

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

DATE & TIME: October 18, 2021 – 5:30 PM
LOCATION: Powered by Zoom Meetings, Meeting ID: 858 4509 9900
By Phone (646) 558-8656
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Gavaris, Heppner, Roberts & Ronk (arrived at 6:33 PM)
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Parete & Uchitelle, Clerk of the Legislature Fabella, Legislative Counsel Ragucci, Minority Counsel Pascale, Deputy County Executives Rider & Milgrim, Commissioners Dittus & Quigley – UC Board of Elections, Director DeGasperius – UC Weights & Measures, Insurance Officer Whitney & Deputy Insurance Officer Lovetre – UC Insurance Department, Comptroller Gallagher – UC Comptroller’s Office, County Attorney Johnson, ADA Mills & ADA Delpozzo – UC District Attorney’s Office, Mid-Hudson News correspondent, Arnold Restivo – member of the public

Chairwoman Bartels called the meeting to order at 5:31 PM

Motion No. 1: Moved to **APPROVE Minutes & Transcript of the September 13th Meeting**

Motion By: Legislator Roberts
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Gavaris, Heppner & Roberts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Minutes APPROVED**

Chairwoman Bartels advised the members that department heads and elected officials over which the committee has been assigned oversight were present to speak about their 2022 Proposed Budgets. The members heard from: Director DeGasperius – UC Weights & Measures, Commissioners Dittus & Quigley – UC Board of Elections, Insurance Officer Whitney & Deputy Insurance Officer Lovetre – UC Insurance Department, Comptroller Gallagher – UC Comptroller’s Office, and County Attorney Johnson.

See attached transcript

Resolutions for the October 19, 2021 Session of the Legislature

Resolution No. 374: Setting A Public Hearing On Proposed Local Law No. 6 Of 2021, A Local Law Repealing Local Law Number 2 Of 2013, And Establishing The Ulster County School-Based Mental Health And Safety Act Of 2021, To Be Held On Tuesday, November 16, 2021 At 7:00 PM

Resolution Summary: This resolution sets a Public Hearing to provide the public the opportunity to offer comments on Proposed Local Law No. 6 of 2021 on Tuesday, November 16th at 7:00 PM.

Motion No. 2: **Resolution No. 374 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

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

Resolution No. 376: Authorizing The Termination Of A Lease Agreement With CPR Kingston, LLC Bank For Space Used By The Board Of Elections

Resolution Summary: This Resolution authorizes the Chair to mail written notice of termination of the lease agreement with CPR Kingston, LLC effective January 31, 2022 for office space currently occupied by the Board of Elections located at 284 Wall Street, Kingston.

Motion No. 3: **MOTION TO POSTPONE Resolution No. 376**
Motion By: Legislator Gavaris
Motion Seconded By: Legislator Ronk

Discussion: See attached transcript

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

Resolution No. 395: Setting A Public Hearing On Proposed Local Law No. 7 Of 2021, A Local Law Amending The Code Of The County Of Ulster In Relation To Evictions, To Be Held On Tuesday, November 16, 2021 At 7:05 PM

Resolution Summary: This resolution sets a Public Hearing to provide the public the opportunity to offer comments on Proposed Local Law No. 7 of 2021 on Tuesday, November 16th at 7:05 PM.

Motion No. 4: Resolution No. 395 MOVED FOR DISCUSSION

Motion By: Legislator Ronk

Motion Seconded By: Legislator Heppner

Note: Chairwoman Bartels recused herself from the discussion and asked Deputy Chair Roberts to Chair the meeting.

Discussion: See attached transcript

Motion No. 5: MOTION TO POSTPONE Resolution No. 395

Motion By: Legislator Ronk

Motion Seconded By: Legislator Roberts

Discussion: See attached transcript

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

Voting Against: Legislator Heppner

Votes in Favor: 4

Votes Against: 1

Disposition: Resolution POSTPONED

Resolution No. 434: Confirming Reappointment Of A Member To The Ulster County Board Of Ethics

Resolution Summary: This resolution confirms the Executive's reappointment of Derek Spada to the Ulster County Ethics Board for a term commencing immediately and ending on December 31, 2025.

Chairwoman Bartels advised the members that the Resolution was being withdrawn by sponsors

See attached transcript

Resolution No. 436: Condemning Anti-Semitism In All Forms, Supporting The International Holocaust Remembrance Alliance (IHRA) Working Definition Of Anti-Semitism

Resolution Summary: This resolution condemns any and all acts of anti-Semitism, and stands in solidarity with the Jewish Federation of Ulster County and all those affected by hate incidents directed toward the Jewish community and supports the International Holocaust Remembrance Alliance (IHRA) working definition of anti-Semitism.

Motion No. 6: Resolution No. 436 MOVED FOR DISCUSSION

Motion By: Legislator Ronk

Motion Seconded By: Legislator Roberts

Discussion: See attached transcript

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

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: Resolution ADOPTED

Resolution No. 462: Setting A Public Hearing On Proposed Local Law No. 8 Of 2021, A Local Law Amending The Code Of The County Of Ulster, Chapter 304, Solid Waste, Article IV, Food Waste Prevention And Recovery, In Relation To Composting, To Be Held On Tuesday, November 16, 2021 At 7:10 PM

Resolution Summary: This resolution sets a Public Hearing to provide the public the opportunity to offer comments on Proposed Local Law No. 8 of 2021 on Tuesday, November 16th at 7:10 PM.

Motion No. 7: **Resolution No. 462 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Gavaris

Discussion: See attached transcript

Motion No. 8: **MOTION TO POSTPONE Resolution No. 462**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion: See attached transcript

Motion to postpone was withdrawn by Legislators Ronk and Roberts

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Gavaris & Heppner
Voting Against: Legislators Roberts & Ronk
Votes in Favor: 3
Votes Against: 2
Disposition: **Resolution ADOPTED**

Resolution No. 478: Authorizing The Chair Of The Ulster County Legislature To Sign An Agreement With The Town Of Rochester In Ulster County For The Use Of Polling Equipment And Material – Ulster County Board Of Elections

Resolution Summary: This resolution authorizes the Chair to enter an agreement with the Town of Rochester for use of polling equipment and materials for their December 7, 2021 Town Election.

