

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

DATE & TIME: July 20, 2020 – 6:00 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 924 2075 8016
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Donaldson, Gavaris, Heppner, Roberts (arrived 6:06 PM)
& Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Archer, Cahill & Petit, Legislative Counsel Ragucci & Gordon, Minority Counsel Pascale, Deputy County Executives Rider & Milgrim, Commissioners Turco & Dittus and Deputy Commissioners Quigley & Fuentes – Board of Elections, Director Doyle – Planning Department

Chairwoman Bartels called the meeting to order at 6:04 PM.

Motion No. 1: Moved to **APPROVE Minutes & Transcript of the June 15, 2020 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 July 20, 2020 Session of the Legislature

LATE Resolution No. 263: Authorizing The Chair Of The Ulster County Legislature To Enter An Agreement For A Cybersecurity Remediation Grant Program With The NYS Board Of Elections – Ulster County Board Of Elections

Resolution Summary: This Resolution authorizes the Chair to execute a grant agreement in the amount of \$113,628.00 with the NYS Board of Elections to obtain Elections Cybersecurity Remediation Grant Program funds.

Motion No. 2: **Resolution No. 263 MOVED FOR DISCUSSION**

Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Motion No. 3: **MOVED TO AMEND Resolution No. 263 in the form as presented**
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: **AMENDMENTS 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**

LATE Resolution No. 264: Setting A Public Hearing On The Sale And/Or Transfer Of Lands Owned By Ulster County Located At Golden Hill, City Of Kingston To A Local Development Corporation To Be Held On Tuesday, August 11, 2020 At 6:20 PM

Resolution Summary: This Resolution sets a Public Hearing on Tuesday, August 11, 2020 at 6:20 PM to allow the public to offer comments on the sale and/or transfer of County owned property located at Goldin Hill, also known as the Old Jail site.

Motion No. 4: **Resolution No. 264 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Donaldson, Heppner, Roberts & Ronk
Voting Against: None
Abstention: Legislator Gavaris
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution ADOPTED**

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

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

Motion No. 5: **Resolution No. 7 MOVED FOR DISCUSSION**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Donaldson

Discussion: See attached transcript

Motion No. 6: **Motion to POSTPONE Resolution No. 7**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Heppner

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

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Resolution POSTPONED**

Resolution No. 233: Adopting 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

Resolution Summary: This resolution adopts Proposed Local Law No. 2 Of 2020

Motion No. 7: **Resolution No. 233 MOVED FOR DISCUSSION**

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: **Resolution ADOPTED**

Resolution No. 234: Adopting 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

Resolution Summary: This resolution adopts Proposed Local Law No. 5 Of 2020

Motion No. 8: **Resolution No. 234 MOVED FOR DISCUSSION**
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: **Resolution ADOPTED**

Resolution No. 236: Setting A Public Hearing On Proposed Local Law No. 8 Of 2020, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For the County Of Ulster, (Local Law No. 10 Of 2008), To Clarify Budget Modification After Adoption, To Be Held On Tuesday, August 11, 2020 At 6:15 PM

Resolution Summary: This resolution set a Public Hearing on Tuesday, August 11, 2020 at 6:15 PM to allow the public to offer comments on Proposed Local Law No. 8 of 2020.

Motion No. 9: **Resolution No. 236 MOVED FOR DISCUSSION**
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: **Resolution ADOPTED**

Resolution No. 237: Setting A Public Hearing On Proposed Local Law No.9 Of 2020, A Local Law Amending Various Sections Of The Ulster County Charter And Ulster County Administrative Code To Reduce The Ulster County Legislature To 21 Members, To Be Held On Tuesday, August 11, 2020 At 6:20 PM

Resolution Summary: This resolution set a Public Hearing on Tuesday, August 11, 2020 at 6:20 PM to allow the public to offer comments on Proposed Local Law No. 9 of 2020.

Motion No. 10: **Resolution No. 237 MOVED FOR DISCUSSION**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Donaldson

Discussion: See attached transcript

Motion No. 11: **Motion to POSTPONE Resolution No. 237**

Motion By: Legislator Roberts

Motion Seconded By: Legislator Heppner

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

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Resolution POSTPONED**

Resolution No. 239: Setting A Public Hearing On Proposed Local Law No. 10 Of 2020, A Local Law Amending Local Law No. 10 of 2015, A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00, To Be Held On Tuesday, August 11, 2020 At 6:25 PM

Resolution Summary: This resolution set a Public Hearing on Tuesday, August 11, 2020 at 6:25 PM to allow the public to offer comments on Proposed Local Law No. 10 of 2020.

Motion No. 12: **Resolution No. 239 MOVED FOR DISCUSSION**

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: **Resolution ADOPTED**

Resolution No. 251: Authorizing The Chair Of The Ulster County Legislature To Execute A Lease With CPR Kingston, LLC Bank For Space To Be Used By The Board Of Elections– Department Of Public Works (Buildings And Grounds)

Resolution Summary: This resolution authorizes the Chair to execute a five-year lease agreement at an annual cost of \$62,405.00 for the first year with a 3% increase for the following four years, with CPR Kingston, LLC, for 3,566 square feet of office space located at 284 Wall Street, Kingston, New York, to be used to house the Ulster County Board of Elections.

