

**Laws & Rules, Governmental Services Committee  
Regular Meeting Minutes**

**DATE & TIME:** April 16, 2018 – 6:30 PM  
**LOCATION:** KL Binder Library, 6<sup>th</sup> Floor, County Office Building  
**PRESIDING OFFICER:** Chairman Roberts  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk  
**PRESENT:** Legislators Donaldson, Haynes, Heppner, James Maloney & Ronk  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislators Joseph Maloney, Nolan, Petit, Rodriguez & Woltman, Legislative Counsel Barnett, Minority Counsel Ragucci, Deputy Comptroller Evan Gallo – Ulster County Comptroller’s Office, Cindy Bell – League of Women Voters

Chairman Roberts called the meeting to order at 6:32 PM.

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**Motion No. 1:** Moved to **APPROVE** the Minutes of the March 19, 2018 meeting

**Motion By:** Legislator James Maloney  
**Motion Seconded By:** Legislator Haynes

**Discussion:** None

**Voting In Favor:** Legislators Donaldson, Haynes, Heppner, James Maloney, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** Minutes **APPROVED**

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Resolutions for the April 17, 2018 Session of the Legislature

**Resolution No. 10:** Setting A Public Hearing On Proposed Local Law No. 2 Of 2018, A Local Law Amending Local Law No. 5 Of 1991 (A Local Law Adopting A Hotel And Motel Room Occupancy Tax), To Update The Tax Law’s Application To Short-Term And Vacation Rentals, To Be Held On Tuesday, May 8, 2018 At 6:10 PM

**Resolution Summary:** This resolution sets a Public Hearing for Tuesday, May 8, 2018 at 6:10 PM to allow the public to offer comments on Proposed Local Law Number 2 of 2018.

**Motion No. 2:** Moved for **DISCUSSION**  
**Motion By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Heppner

**Discussion:**

Chairman Roberts asked Legislator Joseph Maloney, sponsor of the legislation if he would like to speak on the law. He added that he was under the impression that the sponsor indicated he wanted to hold off on the law to give the plan introduced by the County Executive the previous month time to be implemented. Legislator Joseph Maloney stated that he reached out to Deputy County Executive Crannell who informed him that it would be about ten weeks after the enactment of the contract before any data would be available. He advised the members that the Commissioner of Finance was supposed to provide a description of the process they had been using to collect the occupancy tax from short term rentals. He stated that additional information on the data on current collections was also supposed to be supplied.

Legislator Heppner stated that while he was unclear on the past process, he had a better understanding of what the Executive is proposing as a strategy. He added that the plan involves working through a third party who would compile a list of short term and vacations rentals using any number of online platforms. He explained that the contract totaled about \$25,000 and included establishing an online portal for rental registration as well as search functions. He added that the plan also offers municipalities the option to enter into intermunicipal agreements with the county for data sharing at no cost. He informed the members that the Supervisors of Hurley and Woodstock were very supportive of the initiative as contracting with a third party would be cost prohibitive on the town level.

Legislator Donaldson asked if the Comptroller's Office was aware of the vendor chosen. Deputy Comptroller Gallo responded that the Comptroller was not familiar with the company. He added that the Comptroller was concerned with the speed of the procurement process in this case and questioned whether a better deal could have been reached if more time was taken. Legislator Donaldson stated that the original proposal was introduced more than two years ago and said that a lot of money had been forfeited because of inaction. He added that several counties are currently utilizing voluntary collection agreements, and question why the county is not moving forward.

Legislator Rodriguez commented that he has heard concerns from the New Paltz Supervisor and Mayor about enforceability of the law and obligation for code enforcement. He added that he believed the delay in advancing the law for the past two years was because of a question of legality. Minority Counsel responded that there was a preemption question that had been discussed at length which he advised had not been extinguished. Legislator Joseph Maloney stated that twenty counties have voluntary collection agreements with Airbnb which should be sufficient justification for Ulster County to move forward. Legislator Ronk stated that there still exists a legal issue with the law and advised the members that there are bills in the State Senate and Assembly to allow for legal voluntary collection agreements. He expressed his opposition to moving forward without the legal authority to do so.