Motion No. 9: **Resolution No. 478 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

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

LATE Resolution No. 506: Approving The Execution Of A Contract For \$750,000.00 Entered Into By The County – The Institute For Family Health – Department Of Health

Resolution Summary: This resolution approves the execution of a contract with The Institute for Family Health in the amount of \$750,000 to conduct COVID-19 testing in schools for the period September 1, 2021 – June 30, 2022

LATE Resolution No. 507: Approving The Execution Of A Contract For \$1,800,000.00 Entered Into By The County – Progression, LLC D/B/A Village Apothecary – Department Of Health

Resolution Summary: This resolution approves the execution of a contract with Village Apothecary in the amount of \$1,800,000 to conduct COVID-19 testing in schools for the period September 1, 2021 – June 30, 2022

Motion No. 10: **MOTION TO BLOCK Resolution Nos. 506 & 507**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

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

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: **Resolutions BLOCKED**

Discussion: See attached transcript

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

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: **Resolution ADOPTED**

LATE Resolution No. 508: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The United States Department Of Justice Office On Violence Against Women (OVW) – District Attorney’s Office

Resolution Summary: This resolution authorizes the Chair to execute an agreement with US DOJ OVW for \$500,000 in funding for the Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant Program for the period October 1, 2021 – October 1, 2025.

Motion No. 11: **Resolution No. 508 MOVED FOR DISCUSSION**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

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

Chairwoman Bartels moved on to the Forthcoming Local Laws portion of the agenda. See attached transcript.

Chairwoman Bartels advised the members that the Ulster County Ethics & Disclosure Law remained on their agenda and stated that she would like to schedule a special meeting to discuss the law. See attached transcript.

Chairwoman Bartels asked if there was any old or new business. See attached transcript.

Adjournment

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Gavaris

No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 6:42 PM

Respectfully submitted: Deputy Clerk Mahler
Minutes Approved: November 15, 2021

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Chairwoman Bartels called the meeting to order at 5:31 PM

Chairwoman Bartels

I'm expecting. Thank you. I'm expecting Legislator Ronk but I also do know that he has a hard stop at seven so I'm going to call the meeting to order. Welcome to the laws and rules and government services committee meeting. Clerk Mahler, can you please take attendance?

Deputy Clerk Mahler

Absolutely. Chairwoman Bartels

Chairwoman Bartels

Present

Deputy Clerk Mahler

Deputy Chair Roberts

Legislator Roberts

Here

Deputy Clerk Mahler

Legislator Gavaris

Legislator Gavaris

Present

Deputy Clerk Mahler

Legislator Heppner. I saw...

Chairwoman Bartels

Okay.

Deputy Clerk Mahler

And Legislator Ronk. You have four members present one absent.

Chairwoman Bartels

Great. Thank you very much. Hopefully everyone has had a chance to review the meeting minutes and the transcript from September 13. I'll entertain a motion to accept them.

Legislator Roberts

I'll move it

Legislator Heppner

Second

Chairwoman Bartels

Moved by Legislator Roberts, seconded by Legislator Heppner. No, seeing no discussion, all those in favor of accepting the transcript and minutes? Aye

Committee Members

Aye

Chairwoman Bartels

Any opposed? Okay, passes unanimously. Okay. We have hopefully everyone had a chance to look at the department budgets and today we'll be beginning our discussion of the department budget, the department budgets in detail. I see. We have most with us today. We were set to start with board of elections. I see Commissioner Quigley. I don't see Commissioner Dittus yet. Are we? Are we expecting both? Commissioner?

Commissioner Quigley

Commissioner should be getting on momentarily. I think she's just getting home shortly.

Chairwoman Bartels

Okay, so what I'm going to do is, is move forward to, to weights and measures. Director DeGasperis is here with us. And we can start with weights and measures and we'll come back to the board of elections. Welcome Director.

Director DeGasperis

Thank you. My budget basically hasn't changed in the last few years. We raised the, the gas is here just because of the volatility of the market. So we raised that \$1,000. And that also includes \$500 for my, it's called program supplies. It's what we use for picking up gas samples from the state mandated testing. And then on the revenue side, we just raised \$1,000, because we adjusted for market side that signed up for the item pricing waiver last year. So we adjusted accordingly to that. So I think we'd be on target with everything that we put in there.

Chairwoman Bartels

Okay, I'll open the floor to committee members. Do we have any questions for director DeGasperis? Everyone had a chance to look at the budget? Okay, seeing none. Thank you very much for joining us director. If we if we have any further questions, we will reach out.

Director DeGasperis

Feel free to call. No problem.

Chairwoman Bartels

Thank you for all your work

Director DeGasperis

Alright. Thank you.

Chairwoman Bartels

Okay, have a wonderful evening.

Director DeGasperis

You too

Deputy Executive Milgrim

Thanks, Jimmy.

Chairwoman Bartels

Okay, moving back to I see Commissioner Dittus joined us. So we have Commissioners Dittus and Quigley with us. Maybe the two of you. Welcome. Thank you for being here. And maybe the two of you could start with an overview of your budget, highlighting changes over last year's budget.

Commissioner Quigley

Ashley, you want to start

Commissioner Dittus

Sure I'll go first. So next year is you know, it's, it's an even numbered here. So our budgets always a bit bigger in those cycles, anticipating larger primaries and larger activity in the general election. One big, there are a couple of big changes that are coming down, that are effective starting next year. The biggest is that we'll be counting absentee ballots before the election day. That will start on the first day or the day before the first day of early voting. I will be canvassing those ballots to release those results on election night. That's a really big change.

And also the state will be launching their process for tracking absentee ballots. So that's going to involve more work on our end to make sure that they're getting that critical data so that voters can track their ballot where it is from application time to us releasing it the whole way through they'll be able to see where their ballot is up and up through us looking at the ballots if it has to go into a cure status, which is a newer process that we've been doing since last year going through every ballot, looking for a deficiency so that voters can correct them within the prescribed time frame. So that's a very large change for us, we'll also be working through the implementation of automatic voter registration, getting everything situated for that that's going to increase workload tremendously on the clerical side of things, which is why we're asking for two more full time clerical staff members. John, do you want to talk about the voting system?

Commissioner Quigley

Yeah, so I would just touch on, we did submit for a capital project, regardless of the title that it may be given now, we haven't selected a vendor for new machines. But rather, what we were going to do at the beginning of the year, should we get approval, is try and get our multiple vendors that we're going to be seeking to replace the voting systems with to come to do some public hearings and do some public displays so that our Legislators and anybody else who like to have an opportunity to can come and sort of critique and give input for the couple different vendors that we are looking at, to replace our voting systems. It is getting to the point where it's going to be well needed, I do not want to switch out our voting systems in a gubernatorial election. I don't want to risk anything going wrong during implementation of new systems. So we want to save this for what we want to do is purchase the machines next year with the anticipation of implementing them in the 2023 election cycle. That way, they're in house. We're training people on them, and they're getting familiar with them. And then we're good to go. And currently, from three different vendors that we've looked at the range is anywhere from 1.2 to I believe, 1.6 million for our machines, given our current poll site structure of 83 poll sites and early voting equipment.

Chairwoman Bartels

Are there any questions from the committee? Legislator Ronk?

Legislator Ronk

Thanks. You know, two questions, first, has to do with the upcoming move to Hurley Avenue, which is the follow up to my second question. You know, it was my understanding that, you know, we were several months behind in moving into the new location. Is that accurate? Between the two of you?

Commissioner Quigley

It is my understanding that we are and I believe, Deputy County Exec John Milgrim is on the call to and can speak more specifically to that.

Chairwoman Bartels

Go ahead deputy County Executive

Deputy County Executive Milgrim

Yes. So last notice we had and I think they're still trying to assess, although I drove by, they're doing construction today, they're hoping to have us in by March or April. Obviously, there will be no charge for the first few months of the lease. So that's because of supply chain issue for the materials necessary for the build out.

Legislator Ronk

Right, copy that, um, you know, and then that bleeds into my second question on your new staff. Where do you plan to put them because it was my understanding that the rat infested, you know, underwhelming offices that you're currently in, we're not big enough to house your current staff? So I'm, I'm very interested in finding out where you're going to house new staff.

Commissioner Quigley

I mean, I think we would anticipate that this new staff would be moving into the new space with us. So even if it's offset, delayed or not implemented until we're in the new space, I think we can survive the first three months of the year.

Legislator Ronk

Then, you know, due respect, and you know, this is more operational than budgetary. But it goes into whether or not the Legislature should grant you two new staff, you know, then you're going to be starting them in March, April, which is going to put you behind in early voting and absentee voting for the primary, isn't it? I mean, that was one of your main arguments on why we needed to move why we needed to vote on new space in July of the previous year was because there's too much going on in the spring to be able to move into new space. I can't imagine there's enough time in that time period to be training new staff.

Commissioner Quigley

It'll definitely put us behind, but it's not something we haven't been able to overcome before.

Legislator Ronk

Fair enough. Thank you.

Chairwoman Bartels

Can I ask for clarification on that? Are you saying that you're going to delay the hiring of them to match with the move into the new building?

Commissioner Quigley

Out of all honesty, I think that would be the best fit given that we don't have the footprint for them in our current space. We do need that staff. But I wouldn't put them in a place where we're not able to function

Commissioner Dittus

They might be able to function in the back conference room, you know, all things considered, we have that back room for a variety of multipurpose uses. So we have put temporary workstations for part time staff members in a variety of locations in the current space, it's not, it's certainly not ideal for someone to have their full time space at a at a standing counter, or in a back conference room that is used for Commissioner's meetings, sorting ballots, things like that. But if that was the case, from January to March, or April, it would, it would work for us and we could start onboarding those, those folks.

Chairwoman Bartels

Any other questions for the commissioners? Seeing none, thank you both for being here. Again, this will be the mantra through, through all the departments if additional questions come up, we'll be sure to reach out to you and know that we're heading into the budget process through Ways and Means. So you may be hearing from us either as a committee or as individuals, again, but thank you for taking the time to give us the presentation today.

Commissioner Dittus

Thank you, our door is always open. So if you have any questions, you know where to find us.

Chairwoman Bartels

Thank you both have a great night.

Commissioner Dittus

You too.

Chairwoman Bartels

Okay, we're moving on to insurance officer Whitney, the insurance department.

Director Whitney

Hi

Chairwoman Bartels

Hi, thank you for being here. Again, could you give us a presentation or a brief overview of your, your budget and highlighting any significant changes over last year that we need to be focused on?

Director Whitney

Sure. So we are broken down into three components two of them or with the general fund, and that's disability, and unallocated insurances. Those are two different ones, they're, they still, they sit within the general fund. And then the S fund is the worker's comp program. So I usually address them that way. So I'll start with the self insurance. That's the biggest one that we have. That's the worker's comp program. And we have no staffing changes or anything like that, for the upcoming budget. Due to pandemic, I had reduced it from 14%, down to 2021. I'm sorry, the 2021 budget was 14%, down from the 2020 budget, just because we were anticipating so many changes and with everything happening. And so we actually went down last year in the budget process by 14%. I'm creeping it back up for 2022 to get the monies back, you know, just to kind of get a little bit more where we should be. But because we did lack a lot of activity in the COVID, the worker's comp program was we were able to handle it with less money. Because there were not as many court hearings, there were not as many doctor visits etc. So other than that kind of a thing, there's really not much of a change.

