permit. It shall be the responsibility of the alarm company that monitors the alarm system to ensure, prior to commencing any such service contract, that there is a current alarm permit. Notwithstanding the provisions of this subdivision, the alarm system user shall be deemed the permit applicant and permit holder for purposes of this Local Law.

(C) Upon receipt of a completed permit application form the Ulster County Sheriff shall issue an alarm permit to an applicant unless the applicant has,
(1) Failed to pay any penalty assessed pursuant to this Local Law; or
(2) Had an alarm permit revoked and the cause for such revocation has not been corrected at the time the permit application is received by the Ulster County Sheriff.

(D) Every permit for an alarm system shall include the following information:
(1) The name, address and telephone number(s) of the person who shall be the permit holder responsible for the proper maintenance and operation of the alarm system and payment of fees and assessments pursuant to this title;
(2) For each alarm system located at the alarm site, the purpose of the alarm, to wit: burglary, robbery, personal hostage or panic;
(3) Street address and nearest cross street of the building in which the alarm system is housed.

(E) Any false statements made by applicant in conjunction with the obtaining of an alarm permit shall be sufficient cause for the Sheriff to refuse to issue a permit.

(F) An alarm permit holder shall advise the Ulster County Sheriff of any changed in the information contained within the permit application.

(G) An alarm permit may not be transferred to another person without the filing of a new permit application.

(H) An alarm permit holder shall advise the alarm company that monitors the permit holder's alarm system of the Ulster County Sheriff Department's telephone number upon receiving the permit number from the Ulster County Sheriff.

(I) The Ulster County Sheriff may revoke an alarm permit if it determines that:
(1) There is a false statement made in the application for a permit; or
(2) The permit holder has violated any provision of this Local Law; or
(3) The permit holder has failed to make timely payments of any penalties or fees pursuant to this Local Law; or
(4) The permit fee, if paid by the applicant by check, is dishonored; or
(5) There are five (5) or more false alarms in a year and satisfactory documentation or repair of the alarm system has not been submitted.

(J) A person whose alarm permit has been revoked may be issued a new permit if the person:
(1) Submits an updated permit application and pays a permit fee of $50.00 dollars; and
(2) Pays or otherwise disposes of all penalties issued to the person pursuant to this Local Law; and
(3) Submits proof that the alarm system has been inspected and properly maintained.

SECTION 7. PENALTIES, PAYMENT, AND COLLECTION THEREOF.

(A) Penalties for False Alarms. When Law Enforcement or Emergency Services are Dispatched to a false alarm, the owner of the real property Law Enforcement or Emergency Services was dispatched to, shall be liable for a civil penalty in the following amount in any calendar year:

$0 for the first and second false alarm;
$50 for the third false alarm;
$200 for the fourth and each and every subsequent false alarm(s);

Civil penalties shall be made payable to the Ulster County Commissioner of Finance and deposited by him or her into a segregated fund as established in this law for the benefit of the Office of the Sheriff of Ulster County.

(B) Penalties for operating an alarm system without a valid permit. When Law Enforcement or Emergency Services are Dispatched to a false alarm and the alarm system is in operation without a valid permit, the owner of the real property in which the alarm system is situated shall be liable for a civil penalty in the following amount in any calendar year:

Upon the first false alarm, a warning shall be issued to the homeowner and such homeowner shall have 14 days to obtain a permit;
$100.00 for the second false alarm;
$200.00 for the third and each and every subsequent false alarm(s);

(C) Reporting of False Alarm. When Law Enforcement employed by the County of Ulster are dispatched to what he or she ascertains to be a False Alarm such Law Enforcement employed by the County of Ulster shall, within seventy two hours of being dispatched, report the same to his or her immediate Supervisor in the Ulster County Sheriff's Office. Such Supervisor shall enter such False Alarm into a database to be maintained by the Ulster County Sheriff or his or her designee of reported False Alarms. Such database shall contain the information required by the Sheriff. Law Enforcement other than Law Enforcement employed by the County of Ulster or emergency service may also report the same to the Ulster County Sheriff's Office pursuant to any procedure established by the Sheriff of Ulster County and agreed upon by the Chief of Police, or if there be none, Officer in Charge of such police department of such City, Town, or Village. Such procedure shall be in writing and filed with the Sheriff of the County of Ulster and shall call for any report to be made to the Sheriff within seventy two hours of the dispatch occurring. To the extent that an intermunicipal agreement is determined to be necessary to effectuate any purpose of this law, the Chairman of the Ulster County Legislature is hereby authorized to sign the same upon the approval by the County Attorney and Counsel to the County Legislature of such agreement or agreements or amendments thereto.

(D) Upon the occurrence of the first False Alarm, if the alarm system is operated without a valid permit or a third False Alarm if the alarm system is operated with a valid permit, in a calendar year the Sheriff shall cause a Statement

to be mailed to the property owner instructing the property owner to return the fine in the designated amount, made payable to the Ulster County Commissioner of Finance. Such Statement from the Sheriff shall require the fine to be paid within thirty days of the date of the Statement sent from the Sheriff. Such Statement shall be mailed within thirty days by the Sheriff.

(E) Appeal process. If the addressee of the Statement desires to appeal the fine and/or revocation of permit, the fine and/or revocation of permit shall be stayed pending the appeal. The Appeal shall be made in writing to the Sheriff of Ulster County or an employee of the Ulster County Sheriff's office designated to hear such appeal or alternatively to an attorney appointed by the Sheriff with the consent of the Ulster County Attorney to hear such an appeal. Appeals may be in writing or by personal appearance within thirty days of the date of the Statement sent from the Sheriff. Upon filing an appeal, the individual hearing the appeal (designated herein as the "hearing officer"), shall send written instructions to the property owner stating when the appeal shall be heard (either upon written submission or orally or both). The hearing officer shall render a decision on the appeal within thirty days and shall send such decision, which shall constitute a final determination pursuant to Article 78 of the Civil Practice Law and Rules, to the property owner where the structure was on which the False Alarm emanated from. Thereafter, if the decision is that the fine and/or revocation of permit is upheld by the hearing officer, such fine shall be payable within thirty days of the decision of the hearing officer and such revocation of permit shall take effect immediately upon the decision of the hearing officer. An aggrieved party may institute a proceeding or action pursuant to the provisions of Article 78 of the Civil Practice Law and Rules to challenge such final determination by the hearing officer. If no appeal is taken, the mailing of the Statement by the Sheriff or his or her representative shall constitute a final determination appealable pursuant to this law or otherwise pursuant to Article 78 of the Civil Practice Law and Rules.

(F) Levy on Tax Bill. The Commissioner of Finance or any Ulster County employee authorized by him or her is authorized to levy on the county tax bill of any property owner any unpaid fine authorized and finally determined under this Chapter.

(G) Civil Action. The County Attorney is authorized to commence a separate civil action to collect any fine authorized under this Chapter.

(H) Dedicated Fund. Fines received or taxes paid as a result of this Chapter shall be deposited by the Commissioner of Finance into a dedicated account and utilized by the Sheriff of Ulster County or the Director of Emergency Communications/Emergency Management subject to appropriation by the Ulster County Legislature pursuant to law.

SECTION 8. GOVERNMENTAL IMMUNITY/NO SPECIAL DUTY CREATED.

Responding to or failing to respond to an alarm does not create any special duty by Ulster County; nor does it create any special duty by any municipality within Ulster County. Any and all liability and consequential damage resulting from either (a) responding; or (b) the failure to respond to an alarm system signal is hereby disclaimed and governmental immunity is retained. Responses by Law Enforcement, fire department and/or medical emergency response may be based on factors such as availability of police, fire and/or medical emergency units, priority of calls, weather conditions, traffic conditions, emergency conditions and staffing levels. No duty to respond to an alarm is represented herein as being made or promised.

SECTION 9. SEVERABILITY.

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 10. EFFECTIVE DATE.

The effective date of this Local Law shall be on January 1, 2016.

Adopted by the County Legislature: October 20, 2015

Approved by the County Executive: November 13, 2015

Local Law No. 14 of 2015

County Of Ulster

A Local Law Amending Local Law No. 1 Of 1996 (A Local Law To Prohibit Soliciting, Peddling Or Vending On Any County Owned Property), To Allow For Use Of County Owned And Leased Building Space By Veterans And Disabled Members Of Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT.

The County of Ulster has previously provided space for disabled citizens to sell various items such as newspapers, pens, and gum to visitors and employees of the Ulster County Office Building, therefore providing a small income to the seller. This practice allowed for a symbiotic relationship between the disabled citizen of the County of Ulster and the users of the building.

The Ulster County Legislature recognizes that the disabled community and the veterans' community are vital parts of Ulster County. There are buildings owned, operated and maintained by the County of Ulster with sufficient space and traffic to allow for disabled citizens and/or veterans to set up space allowing for the sale of items such as newspapers, pens, healthy snacks, etc.

SECTION 2. Section 2. of Local Law No. 1 of 1996 is hereby amended to read as follows:

SECTION 2.

a. Excluded from the foregoing provisions of Section 1 is the County fairgrounds property on Libertyville Road in the Town of New Paltz, except for those portions which are part of the pool and pool parking lot.

b. Excluded from the foregoing provisions of Section 1 are those county owned or county leased buildings that the County Executive deems having appropriate space to lease to disabled persons or veterans of the United States Military for the purposes of selling goods or services and the letting of such space shall conform with the policy set forth by the Ulster County Legislature. This exclusion includes the installation of a kiosk providing information and promoting businesses owned by disabled persons and veterans.

Local Law No. 14 of 2015

County Of Ulster

A Local Law Amending Local Law No. 1 Of 1996 (A Local Law To Prohibit Soliciting, Peddling Or Vending On Any County Owned Property), To Allow For Use Of County Owned And Leased Building Space By Veterans And Disabled Members Of Ulster County

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, section, subsection or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

SECTION 4. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: October 20, 2015

Approved by the County Executive: November 13, 2015

Local Law Number 1 Of 2016

County Of Ulster

A Local Law Applying Salary Revisions for Certain Elected Ulster County Officials Serving For Fixed Terms

BE IT ENACTED, by the County Legislature of the County of Ulster as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

Pursuant to § C-110 of the Ulster County Charter and § A34-3 of the Administrative Code, "*All changes in salaries for elected officials shall be made by local law.*"

SECTION 2. APPLICABILITY.

The annual salaries of Ulster County Legislators serving for a fixed term of office in the following capacities are hereby submitted and shall be adjusted as follows:

Title	Current Annual Salary	New Annual Salary
Members of the County Legislature	$ 10,000	$ 14,000
Chairman of the County Legislature	$ 19,500	$ 23,500
Majority Leader of the County Legislature	$ 12,000	$ 16,000
Minority Leader of the County Legislature	$ 12,000	$ 16,000

SECTION 3. SEVERABILITY.

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect upon compliance with all applicable provisions of the Municipal Home Rule Law of the State of New York.

Local Law Number 1 Of 2016

County Of Ulster

A Local Law Applying Salary Revisions for Certain Elected Ulster County Officials Serving For Fixed Terms

This Local Law is subject to a permissive referendum, and will be submitted to a vote of the qualified electors of the County of Ulster if within 45 days after the date on which it was so adopted, there is filed with the Clerk of the Ulster County Legislature a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of the County of Ulster registered to vote therein at the last preceding general election, in number equal to at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

Adopted by the County Legislature: December 15, 2015

Approved by the County Executive: January 14, 2016

Filed with New York State Department of State: March 7, 2016

Local Law Number 2 Of 2016

County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) Altering The Periodic Compensation Review Committee Process To Allow For Timely Legislative Action

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. Section C-110 of the Ulster County Charter and Section 34-3 of the Administrative Code are amended to read as follows:

At the call of its Chairman, the Committee shall review the salaries of all elected officials of the County of Ulster at least every second year after its first meeting. In the course of its deliberations, the Committee shall hold at least one public hearing and shall otherwise provide ample opportunity for public comment. The Committee shall provide its recommendations and the rationale for them to the County Executive and the County Legislature no later than June 30 of the same year in which it convened, except that the Committee shall not make recommendations concerning compensation of elected officials for whom, by law or judicial determination, the County Legislature does not have the power to fix compensation. Immediately upon their delivery to the County Executive and the County Legislature, the recommendations of the Committee shall be filed with the Clerk of the Ulster County Legislature and posted on the County website. All changes in salaries for elected officials shall be made by local law. The Periodic Compensation Review Committee shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Committee meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Committee's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.

Local Law Number 2 Of 2016

County Of Ulster

A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) Altering The Periodic Compensation Review Committee Process To Allow For Timely Legislative Action

SECTION 2. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter or Ulster County Administrative Code, which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: June 21, 2016

Approved by the County Executive: July 8, 2016

Filed with New York State Department of State: July 19, 2016

Local Law Number 3 Of 2016

County Of Ulster

A Local Law Amending Local Law No. 3 Of 2012 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War")

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. **LEGISLATIVE INTENT AND PURPOSE.**

Ulster County is indebted to our Veterans, whether they have served in open hostilities or during the term of the "Cold War," for the sacrifices they have made on behalf of Ulster County's residents as well as the entire country. In appreciation for their tireless service, Ulster County wishes to grant the maximum exemption allowable to "Cold War" Veterans under New York State Real Property Tax Law (RPTL).

The Legislature hereby intends to grant to honorably discharged veterans, the maximum allowable "Cold War" property tax exemption of 15% of the assessed value, not to exceed $45,000, pursuant to RPTL sec. 458-b(2)(a)(ii) and; for honorably discharged veterans who suffered a service oriented disability, an additional exemption equal to the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran as determined by Veterans Affairs, not to exceed $150,000.

SECTION 2. This Local Law is enacted pursuant to Real Property Tax Law (RPTL) section 458-b. All terms and definitions of RPTL section 458-b shall be equally applicable in this Local Law.

SECTION 3. Section 3 of Local Law No. 3 of 2012 is amended to read as follows:

SECTION 3. The maximum exemptions allowable from County real property taxation pursuant to § 458-b of the Real Property Tax Law shall be 15% of the property's assessment, not to exceed $45,000 multiplied by the latest final state equalization rate for service during the Cold War and a percentage of the property's assessment equal to 1/2 of any service-connected disability rating, not to exceed $150,000 multiplied by the latest final state equalization rate.

Local Law Number 3 Of 2016

County Of Ulster

A Local Law Amending Local Law No. 3 Of 2012 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War")

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2017.

Adopted by the County Legislature: June 21, 2016

Approved by the County Executive: July 8, 2016

Filed with New York State Department of State: July 19, 2016

Local Law Number 4 Of 2016

County Of Ulster

A Local Law Amending Local Law No. 4 Of 2012, To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled "Veterans'; Alternative Exemption"

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. **LEGISLATIVE INTENT AND PURPOSE.**

Ulster County is indebted to our Veterans for the sacrifices they have made on behalf of Ulster County's residents as well as the entire country. In appreciation for their heroic efforts, the County wishes to grant the maximum exemption allowable to Veterans under New York Real Property Tax State Law (RPTL).

The Legislature hereby intends to grant to honorably discharged veterans, the maximum allowable property tax exemptions as follows: pursuant to RPTL sec. 458-a(2)(a) an exemption equal to 15% of the assessed value, not to exceed $45,000; pursuant to RPTL sec. 458-a(2)(b) for veterans who served in a combat zone, an additional exemption equal to 10% of the assessed value, not to exceed $30,000; and, pursuant to RPTL sec. 458-a(2)(c) for veterans who suffered a service oriented disability, an additional exemption equal to the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran as determined by Veterans Affairs, not to exceed $150,000.

SECTION 2. This Local Law is enacted pursuant to Real Property Tax Law (RPTL) section 458-a. All terms and definitions of RPTL section 458-a shall be equally applicable in this Local Law.

SECTION 3. As authorized by RPTL section 2(d)(ii), Ulster County hereby elects to increase the exemption amounts to the maximum levels allowable. The maximum exemptions are as follows: for exemptions pursuant to paragraph 2(a), 15% or a maximum of $45,000 multiplied by the latest state equalization rate; for exemptions pursuant to paragraph 2(b), 10% or a maximum of $30,000 multiplied by the latest state equalization rate; and for exemptions pursuant to paragraph 2(c), the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran, multiplied by the latest state equalization rate with a maximum of $150,000.

Local Law Number 4 Of 2016

County Of Ulster

A Local Law Amending Local Law No. 4 Of 2012, To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled "Veterans'; Alternative Exemption"

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2017.

Adopted by the County Legislature: June 21, 2016

Approved by the County Executive: July 8, 2016

Filed with New York State Department of State: July 19, 2016

Local Law Number 5 Of 2016

County Of Ulster

A Local Law Prohibiting The Sale And Use Of Sky Lanterns In Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE.

This Local Law shall be known by and may be cited as "The Sky Lantern Prohibition Act."

SECTION 2. LEGISLATIVE INTENT AND FINDINGS.

Among the powers granted to counties by the New York State legislature, a county may adopt a local law that protects the safety, health, and well-being of persons and property within the boundaries of the county. NYS Municipal Home Rule Law §10 (a) (12).

The Ulster County Legislature finds that certain devices, including but not limited to those devices commonly known as, "sky lanterns," "candle kites," "Chinese lanterns," "wish lanterns," and "sky candles" have become very popular in recent years. These devices are released in mass launches to commemorate events such as holidays, funerals, birthdays, and weddings.

The Ulster County Legislature determines that these devices are intended to float in the air whereby the device is akin to a miniature hot air balloon comprised of oiled rice paper, fire retardant paper, fabric, or similar materials pulled over a frame with a small candle fuel cell or similar heat source within the frame. The small candle or fuel cell heats the air inside the lantern causing the lantern to rise into the air.

The Ulster County Legislature finds that the release of these devices creates a serious fire and safety hazard because of the potential to start an unintended fire on or off the property from where they are released and these devices can travel significant distances from the point of release. Upon the release or dispatch of the device, it becomes an unattended fire, which is contrary to New York State laws and regulations, without any guarantee the flame or other heat source will be extinguished at the time the device lands on a house, a car, a field, or other undesirable location.

Local Law Number 5 Of 2016

County Of Ulster

A Local Law Prohibiting The Sale And Use Of Sky Lanterns In Ulster County

The Ulster County Legislature further determines that these devices are hazardous to domestic animals, wildlife, and small children. These devices have landed in agricultural areas and the farm animals, not knowing any better, have eaten parts of the devices which has caused their death. These devices have also been the cause of death for wildlife which have either eaten parts of the device or have gotten trapped in it. The frames of these devices are made either from bamboo or wire, or similar materials, and can be large. Small children can either get caught in these frames or snap the frames and hurt themselves.

Accordingly, the Ulster County Legislature deems these devices to be a serious threat to the safety of Ulster County residents and their property and, therefore, the sale and use of these devices in Ulster County should be prohibited.

SECTION 3. PROHIBITION OF SALE.

No natural person, company, corporation, limited liability company, firm, partnership, business organization, or other legal entity in Ulster County shall sell, offer for sale, or permit the sale of a device constructed from oiled rice paper, fire retardant paper or fabric on a bamboo or wire frame or other such similar materials, and which contains a small candle or fuel cell composed of a waxy flammable material or other similar materials which heat, directly or indirectly, the air inside the device, thus lowering its density causing the device to rise into the air, or any similar devices. This prohibition includes devices commonly known as a “sky lantern,” “candle kite,” “Chinese candle kite,” “Kongming lantern,” “wish lantern,” “lantern kite,” “fire balloon,” “sky candle,” “candle balloon,” “mini hot air balloon,” “flying lantern,” or “candle balloon.”

SECTION 4. PROHIBITION OF USE.

Any unmanned airborne device including, but not limited to, those constructed from oiled rice paper, fire retardant paper or fabric on a bamboo or wire frame or other such similar materials, and which contain a small candle or fuel cell

composed of a waxy flammable material or other similar materials which heat, directly or indirectly, the air inside the device, thus lowering its density causing the device to rise into the air shall not be used, released, or dispatched into the air in Ulster County This prohibition includes devices commonly known as a “sky lantern,” “candle kite,” “Chinese candle kite,” “sky lantern,” “Kongming lantern,” “wish lantern,” “lantern kite,” “fire balloon,” “sky candle,” “candle balloon,” “mini hot air balloon,” “flying lantern,” “candle balloon,” or similar devices.

SECTION 5. PENALTIES.

The first violation of Section 3 or Section 4 of this Article shall constitute an offense punishable by a fine not to exceed $250 or by imprisonment not to exceed 15 days, or by both such fine and imprisonment.

Any subsequent violation of Section 3 or Section 4 of this Article shall constitute an unclassified misdemeanor, punishable by a prison term not to exceed one year and/or a fine not to exceed $1,000, or both.

SECTION 6. ENFORCEMENT.

This article shall be enforced by the Ulster County Sheriff's Department, and shall be enforced by any other law enforcement agency having jurisdiction to act in the County of Ulster, which shall enforce the provisions of this Article by the issuance of a summons to a party violating the provisions of this Article.

SECTION 7. APPLICABILITY.

This law shall apply to all actions occurring on or after the effective date of this law.

Local Law Number 5 Of 2016

County Of Ulster

A Local Law Prohibiting The Sale And Use Of Sky Lanterns In Ulster County

SECTION 8. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 9. REVERSE PREEMPTION.

This article shall be null and void on the day that statewide legislation goes into effect incorporating either the same or substantially similar provisions as are contained in this Article or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Ulster. The Ulster County Legislature may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

SECTION 10. EFFECTIVE DATE.