Legislator Donaldson suggested depositing revenue collected into a dedicated account until the legal question is answered or state legislation is enacted. Legislator Joseph Maloney supported Legislator Donaldson's suggestion and questioned what the legal liability would be moving forward. Legislative Counsel Barnett responded that, hypothetically speaking, the county could be sued by a tax payer, and the potential losses could amount to the taxes collected and possibly attorneys' fees. He added that it was also theoretically possible that the Attorney General could bring a law suit. Legislator Joseph Maloney expressed his frustration with the tax revenue that the county has lost

out on compared to the other counties who have been collecting it. Legislator Heppner stated that he would prefer to act on a measure that would collect all of the revenue possible, not just from Airbnb. He added that he was in favor of setting money aside for municipalities as they begin to update code enforcement efforts. He continued by saying that it is hard for municipalities to know what exactly they are facing without first seeing the data that the vendor will be able to provide. He advised the members that changes to the occupancy tax law would be required to address the specification that occupancy tax revenue collected must be used to promote tourism. He added that while he understood the intention of the Resolution, he did not find it to be the most comprehensive approach to addressing the issue.

Chairman Roberts recognized Mr. Gallo who advised the members that there was precedent of a third party remitting payment on behalf of a short term rental operator. Legislator James Maloney advised the members that one of the concerns with a voluntary collection agreement with Airbnb was the inability to audit the amounts remitted on behalf of operators. Legislator Joseph Maloney stated that his understanding of the audit provision was that it required a complete audit of amounts received rather than permitting selective audits of operators. He added that the intention was to prevent operators from being singled out or targeted.

Chairman Roberts asked of there were any other comments.

**Motion No. 3:**                    **Moved to ADOPT Resolution No. 10**

**Motion By:**                    Legislator Donaldson

**Motion Seconded By:** Legislator Heppner

**Discussion:**                    None

**Voting In Favor:**                Legislators Donaldson

**Voting Against:**                Legislators Haynes, Heppner, James Maloney, Roberts & Ronk

**Votes in Favor:**                1

**Votes Against:**                5

**Disposition:**                    **Resolution DEFEATED**

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**Resolution No. 78:** Amending The Rules Of Order To Permit Memorializing Resolutions

**Resolution Summary:** This resolution amends the Rules of Order of the Legislature to permit Memorializing Resolutions in certain instances.

**Motion No. 4:**                    **Moved for DISCUSSION**

**Motion By:**                    Legislator James Maloney

**Motion Seconded By:** Legislator Ronk

**Discussion:**

Chairman Roberts recognized Legislator Joseph Maloney, sponsor of the Resolution. Legislator Joseph Maloney reminded the members that he had agreed to postponing the Resolution the previous month to allow time for Legislators to offer suggestions. He advised the members that the Democratic Caucus would like to permit memorializing resolutions and the Republican Caucus

would like a requirement that 2/3 of the body must sign on before a memorializing resolution could be submitted. He asked the members what the committee's preference is. Chairman Ronk provided the members with copies of a proposed amendment requiring the 2/3 sponsorship. He informed the members that the subject matter had become over political and he felt that requiring members from both caucuses would encourage their use to represent a sense of the body as opposed to being political fodder.

**Motion No. 5:**               **Moved to AMEND**  
**Motion By:**               Legislator Ronk  
**Motion Seconded By:** Legislator James Maloney

**Discussion:**

Chairman Roberts advised the members that an amendment in committee must be accepted by the sponsor and asked Legislator Joseph Maloney for his thoughts. Legislator Joseph Maloney responded that he would like to hear from the members. Legislator Donaldson stated that he was not in support of the amendment. Legislator Rodriguez stated that the 2/3 requirement effectively stifles speech.