Motion No. 13: **Resolution No. 251 MOVED FOR DISCUSSION**

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: **Resolution ADOPTED**

Adjournment

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Heppner

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

TIME: 6:55 PM

Respectfully submitted: Deputy Clerk Mahler & Confidential Secretary Lichtenstein (transcript)
Minutes Approved: August 17, 2020

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

DATE & TIME: July 20, 2020 – 6:00 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 924 2075 8016
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Donaldson, Gavaris, Heppner, Roberts (arrived 6:06 PM) & Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Archer, Cahill & Petit, Legislative Counsel Ragucci & Gordon, Minority Counsel Pascale, Deputy County Executives Rider & Milgrim, Commissioners Turco & Dittus and Deputy Commissioners Quigley & Fuentes – Board of Elections, Director Doyle – Planning Department

Chairwoman Bartels called the meeting to order at 6:04 PM.

Chairwoman Bartels: All right. So, it is 6:04, calling the July 20 meeting of Laws and Rules and Government Services to order. Jay, could you please take attendance.

Deputy Clerk Mahler: Chairwoman Bartels.

Chairwoman Bartels: Present.

Deputy Clerk Mahler: Deputy Chair Roberts. (Not present at time of roll call, joined at 6:06 PM)

Deputy Clerk Mahler: Legislator Gavaris.

Legislator Gavaris: Present.

Deputy Clerk Mahler: Legislator Heppner.

Legislator Heppner: Here.

Deputy Clerk Mahler: Legislator Ronk.

Legislator Ronk: Present.

Deputy Clerk Mahler: Chairman Donaldson.

Chairman Donaldson: Here.

Deputy Clerk Mahler: You currently have five members present and one absent.

Chairwoman Bartels: Okay. Everyone received the June 15, 2020 meeting minutes and transcript. Has everyone had a chance to review them?

Legislator Ronk: I'll move we accept minutes.

Chairwoman Bartels: Okay. Do I have a second?

Legislator Heppner: Second.

Chairwoman Bartels: Okay, all in favor of accepting the minutes as presented.

Committee Members: Aye.

Chairwoman Bartels: Aye. Opposed? Okay passes unanimously.

We're going to move into resolutions. I'd like to entertain a motion to, we have some guests here, to take the late resolutions out of order. I see Commissioner Turco and Deputy Commissioners Fuentes and Quigley. I'd entertain a motion to start with Resolution Number 263.

Legislator Ronk: I don't think we need a motion. I just... I'm... no objection to starting with 263.

Chairwoman Bartels: Okay. All right. So, late Resolution Number 263: Authorizing The Chair Of The Ulster County Legislature To Enter An Agreement For A Cybersecurity Remediation Grant Program With The NYS Board Of Elections – Ulster County Board Of Elections.

Legislator Ronk: I'll move it for discussion.

Legislator Ronk: Second.

Chairwoman Bartels: Okay, great. Legislator Ronk.

Legislator Ronk: Thanks. Did you want to have them give a brief overview before I start debate?

Chairwoman Bartels: I did. I did. I want to ask if the Deputies and the Commissioner would like to say a few words about the program?

Commissioner Turco: Can I be heard? State run program, and this is Tom Turco, it is an ongoing cyber security measure, the state, now, I believe two years ago, the start at 2018. And now there's funding available. We're putting in to request the funding to make the necessary upgrades to all the areas identified through this program as being weak in Ulster County. Please keep in mind, there's nothing critical that's going to blow up our elections or anything. However, there are improvements that we need to make, and using the state grant will help us make those improvements. Questions?

Chairwoman Bartels: Deputy Commissioner Fuentes, did you want to add anything to that? Your, I don't know if you're trying to speak. Deputy Commissioner, you're muted if you're trying to speak.

Deputy Commissioner Fuentes: I'll see if I can unmute.

Chairwoman Bartels: Okay, now you're unmuted. Sorry about that.

Deputy Commissioner Fuentes: So, the grant is in partnership with Information Services. So, we had to work collectively with Information Services to identify equipment purchases and remediation efforts that we all agreed on. So, it presented additional challenges which is one of the reasons why it was late.

Chairwoman Bartels: Okay. Legislator Ronk.

Legislator Ronk: Thank you. You know, this presents, I think the... probably the third resolution in four months, from the Board of Elections, that's been late. And that hasn't followed our proper process for late resolutions. The absence of a late memo, the, you know, in this resolution, the absence of actual, you know, time constraints, because the backup of the resolution shows that the email that came from the state about this grant was on, I believe, June 9, which was nearly two weeks before our resolution deadline. You know, I know that, you know, of the, of the, you know, three times in the last four months. This is the third time when it's grant money, which we're obviously... standby. Not going to say no to.

You know, but again, I'll be the only voice of concern with the one county department that doesn't follow our resolution policies. And actually, we have extensive amendments that we're going to need to pass tonight, because they didn't follow the resolution policies, and it never made it to the Department of Finance to go over budget amendments. So, you know, this is this is my token time of the evening where I talk about how this is the one department that doesn't follow our processes. I'm sure that the rest of you are going to ignore it. But I feel like it's a problem that continues to happen. And, you know, most of you just stand idly by. I just, I can't stand idly by, you know, when our staff have to jump through hoops. And, you know, and then follow through with amendments after the resolution has been late introduced. I think there's a problem. And I think that it's incumbent upon the Chair the Legislature and the Chair Laws and Rules, the two entities which can declare something like this late, to do something about it.

Commissioner Turco: I will start out, Legislator Ronk, by apologizing for us having late resolutions. I will also mention that these are very unusual times that we've went through with this year's election process. The amendments you discuss I may not have the entire grasp of such. But regarding the finance-end of things, we have been in touch with the finance department about how these grants work. Burt is well aware of it. He's worked very well with us and I commend him for that. The amendments, I'm guessing, probably would have to happen whether we're late or on time. And I will say this, you know, we're putting this in now, only because we feel we have a slight opening before it gets crazy for the general election, that maybe we could put some improvements through that have been mentioned, as, you know, security issues to address. However, having said that, this is our third one. If you'd like us to pull this and put it in for next month. I am happy to do so. We're not looking to cause problems or make waves, trust me.