We did renew our, our contracts with our third party administrator, that's NCA Comp. We've had them now, we went with them in beginning in 2014. And now we're just we're in the process of with a contract right now. And other than that, there's no changes that I can think of for the self insurance part.

The general fund the disability piece of it, there's really no changes there. Either it's a very small budget, it's, it's like 100,000, or maybe 170. It's it's a very small budget, it's just for the when somebody loses time from work New York

State says that the benefits that they can receive are \$34 a day. So it's a very tiny benefit. And that's administered through the county on behalf of Ulster County employees and Ulster County College community employees.

And then the 1910 budget which is the unallocated really not too much changing there either except settlement. So we've been, we asked for more in settlements this time because of the court backlog that was happening over the last year and a half. So what we do each year is we reach out to our defense counsel to find out what we think is ripening. What's going to settle in the coming year we start that when we started the budget process like from May and June and then we kind of right before we finalize the budget in July or August or whenever that's getting done, we just make sure we are on top of what might be settling. So we would take our deductible which is 75,000 at this point. And if we have let's say 10 settlements coming in, we would multiply the 10 times the 75,000 to come up with a number and then we would probably add on another you know certain amount. I don't have the numbers right in front of me that we add on more for the smaller type of settlements like things, you know, somebody's fence gets hit by one of our trucks or, you know, a little tiny things like that. So that line one up settlements one up just a little bit. And we were you know, just we're really postponing things because of the COVID. As far as settlements, that's what I'm seeing. So other than that, I don't really see any changes too much. I mean, that's not, nothing notable other than that.

Chairwoman Bartels

Can I just ask for clarification, and then I'll open the floor. In terms of the COVID seeing less, obviously, courts weren't open. So you're seeing less activity in the courts. But are you, are you anticipating that there was a backlog that now is going to get cleared or because people were less active and were more homebound there were also actually really less claims?

Director Whitney

It was both. it was actually both because there were less people out and about so there were less accidents, generally. Yeah. And the courts were backing up. So yeah, it really is both.

Chairwoman Bartels

Thank you. Does anyone else on the committee have any? Any questions? All right. Well, thank you very much. Thanks for coming and taking some time to talk about the budget. And again, like, like previously stated, we'll reach out if we have any further questions. If we need to have you back.

Director Whitney

Great. Thank you very much.

Chairwoman Bartels

Have a good night. You too.

Director Whitney

Thank you. Bye.

Chairwoman Bartels

Bye. Okay, we're moving on to comptroller Gallagher. Welcome. Thank you for being here. Yeah.

Comptroller March Gallagher

Good evening everyone

Chairwoman Bartels

And could you please give us a report of your budget and highlighting the differences, particularly what's, what's changed this year over last year,

Comptroller March Gallagher

Happy to do so. So overall, there's \$173,000 change, actually \$173,635 increase in the proposed budget. The lion's share of that increase is adding back the director of internal audit and control, which we offered to let go of for the 2021 budget because of COVID. And our work has definitely been impacted by not having that person. So the audit team, the senior auditors have been very busy doing things like bank reconciliations, filling in on claims, auditing generating quarterly reports. And, you know, without that other person here, it means that less internal audits are getting done, which is how the taxpayers actually save money and increase revenues. So I think this position will more than pay for itself in the long run. And it's something that you should really consider putting back in.

In addition, there's a couple of other substantial changes I want to bring to your attention. One is that we implemented a new software, thank you for budgeting that last year, it was \$20,000, in contractual for software. And we're only going to need \$7,000 next year, because the implementation phase will be done. So there'll be a drop in that line, we have asked to add in additional contractual services on the legal side, and then in the miscellaneous bucket. And we really learned the hard way this year during our audit of the UC RRA, that unfortunately, at times, this office might need legal. And we might need some other support, I'm going to give you an example, we actually have come to the place where we may need to test compost samples. I never thought I'd be talking about that. But you know, that is the kind of cost that we just don't have the budget for right now.

In addition, I want to point out that the website that we use right now has been around for a really long time, I don't think we're going to do that [inaudible] need an additional website. But it's something that we've looked at little pieces of. We've been working with IS on some improvements there. So, you know, legal, environmental and financial needs is why you see that, that line, those two lines increased. memberships are up that's because membership, to GFOA, Government Finance Officers Association, the Association of Local Government auditors, etc, allows us to get reduced cost training for the CPA and the other members of the team that have to meet a certain number of CPE credits every year. So the memberships are up, but you know, office supplies are down by 1000. So those are some of the big changes. I hope that really explains what we're talking about.

There is an increased travel budget, I'm hoping that if Tyler Technologies has training, I can send my staff to new world training. I myself have had zero, and I don't think that's the best way to go. Um, and we also found that our collaboration for example, with the New York State Treasurer's Association, very helpful in terms of looking at how we account for ARPA and other collaborations that the treasurer's have. And we'd love to be able to go to their meetings on a regular basis. So I'm happy to answer any questions you guys have. But those are the big overviews, big changes are production and software, adding the deac and adding in some miscellaneous contractual thanks.

Chairwoman Bartels

Does anyone have any questions for the comptroller? Okay, all right. Well, thank you very much. Thanks for presenting, we'll reach out if we do come up with further questions and [inaudible] the budget process and ways and means as well.

Comptroller March Gallagher

All right, thank you guys. Appreciate it.

Chairwoman Bartels

Okay, and the last of our budget presentations tonight, county attorney Johnson, thank you for joining us. And same same, same goes if you could just give us an overview. Talk about primarily what's different over the previous budget.