Legislator Heppner advised the members that he supports his caucus' desire to reinstate memorializing resolutions. He added that both parties have used them for political reasons and felt that there was little change with the duration of committee meetings pre and post the ban. Legislator Haynes asked what the body has been doing to express support or opposition to state and federal representatives since the ban. She was advised of the use of memorializing letters. Chairman Ronk stated that he felt speech was not being constrained and reminded the members of the unrestricted public comment portion of each legislative meeting. He informed the members that some Legislatures limit public comment to matters on the agenda. He reminded the members that public comment at the most recent legislative meeting lead to the drafting of a letter to the Governor regarding the state budget. Legislator Donaldson commented that sometimes Legislators would like to speak about issues because their constituents want to know where they stand on certain none-county related issues. He added that memorializing resolutions took up a lot of time in the past, and sometimes lead to rushing through other business. He stated that he did not support the 2/3 requirement, but would like to see memorializing resolutions listed as last on a meeting agenda, or considered at a separate meeting.

Legislator Rodriguez suggested requiring at least one majority and one minority sponsor. Legislator Haynes suggested instituting a limit on the number of memorializing resolutions each member could introduce. Legislator Woltman informed the members that his understanding of the intent of memorializing resolutions was to unify a legislative body to effectively communicate support or opposition to an issue. He added that the best example of the force and usefulness of a memorializing resolution was the County Legislature's request for ORDA funding for Belleayre. He stated his support for the 2/3 requirement and added that he felt the legislature was distracted from regular business by memorializing resolutions and felt the letter system is effective. Legislator Rodriguez commented that he did not think memorializing resolutions took up excessive amounts of time.

Legislator Joseph Maloney agreed that memorializing resolutions appeared to be a distraction in the past and added that in some instances seemed to be used for purely political ends. He asked

the members if the language in the resolution referring to impacting the county specifically could be removed before other amendments are made.

Legislators Ronk and James Maloney withdrew their amendment.

**Motion No. 6:** Moved to AMEND Resolution No. 78 to strike the following language from the first Resolved: "... unless said Resolution impacts Ulster County specifically"

**Motion By:** Legislator Heppner

**Motion Seconded By:** Legislator Ronk

**Discussion:**

Legislator James Maloney expressed his support for the use of memorializing resolutions for matters that effect Ulster County residents but understood that the language allowed for broad interpretations and provided the Chair with the ability to rule resolutions out of order on the grounds of applicability. Chairman Ronk stated that nearly every resolution could be argued to have a specific effect on Ulster County and, as Chairman, would not want the responsibility.

**Voting In Favor:** Legislators Donaldson, Haynes, Heppner, James Maloney, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0

**Disposition:** Resolution AMENDED

Legislator Joseph Maloney asked if there was any amendment that the committee would be able to support. He added that if memorializing resolutions are reinstated, they should definitely be considered at the end of a meeting. Chairman Roberts suggested requiring a majority plus one of the members to sign on to a resolution before it can be introduced. Legislator Donaldson expressed his support for requiring at least one members from each caucus to sign on. He added his support for a separate meeting dedicated to memorializing resolutions. Chairman Ronk stated that it could prove difficult to get the required number of legislators for quorum to a dedicated meeting. Legislator Donaldson suggested having the meeting immediately following the regular monthly meeting, but stated his preference for the special meeting being held on a different day. Chairman Ronk advised the members that he would like to discuss adding a meeting with the Clerk of the Legislature. He added that he did not support the additional meeting, but could support a requirement that a majority plus one sign on with at least one sponsor from each caucus.

Legislator Joseph Maloney advised the members that he takes issue with the Legislative Rules being written to refer to only two caucuses and expressed his desire to have a third, independent caucus. He added that he would like to see a bipartisan compromise and asked Legislator Rodriguez and Chairman Ronk to speak to their caucuses.

**Motion No. 7:** Moved to POSTPONE Resolution No. 78 AS AMENDED

**Motion By:** Legislator Ronk

**Motion Seconded By:** Legislator Heppner

**Discussion:** None

**Voting In Favor:** Legislators Donaldson, Haynes, Heppner, James Maloney, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** **Resolution AMENDED**

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**Resolution No. 98:** Setting A Public Hearing On Proposed Local Law No. 9 Of 2018, A Local Law To Adopt Countywide Notification Requirements For The Trapping of Free Roaming, ~~Stray and/or Feral~~ **And/Or Stray** Cats, To Be Held On Tuesday, May 8, 2018 At 6:15 PM

**Resolution Summary:** This resolution sets a public hearing for Tuesday, May 8, 2018 At 6:15 PM to allow the public to offer comments on Proposed Local Law Number 9 of 2018.

