

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

DATE & TIME: April 19, 2021 – 6:00 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 988 4847 4969
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Deputy Clerk Mahler, Deputy Clerk
PRESENT: Legislators Donaldson, Gavaris, Heppner, Roberts (arrived 6:03 PM,) & Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislative Counsel Ragucci & Cueva and Minority Counsel Pascale, Deputy County Executives Milgrim & Rider, Commissioner Dittus – Board of Elections

Chairwoman Bartels called the meeting to order at 6:02 PM.

Motion No. 1: Moved to **APPROVE Minutes & Transcript of the March 15, 2021 Meeting**

Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: None

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

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: **Minutes APPROVED**

Resolutions for the April 20, 2021 Session of the Legislature

Resolution No. 188: Authorizing The Chair Of The Ulster County Legislature To Sign An Agreement With The Village Of New Paltz In Ulster County For The Use Of Polling Equipment And Material – Ulster County Board Of Elections

Resolution Summary: This resolution authorizes the Chair to sign an agreement with the Village of New Paltz for the use of polling equipment and material for use in the May 4, 2021 election at an estimated cost of \$228.

Resolution No. 189: Authorizing The Chair Of The Ulster County Legislature To Sign Agreements With Various School Districts In Ulster County For The Use Of Polling Equipment And Material – Ulster County Board Of Elections

Resolution Summary: This resolution authorizes the Chair to sign agreements with the Highland Central, Kingston City, Marlboro Central, New Paltz Central, Onteora Central, Rondout Valley Central and Saugerties Central School Districts for the use of polling equipment and material for the May 18, 2021 elections at a total estimated cost of \$11,330.

Motion No. 2: **Moved to Block Resolution Nos. 188 & 189**

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: **Resolutions BLOCKED**

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: **Resolutions ADOPTED**

Resolution No. 151: Adopting Proposed Local Law No. 12 Of 2020, A Local Law Amending Local Law No. 4 Of 2018, A Local Law Establishing An Ulster County Human Rights Law

Resolution Summary: This resolution adopts Proposed Local Law No. 12 of 2020.

Motion No. 3: **Resolution No. 151 MOVED FOR DISCUSSION**

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: **Resolution ADOPTED**

Resolution No. 152: Adopting Proposed Local Law No. 15 Of 2020, A Local Law Amending Article XXX Of The Ulster County Charter And Article XXX Of The Ulster County Administrative Code To Amend The Term Limit Imposed On Commissioners

Resolution Summary: This resolution adopts Proposed Local Law No. 15 of 2020.

Motion No. 4: Resolution No. 152 MOVED FOR DISCUSSION

Motion By: Legislator Donaldson

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: Resolution ADOPTED

Resolution No. 153: Appointing Members To The Periodic Compensation Review Committee

Resolution Summary: This resolution appoints Kathleen Mihm, and a Minority appointment to be determined, to the Periodic Compensation Review Committee for a term commencing immediately and continuing through March 31, 2023.

Motion No. 5: Resolution No. 153 MOVED FOR DISCUSSION

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: Resolution ADOPTED

Resolution No. 190: Rescinding The Rules Of Order Of The Ulster County Legislature Adopted On January 8, 2020, And Establishing New Rules Of Order Of The Ulster County Legislature

Resolution Summary: This resolution adopts Proposed Local Law No. 13 of 2020.

Motion No. 6: Resolution No. 190 MOVED FOR DISCUSSION

Motion By: Legislator Ronk

Motion Seconded By: Legislator Donaldson

Discussion: See attached transcript

Motion No. 7: MOVED TO AMEND Section 3E(c) to read "... next full Regular meeting of the County Legislature for a vote, provided such full Regular meeting is at least ten (10) days ..."

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: **Resolution ADOPTED WITH RULES AS AMENDED**

LATE Resolution No. 192: Approving The Execution Of A Contract Amendment For Rates Anticipated To Exceed \$50,000.00 Entered Into By The County – Peckham Road Corp. – Department Of Public Works

Resolution Summary: This resolution approves the execution of a contract amendment with Peckham Road Corp. to extend the term of agreement from March 31, 2021 through March 31, 2022 for Chip sealing services at rates anticipated to exceed \$50,000.

LATE Resolution No. 193: Approving The Execution Of A Contract For \$5,130,000.00 Entered Into By The County – Peckham Road Corp. – Department Of Public Works

Resolution Summary: This resolution approves the execution of a contract with Peckham Road Corp. for asphalt overlay services in the amount of \$5,130,000 from April 1, 2021 through December 31, 2021.

