

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

DATE & TIME: May 17, 2021 – 6:00 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 921 1004 5557
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Deputy Clerk Mahler, Deputy Clerk
PRESENT: Legislators Gavaris, Heppner, & Roberts (arrived at 6:19 PM)
ABSENT: Legislator Ronk
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Parete, Legislative Counsel Ragucci and Minority Counsel Pascale, Commissioner of Finance Gulnick

Chairwoman Bartels called the meeting to order at 6:03 PM.

Motion No. 1: Moved to **APPROVE Minutes & Transcript of the April 19, 2021 Meeting**

Motion By: Legislator Gavaris
Motion Seconded By: Legislator Heppner

Discussion: None

Voting In Favor: Legislators Bartels, Gavaris & Heppner
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: **Minutes APPROVED**

Resolutions for the May 18, 2021 Session of the Legislature

Resolution No. 229: Setting A Public Hearing On Proposed Local Law No. 1 Of 2021, A Local Law Amending Various Provisions Of Local Law No. 1 Of 2020, A Local Law Amending The Code Of The County Of Ulster To Include Mandatory Food Scraps Composting By Large Generators, To Be Held On Tuesday, June 15, 2021 At 7:10 PM

Resolution Summary: This resolution sets a Public Hearing to offer the public the opportunity to offer comments on Proposed Local Law No. 1 of 2021 on Tuesday, June 15th at 7:10 PM.

Motion No. 2: **Resolution No. 229 MOVED FOR DISCUSSION**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Gavaris

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Gavaris & Heppner
Voting Against: None

Votes in Favor: 3
Votes Against: 0
Disposition: **Resolutions ADOPTED**

Resolution No. 240: Setting A Public Hearing On Proposed Local Law No. 2 Of 2021, A Local Law Requiring The Payment Of A Living Wage To Employees Of Contractors And Subcontractors That Provide Services To Ulster County, To Be Held On Tuesday, June 15, 2021 At 7:05 PM

Resolution Summary: This resolution sets a Public Hearing to offer the public the opportunity to offer comments on Proposed Local Law No. 2 of 2021 on Tuesday, June 15th at 7:05 PM.

Motion No. 3: **Resolution No. 240 MOVED FOR DISCUSSION**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Gavaris

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Gavaris & Heppner
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: **Resolutions ADOPTED**

LATE Resolution No. 243: Authorizing The Chair Of The Ulster County Legislature To Execute A Certificate Of Need Application With Required Assurances For The American Rescue Plan Act (ARPA) With The United States Department Of Treasury

Resolution Summary: This resolution authorizes the Chair to execute the Certificate of Need application with the US Treasury to secure the \$34,491,474 in American Rescue Plan funding allocated to Ulster County.

Motion No. 4: **Resolution No. 243 MOVED FOR DISCUSSION**
Motion By: Legislator Gavaris
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Gavaris & Heppner
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: **Resolutions ADOPTED**

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

She advised the members that, at the request of Chairman Donaldson, the subject of American Rescue Plan funding appeared on the agenda. She encouraged the members to consider possible uses of the funding as it relates to the Laws & Rules, Governmental Services Committee's purview.

See attached transcript.

Chairwoman Bartels advised the members that, when applicable, Proposed Local Laws that may have been postponed in another committee will appear on the agenda under “Forthcoming Local Laws” so the members can begin reviewing in anticipation of it being added to the regular agenda.

See attached transcript.

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

Adjournment

Motion Made By: Legislator Roberts

Motion Seconded By: Legislator Gavaris

No. of Votes in Favor: 4

No. of Votes Against: 0

TIME: 6:21 PM

Respectfully submitted: Deputy Clerk Mahler

Minutes Approved: June 14, 2021

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ABSENT: Legislator Ronk
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Parete, Legislative Counsel Ragucci and Minority Counsel Pascale, Commissioner of Finance Gulnick

Chairwoman Bartels called the meeting to order at 6:03 PM.

Chairwoman Bartels

Get through some of the initial and then we'll see. Jay, let me know, just go ahead and interrupt if you do hear from Legislator Roberts. Okay, it's 6:03. I'm going to call the meeting of the Laws and Rules Government Services Committee meeting to order. Clerk Mahler, will you take attendance?