**Motion No. 8:** **Moved for DISCUSSION**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator James Maloney

**Discussion:**

Chairman Roberts recognized Legislator Petit, sponsor of the proposed law. Legislator Petit advised the members that the proposed law seeks to create a sort of a registry of anyone who is conducting a trap or rescue of cats in a neighborhood. The local Town or Village Clerk and surrounding neighbors must be notified when the trapping is to occur. The proposed law also requires a holding period of trapped animals to allow time for an owner to recover a pet before it is adopted out or destroyed. She added that the local SPCA is on board with the proposed law. Chairman Roberts asked who was responsible for making the notification and how is it being tracked. Legislator Petit responded that the person or organization doing the trapping is responsible for the notification and complaints can be filed with the clerk and fines are levied for non-compliance.

Legislator Donaldson stated that most of the Trap Neuter Release (TNR) operations in the county release the cats back where they captured them after spaying or neutering them. Legislator Petit confirmed that was most often the case, but that some of the more social animals are adopted out. She informed the members that a provision of the proposed law requires that any animal deemed to be too unhealthy can only be euthanized by a licensed veterinarian. Chairman Ronk asked if the individual or organization would be responsible for the cost of the euthanization. Legislator Petit confirmed that they would be.

Legislator James Maloney asked for clarification on the release component of the TNR program. He added that there was some question as to whether releasing an animal is contrary to provisions in the NYS Agriculture and Markets Law. Legislator Petit stated that releasing animals into the wild is not permitted, but returning an animal to the same location where it was trapped is permissible. Legislator James Maloney advised the members that feral cats have been a significant problem in the Town of Ulster and he wanted to make sure that the proposed law is in keeping with NYS laws. Legislator Donaldson commented that the law is substantially marked up and asked who made the changes. Legislator Petit responded that the changes were made in consultation with the Executive Director of the Ulster County SPCA, a number of rescue groups and the Public Health & Social

Services Committee members at their meeting earlier in the month. Legislator Joseph Maloney added that a number of the changes make the terminology consistent throughout the law.

Legislator James Maloney asked for clarification of the difference between returning and releasing. Legislator Petit responded that returning requires that the animal be put back in the same geographic area where it was trapped where releasing is the removal of an animal in one location and releasing it in a different geographic location. She added that releasing is prohibited by the state in order to prevent the spread of disease. Chairman Ronk asked if Legislator Petit would object if he reached out to NYS Agriculture & Markets to request an advisory opinion on the proposed law. Legislator Petit said she would welcome the input. Legislator Haynes stated her support for a notification law, but was hesitant to begin a discussion of TNR.

**Motion No. 9:**                    **Moved to ADOPT Resolution No. 98**  
**Motion By:**                    Legislator Ronk  
**Motion Seconded By:** Legislator James Maloney

**Discussion:**                    None

**Voting In Favor:**            Legislators Donaldson, Haynes, Heppner, James Maloney, Roberts & Ronk  
**Voting Against:**            None  
**Votes in Favor:**            6  
**Votes Against:**            0  
**Disposition:**                **Resolution ADOPTED**

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Chairman Roberts granted Legislator Rodriguez's request to take Resolutions 155 and 154 out of order so he could leave for another engagement.

**Resolution No. 155:** Setting A Public Hearing On Proposed Local Law No. 13 Of 2018, A Local Law Establishing The Ulster County Electrical Licensing Board And Providing For The Qualifications, Examination, Licensing And Regulation Of Electricians In Ulster County, New York, To Be Held On Tuesday, May 8, 2018 At 6:30 PM

**Resolution Summary:** This resolution sets a public hearing for Tuesday, May 8, 2018 At 6:30 PM to allow the public to offer comments on Proposed Local Law Number 13 of 2018.