Chairwoman Bartels: Legislator Ronk.

Legislator Ronk: Thanks, Madam Chair. Commissioner, I believe that this needs to be executed by next week, which is why it's late. Which isn't my concern. My concern is that the email that came down from the state regarding this grant, which is included in the backup to the resolution, came well before resolution deadline. The amendments that are needed are because the resolution wasn't put through the Finance Department prior to introduction. So, we actually need to amend it to include language that amends the Ulster County budget to accept the grant money.

You know, which with any other resolution that comes from any other department, whether overseen by another elected official, or the County Executive himself, would go through the Finance Department, even if it was a late, to ensure that if there are any amendments to the budget that are needed for the resolution that they happen, which hasn't happened here.

You know, I understand these are unprecedented times. And, you know, the last couple of late resolutions, two of the last three late resolutions, prior to this one, you know, legitimately qualified as a late, but were not, you know, accompanied by a late memo from either yourself or Commissioner Dittus. You know, and I felt didn't follow our proper process. You know, I know our Clerk is getting, you know, kind of exhausted of doing some of the pre-work

on these things, as well. You know, but again, you know, I'm not going to ask that we not move this forward because if we don't move it forward this month, you know, we're going to lose the grant money because of the deadlines involved with the state.

But eventually, we're going to have to say no to something. Because again, this is the third time in four months, and unprecedented times or not, this one legitimately does not qualify as a late because of the date that the state made us aware of it.

Deputy Commissioner Fuentes: Can I just say, Ken, that we did not actually have a hard copy of the grant material until July 4. That was an email that was sent to us. And we were working with IS (Information Service) to try to come up with a plan and determine whether or not they could undertake this program into July. And as you may, or may not be aware, we didn't even have a final program until last Thursday.

Deputy Commissioner Quigley: Legislator Ronk.

Chairwoman Bartels: Okay, Mr. Quigley.

Deputy Commissioner Quigley: If I might add, I do know we will be having one more resolution come to you guys. Hopefully, before Friday at noon, if I am to remember the resolution deadline. We will make sure that that is in timely, and in order, for you guys. And to speak to any future grants, we'll try and do our best to keep it in the timetable, and timely, hopefully.

The only other two cents I care to add regarding this last one is that although we may have received information on June 10, it happened to have been right while we were processing roughly 10,000 absentee applications, if not more. And to have gotten that work done regarding this grant between then and the 23rd would have been difficult. But I can speak to the fact that the process was ongoing throughout the election cycle because we had to set up multiple meetings with Information Services. And working with them, they took their due diligence to make sure that they got exactly what they wanted. Which is why we might have had a little bit of a hold-up to making sure that we got the numbers from them.

Chairwoman Bartels: Legislator Ronk, you had your hand up earlier.

Legislator Ronk: Thank you. Just for future reference for both Deputy Commissioner Quigley and Fuentes, and Commissioner Turco, you know, our Clerk, Vicky Fabella, is very helpful. And if you had any of this information prior to resolution deadline, even if you let her know that you're not going to have all the information right away, because of the election going on, you know, we can put in a placeholder resolution. You know, we can do some of the pre-work ahead of time. And, you know, waiting until the last minute, and then giving it to the Legislature, when you have all the information isn't necessarily the best way to go, especially when these are department heads that are appointed by the Legislature as a whole.

So, it's a little different than working with somebody that's appointed by the County Executive in that, you know, I feel like we should have a better, you know, line of communication. That if you know, you've got something coming in, and there's, you know, the Executive Office even tells us when they know they have something coming in, even if it's not going to be all there and it can go before one of the originating committees.

I just feel like there's a lot of things that could be better in this process. You know, if you only got some of the information on, you know, June 9, June 10, you know, it's still, it gives the Clerk and the Clerk's Office a couple of weeks head time to be able to plan for it rather than have, you know, late resolutions every month. Like this resolution that Mr. Quigley is talking about, perhaps, you know, perhaps you have some information that would be helpful to Vicky and Jay and the rest of the Clerk's Office to be able to help us plan for it rather than have all this emergency work done at the end.

Commissioner Turco: Well, that's very good advice. Legislator Ronk. And we will take that into consideration. And as FYI, I was actually in touch with Vicky today about the upcoming resolution. We're hoping to, as both Deputies mentioned, be on top of the game this time.

Chairwoman Bartels: Yeah, and I've asked for the same just not just in terms of allowing the Clerk's, the Legislative Clerk's Office to know, but to allow the Chair of the Legislature, and myself as Chair of this committee to know. You know, I think... I will recognize you in one moment, Chairman Donaldson. You've all apologized well enough. I appreciate that there have been three lates. And I just want to also correct and point out that this does qualify as a late in that there are financial, you know, there are financial consequences at this point, if we don't act. And so, to not accept it as late I think would have would have been a problem.

Chairman Donaldson.

Chairman Donaldson: Yes, I agree. It does qualify for late because we could lose the revenue. But I also want to thank the Board of Elections for their diligence and all the hard work they've been doing. And the grants that they've been pushing to get. And I appreciate, we all appreciate that work that you're doing. And I know very well that you were pretty much swamped with all the absentee ballots that you had to deal with at same time trying to get this grant done. So, thank you for your work.

Chairwoman Bartels: Legislator Ronk.

Commissioner Turco: Thank you.

Legislator Ronk: Thanks to Chairman Donaldson and Deputy Chair Bartels, I just sincerely hope that should the Executive's Office ever have information about something two weeks before resolution deadline, I sincerely hope that you think that that qualifies as a late as well, because I don't think that this does qualify as a late, under the spirit of our rules. I understand that under the letter of our rules, because we could lose grant funding, it is a possible criterion to qualify as late, and it's why I'm going to support it tonight.