Deputy Clerk Mahler

Absolutely. Chairwoman Bartels. Deputy Chair Roberts, Legislator Gavaris

Legislator Gavaris

Present

Deputy Clerk Mahler

Legislator Heppner

Legislator Heppner

Here

Deputy Clerk Mahler

And Legislator Ronk. You have three present two absent.

Chairwoman Bartels

Thank you. I will entertain a motion for approval of the April 19th, 2021 Meeting Minutes and Transcript

Legislator Gavaris

I'll move it

Legislator Heppner

Second.

Chairwoman Bartels

Thank you. Are there any questions, additions, amendments? Okay, all in favor of approving the April 19 Meeting Minutes and Transcripts?

Committee Members

Aye

Chairwoman Bartels

Opposed? Passes unanimously. We'll move into our resolutions, beginning with Resolution Number 229. Setting a public hearing on proposed local law number one of 2021 a local law amending various provisions of local law number one of 2020, a local law amending the code of the County of Ulster to include mandatory food scraps composting by large generators, to be held on June 15 2021 at 7:10pm. Do I have a motion for discussion?

Legislator Heppner

I'll move it

Legislator Gavaris

Second

Chairwoman Bartels

Thank you. Any discussion on this? This is adjusting the enforcement date for the smaller generators. But it is just setting a public hearing. But the content of the resolution is adjusting start date for the smaller generators.

Legislator Gavaris

The only comment I will say, and I got to speak with Manna about this. I briefly talked her once before. If it's going to be a requirement, I think the county, I think they did this once before through the resource recovery. But there should be a group purchase for composting bins. So it's not so onerous. Because some of those bins are very expensive, especially as a large, at the hospital, we would qualify as a large producer. And the last time those bins were over \$300 that we would have had to purchase. We did a different style instead. But if we're gonna have to go this route, so there should just be looking to some way of doing a group buy with everybody that has to this way the price could probably go down.

Chairwoman Bartels

Yeah, that's a good point. And there may even be, there may even be grant incentives for, for that kind of work as well. So we should probably bring in Department of the Environment to discuss that also. Any other comments on the content of the resolution setting the public hearing? Okay, all those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Passes. Resolution Number 240. Setting a public hearing on proposed local law number two of 2021, a local law requiring the payment of a living wage to employees of contractors and subcontractors that provides services to Ulster County to be held on Tuesday, June 15 2021 at 7:05pm.

Legislator Gavaris

So moved

Legislator Heppner

Second

Chairwoman Bartels

Thank you. Okay, we have Legislator Parete with us. I don't know if you want to add anything Legislator Parete?

Legislator Parete

Well, I'm, I sort of want to listen. But this, this resolution goes back months. First, it was introduced as a local resolution, a local, a resolution. And the Executive's office or the attorneys felt that it would be better, have more teeth, and a better prestige if it was a local law. And so we pulled the other resolution. And the Executive's office, the, the, the attorneys, I think in consultation with, with our counsel drafted the law that's in front of you. I know there's been a little controversy about how much it's going to cost. I'm just going to say this. This goes back months, months and months. And I sent out two notices asking for the, the information on what are we really talking about here and I'm going to read the last one to you if I may, Madam Chair?

Chairwoman Bartels

Absolutely.

Legislator Parete

The 10th because I, we, I had received something that had nothing to do with it. It was more like well, you guys remember when I was yapping about programs and you know the, the UPAC and all those things? That's the list I got. So I said, Dear Sir, I need a list of the job titles and descriptions for those making less than living wage legislation guidelines that add up to the additional expenses that would be incurred in the legislation. Thanks again, John. I haven't got that yet. I haven't got it. I know, there's been figures bandied about, you know, \$500,000, \$700,000, \$25,000 here, it shouldn't be that difficult, I wouldn't think. But I really, truly haven't even had a response.

I think it's, this was not a fanciful pursuit on my part, folks. you know, a number of years ago, we tried to do something like this, didn't work. And even you folks, as Legislators, helped hire a young lady to work part time who has some, some issues. And it worked out very well. Because we believe in helping these folks, we believe in working with them. We have to, you know, actions speak louder than words. And it's my understanding that some of the things that we're always hoping for maybe materializing. The young lady may be going to help over the board of elections during the election season. My point being that anything we can do to, to thank the people that are doing the government's work, and we can afford it, and we can afford it, we should be doing. Yes, we have to know how much it will cost. And I have some other things, but I'd rather listen to you, Madam Chair.

Chairwoman Bartels

All right, let me, let me open the floor to the other members first. Does anyone else have anything you'd like to add?
Legislator Heppner?

Legislator Heppner

Yes. Thank you Legislator Parete. I voted for this the first time when we previously served together. I'm in support of it currently, just on principle. I just wanted to, through the Chair to you, just confirm that you would like us, your intention is to move this tonight, and then going forward to next tomorrow's Ways and Means meeting?

Legislator Parete

Yes. You know, we don't need any more never-ending resolutions never-ending conflicts. It has to rise or fall on its own merits. I, well, obviously, I think that it's long overdue. And not over expensive. And, and it's the right thing to do for our society. For the folks that are doing our work for our people. And they're, they're proud to be doing it and be, and be justly compensated. So yes. So, I would, I would like to move forward.

Legislator Heppner

Thank you.

Chairwoman Bartels

Legislator Gavaris, do you have anything you'd like to add? Okay. I just want to, for the record, and for the benefit of the sponsor, I'd like to say that I also, I support this legislation. It's before us for setting the public hearing. It seems to me that the you know, the one thing that's held it up thus far, at least in, in theory has been the issue of how much it's ultimately going to cost the county. That, that "to be determined" at the bottom, the financial impact, which I do not believe would be a substantive change in terms of the content of the law. If we were to amend that, if we were to get information at any point that would change that financial impact. I don't believe that would be a substantive change to the law itself. So I, I'm, I'm ready to support it tonight. Because if we were to if we were to hold on it, and it were to move to Ways and Means and pass out of Ways and Means the public hearing could not be set this month without a special meeting of this committee tomorrow, which is too short of a notice to notice one.

I also want to say that at last week's Ways and Means meeting I was a bit frustrated by the fact that we had a fairly detailed discussion about a memo that did not actually exist. That contained all kinds of facts and figures that were, were quoted. I share Legislator Parete's desire to see to see this information detailed, but in its simplest form, I support the concept of the legislation and I believe that it is the right thing to do. And it's really just that simple. The idea that we're contracting for services, we should be guaranteeing that the people that we're contracting with are paying at least \$15 an hour to those people that are providing the services. The idea of a financial impact is, is a bit of an elusive one since we are not directly paying those salaries even by this guarantee. We could expect to see an increase, likely, but I don't think we could expect to quantify it specifically, because the fact that we're guaranteeing this might not in itself, raise an individual value of a contract. So I'm comfortable moving forward with this tonight, given that the sponsor is asking to move it forward, and that it has been before us for several months. So if there's no further conversation, I can call the question. Okay, all those in favor of setting the public hearing for Resolution Number 240.

Committee Members

Aye

Chairwoman Bartels

Okay, Any opposed? Seeing none, passes unanimously, thank you for joining us Legislator Parete.

Legislator Parete

I immensely enjoyed this, because it gave me some time from my job. Thank you very much, and good health to everybody.

Chairwoman Bartels

You're welcome. To you as well. Moving on we're at late Resolution Number 243, authorizing the Chair of the Ulster County Legislature to execute a certificate of need application with required assurances for the American rescue plan act ARPA with the United States Department of Treasury, Treasury. We have Burt Gulnick, on the, on the line with us. Burt, I see you're not muted. Hopefully everyone had a chance to read the memo that was circulated regarding this. Is there anything you want to add?

Finance Commissioner Gulnick

Just the fact that the reason why it's late is we just got the guidance last week. So we're ushering this along to request the funds. So we need this approved first. That's all.

Chairwoman Bartels

Okay. Thank, thank you, Commissioner. It makes make sense to me if there ever was a late we wanted to move this is this is probably the one so. Any, any questions or comments on this one? Did we, actually did we move and second this?

Legislator Gavaris

No, I make that motion.

Chairwoman Bartels

Okay.

Legislator Heppner

I'll Second.