This local law shall take effect ninety days after its filing in the Office of the Secretary of State.

Adopted by the County Legislature: August 16, 2016

Approved by the County Executive: August 31, 2016

Filed with New York State Department of State: September 15, 2016

Local Law Number 6 Of 2016

County Of Ulster

A Local Law Amending The Code Of The County Of Ulster To Limit The Gifts That County Officers And Employees May Receive

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature ("Legislature") hereby finds that Ulster's County's current ethics law should be strengthened to preclude the possibility of improper gifting to officers and employees from members of the public.

The Legislature further finds that prescribing an annual, monetary limit for gifts received by officers and employees of the County from the same individual, business, or organization will reduce the opportunity for inappropriate influence to our County's leadership.

SECTION 2. PROHIBITIONS.

Section 44-4 Standard of conduct. C. Gifts. of Chapter 44. Ethics and Disclosure of the Code of the County of Ulster is hereby amended as follows:

C. Gifts. No County officer or employee shall, directly or indirectly, solicit, accept, or receive any gift(s) or financial benefit valued over $75 from any one person, business, or organization in a calendar year under circumstances in which it could reasonably be inferred that the gift was intended to influence such County officer or employee in the performance of his/her official duties or was intended to be a reward for any official action on his/her part.

SECTION 3. SEVERABILITY.

In the event that any portion of this Local Law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this Local Law or any provisions of the Code of the County of Ulster, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This law shall take effect immediately upon filing with the Office of the Secretary of State.

Local Law Number 6 Of 2016

County Of Ulster

A Local Law Amending The Code Of The County Of Ulster To Limit The Gifts That County Officers And Employees May Receive

Adopted by the County Legislature: November 22, 2016

Approved by the County Executive: December 8, 2016

Filed with New York State Department of State: December 15, 2016

Local Law Number 1 of 2017

County Of Ulster

A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), To Modify The Term Of The Clerk Of The Legislature

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. Section C-19 of the Ulster County Charter and Section A2-14 of the Administrative Code are REPEALED and a new Section C-19 of the Ulster County Charter and Section A2-14 of the Administrative Code are added to read as follows:

Section C-19 and Section A2-14: Clerk of the County Legislature.

During the first organizational meeting for each new County Legislature, a Clerk of the County Legislature shall be appointed by resolution by the County Legislature and such appointed Clerk shall serve for the duration of the appointing Legislature's term. In the event of vacancy, the Legislature shall appoint by resolution a new Clerk of the Legislature. The removal of the Clerk shall only be done by resolution with a favorable vote of at least three-fifths of the whole number of the Legislature. Deputy Clerks and employees of the Legislature shall be appointed in accordance with the Rules of Order of the Legislature.

SECTION 2. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State, and shall apply to Organizational Meeting of the Ulster County Legislature in 2018, and every subsequent Organizational Meeting for each new elected legislative body.

Local Law Number 1 of 2017

County Of Ulster

A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For the County Of Ulster, (Local Law No. 10 Of 2008), To Modify The Term Of The Clerk Of The Legislature

Adopted by the County Legislature: February 15, 2017

Approved by the County Executive: February 28, 2017

Filed with New York State Department of State: March 16, 2017

Local Law Number 2 Of 2017

County Of Ulster

A Local Law of the County of Ulster for the Regulation of Pet Sellers

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT.

Many Ulster County residents own dogs and cats. The Ulster County Legislature finds that Ulster County residents feel a great deal of affection for their dogs and cats and consider them to be a part of their family and, accordingly, invest significant amounts of money in their care and maintenance. Dogs and cats are made available to the public from a number of different sources including, but not limited to, breeders, dealers, and pet sellers. The Legislature finds that breeders, dealers, and pet sellers vary in their treatment of cats and dogs and that some operate substandard commercial facilities that expose dogs and cats to inhumane and unsafe living conditions. The Legislature further finds that some breeders, dealers, and pet sellers will sell animals that are unfit for sale due to, among other things, diseases or congenital conditions. Therefore, the Legislature deems that the regulation of breeders, dealers, and pet sellers is necessary to protect the health, safety, and general welfare of Ulster County residents.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms shall have the meanings indicated:

1. "Animal" means a dog or cat.

2. "Person" means any individual, corporation, partnership, association, municipality or other legal entity.

3. "Consumer" means any individual purchasing an animal from a Pet Seller or a Residential Breeder. A Pet Seller or a Residential Breeder shall not be considered a Consumer.

4. "Pet Seller" means any person in Ulster County who engages in the sale or offering for sale of nine (9) or more dogs or cats per calendar year or who breeds more than two (2) litters of dogs or cats per calendar year for sale to the public for profit. This definition shall not include a "Residential Breeder". Nor shall this

definition include duly incorporated humane societies or animal protective associations dedicated to the care of unwanted animals which make such animals available for adoption, whether or not a fee is charged for such adoption.

5. “Dog Dealer” means any person who:

(a)Sells dogs belonging to such person that he or she has not bred on his or her own premises to a Pet Seller in Ulster County for resale to a Consumer, or;

(b)Transfers dogs belonging to another to a Pet Seller in Ulster County for any type of consideration, fee, commission or percentage of sales price.

6. “Dog Source Breeder” means any person who sells dogs he or she has bred on his or her own premises for resale by a Dog Dealer or Pet Seller in Ulster County.

7. “Residential Breeder” means a breeder who sells or offers to sell directly to a Consumer animals that are born and raised on the breeder’s primary residential premises and shall not be considered a Pet Seller as a result of selling or offering to sell such animals.

8. “Primary enclosure” means a structure that restricts an animal’s ability to move in a limited amount of space, most commonly a cage, kennel, room or other enclosed compartment.

9. “Housing facility” means a structure that provides animals with shelter, protection from the elements and protection from extremes of temperature. A housing facility may contain primary enclosures as defined in this section.

10. “Department” means the Ulster County Department of Health.

11. “Commissioner” means the Commissioner of the Ulster County Department of Health.

12. “Non-elective surgical procedure” means a surgical procedure that is necessary to preserve or restore the health of an animal, to prevent an animal from

experiencing pain or discomfort, or to correct a condition that would interfere with an animal's ability to walk, run, jump or otherwise function in a normal manner.

13. "Clinically ill" means an illness that is apparent to a veterinarian based on observation, examination or testing of an animal or upon review of the medical records relating to the animal.

SECTION 3. PET SELLERS – PERMIT REQUIRED.

1. It is unlawful for any Pet Seller to display, offer for sale, sell, barter or exchange for any consideration, any dog or cat within Ulster County without first obtaining a Pet Seller's permit from the Commissioner.

2. The Commissioner shall issue permits to Pet Sellers only upon proof that the animals displayed, offered for sale or sold by such sellers are raised and maintained in accordance with the terms contained in this Local Law.

3. For purposes of this Local Law, a dog or cat is raised and maintained in a safe and healthy manner when:

(a) The dog or cat is kept by a Pet Seller in compliance with the minimum standards of care required by Section 9 of this Local Law, and

(b) (For dogs only) The dog was obtained from a Dog Source Breeder who keeps dogs in compliance with the minimum standards of care required by Section 13 of this Local Law, and

(c) Compliance with paragraph (a) of this subdivision shall be established through inspection by the Commissioner in accordance with Section 8 of this Local Law and compliance with paragraph (b) of this subdivision shall be established by the certification required by Section 12 of this Local Law.

Local Law Number 2 Of 2017

County Of Ulster

A Local Law of the County of Ulster for the Regulation of Pet Sellers

SECTION 4. RESIDENTIAL BREEDERS – PERMIT REQUIRED.

1. It is unlawful for any Residential Breeder to display, offer for sale, sell, barter or exchange for any consideration, more than fifteen (15) dogs or cats within Ulster County without first obtaining a Residential Breeder's permit from the Commissioner.

2. The Commissioner shall issue permits to Residential Breeders only upon proof that the animals displayed, offered for sale or sold by such breeders are raised and maintained in accordance with Section 14 of this Local Law.

3. A Residential Breeder permit shall be valid for five years from the date of issue.

SECTION 5. PERMITS.

1. No person shall operate as a Pet Seller or a Residential Breeder in Ulster County unless such person holds the appropriate permit issued by the Commissioner. A Pet Seller or Residential Breeder in operation as a Pet Seller or Residential Breeder on or before the effective date of this section, who has filed an application for an initial permit under this Local Law shall be authorized to operate without such permit until the Commissioner grants, or after notice and an opportunity to be heard, declines to grant such permit. Each application for a permit shall be made on a form supplied by the Department and shall contain such information as may be required by the Department. Renewal applications for Pet Seller permits shall be submitted to the Commissioner at least thirty (30) days prior to the commencement of the next permit year. Residential Breeders shall submit renewal applications for Residential Breeder permits to the Commissioner at least thirty (30) days prior to the expiration of the five-year permit.

2. Proof to the satisfaction of the Commissioner of compliance with the requirements of this Local Law and with other applicable provisions of this Local Law shall precede issuance of a Pet Seller or Residential Breeder permit.

3. Prior to the issuance of a Pet Seller or Residential Breeder permit, the Pet Seller or Residential Breeder shall provide proof that it is in compliance with the

requirements of this Local Law and any rules or regulations thereunder. Upon approval by the Commissioner the appropriate permit shall be issued.

4. The Commissioner shall provide a copy of the permit to the Pet Seller or Residential Breeder and retain the original permit.

5. No Pet Seller or Residential Breeder shall publish or advertise the sale or availability of any dog or cat unless the publication or advertisement is accompanied by the Pet Seller's or Residential Breeder's permit number. Notwithstanding the foregoing, a Pet Seller or Residential Breeder in operation on or before the effective date of this Local Law who has filed an application for an initial permit may publish or advertise the sale or availability of any dog or cat without the publication or advertisement being accompanied by the Pet Seller's or Residential Breeder's permit number until the Commissioner grants, or, after notice and an opportunity to be heard, declines to grant such permit.

6. Pet Sellers or Residential Breeders shall conspicuously display their permits on the premises where the animals are kept for sale so that they can be seen by potential Consumers.

SECTION 6. PERMIT REFUSAL, SUSPENSION, OR REVOCATION.

1. Convictions. The Commissioner shall not issue or renew, and shall suspend or revoke a Pet Seller or Residential Breeder permit issued pursuant to Section 4 of this Local Law based on a conviction of a violation of any provision of Article Twenty-Six of the Agriculture and Markets Law, or equivalent in the Penal Law, or regulations promulgated thereunder pertaining to the inhumane treatment of animals, cruelty to animals, endangering the life or welfare of an animal, or violation of federal, state or local law pertaining to the care, treatment, sale, possession, or handling of animals or any regulation or rule promulgated pursuant thereto relating to the endangerment of the life or health of an animal.

2. Outstanding fines or penalties. The Commissioner shall not issue or renew a Pet Seller or Residential Breeder permit if there are unpaid or outstanding fines,

penalties, or forfeitures imposed by the Commissioner for violations of this Local Law.

3. Outstanding uncorrected violations. The Commissioner shall not issue a new permit to any Pet Seller or Residential Breeder who has any outstanding, uncorrected violations of this Local Law.

4. The Commissioner may decline to grant or renew, or may suspend or revoke a Pet Seller or Residential Breeder permit based on the following grounds:

(a) Material misstatement in the permit application, or

(b) Material misstatement in or falsification of records required to be kept pursuant to this Local Law, or under any regulation promulgated thereunder, or

(c) Failure to allow the Commissioner or his or her authorized agents to inspect records or the Pet Seller's or Residential Breeder's facilities.

5. The acceptance of an application for a new permit shall not prevent the Commissioner from taking any action that he or she deems necessary, including but not limited to, denial of a permit if an investigation or pre-permit inspection discloses conditions or circumstances indicating that a new permit should not be issued.

6. Any Pet Seller or Residential Breeder who is found to be in violation of this Local Law may have their Pet Seller or Residential Breeder permit suspended for up to three (3) months for a first offense; up to six (6) months for a second offense within a two (2) year period; or revoked for a third offense within a two (2) year period. Before any Pet Seller or Residential Breeder permit shall be suspended or revoked, the Commissioner, or any hearing officer he or she may designate, shall hold a hearing upon due notice to the permit holder in accordance with regulations promulgated by the Department. Any such violator may also be required to complete a training program designated by the Department prior to reinstatement of such license.

7. Any action of the Commissioner may be subject to judicial review in a proceeding under Article Seventy-Eight of the Civil Practice Law and Rules.

SECTION 7. ADMINISTRATION AND ENFORCEMENT.

1. The Commissioner, in consultation with the Ulster County Board of Health, is hereby authorized to promulgate any rules, regulations, and procedures necessary to implement this Local Law.

2. The provisions of this Local Law shall be enforced by the Department of Health.

SECTION 8. INSPECTION OF PET SELLERS.

1. The Commissioner or the Commissioner's authorized agents shall inspect a Pet Seller's or a Residential Breeder's facilities at the Commissioner's discretion to ensure compliance with the provisions of this Local Law.

2. Any person conducting an inspection of a Pet Seller or a Residential Breeder or responding to a complaint concerning a Pet Seller or a Residential Breeder pursuant to this Local Law shall be a county employee specifically trained in the proper care of cats and dogs and in the investigation and identification of animal cruelty. The Commissioner may promulgate regulations governing the form and content of such training.

SECTION 9. PET SELLERS – MINIMUM STANDARDS OF CARE.

1. Pet Sellers shall comply with the following minimum standards of care for every dog or cat in their custody or possession.

(a) Housing.

(1) Except where dogs or cats are permitted to roam freely inside a Pet Seller's residential premises, animals shall be housed in primary enclosures or cages that are structurally sound and maintained in

good repair so as to prevent the dog or cat from escaping from the enclosure and protect it from injury. Surfaces shall be impervious and not permit absorption of fluids and allow thorough and repeated cleaning and disinfection without deteriorating or retaining odors. “Impervious surfaces” may include sealed concrete, ceramic tile, sealed wood, stainless steel or other materials that do not permit absorption of fluids, allow thorough and repeated cleaning and disinfection without deteriorating or retaining odors, and do not violate any other provision contained within this Section.

(2) Primary enclosures or cages housing animals shall provide sufficient space to allow each animal adequate freedom of movement to make normal postural adjustments including the ability to stand up, sit, turn around, and lie down with its limbs outstretched. If the flooring is constructed of metal strands, such strands must be greater than one-eighth inch in diameter (nine gauge) and be coated with a material such as plastic or fiberglass, and shall be constructed so as not to allow passage of any part of an animal's foot through any opening on the floor of the enclosure. The flooring must be in good repair and must not sag or bend between structural supports.

(3) Housing facilities shall be adequately ventilated at all times to provide for the health and well-being of the animal. Ventilation shall be provided by natural or mechanical means, such as windows, vents, fans or air conditioners. Ventilation shall be established to minimize drafts, odors, ammonia levels and moisture condensation.

(4) The temperature surrounding the animal shall be compatible with the health and well-being of the animal. Temperature shall be regulated by heating and cooling to sufficiently protect each animal from extremes of temperature and shall not be permitted to fall below or rise above ranges which would pose a health hazard to the animal. This shall include supplying shade from sunlight by natural or artificial means.

(5) Indoor housing facilities shall have adequate lighting sufficient to permit routine inspection and cleaning and arranged so that each animal is protected from excessive illumination, which may pose a health hazard to the animal. Animal areas must be provided with regular diurnal light cycle of either natural or artificial light.

(6) The indoor and outdoor facilities housing the dog or cat, including the primary enclosure or cage shall be kept in a clean and sanitary condition in order to provide animals with a safe and healthy living environment. They shall be designed to allow for efficient elimination of waste and water in order to keep the animal dry and prevent it from coming into contact with these substances, except water for drinking purposes. If drains are used they shall be constructed in a manner to minimize foul odors and backup of sewage. If a drainage system is used it shall comply with federal, state, and local laws relating to pollution control.

(7) In the event that a Pet Seller has a pregnant or nursing dog on the Pet Seller's premises, the Pet Seller shall provide a whelping box for such dog. Each nursing dog shall be provided with an additional amount of floor space, based on her breed and behavioral characteristics in accordance with generally accepted husbandry practices as determined by a licensed veterinarian.

(8) Pet Sellers shall designate and provide an isolation area for animals that exhibit symptoms of or are known to be harboring a contagious disease or illness. This designated area must be in a location that prevents or reduces the spread of disease or illness to healthy animals and must otherwise meet all housing requirements of this section.

(b) Sanitation.

(1) Housing facilities and primary enclosures contained within those facilities shall be kept in a clean and sanitary condition in order to maintain a safe and healthy environment for the animal. This shall

include removing and destroying any agents injurious to the animals, where appropriate, and periodic cleanings.

(2) Primary enclosures must be cleaned daily and sanitized at least once every two weeks using one of the following methods:

(i) Live steam under pressure;

(ii) Washing with water with a temperature of at least 180 degrees Fahrenheit and with soap or detergent;

(iii) Washing all soiled surfaces with appropriate detergent solutions and disinfectant or by using a combination detergent or disinfectant product that accomplishes the same purpose with a thorough cleaning of the surfaces to remove excreta, feces, hair, dirt, debris and food waste so as to remove all organic and mineral buildup and to provide sanitization, followed by a clean water rinse.

(iv) Dirt, sand, gravel, grass, absorbent bedding, or other similar material must be spot cleaned daily. These surfaces must be raked or spot cleaned often enough to ensure that all animals in the enclosure can avoid contact with excreta. Contaminated material must be replaced when raking and spot cleaning are not sufficient to prevent or eliminate odors, infestations of insects, pests, or other vermin.

(3) Under no circumstances shall a dog or cat remain inside the primary enclosure or cage while it is being cleaned with live steam, sterilizing agents or agents toxic to the animal, or cleaned in a manner likely to threaten the health and safety of the animal. Trash and waste products on the premises shall be properly contained and disposed of so as to minimize the risks of disease, contamination, and vermin.

(c) Feeding and Watering.

(1) Animals shall be provided with food that is of nutritional value sufficient to maintain each animal in good health and that is free from contamination.

(2) Dogs and cats shall be adequately fed at intervals not to exceed twelve hours or at least twice in any twenty-four hour period in quantities appropriate for the animal species, age, and size, unless determined otherwise by and under the direct supervision of a duly licensed veterinarian.

(3) Sanitary food receptacles shall be provided in sufficient number, of adequate size, and located so as to enable each animal in the cage or primary enclosure to be supplied with an adequate amount of food.

(4) Animals shall be provided with constant access to clean, fresh water that is supplied in a sanitary manner and sufficient for its needs, except where there are instructions from a duly licensed veterinarian to withhold water for medical reasons.

(d) Handling. Each dog or cat shall be handled in a humane manner so as not to cause the animal physical injury, harm, or undue stress.

(e) Veterinary Care.

(1) Any Pet Seller operating pursuant to this Local Law shall designate an attending veterinarian, who shall provide veterinary care to the Pet Seller's animals which shall include a written program of veterinary care and regular visits to the Pet Seller's premises or regular visits of the animals to the attending veterinarian's office. Such program of veterinary care shall include:

(i) The availability of appropriate facilities, personnel, equipment and services to comply with the provisions of the Local Law;

(ii) The use of methods determined to be appropriate by the attending veterinarian to prevent, control, and respond to

diseases and injuries, and the availability of emergency, weekend, and holiday care;

(iii) Daily observation of all animals to assess their health and well-being, provided however, that daily observation of animals may be accomplished by someone other than the attending veterinarian who has received the guidance identified in subparagraph d of this paragraph; and provided, further, that a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior and well-being is conveyed to the attending veterinarian;

(iv) Adequate guidance to personnel involved in the care of animals regarding handling and immobilization;

(v) Pre-procedural and post-procedural care in accordance with established veterinary medical and nursing procedures; and

(2) In the case of Dog Source Breeders who sell or offer to sell nine (9) or more dogs per year to the public that are born and raised on the Dog Source Breeder's residential premises, there shall be annual veterinary examinations, at a minimum, for all intact adult dogs or cats on such Dog Source Breeder's premises.

(3) All dogs and cats shall be inoculated as required by state or local law. Veterinary care appropriate to the species shall be provided as necessary and without undue delay. Each animal shall be observed each day by the Pet Seller or by a person working under the Pet Seller’s supervision.

(4) Within five (5) business days of the Pet Seller’s receipt of any dog, but prior to the sale of the dog, the Pet Seller shall have a duly licensed veterinarian conduct an examination and tests appropriate to the age and breed to determine if the animal has any medical

conditions apparent at the time of the examination that adversely affects its health. For animals eighteen (18) months of age or older, the examination shall include examination for any congenital conditions that adversely affect the health of the animal. Any animal diagnosed with a contagious disease shall be treated and caged separately from other animals in the isolation area required in paragraph (a) (8) of subdivision one of this section.

(5) If an animal suffers from a congenital or hereditary condition, disease or illness which, in the professional opinion of the Pet Seller's veterinarian, requires euthanasia, the veterinarian shall humanely euthanize the animal without undue delay.

(6) In the event that an animal is returned to a Pet Seller due to a congenital or hereditary condition, illness, or disease requiring veterinary care, the Pet Seller shall, without undue delay, provide the animal with proper veterinary care.

(f) Humane Euthanasia. Humane euthanasia of an animal shall be carried out only by a veterinarian duly licensed in the State of New York and in accordance with section three hundred seventy-four of the New York State Agriculture and Markets Law.

