Resolution No. 314 August 8, 2019

Appointing Ulster County Legislator, District No. 4

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Donaldson and Legislators Heppner, Roberts. Rodriguez, and Ronk)

Chairwoman Tracey A. Bartels offers the following:

WHEREAS, pursuant to Ulster County Charter § C-21, and Ulster County Administrative Code § A2-16, Filling membership vacancies, "*A vacancy in the County Legislature shall be filled by appointment by the County Legislature of a qualified elector residing within the district no later than 30 days from the time at which the vacancy occurs. If the appointment is not made within 30 days, a special election shall be conducted to fill the vacancy within 90 days after the vacancy occurs; provided, however, that if there is a scheduled general election within 120 days after said vacancy occurs, the vacancy shall be filled at that general election. A person who fills a vacancy, if appointed or elected at a special election, shall serve until commencement of the calendar year next succeeding the first general election after the happening of the vacancy at which a successor may be elected, and the vacancy shall be filled at such election for the unexpired term. A person elected at a general election to fill a vacancy shall serve out the remainder of the term for that seat*.", and

WHEREAS, a vacancy exists in the Ulster County Legislature, District No. 4, due to the untimely death of Legislator James F. Maloney; now, therefore be it

RESOLVED, that ~~TBD~~ **Brenda Maloney**, of **16 Dirk Lane, Kingston**, New York **12401**, is hereby appointed to fill such vacancy effective immediately, and shall serve until December 31, 2019,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 9
(Noes: Legislators Archer, Bartels, Collins, Delaune, Eckert, Greene, Heppner, Nolan, and Rodriguez)
(Legislator Donaldson left the meeting at 6:40 PM)

Passed Committee: Laws and Rules, Governmental Services on August 1, 2019

FINANCIAL IMPACT:
NONE

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Legislator Maloney motioned, seconded by Legislator Petit, to amend the Resolution to insert the name of Laura Hartman.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 3 NOES: 18
(Ayes: Legislators Maloney, Petit and Rodriguez)
(Legislator Donaldson left the meeting at 6:40 PM)

Legislator Ronk motioned, seconded by Legislator Maio, to amend the Resolution to insert the name of Brenda Maloney of 16 Dirk Lane, Kingston, NY 12401.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 9
(Noes: Legislators Archer, Bartels, Collins, Delaune, Eckert, Greene, Heppner, Nolan, and Rodriguez)
(Legislator Donaldson left the meeting at 6:40 PM)

STATE OF NEW YORK
ss:
COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 8th Day of August in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 9th Day of August in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature