

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

**DATE & TIME:** April 27, 2020 – 6:00 PM  
**LOCATION:** Powered by Zoom Meeting by Dialing (646) 558-8656  
Meeting ID: 999 2147 8130  
**PRESIDING OFFICER:** Chairwoman Bartels  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk  
**PRESENT:** Legislators Donaldson, Gavaris, Heppner, Roberts & Ronk (left at 6:40 PM)  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislator Archer, Legislative Counsel Ragucci, Minority Counsel Pascale, Deputy County Executive Marc Rider – UC Executive’s Office, Commissioner of Finance/Budget Director Gulnick – UC Department Finance,

Chairwoman Bartels called the meeting to order at 6:00 PM.

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**Motion No. 1:** Moved to **APPROVE Minutes of the March 16, 2020 meeting**

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

**Discussion:** None

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

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Resolutions for the April 28, 2020 Session of the Legislature

**Resolution No. 7:** Adopting The Ulster County Code Of Conduct

**Resolution Summary:** This resolution adopts the Ulster County Code of Conduct

**Discussion:** See attached transcript

**Motion No. 2:** **Motion to POSTPONE Resolution No. 7**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk

**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** **Resolution POSTPONED**

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**Resolution No. 100:** Setting A Public Hearing On Proposed Local Law No. 2 Of 2020, A Local Law Establishing Construction Apprenticeship Training Requirements For Certain Construction Contracts In Excess Of \$350,000, And Repealing Local Law Number 2 Of 2015, To Be Held On Tuesday, May 12, 2020 At 6:05 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, May 12, 2020 at 6:05 PM for the purpose of allowing the public to offer comments on Proposed Local Law No. 2 Of 2020

**Motion No. 3:** **Resolution No. 100 MOVED FOR DISCUSSION**  
**Motion By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** See attached transcript

**Motion No. 4:** **MOVED TO AMEND Resolution No. 100 to change the public hearing date to Tuesday, June 9, 2020**

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

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** **AMENDMENT ADOPTED**

**Motion No. 5:** **Motion to POSTPONE Resolution No. 100 as amended**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** **Resolution POSTPONED AS AMENDED**

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**Resolution No. 168:** Setting A Public Hearing On Proposed Local Law No. 4 Of 2020, A Local Law Establishing Certain Consumer Protection Practices In Ulster County And Penalties For Violating Same, To Be Held On Tuesday, May 12, 2020 At 6:15 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, May 12, 2020 at 6:15 PM for the purpose of allowing the public to offer comments on Proposed Local Law No. 4 Of 2020

**Motion No. 6:** **Resolution No. 168 MOVED FOR DISCUSSION**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Heppner

**Discussion:** See attached transcript

**Motion No. 7:** **MOVED TO AMEND Resolution No. 168 to change the public hearing date to Tuesday, June 7, 2020**

**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Heppner

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0

**Disposition:** **AMENDMENT ADOPTED**

**Motion No. 8:** **MOVED TO AMEND Resolution No. 168 to amend the public hearing date to Tuesday, June 9, 2020**

**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Roberts

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0

**Disposition:** **AMENDMENT ADOPTED**

**Motion No. 9:** **Motion to POSTPONE Resolution No. 168 as amended**

**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Roberts

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0  
**Disposition:** Resolution POSTPONED AS AMENDED

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**Resolution No. 169:** Setting A Public Hearing On Proposed Local Law No. 5 Of 2020, A Local Law Amending Chapter 37 Of The Code Of The County Of Ulster Regarding Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York, To Be Held On Tuesday, May 12, 2020 At 6:20 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, May 12, 2020 at 6:20 PM for the purpose of allowing the public to offer comments on Proposed Local Law No. 5 Of 2020

**Motion No. 10:** Resolution No. 169 MOVED FOR DISCUSSION  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** See attached transcript

**Motion No. 11:** MOVED TO AMEND Resolution No. 169 to change the public hearing date to Tuesday, June 9, 2020

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

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0

**Disposition:** AMENDMENT ADOPTED

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 6

**Votes Against:** 0

**Disposition:** Resolution ADOPTED AS AMENDED

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**LATE Resolution No. 172:** Implementing A Voluntary Separation Program For Eligible Ulster County Employees

**Resolution Summary:** This resolution authorizes the County Executive discretion to offer a voluntary separation agreement to retirement eligible employees in several phases through December 31, 2020.

**Motion No. 12:**           **Resolution No. 172 MOVED FOR DISCUSSION**  
**Motion By:**             Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:**             See attached transcript

**Voting In Favor:**       Legislators Donaldson, Gavaris, Heppner & Roberts  
**Voting Against:**       Legislator Bartels  
**Votes in Favor:**       4  
**Votes Against:**        1  
**Disposition:**         **Resolution ADOPTED**

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**Adjournment**

**Motion Made By:**       Legislator Roberts  
**Motion Seconded By:** Legislator Heppner  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0

**TIME:**     7:01 PM

**Respectfully submitted: Jay Mahler & Laurie Lichtenstein (transcript)**  
**Minutes Approved: May 18, 2020**

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

**DATE & TIME:** April 27, 2020 – 6:00 PM  
**LOCATION:** Powered by Zoom Meeting by Dialing (646) 558-8656. Meeting ID: 999 2147 813  
**PRESIDING OFFICER:** Chairwoman Bartels  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk  
**PRESENT:** Legislators Donaldson, Gavaris, Heppner, Roberts & Ronk (left at 6:40 PM)  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislators Archer & Uchitelle, Legislative Counsel Ragucci, Minority Counsel Pascale, Deputy County Executive Deputy County Executive Rider – UC Executive’s Office, Commissioner of Finance/Budget Director Gulnick – UC Department Finance,

Chairwoman Bartels called the meeting to order at 6:00 PM.

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**Chairwoman Bartels:** Call to order. Okay, I'm going to call tonight's meeting of Laws and Rules and Government Services Committee to order. Do you mind taking attendance?

