

Laws and Rules, Governmental Services Committee

Meeting Minutes

DATE & TIME: November 16, 2015 – 6:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Legislator Richard Parete
LEGISLATIVE STAFF: Fawn A. Tantillo, Sr. Legislative Employee
PRESENT: Legislators Kevin Roberts, David Donaldson, Manna Jo Greene, Kenneth Ronk, Jr and Chairman John Parete
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Cappy Weiner; Periodic Compensation Review Committee Members Glenn Noonan, Wayne Gutmann, Brian Cahill and Dr. Gerald Benjamin; Shawangunk Kennel Club Members Richard Snider, Ed Noll, Lori Curran, Tom Delaney, Sara Gildersleeve and Andra O’Connell; American Canine Association Member Beverly Delaney; Melissa Fairweather Cynthia Wirthamer; League of Women Voters Observers Vic Melville and Tom Kadgen.

Chairman R. Parete called the meeting to order at 6:30 PM.

Motion No. 1: The minutes of October 19, 2015 were approved as distributed.
Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Greene

Discussion: None

Roll Call Vote: No
Voting In Favor: Legislators R. Parete, Roberts, Donaldson, Greene\ and Chairman J. Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Minutes Approved

To Refer Motion No. 2: Resolution No. 357 - Setting A Public Hearing On Amended Proposed Local Law No. 12 of 2015 (A Local Law Of The County Of Ulster For The Regulation Of Pet Sellers) To Be Held On Wednesday, December 9, 2015 At 6:50 PM – to the Law Enforcement and

Public Safety Committee with the concerns outlined in the October 19, 2015 minutes of the Laws and Rules, Governmental Services Committee.

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Greene

Discussion: Chairman R. Parete and Legislator Donaldson thought the intention of the committee last month was to refer it back to the Law Enforcement Committee.

Legislator Roberts wanted to consider defeating it at this meeting.

Legislator Greene suggested sending it back to the Law Enforcement with the specific concerns outlined in the October 19, 2015 minutes would give the sponsors an opportunity to address these issues. She mentioned changing the litter size to 15 puppies might make the law more manageable and that Legislator Ronk, one of the sponsors, seemed willing to consider that change.

Legislator Donaldson agreed but expressed his concern that the proposed local law gave police powers to a not governmental agency. He felt this was too far reaching because the law applied to home breeders and pets that sleep in their owners beds.

Chairman R. Parete thought that whether this committee defeats this resolution here and the sponsors execute a petition to discharge or if it goes back to the Law Enforcement Committee, the local law will not be put up for a vote until next year. He felt it was only fair to send it back to the originating committee and give them an opportunity to address these concerns.

Roll Call Vote: No
Voting In Favor: Legislators R. Parete, Roberts, Donaldson, Greene and Chairman J. Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Referred to Law Enforcement and Public Safety

Chairman R. Parete introduced the members of the Periodic Compensation Review (PCR) Committee and thanked them for attending. He said the resolution put forward was different that the committee's recommendations and asked them what their thoughts were.

The members of the committee outlined the history of the PCR Committee. Committee Charmian Noonan said the committee looked at the salary and the benefits package each legislator received and noted a large disparity between legislators who take an insurance benefit and those that don't take it.

When the legislature was reduced in size from 33 members to 23 members there was a salary savings of approximately \$100,000. Their recommendations offered several scenarios that included

various combinations of salary increases along with changes in the amount Legislators contribute toward insurance. They felt that their recommendations used this \$100,000 to offset the salary increases and the changes in contributions toward insurance would reduce this disparity between legislators to take insurance and those that don't.

Mr. Noonan went on to express his frustration that he and the other members of his committee volunteered many hours and felt their recommendations were ignored.

Legislator Greene asked how the recommendations were translated into this proposed local law.

Mr. Cahill detailed the extensive research the committee did and the data they based the recommendations on. He pointed out that the PRC committee considered the option that is in Proposed Local Law No. 19 and rejected it. He felt the charter laid out the need for the PCR, each of the 5 proposals was fair and implied it was against the spirit of the Charter to disregard these recommendations.

Chairman J. Parete pointed out the huge increase in insurance costs since the last legislative raise in 1998 and noted that legislators who take the insurance have actually had an increase in compensation due to that.

Mr. Guttman discussed the PCR recommendations and how these salary increases appear to the taxpayers.

Donaldson said it has been 18 years since the Legislature had an increase in salary. During that time legislators took away many benefits including the insurance buyout, a flex plan and reduced the mileage compensation. He noted that at one time only the rich could serve in government positions and the idea of compensating individuals who serve in these rolls opened these positions to a wider range of people.

Legislator Donaldson noted that the PRC recommendations are just that - recommendations. The Legislature listens to these recommendations but makes the final decision. He also noted that changes to salary must be done by local law and any changes to the insurance would need to be done by a separate resolution. He said approving a public hearing on a local law did not mean the legislature was ignoring the PRC recommendations on insurance.

Legislator Greene believes in universal health care. She noted that some legislators don't need the insurance and these proposed changes in insurance can be prohibitive to some individuals and was a very different issue than the base salary.

Chairman R. Parete noted that legislators are part time and noted many municipalities are removing insurance benefits for elected officials. He listed dozens of other vital positions like school board members, volunteer firemen, little league coaches and others who get receive no salary or insurance. He feels part time legislators are not just entitled to health insurance.

