

Remarks of Terry Bernardo
Chairman, Ulster County Legislature
January 3, 2012

“The elective legislative, appropriating and policy-determining body of the County of Ulster . . . shall be deemed to mean and refer to the County Legislature.” – that is the Ulster County Charter.

Leader Ronk, Leader Donaldson, my fellow Legislators; my fellow policy makers:
Thank you for the honor of electing me this policy making body’s Chairman.

I want to thank Legislator Mary Geick Wawro for nominating me and Legislator Provenzano, I am deeply honored that you seconded my nomination.

The new layout of the Chamber looks spectacular. Hillary says it takes a village to raise a child; Rick Santorum says it takes a family to do so.

I can tell you this ... It took a Saugerties girl scout troop led by Krista Barringer and Saugerties Supervisor Kelly Myers to design this new legislative chamber layout. Thank you Scouts and Cadets here with us tonight:

Kristi Sieburg,

Renata Simera,

Danae Bass-Moss,

Krystal Ames,

Shea Johnson

and Amer Linsig for being a part of the process and for the fantastic winning designs that you submitted. All entries submitted will be in the Clerk’s office – thank you to everyone that participated!

I am honored to have so many other community leaders joining us today as well. I want to note the presence of and thank for his regular advice, this body’s great first Chairman, Peter J. Savago. Peter, thank you for taking my calls and for your advice . . . and thank you for your decades of service to Ulster County.

Somehow, whenever you are in this room, I think we all feel like this is your Chair.

I am not going to name each official in the room, because every person here is special to me, and to this County, but I do want to acknowledge:

- Judge Mizel for conducting this Oath of Office Ceremony;
- Ian Winter for our invocation

- Rabbi Hecht for the benediction
- Congressman Hinchey for joining us.
- Our county-wide elected officials:
 - o Nina Postupack, Clerk
 - o Paul VanBlarcum, Sheriff
 - o Elliott Auerbach, Controller
 - o Holley Carnright, District Attorney

County Executive Hein indicated he could not join us. I am sorry he could not be here tonight but look forward to working with him.

I want to thank those that came from my home district from the great Town of Rochester and also those from Kerhonkson and Wawarsing - for your faith and support.

I want to thank my wonderful husband Len and my parents Bob and Kathy for their support as well.

I also want to thank and recognize Robin Baker for singing our National Anthem

I also notice that there are a lot of volunteer firemen in the Chambers tonight, thank you for your support and your dedication to protecting the citizens of Ulster County.

Last I want to thank everyone else that is here, and those of you that are watching on our webcast.

Your continued presence in this Chamber, whether it be physical or virtual, will only make your government stronger.

While I was not so presumptuous as to assume I had your confidences to be elected Chair tonight, likewise, I was also not so deleterious as to not be prepared to assume this honor. We all have the obligation to be prepared . . . **I know we are.**

Our goal our obligation, is simple: We are here to provide excellent service to the public.

That is our job. That is what we were **hired** to do. Excellent public service: It is a message that the 23 of us must carry . . . and it is a message that our five county wide elected officials, I am confident, will work to collaborate and build on.

We do that by working together. We do that by agreeing enthusiastically when we can..... and disagreeing civilly when we must. I have often said when campaigning for office, that the government is strongest of which every man feels himself – or herself – a part. We do that by respectful dialogue, open minds, and the common

goal of a better Ulster County. I am not so naïve as to believe we in this body . . . or we on this floor of the County Office Building, will all agree on every major . . . or even minor issues.

However, when I have seen dysfunction in this government, it has come as a result of arrogance and a refusal to communicate amongst the branches of government, and even . . . sometimes, amongst ourselves.

Arrogance and political point scoring is something taxpayers should never have to pay for. It is not excellence in public service.

Together, I will seek common ground with our partners in government.

We will partner with law enforcement – from giving the DA the tools he needs to keep gangs off the street in Ulster County’s urban areas, to working with our Sheriff to ensure the rural areas of our community are policed. As part of moving this legislature forward in partnership with our County-wide partners, I am pleased to announce that the County Executive has advised us that the 6th floor will soon have wireless internet service. This Legislature has sought wireless internet on this floor for some time. It may sound small and unimportant, but information is a key to productivity. Wireless technology will ensure legislators have more access to information we need when making decisions. I thank the County Executive for this effort, and I know that the members of the press are thankful too.