Clinton Johnson

Great. Thank you, Chairwoman Bartels. and members of the committee for the opportunity to just give you a quick overview of legal office, that I'm sure you guys all know what we do here and do very, very well, I think. The, the as you can see, they're really there two, two, two changes. One major in terms of dollar figures that I've asked for. And, and you'll see, and I'll explain to you why, why that is. And it's professional services legal. As you've noticed, that's \$300,000. As you guys are all aware, just about every county in New York, has been sued, including us, for the child

sex abuse cases, we have been served approximately eight of those cases. Lawsuits have, against the county. Some of these cases, and I can't go into publicly the details of them. But some of these cases date back to I think the first one day dates back to 1958. And so we're left the counties left to defend itself 1958. I'm in the process of trying to find whether or not the county even had insurance, covering those matters, from 1958 to the 1980s. I think the most recent one was 2000, 2007. So I am left with the dilemma that and I see that Dorraine has left but it's going to it's going to impact insurance also. if we do not if we cannot find coverage for those insurance cases, one, I'm going to have to pay out of pocket for legal defense of these cases. And the county is if we if we have a determination against us, or if there's some sort of settlement, the county is going to have to pay out of pocket for those. So those are going to be significantly very significant coming in 2022. budgets, budget year.

I've also as you will notice, I've also asked for a slight bump up in salaries for my attorneys. And I know we do this every year. But I truly this is truly an, speaking from the bottom of my heart, this is truly something that we do need in order to retain a good attorneys. I've lost four attorneys alone this year to higher paying salaries. Four. and I'm constantly I feel like I'm constantly on on a wheel interviewing people to come in here. And as soon as they hear what the salaries are half of the time the interest is gone. So I'm just trying to get just decent salary. I'm not asking for anything elaborate, anything significant. Just a decent salaries to keep our attorneys. Otherwise our budget, the rest of our budget is is essentially more or less the same as they've been as it's been over the past few years.

Chairwoman Bartels

Certainly challenging times. Any, any, any questions from any members of the committee. All right, thank you. Thank you. Thank you very much

Clinton Johnson

Thank you very much

Chairwoman Bartels

And we will reach out if we have, as with all the other previous will reach out if we have any further questions.

Clinton Johnson

Thank you very much, Chairwoman Bartels and the rest of the committee.

Chairwoman Bartels

Thank you and thank you for your work.

Clinton Johnson

No worries. Thanks

Chairwoman Bartels

Okay, all right, so that concludes our budget presentations for this meeting and we'll move into resolutions for October, tomorrow's session. Okay. Um, resolution starting with Resolution Number 374. Setting a public hearing on proposed local law number six of 2021 a local law repealing local law number two of 2013, establishing the and establishing the Ulster County school based Mental Health and Safety Act of 2021 to be held on Tuesday, November 16 2021 at 7pm.

Legislator Ronk

I'll move it

Legislator Heppner

Second

Chairwoman Bartels

Legislator Ronk and seconded by Legislator Heppner. On the issue, I see a Legislator Parete the sponsor has joined us thank you for being here. And Legislator Ronk, go ahead.

Legislator Ronk

Thanks. I think that we should move forward with the public hearing on this. Um, you know, it's been introduced for quite some time now, I haven't heard from any of the superintendents, if they have concerns about it, they can voice them at the public hearing if their concerns hold, you know, hold merit to us. We can change the law and then due to the change in the rules that we passed this year, we don't need the second public hearing. Um, so I'm ready to move forward. I'm not sure where the rest of the committee's at

Chairwoman Bartels

Legislator Heppner.

Legislator Heppner

So I would just ask to that point. Legislative Parete, Legislator Walter during laws during the law enforcement public safety committee made some significant suggestions to the law regarding specifically the funding for anti-bullying programs. And which district attorney Clegg backed up. I'm not sure if you've taken that more into consideration, or are you looking to go through and now as is?

Legislator Parete

That was to me?

Legislator Heppner

Yes.

Legislator Parete

Okay. My pieces aren't working right, or my ears aren't working, right. So I'm, listen, I heard those. But if I could explain what my, my theory is on this whole thing. This is a blueprint. It's a blueprint, whether you're building a house or garage or a conference to try to, to correct some real problems. When you have the blueprint, you go to the bank, you go to the bank, they give you a commitment letter, you're going to build the house or the garage. Things can change. And that's what we're, we're getting to your question and comment. We don't know what they want in there. They may as people negotiate and talk about moving forward, if in fact, that's what everybody wants to do. They can add those things. We can't, it's an amorphous thing, but we can't bog down in it. And what can happen, there's several things that can happen, you can build the house, you can develop this program and these school districts and the county executive and the Legislature think it's a real problem. I think it's a real problem. But what else can happen? They find is too many, too much difficulty, too many conflicting interests. They don't want to move forward. A lot like a bank [inaudible] Was that me?

Chairwoman Bartels

No

Legislator Parete

It's a lot like a bank. I mean, the health department can say we won't give you a permit for your sewage system. That's the end of the building. Your partner, wife or girlfriend or boyfriend might move or die. So you call them and say we're not going to go any further. So I heard everything. But to put it down in part of this legislation, I think is wrong, it could certainly be very much involved. If and when they come up with a plan to try to address the school based mental problems for, for awareness and, and to try to help some of these youngsters along the way get to get the treatment they need. I don't know if I answered it, right, but I think this would be just that the suggestions that came out are all good stuff, but they don't belong in the blueprint. In the blueprint, you get approval for something. They don't tell you what the color of the room should be or what type of furniture you should have, what kind of flooring you should be putting down. It's a blueprint to move forward

Legislator Heppner
Chair Bartels, if I may?

Chairwoman Bartels
You may. Yeah.

Legislator Heppner

So I understand and again, John, you and I, Legislator Parete, you and I agree on the intent of this. But we're also we're talking about a significant amount of money that's coming out of county sales tax, which I think some of the towns that we represent would be like, counting, no would do anything they could to get a portion of that money. So I just want to make sure that the resolution or the local law that's being put forward, is actually being targeted for the most productive and impactful reasons. You know, that's my one concern,

Legislator Parete

I completely agree with you, completely agree. Um, you know, I'm sitting here as a Legislator, I represent my constituencies really, we represent all of Ulster County, the school board, the members of the school board and the superintendent represent the same constituency, we're all overlapping. And what may be now sort of in the youngsters' lives, a school problem can roll over later on and become our problem in public safety situations. But again, if I if I might just say that, in the end, if it's too, too difficult to come to a realized point, I mean, everybody's going to have to contribute to this. And quite frankly, I think the, the problem is serious enough. I don't want to be frivolous about it. But if I have to pay it, I'll pay it.