**Deputy Clerk Mahler:** Absolutely. Chairwoman Bartels.

**Chairwoman Bartels:** Here.

**Deputy Clerk Mahler:** Deputy Chair Roberts

**Legislator Roberts:** Here.

**Deputy Clerk Mahler:** Legislator Gavaris.

**Legislator Gavaris:** Present.

**Deputy Clerk Mahler:** Legislator Heppner.

**Legislator Heppner:** Here.

**Deputy Clerk Mahler:** Legislator Ronk.

**Ken Ronk:** Present.

**Deputy Clerk Mahler:** And Chairman Donaldson.

**Chairman Donaldson:** Hey.

**Deputy Clerk Mahler:** You have six present, zero absent.

**Chairwoman Bartels:** Well, Dave, are you actually... you're not. Oh, that's okay. That's your tricking us with Vicki in the background. (Laughter). I'm like, whoa, social distancing. Physical distancing.

Okay. I'll entertain a, I don't know if everyone's had a chance to look at the minutes from March 16. I'll entertain a motion to consider.

**Ken Ronk:** I'll move it.

**Chairwoman Bartels:** And do I have a second?

**Chairwoman Bartels:** Second by Dave.

**Chairman Donaldson:** Second it.

**Chairwoman Bartels:** Any discussion on the minutes? Okay, all in favor of approving March 16 minutes.

**Committee members:** Aye.

**Chairwoman Bartels:** Any opposed?

Moving on to resolutions. First resolution on the agenda is Resolution No. 7: Adopting The Ulster County Code Of Conduct.

I'm going to request that we postpone that for another month, and hopefully, Legislator Ronk and I can have the conversation about both this and ethics. I think, just given everything else that's going on, it's probably appropriate to hold a big debate on it. Unless anyone else wants to discuss or...

**Legislator Ronk:** I'll make that motion to postpone.

**Chairman Donaldson:** Second.

**Chairwoman Bartels:** On the postponement, does anyone have any different thoughts on that? Okay, so all in favor of postponement.

**Committee members:** Aye.

**Chairwoman Bartels:** Thank you. Resolution Number 100: Setting A Public Hearing On Proposed Local Law No. 2 Of 2020, A Local Law Establishing Construction Apprenticeship Training Requirements For Certain Construction Contracts In Excess Of \$350,000, And Repealing Local Law Number 2 Of 2015, To Be Held On Tuesday, June 9, 2020 At 6:05 PM

Do I have a motion?

**Chairman Donaldson:** I'm moving.

**Legislator Ronk:** I'll second it for discussion, Madam Chair. I'd like to talk about that for a minute.

**Chairwoman Bartels:** Okay, absolutely. Legislator Ronk.

**Legislator Ronk:** I'd like to respectfully request that we change the date of the public hearing to June 7. I've had a conversation with the Clerk who would rather we not have several public hearings. The first time we try to do over Zoom. So, I think that changing the date to June 7 would be better for us, and for our staff, and for the public.

**Chairman Donaldson:** I'll second it.

**Chairwoman Bartels:** All in favor of that proposed amendment.

**Committee members:** Aye.

**Chairwoman Bartels:** All right. Okay. On the resolution as amended.

Can I just first raise the question, and I had through the Clerk, reached out... Had the changes, I did not see marked changes per previous discussion. And the Clerk, she spoke to you Legislator Ronk, and that you and Deputy Executive Rider, we're not looking to move that this month. So...

**Legislator Ronk:** I'd be happy to move forward with it, with a couple of changes. I mean, I can talk about the changes out loud. You know, the changes we've discussed already have been to remove design from the list of required, you know, types of construction work. And to also eliminate paving and land clearing from the exceptions.

**Chairwoman Bartels:** Can I ask is there before, I don't know if anyone else has any comments. Is there any reason not to postpone those changes till next month since the public hearings not going to be till June and that way, we can have a marked copy in front of us?

**Deputy County Executive Rider:** If you are going to postpone the whole thing, I think that's fine. But if you're passing this to move it to a public hearing, but just changing the public hearing date, to the seventh, wouldn't... I mean, the reason that changes haven't been made is because I thought they were going to be made in this committee, just on a motion from Legislator Ronk. So that's...

**Chairwoman Bartels:** We could do that. But I would have had the changes marked prior, which is why I reached out. I mean, and if it's not going to go to public hearing till June, is there any harm in postponing till next month, and then looking at it with the marked changes next month?

**Legislator Ronk:** Absolutely, great point. I make a motion to postpone it.

**Chairwoman Bartels:** Okay. Thank you.

**Chairman Donaldson:** I'll second that.

**Chairwoman Bartels:** All in favor?

**Committee members:** Aye.

**Chairwoman Bartels:** Opposed?

Okay. All right. So, we'll have marked changes, per your what you just spoke about, Legislator Ronk, for next month.



**Legislator Ronk:** Yes.

**Chairwoman Bartels:** Resolution Number 168: Setting A Public Hearing On Proposed Local Law No. 4 Of 2020, A Local Law Establishing Certain Consumer Protection Practices In Ulster County And Penalties For Violating Same, To Be Held On Tuesday, June 9, 2020 At 6:15 PM

**Legislator Ronk:** I'll move it.

**Chairwoman Bartels:** Do we have a second?

**Legislator Heppner:** I'll second.

**Chairwoman Bartels:** Okay, on the resolution.

**Legislator Ronk:** Madam Chair, I'd like to make an amendment to the date to make it June 7.

**Chairwoman Bartels:** Okay, Do I have a second to the amendment?

**Legislator Heppner:** I'll second that amendment.

**Chairwoman Bartels:** Okay, that was Legislator Heppner. All in favor of making the amendment to postpone the day to June 7. Per, probably, the previous discussion,

**Committee members:** Aye.

**Chairwoman Bartels:** Any opposed? Okay. On the resolution, as amended.

Chair Donaldson, did you still I did want to speak on this?

**Chairman Donaldson:** I did want to speak on this.

**Chairwoman Bartels:** Okay.

**Chairman Donaldson:** My concern is at the 10 percent, I do not see as price gouging. When sometimes things are changing in nature, and therefore percent increase will be called for. Price gouging is typically something much larger than 10 percent.

Also, my problem here is the enforcement of this. You're having Ways and Means do the enforcement. Ways and Means he was made up of two people with five...

**Legislator Ronk:** Weights and Measures.

**Chairman Donaldson:** I meant, yeah, Weights and Measures. Ways and Means... so, yeah, sorry about that. I was giving Lynn another job.

Yeah, so, Weights and Measures is made up of a couple of young people, and they've got about a \$500 budget to do things other than what they're doing right now. So, I mean, I don't see the enforcement of it.