Chairwoman Bartels

Okay. Great. And any, any comments on the resolution? Okay, all those in favor? Aye.

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay. Passes unanimously. Thank you for joining us, Commissioner. Not that you have to leave. But thanks for being here in case we did have questions.

Finance Commissioner Gulnick

You're welcome. no problem. Thanks. That is why I was here. Have a good night guys. Thanks.

Chairwoman Bartels

Alright, so that was act, that was a, now we're moving on to new business as it relates to the American Rescue Plan funding. I know that everyone's seen it on the agendas, on all their agendas through the various committees. And we have had discussion in our, in our caucus. I'm, I don't know if the Republican caucus has also discussed, but, and we know that leadership is meeting with the team or the task force to have these discussions. In this committee is there anything that anyone wants to bring up right now as ideas that would make sense to originate in this committee, related to ideas or suggestions for that funding? Legislator Heppner

Legislator Heppner

The only thing for this committee, I would say, would be possibly, you know, the infrastructure needs of a move of the BOE. You know, and possibility but ...

Chairwoman Bartels

Okay, and what, that is, that's an ongoing discussion and providing update for the committee as well, I think that we will expect to see a plan in short order. It seems that it is starting to move on the Executive side, the plan that we saw discussed in this committee with both Commissioners approval previously. So it is something that we can potentially look at in terms of directing funds. And we'll, we can, we can have that conversation further next month, if we don't if, if there isn't anything in more detail to discuss right now. Anything, anything else for any of the other [inaudible], okay. Okay, so we'll keep that we'll keep that on the agenda for next month. Then if anyone has any ideas between now and then, or any detail and we'll reach out potentially to the commissioners. I'll reach out to the commissioners and get back to the committee on that suggestion as well as possibility.

I'm going to, you'll notice on your agenda, you see "forthcoming local laws." We have proposed local law number three a local law which is amending local law number seven of 2014, A local law respecting the outdoor restraint of companion animals. There's a redline version in your packet, I would just ask, and I'd like to do this moving forward, that you take a chance to look at look at the redline version. You know, as we all know, we get, we get laws to this committee unless they originate in this committee, to, to review for legal and I think it's a good idea, and I'd like to make it a new practice where as local laws are making it through, their way through the other committees, the committees of origin, that at least we're flagging them so that we can, if we have concerns, and we can discuss it as a committee, they'll be on the agenda. If there's nothing to discuss, we don't have to take committee time. But if everyone has a chance to look at them, and if there are any legal questions or concerns, we can ask Legislative Counsel, to look into those legal issues early in the process, rather than waiting to the very end and potentially holding up the process, it'd be nice to see these things move in tandem. So, and understanding that the, that the, the actual text of the law may change as it goes, but it may be that that we flagged something for the sponsor that wouldn't otherwise be flagged in a committee of origin. So if moving forward, you could do that. And if in the time between now and next month, you can have a look at local law number three, and bring any questions or concerns to the committee and to the sponsor.

Is there any old or new business that hasn't been raised that anyone would like to discuss? Okay. Yes, Clerk Mahler.

Deputy Clerk Mahler

Um, Legislator, Roberts is on his way. And I don't know if there was a resolution that he was intending on, here he is.

Chairwoman Bartels

I'm okay with that. Let's give, let's give him a moment to get in.

Deputy Clerk Mahler

Thank you.

Chairwoman Bartels

Hello, Legislator Roberts.

Legislator Roberts

I apologize for being late. And at this point, I'd like to make a motion to close the meeting.

Legislator Gavaris

I'll second.

Chairwoman Bartels

Are you sure if there's anything that you would like to consider or discuss? You got in just in the nick of time.

Legislator Roberts

Are you giving me a hint that I should be thinking about something?

Chairwoman Bartels

No, I'm not. I'm, just want to, I want to, I just want to extend the courtesy to my colleague.

Legislator Roberts

I think I'm good and I apologize again for being late. I just, I don't know. Thank you, Jay for reminding me.

Chairwoman Bartels

No problem. Life happens. So, there's a motion to adjourn and a second. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

All right. Thank you very much, everyone.

Legislator Roberts

Well, have a good night. See you tomorrow.

Chairwoman Bartels

You to see you tomorrow.