**Motion No. 10:**                **Moved for DISCUSSION**  
**Motion By:**                    Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:**

Chairman Ronk advised the members that Legislator Rodriguez had expressed his support for postponing the law for one month to allow the members more time to digest the law and prepare for discussion.

**Motion No. 11:**                **Moved to POSTPONE Resolution No. 155**  
**Motion By:**                    Legislator Ronk

**Motion Seconded By:** Legislator Heppner

**Discussion:** None

**Voting In Favor:** Legislators Donaldson, Haynes, Heppner, James Maloney, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0

**Disposition:** **Resolution POSTPONED**

Legislator Rodriguez asked if Chairman Roberts would support a subcommittee of Laws & Rules or a special meeting to discuss the law. Legislator Petit informed the members that a special meeting was held to discuss the proposed local law regarding plastic bags. She added that it was opened to the full legislature and she found it to be very productive. Chairman Ronk suggested a subcommittee to discuss Proposed Local Law No. 12 & 13 together. Chairman Roberts informed the members that he has been advised to abstain from discussion and voting on Proposed Local Law No. 12 and if they are combined he cannot participate.

Legislator Donaldson stated that he felt the laws should be discussed separately. He added that the electrician licensing appears to be a lot less controversial than the contractor law and felt a majority of members would probably support an electrician licensing law. He advised the members that the City of Kingston has had an electrician licensing law for years.

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**Resolution No. 154:** Setting A Public Hearing On Proposed Local Law No. 12 Of 2018, Establishing The Ulster County Contractor Licensing Board And Providing For The Qualifications, Examination, Licensing And Regulation Of Home Improvement Contractors In Ulster County, New York, To Be Held On Tuesday, May 8, 2018 At 6:25 PM

**Resolution Summary:** This resolution sets a public hearing for Tuesday, May 8, 2018 At 6:25 PM to allow the public to offer comments on Proposed Local Law Number 12 of 2018.

**Motion No. 12:** **Moved for DISCUSSION**

**Motion By:** Legislator Donaldson

**Motion Seconded By:** Legislator James Maloney

**Discussion:**

Chairman Roberts asked Legislator Petit if she supported postponing Proposed Local Law No. 12. Legislator Petit responded that she was in favor of postponement. She added that she has been getting input separately which she would like time to incorporate. She advised the member that her original intention with the law was as a consumer protection effort. She added that she also has concerns with the testing and fees, but would like to maintain a registration component. Chairman Roberts asked if, after her changes, the law would look substantially different. Legislator Petit responded that the board component would be similar, but the testing requirements will be eliminated and a determination needed to be made if the law called for licensing or registering.

**Motion No. 13:** **Moved to POSTPONE Resolution No. 154**



**Motion By:** Legislator Donaldson  
**Motion Seconded By:** Legislator James Maloney

**Discussion:** None

**Voting In Favor:** Legislators Donaldson, Haynes, Heppner, James Maloney & Ronk  
**Voting Against:** None  
**Abstention:** Legislator Roberts  
**Votes in Favor:** 5  
**Votes Against:** 0  
**Disposition:** **Resolution POSTPONED**

Legislator Donaldson suggested that the members read the electrician licensing law and prepare any questions or changes. He added that the law seems to be the easier one to support and move on from. Chairman Ronk stated that he was more supportive of the contractor law as electricians are already licensed and must have their work inspected. The members briefly discussed when to schedule a meeting and instructed legislative staff to organize it.

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**Resolution No. 149:** Setting A Public Hearing On Proposed Local Law No. 11 Of 2018, A Local Law Prohibiting Conversion Therapy Upon A Minor Within Ulster County, To Be Held On Tuesday, May 8, 2018 At 6:20 PM

**Resolution Summary:** This resolution sets a public hearing for Tuesday, May 8, 2018 At 6:20 PM to allow the public to offer comments on Proposed Local Law Number 11 of 2018.