And I also had a problem with 10 percent. It just seems low for that of a price gouging. And my problem would be, is if... You know, I understand there's things in there that allow you to charge more if your supplies cost more, but I don't want to see Kevin Roberts, when his shingles go up. 35 percent having to justify the idea that he's going to be charging more for that group. When somebody brings him up saying, oh, well, he's charging 10 percent more. You know, I mean, I don't get to 10 percent.

**Chairwoman Bartels:** Deputy Executive Rider.

**Deputy County Executive Rider:** I'm good. Dave hit on the one point I was going to make.

**Legislator Roberts:** Tracey, I like to add on that if I can.

**Chairwoman Bartels:** Okay, go ahead, Kevin. And then I have you, Jonathan next.

**Legislator Roberts:** 10 percent doesn't make sense to me either. Just doing business, day to day, prices go up and down 10 percent. And then to have a... somebody, you know, wanting you to prove it. Chances are if there's a fine, you're going to have to hire a lawyer, for 10 percent, to get involved in this.

I think, and I don't want to, you know... I know we're going to postpone this, but I did have a call in to Legislator Lopez to discuss maybe raising the 10 percent up to something more fair, 20-25 percent. And it may, also, you want to be on a sliding scale, anything over \$10,000 maybe. You know, put it at 10 percent. Anything maybe \$100 or, \$10 make it 25 percent.

**Chairwoman Bartels:** Legislator Heppner.

**Legislator Heppner:** Yes. Thank you. Deputy County Executive, I just have a question to the Executive's Office. You're saying, to Dave's point, you agree with both points? In terms of enforcement, and the 10 percent number? Or was one of the other that you agreed to?

**Deputy County Executive Rider:** The only thing I was going to flag was the 10 percent question. You know, as far as Weights and Measures, that's one of John's departments. I don't know if he's on the call. I don't think he's a video participant. I don't want to speak... I mean, they are a department. I don't know how many calls that this will, you know, take them away from their other duties? If it was a higher threshold, then potentially there would be less calls.

**Chairwoman Bartels:** Legislator Uchitelle.

**Legislator Uchitelle:** Yes, just as a point of clarification. The 10 percent it's not the gross transaction value, at retail, increasing by 10 percent. But it's that it is more than the increase at the wholesale price. So, if someone's wholesale price goes up 20% and they pass that 20% on to the consumer. That wouldn't violate the resolution, or the law written, correct?

**Legislator Ronk:** Right.

**Legislator Uchitelle:** So essentially, what this my read on it is that you can, you can increase prices to reflect changes in the market, but you can't make your price increase more than 10% higher than your suppliers price increase.

**Legislator Ronk:** Correct.

**Chairwoman Bartels:** I had something, I just want to jump in, if you don't mind, Dave.

So, I agree with most of what's been said. I think the 10 percent isn't really reflective of price gouging. And like Legislator Roberts said, I really see it, and having been certainly in a restaurant business, it's, it's well within the price of doing business. And even though you wouldn't be held to account, you would have to still deal with the complaint. And our Weights and Measures would have to deal with the complaint. You'd have to provide the proof.

And then also, I think 10 percent, even beyond that, is not... it's just too low of a threshold. If a... We are we're dealing right now... There may be restaurants, I'll use this example, to someone, there may be restaurants out there who are running alternative menus. And their prices maybe 10 percent higher than they were before this pandemic. Not because of supply chain, but because of attempting to stay in business. And the choice whether or not to, to go to those restaurants.

So, I think that the 10 percent is really not reflected with the spirit of price gouging, price gouging is normally thought of as, you know, one or two... 100% 200% price increase. So, I really hope that the sponsors are willing to look more closely at that.

I also want to say we're focusing on that one aspect, you know, the rest of it, you know, are really great things. So, we haven't acknowledged. And I don't know that we have laws in place currently to protect against all the unfair practices.

And so, I think the rest of the legislation is very positive and a really good addition for our consumers and Ulster County. But I'm concerned about what will happen with this, this one aspect of it.

I saw Legislator Donaldson.

**Chairman Donaldson:** No, I'm good.

**Chairwoman Bartels:** Yeah. Okay. Anyone else? Legislator Ronk you had your hand up, too.

**Legislator Ronk:** Yeah, thank you. You know, I don't have a problem with you know, the 10 percent. I'll tell you this, Tracey. You know, a wise a wise Legislator once said that, you know, we do these things, hoping that we won't have to enforce them. You know, like the Styrofoam ban, the plastic bag ban, and things like that, where we have large fines that could be levied on businesses. In fact, we actually had to change the fines on the Styrofoam ban because it was being used too much.

This isn't going to be going after somebody who's selling a roll of toilet paper that used to be \$1 for \$1.11. You know, this is for people, who at the very beginning of the Coronavirus pandemic, we're selling small vials of hand sanitizer for \$50 bucks. Those are the people that are going to be, you know, violated for this law, not the guy selling toilet paper for \$1.10. Or the restaurant, you know, for the restaurant that, yeah, has marked up their meal a little bit.

The reason for Weights and Measures, I know that that's been brought up a couple of times, is because most of the places, where this is going to be enforced, are places that Measures already goes to. Convenience

stores, delis, grocery stores, they're already there. They already have those relationships. To me, it makes perfect sense to have that organization do the enforcement.

If we want, again, the public hearings Not going to happen until, and I'm told that it's June 9, not June 7, that's my fault.

**Chairwoman Bartels:** Yeah.

**Legislator Ronk:** That would be a new date for the public hearing. But I would be okay with postponing it, rather than having it defeated over a difference between 10% and 20%.

I don't agree that price gouging is typically 100 or 200 percent of the cost of something. I think that you could price gouge a lot lower than that. And 10 percent on a vehicle, or 10 percent on a large piece, you know, a large purchase like that, is a lot. You know, is a lot different than 10 percent on a roll of toilet paper or even a vial of hand sanitizer. So, I think that everything's about perspective. And, you know, I would be comfortable moving forward to the 10 percent. But if the if the will is to postpone, I understand.

