

Establishing A Policy Compelling The Distribution And Publication Of Terms Of Settlement When Actions Involving Ulster County Are Settled

Referred to: The Laws, Rules and Government Services Committee (Chairman Heppner and Legislators Gavaris, Levine, Roberts, and Ronk)

Legislator Joe Maloney offers the following:

WHEREAS, pursuant to NYS Public Officers Law Article 6, §§ 84-90, Freedom of Information Law (FOIL), there is a presumption of public access to governmental documents, not otherwise exempt from such disclosure; and

WHEREAS, NYS Public Officers Law § 84 mandates public access to information regarding the expenditure of public monies, including settlements; and

WHEREAS, pursuant to NYS Public Officers Law § 87(2)(g)(iii), the terms of settlement of any action in which a governmental entity is named constitutes a final determination and is subject to public disclosure; and

WHEREAS, pursuant to Charter Section C-11, the Ulster County Legislature is the policy determining branch of County Government and as such, shall exercise all powers and duties inferred upon it by law; and

WHEREAS, the Ulster County Legislature hereby finds that it is in the best interest of the people of Ulster County to make public the settlement terms of any legal action in which the County is named as a party; now, therefore, be it

RESOLVED, unless otherwise prohibited by law, if a legal action in which the County is a named party is settled, the term(s) of such settlement shall be promptly delivered to the Clerk of the Legislature for distribution to Legislators, Legislative Counsel and Minority Counsel, and contemporaneously published on the Ulster County Government website: www.ulstercountygov.org,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Laws, Rules and Government Services on _____.

FINANCIAL IMPACT:

NONE