But to behave as if, you know, grant money that was, you know, known about well before resolution deadline, because they didn't submit the resolution, by resolution deadline, that now, all of a sudden we have to say, "well it definitely qualifies as late because we could lose grant money. I don't feel like your attitude would be the same if it were the Sheriff or the Executive or the District Attorney, or anybody else.

Chairwoman Bartels: I would appreciate you not characterizing my attitude, but the Chairman can speak for himself.

Chairman Donaldson: Right.

Legislator Ronk: I said, I don't believe, Legislator Bartels, I did not say you would. I was very careful.

Chairman Donaldson: Chairwoman Bartels.

Chairwoman Bartels: Yes.

Chairman Donaldson: Yes. Yeah, I kind of resent that also. But the point is, they pointed out that they got the information two weeks before in an email, but they didn't get the paperwork until well into July. Plus, they were in the middle of counting ballots. And they couldn't get this in. And we have to have some leeway. As Commissioner Turco pointed out, the times are quite different. You know, they're trying to deal with everything. And they're juggling all kinds of balls are up in the air at the same time. And I want to commend them for getting it done. And instead of chastising them for getting it done and bringing it in late, they got it in, and they got it. We're going to get some money. Isn't that nice?

Chairwoman Bartels: Legislator Ronk. Did you want to speak again?

Legislator Ronk: I just, you know, I mean, resent it all you want. I've lived through times when, Chairman Donaldson, you have had a problem with late resolutions. When the information has come after resolution deadline. Not even resolution, you know, information that's come before resolution deadline, as this has. You know, I understand that there's been a lot going on at the Board of Elections and that they've had a lot of issues with the Governor's Executive orders and everything that's gone along with them that have caused a large amount of paper to have to be counted.

But eventually, we're going to have to start following our own rules. And eventually we're going to have to start expecting that our departments are following our rules, as well. And you know, quite frankly, you know, fool me once, shame on you. Fool me twice, shame on me. What happens the third time you get fooled? This is three out of four months where the same department has had an issue with our resolution policies. Again, maybe I'm the only one who cares. But I'm used to being the only one who cares about stuff, so, it's fine.

Chairman Donaldson: Okay, you're very caring.

Chairwoman Bartels: Does anyone have any new points to be made? Anyone, anything to add to this conversation?

Okay, so, on the resolution, Resolution Number 263.

Chairman Donaldson: Are there amendments that have to be made?

Legislator Ronk: Yeah, there are.

Chairwoman Bartels: Yes, there are. Thank you for reminding me. We got so caught up in a circular process. So, the amendments are in the packet. Jay, are you able to put them up?

Legislator Ronk: It amends the budget. The amendments amend the budget because the resolution did not amend the budget to accept the grant money.

Chairwoman Bartels: Has everyone had a chance to review the amendments?

Legislator Ronk: Yes.

Chairwoman Bartels: Okay. Would anyone like to move the amendments that are in the packet...

Chairman Donaldson: I move the amendments.

Chairwoman Bartels: ...that are now on the screen?

Legislator Heppner: I'll second.

Chairwoman Bartels: Okay. On the amendment.

Committee Members: Aye.

Chairwoman Bartels: Is there anyone opposed?

Okay. On the resolution, as amended.

Committee Members: Aye.

Chairwoman Bartels: All right. Is there anyone opposed?

Okay, the resolution as amended, passes unanimously. Thank you, Commissioner and Deputy Commissioners for your time this evening.

Deputy Commissioner Fuentes: Thank you.

Commissioner Turco: Thank you.

Chairwoman Bartels: Okay, moving on. If we can now, take late Resolution Number 264. Setting A Public Hearing On The Sale And/Or Transfer Of Lands Owned By Ulster County Located At Golden Hill, City Of Kingston To A Local Development Corporation To Be Held On Tuesday, August 11, 2020 At 6:20 PM.

Okay, and we have Dennis Doyle joining us today to speak on the issue. I'd like to ask Dennis to tell us a little bit about this before we open for questions. Dennis, you flipped back to mute. You went off for a second but you're back on mute. There you go.

Dennis Doyle: Am I unmuted now?

Chairwoman Bartels: Yes.

Dennis Doyle: Okay. I'd like to start with an apology. To the Chair. And all the emails that were exchanged with respect to building up to this late resolution, there was one person that was left out, and that's the Chairwoman and I apologize for that.

What this resolution does is as we went through the process of looking at what we needed to do in order to surplus lands to a development corporation, one of the sections of the law that governs that requires the Legislature to hold a public hearing prior to that property being surplus.

The County Executive is considering submitting a resolution to the legislature for its consideration in August to surplus the property associated with the with the lands on Golden Hill. I did provide the committee with a late resolution memo in terms of why we thought it would be justified to submit this as late resolution. We also supplied the committee with a map of the lands that we are considering to be surplus on Golden Hill, as it relates to housing development.

The Legislature has gone through a number of housing initiatives, with respect to the need for affordable housing and workforce housing in the county, including a resolution that directed the County Executive to look at lands that were potential to be used for, county lands had a potential to be used for housing.

The County Planning Department has identified those lands on Golden Hill, associated with the former jail property, and approximately about 19 to 20 acres, depending upon how you measure it. And looking at that, we thought that those lands would work. We put out a SOQ, a Statement of Qualifications, to developers to see if there was any interest in those lands. The county received back five very credible proposals for that SOQ. And we're in the process of essentially looking at those responses and deciding which could be a preferred developer. That decision would rest with the development corporation itself.

In order for us to essentially transfer the lands, we need, essentially, that public hearing. If we do not hold the public hearing at this particular point in time, there's a chance that we would miss the window for funding that's going to open up at the state level, probably this fall. We have, as of last Friday, the state opened up what they call their housing 9% tax credit and other housing programs, which are due back in August. And that request for funding applications from the state also includes an indication that there will be a second round of funding in the fall. So, we're looking to

try to meet that that deadline for a second round of funding to allow whatever developer is chosen to make that application for the state funding.

Chairwoman Bartels: Okay, thank you. Does anyone have any questions for Dennis?

Okay, so on the resolution itself, all in favor?

Committee Members: Aye.

Chairwoman Bartels: Opposed?

Chairman Donaldson: Even though it's late, I'm an "aye."

Chairwoman Bartels: Is there any opposed?

Legislator Gavaris: I'm going to recuse myself for purposes of employment.

Chairwoman Bartels: Okay. Thank you. And thank you, Dennis, for joining us.

Dennis Doyle: Thank you.

Chairwoman Bartels: Okay, so we'll move back to the beginning of the agenda items. Resolution No.7. Still No. 7, adopting the Ulster County Code of Conduct. If I could, I'll entertain a motion for discussion.

Chairman Ronk: I'll move it for discussion.

Chairman Donaldson: I'll second that.

Chairwoman Bartels: If I could begin by saying that we had a meeting, myself, Legislators Ronk and Haynes. Legislator Heppner was only able to attend for a couple minutes due to conflict. And counsel, from both sides of the aisle. And we have not yet reached consensus. We're waiting for some comments in writing from Legislator Ronk. I don't know if...

Legislator Ronk: I'm working on them. I haven't quite gotten there yet. You know, it's complicated because the, you know, comments in writing include, you know, a lot of what are going to be highly technical, you know, penalties as, as part of the code of conduct. You know, I would prefer, you know, I think that by next month, I can have those comments, and we can have another meeting. But if you'd prefer to move forward now, there's nothing I can do about it. I mean...

Chairwoman Bartels: No, I actually don't prefer to move forward right now. If you're still engaged and want to participate, we can wait for that. And then I'm also working to put the rest of.... even though I've provided it to you, in writing as it relates to the...

Ethics ... the ethics. Yeah, I'm looking to put that into a distributable packet.

Legislator Ronk: That's and the ethics law is a conversation that the Executives Office had had interested in having a meeting with myself, and you, and a couple of others, I believe, but I think that the global pandemic got in the way.

Chairwoman Bartels: It did.

Legislator Ronk: So, I think that that's something that we need to work out with the Executive's Office, as well, on the ethics law. You know, which is again, you know, we've said privately, I've said to you privately and publicly that I

think that, you know, there are two separate conversations, and there's a reason they're two separate conversations. I think one's significantly more complicated than the other but they're both complicated in different ways.

Chairwoman Bartels: Okay, so, I will entertain a motion to postpone this again with consent or we can take no action, whichever way the committee wants to proceed.

Legislator Ronk: I move, I move we postpone it until the next meeting.

Chairwoman Bartels: Okay. Second from Legislator Heppner. All in favor of postponement until the next meeting?

Committee Members: Aye.

Chairwoman Bartels: Okay, thank you.

Resolution Number 233: Adopting 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 No. 2 Of 2015.

Legislator Ronk: I'll move it.

Legislator Heppner: Second.

Chairwoman Bartels: Thank you. Legislator Heppner, second.

On the resolution. Is there any discussion? All in favor of Resolution No. 233?

Committee Members: Aye.

Chairwoman Bartels: Opposed?

Hearing none. Resolution Number 234: Adopting 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.

Legislator Ronk: I'll move it.

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

Legislator Heppner: I'll second?

Chairwoman Bartels: Second, Legislator Heppner, Yes, Legislator Ronk.

Legislator Ronk: Thanks. I just want to make everybody aware that we may, we may need to further amend this after next month. Because the resolution that's coming forward from the Board of Elections, I believe, is going to be the purchase of a central canvassing machine for absentee ballots. And we may need to include language about the use of that machine, and or the objections to set ballots, in that policy. So, I'm going to support this change. I think it's good. But I just want to make everyone aware that we may need further amendments after that resolution, hopefully, knock on wood, it'll be on time. But uh, you know, we may need more amendments to this, following that. So...

Chairwoman Bartels: I'll reach out to both commissioners on that subject, as well. Since that's what I anticipate the next resolution from their office to be, as well. Any other comments on this? Okay, on the resolution, all in favor?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Okay, unanimous.

Resolution Number 236: Setting A Public Hearing On Proposed Local Law No. 8 Of 2020, A Local Law Amending The Ulster County Charter, And Amending The Administrative Code For the County Of Ulster, To Clarify Budget Modification After Adoption, To Be Held On Tuesday, August 11, 2020 At 6:15.

Legislator Ronk: I'll move it.

Legislator Heppner: Second.

Chairwoman Bartels: That's Legislators Ronk and Heppner. On the resolution.

Discussion? Okay, on the resolution. All in favor?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Okay passes unanimously.

Resolution Number 237: Setting A Public Hearing On Proposed Local Law No.9 Of 2020, A Local Law Amending Various Sections Of The Ulster County Charter And Ulster County Administrative Code To Reduce The Ulster County Legislature To 21 Members, To Be Held On Tuesday, August 11, 2020 At 6:20 PM.

I'll entertain a motion for discussion.

Legislator Heppner: I'll move it.

Chairman Donaldson: I'll move it.

Chairwoman Bartels: Okay, Legislator Heppner moves. Legislator Donaldson seconds.