**Chairwoman Bartels:** I'll have Legislator Gavaris, and then Chair Donaldson.

**Legislator Gavaris:** Thank you. Yeah, I agree with, actually, Legislator Roberts. He mentioned it before, about having percentages is hard because when it's a small item, like you just mentioned a roll of toilet paper. It needs to be a sliding scale, scale. I think that's where you really will catch the people that are doing this for the purposes of gouging versus just a small increase.

I like the intent of this. I just think that you're going to catch too much and the wrong things by having the percentage straight across. If you have the thresholds, like Kevin had mentioned earlier, I think you'll have a better law that will actually accomplish what we're looking to accomplish.

**Chairwoman Bartels:** Chair Donaldson.

**Chairman Donaldson:** Yeah. And the other problem was with the 10 percent, many business, and Ken, you actually mentioned somebody selling hand sanitizer for \$50 a bottle, that's certainly not 10%. That is a that's a real example of price gouging, without a doubt.

The other aspect of it the 10 percent, people may charge 10, maybe 15, 20 percent more on one item. You could say, no, they're going to be able to sell that item, and other items are not selling, they're sitting on their shelves, and you're trying to stay afloat. So, what they're going to do is try to make money on where they can make a few dollars. But with 10 percent is, it's just problematic for me. So, I can't see it as really working.

And then you brought up a car. Believe me, they're not going to charge more than 10% on the car. They're going to be deducting money on the cars because they're not selling.

So, you know, I think Legislator Roberts has a good point. On maybe the numbers, on what the you're, you know, the making a scale different, depending on the price of the items. Or the necessity of the items. I mean, the idea of people charging, you know, \$50 for hand sanitizer, I mean, that's absurd. Or maybe our mask, or a turning around getting their mask and selling them for \$100 when they paid 50 cents for them. I mean, that's clearly price gouging. And they should be brought up on it. But, as you know, the many times

these things, you know, somebody gets aggravated about something, they bring a charge against it, and then... as Legislator Roberts also pointed out, you have to defend yourself.

**Chairwoman Bartels:** Legislator Ronk.

**Legislator Ronk:** Rather than belabor this point, it sounds like there's a majority of the committee that wants to revisit the 10%. You know, pending, you know, an agreement based on all of us on exactly how much we'd like our residents to get price gouged. I'll make a motion to postpone this until next month.

**Chairwoman Bartels:** Before we do that, can we can we make a motion to amend the amendment, to change it to June 9 so we have that done?

**Legislator Ronk:** So moved.

**Chairwoman Bartels:** Legislator Ronk. Do I have a second?

**Legislator Roberts:** I'll second.

**Chairwoman Bartels:** Okay. All in favor of amending the amendment to reflect the date of June 9?

**Committee members:** Aye.

**Chairwoman Bartels:** Opposed? Hearing none. Okay.

There's a... No, I have a motion to postpone the amendment from Legislator Ronk.

**Legislator Ronk:** The resolution.

**Chairwoman Bartels:** The resolution. Sorry. Do I have a second?

**Legislator Roberts:** Second.

**Chairwoman Bartels:** All in favor of postponing the resolution.

**Committee members:** Aye.

**Chairwoman Bartels:** Okay. Thank you opposed? Hearing none, we'll be moving on. Okay.

Resolution 169: Setting A Public Hearing On Proposed Local Law No. 5 of 2020. A Local Law Amending Chapter 37 Of The Code Of The County Of Ulster Regarding Automatic Re Canvassing Procedure In And For The County of Ulster, State of New York, To Be Held on Tuesday, May 12, 2020 at 6:00 PM

**Legislator Ronk:** I'll move it.

**Chairman Donaldson:** Second.

**Chairwoman Bartels:** Okay. Discussion.

**Legislator Ronk:** I'd like to propose an amendment that we changed the public hearing date to June 9.

**Chairman Donaldson:** I'll second that.

**Chairwoman Bartels:** On All in favor?

**Committee members:** Aye.

**Chairwoman Bartels:** Opposed? Okay. On the amended resolution. Discussion? No discussion?

**Chairman Donaldson:** I think it was something that we needed to do. I mean, the original law meant to assure us that we have recounts when elections are close. And, you know, once we ran through that, as we did, it's [inaudible] and that we had to adjust this. And Able put the resolution together with her and I think this makes sense. So, I will, you know, like move forward on it.

**Chairwoman Bartels:** Okay, thank you. And thank you, thank you Abe for putting it in. Any other discussion on the resolution.

**Legislator Uchitelle:** Yeah, I'd just I'll just say that, you know, this, this does not address every recommendation that came from the Board of Elections to, you know, in response to kind of how things evolved during last year's election. But I felt it was important to avoid meddling, not meddling, but adjusting any of the recount thresholds. So, this keeps intact all the thresholds, it just changes the opt-in and, and setting a timeline. So, I just felt it was the right decision for our body not to go that far, to stop short of adjusting the thresholds for a recount.

**Chairwoman Bartels:** Okay. Hearing no further discussion on the amended resolution, all in favor?

**Committee members:** Aye.

**Chairwoman Bartels:** Opposed? Resolution carries.

And last on the regular agenda, late Resolution No. 172: Implementing A Voluntary Separation Program for Eligible Ulster County Employees.

**Legislator Ronk:** I'll move it.

**Chairman Donaldson:** Second.

**Chairwoman Bartels:** Okay, Legislator Ronk. And Chairman Donaldson.

**Chairwoman Bartels:** We received late today, which is in the OneDrive, if you haven't had a chance to look at it a list of those employees, not by name but by, position that would be eligible for what is proposed. So, on and we have Burt Gulnick on the phone, and of course, Deputy Executive Rider's here. I'll open the floor to discussion.

**Legislator Ronk:** Madam Chair?

**Chairwoman Bartels:** Yes.

**Legislator Ronk:** For the for the most part, I mean, our role on this resolution is for lateness. You know, the primary committee for this resolution is Ways and Means, that'll be tomorrow night. I feel like a lot of the substantive conversations on the dollars and cents, the positions and whatnot, should happen there. And we should restrict our comments, predominantly to lateness, because that's why it's coming to us.

**Chairwoman Bartels:** Are there any other comments then? We can talk about it. It's fine to talk about it here. I think, to your point in terms of weighing in on more than that, but if anyone has any comments that they'd like to speak about.