**Motion No. 14:** **Moved for DISCUSSION**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:**

Chairman Roberts recognized Legislator Heppner, sponsor of the proposed law. Legislator Heppner advised the members that the law, except for some language in the legislative intent section, is identical to the local law recently passed with unanimous support in Erie County. He added that Ulster County would be the second county outside of New York City to adopt this law and advised the members that Dutchess is now considering a law. He informed the members that nine states in the country have banned conversion therapy and expressed his shock to learn New York was not one of them. He added that the Governor is considering an Executive Order to prohibit insurance carriers from covering the treatment which he described as awful. He informed the members that the practice has been discredited by every leading medical group and has been proven to cause significant harm to young people. He added that there was a great discussion in the Public Health & Social Services Committee and thanked Legislators Wawro and Joseph Maloney for their input at that meeting. He advised the members that he provided a copy of the law to the Sheriff's Office for comment and has not received any negative feedback. He informed the committee that District Attorney Carnright and LGTBQ Executive Director Rindler were both supportive.

**Motion No. 15:** **Moved to ADOPT Resolution No. 149**

**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** None

**Voting In Favor:** Legislators Donaldson, Haynes, Heppner, James Maloney, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** **Resolution ADOPTED**

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**Resolution No. 151:** Amending The 2018 Ulster County Budget To Create The Position Of Administrative Assistant In The Office Of The Comptroller

**Resolution Summary:** This resolution creates the Civil Service position of Administrative Assistant in the Office of the Comptroller.

**Motion No. 16:** **Moved for DISCUSSION**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:**

Legislator Heppner asked Deputy Comptroller Gallo if this position would satisfy the same needs as the previously requested confidential secretary position. Mr. Gallo responded that the Comptroller has some reservations including: flexibility of hours, preferred candidate selection and confidentiality, inability to remove the individual, limiting future office holder from selecting his or her own assistant. He added that the CSEA position salary is below comparable confidential secretary positions throughout the county which puts them at a disadvantage in recruiting the best candidates.

Chairman Ronk informed the members that the Comptroller sent him the job description of administrative assistant in February which is what he based the resolution on. He added that he was surprised to then receive a memo from the Comptroller stating that the position was not acceptable anymore.

Legislator Donaldson commented that every countywide elected official has a confidential secretary, including the Chairman of the Legislature. He added that singling out the Comptroller is troubling and does not represent good government. He stated that confidentiality in the Comptroller's Office is integral. Legislator Heppner agreed with Legislator Donaldson and added that the Comptroller should never have been in this position. He added that the precedent set for future political retribution is troubling. He commented that he doubted any elected official or department head who has a confidential secretary would express support for changing the position to a CSEA Administrative Assistant. Chairman Ronk stated that his confidential secretary is also a deputy clerk in the legislature and preforms additional tasks. Legislator Donaldson stated that flexibility is exactly what the Comptroller needs and cannot have with a CSEA Administrative Assistant. Chairman Ronk responded that many of the tasks listed in the Comptroller's memo that would fall under the

responsibility of the confidential secretary are duties that any other elected official or department head would assign to a deputy. Legislator Donaldson stated that he agreed with Chairman Ronk, but said it is not up to him make those decisions.

Legislator Petit commented that restricting an elected official from appointing his or her own confidential staff by creating a CSEA Administrative Assistant is a problem. Legislator Heppner commented that he has seen confidential secretaries performing duties outside of normal business hours.

**Motion No. 17:**           **Moved to ADOPT Resolution No. 151**  
**Motion By:**           Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:**           None

**Voting In Favor:**       Legislators Donaldson, Heppner & Roberts  
**Voting Against:**       Legislators Haynes, James Maloney & Ronk  
**Votes in Favor:**       3  
**Votes Against:**       3  
**Disposition:**       **Resolution DEFEATED**

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**Resolution No. 153:** Adopting Proposed Local Law No. 1 Of 2018, A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Amend The Terms Of Office For Certain Ulster County Elected Officials

**Resolution Summary:** This resolution adopts Proposed Local Law No. 1 of 2018.

**Motion No. 18:**           **Moved for DISCUSSION**  
**Motion By:**           Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:**

Legislator Donaldson stated that he believed the term and term limits are two different issues and should be separated out on the ballot. He added that he believed it was not legal and was disingenuous and misleading to voters to combine the questions into one on the ballot. Chairman Roberts asked for counsel's opinion on the question. Counselor Barnett responded that the two questions can be considered one issue and therefore can be combined into one question. He added that there was the possibility for a challenge.