We will work with our County Executive to hold the City of New York accountable for their openly creating an environmental and life-threatening hazard in Ulster County.

As part of that, we will invite the DEP and DEC to explain their actions and their inaction in a public format, with testimony on the record, and yes, **under oath**, to explain why those agencies believe it reasonable to allow mud to flow into our community.

We will invite their appearance in a public hearing on this matter, and if they decline the invitation, we will invite their appearance *via* subpoena and let them fight in the courts as to why they should not be compelled to tell the truth.

The constant turbidity of the water in the Esopus – the mud the City of New York sends our way - has only gotten worse.

Last year, our County threatened the city with litigation . . . then declared an early victory and withdrew the threat. That early declaration of victory now, with the benefit of hindsight, might be more reminiscent of George Bush landing on the aircraft carrier with the “Mission Accomplished” banner . . . than an actual victory. We took the DEP and DEC at their word, and I know the Executive and those of us in this Chamber will never do that again.

Our State Senator, John Bonacic has fought New York City on our behalf. Our County Executive has opposed the efforts of the City as well. This Legislative body, despite the wishes of many in this room . . . has not been as vigorous in that opposition.

Tonight, I can tell the County Executive . . . and I can report to all the people of Ulster County, to quote another President Bush, *“the battle has been joined”*.

I will urge this Legislature to make it the policy of Ulster County to take on Gotham whenever the City insists on treating our residents with indifference and disrespect . . . which happens far too often.

We will fight to secure answers to the legitimate questions taxpayers and county officials have asked without answers for far too long.

I will urge this body to make it the policy of Ulster County that the water which flows in our community is treated as valuable as the water which flows from our community. To assist our Legislature in these complex environmental issues, we need members of our team that have Legislative experience, and in particular Legislative experience in Environmental Law.

Tonight I am announcing that Erica Guerin of Saugerties is being appointed as part of our Legislature’s Legal Team. Erica has experience as a Legislative Counsel to the New York State DEC in Albany and she now maintains her own private practice in Saugerties. Thank you Erica for agreeing to be part of our team. Your expertise will be an asset to this Legislature.

In addition to her Legislative experience, Erica is also a local businesswoman. Erica owns a number of commercial and residential properties in Ulster County and economic development is a priority for her. Erica will be part of the team that will assist this Legislature in creating a policy of economic development and honoring our agreements. I will urge this body to make the policy of economic development - one which welcomes job creation, stream-lines the permitting process, and actively supports an overhaul of job killing regulations, such as the SEQRA process which has been abused and used as a tool by the NY State DEC and others to stop economic development.

I will urge that it be the policy of this County to create greater efficiency in economic development.

We have the IDA led by its outstanding Director David O’Halloran.....

plus a tourism component.....

plus U-C-D-C.....

plus staff in the Executive’s office

and we have the greatest asset of all – *Ulster County’s workforce*.

With that compendium of talent and agencies, it is appalling that we are losing industry to neighboring counties.

It will be the policy of this Legislature to do all we can to NEVER make us the 2nd choice – but rather always the first, for attracting new jobs, and keeping the companies we already have here.

In business, it’s a widely known fact that it’s easier to keep an existing customer than to get a new one.

The same holds true in economic development: being proactive keeps our jobs here.

This Legislature should never wake up to read in the paper that 150 jobs are leaving Ulster County, like we recently read in Saugerties.

We have to be proactive with our group of economic development leaders. We need to simplify that economic development structure, and if our County has a clue that a large company like VERTIS COMMUNICATIONS is about to leave, we need to know it first, and fight to keep them here. If our County is so out of touch with our large employers that we did not know a 150 employee company was taking off, why not?

We are thankful for all of the private business owners that choose to keep their businesses located in Ulster County. Keeping our existing businesses in Ulster County will be a priority of this Legislature.

The Governor's task force on economic development – a statewide regional competition for scarce dollars, told us exactly what he thought of our economic development plan: not much.

We have to make better policy to change that. We will endeavor with our County Executive to:

Create and implement a policy on economic development that businesses are not leaving Ulster County for Greene County or anywhere else – we have the tools to do this.

We will focus on innovative ways to address dilapidated and abandoned properties by seeking to utilize the State's new land bank law.

And we will give our business owners and the public - excellent service – which is what you, the taxpayers, are entitled to.

We will do this with confidence never arrogance..... with bi-partisanship, not dictatorship..... and with an intelligent purpose, not merely a media focus.