**Christopher Ragucci, Esq.:** Madam Chairwoman, if I may, just briefly?

**Chairwoman Bartels:** Yes.

**Christopher Ragucci, Esq.:** To the Deputy County Executive. Did you guys happen to consult with our outside labor law counsel on this prior to submitting it? I'm just curious if we were able to get an opinion from them at all.

**Deputy County Executive Rider:** Regarding which aspect?

**Christopher Ragucci, Esq.:** Just regarding every aspect, any aspect of it. You had them review it?

**Deputy County Executive Rider:** I mean, one piece. I know, there's been some concerns about the way that some of the resolves were written. Specifically, I think, the resolve that since the County Executive desires to ensure that essential services, that resolve right there. I don't need to read the whole thing. That is identical to the resolve out of the 2012 voluntary separation that was done for Ulster County employees. We use that as a template. These were all basically identical, identical clauses. And so, I know there's some concern about whether that makes it voluntary, but I've talked to the County Attorney's Office who uses employment counsel when they believe they need it. I'm not going to direct the County Attorney to seek an outside opinion if he doesn't believe he needs to. And they feel really confident that this is legal and fine. I also took a look. And there was a question about whether warn, applied warn doesn't apply to local governments doing regular services. So, the warn notice would not apply to us in this instance.

**Christopher Ragucci, Esq.:** Thanks, Deputy County Executive.

**Chairwoman Bartels:** Thank you, Deputy County Executive.

Legislator Archer.

**Legislator Archer:** Yeah, I get what you're saying with regards to what may have happened in 12. But if the intent here is for, and these kinds of programs, it's about voluntary, meaning that people will feel good about saying, wow, this bridges the gap that I had before, and let's do it.

The minute you start to make decisions, it really isn't volunteer. All for good reason, you're making a decision, because they're critical to the business.

I caution you, that not only... I do think, and I'm kind of surprised, but just having done hundreds of these over the years. When you start to say something's voluntary, but then you're reserving the ability to not

extend the enhancement to someone, who could retire anyway, I think you are putting yourself in jeopardy. I think you're putting the County in jeopardy. And I feel strongly that you may want to get an opinion on this because at the end of the day, you call something voluntary, but you're saying, but we'll make a decision who gets it and who doesn't? I think you put your whole project at risk.

**Chairwoman Bartels:** Legislator Ronk.

**Legislator Ronk:** Thank you. Thank you, Chairwoman. I don't agree with Legislators Archer's read on the situation. But just, you know, we've got, you know, 24 hours before our legislative meeting. Deputy County Executive, any chance we can pay Bill Wallens \$500 to tell us that we can do this?

**Deputy County Executive Rider:** I can reach out this evening, tomorrow morning, and we can see what they're willing to offer us. I just want to clarify that we are not going to use this clause to say to an individual person, you cannot retire, or you can retire.

**Deputy County Executive Rider:** It's the decision making in classes of employees. I mean, I had a long conversation about this this afternoon with Sherry. And the reason this language was in in 2012, and in today, is that there may be situations where classes of employees are deemed to not be... we would not want to offer this to them. But this is not like I'm going to take an individual sitting in cubicle A, and then individual sitting in cubicle B. And they're going to have a different... one's eligible and we say you're okay, you can retire. And the other one, you can't We're not doing that.

**Legislator Ronk:** It's a voluntary separation agreement. Voluntary meaning we're not forcing people to retire. It's not an automatic separation agreement. They're not automatically guaranteed to qualify for it.

**Deputy County Executive Rider:** Right.

**Legislator Archer:** But if you....I'm sorry.

**Legislator Bartels:** Okay. I'll have Legislator Archer, than I have Chair Donaldson.

**Legislator Archer:** If you were setting up an eligibility criteria, are you telling me that you're going to set it up in a in a meaningful way so that individuals that... departments that you want to have the ability to take advantage of this can? And those departments that are critical, will not be made eligible? I'm trying to understand.

**Deputy County Executive Rider:** It's not going to be targeted like that, per se. But we will be... I mean, everybody who's eligible, we are going to look at. And, you know, the department head will speak with the employees. Gauge interest. If it comes back that there's too much interest, at a certain class, et cetera. Then we may have to look at, and reevaluate the timing of it, various things. But I don't think we're going to deny anybody the retirement incentive based off of that, we just may need to look at a plan.

**Chairman Donaldson:** And I believe, these types of voluntary separations had been done in other places, other counties, other municipalities. It's a totally different thing than when it's being done by a business or company. You can do these, and for the protection of the welfare of the people, you can say that certain people cannot... will not be able to take advantage of it.



Just as long as... I think Deputy County Executive was pointing out, I mean, if it's two people in the same department, and they got the same situation, and you offer one, you don't give it to the other one, and then then you would probably have a problem.

I mean, I don't think that's the intent here. The intent has to be the idea of... I mean, there has to be some flexibility. You know, I mean, I don't I'm not comfortable with that. I'm really not comfortable with so much with the idea of releasing, or giving so much power to the Executive on a situation like this. But it's the only way you can do it. It's a situation where you have to some trust that they're going to do something that's, you know, not going to be underhanded.

And as long as it's done equally, I don't see a problem with it. It still is a voluntary separation. They still have to request that they want to do it. And then, it's more And as long as it's in our plan, they can do it. And so, you know, that's, I mean, that's the way it has to go. And I don't see it...

And the other problem is we really don't know how much time, you know, we know how much time people have. Even that, we don't always know, because we don't know what they have from other, like if they worked in another New York county. Or they worked for the City of Kingston, and they came into the County or the Town. And we also don't necessarily know what their ages are, I guess you can look them up if you do the research. But at this point, we're trying to figure out exactly, you know, trying to figure out who is going to request to be part of this voluntary separation. So, and then, that's when you'll have to make the decisions on how to go forward with it.

But I don't think, I think they have enough sense if they're not going to offer it to one person in the department, and not the other, under the same circumstances. They know very well that would probably bring a lawsuit. But I understand what Legislator Archer points out. I don't think it hurts to talk to your, you know, your labor attorney. You know, make sure that everything is done properly. But I know it's been done like this many times before and many various other counties.

**Chairwoman Bartels:** Legislator Archer, and then I have a comment.

**Legislator Archer:** Just a couple points of clarification, Deputy County Executive. You had said that you're going to be looking at it, so, are you going to break down some jobs will be eligible for this, some jobs will not, based on business need?