(g) Exercise Requirements. Pet Sellers shall develop, maintain, document and implement an appropriate plan to provide animals with the opportunity for daily exercise. In developing such plan, consideration should be given to providing positive physical contact with people that encourages exercise through play or other similar activities. Such written plan shall be approved by the attending veterinarian and shall be provided to the Department, or its duly designated agent, annually and in accordance with any regulations it may promulgate.

(h) Fire and Carbon Monoxide Safety.

(1) All Pet Sellers' premises must be equipped with a smoke alarm that operates properly and must have a means of fire suppression, such as fire extinguishers on the premises, and be in good repair. Pet

Sellers, except those who maintain dogs or cats solely on residential premises, must also have an automatic means of fire suppression, such as a sprinkler system, on the premises and it must be in good repair. The Commissioner may waive the requirement for an automatic fire suppression system upon adequate proof that it would be an undue hardship to the Pet Seller

(2) All Pet Sellers' premises must also be equipped with a carbon monoxide detector that operates properly and is, at all times, in good repair.

(i) Grooming. All dogs and cats shall be groomed regularly to prevent excessive matting of fur, overgrown toe nails and flea and tick infestation, and to maintain the health of the animal in accordance with the needs of each breed.

SECTION 10. PET SELLERS – CONSUMER PROTECTION REQUIREMENTS.

1. Sale of Animals: Unfit for purchase provisions.

(a) If, within fourteen (14) business days following the sale of an animal subject to this Local Law or receipt of the information statement required by subdivision two of this section, whichever occurred last, a licensed veterinarian of the Consumer's choosing certifies such animal to be unfit for purchase due to illness, congenital malformation which adversely affects the health of the animal, or the presence of symptoms of a contagious or infectious disease, or if, within one hundred-eighty (180) calendar days following such sale or receipt, whichever occurred last, a licensed veterinarian of the Consumer's choosing certifies such animal to be unfit for purchase due to a congenital malformation which adversely affects the health of the animal, the Pet Seller shall afford the Consumer the right to choose one of the following options:

(1) The right to return the animal and receive a refund of the purchase price including sales tax and reasonable veterinary costs

directly related to the licensed veterinarian's certification that the animal is unfit for purchase pursuant to this section;

(2) The right to return the animal and to exchange it for another animal of the Consumer's choice of the same purchase price, and reasonable veterinary costs directly related to the licensed veterinarian's certification that the first animal is unfit for purchase pursuant to this section; or

(3) The right to retain the animal and to receive reimbursement from the Pet Seller for veterinary services from a licensed veterinarian of the Consumer's choosing, for the purpose of curing or attempting to cure the animal. The reasonable value of reimbursable services rendered to cure or attempt to cure the animal shall not exceed the purchase price of the animal. The value of such services is reasonably comparable to the value of similar services rendered by other licensed veterinarians in proximity to the treating veterinarian. Such reimbursement shall not include the costs of initial veterinary examination fees and diagnostic fees not directly related to the licensed veterinarian's certification that the animal is unfit for purchase pursuant to this section.

(b) No Pet Seller shall knowingly sell an animal that has a diagnosed congenital condition or contagious disease that adversely affects the health of the animal without first informing the Consumer, in writing, of such condition.

(c) The Commissioner shall promulgate regulations that prescribe a form for and the content of, the certification that an animal is unfit for purchase, which shall be provided by an examining veterinarian to a Consumer upon the examination of an animal which is subject to the provisions of this section. Such form shall include, but not be limited to: information which identifies the type of animal, the owner, the date and diagnosis of the animal, the treatment recommended, if any, and an estimate or the actual cost of such treatment. Such form shall also include the information statement prescribed by subdivision two of this section

(d) The Commissioner shall promulgate regulations that prescribe information which shall be provided in writing by the Pet Seller to the Consumer upon the sale of the animal. Such information shall include, but not be limited to: a description, including breed of the animal, the date of purchase, the name, address and telephone number of the Consumer, and the amount of the purchase. The Pet Seller shall certify such information by signing the document in which it is contained.

(e) The refund and/or reimbursement required by paragraph (a) of subdivision one of this section shall be made by the Pet Seller no later than ten (10) business days following receipt of a signed veterinary certification herein required. Such certification shall be presented to the Pet Seller no later than three business days following receipt thereof by the Consumer.

(f) Every Pet Seller who sells an animal to a Consumer that requires vaccination against rabies pursuant to Public Health Law Section 2141 shall provide the Consumer at point of sale with a written notice provided by the Department summarizing rabies immunization requirements.

(g) A veterinary finding of intestinal parasites shall not be grounds for declaring an animal unfit for sale unless the animal is clinically ill due to such condition. An animal may not be found unfit for sale on account of an injury sustained or illness contracted subsequent to the Consumer taking possession thereof.

(h) In the event that a Pet Seller wishes to contest a demand for refund, exchange, or reimbursement made by a Consumer pursuant to this section, such seller shall have the right to require the Consumer to produce the animal for examination by a licensed veterinarian designated by such Pet Seller. Upon such examination, if the Consumer and the Pet Seller are unable to reach an agreement which constitutes one of the options set forth in paragraph (a) of subdivision one of this section within ten (10) business days following receipt of the animal for such examination, the Consumer may initiate an action in a court of competent jurisdiction to recover or obtain such refund, exchange or reimbursement.

(i) Nothing in this section shall in any way limit the rights or remedies which are otherwise available to a Consumer under any other law.

2. Information statement to Consumer.

(a) Every Pet Seller shall deliver to the Consumer at the time of sale, a written statement in a standardized form prescribed by the Commissioner containing the following information:

(1) For Cats:

(i) The breeder's and, if applicable, broker's name and address, if known, or if not known, the source of the cat. If the person from whom the cat was obtained is a dealer licensed by the United States Department of Agriculture, the person's name, address and federal identification number;

(ii) The date of the cat's birth, unless unknown because of the source of the cat, the date the Pet Seller received the cat, and the location where the cat was received;

(iii) A record of any immunizations and worming treatments administered to the cat while the cat was in the possession of the Pet Seller, as of the time of sale, including dates of administration and the types of vaccines or worming treatments administered;

(iv) A record of any known disease, sickness or congenital condition that adversely affects the health of the cat at the time of sale;

(v) A record of any veterinary treatment or medication received by the cat while in the possession of the Pet Seller and either of the following:

(vi) A statement signed by the Pet Seller at the time of sale indicating that the cat has no known disease or illness and that the cat has no known congenital or hereditary condition that adversely affects the health of the cat at the time of sale; or

(vii) A record of any known congenital or hereditary condition, disease or illness that adversely affects the health of the cat at the time of sale, along with a statement signed by a licensed veterinarian that authorizes the sale of the cat, recommends necessary treatment, if any, and verifies that the condition, disease or illness does not require hospitalization or non-elective surgical procedures and is not likely to require hospitalization or non-elective surgical procedures in the future. A veterinarian statement is not required for intestinal or external parasites unless their presence makes the cat clinically ill or is likely to make the cat clinically ill. The statement should be valid for fourteen (14) business days following examination of the cat by the veterinarian.

(2) For dogs:

(i) The breeder's and, if applicable, broker's name and address, if known, and if not known, the source of the dog. If the person from whom the dog was obtained is a dealer licensed by the United States Department of Agriculture, the person's name, address and federal identification number;

(ii) The date of the dog's birth and the date and location where the Pet Seller received the dog. If the dog is not advertised or sold as a purebred, registered or s capable of registration, the date of birth may be approximated if not known by the Pet Seller;

(iii) The breed, sex, color and identifying marks at the time of sale. If the dog is from a United States Department of Agriculture licensed source, the individual identifying tag, tattoo or collar number for that animal. If the breed is unknown or mixed, the record shall so indicate. If the dog is being sold as being capable of registration, the names and registration numbers of the sire and dam, and the litter number, if known;

(iv) A record of any inoculations and worming treatments administered to the dog while the dog was in the possession of the Pet Seller, as of the time of sale, including dates of administration and the type of vaccines and/or worming treatments administered;

(vi) A record of any veterinary treatment or medication received by the dog while in the possession of the Pet Seller and either of the following:

(vii) A statement, signed by the Pet Seller at the time of sale indicating that the dog has no known disease or illness and that the dog has no known congenital or hereditary condition that adversely affects the health of the dog at the time of sale; or

(viii) A record of any known congenital or hereditary condition, disease or illness that adversely affects the health of the dog at the time of sale, along with a statement signed by a licensed veterinarian that authorizes the sale of the dog, recommends necessary treatment, if any, and verifies that the condition, disease, or illness does not require hospitalization or non-elective surgical procedures and is not likely to require hospitalization or non-elective surgical procedures in the future. A veterinarian statement is not required for intestinal or external parasites unless their presence makes the dog clinically ill or is likely to make the dog clinically ill. The statement shall be valid for fourteen (14) business days following examination of the dog by the veterinarian.

(ix) Notification that dogs residing in New York State must be licensed, and that a license may be obtained from the municipality in which the Consumer resides.

(b) A disclosure made pursuant to subparagraph (1) or (2) of this section shall be signed by both the Pet Seller certifying the accuracy of the

statement, and the Consumer acknowledging receipt of the statement. At the time of sale, each Pet Seller shall provide the Consumer with information, provided by the Department, on the value of spaying and neutering of dogs and cats.

(c) Every Pet Seller shall post conspicuously within close proximity to the primary enclosures of dogs and cats offered for sale, a notice containing the following language in one hundred point type:

"Information on the source of these dogs and cats and the veterinary treatment received by these dogs and cats is available for review by prospective consumers."

3. Animal Pedigree Registration.

(a) Representation regarding animal's pedigree registration: Any Pet Seller who states, promises, or represents that an animal is registered or is capable of registration with an animal pedigree registry organization shall provide the Consumer with the appropriate documents necessary for such registration within one hundred twenty (120) days following sale of the animal. If the Consumer notifies the Pet Seller in writing on or before such time that he or she has not received the appropriate registration documents, the Pet Seller shall have, in addition to the one hundred twenty days, sixty (60) more days to provide the appropriate documents.

(1) If a Pet Seller fails to provide documents as required under paragraph (a) of this section, the Consumer, upon written notice to the Pet Seller, may keep the animal and receive a partial refund of seventy-five percent of the purchase price, in which event the Pet Seller shall not be required to provide registration documents. Acceptance by the Consumer of appropriate registration documents, whether or not within the time periods set forth in paragraph (a) of this section, shall be deemed a waiver of the right to a partial refund pursuant to this subdivision.

(b) Registration notice-disclosure statement.

(1) A Pet Seller that sells animals registered or is capable of registration with a pedigree registry shall post conspicuously within close proximity to those animals a notice that states: "Pedigree

registration means that the particular registry maintains information on the parentage and identity of the animal."

(2) For every animal sold by a Pet Seller with the representation that the animal is registered or s capable of registration with an animal pedigree registry organization, the following fully completed disclosure shall be made by the Pet Seller in writing on a sheet separate from any other statement in substantially the following form:
"Disclosure of animal pedigree registration: Description of animal; The animal you are purchasing is registered/qualified to be registered (circle one) with the (enter name of registry). Registration means that (enter name of registry) maintains information regarding parentage and identity of this animal. Persons buying animals represented by a Pet Seller as being qualified to be registered are entitled to papers necessary to affect such registration within one hundred twenty (120) days of purchase. Failure to provide such papers entitles the Consumer to remedies under law. However, if the Consumer notifies the Pet Seller within the one hundred twenty (120) day period that he or she has not received such papers, the Pet Seller shall have an additional sixty (60) days commencing at the end of the one hundred twenty (120) day period in which to provide the documents. Acknowledged: Date: Consumer's Signature."

(3) The disclosure shall be signed and dated by the Consumer, acknowledging receipt of a copy of the statement. The Pet Seller shall retain a copy of the signed disclosure.

SECTION 11. RECORDS OF PURCHASE AND SALE.

1. Each Pet Seller shall keep and maintain records for each dog or cat purchased, acquired, held, sold or otherwise disposed of. The records shall include the following:

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(a) The name and address of the person from whom each dog or cat was acquired. If the person from whom the animal was obtained is a dealer licensed by the United States Department of Agriculture, the person's name, address, and federal dealer identification number. If the person is a pet dealer licensed by New York State pursuant to Article 26-A of the Agriculture and Markets Law, the dealer's name, address and state dealer identification number. If the person is a Pet Seller licensed by this act, the Pet Seller's name, address and permit number. If the person is a breeder, the breeder's name, address, and, if applicable, USDA license number; and

(b) In the case of cats, if a cat is placed in the custody or possession of a Pet Seller and the source of origin is unknown, the Pet Seller shall state that the source of origin is unknown, accompanied by the date, time, and location of receipt; and

(c) The original source of the animal if different than the person recorded in subdivision one of this section; and

(d) The date each dog or cat was acquired; and

(e) A description of each animal showing age, color, markings, sex, breed, and any inoculation, worming, or other veterinary treatment or medication information available. Records shall also include any other significant identification, if known, for each animal, including official tag number, tattoo or (implant) microchip; and

(f) The name and address of the person to whom the animal is sold, given or bartered or to whom it is otherwise transferred or delivered. The records shall indicate the date and method of disposition; and

(g) The Pet Seller's Ulster County permit number.

2. Notwithstanding the provisions of subdivision one of this section, no Pet Seller shall knowingly buy, sell, exhibit, transport or offer for sale, exhibition or transportation, any stolen dog or cat. No Pet Seller shall knowingly sell any dog or cat younger than eight (8) weeks of age.

3. Prior to the sale, exchange, or other transfer of ownership of a dog or cat, a Pet Seller is required to examine the Ulster County Animal Abuse Registry to confirm that the potential owner is not a registered animal abuser. If a Pet Seller determines that an individual is a registered animal abuser, the Pet Seller shall not sell, exchange or otherwise transfer ownership of a dog or cat to such individual.

4. Records for each animal shall be maintained for a period of two (2) years from the date of sale or transfer, whichever occurs later. During normal business hours, the records shall be made available to persons authorized by law to enforce the provisions of this Local Law.

SECTION 12. CERTIFICATION BY DOG DEALERS AND SOURCE BREEDERS REQUIRED.

1. It shall be unlawful for any Pet Seller in Ulster County to knowingly import, offer for sale, sell or barter any dog from a Dog Source Breeder that does not comply with the standards of care enumerated in this Local Law.

2. Dog Dealers and Dog Source Breeders who supply dogs directly to Pet Sellers shall provide a written certification to such Pet Sellers that the dogs it provides to them have been obtained from Dog Source Breeders where they have been raised and maintained in compliance with this Local Law.

3. The Commissioner shall establish a written form for the certification required by this section, which will, at a minimum, include the name, legal address, contact information for the Dog Dealer if applicable, and Dog Source Breeder, along with the requirement for a sworn statement attesting that the Dog Source Breeder is in compliance with the standards prescribed in this Local Law.

4. Pet Sellers shall provide Consumers with a copy of this certification at the point of sale and shall file the written certification required by this section with the Commissioner on a semi-annual basis and in accordance with any rules promulgated by the Commissioner.

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SECTION 13. DOG SOURCE BREEDERS: MINIMUM STANDARDS OF CARE.

1. Food and Water.

(a) All dogs must be provided with adequate food that is clean and free from contaminants at intervals not to exceed twelve hours or at least twice in any twenty-four (24) hour period unless directed otherwise by a duly licensed veterinarian.

(b) All dogs must be provided with potable water at all times, unless directed otherwise in writing by a duly licensed veterinarian. Such special instructions concerning food or water shall be kept in the Dog Source Breeder's records for the dog.

2. Housing.

(a) Except where dogs are permitted to roam freely inside the Dog Source Breeder's residential premises, dogs shall be kept in primary enclosures that are designed and constructed to be structurally sound and that are kept in good repair.

(b) Primary enclosures for dogs shall:

(1) Have no sharp points or edges that could injure dogs;

(2) Be maintained in a manner to protect dogs from injury;

(3) If not fully enclosed on the top, be of a height sufficient to prevent the dog from climbing over the walls of the enclosure;

(4) Keep animals from entering the enclosure;

(5) Enable dogs to remain dry and clean;

(6) Provide shelter and protection from temperatures and weather conditions that may be uncomfortable or hazardous to any dog;

(7) Provide sufficient space to shelter all dogs housed in the primary enclosure at one time;

(8) Provide potable water at all times, unless otherwise directed by a veterinarian in writing that shall be kept in the Dog Source Breeder's records;

(9) Enable all surfaces in contact with dogs to be readily cleaned and sanitized in compliance with paragraph (d) of subdivision 4 of this section.

3. Space.

(a) Primary enclosures shall provide enough space to allow each dog to turn about freely and to stand, sit, and lie in a normal position. All dogs in the enclosure must be able to lie down while fully extended without the dog's head, legs, face or feet touching any side of the enclosure or another dog. The interior height of a primary enclosure shall be at least six (6) inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

(b) All dogs over twelve (12) weeks of age housed in primary enclosures must be provided with a minimum amount of floor space in the primary enclosure, calculated as follows: Find the mathematical square of the sum of the length of dog in inches, measured in a straight line from the tip of its nose to the base of its tail plus six inches, then divide the product by 144, then multiply by two. The calculation is: (length of dog in inches +6) equals required floor space in square inches. Required floor space in inches/144 x 2 = required floor space in square feet. For a second dog placed in the primary enclosure the minimum floor space shall be doubled. The floor space shall be calculated using the longest dog. For each dog above two, the minimum floor space shall be multiplied by 1.5 per additional dog.

(c) For dogs over twelve (12) weeks of age, primary enclosures must be placed no higher than thirty (30) inches above the floor of the housing

facility and may not be placed over or stacked on top of another cage or primary enclosure

(d) For dogs twelve (12) weeks of age or younger, primary enclosures shall not be stacked more than two (2) rows high, and the bottom of the uppermost primary enclosure may not be more than four and one-half (4 ½) feet off the housing facility floor. Where the primary enclosures are stacked, a tray or other device that will prevent urine, feces, and other debris from passing into or being discharged into the underlying primary enclosure shall be placed under the primary enclosure. The trap or other device must be impermeable to water and capable of being easily sanitized.

(e) All housing facilities shall be equipped with a smoke alarm and shall have a means of fire suppression, such as fire extinguishers or a sprinkler system on premises.

4. Sanitation.

(a) Excreta, feces, hair, dirt, debris and food waste must be removed from primary enclosures at least daily or more often if necessary, to prevent an accumulation of excreta, feces, hair, dirt, debris and food waste to prevent soiling of dogs contained in the primary enclosures and to reduce the risk of disease, insects, pests and odors.

(b) Used primary enclosures and food and water receptacles for dogs must be cleaned and sanitized in accordance with paragraph (d) of this section before they can be used to house, feed or water another dog or group of dogs.

(c) Used primary enclosures and food and water receptacles must be sanitized at least once every two weeks using one of the methods prescribed in paragraph (d) of this section and more often if necessary to prevent an accumulation of excreta, feces, hair, dirt, debris, food, waste and other disease hazards.

(d) Hard surfaces of primary enclosures and food and water receptacles must be sanitized using one of the following methods:

(1) Live steam under pressure,

(2) Washing with water with a temperature of at least 180 degrees Fahrenheit and with soap or detergent, as with a mechanical cage washer; or

(3) Washing all soiled surfaces with appropriate detergent solutions and disinfectant or by using a combination detergent or disinfection product that accomplishes the same purpose with a thorough cleaning of the surfaces to remove excreta, feces, hair, dirt, debris and food waste so as to remove all organic material and mineral buildup and to provide sanitization followed by a clean water rinse.

(e) All dogs must be removed from the primary enclosure when it is being sanitized in accordance with the provisions of this subdivision.

(f) Primary enclosures, exercise areas and housing facilities using material that cannot be sanitized using methods delineated in paragraph (d) of this section must be made sanitary by removing contaminated material as necessary to prevent odors, diseases, pests, insects and vermin infestation.

(g) Premises where primary enclosures are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect dogs from injury, to facilitate healthy husbandry practices, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept free of accumulations of trash, junk, waste products and discarded matter. Weeds, grass and bushes must be controlled so as to facilitate cleaning of the premises and pest control and to protect the health and well-being of the dogs.

(h) An effective program for the control of insects or pests, and external parasites affecting dogs must be established and maintained so as to promote the health and well-being of the dogs and reduce contamination by pests in housing facilities.

(i) The floors and walls of primary enclosures must be impervious to moisture. The ceiling of indoor housing facilities must be impervious to moisture or be replaceable. "Impervious surfaces" may include concrete, tiles, wood that is sealed and other materials that do not permit absorption of fluids, allow thorough and repeated cleaning and disinfection without deteriorating or retaining odors, and do not violate any other provision contained within this Section.

5. Flooring.

(a) Flooring in all primary enclosures must be constructed in a manner that protects the dogs' feet and legs from injury. The floor must not permit any part of the foot of a dog housed in the enclosure to pass through any opening.

(b) For dogs over twelve (12) weeks of age, the floor of the primary enclosure must be strong enough so that it does not sag or bend between structural supports and so that it cannot be destroyed through digging or chewing by the dogs housed in the primary enclosure. The floor shall not permit the feet of any dog housed in the primary enclosure to pass through any opening and shall not be made of metal strand, either coated or uncoated. It must allow for moderate drainage of fluids and it must not be sloped more than 0.25 inches per foot.

(c) Flooring constructed of slats shall be acceptable provided that all of the following conditions are met:

(1) The flooring is flat;

(2) Spaces between slats run the length or width of the floor, but not both;

(3) Slats are no less than 3.5 inches in width;

(4) The floor has spaces between the slats that are no more than 0.5 inch in width; and

(5) Each slat is level with the slat next to it within a single primary enclosure.