I want to say a few words about our body's partners in government and the Charter. The Charter set up a balance of power between this body and the Executive and the Comptroller. The vast overhaul proposed by some to make this Legislature less effective is not welcomed from this Chair today.

Efforts by the County Executive to make an end run around this Legislature... over who will help run our government... will be resisted by me, and, I respectfully suggest..... should be resisted by this body as a whole.

The County Charter is not about changing powers to overcome isolated incidents of disagreement, but rather a system of government.

Even the most prominent Hudson Valley political leader, FDR, who tried Court packing, was rebuffed in attempts to gain greater power – and with all due respect to anyone else, there has only been one FDR.

When the canoe has a hole in it, you plug the hole, you don't make it into a speed boat.

There will be no lame duck squawking coming from this body over the next two years; no passive behavior with our fingers in the wind, trying to figure out the direction of the public's mood. Policy making is about leadership, and we . . . every single one of us, understands that.

I want the taxpayers . . . and our partners in government, to understand that we in this Legislature have a job to do. *We understand that.*

We will endeavor to create greater transparency in government, not just when it is convenient, but when it is inconvenient as well.

To that end, *I will propose we be truthful with the taxpayers* and let them know where their tax dollars are being spent. I was dismayed to read that our County does not believe we can legally allow localities to explain to taxpayers where their taxes are going on their tax bills. Shame on such thinking.

Fulton County has had a truth in taxation billing process for the last eight years.

Fulton County tax bills read like an itemized receipt. The New York State Association of Counties nine for ninety Campaign explains that there are nine New York State mandates consume ninety percent of the county property tax levies statewide.

NYSAC began the nine for ninety Campaign to communicate the challenges Counties face in addressing a property tax crisis that stems from decisions made in Albany and Washington, not Kingston.

It will be the policy of this Legislature to delineate the true relationship between mandates and your tax bill.

That said, we have an obligation to be honest too about mandates. It will be the policy of this Legislature to delineate the true relationship between mandates and your tax bill. *Sometimes the truth hurts. The truth is this County, under this Executive, and this Legislature, forces the safety net costs onto the Towns.*

That should not be hidden under feigned claims of illegality, in what is a scheme to hide the truth from the taxpayers.

I will ask Legislators Maloney and Provenzano to comprise a special committee to work with our Town officials and County Executive's staff, who I believe are equally concerned with transparency, to address the concern of Supervisor Quigley and Chipman to ensure that truth in billing – tax billing, is permitted.

If we can mandate item pricing on our private sector, and we can mandate that restaurants post the calories of the food that they serve on their menu boards, we can authorize itemized tax bills by our own towns.

Your paycheck shows your itemized deductions, and so should your tax bill. The government is strongest of which every man feels himself a part. This legislature is a part of the government. We are the policy making body.

One way we do that is by ensuring substantive deliberations in our Committees. Gone should be the day where the Legislative Committee – supposedly composed of those most knowledgeable and intellectually invested in a subject matter is simply a pit stop for resolutions and local laws on the way to the floor for a full vote of this Legislature.

As Lawrence Norden of the Brennan Center for Justice said in 2009 testimony on legislative reform - - Committees should serve as the “anchor of the legislative process”.

My friends, we shall have functional committees where members actually develop policy and performance standards, not merely vote on what is put before them. I know that functional committee structure has been longed for by many and sometimes it exists, but I can promise every Legislator who wants a voice in the substantive law making process that you will have that opportunity.

I want to thank our Committee Chairs appointed tonight:

Legislator Gerentine – Ways and Means

Legislator Aiello – Personnel and Health

Legislator Fabiano - Public Works and Capital Projects

Legislator Harris - Legislative Programs, Education and the Arts

Legislator Roberts - Laws and Rules / Government Services

Legislator Befiglio - Environment, Energy and Technology

Legislator Wawro - Social Services

Legislator Richard Parete - Law Enforcement and Criminal Justice

and Legislator Maloney - Economic Development, Tourism, Planning and Transportation

and I am announcing the appointment tonight of Legislator Maloney in the key position as our Vice Chairman of our Legislature. Jim has agreed to accept that appointment.

Thank you Jim for agreeing to serve in this important position.

When we announce the committee assignments - to those committee members that want to step up and there is no room on a particular committee for you – go anyway to the meetings. Contribute anyway. You did not forfeit your right of citizenship by being elected.