**Deputy County Executive Rider:** So, I'll give you an example. The sheet, if you looked at the sheet, at all that we sent this afternoon, I apologize for the late, that it just went out. But you'll see that there's 11 people between corrections, and lieutenants, and corrections officers. If all 11 of those people took the incentive, I think we would have to evaluate whether one would really be able to operate the jail successfully by accepting those positions. So, that's what that resolve is really intended for. We have to kind of canvass. We know every everybody on the sheet that we gave you or people, who are eligible. We have to then canvass the list. And if there's major operational gaps, by allowing this to move forward, we have to evaluate that and see, if you know, if it makes sense to do that. Or if we need to pull back a whole kind of group of people.

**Legislator Archer:** So, just to follow-up. Say that you chose a group. There are six people in the group. It was determined that if all six were to take the package, that it would put the operation at risk. Therefore, you're not going to offer it to any of the six. Is that what you're saying?

**Deputy County Executive Rider:** I think we would have to evaluate and make that determination when that time comes. I'm not going to say now that we're not going to offer it to all six. If we did the analysis, and it makes sense to still do all six, but do it in a way where we allow two of them to leave in July, two of them have to leave in September, two of them to leave in December. And we believe that we can have operational transition, and it's still cheaper to say backfill one or two of those positions, even though we didn't really want to do that. But we're still going to save money. Then I think that's all... the type of situation we need to evaluate.

**Legislator Archer:** And one file one more follow-up and then I'll be done. And will we then also get the list back that says here's who we've offered the package to? Here's who's accepted? Here's the timing of their rollout? And here are the positions we need to backfill?

**Deputy County Executive Rider:** I would assume that there would be some sort of documentation that would work its way from personnel to the Legislature throughout this process. Yes. I mean, I think you're going to need to know, for one going into the 2021 budget. It's all... I would anticipate that there would be some kind of conversation, documentation that goes between us and the legislature. Yes.

**Legislator Archer:** And reconciliation. Because even once they go it's not just salary, and what jobs you're backfilling, and at what price point. But also, what they get in their departure, which would be vacation time, you know, leftover sick days, et cetera, which gets paid out when they go to retire. Correct?

**Deputy County Executive Rider:** And I think you see that when a normal person retires, I believe.

**Legislator Archer:** Right.

**Deputy County Executive Rider:** You get a personnel report every month. Yeah? Yeah.

**Chairwoman Bartels:** So, if I may, just for a moment because I have a couple comments. Deputy County Executive, when you talk about looking at a class and allowing them to take this in a phased approach. You know, I just want to be clear that everyone in this entire eligible class is eligible to retire, which means we can't stop them from retiring. We can only stop them from getting a benefit that we're offering to everyone else.

**Deputy County Executive Rider:** Yes.

**Chairwoman Bartels:** So, therein lies my concern about the legality of this or even the advisability of it, against the potential liability of it. Because if we're saying here's this plan, and it's available to this class of people who are eligible to retire by December 31. And then we're saying, well, for whatever reason, you can't have this benefit that everyone else can, but they can still retire, but without the benefits. So, I think that really does require some further investigation.

I personally am also concerned about what appears to be the rolling nature of it. I would think it would help us more in terms of budgeting to put out an offer that's thoughtful and that we've had discussion with the bargaining units over. And then have a timeline whereby people have to respond. It may be that we can allow

their retirement after the time they respond, but we can plan in terms of budget, both for backfilling whatever we need and leaving vacant what we don't. And know how that will reflect on our budget.

**Deputy County Executive Rider:** Those are the steps that we're going to take as soon as this passes.

**Chairwoman Bartels:** Say that again.

**Deputy County Executive Rider:** Those are the steps that we are going to take, as soon as this passes, we are going to, again, canvass all eligible participants and say that you need to give us... You know, our first round, hopefully, will be, essentially July 1. Maybe. We're hoping for that, so that we can get a half a year in cash flow savings from the retirements. And so, you know, our goal is to put out letters to each of the eligible participants and find out whether they're willing to do this and have a deadline fairly quickly, that they would have to respond by. But the idea is we don't want to not get folks because that has to happen so quickly. We want to then be able to offer this through December 31.

**Chairwoman Bartels:** Okay. And just... Legislator Gavaris, do you have your hand up? A virtual hand? Okay, so I wasn't sure. I thought you had a virtual hand. But I might I might have seen it from before.

So, the other issue that Legislator Ronk raised earlier which, I don't see Legislator Ronk right now, was about us only being able to speak to this to lateness. This has already been cleared for lateness, you know, it got on the agenda because of lateness. So, I do actually think it's appropriate to discuss. And as well, precedent in this committee.

I mean I've been critical of this committee weighing in on issues as it relates to local laws, that are not late, that are on the agenda, but really, we're only reviewing them for legal, but they have a primary committee. So, again, I think it's appropriate for us to discuss, and I have timing concerns on this.

Chairman Donaldson.

**Chairman Donaldson:** Well, actually, anything that comes before this committee you Right to discuss whatever you wish to discuss with it. And I mean, it's part of it. I mean, we have to decide if it's legal for one. I mean, so, you could actually discuss it on that. And that's what people are discussing about it. The idea is it legal to do this? I mean, that's one part of the discussion. I certainly think you have the right to make that discussion. That's what Law and Rules Committees do.

**Chairwoman Bartels;** Right. No, I agree. I was just making that point. Because Legislator Ronk earlier said that we're only discussing it regarding lateness. But that's not typical of this committee. So, is there... on the topic, any other comments?

Just speaking for myself, I personally... Sorry, I'm being interrupted by a small person. Just speaking for myself, I personally would feel much more comfortable with legal feedback on this. And I also would be more comfortable with an understanding of the timeline of the proposal. And an analysis of this list, in relation to the numbers of positions from the Executive's Office would have to be backfilled.

As you said, we got the we got the list late. And I was able to... which I really appreciate that we got it, Deputy Executive Rider. But as I looked through it, I noticed that there are at least several high management positions. And to your point, in the Sheriff's Office, a bunch of positions that I would expect would be

backfilled. Have you had the chance to speak to the Sheriff about the eligible positions in his department, or the DA?