LATE Resolution No. 194: Approving The Execution Of A Contract For Rates Anticipated To Exceed \$50,000.00 Entered Into By The County – Peckham Road Corp. – Department Of Public Works

Resolution Summary: This resolution approves the execution of a contract with Peckham Road Corp. for in-place paving services and optional milling services at rates anticipated to exceed \$50,000 from May 1, 2021 through April 30, 2022.

Motion No. 8: **Moved to Block Resolution Nos. 192, 193 & 194**
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: **Resolutions BLOCKED**

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: **Resolutions ADOPTED**

Motion No. 9: Moved to ENTER EXECUTIVE SESSION TO DISCUSS LITIGATION
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: Executive Session ENTERED at 6:13 PM

Motion No. 10: Moved to EXIT EXECUTIVE SESSION
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: Executive Session EXITED at 6:19 PM

Chairwoman Bartels stated for the record that no votes were taken in Executive Session

Chairwoman Bartels moved on to Old Business on the Agenda, and, hearing none, moved on to New Business.

She recognized Deputy County Executive Milgrim who advised the members that the annual property auction would be taken place via an online platform on June 14th.

See attached transcript.

Chairwoman Bartels asked if there was any other old or any new business; and hearing none.

Adjournment

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Ronk

No. of Votes in Favor: 6
No. of Votes Against: 0

TIME: 6:22 PM

Respectfully submitted: Deputy Clerk Mahler
Minutes Approved: May 17, 2021

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ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislative Counsel Ragucci & Cueva and Minority Counsel Pascale, Deputy County Executives Milgrim & Rider, Commissioner Dittus – Board of Elections

Chairwoman Bartels called the meeting to order at 6:02 PM.

Chairwoman Bartels

We'll move to BOE in advance of Kevin getting here.

Legislator Ronk

I'll make a motion to approve the minutes as read

Chairman Donaldson

Seconded.

Chairwoman Bartels

All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Okay, great. So let's take the Resolutions out of order to take Board of Elections first, which will begin with Resolution Number 188, authorizing the Chair of the Ulster County Legislature to sign an agreement with the village of New Paltz in Ulster County for the use of polling equipment and material for the Ulster County Board of Elections

Legislator Ronk

I move we block together 188 and 89, together. They're the pretty much the same, you know, issue.

Chairman Donaldson

Yeah, that's fine. I'm with that.

Chairwoman Bartels

Can we have a second? We have a Second. All in favor of blocking 188 and 189?

Committee Members

Aye

Chairwoman Bartels

All right. So on the block?

Legislator Ronk

I've got no questions for the Board of Elections unless anybody else does.

Chairwoman Bartels

Seeing none. On the Resolutions? All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? None. Okay, passes. Let's go back to the beginning. Resolution Number 151. Adopting proposed local law number 12 of 2020. A local law amending local law number four of 2018 a local law establishing an Ulster County Human Rights Law.

Legislator Ronk

I'll move it.

Chairman Donaldson

I'll second it

Legislator Ronk

Ronk and Donaldson. On the Resolution? I think is a product of a lot of good compromise and working together and I'm ready to go forward

Legislator Heppner

I second that

Chairman Donaldson

Same.

Chairwoman Bartels

Okay, all those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay passes unanimously. Resolution Number 152, adopting proposed local law number 15 of 2020. local law amending article XXX of the Ulster County Charter, Charter in Article X of the Ulster County Administrative Code to amend the term limit imposed on commissioners.

Chairman Donaldson

I'll move it. Second

Legislator Heppner

Second

Chairwoman Tracey Bartels

Okay. That was Chair Donaldson.

Legislator Ronk

It was Donaldson and Heppner.

Chairwoman Tracey Bartels

Okay, I was going to say, it's a fight for second. On the on the Resolution.

Legislator Ronk

Again, you know, I thank Chairman Donaldson for his you know, you know, bipartisan, you know, attitude on working together on this. I think it's I think it's positive. So I'm ready,

Chairman Donaldson

And right back at you. Thank you Ken.

Chairwoman Bartels

All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay, moves unanimously. Resolution Number 153 is appointing members to the periodic compensation review committee.

Legislator Ronk

I'll move it for discussion.

Chairman Donaldson

I'll second it

Chairwoman Bartels

Legislator Ronk and Chair Donaldson. Legislator Ronk

Legislator Ronk

Just briefly, you know, the minority representative is still to be determined. I hope to have my top, you know, choice ready for tomorrow night. If not, I'll have somebody else. But I've got somebody who I think is really positive. You know, that I'm asking and I'm just waiting for an affirmative. So if we could move it to the floor like that, I'll have somebody to substitute in tomorrow night.