We will make the Committee process more meaningful, but we will continue the great tradition of opening their government – “their” government – the people’s government – not “our” government – as in the Legislature’s government.

I am also announcing tonight the re-appointment of:

Our Legislature’s Clerk: Karen Binder

Deputy Clerk: Vicky Fabela

Deputy Clerk of Finance: Karen Spinozzi

Senior Legislative Employee: Tammy Wilson

Legislative Employee: Nettie Tomshaw

Also appointed tonight to our Legislative Legal Team, is Langdon Chapman of the Bonacic, Krahulik Law Firm. Langdon is no stranger to Ulster County. He has reminded me that long before it was Macy's at the Hudson Valley Mall it was Hess, that the best Chinese food in the Hudson Valley was once at a place known as the Dragon Inn in Barclay Heights, and that our local police are phenomenal, including his father, a former Village of Saugerties Police Officer. He knows Ulster County from top to bottom – both its history and contemporary issues.

Langdon has worked closely on issues affecting Ulster County for nineteen years in the offices of both Senator Cook and Senator Bonacic. He has worked on Ulster County flooding issues, the revitalization of Belleayre,

He helped craft the deal that saved Ellenville hospital and expand the Kingston Regional Healthcare system to include Margaretville, he worked on improvements to SUNY New Paltz, fought the DEP tooth and nail on behalf of people in Wawarsing, and assisted in the development of better infrastructure in Saugerties, to name just a few of the dozens of issues in Ulster County that Langdon has been involved with over the years.

He currently serves as Legislative Counsel to the New York State Senate Judiciary Committee, the New York State Senate Racing and Wagering Committee, and previously the New York State Senate Housing Committee.

He is the attorney for municipalities in Delaware, Sullivan, and Orange Counties from some of the smallest communities in our region, to the largest. His complete knowledge of the region, accompanied by the detailed knowledge of our towns and our towns' issues across Ulster County, that ONLY nearly 20 years working on public policy issues involving Ulster County can bring, is why I am appointing Langdon Chapman . . . not to mention that Hugh Reynolds says he's a pit bull and that's plenty good for me.

Last, I am announcing that Fawn Tantillo will be my confidential secretary. Fawn is no stranger to this body, and she will be here to help direct the operations of the Legislative office. Fawn's exceptional competence and counsel will be well regarded by all of us I am sure.

This Legislative body and the team appointed tonight, together with our partners across the other branches of Ulster County Government, will work to enact policies which people across this County care about:

- We will work to support Belleayre if it moves to transition to the Olympic Regional Development Authority - and we will fight for Ulster County residents to be on ORDA's Board;

- We want to be able to support the Crossroads project which will create union construction jobs and be a boost for tourism . . . and yes Comptroller Auerbach – sales tax revenue;
- We will stand for lower reservoir levels in the Rondout and the Ashokan;
- We welcome the new Diamond Mills Hotel and will work to ensure that they, and our other downtown Saugerties businesses are not left high and dry;
- We will support Mayor Gallo, Supervisor Quigley and AVR to create jobs in the City of Kingston and Town of Ulster;
- We will stand with the Town Board of Rosendale in doing all we can to effectuate their wishes for the Williams Lake Project;
- We will support the Town of Ulster, which faces additional financial burdens as the commercial hub of Ulster County;
- We will offer to assist our friends in New Paltz confronting the challenge of shared services through the leadership of Supervisor Zimet and Mayor West;
- We will support all of our Town Supervisors and Highway Superintendents with a presence of our leadership at their Associations meetings from what some call the 'solid south' of Marlboro and Plattekill to Stone Ridge which hosts our college, to Olive which hosts the purest drinking water in the world, we as a Legislature will strive to provide excellent service.

- And to my friends in Wawarsing, and you know this already. . . WE WILL NOT REST, until those spiteful, spineless, and arrogant bureaucrats..... who don't care if you drown in your own home from their leaking aqueducts..... give you the justice, that you deserve.

We shall partner with our friends in the Executive's office to implement and help create the policies we pass;

We shall partner with our DA and Sheriff to keep our community's safe;

With our Comptroller to make sure your taxpayer dollars are protected;

And with our clerk to make sure it all gets preserved, so future generations can celebrate our successes and learn from our mistakes.

We can and must do this without ego or politics as best as we possibly can . . . because our job . . .

all our jobs in county government . . . and we already know this . . is to provide excellent service.

Thank You very much and may God bless Ulster County, our armed forces and our great Nation.