Chairwoman Bartels

Any other questions for the sponsor or any other comments in general? Legislator Roberts, go ahead.

Legislator Roberts

Thank you Madam Chair, to Legislator Parete out of the net sales tax, do you have a figure of the 2.75% that you'll be taking out or we haven't got that far yet?

Legislator Parete

We haven't gotten that far yet.

Chairwoman Bartels

We have Legislator Roberts, it's in it's in the packet. It's projects, I mean, for the 2021 adopted budget, the annual contribution of not less than 2.75%, would equal \$3.315 million, just, just as an example. So that would be the that would be the minimum, that would be coming out of 2021. And there's a there's a report that details, that details 2018 to current, including the current year to date, which at this point would be 2.424 million, but projected at 3.315 for the full year.

Legislator Roberts

Thank you.

Legislator Parete

May I just say that, once again, this even hasn't even been formulated yet.

Chairwoman Bartels

But

Legislator Parete

We don't know, what we are showing in this is we're committed to trying to address this epidemic. The school districts have to try to address this epidemic. The state has to work with us to address this epidemic. But if this goes, moves on, we the Legislature of Ulster County has said we recognize these problems. We have overlapping constituencies

and we want to move forward. We want to be a lighthouse district, a lighthouse county government, you know the beacon of hope not a beacon of despair.

Chairwoman Bartels

So any, anyone else? Oh, go ahead Legislator Gavaris

Legislator Gavaris

Just a quick question. So why tie it to the sales tax? Why have a percentage? If this, if the issue is as dire as you believe why not just have \$1 amount that isn't fluctuating year to year subject to people's, you know, purchasing and buying habits?

Legislator Parete

I can't answer that I could be, I could be plucking things out of the air.

Legislator Gavaris

I just think you should consider that. Because it'd be hard to plan something out. If you're going to develop a program. And you don't actually know how much money every year you're going to really have, we can guess, it could be kind of hard to, to just, you know, plan for something that you don't know what will actually happen throughout the year. Just a thought.

Legislator Parete

I don't disagree with you. But there'll be smarter people than me, if this, if this occurs and they feel they have to move forward and try to address the problem. There'll be smarter people than I am to be able to work that out.

Chairwoman Bartels

Does anyone else have any comments? Okay, so I'm going to just take a take moment. I mean, one of the things and this is this is kind of for, for you Legislator Parete, that I'm confused about. And I know I, I definitely support the intent. And I've heard it described as an effort to put our money where our mouth is, which I think is, you know, you're not, it's, and I think that's accurate. And I think that we should be investing in, in mental health services, including where there's overlap, and we know, the need at the, at the school level for sure.

My challenge here is that, you know, when you speak about this being a plan, that's yet to be, and may and I may be confused, as I read this, you know, this law directs the Commissioner of Finance to disperse not less than 2.75, 2.75% of the sales tax revenue. So that's a that's a firm statement that's saying that, that they should do, that he shall or he or she shall do not less than that, that amount, and that 50% of that funding is going to go to hiring additional staff and the other 50% I guess, then it goes for the purposes, including the variety of services that are enumerated and in Section three, but really, it seems to me in the read that the programming the, the blueprint that you're talking about, that's entirely left up to the schools without really an option for input, you know, unless I'm misreading and, and maybe, maybe you are the attorneys could let me know if I'm misunderstanding, it's my read of it is just it's saying we're going to commit this amount of money, and we're going to, we're going to distribute it to the schools. And the schools have to use 50% of what they get, we give them for, for personnel. But in terms of the programmatic we it doesn't look like we have really any input into that at all.

Legislator Parete

I would disagree with that. But the attorneys, if in fact this moves forward, the attorneys can look at that. I don't agree with that. Everything takes time to have negotiations to, to determine how we we partner with folks, maybe even what are their contributions in this, all that stuff will be on the table.

Chairwoman Bartels

But where does it does it say does it. Has counsel looked at this? does it does it provide? Maybe it's a question for counsel, does it provide for that? does it provide for that kind of input or that back and forth that, again, I may be, I

may be truly missing something, but I'm just to me this, this provides for the allocation of the funds, and more than provides for requires the allocation of the funds? Unless I'm misunderstanding it. Yes, go ahead.

Legislative Counsel Ragucci

So the local law as set forth. As you correctly said, it does provide for the allocation of the funds, not less than 2.25% of the sales tax, as set forth in Section four.

Chairwoman Bartels

Where, how is it determined that the negotiation that Legislator Parete's talking about where and the determination of the programmatic, you know, cooperation, if that's what's happening, where's that, where's that provided for?

Legislative Counsel Ragucci

I mean, in theory, it does set forth the purpose of the funding under three, that you could infer that certain, you know, efforts would have to be undertaken to accommodate and to fulfill that mandate. So that would be 3A

Chairwoman Bartels

Under definite three?

Legislative Counsel Ragucci

Three A where it says, For the purposes of the funding, the services may include counseling, conflict, mediation, you know, so ancillary to those services, you'd have to, you know, you'd have to really work together to fulfill that mandate.

Chairwoman Bartels

Okay. I mean

Legislative Counsel Ragucci

That, but that's an inference. I mean, it's not expressly provided for and I'm just kind of, you know, reading contemporaneously here.