6. Co-housing/ Bitches in Heat/Nursing puppies.

(a) All dogs housed in the same primary enclosure must be compatible as determined by observation. Not more than six (6) adult dogs may be housed in the same primary enclosure. Bitches in heat may not be housed in the same primary enclosure with sexually mature males, except for breeding. Bitches with litters may not be housed in the same primary enclosure with other adult dogs, and puppies under twelve weeks of age may not be housed in the same primary enclosure with adult dogs, other than the dam or foster dam. Dogs displaying vicious or aggressive behavior toward other dogs must be housed separately.

(b) Each bitch with nursing puppies shall be provided with an additional amount of floor space based on her breed and behavioral characteristics and in accordance with generally accepted husbandry practices as determined by the attending veterinarian. If the additional amount of floor space for each nursing puppy is less than five (5) percent of the minimum requirement for the bitch, the amount of floor space must be approved by the attending veterinarian and shall be kept in the Dog Source Breeder's records.

7. Ventilation and Lighting.

(a) Housing facilities for dogs must be sufficiently heated and cooled to protect dogs from temperature or humidity extremes and to provide for their health and well-being. If dogs are present, the ambient temperature in the facility must not fall below 50 degrees Fahrenheit or rise above 85 degrees Fahrenheit.

(b) Housing facilities for dogs must be sufficiently ventilated at all times when dogs are present to provide for their health and well-being and to minimize odors, drafts, ammonia levels and to prevent moisture condensation. The relative humidity must be maintained at a level that ensures the health and well-being of the dogs housed therein.

(c) Housing facilities for dogs must be lighted well enough to permit routine inspection and cleaning of the facility and observation of the dogs. Animal areas must be provided with a regular diurnal light cycle of either natural or artificial light. Lighting must be uniformly diffused throughout housing facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning and observation of animals at any time and for the well-being of the animals. Primary enclosures must be placed so as to protect dogs from excessive light.

8. Veterinary Care and Records.

(a) The Dog Source Breeder shall establish a veterinarian/client-patient relationship.

(b) The Dog Source Breeder shall establish a written program of veterinary care which shall include a physical examination and vaccination schedule; a protocol for disease control and prevention; pest and parasite control; nutrition and euthanasia. A copy of the program shall be kept in the Dog Source Breeder's records.

(c) Dogs shall be examined by a veterinarian at least once every six (6) months.

(d) For each dog harbored by a Dog Source Breeder, a permanent record shall be kept and shall contain all of the following information:

(1) The date of birth of the dog;

(2) The date of the last rabies vaccination of the dog; and

(3) The date of the dog's last veterinary check.

(e) The Dog Source Breeder shall keep all veterinary records for two (2) years after the dog has left the care of the facility.

(f) Notwithstanding any law, a dog may not be euthanized except by a licensed veterinarian.

A Local Law of the County of Ulster for the Regulation of Pet Sellers

9. Exercise (for dogs over twelve (12) weeks of age).

(a) Each primary enclosure housing a dog over twelve (12) weeks of age shall have an entryway that allows the dog unfettered clearance from the enclosure into an outdoor exercise area.

(b) The exercise area must be at least twice the size of each dog's primary enclosure and must have adequate means to prevent dogs from escaping.

(c) Exercise area fencing must be in good repair and be free of rust, jagged edges or other defects that could cause injury to the dogs.

(d) The exercise area must be cleaned in accordance with paragraph (f) of subdivision four of this section.

(e) Dogs must not be placed in the exercise area in a manner that would cause injury to the dog.

(f) Nursing bitches and their puppies shall be exercised separately from other dogs.

(g) The exercise area shall be on ground level and the ground of the area must be solid and maintainable. Surfaces such as gravel, packed earth and grass which are solid and maintainable may be utilized.

(h) Forced exercise methods or devices such as swimming, treadmills or carousel type devices shall not meet the exercise requirements of this paragraph and are prohibited.

(i) If, in the opinion of a licensed veterinarian, it is inappropriate for a dog to exercise because of its health, condition or well-being, this section shall not apply to that dog. Such a determination must, however, be documented in writing by the veterinarian and shall be revisited by the attending veterinarian at least once every thirty (30) days.

Local Law Number 2 Of 2017

County Of Ulster

A Local Law of the County of Ulster for the Regulation of Pet Sellers

SECTION 14. RESIDENTIAL BREEDERS.

1. Residential Breeder Minimum Standards of Care.

(a) Animals shall be provided, except when there are instructions from a duly licensed veterinarian to withhold food for medical reasons, with wholesome and palatable food, free from contamination and of nutritional value sufficient to maintain each animal in good health.

(b) Water shall be supplied to animals in a sanitary manner sufficient for each animal's needs, except when there are instructions from a duly licensed veterinarian to withhold water for medical reasons.

(c) In the event that a residential breeder has a pregnant or nursing dog on his or her premises, the residential breeder shall provide a whelping area or box for such dog.

(d) All animals shall be vaccinated as required by state or local law. Veterinary care appropriate to the breed shall be provided without undue delay when necessary. Each animal shall be observed each day by the residential breeder or by a person working under the residential breeder's supervision.

(e) No residential breeder shall knowingly sell any animal that has a diagnosed congenital condition or contagious disease that adversely affects the health of the animal without first informing the consumer, in writing, of such condition.

2. Records of sale by Residential Breeders.

(a) Each Residential Breeder shall keep and maintain records for each animal sold. The records shall include the name and address of the person to whom any animal is sold and the date of sale.

(b) Records of sale for each animal shall be maintained for a period of two years from the date of sale.

3. Inspection of Residential Breeders. Inspections of Residential Breeders shall be made whenever in the discretion of the Commissioner or his or her authorized agents, or a complaint warrants such investigation. Any person conducting an inspection of a Residential Breeder or responding to a complaint concerning a Residential Breeder shall be a County employee specifically trained in the proper care of animals and in the investigation and identification of cruelty to animals.

SECTION 15. NOTICE TO CONSUMERS.

1. Every Pet Seller or Residential Breeder who sells an animal to a Consumer shall post a notice clearly visible to the Consumer and provide the Consumer at the time of sale with a written notice, printed or typed, setting forth the rights provided under this Local Law. Such notices shall be prescribed by the Commissioner, but the written notice may be contained in a written contract, an animal history certificate, or separate document, provided such notices are in ten-point boldface type.

2. No Pet Seller or Residential Breeder shall restrict or diminish by contract or otherwise, the rights provided under this Local Law.

SECTION 16. VIOLATIONS.

1. Violation of any provision of this Local Law is a civil offense for which a fine of not less than $150.00 and not more than $500.00 for each violation may be imposed.

2. In addition to the penalties enumerated in this section, whenever there is a violation of the provisions of Sections 10 (Pet Seller's – Consumer Protection Requirements), Section 11 (Records of Purchase and Sale) of this Local Law application may be made by the Commissioner or his designee to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violations; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated these provisions, an injunction may be issued by such court or justice, enjoining and

restraining any further violation, without requiring proof that any person has, in fact, been Injured or damaged thereby. In such a proceeding, the court may make allowances to the Commissioner as provided in Civil Practice Law and Rules Section 8303 (a) (6) and direct restitution.

SECTION 17. CONSTRUCTION WITH OTHER LAWS.

Nothing in this Local Law shall be construed to limit or restrict the police, agents, or officers of Societies for the Prevention of Cruelty to Animals from enforcing Article Twenty-Six of the Agriculture and Markets Law or any other law relating to the humane treatment of or cruelty to animals.

SECTION 18. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

SECTION 19. EFFECTIVE DATE.

This Local Law shall be effective ninety (90) days after its filing in the Office of the Secretary of State and shall apply to all transactions occurring on or after the effective date of this Local Law.

Adopted by the County Legislature: March 22, 2017

Approved by the County Executive: April 12, 2017

Filed with New York State Department of State: April 19, 2017

Local Law Number 3 Of 2017

County Of Ulster

A Local Law Prohibiting Cyber-Bullying In Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT.

In the many ways that bullying is done, perpetrators of cyber-bullying are often more extreme in the threats and taunts they inflict on their victims than perpetrators of other forms of bullying. Perpetrators of cyber-bullying do not actually see their victim's emotional reaction to the information that is sent out over the internet. Cyber-bullying is often done anonymously.

Cyber-bullying follows its victims everywhere they go and can occur at any time of the day or night because cyber-bullying is perpetrated online or through text or picture messages on cellular phones and other hand-held devices. Technology has allowed this emotional violence to attack our children at any time whether at school or at home. Often times these attacks can originate outside the jurisdiction of the school and/or may be beyond a school's resources.

The Ulster County Legislature recognizes that bullying among children has been a long standing problem throughout the country.

This Legislature hereby finds that with the advent of technology, bullying has transformed from a predominantly school-based issue into a broader societal problem.

This Legislature hereby finds that victims of cyber-bullying suffer very real and serious harm as a result of these incidents. Victims of cyber-bullying often suffer from depression, anxiety, social isolation, nervousness when interacting with technology, and low self-esteem all of which can directly affect the child's performance in and out of school. In some cases, victims attempt to commit suicide or commit suicide in whole or in part because of the cyber-bullying they have endured.

The Ulster County Legislature finds that cyber-bullying is occurring in Ulster County. Therefore, the County must take affirmative action to protect the children of Ulster County from unwanted harassment, threats, abuse, intimidation, and harm to themselves, their reputation, and their relationships with friends, family members, peers, teachers, principals and employers.

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County Of Ulster

A Local Law Prohibiting Cyber-Bullying In Ulster County

To stop cyber-bullying and provide for the protection, safety, well-being, and healthy development of the children of Ulster County, the Legislature determines that it is necessary to proscribe certain expressions of speech by technological means through the enactment of a narrowly tailored local law that prohibits the cyber-bullying of persons under the age of eighteen (18) who are in Ulster County.

Municipal Home Rule Law §10 (12) allows a County to enact a local law for the protection, safety, health, and well-being of a County's residents.

This Legislature hereby finds that the County of Ulster has an interest in providing options to law enforcement which serve to rehabilitate juveniles who have engage in cyber-bullying. These options should include diversion services and community services. These services can assess why the juvenile is committing such acts and divert him or her from committing similar acts in the future while considering the best interest of said juvenile.

The purpose of this local law is to curtail or eliminate cyber-bullying of children in Ulster County and to promote civility during internet usage.

SECTION 2. DEFINITIONS.

As used in this law:

a. "Electronic transmission" or "electronically transmits" means the transmission, dissemination, or posting of information via the use of a computer online service, internet service provider, smart phone, tablet, wireless device or any other similar electronic means that is viewable by multiple persons through, at, by, on or in a local bulletin board service, an Internet chat room, a group electronic mail or text, a social media, networking or messaging site, a webpage, a blog, a video sharing site, an electronic messaging platform, or other similar types of electronic platforms.

b. "Person" means any natural person or individual.

c. "Minor" means any natural person or individual under the age of eighteen (18).

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A Local Law Prohibiting Cyber-Bullying In Ulster County

SECTION 3. PROHIBITIONS.

A person is guilty of Cyber-Bullying of a Minor when:

With the intent to harass, abuse, intimidate, torment, or otherwise inflict emotional harm on a minor, the actor electronically transmits, anonymously or otherwise:

a. information about such minor which has no legitimate communicative purpose and the actor knows or reasonably should know that the electronic transmission of the information will cause harm to the minor's reputation or the minor's relationships with the minor's parents, family members, friends, peers, employers, and school administrators and faculty; or

b. private sexual information about the minor; or

c. a photograph or a video, whether real or altered, that depicts any uncovered portion of the breasts, buttocks, or genitals of the minor and said photograph or video has no legitimate communicative purpose; or

d. false sexual information about the minor; or

e. information that has no legitimate communicative purpose by appropriating the minor's name, likeness, e-mail accounts, websites, blogs for the purpose of harassing such minor or other minors.

SECTION 4. PENALTIES.

a. Any person who, under the age of sixteen (16), knowingly violates the provisions of this local law shall be adjudicated a juvenile delinquent pursuant to Article 3 of the Family Court Act.

b. Any person sixteen (16) years or older who knowingly violates Section 3 of this local law and has not been previously convicted of violating this local law, shall be guilty of an unclassified misdemeanor and subject to the penalties outlined in Article 65 of the NYS Penal Law.

c. Any person sixteen (16) years or older who knowingly violates Section 3 of this local law and has previously been convicted of violating this local law, shall be guilty of a Class A misdemeanor and subject to the penalties outlined in NYS Penal Law Section 70.15.

SECTION 5. APPLICABILITY.

This law shall apply to all actions occurring 90 days after the effective date of this law.

SECTION 6. SEVERABILITY.

If any provision of this article or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable. A court determining severability is expressly authorized to sever any provision or application of this article on any basis not inconsistent with the Constitution of this state or of the United States.

SECTION 7. DECLARATORY JUDGMENT.

Any citizen of Ulster County who reasonably believes his conduct may be proscribed and punished by this statute may commence a special proceeding in Ulster County Supreme Court seeking a declaration that this law violates the First Amendment of the United States Constitution under New York State Civil Practice Law and Rules § 3001 provided: (1) such action is commenced and written notice thereof is sent to the Ulster County Clerk, the Clerk of Ulster County Legislature, the Ulster County Executive and the Ulster County Attorney within sixty days of the effective date of this statute; (2) such an action is commenced before a criminal action is initiated; and (3) such an action involves only the question of law referenced above and involves no questions of fact.

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A Local Law Prohibiting Cyber-Bullying In Ulster County

SECTION 8. REVERSE PREEMPTION.

This law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this local law or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Ulster. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

SECTION 9. ANNUAL REPORTING.

On or before April 30th of each year, the Ulster County District Attorney's Office and the County Attorney shall submit an annual report to the Ulster County Legislature regarding matters charged in the previous year pursuant to this Local Law. Such report shall include the number of cases charged under this Local Law, the age of each offender, the charge for the offense, and the disposition of the matter. The report shall not include any information so as to identify any defendant/respondent or victim. The report may include any recommendations that the District Attorney and/or the County Attorney may have.

SECTION 10. EFFECTIVE DATE.

This law shall take effect 90 days after its filing in the Office of the Secretary of State.

Adopted by the County Legislature: March 22, 2017

Approved by the County Executive: April 19, 2017

Filed with New York State Department of State: April 28, 2017

Local Law Number 4 Of 2017

County Of Ulster

A Local Law Repealing The Wireless Communications Surcharge Authorized By Article Six Of The County Law Of The State Of New York; And Imposing The Wireless Communications Surcharges Pursuant To The Authority Of Tax Law § 186-G

BE IT ENACTED, by the Legislature of the County of Ulster as follows:

SECTION 1. REPEAL.

Local Law 2 of 2002, a Local Law Imposing Surcharge on Wireless Communications Devices Pursuant to County Law Section 308-a, as amended, is hereby REPEALED.

SECTION 2. IMPOSITION OF WIRELESS COMMUNICATIONS SURCHARGES.

(a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Ulster on: (i) wireless communications service provided to a wireless communications customer with a place of primary use with in such county, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such county, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billing of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

Local Law Number 4 Of 2017

County Of Ulster

A Local Law Repealing The Wireless Communications Surcharge Authorized By Article Six Of The County Law Of The State Of New York; And Imposing The Wireless Communications Surcharges Pursuant To The Authority Of Tax Law § 186-G

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. ADMINISTRATION OF SURCHARGES.

The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of the Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. APPLICABILITY OF STATE LAW TO SURCHARGES IMPOSED BY THIS LOCAL LAW.

All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in fill in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

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County Of Ulster

A Local Law Repealing The Wireless Communications Surcharge Authorized By Article Six Of The County Law Of The State Of New York; And Imposing The Wireless Communications Surcharges Pursuant To The Authority Of Tax Law § 186-G

SECTION 5.

Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the County Legislature of the County of Ulster and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such county, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect December 1, 2017.

Adopted by the County Legislature: August 15, 2017

Approved by the County Executive: August 30, 2017

Filed with New York State Department of State: September 6, 2017

Local Law No. 5 Of 2017

County Of Ulster

A Local Law Amending Local Law No. 7 Of 2008 [A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War"]

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. **LEGISLATIVE INTENT AND PURPOSE.**

Ulster County is indebted to our Veterans, whether they have served in open hostilities or during the term of the "Cold War," for the sacrifices they have made on behalf of Ulster County's residents as well as the entire country. In appreciation for their tireless service, Ulster County wishes to grant the maximum exemption allowable to "Cold War" Veterans under New York State Real Property Tax Law (RPTL).

The Legislature hereby intends to grant to honorably discharged veterans, the maximum allowable "Cold War" property tax exemption of 15% of the assessed value, not to exceed $45,000, pursuant to RPTL sec. 458-b(2)(a)(ii) and; for honorably discharged veterans who suffered a service oriented disability, an additional exemption equal to the product of the assessed value multiplied by 1/2 of the compensation rating of the veteran as determined by Veterans Affairs, not to exceed $150,000.

SECTION 2. This Local Law is enacted pursuant to Real Property Tax Law (RPTL) section 458-b. All terms and definitions of RPTL section 458-b shall be equally applicable in this Local Law.

SECTION 3. Section 2 of Local Law No. 7 of 2008 is amended to read as follows:

SECTION 2. INTENT. In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York, residential real property owned by veterans who rendered military service to the United States during the "Cold War" shall be exempt from County taxation. **Pursuant to Chapter 290 of the New York State Laws of 2017, it is intended that this exemption shall remain in effect indefinitely or until such time as it is revoked by Local Law or authorizing State legislation requires modification.**

Local Law No. 5 Of 2017

County Of Ulster

A Local Law Amending Local Law No. 7 Of 2008 [A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War"]

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after January 1, 2018.

Adopted by the County Legislature: December 19, 2017

Approved by the County Executive: December 27, 2017

Local Law Number 1 Of 2018

County Of Ulster

A Local Law To Reduce Addiction To Tobacco Products By Raising The Minimum Age For Their Purchase To 21

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

The Ulster County Legislature hereby finds and determines that Ulster County has a substantial interest in preventing children and adolescents from becoming addicted adult smokers, and in avoiding the associated serious health consequences and healthcare costs, by increasing the minimum age for the purchase of tobacco products from eighteen (18) to twenty-one (21).

In pursuing this Local Law, the Ulster County Legislature is responding to findings by the Institute of Medicine that:

A) Adolescent brains are uniquely vulnerable to the effects of nicotine;

B) A younger age of initiation is strongly associated with greater nicotine dependence and is also associated with greater intensity and persistence of smoking beyond adolescence and into adulthood;

C) Almost one in three high school seniors in Ulster County report having tried cigarettes;

D) Underage users rely primarily on social sources to acquire tobacco and most of those sources are likely to be between eighteen (18) and twenty-one (21) years old;

E) Raising the minimum legal age to twenty-one (21) will mean that those who can legally obtain tobacco are less likely to be in the same social networks as high school students;

F) Raising the minimum legal age will likely immediately improve the health of adolescents and young adults by reducing the number of those with adverse physiological effects.

Local Law Number 1 Of 2018

County Of Ulster

A Local Law To Reduce Addiction To Tobacco Products By Raising The Minimum Age For Their Purchase To 21

SECTION 2. DEFINITIONS.

TOBACCO PRODUCT means any product made or derived from tobacco, or which contains nicotine marketed or sold for human consumption, whether consumption occurs through inhalation, or oral or dermal absorption. Tobacco products include, but are not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products and electronic cigarette cartridges. If the names of any product, either made or derived from tobacco, changes or deviates from those listed above, they shall continue to be included in this definition and are subject to the restrictions of this Local Law.

HERBAL CIGARETTE means any cigarette like product not containing tobacco, but designed to simulate traditional cigarette smoking through the burning of various herbs.

SMOKING PARAPHERNALIA means any pipe, water pipe, hookah, rolling papers, electronic aerosol delivery system or any other device, equipment or apparatus designed for the consumption or inhalation of tobacco products.

TOBACCO PRODUCT RETAILER means any person who sells or offers for sale any tobacco product, or any employee of such a person.

ENFORCEMENT OFFICER means any police officer, county health inspector or other employee of the County of Ulster authorized to enforce this Local Law.

SECTION 3. PROHIBITED ACTS.

A) No person shall sell or permit the sale of tobacco products, herbal cigarettes, or smoking paraphernalia to any person under the age of twenty-one (21), anywhere in Ulster County, New York.

B) A tobacco product retailer shall require an individual purchasing tobacco products to demonstrate his or her age, through (a) a valid driver's license or non-driver's identification card issued by the commissioner of motor vehicles, the federal government, any United States territory, commonwealth or possession, the District of Columbia, a state government within the United States or a provincial government of

the dominion of Canada, (b) a valid passport issued by the United States government or any other country, or (c) an identification card issued by the armed forces of the United States, indicating that the individual is at least twenty-one years of age. Such identification need not be required of any individual who reasonably appears to be at least thirty (30) years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the sale of a tobacco product, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes to an individual under twenty-one (21) years of age.

SECTION 4. POSTING OF SIGNS.

A) No person shall sell or permit the sale of tobacco products, herbal cigarettes, or smoking paraphernalia in Ulster County, New York, unless a notice is posted in a conspicuous place at the location where such age restricted products and items are sold.