Chairwoman Bartels

Okay. Anyone else? Okay, so on the Resolution as proposed, which will be amended on the floor tomorrow. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed?

Legislator Ronk

And I should say before we announce the vote, I think that Kathy Mihm is a great choice. She's, you know, I consider her a great friend. And I think that she's going to be a really great addition. So

Chairwoman Bartels

thank you. I agree with that. Any other Any other comments before we announce the vote? Okay, all it's unanimous that and now, moving on to Resolution 190. rescinding The Rules of Order the Ulster County Legislature adopted on January 8, 2020, and establishing new rules of order.

Legislator Ronk

I'll move it

Chairwoman Bartels

Legislator Ronk.

Chairman Donaldson

Second

Chairwoman Bartels

Seconded by Chair Donaldson. Legislator Ronk.

Legislator Ronk

Thanks. I just want to thank you, Madam Chair for the collaborative process that you spearheaded on this. I think that there's a lot of really common sense revisions that are in here, as well as some that were more controversial that we worked through as a group. It definitely wasn't the shortest process that I've ever been a part of, but it was definitely one of the best. So I just want to thank you for your leadership on that. I think that it's a really good product. And I think it's gonna benefit bodies for years to come. So, you know, I'm not gonna say that it's the bang up job that Kevin Roberts did the last time we did these. Very, very good job.

Chairwoman Bartels

Thank you. That was a tough act to follow, so I appreciate that.

Chairman Donaldson

A slight change that needs, a typo type thing.

Chairwoman Bartels

Okay

Chairman Donaldson

That I noticed. I'm trying to pull it up on my phone while I'm on my iPad. it was the second page. It's the very bottom of the second page and the last little paragraph, and I can't, I can't seem to grab it because my phone doesn't create pages. Whereas my iPad does. And it, all it is, is there's a spot where it's the it's talking about where you crossed out full meeting of the Legislature and said regular meeting of the Legislature. But the very next sentence uses the word full again.

Chairwoman Bartels

Oh

Chairman Donaldson

So it's just got, it just, got in. I don't even know how I caught it. I was reading through the thing, and I just picked it up. But it's the ...

Legislator Ronk

It's in the petition to discharge section I think.

Chairman Donaldson

Yeah, I think it is there

Chairwoman Bartels

Clerk Mahler, do you see it? Okay, let's give a moment for Clerk Mahler to find it, potentially.

Deputy Clerk Mahler

The bottom of page two is late filed Resolutions.

Legislator Ronk

It's, um, it's page four, subsection C. Dave's right.

Chairman Donaldson

No, it was page two, I think

Legislator Ronk

I'm saying, you know, on a computer screen on the, you know, the thing that Jay sent out, it's, um, it's rule

Deputy Clerk Mahler

E

Legislator Ronk

Rule three. Rule three, subsection e,

Deputy Clerk Mahler

Sub c

Legislator Ronk

Sub c. It's on the bottom on a computer screen is on the bottom of page four. It says thereafter if the requisite number of Legislators shall, or sorry, requisite number of Legislators have signed the petition to discharge as described above, the Resolution shall be referred to the next regular meeting of the county Legislature for a vote provided such full meeting. So that should read provided such regular meeting. So I'll make that amendment if you'll second it Dave?

Chairman Donaldson

Yep

Legislator Ronk

That provided such regular meeting is at least 10 days before the date, blah, blah, blah.

Chairwoman Bartels

Okay, thank you, Chair Donaldson. That's a good catch. All those in favor of the amendment as proposed.

Committee Members

Aye

Chairwoman Bartels

Okay. Opposed? Okay. So the amendment passes unanimously. Any more comments on on the process or the rules? As they're they are before us? Okay, so on, on the rules as amended. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay. So they pass unanimously, thank you very much. And thank you all for your patience and your collaboration in the process.

Legislator Roberts

Thank you, Madam Chair.

Chairwoman Bartels

Now on to late Resolution Number 192 approving the execution ...

Legislator Ronk

I move that we block all the late Resolutions together.

Legislator Heppner

Second

Chairwoman Bartels

Thank you. And that's moved by Ronk seconded by Heppner to block 192, 193 and 194, the late Resolutions, All those in favor of the block?

Committee Members

Aye

Chairwoman Bartels

Opposed? Okay. So the Resolutions as blocked comments? Legislator Ronk.

Legislator Ronk

Just, I have a question to the County Executive's office. I don't know if it's Marc, or John, I think it's Marc for public works. is, you know, how did we get in this position where we were withdrawing Resolutions without the county attorney weighing in first? That's, that's the part that I I'm 100% gonna support this. And I understand that we're under the gun on a legal settlement. I just don't understand where, where we weren't running this stuff by the county attorney before it happens. That's all.