Discussion? Legislator Ronk

Legislator Ronk: Thanks. I mean, we've had a couple of public hearings on this over the years. You know, we're heading into a redistricting. I believe that the new date that we have to have a referendum to the Board of Elections by is prior to our August meeting. So, I don't even know if this can get on the ballot prior to Election Day. So, I'm hesitant to support it. Um, I, think that we should go a lot further than 21, personally. I know I'm in the minority on that. But um, you know, I don't know if there's any other thought from anybody. I do believe that it's in the first couple of weeks to August. That's the new date that we need to get referendums to the Board of Elections to be on the ballot this year by. Is there anybody that can either confirm or not confirm that?

Chairman Donaldson: Marc has his hand up.

Chairwoman Bartels: Yes, I see him. Marc, go ahead.

Deputy Executive Rider: Yes, I spoke with Commissioner Dittus last week about this. And it actually has to do with the previous local law well, but that August 3 is the deadline. The state law changed this year and it's now 90 days prior to an election. So, any referendum have to be there by August 3 in order to make it on the November 3 ballot.

Chairwoman Bartels: August 3. Chairman Donaldson.

Chairman Donaldson: And when do we, when will the redistricting take place again, Marc?

Legislator Ronk: 2022. Or 2021 for the 2022 elections? Or 20? No, I'm sorry. 2022 for the 2023 elections, sorry.

Chairman Donaldson: All right. So, we pass it, now, the Charter revision, it would have it would go in, it would get in on time for that. In order to be, in other words, for the redistrict... you may find that is, if you're going to reduce it, we reduce it just prior to the redistricting. So, you're not redistricting twice.

Legislator Ronk: Yeah, I get that. I just don't see the rush right now. I feel like we do this, and then we don't follow up on it, and we do it, and we don't follow up on it with the public hearing. I just...

Chairman Donaldson: Well, we didn't follow up on it because the last time I don't think we even had the public hearing. Oh, that's right, we did have a public hearing. [Inaudible]

Legislator Ronk: Yeah, we did. Twice.

Chairman Donaldson: And we went into a COVID situation and then things got lost in the shuffle.

Legislator Ronk: I think we had this public hearing like last November or December.

Chairman Donaldson: Right. So, I mean, it's up to the committee's pleasure. I mean, I'd like to get done with it, and move on. And then once the public hearing is done, we can do it and then we know that it's set up ahead of time.

Chairwoman Bartels: Any other comments? Legislator Heppner.

Legislator Heppner: Yeah, we've definitely, as Legislator Ronk said, we might have discussed this a handful of times already. I, you know, still philosophically am not there. And I don't know if it's a more in agreement with, you know, Legislator Ronk, in terms of more. You know, and again, that we should move at all. I think actually, Tom made a good point in the chat section about the Charter Review Commission meeting next year. I mean, I think this is something, you know, I still have yet to hear, you know, more than, you know, one or two arguments that, you know, speaks to us totally changing the face, possibly, of the body. So, philosophically, I'm not there, but I'm willing to go with the will the committee in terms of if they want to start the process in terms of a public hearing, I won't go against that. But that's about where my comfort level is with this.

Chairwoman Bartels: Chairman Donaldson.

Chairman Donaldson: Well, it creates a, it slightly empowers the legislative body but it the problem with it going much lower, again it changes the nature of the body. This really wouldn't change the nature of the body. Now, if you want to change the nature of the body and have that conversation. Say you want to do nine, and full time, or something of that nature. That's another conversation. What this does is just, it enhances the body by assuring that a two thirds vote is just that, a two thirds vote, for any particular for approving certain things or overrides and things of that nature. And that's the purpose of it. In fact, it was originally that was the mindset was being 21 but it became a compromise because people didn't want to cut that deep. And arbitrarily taking a 23, so...

Chairwoman Bartels: Legislator Ronk

Legislator Ronk: Thanks. You know, I just think, I think in a lot of ways, Chairman, that's, it's a hard argument to make to the public. Because it's going need a referendum. You know, it's a very detailed, very policy centered, very wonky argument, to talk about the difference between 16 and 14 for an override. I understand, and I agree with you about how it empowers the legislature, but I also think you're going to need to find a catchier reason to give to the

public. Because the public is going to, you know, come down on this on the, on the side of "no" unless they're given a reason for Yes.

Chairman Donaldson: I kind of doubt that. Anytime you're reducing something they like that.

Chairwoman Bartels: Legislator Roberts.

Legislator Roberts: Thank you, Madam Chair. I get the veto argument, except for maybe a handful of times that we could have used the override. But what we have now is working. There is very little complaints. There's no outcry to reduce the body. So, I'm going to be a "no" on the referendum and then a "no" on the public hearing.

Chairwoman Bartels: Legislator Gavaris.

Legislator Ronk: Yeah, I'm not really hearing, other than the override, what other benefit are we gaining from this? I mean, there's some pretty diverse districts that we have and to now spread them further apart. And to adequately represent people with different needs. It seems like we're making it even harder for people. You make a district bigger and then you're competing against yourself. It just seems more difficult. I don't see other than the override. I'm not hearing, what other benefit there is. And maybe I'm just not hearing it. But if there is, I'd love to hear the explanation.

Chairwoman Bartels: Chair Donaldson.

Chairman Donaldson: You, you know, there's the salaries and possible benefits, is another one. I mean, it's \$13K-\$28,000, plus the benefits, which can run as much you know, if they have a family plan. So, there is that.

Chairwoman Bartels: So, what's the what's the pleasure of the committee? It's confirmed that it would have to be in by August 3 to be on the ballot. Is that correct? That's what...

Legislator Roberts: I don't think we have the votes to pass it anyway.