B) The sign shall provide notice, which shall state: "SALE OF CIGARETTES, CIGARS, PIPE TOBACCO, SNUFF, CHEWING TOBACCO, DIPPING TOBACCO, BIDIS, SNUS, DISSOLVABLE TOBACCO PRODUCTS, ELECTRONIC CIGARETTE CARTRIDGES, OR OTHER TOBACCO PRODUCTS, HERBAL CIGARETTES, AND SMOKING PARAPHERNALIA TO PERSONS UNDER 21 YEARS OF AGE IS PROHIBITED BY LOCAL LAW."

C) Such sign shall be printed on a white card in red letters at least ½ inch in height. Signs shall be protected from tapering, damage, removal, or concealment.

SECTION 5. TRAINING AND EDUCATION.

The Ulster County Department of Health shall create appropriate training materials and programs that shall be made available to any existing tobacco retailer.

Local Law Number 1 Of 2018

County Of Ulster

A Local Law To Reduce Addiction To Tobacco Products By Raising The Minimum Age For Their Purchase To 21

SECTION 6. ENFORCEMENT.

A) The enforcement officer is charged with ensuring compliance with this Local Law.

B) The enforcement officer shall be authorized to serve official notices of violation of this Local Law.

C) For violations of this Local Law:

(1) The enforcement officer may issue and serve upon the person complained against written hearing notice, together with the complaint, Service of such notice shall be deemed complete upon personal delivery or, if delivered by certified first class mail, after five (5) days;

(2) The complaint shall specify the provision(s) of this Local Law of which such person is alleged to have violated and shall require the person so complained against to answer the charges of such complaint at a public hearing before the Ulster County Commissioner of Health or the Public Health Director, or his or her designee at a specified location, date, and time;

(3) Notwithstanding the above, the Ulster County Commissioner of Health or the Public Health Director or his or her designee may, in his or her discretion, offer a proposed stipulation to the person complained against, in which case the person complained against will have the option of executing the proposed stipulation within the time frame specified, or proceeding with a formal hearing;

(4) When the Ulster County Commissioner of Health or the Public Health Director or his or her designee determines, after a hearing, that a violation of this Local Law has occurred, a civil penalty may be imposed by the hearing officer;

(5) Nothing contained herein shall be construed as prohibiting the County Attorney or his or her designee from commencing a proceeding for injunctive relief to compel compliance with this Local Law;

(6) Any person who desires to register a complaint under this Local Law may do so through the enforcement officer;

(7) The decision of the Ulster County Commissioner of Health or the Public Health Director or his or her designee shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules; and

(8) The County Attorney or his or her designee, subsequent to any appeal having been finally determined, may bring an action in a court of law of proper jurisdiction to recover the civil penalty in accordance with Section 7 of this Local Law.

D) The Ulster County Department of Health shall conduct random spot checks to determine compliance with this Local Law. Such spot checks shall cover at least one fourth of the Tobacco Product Retailers in Ulster County each year.

E) On or before March 1 of every year, the Ulster County Commissioner of Health or the Public Health Director shall make a report to the Ulster County Legislature and the County Executive providing the number of violations served pursuant to this Local Law in the immediately preceding calendar year, the dispositions, and any other pertinent information.

SECTION 7. PENALTIES FOR OFFENSES.

A) Any person who violates any provision of this article shall be subject to the imposition of a civil penalty by the Ulster County Commissioner of Health or the Public Health Director of a minimum of $300.00, but not to exceed $1,000.00 for a first violation, and a minimum of $500.00, but not to exceed $1,500.00 for each subsequent violation.

B) For purposes of enforcing the ban on the sale of tobacco products, herbal cigarettes, and smoking paraphernalia to minors, other than by vending machine, a sale shall be made only to an individual who demonstrates that he/she is at least twenty-one (21) years of age and has demonstrated such in accordance with the guidelines set forth hereinabove. Such identification shall not be required of any individual who reasonably appears to be at least thirty (30) years of age; provided

however, that such appearance shall not be a defense in any action alleging the sale to an individual under twenty-one (21) years of age.

C) Violations of this Local Law shall be separate from and, where applicable, in addition to a violation of the New York State Adolescent Tobacco Use Prevention Act (ATUPA).

SECTION 8. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order of judgment shall be rendered.

SECTION 9. EFFECTIVE DATE.

This Local Law shall take effect January 1, 2019.

Adopted by the County Legislature: May 15, 2018

Approved by the County Executive: June 7, 2018

Filed with New York State Department of State: June 14, 2018

Local Law Number 2 Of 2018

County Of Ulster

A Local Law Amending Local Law 6 of 2014, To Improve And Strengthen The Sustainable Energy Loan Program

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

The Ulster County Legislature hereby finds and determines that the County of Ulster enacted Local Law No. 6 of 2014 (codified as Chapter 190 of the Code of the County of Ulster), pursuant to provisions of New York General Municipal Law, to establish a Sustainable Energy Loan Program. This program authorized the Energy Improvement Corporation ("EIC"), a local development corporation acting on behalf of the County of Ulster, to make funds available to qualified property owners for the installation of renewable energy systems and energy-efficiency measures.

The Ulster County Legislature further finds that the New York State Legislature recently amended certain provisions of the municipal sustainable energy loan program to "eliminate barriers that have been identified that have prevented the program from reaching its full potential."

The Ulster County Legislature finds that the amendments to the program, enacted as Chapter 320 of the 2017 Laws of the State of New York, seek to encourage net metered and community solar projects, will allow the County of Ulster's program to use monies available from the State or any State authority, and will permit a more flexible loan standard for commercial properties.

Therefore, the purpose of this law is to amend the County of Ulster's Sustainable Energy Loan Program in conformity with changes recently enacted to the New York State enabling legislation.

SECTION 2. Section 2 of Local Law 6 of 2014 is hereby amended to read as follows:

SECTION 2. Legislative intent and purpose.

A. It is the policy of both the County of Ulster and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean

energy economy. The County of Ulster finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewable energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation ("EIC"), a local development corporation, acting on behalf of the County of Ulster pursuant to the municipal agreement to be entered into between the County of Ulster and the EIC **pursuant to Article 5-G of the New York General Municipal Law (the "Municipal Agreement")**, to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this section and fulfilling an important public purpose.

B. The County of Ulster is authorized to implement this Energize NY Benefit Financing Program pursuant to **the Municipal Home Rule Law** and Article 5-L of the New York General Municipal Law.

C. This Local Law shall be known and may be cited as the "Energize NY Benefit Financing Program Law of the County of Ulster."

SECTION 3. The definitions of "EIC" and "Renewable Energy System" in Section 3 of Local Law No. 6 of 2014 are hereby amended to read as follows:

EIC

The Energy Improvement Corporation, a local development corporation, duly organized under § 1411 of the Not-For-Profit Corporation Law, authorized hereby on behalf of the County to implement the Energize NY Benefit Financing Program by providing funds to qualified property owners (as defined in this chapter) and providing for repayment of such funds from monies collected by the County **tax collecting officer** as a charge to be levied on the real property and collected in the same manner and same form as the County taxes.

Local Law Number 2 Of 2018

County Of Ulster

A Local Law Amending Local Law 6 of 2014, To Improve And Strengthen The Sustainable Energy Loan Program

RENEWABLE ENERGY SYSTEM

An energy generating system for the generation of electric or thermal energy, to be used primarily at such property, **except when the Qualified Property Owner is a commercial entity in which case the system may be used for other properties in addition to the subject property**, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority, not including the combustion or pyrolysis of solid waste.

<u>SECTION 4.</u> Section 4 of Local Law No. 6 of 2014 is hereby amended to read as follows:

SECTION 4. Establishment of an Energize NY Benefit Financing Program

A. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC, acting on its behalf **pursuant to the Municipal Agreement**, may provide funds to qualified property owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of renewable energy systems and energy efficiency improvements and the verification of the installation of such systems and improvements.

B. For funds provided to a Qualified Property Owner which is a commercial entity, not-for-profit organization, or entity other than an individual, EIC shall have the authority to impose requirements on the maximum amount of funds to be provided, which may consider factors including but not limited to the property value, projected savings, project cost, and existing indebtedness secured by such property.

A Local Law Amending Local Law 6 of 2014, To Improve And Strengthen The Sustainable Energy Loan Program

C. **For financings made to a Qualified Property Owner who is an individual, the** funds provided shall not exceed the lesser of: **(i)** 10% of the appraised value of the real property where the renewable energy systems and/or energy efficiency improvements will be located, or **(ii)** the actual cost of installing the renewable energy systems and/or energy efficiency improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

SECTION 5. Paragraph B of Section 5 of Local Law No. 6 of 2014 is hereby amended to read as follows:

B. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in section 6 of this Local Law. EIC may also request further information from the property owner, where necessary, to aid in its determination.

SECTION 6. Section 6 of Local Law No. 6 of 2014 is hereby amended to read as follows:

SECTION 6. Application criteria.

Upon the submission of an application, EIC, acting on behalf of the County, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

A. The proposed energy efficiency improvements and/or renewable energy systems are determined to be cost effective **based on guidelines issued** by the Authority;

B. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding.

C. The amount financed under the Energize NY Benefit Financing Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;

D. Sufficient funds are available **from EIC** to provide **financing** to the property owner;

E. The property owner is current in payments on any existing mortgage;

F. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three years; and

G. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

SECTION 7. Section 7 of Local Law No. 6 of 2014 is hereby amended to read as follows:

SECTION 7. Energize **NY Finance Agreement**.

A. A qualified property owner may participate in the Energize NY Benefit Financing Program through the execution of an energize NY finance agreement made by and between the qualified property owner and EIC, acting on behalf of the County **(the "Energize NY Finance Agreement").**

B. Upon execution of the **Energize NY Finance Agreement**, the qualified property owner shall be eligible to receive funds from EIC, acting on behalf of the County, for the acquisition, construction, and installation of qualifying

renewable energy systems and energy efficiency improvements, provided the requirements of section 8 of this Local Law have been met.

C. The **Energize NY Finance Agreement** shall include the terms and conditions of repayment set forth under section 9 of this Local Law.

SECTION 8. Section 9 of Local Law No. 6 of 2014 is hereby amended to read as follows:

SECTION 9. Terms and conditions repayment.

The **Energize NY Finance Agreement** between the qualified property owner and EIC, acting on behalf of the County, shall set forth the terms and conditions of repayment in accordance with the following:

A. The principal amount of the funds paid to the qualified property owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on his or her real property tax bill and shall be levied and collected at the same time and in the same manner as County taxes, provided that such charge shall be separately listed on the tax bill. The County shall make payment to EIC or its designee in the amount of all such separately listed charges within 30 days of **the date the payment is due to be made to the County.**

B. The term of such repayment shall be determined at the time the Energize NY Finance agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by EIC acting on behalf of the County.

C. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County at the time the **Energize NY Finance Agreement** is executed by the property owner and EIC.

D. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program **as set forth in Article 5-L of the General Municipal Law** and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

SECTION 9. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: May 15, 2018

Approved by the County Executive: June 13, 2018

Filed with New York State Department of State: June 25, 2018

Local Law Number 3 Of 2018

County Of Ulster

A Local Law Prohibiting Conversion Therapy Upon A Minor Within Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The purpose of this Local Law is to ensure the physical and psychological well-being of minors by protecting Ulster County youth from nefarious and unsubstantiated quasi-medical practices.

The Ulster County Legislature finds that there is significant and substantial evidence that reparative, otherwise known as conversion therapy, causes serious psychological harm to minors who have been exposed to sexual orientation or gender identity change efforts including higher instances of depression, anxiety, substance abuse and even suicide.

The Ulster County Legislature further finds that Conversion Therapy has been discredited by virtually every American medical, psychiatric, psychological and professional counseling organization including: American Academy of Child Adolescent Psychiatry, American Academy of Pediatrics, American Association for Marriage and Family Therapy, American College of Physicians, American Counseling Association, American Medical Association, American Psychiatric Association, American Psychoanalytic Association, American Psychological Association, American School Counselor Association, American School Health Association, National Association of Social Workers, World Health Organization and the World Psychiatric Association.

The Ulster County Legislature strives to promote an inclusive and supportive culture, ensuring all visitors and residents of Ulster County feel welcome. The Ulster County Legislature desires to show solidarity with the nine states and numerous cities and counties throughout the country, including New York City and Erie County within New York State, by recognizing the harm Conversion Therapy causes children and young adults by enacting a Local Law which bans the practice in Ulster County.

Local Law Number 3 Of 2018

County Of Ulster

A Local Law Prohibiting Conversion Therapy Upon A Minor Within Ulster County

SECTION 2. DEFINTIONS

As used in this law, the following terms shall have the meanings indicated:

A. "Conversion Therapy" means any formal treatment that aims to change sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual.

B. "Minor" means any person less than eighteen (18) years of age.

C. "Reparative Therapy" has the same meaning as conversion therapy.

D. "Sexual Orientation or Gender Identity Change Efforts" means conversion therapy, reparative therapy, or any other practice that seeks to change an individual's sexual orientation or gender identity. "Sexual Orientation or Gender Identity Change Efforts" do not include psychotherapies that provide acceptance, support, and understanding for clients. And in addition do not prohibit clergy from pastoral counseling, teaching, or relaying of their religion's doctrine.

E. "Formal Treatment" is defined as a continued effort through a program or through many sessions or meetings to change a minor's sexual identity or orientation.

SECTION 3. PROHIBITION

The administering sexual orientation or gender identity change efforts, Conversion Therapy, or Reparative Therapy upon a minor within the geographic boundaries of the County of Ulster is prohibited.

Local Law Number 3 Of 2018

County Of Ulster

A Local Law Prohibiting Conversion Therapy Upon A Minor Within Ulster County

SECTION 4. PENALTIES.

Any person who knowingly violates the provisions of this Local Law shall be guilty of an unspecified misdemeanor punishable by a fine of up to $5000 and/or up to one year in prison, and any applicable licensing board will be notified.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: June 19, 2018

Approved by the County Executive: July 20, 2018

Filed with New York State Department of State: July 27, 2018

Local Law No. 4 Of 2018

County Of Ulster

A Local Law Establishing An Ulster County Human Rights Law

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. TITLE.

This Local Law shall be known by and may be cited as "The Ulster County Human Rights Protection Act of 2018".

SECTION 2. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature hereby finds and declares that the County has the responsibility to act to assure that every individual within the County is afforded certain basic rights and freedoms to which all human beings are entitled, including but not limited to the right to life and liberty, freedom of thought and expression, and equality before the law.

The Ulster County Legislature recognizes, finds and determines that the laws and regulations of the United States of America and the State of New York prohibit acts of discrimination, including discrimination in employment, discrimination in public accommodations, resort and amusement, discrimination in housing accommodation, discrimination in commercial space and land transactions, and discrimination in the issuing of credit based upon impermissible considerations relating to a person's race, color, religion, ethnicity, creed, age, national origin, alienage or citizenship status, familial status, gender, including gender identity, gender dysphoria, transgender status, group identity, marital status, sexual orientation or disability.

In enacting this local law, the County is acting to empower its citizens and to provide local assurances for the safeguarding of basic rights and freedoms and the prevention of unlawful acts of discrimination. The Ulster County Legislature finds that the adoption of this law is an appropriate exercise of the police power for the protection of the public welfare, health and peace of the people of this County.

Article XXX of the Ulster County Charter ("Charter") provides for the establishment of a Commission of Human Rights in and for Ulster County ("Commission"). Section C-102 of the Ulster County Charter provides that "The Commission of Human Rights shall have all of the authority, responsibility, obligations, powers and duties set forth in Article 12-D of the General Municipal Law and shall also have the authority to create bylaws for its own governance, proceedings and activities."

Local Law No. 4 Of 2018

County Of Ulster

A Local Law Establishing An Ulster County Human Rights Law

The Commission exists to foster mutual respect for the rights of all citizens and to explore opportunities for improving relations among all people of Ulster County. Pursuant to Article 12-D of the General Municipal Law, the Commission is empowered to, among other things, seek the active assistance of the New York State Division of Human Rights ("State Division") in the solution of complaints which fall within the jurisdiction of the State Division (G.M.L. Section 239-r) and where and to the extent authorized by local law, to report, but not initiate, any such complaints to the State Division (G.M.L. Section 239-q(2)(a)).

The Ulster County Legislature specifically finds and declares that it is in the interest of the County to encourage its citizens to reason together to reduce tensions within the many diverse communities in Ulster County arising from alleged acts of discrimination, prejudice and intolerance by resort to the Commission, or its authorized designee, through a process of conference, conciliation and persuasion at the local level, and that it is imperative to include within the duties and responsibilities of the Commission, or its authorized designee, the task of actively monitoring and assisting persons through the process administered by the State Division for such claimed human rights violations that have not been successfully resolved by the Commission, or its authorized designee, at the local level through mediation and conciliation.

The Ulster County Legislature's intent in creating this local law is to empower the Ulster County Human Rights Commission pursuant to Article 12-D of the General Municipal Law to engage in processes of conference, conciliation and persuasion, with the active assistance of the State Division, if needed, in the solution of complaints which fall within the jurisdiction of the State Division, including those complaints within the scope of State Regulation 9 NYCRR §466.13 pertaining to Gender Identity, Transgender Persons, and Gender Dysphoria, as such terms are defined by the State Regulation, so as to amicably resolve such complaints, reduce tensions, build consensus and foster harmony between the various diverse communities within Ulster County, and to otherwise report, but not initiate, such complaints to the State Division, and to include within the duties and responsibilities of the Commission, or its authorized designee, the task of actively monitoring and assisting persons with claimed human rights violations through the process administered by the State Division or the Hearing Officer for such claims that have not been successfully resolved by the Commission, or its authorized designee, through mediation and conciliation, or where respondent has refused mediation and conciliation.

SECTION 3. DEFINITIONS.

The following terms are defined as follows in the implementation hereof and any terms not specifically defined herein shall be defined by reference to New York State Executive Law Section 292:

"**Place of public accommodation, resort or amusement**" shall be defined as the term is defined in New York State Executive Law Section 292(9).

"**Disability**" shall be defined as the term is defined in New York State Executive Law Section 292(21).

"**Discrimination**" shall be defined as the term is defined in New York State Executive Law Section 292(19).

"**Group identity**" shall refer to race, color, religion, age, national origin (including ancestry), alienage or citizenship status, ethnicity, familial status, creed, gender, sexual orientation, marital status, or disability.

"**Gender**" shall include actual or perceived sex and shall also include a person's gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the legal sex assigned to that person at birth.

"Gender identity" means having or being perceived as having a gender identity, self-image, appearance, behavior or expression whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned to that person at birth.

"**Transgender"** is an individual who has a gender identity different from the sex assigned to that individual at birth.

"**Sexual orientation**" shall be defined as the term is defined in New York State Executive Law Section 292(27).

Local Law No. 4 Of 2018

County Of Ulster

A Local Law Establishing An Ulster County Human Rights Law

<u>SECTION 4.</u> Article XXX, Section C-102 of the Ulster County Charter is hereby amended to so read:

1. The Commission of Human Rights shall have all of the authority, powers, duties and obligations expressly set forth in Article 12-D of the General Municipal Law, and shall also have the authority to engage in processes of conference, conciliation and persuasion, with the active assistance of the New York State Division of Human Rights ("State Division"), if needed, in the mediation and solution of complaints within the jurisdiction of the State Division, so as to amicably resolve such complaints, reduce tensions, build consensus, and foster harmony between the various and diverse communities within Ulster County and to otherwise report, but not initiate, any such complaints to the State Division, and shall also have the authority to create bylaws for its own governance, proceedings and activities, but shall not exercise any powers, duties or obligations not otherwise expressly set forth in General Municipal Law 12-D.

2. The Commission is authorized to receive complaints of all persons in Ulster County with claimed human rights violations arising under any New York State, Federal or Local human rights law or regulation occurring in Ulster County and to engage all interested parties who consent to do so in an effort to mutually resolve such complaints through mediation and conciliation before the Commission or its authorized designee. In the event that no members of the Commission are able or willing to engage in mediation or conciliation of a given complaint as in the case of a conflict of interest then, subject to Legislative appropriation sufficient to pay the expense thereof in a sum not to exceed $10,000.00 per year, such complaints may be referred upon consent of all parties to the complaint, to an accredited community dispute resolution center within Ulster County operated under the auspices of Article 21-A of the Judiciary Law for the sole purpose of conducting such a non-binding mediation and conciliation as specified herein.

3. The Commission or its authorized designee shall actively monitor and assist persons with such claimed human rights violations through the process administered by the State Division, or pursuant to Section 5 hereof by the local Hearing Officer, for such claims that have not been successfully resolved by the Commission, or its authorized designee, through mediation and conciliation at the local level should such persons elect to file a discrimination claim with the State Division or the local Hearing Officer. The assistance rendered under this paragraph shall not include the rendering of legal advice or legal representation to any party.

4. The Commission or its authorized designee shall maintain records of all complaints received by it during each calendar year and shall make a report to the County Legislature by March 31st of each year summarizing the number, type and disposition of such complaints. Such annual report shall not include names or personal identifying information of any party.

SECTION 5. Article XXX, Section C-101(B) of the Ulster County Charter is hereby amended to so read:

1. The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of whom shall be appointed by the legislative Chairman, three members by the legislative minority leader, and five members by the County Executive, one of whom shall be designated by him or her as the Commission Chairman. Appointments shall be representative of the various religious, racial, ethnic and nationality groups in Ulster County's communities. No member of the Commission of Human Rights shall serve more than two consecutive terms of three years.