Chairwoman Bartels

Can I interrupt and ask ...

Deputy Executive Rider

I wouldn't say that ...

Chairwoman Bartels

Can I interrupt before the answer?

Deputy Executive Rider

Sure

Chairwoman Bartels

Deputy Executive Rider. Can I just ask Legislative Counsel, if this is a discussion for Executive Session, because it relates to legal? Just want to, he's coming in and out?

Legislative Counsel Ragucci

Yeah, sorry about that. I don't, I don't want to put words in Deputy Rider's mouth, but I don't believe he's going to be addressing anything related to the action. I think this is more of an internal process question.

Chairwoman Bartels

Okay. That's fine. I just wanted to make sure. Okay.

Legislative Counsel Ragucci

Yeah.

Chairwoman Bartels

Okay.

Legislator Ronk

And this action's been, this action's been dealt with in open court so far, hasn't it? So it wouldn't be

Deputy Executive Rider

It, the action is pending. I mean, we, well, go ahead.

Legislative Counsel Ragucci

But, Sorry, I didn't mean to cut you off there. I mean, my understanding is there have been substantial discussions in chambers with the judge and all attorneys outside of public.

Legislator Ronk

Understand.

Deputy Executive Rider

Yeah, the only point I want to say is the county attorney had been notified. And I requested his advice many times during this process. Things changed when we got, you know, when litigate, when litigation commenced. So, you know, I would not say that he wasn't, he wasn't giving advisement throughout.

Legislator Ronk

Maybe the next part should be taken. Maybe we should go into Executive Session, because I've got substantial concerns about the fact that we could be facing this level of liability. You know, this quickly, this is last month, I think, were these Resolutions. So

Chairwoman Bartels

So, let's. How about a motion to go into Executive Session?

Legislator Ronk

I move we go into Executive Session

Chairwoman Bartels

And this is to discuss litigation. Do I have a second?

Legislator Roberts

Second.

Chairwoman Bartels

Legislator Roberts. Okay. So we're going to move into executive session, which means essentially, we're just moving into executive [inaudible] includes everyone here.

Okay, let the record reflect that no action was taken in executive session. On the Resolutions? Legislator Ronk

Legislator Ronk

I'm gonna be supportive of these. You know, I was ready to support these three contracts last month, I think there were some questions brought up at the first meeting of ways and means and then, you know, by the second meeting, the Executive's office had asked that they be withdrawn. Peckham has been a good partner for Ulster County for years. And, you know, again, I was ready to support these the last month, I think that Ulster County has been a leader in infrastructure funding, and in building out our infrastructure over the years, working together and our partner partners in organized labor. So I'm excited to support these three contracts.

Chairwoman Bartels

Okay, any other comments on the Resolutions? Okay, so on the Resolutions as blocked. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? The Resolutions pass unanimously. Is there any old business anyone would like to discuss today? Deputy Executive Milgrim? Is that your hand up?

Deputy Executive Milgrim

It is. Just super quick. There was a question from long time ago. I'm not sure if this was the committee, but I know it was the Chair who asked the question. This week, we will be announcing plans for an online auction of properties to commence in June on June 14. we do have an agreement with George Cole auctions to provide that auction I believe there is a 3% buyer premium on the sales, which necessitated the Resolution that's before the Legislature regarding that policy change. But I know that was asked for you to be made aware and I think either tomorrow or the next day, we'll be posting it on the finance website. So

Chairwoman Bartels

thank you very much. Any other old business?

Chairman Donaldson

No, I'm pretty impressed that we got through all that agenda. Nothing is in, nothing, nothing is put off at all, right? Not one thing put off. I'm amazed at [inaudible]

Legislator Ronk

It's not ways and means, Dave. But it's all passed the next week.

Legislative Counsel Ragucci

We're not adjourned yet.

Chairman Donaldson

Yeah, but the thing is, is even laws and rules typically always had something that is postponed for quite some time over long periods of time.

Legislator Ronk

[inaudible] Actually, if you want actually hold on, hold on, hold that thought

Chairwoman Bartels

Nope, no, no no. Okay. Any, any new business? Okay, hearing none, I'll entertain a motion to adjourn.

Chairman Donaldson

I'll make that motion.

Chairwoman Bartels

Thank you and a second?

Legislator Ronk

I'll second it.

Chairwoman Bartels

Thank you. All those in favor of adjournment?

Committee Members

Aye.

Chairwoman Bartels

Thank you. Thank you all. Thanks. Have a great night.