

Laws and Rules, Governmental Services Committee

Regular Meeting Minutes

DATE & TIME: January 29, 2014, 6:30 PM
LOCATION: Karen L. Binder, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Richard A. Parete
LEGISLATIVE STAFF: Fawn Tantillo, Deputy Clerk
PRESENT: Legislators Lynn Archer, David B. Donaldson,
Kenneth J. Ronk, Jr.
ABSENT: Kevin A. Roberts
QUORUM PRESENT: Yes
OTHER ATTENDEES: Tom Kadgen, League of Women Voters Observer
Chairman Richard Parete called the meeting to order at 6:45 PM.

MOTION NO. 1 Resolutions No. 28 – January 29, 2014

Text of Motion: **Resolved to Approve Resolution No. 28** – Adopting An Amended Annual Financial Disclosure Form

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Ronk

Resolution No. 28 Summary: This Resolution will approve an amended Annual Financial Disclosure Form submitted by Ulster County Ethics Board. The proposed form was shortened from 9 pages to 7 pages.

Discussion: Legislator Ronk shared a copy of the Dutchess County Annual Financial Disclosure Form and noted the cover sheet. He described the Dutchess County Form that is only 3 pages long and includes a cover sheet with only two questions. If the person filling out the form doesn't answer yes to the questions on the cover they are finished and don't need to fill out the next two pages. Legislator Ronk suggested as similar cover sheet would eliminate a lot of paperwork for all concerned.

Legislator Archer suggested the committee pass Resolution No. 28 approving the proposed form so people could use it this year and forward the Dutchess County form to the Ethics Board for their consideration.

There was a brief discussion about other differences between the two forms and why various questions are included.

Legislator Richard Parete said he would forward the Dutchess County form to the Ulster County Ethics Board and suggest they consider additional changes moving forward. He agreed that Resolution No. 28 should move forward to facilitate the use of the new form this year.

Voting In Favor: Legislators Richard Parete, Archer, Donaldson and Ronk
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

MOTION NO. 2 Resolutions No. 32 – January 29, 2014

Text of Motion: Resolved to Approve Resolution No. 32 – Designating Vice Chairman David B. Donaldson As The Ulster County Legislature’s Member To Serve On The County Jury Board

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Richard Parete

Resolution No. 32 Summary: This Resolution will approve the appointment of Vice Chairman of the Legislature David B. Donaldson as the Ulster County Legislature’s Member on the County Jury Board.

Discussion: Legislator Ronk explained that in years past the Chairman of the Legislature served on the Jury Board with one exception when Chairman Richard Gerentine was ill and appointed Legislator Mike Stock.

Legislator Archer asked what the protocol was and noted another Legislator had expressed interest in being appointed.

There was a brief discussion of the protocol for appointment to the Jury Board, how rarely they meet and how someone would apply for consideration.

Legislator Parete said he had heard another Legislator was interested in serving but no one contacted him. He noted that this individual had recently refused to serve as Chairman of another standing committee. Legislator Parete said while he likes this Legislator, he felt it was vital that everyone do their Legislative duties before they ask for additional responsibilities.

Legislator Archer clarified that she was only interested in understanding how the appointments have historically be done.

Voting in Favor: Legislators Richard Parete, Archer, Donaldson and Ronk
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

New Business

Possible Charter Changes - Volunteer Boards - Legislator Donaldson described recent changes in the Charter that improved operations and enhanced checks and balances in County Government. He gave the example of the changes in the terms of members of the Ethics Board. There was a brief discussion of how these changes insure that members, once appointed, served without fear of retribution from any County office they might be asked to investigate.

Legislator Ronk agreed the changes insured “checks and balances”.

Legislator Donaldson went on to explain that recent events concerning a situation with the Youth Bureau Chairman which apparently upset the County Executive and caused him to remove/not reappoint her to Youth Bureau.

Legislator Richard Parete disclosed that the former Chairman of the Youth Bureau who was not reappointed was his sister-in-law.

Legislator Donaldson said he would like the committee to examine a method to insure volunteer boards can function; members can feel safe to ask questions and can freely give advice. He said he was “troubled” - not by this County Executive - but by the fact that members of any County volunteer board might feel they could not operate freely or, like in this case, examine other funding sources. Legislator Donaldson said he was not sure how to accomplish this but hoped the committee could examine the problem.

Legislator Richard Parete said he had additional issues about the large number of vacancies on multiple boards and had spoken to County Executive Hein about this issue. The Youth Bureau for example has had 5 or more vacancies for a long time. Parete felt that changes to the Charter could maintain the County Executive appointment power but, in a case where County Executive fails to appoint someone to a particular volunteer board in a reasonable amount of time, the Legislature could step in and make the appointment. He noted other places in the Charter where the Legislature has appointment power the Charter language allows the County Executive to appoint if Legislature fails to do so within a certain time period.

Legislator Archer discussed State laws that require some of these volunteer boards to exist and provide oversight in order for the County to receive State funding. She said the failure

to maintain the committees could threaten State and Federal subsidies if these boards don't have a quorum to make decisions.

Legislator Ronk observed there is precedent for allowing the Legislature to appoint if and when the County Executive fails to do so. He noted the current rule that would allow the County Executive to fill a vacancy on the Legislature if the Legislature doesn't fill it themselves in a certain time period.

Legislator Archer suggested that the State may have statutes that address this issue. There was a brief discussion about various options, a consensus that this was an important issue for the committee to pursue and more research was needed.

Legislator Donaldson asked that an attorney be at the next meeting to discuss this with them.

Possible Charter Changes –Legislative Attorneys - Legislator Ronk said he had another issue to discuss. One of the Legislative Attorneys felt that if the Legislature ever wanted or needed to enter into a Legal Action against the County Executive, the Comptroller or any other county official, the Legislative Counsel could not act as legal representatives in taking that action. In fact, a strict reading of the Ethics statute says that “no county employee” can act as counsel in an action against the County.

Election Results - Legislator Richard Parete felt that there is an undue delay in reporting election results on Election day. There was a discussion about why election results were not posted on line for several hours after the polls closed and what could be done to facilitate local polling places report accurately in a more timely fashion. Legislator Richard Parete suggested the committee work with the Election Commissioners to develop a method of reporting election results in a more timely fashion.

Old Business: None

Adjournment

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Ronk

No. of Votes in Favor: 4

No. of Votes Against: 0

TIME: 7:20 pm

Dated the 11th day of February, 2014

Fawn A. Tantillo, Deputy Clerk

Minutes Approved on: February 18, 2014