SECTION 6. INDEPENDENT ADMINISTRATIVE HEARING OFFICER.

1. An Independent Administrative Hearing Officer ("Hearing Officer") is hereby created, established and authorized to hear complaints of persons in Ulster County with claimed human rights violations arising under any New York State, Federal or Local human rights law or regulation occurring in Ulster County where such claims have not been successfully resolved by the Commission, or its authorized designee, through mediation and conciliation at the local level, and to issue orders assessing monetary damages or other appropriate non-monetary relief where liability is determined to exist.

2. The Hearing Officer shall be appointed by the County Executive, subject to confirmation by the Legislature, and shall serve at the pleasure of the County Executive. Any Hearing Officer so appointed shall be an attorney admitted to practice law in good standing by the State of New York having been so admitted for no less than five (5) years. Such appointments shall first be made from a panel of retired Supreme Court Justices residing in Ulster County, but if none are able or willing to serve, from any eligible attorney.

3. The Hearing Officer has the authority to require the attendance of witnesses or the production of documentary evidence by subpoena.

4. The Hearing Officer may not accept any complaint hereunder unless it is accompanied by certification from the Commission that 30 days has passed since receipt of the complaint or that respondent has refused mediation and conciliation, whichever shall first occur, or in the alternative that mediation and conciliation of the complaint has been attempted but has not resolved the complaint, and by a waiver and relinquishment, sworn to by the complainant, of any and all rights to file a complaint with the New York State Division of Human Rights, any federal civil rights agencies, such as the Department of Housing and Urban Development ("HUD") or the Equal Employment Opportunity Commission ("EEOC"), or with the commission on human rights of any city, town or village located in Ulster County, which is based upon the same transaction or occurrence or series of transactions or occurrences which are the subject of the complaint sought to be filed. The Hearing Officer shall promulgate and make available appropriate forms of complaints, certifications and of waiver and relinquishment.

5. The Hearing Officer shall give to respondent written notice of the complaint and an opportunity to request a hearing on the complaint.

6. The written notice shall include, at a minimum:

(A) A concise statement of the factual basis for the complaint;
(B) The amount of damages claimed;
(C) The provisions of State, Federal or Local human rights laws or regulations alleged to have been violated by respondent;
(D) The right to request a hearing on the material facts and/or the amount of the damages; and
(E) A copy of the rules of the hearing procedures which have been promulgated by the Hearing Officer.

The hearing shall provide a reasonable opportunity to be heard, to assert any applicable answer, affirmative defenses, cross claims or counter claims, to move to dismiss, to cross-examine witnesses, and to present evidence free from interference, coercion, restraint, discrimination, or reprisal, and the parties shall have the right to be represented by a person of his/her choice at any stage of the hearing and proceedings at their own expense.

7. If the respondent fails to appear at the hearing without good cause being shown and the complainant presents a prima facie case against the respondent, the respondent may be found in default. The motion for default and a proposed default order shall be served by the Hearing Officer on all parties, and the defaulting party shall have twenty (20) days from service thereof to reply to the motion. The proposed default order may be set aside for good cause shown in accordance with the Civil Practice Law and Rules. Default by the complainant shall result in the dismissal of the complaint with prejudice.

8. Should liability be found after a hearing, in determining the amount of monetary damages to be assessed, the Hearing Officer shall consider the seriousness of the violation(s); any history of such violations; the economic impact (benefit or harm) resulting from the violation(s) to complainant; the economic impact of the damages to be assessed to respondent; and such other factors as justice may require. Money damages, or other non-monetary relief, awarded hereunder shall constitute a judgment as that term is defined in the Civil Practice Law and Rules, which may be enforced in accordance with that statute.

9. The Hearing Officer shall establish rules and forms for discovery consistent with Article 31 of the Civil Practice Law and Rules, and for administration and implementation of this section, including procedures for conducting hearings, motion practice, and other necessary proceedings.

10. Any person against whom money damages, or other non-monetary relief, are assessed under this section may obtain judicial review of such assessment in accord with Article 78 of the Civil Practice Law and Rules.

11. The Hearing Officer shall maintain an abstract of all complaints received each year, which abstract shall include the date and subject matter of the complaint, the names of the parties, and the disposition of the complaint.

SECTION 6. DAMAGES.

If a decision of liability is made by the Hearing Officer, money damages payable to the complaining party may be assessed of not more than $20,000, and/or such other non-monetary relief as the Hearing Officer may deem just, proper and equitable. The Hearing Officer may not award, and each party shall bear its own, attorney fees, costs and expenses.

SECTION 7. GOVERNMENTAL IMMUNITY/NO SPECIAL DUTY CREATED.

This Local Law does not create any special duty by Ulster County. Any and all liability and consequential damage resulting from either (a) a violation of any provisions of this Local Law; or (b) the enforcement of any provisions of this Local Law is hereby disclaimed and governmental immunity is retained.

SECTION 8. SEVERABILITY.

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 9. EFFECTIVE DATE.

This law shall take effect immediately upon its filing with the New York Secretary of State.

Local Law No. 4 Of 2018

County Of Ulster

A Local Law Establishing An Ulster County Human Rights Law

Adopted by the County Legislature: August 14, 2018

Approved by the County Executive: September 12, 2018

Filed with New York State Department of State: September 24, 2018

Local Law Number 5 Of 2018

County Of Ulster

A Local Law Promoting The Use Of Reusable Bags And Regulating The Use Of Plastic Carryout Bags And Recyclable Paper Carryout Bags

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. **TITLE.**

This Local Law shall be known by and may be cited as "The 'Bring Your Own Bag' (BYOBag) Act."

SECTION 2. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature hereby finds and determines that data released by the United States Environmental Protection Agency shows that between 500 billion and 1 trillion plastic bags are consumed worldwide each year.

The Ulster County Legislature further finds and determines that the production and disposal of single-use checkout bags has significant environmental impacts, including the contamination of the environment, the depletion of natural resources, use of non-renewable polluting fossil fuels, and increased clean up and disposal costs.

The Ulster County Legislature further finds and determines that most plastic bags do not biodegrade; over time, the bags break down into smaller, more toxic petro-polymers, which eventually contaminate soils and waterways affecting the environment and human health.

The Ulster County Legislature further finds and determines that it is estimated that plastic bags account for over 10% of debris that washes up on the United States coastlines.

The Ulster County Legislature further finds and determines that plastic bags can have a devastating effect on wildlife; birds can become entangled in the bags and different species of sea life can die from ingesting plastic bags, which they mistake for food.

Local Law Number 5 Of 2018

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A Local Law Promoting The Use Of Reusable Bags And Regulating The Use Of Plastic Carryout Bags And Recyclable Paper Carryout Bags

The Ulster County Legislature further finds and determines that U.S. retailers spend approximately $4 billion annually to purchase disposable bags, costs that are passed on to the consumer in the form of higher prices. Municipalities are spending millions of dollars to clean up and dispose of plastic bags.

The Ulster County Legislature further finds and determines that less than 5 percent of plastic bags are recycled, in part, due to the fact that it costs more to recycle a bag than to produce a new one.

The Ulster County Legislature further finds and determines that several nations around the world have banned or are moving towards banning the distribution of plastic bags, and twelve municipalities in New York State have implemented some combination of bans and/or fees for carryout bags, including the Village of New Paltz.

The Ulster County Legislature further finds and determines that studies document that banning plastic checkout bags and placing a mandatory charge on recyclable paper checkout bags will dramatically reduce the use of both types of bags and increase the customers' use of reusable bags. "An Analysis of the Impact of Single-Use Plastic Bags" by the New York State Plastic Bag Task Force, created by Governor Cuomo in 2017, issued on January 13, 2018 supports the same.

The hybrid solution has proven effective throughout the United States and the international community in reducing plastic bag use and encouraging the switch to reusable bags. Communities such as Los Angeles, California have documented success with the ban/fee hybrid since its adoption in 2012, showing a 94% reduction in carryout bag consumption.

The Ulster County Legislature further finds and determines that reusable bags are readily available with numerous sources and vendors for such bags.

Local Law Number 5 Of 2018

County Of Ulster

A Local Law Promoting The Use Of Reusable Bags And Regulating The Use Of Plastic Carryout Bags And Recyclable Paper Carryout Bags

Therefore, the purpose of this local law is to encourage consumers in Ulster County to use their own reusable bags by prohibiting retail stores in Ulster County from providing plastic carryout bags to their customers and requiring that a fee be placed on recyclable paper bags and certain other plastic bags.

SECTION 3. DEFINTIONS

As used in this law, the following terms shall have the meanings indicated:

"COVERED STORE" shall mean an establishment engaged in the retail sale of personal, consumer or household items including but not limited to drug stores, pharmacies, grocery stores, supermarkets, convenience stores, foodmarts, apparel stores, home center and hardware stores, stationary and office supply stores, farmers markets, open-air flea markets and food service establishments that provide carryout bags to consumers. This term does not include food service establishments located outside of grocery stores, supermarkets, convenience stores or food marts.

"CUSTOMER" means any Person obtaining goods from a Covered Store.

"FOOD SERVICE ESTABLISHMENT" shall mean a place where prepared food is provided for individual portion service directly to a Customer whether consumption occurs on or off the premises.

"PERSON" shall mean any natural person, firm, corporation, partnership or other organization or group however organized.

"SINGLE USE PLASTIC CARRYOUT BAG" shall mean a single use plastic bag less than 4 mils thick that is provided by a covered store to a customer at the point of sale and is used to carry goods from such store. "Plastic Carryout Bag" does not include (1) a bag without handles used to carry produce, meats, dry goods or other non-prepackaged food items to the point of sale within a store or market

or to prevent such food items from coming into direct contact with other purchased items; (2) a garment bag or large plastic bag with two openings that is used to transport clothing from a clothing retailer or garment cleaner such as a dry cleaner; (3) a bag provided by a pharmacy to carry prescription drugs.

"RECYCLABLE PAPER BAG" shall mean a paper bag that (1) contains no old-growth fiber; (2) is 100% recyclable overall and contains a minimum of 40% post-consumer recycled content; and (3) displays the word "Recyclable" on the outside of the bag.

"RETAIL SALES" shall mean the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers' markets, flea markets and restaurants. The term "retail sales" does not include sales of goods at yard sales, tag sales, and other sales by residents at their homes.

"REUSABLE BAG" shall mean a bag with handles that is specifically designed and manufactured for multiple reuse that is provided by a Covered Store to its Customer at the point of sale and is capable of carrying twenty-two (22) pounds over a distance of one hundred and seventy five feet (175) for a minimum of one hundred and twenty five (125) uses and is either: (a) made of cloth or other machine washable fabric; or (b) made of durable plastic that is at least 4 mils thick.

SECTION 4. PROHIBITION

No Covered Store shall provide a Single Use Plastic Carryout Bag to any Customer, at the check out stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment.

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County Of Ulster

A Local Law Promoting The Use Of Reusable Bags And Regulating The Use Of Plastic Carryout Bags And Recyclable Paper Carryout Bags

SECTION 5. PERMITTED BAGS

All Covered Stores may provide or make available to Customers only Recyclable Paper Bags or Reusable Bags for the purpose of carrying away goods or other materials from the point of sale, subject to the terms of this Chapter. Nothing in this Chapter prohibits Customers from using bags of any type that they bring to the store themselves or from carrying away goods that are not placed in a bag, in lieu of using bags provided by the store.

SECTION 6. REGULATION OF RECYCLABLE PAPER BAGS

A. Any Covered Store that provides a Recyclable Paper Bag to a Customer must charge that customer a minimum of 5 cents ($0.05) for each bag provided.

B. All Covered Stores must indicate on the Customer receipt the number of Recyclable Paper Bags provided and the total amount charged for the bags.

C. All monies collected by a Covered Store under this Chapter will be retained by the Covered Store.

SECTION 7. REGULATION OF REUSABLE BAGS

A Covered Stores may provide their customers with reusable bags free of charge for a two-week period each year from April 15 to April 30.

B. With the exception of the aforementioned fee exemption periods, Covered Stores that provide a Reusable Bag to their Customers must charge a minimum of 5 cents ($0.05) for each bag provided.

C. All Covered Stores must indicate on the Customer receipt the number of Reusable Bags provided and the total amount charged for the bags.

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D. All monies collected by a Covered Store under this Chapter will be retained by the Covered Store.

E. Each Covered Store is strongly encouraged to educate its staff to promote reusable bags and to post signs encouraging Customers to use reusable bags.

SECTION 8. ADDITONAL OBLIGATIONS FOR COVERED STORES

A. All Covered Stores shall post signs at or near the point of sale located in such Covered Stores to notify Customers of the Provisions of this Law, as well as the per bag charge for Recyclable Paper Bags and Reusable Bags.

B. No Covered Store may make available for sale Recyclable Paper Bags or Reusable Bags unless the amount of the sale of each such bag is separately itemized on the sales receipt.

C. No Covered Store shall provide a credit to any Person specifically for the purpose of offsetting or avoiding the carryout bag charge required by Sections 6 and 7 of this Law.

SECTION 9. ENFORCEMENT.

The County Executive shall designate a County Department or Departments to have primary responsibility for enforcement of this Chapter. The Director of the designated Department(s) is authorized to promulgate rules and regulations and to take any and all other actions reasonable and necessary to enforce this Chapter, including, but not limited to, investigating violations, issuing fines and entering the premises of any store during business hours.

A copy of the rules and regulations will be provided to the Clerk of the Legislature before they are publicly disseminated.

Local Law Number 5 Of 2018

County Of Ulster

A Local Law Promoting The Use Of Reusable Bags And Regulating The Use Of Plastic Carryout Bags And Recyclable Paper Carryout Bags

SECTION 10. VIOLATION PENALTIES

A. If it is determined that a violation of this Chapter has occurred, a written warning notice will be issued to the operator of a Covered Store that a violation has occurred and the potential penalties that will apply for future violations.

B. Any Covered Store that violates or fails to comply with any of the requirements of this Chapter after a written warning notice has been issued for that violation shall be guilty of an infraction.

C. If a Covered Store has subsequent violations of this Chapter that are similar in kind to the violation addressed in a written warning notice, the following penalties will be imposed and shall be payable by the operator of the store:

(1) A fine not exceeding one hundred dollars ($100.00) for the first violation after the written warning notice is given;
(2) A fine not exceeding two hundred fifty dollars ($250.00) for the second violation after the written warning notice is given; or
(3) A fine not exceeding five hundred dollars ($500.00) for the third and any subsequent violations after the written warning notice is given.

D. A fine shall be imposed for each day a violation occurs or is allowed to continue.

E. All fines collected pursuant to this Chapter shall be used to assist the County with its costs of implementing and enforcing the requirements of this Chapter and/or for public education and outreach.

SECTION 11. APPLICABILITY.

This law shall apply to all actions occurring on or after the effective date of this law.

Local Law Number 5 Of 2018

County Of Ulster

A Local Law Promoting The Use Of Reusable Bags And Regulating The Use Of Plastic Carryout Bags And Recyclable Paper Carryout Bags

SECTION 12. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 13. REVERSE PREEMPTION.

This article shall be null and void on the day that statewide legislation goes into effect incorporating either the same or substantially similar provisions as are contained in this Article or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Ulster. The Ulster County Legislature may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

SECTION 14. EFFECTIVE DATE.

This local law shall take effect July 15, 2019.

Adopted by the County Legislature: September 20, 2018

Approved by the County Executive: October 19, 2018

Filed with New York State Department of State: October 25, 2018

2018 STANDING COMMITTEES OF THE ULSTER COUNTY LEGISLATURE

ECONOMIC DEVELOPMENT, TOURISM, HOUSING, PLANNING & TRANSIT

To set legislative policy and review contracts for all aspects of Economic Development, Tourism, and Planning. Responsible for issues pertaining to**:** Ulster County Industrial Development Agency, Ulster County Planning Department, Revolving Loan Fund Committee, Shovel Ready Committee, Office of Economic Development, Employment and Training, Public Transportation, Technology and the Department of Information Services. To foster relations with the County and local Chambers of Commerce.

James F. Maloney, Chairman
Hector Rodriguez, Deputy Chairman
Lynn Archer
James Delaune
Herbert Litts. III
Mary Beth Maio
Brian Woltman

Scheduled Meetings are the 1st Tuesday of the month at 6:15 PM or immediately following the Law Enforcement and Public Safety Committee Meeting (*except where noted):
*1/31; 3/6; 4/3; 5/1; 6/5; 7/3; *7/31; 9/4; 10/2; 11/6; 12/4

ENERGY AND ENVIRONMENT

To set policy and review contracts pertaining to the Department of the Environment, Environmental Management Council, Fish and Wildlife Management Board, Forest Practice Board, and Soil and Water Conservation District, including the protection of water ways and the County's recycling efforts. To set policy and review contracts pertaining to but not limited to the activities of the Ulster County Resource Recovery Agency.

Mary Wawro, Chairman
Tracey Bartels, Deputy Chairman
Manna Jo Greene
Joseph Maloney
Brian Woltman

Scheduled Meetings are the 1st Thursday of the month at 6:00 PM (*except where noted):
2/1; *3/8; 4/5; 5/3; 6/7; 7/5; 8/2; 9/6; 10/4; *11/8; 12/6

LAW ENFORCEMENT AND PUBLIC SAFETY

To set policy and review contracts pertaining to the following County Departments: Ulster County Sheriff and the Law Enforcement Center, Probation, Emergency Communications/Emergency Management, Arson Task Force, Traffic Safety, Fire Coordinator, STOP DWI, District Attorney, Consumer Fraud Bureau, Safety and Public Defender.

Mary Beth Maio, Chairman
Julius Collins, Deputy Chairman
Lynn Eckert
Dean Fabiano
Heidi Haynes

Scheduled Meetings are the 1st Tuesday of the month at 5:30 PM (*except where noted):
*1/31; 3/6; 4/3; 5/1; 6/5; 7/3; *7/31; 9/4; 10/2; 11/6; 12/4

LAWS AND RULES, GOVERNMENTAL SERVICES

To set policy and review contracts pertaining to the following County Departments: Office of Accountability, Compliance and Efficiency, Board of Elections, County Attorney, County Comptroller, Weights and Measures, Human Rights and Insurance. To oversee Legislative policy and revisions the Legislature wants to see implemented in the Ulster County Charter and the Administrative Code. To review and maintain the Rules of the Legislature and to review and approve all local laws for legal sufficiency only, unless Laws and Rules, Governmental Services is the committee of original jurisdiction. To approve all late resolutions, considering lateness and content prior to submittal to the full Legislature. To approve resolutions required to be referred to it under the Rules of the Legislature.

Kevin A. Roberts, Chairman
David Donaldson, Deputy Chairman
Heidi Haynes
Jonathan Heppner
James Malone

Scheduled Meetings are the 3rd Monday of the month at 6:30 PM (*except where noted):
*2/12; 3/19; 4/16; *5/14; 6/18; 7/16; *8/13; 9/17; 10/15; 11/19; 12/17

LEGISLATIVE PROGRAMS, EDUCATION AND COMMUNITY SERVICES

To set policy and review contracts pertaining and related to the following: Arts, Ulster County Community College, Historian, Libraries, Cornell Cooperative Extension, Community Action, Office for the Aging, Youth Bureau, and Veterans Affairs.

David B. Donaldson, Chairman
Heidi Haynes, Deputy Chairman
Julius Collins
James Delaune
Lynn Eckert
Mary Wawro
Brian Woltman

Scheduled Meetings are the 2nd Monday of the month at 6:30 PM at Ulster County Community College (*except where noted):
*2/8 at 5:30PM; 3/12; 4/9; *5/7; 6/11; 7/9; *8/6; 9/10; TBD; TBD; 12/10

PUBLIC HEALTH AND SOCIAL SERVICES

To set policy for and review contracts pertaining to the following County Departments: Health, Mental Health, and Social Services.

Craig V. Lopez, Chairman
Kathy Nolan, Deputy Chairman
Joseph Maloney
Laura Petit
Mary Wawro

Scheduled Meetings are the 1st Monday of the month at 5:30 PM (*except where noted):
*2/7; 3/5; 4/2; *4/30; 6/4; 7/2; *7/30; TBD; 10/1; 11/5; 12/3

PUBLIC WORKS AND CAPITAL PROJECTS

To set policy for and review contracts pertaining to the following County Departments: Public Works (including Parks, Highways, and Buildings and Grounds), Transportation and Capital Projects.

Dean Fabiano, Chairman
Manna Jo Greene, Deputy Chairman
Herbert Litts, III
Kathy Nolan
Kevin Roberts

Scheduled Meetings are the 1st Wednesday of the month at 6:00 PM (*except where noted):
*2/1 at 6:30 PM; 3/7; 4/4; 5/2; 6/6; TBD; 8/1; 9/5; 10/3; 11/7; 12/5

WAYS AND MEANS

To recommend the Legislature's position on all budgetary and financial matters of the County. To review contracts pertaining to the following departments: County Clerk, Finance, Personnel, Purchasing, and Real Property Tax Services. To approve all resolutions with financial impacts to the County, excluding those financial impacts limited solely to legislative advertising expenses;

Richard A. Gerentine, Chairman
Laura Petit, Deputy Chairman
Lynn Archer
Tracey A. Bartels
Craig Lopez
James F. Maloney
Joseph Maloney

Scheduled Meetings are the 2nd Tuesday of the month at 5:00 PM and 3rd Tuesday of the month at 5:30 PM (*except where noted):
*2/6 and 2/13; 3/13 and 3/20; 4/10 and 4/17; 5/8 and 5/15; 6/12 and 6/19; 7/10 and 7/17; *8/7 and 8/14; *9/12 and 9/20; 10/9 and 10/16; 11/13 and 11/20; 12/11 and 12/18

Dates, times and locations of Committee meetings are subject to change. Please check the Legislative Calendar on the Ulster County Website (http://ulstercountyny.gov/legislature) for the most up to date information.