Chairwoman Bartels: What I mean, even beyond that. Again, if we're talking about a timing issue, it would not make the ballot unless we made significant changes, or had a special meeting, correct?

Chairman Donaldson: Right.

Legislator Ronk: A special meeting of the legislature and then a...

Chairwoman Bartels: Another special meeting.

Legislator Ronk: We would have to have this meeting, pass the public hearing, have a special meeting. We would need to change the public hearing, as of right now, on this Resolution. Then we would have to expedite the public hearing, and then have a special meeting, in order to get it to the Board of Elections by the third.

Chairwoman Bartels: Well, no, I mean, again, we're talking about extraordinary circumstances, which is what I was pointing out. But we could change the, we could change the date of the public hearing right now. For...

Multiple speakers: [Inaudible]

Legislator Ronk: And then have a public hearing that's wildly expedited....

Multiple speakers: [Inaudible]

Chairman Donaldson: We're not going to make it by August 3, anyway. But the thing is, is that I don't want to sit it back on the back burner again forever, and then have to rush it through, or whatever.

Chairwoman Bartels: So, what would you like to do Chairman Donaldson?

Chairman Donaldson: We can if a... I mean, it's up to the committee. If they want to pass it, it's not going to get on the ballot, we realize that, there's not going to be any rush to get it on the ballot. Once it passes and goes on the ballot the following year.

Chairwoman Bartels: Okay, so Legislator Ronk, I'm sorry.

Legislator Ronk: No, that's okay. So, to Legislator Gavaris' point, and Legislator Roberts' point, you know, why don't why don't we do some work in this committee on whether or not 21 even makes sense. Or does another number make sense? Or does it make sense to leave things the way it is? 21 has always been used ever since Fred Wadnola was Chair.

You know about the, you know... just for the purposes of the folks who are on the line, and whoever watches this, if they watch it later on, you know, at 23 Legislators, the number to override a veto is 15.18. Which of course, you can't have, you know, .18 of a Legislator, so it moves up to 16. If you vote on a 21, because of what two thirds works out, it's like 13.97, or .87. You know, which would reduce the number to override a veto from 16 to 14, which would, it would, in theory, in theory, empower the Legislature. But I'm not sure that that's the right number. I've never been sure that that's the right number. And I think that it's worth a discussion before we pass a public hearing, and pass, you know, a local law, and send something at some point to referendum, or to the Charter Revision Commission, that we actually have a whole conversation on what number makes sense and why.

Chairwoman Bartels: Chairman Donaldson?

Chairman Donaldson: Well, I don't know where you get that 13.8? 21 individuals is divisible by three, even 7-7-7. So, 14, even. You put 13.8 there? Typically when you look at these things, and if you, you know, read through the literature, it's basically, typically divisible by three but not by two. Two is divisible like for instance, you've got 12 is divisible by three, but it's not... but it's also divisible by two which means you would have an even you could have 6-6 votes all the time. I mean, that's the way you're typically looking at these things. So, I mean, you know, I'm making it... my mindset is it empowers legislature by doing this, and it makes sense. And basically, you know what, most places if they're creating a new government, or something of that nature, that's the way they kind of look at it, divisible by three, not divisible by two. So, and that works.

Chairwoman Bartels: Legislator Ronk

Legislator Ronk: Thanks, with due respect, Legislator Donaldson. You know, two thirds is point .66, not 60% if you divide it by if you divide 100 by three, it's you know, .33, you know, and then it goes .66. So, if you multiply 21 legislators by .66, you get, and I was wrong, I was off by, I was off by a tiny bit. It's 13.86 legislators. So, the divisible by three, I understand your reasoning for that. And I'm not a mathematician. So, if somebody else is a better mathematician than I am, you know, please feel free to pipe in. But that's, that's the number that I get for two thirds of the legislature. Um, you know, I understand where you're coming from. It's just...

Chairman Donaldson: That's not two thirds of the Legislature.

Legislator Ronk: I don't think that works with the basic, you know, tenants of mathematics.

Chairman Donaldson: You're using .66. It's not .66. It's .6666666666.

Chairwoman Bartels: Okay.

Chairman Donaldson: It is seven. It's seven and 14, easily divisible by three.

Legislator Ronk: Okay, wherever you say, Dave.

Chairman Donaldson: Would you like me to set it up as an algebraic equation. I used to should teach algebra.

Chairwoman Bartels: But either way, it ends up being 14. Because thirds... if even if we were to give you the point of the argument, there's not a point...

Legislator Ronk: If we've got to piss and moan about it, we've got to piss and moan about it.

Chairwoman Bartels: Yeah, I feel like we're way off track. I think what we should be discussing is do we want to spend a little more time in this committee, since we can't hit the August 3 deadline, in a reasonable way, with the resolution as it's written? Do we want to spend a little more time looking at the arguments for the reduction in the size? And if there is a number that would make more sense, both that we could recommend to the public, and to the Revision Committee, which is coming up next year? Chairman Donaldson, do you have any thoughts on that, since you're the sponsor of the resolution, would you...

Chairman Donaldson: Yeah, we can postpone it.

Chairwoman Bartels: Okay.

Chairman Donaldson: I'm fine with postponing it.

Chairwoman Bartels: Okay, so I'll entertain a motion to postpone, and that would be until the next meeting, but we also need to start thinking about actually having that conversation in committee. I'll try to pull together some information.

Legislator Roberts: I'll make a motion to postpone.

Chairwoman Bartels: Legislator Heppner, are you raising your hand to speak or to make a motion?

Legislator Heppner: I was going to second Legislator Roberts' motion.