Legislator Joseph Maloney stated that a few counties in the state have put this question on the ballot in this form. He added that he would be willing to separate the questions, but deferred to the other sponsors, Legislators Petit and Ronk. Chairman Ronk stated his strong desire to leave the question the way it is. Legislator Haynes asked why there was hesitation to separate the questions. Chairman Ronk responded that in counties where the questions have been separated term limits pass, but term

extensions fail. Legislator Heppner stated that the Democratic Caucus was divided on whether the questions should be separated. The members briefly discussed the pros and cons of four year terms and term limits.

**Motion No. 19:**           **Moved to ADOPT Resolution No. 153**

**Motion By:**               Legislator Ronk

**Motion Seconded By:** Legislator Donaldson

**Discussion:**             None

**Voting In Favor:**       Legislators Haynes, Heppner, James Maloney, Roberts & Ronk

**Voting Against:**       Legislator Donaldson

**Votes in Favor:**         5

**Votes Against:**         1

**Disposition:**           **Resolution ADOPTED**

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The members briefly discussed possible dates for a special meeting to discuss Proposed Local Law on electrician licensing.

Chairman Roberts asked the members if there was any new or old business, and hearing none;

**Adjournment**

**Motion Made By:**       Legislator Heppner

**Motion Seconded By:** Legislator Haynes

**No. of Votes in Favor:** 6

**No. of Votes Against:** 0

**TIME:**       8:19 PM

**Respectfully submitted: Jay Mahler, Deputy Clerk**

**Minutes Approved: May 14, 2018**

# COUNTY OF ULSTER

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Control*

## MEMORANDUM

**DATE:** April 9, 2018  
**TO:** Chairman Kenneth J. Ronk, Jr.  
**FROM:** Elliott Auerbach  
**RE:** Confidential Secretary

I appreciate your effort to appropriately staff the Office of the Comptroller and value your recognition of the hardship created by not providing the adequate funding for a confidential secretary position. However, after studying the job description for the Administrative Assistant, I realized that solving the problem by inserting a position that limits the scope of duties will not be the remedy.

The demands for this position extend far beyond the distinguishing features and typical work activities of an administrative assistant. It is understood that the employee functions as a personal secretary to the Comptroller; however, due to the Office's diminutive staff, this employee would also assist the Deputy Comptroller, the Director of Internal Audit and Control, and the auditing team with a myriad of critical duties.

This individual would be responsible for performing office management responsibilities, as well as high level tasks that require confidentiality. This position requires someone who can understand, analyze, and comply with contracts, laws, and regulations in addition to comprehending basic financial accounting and budgeting practices. Further, the candidate would be expected to have quantitative strengths, advanced Microsoft Office operating skills, client and server software knowledge, website and data base management, and expertise in handling spreadsheets and formatting needs.

*The mission of the Ulster County Comptroller's Office is to serve as an independent agency of the people, to protect the public interest by monitoring County government and to assess and report on the degree to which its operation is economical, efficient and its financial condition sound*

Additionally, the candidate would be expected to:

- Assist in the preparation of the Office's annual budget and track expenditures throughout the year;
- Assist with the research and preparation of audits, reviews, and quarterly and annual reporting;
- Communicate with County personnel and the public via written and oral means as necessary;
- Maintain all office records, files, and associated archival materials of a confidential nature;
- Attend committee meetings, public hearings, and related events (while still working thirty-five hours a week but tailoring a schedule around early morning and evening meetings);
- Schedule and coordinate the Comptroller's Office intern program, advisory committee, and school and community outreach;
- Receive walk-ins, answer telephones, take messages, direct callers to proper persons, and provide relevant information to public inquiries;
- Display a thorough knowledge of Office and County terminology, procedures, and equipment;
- Understand the functions of local government and the relationship among County departments, public and private agencies, professional service providers, and contractors doing business with the County.