RULES OF ORDER

ULSTER COUNTY LEGISLATURE

(Effective October 16, 2018)

RULE 1. RULES OF ORDER NOT SUBJECT TO EXECUTIVE APPROVAL.

The Rules of Order of the Ulster County Legislature, except where any portion or section thereof has been made part of the Charter of the County of Ulster, pertain solely to the conduct of the Ulster County Legislature. Thus, as a result and pursuant to §C-12 of the Charter (Submission of Enactments for Executive Approval; Veto and Veto Override) are not subject to County Executive approval.

RULE 2. AMENDMENT OF RULES.

The Rules shall not be rescinded, altered or amended, nor any additional Rule added thereto except by timely presentation to the Clerk of the Legislature, as and in the form of Resolution, and by a majority vote of the total members of the Legislature and only after having been read at two consecutive meetings of the Legislature.

RULE 3. RESOLUTIONS, LOCAL LAWS, RULES FOR PROCEDURE FOR PRESENTATION AND CONSIDERATION.

A. Adoption, amendment and repeal. *The County Legislature may adopt, amend and repeal Resolutions by a majority vote of the total number of its members. Each Resolution shall embrace only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.*

B. Procedure. *Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of Resolutions shall be as provided in the Administrative Code or applicable law.* The procedural details shall also be governed by these Rules to the extent they are not inconsistent with the Charter, Administrative Code or applicable law.

C. Procedure for the submission and consideration of Resolutions in Committee.

1. Introduction: A Legislator or Legislators together may introduce a Resolution by drafting or causing the same to be drafted and filing the same with the Clerk of the Legislature. The Sponsors shall be deemed those representing themselves as the sponsors when the Resolution is filed with the Clerk (one Legislator may represent to the Clerk that multiple Legislators are sponsors). Other Legislators may co-sponsor the Resolution by asking the Sponsor or Clerk to add their name to the Resolution as a Co-Sponsor. The Clerk shall refer the Resolution to a Committee of Original Jurisdiction based on the Rules of the Legislature and may also refer the matter to one or more Committees of Secondary Jurisdiction. The Sponsor(s) may request that

the Clerk refer the Resolution to a particular Committee of Original Jurisdiction. The referral of Resolutions to committees shall be the exclusive authority of the Clerk of the Legislature. [*Amended pursuant to Resolution 37 dated April 21, 2015.]* The Resolutions may or shall be considered during the "Legislative Calendar Month" in which they are introduced, as provided for herein. The "Legislative Calendar Month" shall commence the day after the most recent Regularly scheduled meeting (also known as Regular Monthly Meeting) of the Legislature (as described in Rule 10) and shall end upon the completion of the day of the last Regularly scheduled meeting of the Legislature for the next month of the year. Nothing shall preclude however the Legislature's acting during Special Meetings of the Legislature or Committees thereof provided the Rules of the Legislature and applicable law are otherwise complied with. The time for presentation of each type of Resolutions to the Clerk, for consideration by a Committee shall be as follows:

(a) Regular Resolutions. Resolutions shall be deemed Regular Resolutions if they are filed with the Clerk of the Legislature not later than 12:00 Noon five days in advance of the first Regular meeting date of Committees for that Legislative Calendar Month. Regular Resolutions once filed shall be placed on the Committee Agenda of the next Regular meeting of the Committee of Original Jurisdiction unless all Sponsors of the Regular Resolution request it be referred to a later meeting of the Committee. As part of the Annual Legislative Calendar, the Clerk shall identify the Regular Meeting dates of each Committee of the Legislature. The Clerk of the Legislature shall provide to the Members of the Legislature the deadline for submission of Regular Resolutions as soon as practicable for the Calendar year, or, in the case of 2013, as soon as practicable after these Rules shall take effect.

If a Regular Resolution is to also be referred to another Committee(s), to be known as a Committee of Secondary Jurisdiction after its passage in the Committee of Original Jurisdiction, it must be considered in such secondary committee(s) that month unless the secondary committee has already met, in which case it must be considered the following month or at a special meeting of the committee(s) of Secondary Jurisdiction during the month it passed the Committee of Original Jurisdiction. If all Sponsors of a Regular Resolution request it when the Regular Resolution is introduced, the Committee(s) of Secondary Jurisdiction shall consider the Regular Resolution even if such Committee(s) of Secondary Jurisdiction meet prior to the Committee of Original Jurisdiction. If a Regular Resolution is defeated in a Committee of Secondary Jurisdiction, it shall be deemed to have been defeated and may not be considered except pursuant to Rule 3(E).

(b.) Late Filed Resolutions. A Resolution that is not a Regular Resolution shall be deemed a Late Filed Resolution if, when introduced, it is requested by the Sponsors to be deemed a Late Filed Resolution.

A Late Filed Resolution shall be referred to and may be placed on an agenda of the Laws and Rules, Governmental Services Committee at the option of the Chairperson of the Laws and Rules, Governmental Services Committee if any two of the following circumstances exist:

(i) The Resolution was introduced upon the request of the County Executive, Comptroller, Sheriff, District Attorney, or County Clerk, which shall be specifically identified as being introduced at their request. The Resolution, if meeting this criteria, shall contain an explanation, acceptable to the Chairperson of the Legislature or the Chairperson of the Laws and Rules, Governmental Services Committee from the County Executive, Comptroller, Sheriff, District Attorney, or County Clerk, explaining why the Resolution was sent for introduction to the Clerk of the Legislature on the date it was sent and why it is necessary that the Resolution must be acted upon at the next meeting of the County Legislature.

(ii) The Resolution is of financial consequence or potential financial consequence for the County, the timeliness of which requires or favors action by the full Legislature at its next meeting, as determined by the Chairperson of the Legislature or Chairperson of the Ways and Means Committee.

(iii) The Resolution relates to a matter of public safety and the failure to act would negatively impact the people of Ulster County as certified by the Sheriff, Legislature Chairperson, Chairperson of the Law Enforcement and Public Safety Committee or District Attorney;

(iv) That another governmental entity (Town/Village/City/School District/State/Federal government) or division or agency thereof requires or requests such Resolution be acted on in order for that entity or division or agency to act.

(v) That the Chairperson of the Legislature deems it appropriate to act on the Resolution at such meeting and the matter should not be held until the next meeting of the County Legislature.

If a Late Resolution must also be considered by the Ways and Means Committee, nothing in these Rules shall preclude such Late Resolution, upon a finding by the Chairperson of the Ways and Means Committee or the Chairperson of the Laws and Rules, Governmental Services Committee, from being placed on any Regular or Special Meeting of the Ways and Means Committee to be called by the Chairperson thereof before or after the Laws and Rules, Governmental Services Committee shall have approved such Resolution. Notwithstanding the preceding, the Chairperson of the Laws and Rules, Governmental Services Committee may refer a Resolution to another Committee of more appropriate subject matter jurisdiction (in such Chairperson of the Laws and Rules, Governmental Services Committee's judgment), for an advisory opinion on such Resolution if that Committee has not met for the Legislative Calendar Month, or if the Chairperson of that other Committee indicates to the Chairperson of the Laws and Rules, Governmental Services Committee, that a Special Committee meeting of that Committee would be called for the purpose of rendering advice on such Resolution.

(c.) Memorializing Resolutions. Any resolution which memorializes the New York State Legislature, Congress of the United States, or any other body to take an action which will not require a home rule message, shall be sponsored by at least one member from each caucus

OR one Legislator less than the number of Legislators required to successfully execute a Petition to Discharge as required in Section 3. E. b. of these Rules of Order.

2. Resolutions may be amended and/or passed in any Committee by vote of the majority of the total members of such Committee so long as the Sponsor, if present, consents. If the sponsor is not present, the Committee may pass the Resolution in its original form or as amended. If amended, the Clerk shall promptly notify the (or a) Sponsors of the amendment and the fact that the Resolution has passed in amended form. The Sponsor may then, approve such amendment or reject it. If the Sponsor rejects the amendment, the Resolution shall not be advanced and shall be considered a Regular Resolution at the next regularly scheduled meeting of the Committee. Notwithstanding the preceding, an amendment to a Resolution may not be made in Committee on the date the Resolution is to be voted on by the full Legislature; in such case, the amendment must be made by the full Legislature. Resolutions, when amended shall show the amendments in a track changes format in the version to be adopted by the Legislature, but shall not be forwarded to the County Executive or otherwise entered into the minutes or official records in track changes format.

D. Consideration by the Legislature of Resolutions which have passed Committee. If a Resolution of any kind passes all necessary Committees (in its original form or as amended in any Committee) which have jurisdiction over it, it is eligible for consideration by the full Legislature and shall be so considered at the next regularly scheduled meetings of the Legislature.

E. Petition to Discharge. No Resolution shall be considered by the full Legislature unless it shall have been passed by all necessary Committees unless the following procedure is implemented:

(a) The sponsor of a Resolution defeated in Committee shall, within five calendar days, file with the Clerk of the Legislature, a document, on a form prescribed by the Clerk of the Legislature, known as a "Petition to Discharge" (which Petition to Discharge shall be numbered by the Clerk);

(b) At least 75% of the total number of the Legislators who make up the minority caucus shall have signed such Petition (any combination of Legislators may sign, not merely minority party Legislators). Such signature may be an actual signature on the Petition to be held in the custody of the Clerk, or a written request to the Clerk (hand delivered, mailed, e-mailed, or faxed and in any event, received by the Clerk within thirty days of such Petition's being filed) that the Clerk place such Legislator's name to the Petition. If a Legislator does not personally sign the petition, the request from the Legislator to the Clerk to add that Legislator's name shall be appended to the Petition;

(c) Thereafter if Legislators shall sign the Petition to Discharge, as described above, the Resolution shall be referred to the next full meeting of the County Legislature for a vote provided such full meeting is at least ten days from the date the minimum number of signatures needed pursuant to these Rules have been made upon (or with the authorization of the Legislator placed upon) the Petition to Discharge. The Resolution discharged may be

adopted, defeated, or referred back to Committee and defeated therein and a second Petition to Discharge is successfully executed, the Resolution shall only be subject to a vote to adopt or be defeated. [*Amended pursuant to Resolution No. 36 dated April 21, 2015*.]

F. Procedure for the submission and consideration of Local Laws: The routing process of a proposed local law, before adoption by the Legislature, shall be as follows:

1. A Legislator may introduce a proposed local law by filing it with the Clerk, who shall number the proposed local law. The Clerk shall number the proposed local law as "Proposed Local Law Number ___ of the year ____" and then refer the proposed local law to a Committee of appropriate jurisdiction. Upon the presentation of the local law for adoption by the Legislature, the Clerk shall number the proposed local law based on the actual order such proposal, if adopted, would become law based on the local law proposals which have actually become law already that year. The Clerk, in consultation with the Counsel to the Legislature and County Attorney shall cause the adopted local law to be properly numbered for filing with the Secretary of State consistent with State Law and shall annotate any change to the number of the law in the minutes of the meeting when the law was adopted.

2. The Committee to which the Local Law is referred may approve, disapprove, or with the consent of the sponsor, amend the proposed local law. If approved in its original or amended form, the proposed law shall be referred to the Laws and Rules, Governmental Services Committee.

3. Upon referral to the Laws and Rules, Governmental Services Committee, the Committee shall review the law for completeness and technical flaws. If the proposed law needs substantive modifications, it shall be sent back to the originating committee with the recommended changes. If non-substantive changes are necessary, the Laws and Rules, Governmental Services Committee may make the proposed changes with the approval of the Sponsors of the proposed law. Within sixty days of receipt of the proposed law, or longer if consented to by the Sponsor and unless it has been sent back to the originating committee, the Laws and Rules, Governmental Services Committee shall generate a Resolution for consideration by the full Legislature setting a time and date for a public hearing.

4. The County Legislature shall vote on whether to set a Public Hearing on the proposed local law and shall conduct such hearing.

5. The Laws and Rules, Governmental Services Committee shall review and consider the comments on the proposed law from the public hearing. The Laws and Rules, Governmental Services Committee may approve the proposed law for consideration by the full Legislature at a meeting of the Legislature, may amend the same with the consent of the Sponsors, or may send the proposed law back to the originating committee for further changes or reconsideration if the Sponsors' consent cannot be obtained to such amendments.

Substantive changes made by the Laws and Rules, Government Services Committee, or an originating committee shall require another public hearing which shall be set by the Legislature via a Resolution generated by the Laws and Rules, Governmental Services Committee after a review of any amendments by such Committee and a determination that the proposed amended local law is technically sound. Nothing shall preclude the calling of a special meeting of any Committee after the public hearing concludes to amend and/or advance the Local Law to the full County Legislature for a vote by the full County Legislature the same night as the public hearing on the proposed local law concludes

6. Proposed local laws, when amended in any Committee, shall show the amendments in a track changes format in the version to be adopted by the Legislature, but shall not be forwarded to the County Executive or otherwise entered into the minutes or official records in track changes format. The track changes format shall show new language as underlined and any removed language with a strikethrough line.

7. Upon approval by the Legislature of a proposed local law, the Clerk shall cause the same to be sent to the County Executive pursuant to the County Charter.

G. The rules as provided for herein shall govern at all times except when the Rules of Procedure or sections thereof may be suspended, such as during the holding of Annual Session or when otherwise voted upon.

H. Notwithstanding any other rules herein contained for the period of time from the close of business on the day preceding the annual session of the County Legislature, all Resolutions to be considered during the Annual Session shall be presented to the Clerk and time and date-stamped at least 48 hours prior to any meeting or adjourned meeting in annual session, and shall not be considered by the County Legislature unless the consideration thereof has been approved by a majority vote of the total membership of the Laws and Rules, Governmental Services Committee.

I. Divisibility of Resolutions. During a meeting of a Committee, a Resolution embracing more than one subject matter may be divided into two Resolutions upon the request of a majority of a Committee or upon the request of the members of the Committee numbering one less than a majority. The Clerk or a person authorized by the Clerk shall number a new Resolution(s) which shall require one or more member of such Committee present (or another Legislator present) to sponsor the introduction of the new Resolution(s). After such numbering, the Committee shall cause the new Resolution(s) to be treated as the same type of Resolution as the original Resolution that was divided (as a Regular or Late Filed Resolution without regard to when it was filed so long as it meets all other qualities of such type of Resolution).

J. General provisions regarding Resolutions.

1. A Legislator may remove his or her name as a sponsor or co-sponsor of a Resolution by notifying the Clerk of the same and the Clerk shall cause such removal.

2. All sponsors of a Resolution may withdraw the Resolution by notifying the Clerk that the Resolution is withdrawn.

3. Sequential number of Resolutions. The Clerk shall cause Resolutions, when introduced to be sequentially numbered. If amended, there shall be a letter(s) appended to the Resolution indicating the amendment(s). For each amendment the letter shall change. Original and amended versions of each Resolution shall be retained by the Clerk.

RULE 4. CONFIRMATION OF APPOINTMENTS.

A proposed appointment or proposed appointments to County office by the County Executive that requires confirmation by the County Legislature under provisions of this Charter shall be presented by the County Executive to the Clerk of the Legislature in writing in sufficient time to allow the Clerk to inform the full Legislature of the proposed appointment or appointments at least thirty (30) days prior to the Legislature's next scheduled meeting. The Legislature shall vote on the confirmation of such individual at its next regular meeting at least thirty (30) days after such nomination has been made by the County Executive. If the Legislature fails to vote upon the proposed appointment or appointments, the proposed appointment or appointments shall be deemed confirmed. When an appointment is not confirmed by the Legislature, but such appointment was considered at a regular meeting of the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive for twelve (12) months after the Legislature votes upon the proposed appointment. [*Amended pursuant to Local Law No. 9 of 2012*.] Each appointment coming before the Legislature for confirmation shall be confirmed (or not confirmed) via a separate Resolution. The Clerk shall endeavor to have multiple confirmation Resolutions, however, on one page.

RULE 5. STANDING AND SPECIAL COMMITTEES OF THE LEGISLATURE AND CALENDARING OF THE LEGISLATIVE SESSIONS

A. All members of Standing Committees of the Legislature shall be appointed by the permanent Chairperson within twenty (20) days after his/her election or appointment, and the list of Committees shall be filed with the Clerk of the Legislature and printed in the County Directory.

B. The Chairperson of the Legislature in his/her discretion may appoint members to Special Committees, as established by the Legislature.

C. The Chairperson of the Legislature, where he/she is empowered to do so either by Resolution, Local Law, State Law, or otherwise, shall appoint a member of the majority or minority party within a Standing or Special Committee as the Chairperson and shall appoint a member of the political party opposite from that of the Chairperson of said Standing or Special Committee as the Deputy Chairperson.

D. Meetings of the Committees. Committees shall have Regular Committee meetings throughout the year as specified in the Annual Legislative Calendar filed with the Clerk by the Chairperson of the

Legislature not later than twenty (20) days after his/her election or appointment (and within twenty days of the adoption of these Rules in the year 2013 for the balance of such year). In establishing such calendar, the Chairperson of the Legislature shall coordinate the dates of Regular Committee meetings with the Clerk of the Legislature to ensure that members of Committees are not scheduled to be at more than one Committee at a time or at more than one physical location in one night except upon the agreement of the affected Legislator(s). Committee Meetings shall be noticed to the Members of the Committee by the Clerk of the Legislature or her designee at least 48 hours in advance by electronic, regular mail or personal notice unless waived by such Member. The Chair with the consent of the Deputy Chair of the Committee may change the Regularly scheduled meeting date and the Clerk shall notify the Members and media of such change. Nothing shall preclude the calling of properly noticed Special Committee meeting(s) by the Chair of the Committee to consider such matters as the Chair of such Committee shall deem appropriate which are not otherwise inconsistent with these Rules.

E. Any vacancies occurring during the year on any Standing or Special Committee of the Legislature shall be filled by the Chairperson without delay.

F. Every legislator shall serve on at least one Standing Committee of the Ulster County Legislature. No Legislator shall be required to serve on more than three Standing Committees of the Ulster County Legislature. *[Amended pursuant to Resolution 54.1 dated June 17, 2014]*

G. In making appointments to each Standing Committee*:*

(a) Within seven (7) days after the Legislature's Annual Organizational Meeting, every Legislator shall inform the appropriate Majority or Minority Leader and the newly appointed Chairperson, in writing, his/her five Committees of interest in rank order of preference. *[Amended pursuant to Resolution 54.1 dated June 17, 2014]*

(b) Within seven (7) days after the Legislature's Annual Organizational Meeting, the Chairperson shall inform the appropriate Majority and Minority Leader of the whole number of seats available on each standing committee. *[Amended pursuant to Resolution 54.1 dated June 17, 2014]*

(c) The Majority and Minority Leaders will meet with the newly appointed Chairperson to present the Legislator requests and provide insight to the Chairperson regarding each Legislator's knowledge, experience, expertise and interests. *[Amended pursuant to Resolution 54.1 dated June 17, 2014]*

(d) The Chairperson of the Legislature shall consider each legislator's knowledge, experience, expertise, or and interests, and will assign each legislator at least one of their requested Committees and other assignments will be at the discretion of the Chairperson. *[Amended pursuant to Resolution 54.1 dated June 17, 2014]*

H. Legislators may be excused from serving on Standing Committees only upon written notification to the Chairperson of the Legislature which may be granted due to a conflict of interest, illness, family obligations or any other reason as deemed sufficient by the Chairman. In a circumstance where a Legislator only serves on one Standing Committee and excusal from

service on said Committee is granted for any reason absent an illness, the Chairperson shall appoint the Legislator to another Committee to be determined at the discretion of the Chairperson. *[Amended pursuant to Resolution 54.1 dated June 17, 2014]*

RULE 6. CHAIRPERSON EX-OFFICIO MEMBER OF ALL LEGISLATIVE COMMITTEES

The Chairperson shall be a member ex-officio of all legislative committees with a vote thereon. The Chairperson's presence at a meeting shall be counted in determining whether a quorum is present; however, the presence of the Chairperson at such meeting will not increase the number of votes necessary to pass a particular matter unless all sitting members are present.

RULE 7. RULES FOR COMMITTEES.

A. The Rules of Order of the Legislature, except Rule 10(J) and 10(U), shall apply to all Committee meetings. [*Amended pursuant to Resolution 37 dated April 21, 2015]*

B. The Standing and Special committees of the Legislature shall conduct all items of their business open to the public and press, except where executive sessions are mandated or authorized under the law. Notices of all committee meetings shall be made available to the public and press by the Clerk of the Legislature. The weekly committee meeting agendas, where available, shall be posted in a public place.

C. An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature upon request of the Chairperson of a Committee. The Agenda of all Committee meetings must include all Regular Resolutions referred to said committee that were filed in accordance with the Rules of Order of the Legislature, unless all Sponsors of the Regular Resolution request it be referred to a later meeting of the Committee. [*Amended pursuant to Resolution No. 36 dated April 21, 2015*.]

D. The Standing and Special committees shall keep minutes of all meetings including the date and time of meeting and committee members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 20 business days after the next Regular Committee meeting, at which time the minutes shall be reviewed and accepted. The Clerk of the Legislature or his/her designee shall maintain an official record of each committee's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each committee member on each item.