Chairwoman Bartels: Oh, Legislator Roberts. Thank you and seconded by Legislator Heppner to postpone until the next meeting. That's with consent. All in favor?

Committee Members: Aye.

Chairwoman Bartels: Okay, great, thank you.

Okay, now we are up to Resolution Number 239: Setting A Public Hearing On Proposed Local Law No. 10 Of 2020, A Local Law Amending Local Law No. 10 of 2015, Amending Local Law No. 10 Of 2008, Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00, To Be Held On Tuesday, August 11, 2020 At 6:25 PM

Legislator Ronk: So moved by Ronk.

Legislator Heppner: Second.

Chairwoman Bartels: Seconded by Heppner. On the resolution, is there any discussion? Okay. Legislator Ronk.

Legislator Ronk: Just you know, very briefly, I think that this continues to make sure that the legislative intent of the first, you know, a change to this particular portion is in here too. So, I wholeheartedly support this in memory of my good friend Carl Belfiglio.

Chairwoman Bartels: Thank you. I thought of him very much while I was putting it into, so, I appreciate that. All in favor of resolution 239.

Committee Members: Aye.

Chairwoman Bartels: Is there any opposition?

Chairman Donaldson: I think he's passing is a little premature, though.

Legislator Ronk: In memory of him being a Legislator, Dave, if not, not in memory of him as a person. He's still, he's still with us.

Chairwoman Bartels: Thank you.

Okay, Resolution Number 251: Authorizing The Chair Of The Ulster County Legislature To Execute A Lease With CPR Kingston, LLC Bank For Space To Be Used By The Board Of Elections— Department Of Public Works (Buildings And Grounds)

Legislator Ronk motion...

Legislator Ronk: I'll move it.

Legislator Heppner: Second.

Chairwoman Bartels: Thank you. Seconded by Legislator Heppner.

Legislator Ronk.

Legislator Ronk: Thanks. I just sincerely hope that we, you know, in coming years work with the County Executive to try to find a spot in the County Office Building for the Board of Elections. I think it'd be a good place for them. And quite frankly, I think that we have opportunities to work together to make that happen. So, I totally support this. It's definitely, you know, I think a couple years down the road to make that happen because it's going to involve a referendum on Surrogate Court, probably. But I just think that that's the direction that we should move, personally.

Chairwoman Bartels: Okay, Legislator Heppner, did you have your hand up?

Legislator Heppner: Yeah. I mean, I was literally just going to say, I 100% agree with Legislator Ronk. You know, and making sure that, you know, on our end, we keep, you know, pushing for what I think, and agree, is the right change to have in the County Building.

Chairwoman Bartels: And I'll echo that too. I'm going to jump in before you, Marc, when I give you the floor. I agree. I think the County Building is the correct place for it as well. Deputy Executive Rider.

Deputy Executive Rider: Yeah, the only thing I want to add is that it won't, I don't know that it'll necessarily take a referendum. The courts have reached out. They would like Surrogate Court at the Courthouse. It would just mean, you know, it would be working with the DA and others to figure out how to move some space around in there. But

there's plenty of room in the Courthouse for Surrogate Court. And I think we can probably make this happen in the next couple years, a year or two.

Legislator Ronk: Even better.

Chairwoman Bartels: And that will be great. Okay, so is there any more discussion on the resolution?

Chairwoman Bartels: Okay, so then on the resolution, Resolution 251. All in favor?

Committee Members: Aye.

Chairwoman Bartels: Is there any opposition? Okay, passes unanimously.

Okay, is there any old business that anyone would like to discuss? Okay, any new business?

I would just like to raise before the motion to adjourn. I would like to undertake a look at the rules. I think we're probably due for a Rules revision. And I'd like to follow the process that was put forth by then Chair Roberts of this committee, where we dedicate at least one meeting to that process where we go through page by page. Everyone comes with their notes. I don't think it'll be the next meeting, but maybe we'll set a special meeting for it. I think we've, over the years uncovered some, not significant changes that need to be made, some small changes, some bigger changes, but I'd like to start having that conversation. So, I just want to put that on the table for everyone to think about.

Legislator Roberts: Madam Chair isn't going through the rules once in ...

Chairwoman Bartels: I, you got cut off at the end. Legislator Roberts. I lost the end of what you said.

Legislator Ronk: Kev, isn't it once in a blank?

Chairwoman Bartels: I don't know. We lost you, Kevin. We can't hear you.

Legislator Ronk: His screen probably froze. Yep. He's gone.

Chairwoman Bartels: We lost him. Okay. Well,

Legislator Ronk: I don't believe that there's a time limit on the rules revisions. I think we can do...Ah, there is Kevin back again.

Legislator Bartels: He's back. That was quick. Legislator Roberts.

Legislator Ronk: You're muted. You're on mute.

Legislator Roberts: I'm not sure you heard my comment before, but Legislator Ronk could agree that going through the rules once in a lifetime might be enough.

Legislator Ronk: Okay, I agree now. Yeah. That time limit I agree on.

Chairwoman Bartels: I have to tell you; I think it was a very smooth process. So, I'm going to keep that spirit moving forward. Yeah, we'll be able to get through it.

Legislator Ronk: I support your endeavor to hold a special meeting. I think it definitely warrants it.

Chairwoman Bartels: Okay, thank you. Okay, if there's no other new business, I'll entertain a motion to adjourn. Thank you all.

Legislator Roberts: Thank you, Madam Chair.

Chairman Donaldson: Motion to adjourn.

Legislator Heppner: Second.

Chairwoman Bartels: Okay, thank you. All right, everyone, have a great night. Thank you very much. All in favor. Adjourn.

Committee Members: Aye.

Chairwoman Bartels: Sorry, Jay.