**Deputy County Executive Rider:** I've spoken with the Sheriff. I have not spoken with the DA. The DA has a handful. Four assistants. So, four ADAs, a receptionist, and a consumer advocate. I mean, the Sheriff has been kind of asking for something similar, I believe for a while, but he's okay. He wants, you know, he's concerned that we're not going to backfill the positions if he loses too many. So, he has some concerns, but I think overall, he he's okay with the idea. We wouldn't push anything you know, past him, that he wasn't on board with.

And just to answer your legal question, I have been texting with Clint ,and he's going to try to get Bill Wallens to do something tomorrow. But I mean, understanding that it's, it's a day. So.

**Chairwoman Bartels:** Okay.

**Deputy County Executive Rider:** So, we should have... I've asked to have something by Ways and Means tomorrow night.

**Chairwoman Bartels:** Legislator Archer.

**Legislator Archer:** Yeah, I know at one point you talked about backfilling probably internally. And then which may create another opening. So, that would be helpful to understand where that creates a domino effect. Also, when you backfill, at what salary points are you backfilling? And I think that's another thing that we probably want to take a look at, that's going to impact the overall cost savings.

**Deputy County Executive Rider:** Yeah, I just don't know that anything like that is going to be able to be put into work at the initial resolution. So, I mean, we can't even canvass the employees and start get the ball rolling on this until this resolution passes. So, I do think that if, you know, again, we'll have further communications on this program, as the timing goes through. But I don't know that we're going to be able to get you those kind of numbers pre-passing of the resolution.

**Legislator Archer:** I get that, but then maybe we need to incorporate something in the resolution that creates a check and balance step during the process. And that we're not just looking at everything when everything's already decided and ready to roll. I think, you know, we may want to include something in there so that we do have a chance to review and understand the impact.

**Chairwoman Bartels:** If I may follow on what Lynn just said. You know, with all due respect, Deputy Executive Rider, you know, I fail to see why we don't have that information for each personnel position. There's a person attached to it. And to Chairman Donaldson's earlier point, we know that person's age. We know how many years they have until they're Medicare eligible. We know what the share is going to be because we know what we're currently paying, whether it's a family or not. We know whether they're critical. I mean, I don't necessarily, but you do. When you look at the personnel and person, our personnel director does our Executive does. So, we know whether we're going to have to backfill if this person should choose to accept it.

And so, it may be some, you know, work involved, but I think we have a lot more information than we think. It's not that it just has to get approved to get the information. Getting approved, you'll get the information of who wants to take it, but we could run those expectations, without knowing who's going to take it. We

could run it against, you know, a series of possibilities. And I don't know if Burt wants to speak with at all or...

**Commissioner of Finance Gulnick:** Tracey, I understand where you're coming from. The thing when it comes to, even like the type of health insurance they have. You're kind of walking a fine line when it comes to HIPAA, because it could be a two-person, a single, or even a family plan. And to be honest, with you when you retire, you may not have a family plan. a two-person plan. So, the costs do change, there too. So, you can have all kinds of variables just with one person.

**Deputy County Executive Rider:** And we don't know who... I mean, I get that there's an educated guess on who's going to take it. But until we know who's going to take it, it's really hard to work in those savings and come up with that.

**Chairwoman Bartels:** Legislator Archer.

**Legislator Archer:** Yeah. But you have a sense of, you know, if so and so where to take it, this job needs to be backfilled, this doesn't. When you put these plans together, I would assume that before you put in this resolution, you guys ran some numbers. You looked at your population, you have an understanding of the scope of it, and the number of people. You were probably already going through a process whereby you're already estimating who's going to take it who isn't. You may need to fine tune it with some of the managers. You may need to determine which jobs are most critical. Which one need to be backfilled. Who's going to back up?

I believe there's more that has been done than is being shared. And I understand some of the reason why in an open forum. But I do think to get everybody comfortable with what is being proposed, it would be helpful to have, I don't know even a small committee of some sort that would be reviewing these processes, in each interim step. So that there's a check and balance as we go through this. Because this is probably, I don't know how many people were in the last go around. How many people were eliminated in the last time you did this, in what 2012?

**Deputy County Executive Rider:** Burt.

**Commissioner of Finance Gulnick:** To be honest, I'd have to go and look. But Legislator Archer, the one variable... I have six on this list for my own department. To be honest with you, I couldn't tell you if one person would take it or not. And the reason being is in the economic times we're in now, I don't know if their spouse has a job. I don't know if the spouses 401k took a dive. I mean, to be honest with you, for them to retire, it's going to be a personal decision. And like I said, but the times we're living in now, I don't have an answer on the six within my own department. I know how many years they've served. I know their age. That's why they're on the list. But I don't know if they'll take it or not.

**Legislator Archer:** Well, and that may be, Burt. But in the end, it's still an educated guess at what you're doing, and who potentially could take it, and what the financial implication could potentially be.

**Commissioner of Finance Gulnick:** But there's 213 people on here. And then there's also a lot of positions that are reimbursed. It would be a lot of work for some of them, it wouldn't, they wouldn't retire.

**Chairwoman Bartels:** Chair Donaldson.

**Chairman Donaldson:** Yeah. I understand where Burt's coming from because I've actually seen it happen in a school district that I was in. And they offered a separation and a... So, they offered a number of people a large stipend to hit the road, basically early. As long as they was not going to be penalized. And I was surprised with people that didn't take it. I mean, I ended up taking that separation. And they gave me a check to go. But there was a number of people that I thought for sure would take it you know. They were the appropriate age. They certainly didn't need the money and they could have actually didn't need to continue working. But they didn't take it, so. You really don't know, like Burt said, it's a personal decision. You know, personally for me, I felt like it was I was ready to go. So, I took it. But other people didn't. And I was really surprised.

**Chairwoman Bartels:** What is the feeling of the committee? We have a lot of questions, both legal and otherwise? Move on this tonight?

**Chairman Donaldson:** I'd like to move it. I think we needed to send it to Ways and Means. And I think it's, in my opinion... I understand that there's going to be a lot of questions and we need to continue to hold their feet to the fire, shall we say, at points. And make sure that it's being done in the way we expect it to be done. But unfortunately, there's a, an issue of trust that we have to have when somebody is going to be doing this. And I just think that they really have to take a look. Because like Burt said, it's a very personal decision. So, it's really hard to determine who is going to go and who's not going to go. So, I think we need to pass it on. We'll have the discussion again tomorrow night in Ways and Means. So...