Chairwoman Bartels

Okay. Legislator Gavaris

Legislator Gavaris

but just actually, what you're saying they we think, you know, since it's inferred as counsel said, and there's nothing precluding the school from using these funds to offset already in place programs or personnel. I think that is problematic in itself. If this is to enhance existing programs, then we should be saying that that this cannot, money cannot be used to supplement existing programs or staffing. But I think they could Counsel of course can answer that. But it sounds like they would be able to skirt that still staying within the, the way the law is written now, they would be compliant with it. And they would now have more money into their general fund or whatever they're calling it

Chairwoman Bartels

It's a good point. has, has our health commissioner weighed in on this.

Legislator Parete

Everybody's gotten copies of it.

Chairwoman Bartels

No I

Legislator Parete

Schools, Legislators

Chairwoman Bartels

Why are you shaking your head no?

Deputy Executive Rider

No, the Commissioner of Health and Mental Health has not weighed in on this.

Chairwoman Bartels

Why is that?

Deputy Executive Rider

I mean, until you all, pass this to even go to public hearing. I mean, it seems a little far off to have the Health Commissioner really look at this and weigh in, when we don't know what's even going to be passed. This has been up for months, and no action has been taken once you vote to move it through. I can have her look at it. And and, you know, be prepared for comments. But there's lots of legislation that gets to this stage that that doesn't move past it.

Chairwoman Bartels

I just have to say that, um, I find that very disappointing. And that's clear, that's through no fault of the sponsor, clearly. Because it's it strikes me that waiting until something's passed to weigh in, waiting to a public hearing to have our own departments review. I mean, I just honestly have not heard of that. Anytime I've brought legislation forward. Relevant department heads have been at the table. So no disrespect, but I mean, I'm frustrated for the for Legislator Parete that we've gotten to this point. And now it's almost like, we have to have a public hearing to even hear from our own department head.

Legislator Parete

May I say something? I, you know, don't get, don't, don't feel bad for me. I'm not frustrated. This is a very difficult issue. The what ifs can go on ad infinitum. We have to start to address it. I think we have an executive that's sensitive to this. In the past, we didn't. I think we have school districts. Yes, you can say whatever the school district doesn't have a problem in their jurisdiction. They don't want to participate. There's all sorts of what ifs. If this goes through, if it passes have a public hearing, the executive and his and his staff think it's just a terrible idea, he'll veto it? I get that. You know, I'm not running around shilling anybody to vote for this? I think it's overdue. I think we have to address it. I think this is a rather a rather pragmatic, pragmatic attempt to move forward. Is it something that they would do in Washington DC? No, they'd probably have all sorts of attorneys reviewing it. But it's, it's a problem. It's a problem. I can't run around and negotiate with every school district. To see if they want to but want to join in because it hasn't even gotten that far yet. And I'm not gonna be doing that anyway.

Chairwoman Bartels

Any other comments? Go ahead Legislator Heppner.

Legislator Heppner

Through the Chair to legislative Parete. Do you have any plans? Are you considering making the amendments that were put forth by a Legislator Walter and backed up by the DA in which you would feel comfortable postponing this a month?

Legislator Parete

Listen, the proposals that that I heard Legislator Walter, talk about bullying. I get that

Legislator Heppner

Well, it was more so the programmatic side of it.

Legislator Parete

Well

Legislator Heppner

Versus , you know, the actual staffing side of it.

Legislator Parete

Say that again, John?

Legislator Heppner

Yeah, of course. It was more. It was more about the funding that was guaranteed through it for programmatic stuff. It has also for actual staff resources.

Legislator Parete

Listen to make it more legal and more palatable. We can do what we have to do. Just as 10 years ago, we recognized there's a problem it's an epidemic now. may not be an epidemic by a, by a dictionary, like the COVID is, but it's an epidemic. We can, I don't know, I wouldn't know what to amend right this minute anyway. Um, to make it more palatable just to get it through. This is not this is not my life's objective. It's trying to address an incredibly serious problem where people are dying. And everywhere I go and everything I listened to all the talk is about treatment. treatment, this is sort of about prevention, to capture it, to identify it, and to work toward preventing youngsters in particular from having more difficult times in their life. So whatever your pleasure is, I wouldn't know what to amend, to make, to make, to make it seem like, we're not committed to spending the money because if it doesn't happen if the executive and the Legislature and the school districts don't get together, it doesn't happen. Much as I said before, a blueprint to build a house. Anything can happen to prevent it from legal to practical.

Chairwoman Bartels

Legislator Ronk.

Legislator Ronk

Thanks, I'm gonna be brief. I just want to point out that we're, we're pretty much at a deadline now, where if we don't send this to public hearing, and we decide to move forward on it, you know, we're not going to have the time to pass it before Legislator Parete retires. So he wouldn't have the opportunity to vote on it. I just want to throw that out there as a possible reason to move into public hearing. In case anyone was on the fence there.

Chairwoman Bartels

Would anyone else in the committee, does anyone else have any? Any thoughts? And what's the pleasure of the committee?

Legislator Parete

Listen, thank you very much for your time, I do now have to go to work. I'll read about it tomorrow.

Legislator Heppner

[inaudible] Legislator Ronk?

Chairwoman Bartels

What, Legislator Heppner? Sorry

Legislator Heppner

Was that a motion or just a point of information?

Legislator Ronk

Well there, there's a motion on the floor to move it forward. You know, I've already expressed my, my willingness to move forward on it.

Legislator Gavaris

Can I just ask a question on procedure, so you mentioned that we no longer have to do a second public hearing. But what if out of the first public hearing comes a bunch of substantive changes? Would we then be required to do a public hearing again or no?

Legislator Ronk

No. So now, if, however, we amend a local law, after public hearing, we can move forward on the, on the, on the local law. There is actually no requirement in county law that requires the Legislature to hold any public hearings, we do them anyway. You know, when you have a county executive, the only person who has to hold one is the county executive.

Legislator Gavaris

Thank you.

Chairwoman Bartels

Nothing would prohibit us if we chose, though, from holding a second if there were substantial changes. And we wanted to bring, you know, the interested parties to the table or to have the Legislature here, but

Legislator Ronk

Correct

Chairwoman Bartels

We were we were never by statute required to have that.