DD. All Standing Committees and Special committees shall be audio recorded digitally. All audio recordings shall be uploaded to the web within 72 hours of a meeting's adjournment or completion. All audio recordings shall maintained electronically by the Office of the Clerk of the Legislature and on the Ulster County Legislature's website and for a minimum of one year and until financial or physical limitations adversely impact their future storage as determined by the Clerk of the Legislature or the Director of Information Services.

E. Each committee may make such rules as may be necessary and proper to effectuate its duties so long as they do not conflict with the Rules of Order of the County Legislature.

F. Committees, at the discretion of the Chairperson of the Committee, may invite public comment on issues pending before them, and may also, at the discretion of the Chairperson of the Committee, hold public hearing(s) on issues before the Committee or concerning matters of the Committee's jurisdiction.

G. It shall be the duty of the members of said committees to familiarize themselves with the departments of County Government and the work entrusted to each of such committees. It shall be the duty of each of the several Standing committees to inquire into the matters submitted to them under their supervision and to report thereon to the Legislature any information which the members thereof may deem conclusive of the public good.

H. Committees shall be limited to considering matters referred to them, but may study and/or initiate Resolutions, etc., that fall within the general parameters of each committee's respective subject matter and refer same to the Legislature for action. Any matter referred by a committee to a department head for a report or study shall be laid on the committee table for one week unless a longer period is specified by the committee.

I. Any final action taken by a majority vote of the members of the committee shall be included in the committee's report of its meeting and the committee's action may be subject to the approval of the Legislature by a majority vote of its total membership.

J. No report shall be made by any committee of any subject referred to it except by a majority of the votes of the total membership of the committee unless the Legislature otherwise directs. All reports of committee shall be in writing and signed.

K. No motion shall be considered during a Standing Committee Meeting except as herein specified:

1. Move for discussion.
2. To adopt.
3. To amend. (Rule 3.C.2. shall apply)
4. To call the question.
5. To refer to a Standing Committee.
6. To postpone to the next Regular Committee Meeting.
7. To withdraw a motion
8. To recess.
9. To adjourn.

All motions listed above, with the exception of numbers 4 and 7, shall require a second. [*Amended pursuant to Resolution No. 36 dated April 21, 2015*.]

L. A Resolution may not remain in committee for more than 90 consecutive days unless the Resolution's sponsor(s) agrees. When a Resolution has remained in committee for 91 consecutive days without the permission of the sponsor, it shall be immediately placed on the agenda of the next regular monthly meeting of the committee where it has remained whereupon the Resolution shall be either moved out of committee or defeated therein. [*Amended pursuant to Resolution No. 36 dated April 21, 2015*.]

RULE 8. ADVISORY COMMITTEES, COMMISSIONS AND BOARDS.

Members of all citizens' committees, commissions and boards appointed pursuant to § C-11K of the Charter shall serve at the pleasure of the County Legislature. They shall serve without compensation other than for actual and necessary expenses within appropriations made therefore, unless otherwise provided by Resolution of the County Legislature. The Chairperson of the County Legislature shall be a member ex-officio of all such committees, commissions and boards.

RULE 9. ORGANIZATION OF THE LEGISLATURE – CHAIRPERSON, MAJORITY, MINORITY LEADERS.

A. *The organizational meeting of the County Legislature shall be conducted on or before the second Tuesday of January in each year, at the time and place designated in a written notice to be given each Legislator by the Clerk of the County Legislature not later than five days prior to such meeting. In the event of a vacancy in the office of the Clerk of the County Legislature, or his or her inability or failure to act in accordance with the provisions of this section, notice shall be given by the County Clerk.* In that event, the County Clerk shall determine the time and place designated in a written notice to be given by the County Clerk to each Legislator, the Executive, the Clerk of the County Legislature, and the County Attorney not later than three days prior to such meeting. Public notice to such meeting shall also be given by the County Clerk at the same time written notice is given to the public officials referenced herein.

B. *At this organizational meeting, the members of the Legislature shall select a Chairperson at the call of the Clerk of the Legislature in each year. The Chairperson shall appoint members of the County Legislature to serve on such committees as are provided by the rules of such Legislature. The Clerk of the County Legislature shall preside at all meetings of the Legislature until such time as a Chairperson has been designated by election or appointment. The failure to elect a Chairperson or appoint committee members shall not prevent the County Legislature from transacting its ordinary business.*

C. The Chairperson within 10 days of having been elected as Chairperson of the Legislature shall appoint a Vice Chairperson. The Vice Chairperson shall, in the absence of the Chairperson, preside over each duly constituted meeting of the Legislature and have and exercise all of the powers and duties of the Chairperson at any meeting over which the Vice Chairperson is called to preside. The Vice Chairperson, except as herein limited and/or provided, shall have and exercise those additional powers and duties as may be authorized by Resolution of the Legislature, provided that such Resolution shall specify the dates during which the Vice Chairperson may

exercise such powers and duties, and that the powers and duties authorized to the Vice Chairperson shall not be exercised by the Chairperson during the designated time period. The Vice Chairperson shall at no time appoint a person to an office or position of employment with the County, nor appoint the Chairperson or members of any committee of the Legislature, except as specifically authorized by the Legislature as provided herein. The Vice Chairperson may in the absence of the Chairperson from the County, or upon the Chairperson's authorization, execute all agreements on behalf of the County which the Legislature authorized the Chairperson to execute.

D. *In the event of vacancy in the office of Chairperson, the County Legislature shall fill that office in the manner provided by its rules. Should the County Legislature fail to select a Chairperson within 30 days after that office shall become vacant for any reason, the County Executive shall appoint a member of the County Legislature to serve as Chairperson for the balance of the calendar year.* In the case of a vacancy in the office of Chairperson, the Clerk of the Legislature shall call a meeting within the 30 day period provided for herein or above of the members of the Legislature upon like notice as provided in subdivision A herein, at which a successor who shall be a member of the Legislature shall be elected Chairperson. The person so selected shall serve as Chairperson of the Legislature for the unexpired term of the previous Chairperson. Until such time as a new Chairperson is chosen, the Vice Chairperson shall act in the place and stead of the Chairperson, and shall have all the powers vested in the Chairperson of the Legislature.

E. Annually, the members of the two political parties, which shall have polled the largest vote in the last general election for the County, shall elect a leader of their respective parties. The leader of the political party whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other political party shall be known as the Minority Leader. For purposes of any mathematic calculation necessary, a Legislator not enrolled in the political party composed of the highest two number of Legislators may, within thirty days of taking office, declare themselves a member of the majority or minority caucus by filing a document to that effect with the Clerk.

F. For the purpose of complying with the provisions of Section 200, Subdivision 1 of the County Law, in the event that neither of the members of one party nor the other constitute a majority of the members of the County Legislature, then, in said event, the Chairperson of the County Legislature shall designate one party leader as the Majority Leader and the other as the Minority Leader. In all other matters, they shall be known as the Leaders of their respective parties.

RULE 10. MONTHLY AND SPECIAL MEETINGS; NOTICE; RULES OF ORDER.

A. Monthly Meetings.

1. The County Legislature's Regular Monthly Meeting shall take place on the third Tuesday of the month unless a different date is prescribed in the Annual Legislative Calendar, which the Chairperson shall promulgate not later than twenty (20) days after his/her election. After such Regular Monthly Meeting dates are established, pursuant to the County Charter (§ C-18) no other prior notice of such meetings shall be required. The regular meeting location of the Legislature shall be in the Legislative Chambers except that if the Chairperson, in consultation

with the Minority Leader, determines that the safety of the public would be better served (due to an anticipated larger turnout for any particular matter or matters), then other regular meeting places of the Legislature shall be deemed to include the campus of the Ulster County Community College in the Town of Marbletown and the SUNY New Paltz campus in the Town of New Paltz.

2. If a regular meeting falls on a holiday, September 11 or if the Chairperson determines the safety and welfare of the public and members may be compromised due to inclement weather or any other emergency, said regular session or committee meetings shall be held on another day designated by the Chairperson. [*Amended pursuant to Resolution No. 275 dated January 22, 2013*.]

3. Each regular session and all adjourned sessions shall be open for the consideration of any matter which, in accordance with these rules, may be properly brought to the attention of the Legislature.

B. Special Meetings.

1. *Special Meetings may be conducted at such times and places and upon such conditions and notice to all members as the County Legislature by rule may provide.*

2. Special Meetings shall be held at the call of the Clerk of the Legislature upon the direction of the Chairperson or upon the filing with the Clerk of the Legislature a written request, signed by a majority of the members of the Legislature.

3. Notice in writing stating the time, place, and purpose of the special meeting shall be served personally or by mail upon each member by the Clerk of the Legislature at least forty-eight hours before the date fixed for holding the meeting or a member may waive the service of the notice for such meeting by a writing signed by him/her. Only business specified in the notice thereof may be transacted at a special meeting.

C. Quorum. The majority of the duly constituted membership of the Legislature shall constitute a quorum for the transaction of business, but a less number may adjourn.

CC. Videoconference. [*Amended pursuant to Resolution No. 293 dated December 4, 2012.]* Regular and special meetings may be attended via videoconference, when the following process and criteria are met and implemented:

1. Any Legislator requesting to attend a meeting via videoconference pursuant to Section 103(c) of the Public Officers Law may file a written request with the Clerk of the Legislature as soon the Legislator becomes aware of the meeting and that he or she will not be able to personally attend the meeting in the Legislative Chambers.

2. The Clerk of the Legislature shall make arrangements for the videoconferencing; provided, however, that if there is a cost to the County of Ulster chargeable to the Legislature, the Clerk

shall first ascertain whether the Legislature has sufficient funds to pay the costs if chargeable to the Legislature, and shall, prior to agreeing to incur such costs, receive approval from the Chairperson of the Legislature.

3. The Chairperson of the Legislature shall permit such videoconferencing if it reasonably appears to him or her that sufficient funds are available and will not otherwise be necessary for the operation of the Legislature during the fiscal year. The video conference shall be conducted in a manner compliant with State Law and shall ensure that all Legislators have the opportunity to see and hear any Legislator videoconferencing in the meeting and that such videoconferencing Legislator(s) can see and hear the other members of the Legislature.
4. Costs, if any, associated with the securing or equipment at the remote location, the renting of the remote location, any connection or communication fee charged by the remote location shall be borne by that Legislator who is attending remotely, and shall not be the responsibility of the Ulster County Legislature or Ulster County.
5. Any Legislator attending via videoconference shall ensure that public accessibility is permitted at the location of such Legislator pursuant to Section 104 of the Public Officers Law.
6. Attendance via videoconference shall be limited to two (2) non-consecutive instances per calendar year.

D. Chairperson to Secure Quorum. In the absence of a quorum during the sessions of the Legislature, the Chairperson may take such measures as provided by law and he/she may deem necessary to secure the presence of a quorum.

E. Roll Call; Minutes; Absences.

1. At any and every meeting of the Legislature, upon the members being called to order by the Chairperson, the roll of members shall be called by the Clerk, and names of those absent shall be inserted in the minutes. The minutes of the preceding meeting shall then be read to the end that any corrections, alterations, or additions may be made. In all cases when an order, Resolution or motion shall be entered in the minutes of the Legislature, the name of the member presenting or moving the same shall be entered.

2. Any member wishing to leave session before the Legislature's session is adjourned, shall notify the Deputy Clerk before leaving for the remainder of the session, with departure time noted in the minutes.

F. Order of Business. The Order of Business of each session shall be as follows, except the Chairperson, at his/her discretion, may change the Order of Business at any session:

1. Calling the roll of members for the session by the Clerk.
2. Reading the minutes of the proceedings of the preceding meeting.
3. Presentation of Communications.

4. Reports of Standing and/or Special Committees.
5. Reports of County Officers.
6. Privilege of the Floor.
7. Public Comment.
8. Presentation of Motions, Resolutions and Notices.
9. Unfinished or Other Business.
10. Announcements from the Chair.
11. Special order of the day.
12. Announcements of Committee Meetings.
13. Memorial Resolutions for Adjournment.
14. Adjournment.

G. Decorum.

1. The Chairperson shall take the chair promptly at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, he/she shall prevent personal reflections and confine members to the questions under discussion. The Chairperson shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Legislature and sustained.

2. The Chairperson, in the absence of the Vice Chairperson at a meeting, may call any other member to take his/her place in the chair. This presiding officer may call any other member to take his/her place in the chair. This substitution shall not extend beyond adjournment.

3. Any Legislator who engages in personal attacks upon any other member of the Legislature shall yield the floor at the Chairperson's order.

H. Appeal from the Chair's Ruling. On every appeal, the Chairperson shall have the right to assign the reason(s) for his/her decision. If the question on which the appeal is taken was not debatable, the Legislature shall decide the case without debate. If debatable, no member shall speak more than once. The Chairperson shall put the question: "Shall the ruling of the Chairperson be sustained, and the decision of the Chair stands as the judgment of this Legislature?" In the event of a tie vote, the ruling of the Chair shall be deemed to be sustained.

I. Acting Chairperson. In the absence of the Chairperson and Vice Chairperson from any meeting of the Legislature, the members present and voting, by a majority of the votes, shall select a member of the Legislature to serve as Acting Chairperson at such meeting. The Acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting for which he/she is called to preside.

J. Privilege of the Floor. The following shall apply to privilege of the floor:

1. No person shall be entitled to the privilege of the floor during the session of the Legislature, unless permission has been granted by the Chairperson 48-hours prior to the meeting, by written request, except during that part of the agenda reserved for public comment at the commencement of each regular meeting.

2. Any person, who either digresses from the subject matter concerning which he/she has been granted permission to address the Legislature, or engages in a personal attack upon the character of any member of the Legislature, shall immediately be deemed to have yielded the floor to the Chairperson and shall be precluded from continuing his/her address to the Legislature.

3. Any person who is not a Legislator who has engaged in personal attacks upon any member of the Legislature shall thereafter at the discretion of the Chair be denied the privilege of the floor, for a period of not less than six months, or more than 24 months.

4. That the agenda of the Regular Monthly Meeting of the Ulster County Legislature shall include a period not to exceed 30 minutes for public comments, whereas any citizen of Ulster County shall be afforded opportunity to address the Legislature, for a maximum period of five minutes per person, upon recognition by the Chairperson, said recognition to be afforded in the order the requests therefore were made, where practicable. The Chairperson shall have the authority to extend the public comment period.

K. Member Not to Speak or Leave His/Her Place. While the Chairperson is putting a question, or while the roll is being called, no member shall speak or leave his/her place. The Chairperson shall allow opportunity for debate before the roll is called. Each member may speak as he/she votes.

L. Priority of Business. All questions relative to priority of business shall be decided by the Chairperson without debate, and his/her decision shall be final, unless reversed by a majority of the votes of the Legislature.

M. Limitation of Time of Speech. No member shall speak more than five minutes at any one time, nor more than twice on the same question unless the so-allocated available remaining portion of speaking time of another member is transferred to such member. Each member may transfer his or her allocated speaking time once for a total of two minutes on any one Resolution or amendment. On a long roll call each member may speak up to five minutes to explain their vote on a debatable or amendable motion, but such speaking time shall not be passed to another member.

N. Majority Vote.

1. A majority of the total of the Legislature shall be necessary to carry any question, proposition, Resolution, motion or any other matter, except where it is otherwise provided herein or by stature that a two-thirds vote or a unanimous vote is required.

2. When the Legislature shall be equally divided on any question, including the Chairperson's vote, the question shall be deemed lost, except as provided by Rule 10 (H).

O. Recording of Vote. Votes shall be recorded as follows:

1. Any member shall have the right to have his/her vote recorded and entered upon the minutes at his/her request, without explanation, and without requiring the ayes and noes to be called.

2. On roll call, the ayes, noes and abstentions shall be taken on any questions whenever so required by law, or by any member, and whenever so taken shall be entered in the proceedings of the Legislature, and the Clerk shall record the names of the members and the way each shall have respectively voted.

P. Borrowing Money. The ayes and noes shall be taken on all Resolutions or other proceedings involving the granting of authority to borrow money and such other Resolutions and proceedings as the statute requires.

Q. Vote on Distinct Propositions. If the question in debate contains several propositions, the same shall be divided by the Chairperson at the request of any member, to the end that a vote may be taken on each proposition, but a motion to strike out and insert shall be deemed indivisible.

R. When a Member may be Excused from Voting. Every member who shall be in the Legislative Chamber when a question is stated by the Chairperson shall vote. A member may be excused from voting on a question in which he/she has a direct personal or pecuniary interest not common to other members of the Legislature. The member must state his/her connection with the question.

S. Speaker to be Recognized by Chair. No member wishing to speak shall proceed until he/she shall have addressed the Chairperson from his/her place and shall have been recognized by the Chairperson.

T. Suspension of Rules by 2/3 Consent. These rules of order may at any time during the session be suspended by a 2/3 consent of all members of the Legislature present; however, the member making application for such suspension must state the purpose for which the same is asked.

U. Presentation of a Motion. When a question shall be under consideration, no motion shall be received except as herein specified, which motions, termed subsidiary motions shall have precedence in the order named, to wit:

1. For an adjournment of the Legislature.
2. A call of the Legislature.
3. For the previous question.
4. To lay on the table.
5. To postpone indefinitely.

6. To postpone to a certain day.
7. To go immediately into a Committee of the Whole on the pending subject or another matter.
8. To recess.
9. To commit to a Standing Committee.
10. To commit to a Special Committee.
11. To amend.

V. Committee of the Whole.

1. The Legislature may, at any time when in session, except as provided for in (U) immediately above, and with the consent of the Minority Leader or Minority Whip or otherwise by vote of 2/3 of the members of the Legislature then in attendance may resolve itself into a Committee of the Whole on any subject and in such case, the Chairperson of the Legislature shall appoint a Legislator to serve as Chairperson of the Committee of the Whole. A Resolution passed by the Committee of the Whole need not be passed by any other Committee.

2. If at any time in Committee of the Whole, it is ascertained that there is no quorum, the Chairperson shall immediately report the fact to the Chairperson of the Legislature and adjournment of the Committee of the Whole shall automatically occur.

W. Withdrawal of Resolution or Motion. Any Resolution of motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Chairperson of the vote thereon or before an amendment to such Resolution or motion has been adopted.

X. Motions Not Amendable or Debatable. All motions for an adjournment, for a recess, for the previous questions, or to lay on the table, shall be neither amended nor debated.

Y. Previous Questions and Amendments Thereto. The "previous question" shall be as follows: "Shall the main question now be put?" and until it is decided, shall preclude all amendments and debates. When the Legislature shall order the previous question and amendments are pending, the question shall first be taken upon such amendments in reverse order, and then upon the main question without further debate or amendment.

Z. Motions for Reconsideration. A motion for reconsideration shall not be in order unless made on the same day, or the session day next succeeding that on which the action proposed to be reconsidered took place. A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered. When a motion to reconsider has been debated, it shall not again be submitted to the Legislature without unanimous consent.

AA. Motion to Rescind. A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which it is proposed to rescind, and requires the affirmative vote of two-thirds of the total members of the Legislature.

BB. All Points of Order not Covered by These Rules. On all points of order not covered by these rules of order of this Legislature, the most current Robert's Rules of Order shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of the Legislature or by the most current Robert's Rules of Order, the Rules of the New York State Assembly shall be followed.

RULE 11. *CLERK OF THE LEGISLATURE; DUTIES.*

A. *During the first organizational meeting for each new County Legislature, a Clerk of the County Legislature shall be appointed by resolution by the County Legislature and such appointed Clerk shall serve for the duration of the appointing Legislature's term. In the event of vacancy, the Legislature shall appoint by resolution a new Clerk of the Legislature. The removal of the Clerk shall only be done by resolution with a favorable vote of at least three-fifths of the whole number of the Legislature. Deputy Clerks and employees of the Legislature shall be appointed in accordance with the Rules of Order of the Legislature. [Amended pursuant to Local Law No. 1 of 2017.]*

1. The Clerk of the Legislature may appoint such Deputy Clerks and employees as the Legislature may require.

2. The Chairperson may appoint a confidential secretary to the Chairperson to report directly to and serve at the pleasure of the Chairperson.

B. The Clerk of the Legislature shall make up the agenda including all items received by him/her pursuant to these rules.

C. All local laws, Resolutions, reports and other matters proposed and to be placed upon the agenda for a regular or special meeting of the Legislature shall be submitted to the Clerk of the Legislature in the time and set forth herein under Rule 3 (C).

D. In making up the agenda, the Clerk of the Legislature shall group items in the following order unless otherwise directed by the Legislature:

1. Public comment session
2. Unfinished business
3. Communications from governmental officials, departments and agencies
4. Notices and petitions
5. Reports of standing committees
6. Reports of special committees
7. Special orders
8. Motions and Resolutions

E. The agendas shall be numbered consecutively each year and shall have the items thereon separately numbered beginning with number one (1) for each agenda and continuing consecutively through to the last number and shall contain the title of each item.

F. The Clerk of the Legislature shall furnish to each County Legislator, the County Executive, the County Attorney, Legislative and Minority Counsel, and post on the County web site, as soon as reasonably possible after the deadline for the filing of Resolutions, a complete listing of all filed Resolutions, and such listing to contain a brief description resume of the contents of each Resolution.

G. A list of unfinished business, special orders to be acted upon by the Legislature and the agenda for the next regular meeting of the Board and a schedule of all committee meetings shall be kept posted by the Clerk.

H. The Clerk shall also perform such functions as may be directed by the Chairperson of the Legislature or the Legislative body.