Legislator Roberts said he would support the public hearing but did not feel it was appropriate to give legislators a raise while so many people are struggling to pay their bills. He also felt that while

legislators may be considered “part time”, he has people who call him and email him every day and at all hours. He takes their concerns seriously and spends countless hours outside of regular legislative meetings to address these issues, going to their homes and even taking money out of his pocket to help them when necessary.

Chairman J. Parete reminded the members that his proposal to raise the minimum wage for Ulster County workers to \$15 an hour could not garner enough support to go to the floor for a vote. He was frustrated that legislators who seem willing to vote for an increase in their salary were not willing to guarantee part time county employees a living wage.

There was a brief discussion about many of the issues.

Dr. Benjamin discussed the fundamental problem legislators have increasing their own salary noting the RCP recommendations were budget neutral within the legislative budget making the salary increases more palatable to both the public and the legislature. He felt that ultimately that is why the Charter created the PCR committee: so “politically” legislators can “blame” the RCR. He noted the inequity between legislators and discussed the inability to make any changes to pension, social security or workman’s compensation elements of the compensation package so the only items left were the health insurance and salary compensation. The goal of the PCR recommendations was not to allow the legislature to say we didn’t increase the cost of the legislators, we redistributed the cost to be fairer.

Chairman R. Parete was disappointed that this issue was not decided before the election. He said he might be able to support something budget neutral but would not support any increase to legislator’s compensation that was not budget neutral.

Legislator Donaldson disagreed with the budget neutral approach saying the salary and compensation needs to be fair so Ulster County can attract a wide range of candidates to run for office. He noted that many legislative races were unopposed and how difficult it is to get qualified people to run for office when it is so time demanding and poorly compensated.

Legislator Greene said that every legislator has the ability to take the insurance benefits and felt that the compensation offered to each legislator was the same and did not see this as an inequity.

There was a discussion about how many hours various legislators work and various scenarios to compensate legislators.

Motion No. 3: Resolution No. 388 - Setting A Public Hearing On Proposed Local Law No. 19 of 2015 (A Local Law Applying Salary Revisions for Certain Elected Ulster County Officials Serving For Fixed Terms) To Be Held On Wednesday, December 9, 2015 At 6:55 PM

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Greene

Roll Call Vote: No

Voting In Favor: Roberts, Donaldson and Greene

Voting Against: Legislators R. Parete and Chairman J. Parete
No. of Votes in Favor: 3
No. of Votes Against: 2
Disposition: Passed

Motion No. 4: To Postpone Resolution No. 364 - Setting A Public Hearing On Proposed Local Law No. 17 of 2015 (A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), To Modify The Appointment Process Of The Audit Committee And To Clarify The Authority Of Said Committee) To Be Held On Wednesday, December 9, 2015 At 6:55 PM

Motion Made By: Chairman R. Parete
Motion Seconded By: Legislator Roberts

Discussion: None

Roll Call Vote: No
Voting In Favor: Legislators R. Parete, Roberts, Donaldson, Greene and Chairman J. Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Postponed

Motion No. 5: To Postpone Resolution No. 386 –Setting A Public Hearing On Proposed Local Law No. 18 of 2015 (A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), To Modify The Appointment Process Of The Charter Revision Commission) To Be Held On Wednesday, December 9, 2015 At 6:55 PM

Motion Made By: Legislator Donaldson
Motion Seconded By: Chairman R. Parete

Discussion: Legislator Donaldson said that both Resolution 364 and 386 involve Charter changes and should be put together for discussion and a vote next year.

Roll Call Vote: No
Voting In Favor: Legislators R. Parete, Roberts, Donaldson, Greene and Chairman J. Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Postponed

Motion No. 6: Resolution No. 426 - Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – NCA Comp Inc – Insurance Department

Motion Made By: Legislator Roberts
Motion Seconded By: Chairman R. Parete

Discussion: Legislator Donaldson was disappointed the jobs were being shifted out of Ulster County to Buffalo, NY, noting this was the second year of the contract.

Roll Call Vote: No
Voting In Favor: Legislators R. Parete, Roberts, Donaldson, Greene and Chairman J. Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Passed

Motion No. 7: Late Resolution No. 447 - Authorizing The Conveyance Of County-Owned Property To The Original Owner – Department Of Finance

Motion Made By: Legislator Greene
Motion Seconded By: Legislator Donaldson

Discussion: None

Roll Call Vote: No
Voting In Favor: Legislators R. Parete, Roberts, Donaldson, Greene and Chairman J. Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Passed

New Business: Legislator Greene asked for clarification about Chairman J. Parete's resolution to pay all Ulster County Employees \$15 an hour.

Chairman J. Parete explained his resolution and said most of the Republican Caucus would have supported it but they felt it was a Democratic initiative and should at least have the support of the Democratic Caucus. Chairman J. Parete was disappointed that he could not get enough signatures from the Democratic Caucus to execute a petition to discharge.

Legislator Greene indicated she supports the concept of paying county employees \$15 and hour but she was told the County Executive could simply make the change in the budget and no resolution was required. She did not recall who told her this.

Chairman J. Parete said he had hoped for the Legislature to make a statement. By requiring a minimum wage of \$15 and hour they would insure County employees are fairly compensated and take it out of the purview of the County Executive. He felt the legislature missed an opportunity to do something meaningful about this important issue and do more than just talk about what other people should do.

Old Business: None

Motion to adjourn

There being no further business before the Committee, a motion was made by Legislator Donaldson, seconded by Legislator Roberts and carried to adjourn the meeting at 7:40 PM.

Respectfully submitted this 18th day of November, 2015

Fawn A. Tantillo, Senior Legislative Employee

Minutes Approved on December 14, 2015