I hope that this brings additional clarity to the matter and trust that you would extend the same courtesy to the Office of Comptroller that has been shown to the four other elected officials and nearly a dozen department heads and directors.

I look forward to further discussing the matter and the options.

*The mission of the Ulster County Comptroller's Office is to serve as an independent agency of the people, to protect the public interest by monitoring County government and to assess and report on the degree to which its operation is economical, efficient and its financial condition sound*

# CONFIDENTIAL SECRETARY 2017 and 2018 BUDGETS

<b>ELECTED OFFICIAL</b>	<b>CON-SECY</b>	<b>Adopted SALARY (2017)</b>	<b>Proposed SALARY (2018)</b>
SHERIFF	1	\$ 54,746.00	52,471
COUNTY CLERK	1	\$ 55,929.00	57,258
DISTRICT ATTORNEY	1	\$ 53,945.00	55,230
COUNTY EXECUTIVE	1	\$ 53,089.00	54,353
Legislative Chairman	1	\$ 53,996.00	\$55,280 *Deputy Clerk/Conf Sec
Comptroller	0	-	-
		<b>Average:</b>	<b>\$54,918</b>

<b>DEPARTMENT HEAD</b>	<b>CON-SECY</b>	<b>SALARY (2017)</b>	<b>SALARY (2018)</b>
Commissioner of Finance	1	\$ 61,534.00	63,927
Public Defender	1	\$ 64,938.00	66,265
Budget Director	1	\$ 53,089.00	54,353
County Attorney	1	\$ 48,266.00	49,420
Director of Personnel	1	\$ 44,408.00	55,705
Director of Emergency Mngt	1	\$ 51,925.00	53,166
Public Works Commissioner	1	\$ 62,626.00	63,267
Health Commissioner	1	\$ 69,285.00	69,551 *Sec Com Health
Social Services Commissioner	1	\$ 62,676.00	63,872 *Sec Com DSS
Planning Director - Bus Srv	1	\$ 43,519.00	50,736
		<b>Average:</b>	<b>\$56,226</b>

**Amending The Rules Of Order To Permit Memorializing Resolutions**

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Donaldson, Haynes, Heppner, and James Maloney)

Legislator Joseph Maloney offers the following:

WHEREAS, pursuant to Resolution No. 91 dated April 18, 2017, the Rules of Order of the Ulster County Legislature were amended to prohibit Memorializing Resolutions; and

WHEREAS, there is value to the Legislature, the County and the Ulster County residents in allowing the vetting of Memorializing Resolutions; now therefore be it

RESOLVED, that Rule 3. Resolutions, Local Laws, Rules For Procedure for Presentation and Consideration, Section C. Procedure for the submission and consideration of Resolutions in Committee, subsection (c) Memorializing Resolutions, is hereby amended to read as follows:

(c). Memorializing Resolutions. Any resolution which memorializes the New York State Legislature, Congress of the United States, or any other body to take an action which will not require a home rule message, shall be ~~prohibited unless said Resolution impacts Ulster County specifically;~~ **submitted and considered in Committee in accordance with the procedures set forth in Rule 3 of these Rules of Order.**

and, be it further

RESOLVED, that pursuant to Rule 2, entitled "AMENDMENT OF RULES," of the Rules of Order of the Ulster County Legislature, this resolution and the amendment proposed herein shall be read at two consecutive meetings of the Ulster County Legislature, and, be it further

RESOLVED, that this rule change shall take effect upon an affirmative vote of this body subsequent to two consecutive readings,

and moves its adoption.

**FIRST READING:**

**SECOND READING:**



**Resolution No. 78      April 17, 2018**

**Amending The Rules Of Order To Permit Memorializing Resolutions**

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Postponed in Committee: Laws and Rules, Governmental Services on March 19, 2018

Passed Committee: Laws and Rules, Governmental Services on \_\_\_\_\_.

FINANCIAL IMPACT:

NONE