**Chairwoman Bartels:** Legislator Roberts.

**Legislator Roberts:** Yes. Thank you Chair. I think we should move on it tonight. Deputy County Exec Rider did say it was time sensitive if they want to get some benefits starting July 1. You know, we also have to have trust in the County Executive, and his staff, to get this done right. And hopefully, it comes out right, and we'll be happy in the end.

**Legislator Bartels:** Legislator Gavaris, Heppner, you have any comments or...

**Legislator Heppner:** No, I definitely understand the concerns that have been raised. But I am comfortable moving forward. I hope that we definitely do though give ourselves enough time tomorrow evening to discuss this further. And I hope some of those concerns can be addressed. But just for the, for the sake of moving forward, I will vote yes.

And again, I think the trust level thing is important. But also, you know, there's a responsibility that the Executive's Office is putting upon themselves willingly. And so, and I do have faith in the ability. But again, it's something that we have to be on top of. And I totally do, especially the point, you know, regarding again, this is sensitive, these are all people eligible to retire. I don't know how you can say one person, gets that incentive and the other person can't, even though they both have the ability to retire if they want to.

I still have, you know, that's one thing that's nagging at the back of my head, just making sure there's fairness in this policy. You know, to all the hard-working people have obviously put so much time already into the County. You know, fairness is key to me in this. Along with, not you know, I wouldn't just use legality, but just also simple fairness. If we are all putting such and such incentives out there, so it would be I am curious tomorrow to get more information and opinion on that. So those are my comments.

**Chairwoman Bartels:** Legislator Gavaris.

**Legislator Gavaris:** Yeah, I mean, Legislator Heppner said exactly what I was thinking. I mean, there's a lot of unanswered questions. There are things with the labor for the unions. I spoke with the Deputy Executive Wright earlier. And I spoke my concern about the union's input and seeing if they've had a chance to weigh in.

I think, you know, like Heppner said, giving people one person the opportunity to do this, but not another, because we need them, seems a little unfair, to have something out there that doesn't give everybody the option to partake in it.

So, as a savings, I just would love to know when your breakeven points are going to be. And I know some of those are hard to quantify without knowing who the people are, but this may not help us in 2021. This may not help until 2022 potentially. There's a lot of unanswered questions right now.

**Chairwoman Bartels:** Chairman Donaldson, I have you. But I just want to ask, Counsel Pascal, you had your hand... were you just waving it around, or did you did you want to be recognized?

No response. He looks like he's frozen.

**Christopher Ragucci, Esq.:** It's a still. It's not really him.

**Chairwoman Bartels:** Nick, did you want to be recognized?

**Nicholas Pascale, Esq.:** I am here and I heard you.

**Chairwoman Bartels:** For one moment, you looked very, very still.

**Nicholas Pascale, Esq.:** I'm in Siberia meditating on the northern slope.

**Chairwoman Bartels:** Okay, so Chairman Donaldson,

**Chairman Donaldson:** I think, you know, people have to understand that everybody's circumstances are a little different. You may be able to retire, you're 62, shall we say, and you're able to retire, but you don't want to retire because, you know, you're going to be paying 50% of your insurance. That's why a lot of people will wait until they're Medicare eligible. And Medicaid eligible rather, no Medicare, I'm right. But anyway, so as a result, you're not offering it. And somebody wants to go when they're 62, and take that somewhat of a loss, because you're not getting that, you know, because if they stayed three more years, shall we say, or say four more years. They can then get their full Social Security. They get, you know, better benefits because they're now Medicare eligible.

And so, as a result, there's still a fairness with this. It's not like you're going to cut somebody off unless, you know, unless it's like, they were pointing out, but I don't think they're looking to cut anybody off. I think they'd be trying to get as many as you possibly can.

And then, the ones that need to be backfilled will have to be backfilled. But you might be able to backfill them with present employees. You know, it's got to be, the flexibility has to be there in order for it to work. I just need to... I understand the questions. And we need to continue to questions. Because we really do still need to keep their feet to the fire to make sure that it's being done in a way that is going to save this money

and be fair. I think everybody's on that same page. But there's, like I said, a lot of people, you know, fear going at 62. But it's all of a sudden, they can get something better. They may go.

**Chairwoman Bartels:** Legislator Uchitelle, did you have a raised hand? Okay, sorry, I see a lot of hand movements, but I realize everyone's doing things. Okay. Deputy Executive Rider.

**Deputy County Executive Rider:** I do want to just talk about the union piece. You know, the County Executive had a conversation with union leadership. And this was actually something that, you know, we were looking at, but this was floated, you know, when Pat brought up the situation that we're in, and said, do you guys have any ideas. This was brought up by CSEA leadership as an example of something we could do. And I believe they're on board and that the full, we'll have full backing of the union membership because this is one of the things that we're trying to do, to avoid being like Sullivan County where they just went straight to laying 77 people off.

We're not going to be in good financial situation throughout this year and next. We're already seeing documents from the State where a best-case scenario is potentially 20 to 30 percent cuts in things like social services and other programs that we have. We're seeing a loss of sales tax revenue that we've talked about in the \$36 million range. I mean, besides asking our department heads to reduce spending by 10 percent, this is a big part of the, you know, how we're going to get to filling the revenue gap. And we're taking this very seriously. We want to do it in a fair manner. I don't think any of us want to really be doing this, this voluntary separation program, because it's not... it means that we're not in a good situation. But I think it's our best way to move forward.

**Chairwoman Bartels:** Okay, so on the resolution. All in favor? Aye. Opposed?

I'm going to be opposed, but hopefully that'll change by tomorrow. I really feel I need to have the legal questions answered. There's I have a lot of other questions, but I need to have confidence that what we're proposing is legal. So, I'll be a no.

Okay, old business. Anyone like to discuss anything? Forgot for a while about old business. Okay, any new business?

All right, then I'll entertain a motion to adjourn.

**Legislator Heppner:** Second.

**Chairwoman Bartels:** Okay. Legislator Roberts and Legislator Heppner.

**Chairwoman Bartels:** Thank you all very much. Stay safe. Stay healthy.

**Legislator Heppner:** Thank you.

**Legislator Roberts:** Thank you, Madam Chair, nice job.

**Chairwoman Bartels:** Thank you. Good night.