Legislator Gavaris

So I would be fine moving forward as well

Chairwoman Bartels

You would be fine. Can you repeat that? Sorry

Legislator Gavaris

I'd be fine moving forward then with public hearing then.

Chairwoman Bartels

Okay. All right. So, um, before we vote on it, and I'll just say, seems like we're moving toward moving forward on the public hearing, which I will support but I do just want to be on the record saying that I continue to have questions including some of these legal questions. I think Legislator Gavaris raises a really good point. And I think that while this is being described as a blueprint, I would want to make sure that there's a little more fleshed out in it if we were to find, to actually adopt it. But I'm willing to, to hear from the to hear from the public. And, and also our Commissioner, since this seems to be a trigger point for actually hearing from the commissioner. So on moving resolution 374 and setting a public hearing all those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay, Legislator Parete, you don't have to read about it. Well, he's gone. Okay, passes unanimously.

Legislator Ronk

He might not have heard it anyway

Chairwoman Bartels

It's possible. Okay, moving on. Resolution Number 376. Authorizing the termination of a lease agreement with CPR Kingston, LLC bank for space used by the board of elections

Legislator Gavaris

I'll make a motion to postpone

Legislator Ronk

I'll second that

Chairwoman Bartels

Okay motion to postpone made by Legislator Gavaris seconded by Legislator Ronk. On the motion, all those in favor of postponement?

Committee Members

Aye

Chairwoman Bartels

Okay. opposed? Passes unanimously. Resolution Number 395. Setting a public hearing on proposed local law number seven of 2021, a local law amending the code of Ulster in relation to evictions to be held on Tuesday, November 16, 2021 at 7:05. Motion

Legislator Ronk

I'll move it for discussion

Chairwoman Bartels

By Ken, Legislator Ronk, seconded by Legislator Heppner, before discussion. I just want, I would, I'd like to state I don't know the appropriate way to do this. I was advised as long, as well as another member of the committee today that in anticipation or in preparation from here, until we hear get a feedback from the ethics board on a possible recusal that I should not participate in this discussion.

Legislator Ronk

I guess turn the reins over to Kevin, right?

Chairwoman Bartels

I can, I can do that. Because that, is that the appropriate way to deal with that counsel?

Legislative Counsel Ragucci

Yes, unless there's going to be a procedural vote regarding a postponement.

Chairwoman Bartels

So, yeah. That was what I was going to if we can, we can participate in a procedural vote to take no action, we can not participate in taking no action. And the intent is to get a ruling from the ethics board before the next meeting. And tell that to the committee. Legislator Roberts, if you want to call on Legislator Ronk

Legislator Roberts

Thank you, Madam Chair, any comments, any questions? Legislator Ronk.

Legislator Ronk

I mean to that end, I came here hoping for a postponement tonight. You know, it's my understanding from my counsel. And I think also, um, you know, Legislative Counsel, I'm not sure if you participated in that particular attorneys meeting, but it was my understanding that the county attorney had some concerns about the law and wanted to do some more research. You know, if I'm remembering that correctly, counsel Pascale?

Minority Counsel Pascale

Yeah, that's correct. And I and I may not have the most recent information. Speaking with Chris today, there apparently was a memo prepared that I'm not yet in receipt of, but Chris could possibly speak to that. That was drafted by the county attorney's office.

Legislator Ronk

I mean, I would personally so at that, you know, with with that knowledge that my attorney hasn't been privy to that memo, yet I make a motion that we postpone until next month,

Legislator Roberts

Is there a second on it? Anybody? I'll second it.

Legislator Ronk

Hey Marc. Mr. Chairman, through, through you to one of the deputy county executives did Nick's copy of that get lost in the mail?

Deputy Executive Rider

I don't know that there's been a copy provided to any Legislative Counsel.

Legislator Ronk

Okay

Deputy Executive Rider

That's a new

Legislator Ronk

That's even better.

Deputy Executive Rider

That's a new development to me. There's not necessarily a formal memo that I'm aware of. So that's a surprise.

Legislator Roberts

Chair Bartels.

Chairwoman Bartels

Thank you and through the temporary Chair to counsel not on the merit of the discussion, but is it correct that a motion to postpone is a procedural motion that we're allowed to participate in? Because we're not speaking on merit?

Legislative Counsel Ragucci

Yes, yeah, you can, you can make a vote on that.

Legislator Roberts

Do you have a comment? Legislator Bartels?

Chairwoman Bartels

No.

Legislator Roberts

Anybody else weighing in on the postponement

Legislator Ronk

Legislator Heppner has his hand up, Mr. Chairman

Legislator Roberts

Yeah, I'm sorry. I can't see everybody on my screen.

Legislator Uchitelle

Yeah. And I'd like to speak after the majority leader if possible.

Legislator Roberts

Fair enough.

Legislator Heppner

Can I also get word from counsel on the procedural actions? I know there's been a motion on the floor, but also for procedural action to take no action?

Legislative Counsel Ragucci

I think we're within as far as timing, we're certainly within our timeframe to take no action in committee, we can postpone it without any issue.

Legislator Heppner

But what about putting forward the motion for no actions? I would have to follow legislative Ronk?

Legislative Counsel Ragucci

You mean making a motion to take no action?

Legislator Heppner

Yep.

Legislator Ronk

I don't believe that's a proper motion. I mean, you know, the, the act of taking no action will be taking no action.

Legislator Heppner

Okay, well, I came into this. Just comment on the motion, if I may, would be to say that I came into this willing to move this forward for public hearing. But if it's the will of the committee I will support, support postponement

Legislator Roberts

Legislator Uchitelle

Legislator Uchitelle

Thank you. Um, so just on a couple of topics up number one, you know, I appreciate whether tonight or in advance of the next meeting this committee's willingness to move this forward to a public hearing because I do think this is something regardless of how you might feel about it, or what further changes might be appropriate, I think this is something the public wants to weigh in on and has, deserves the right to weigh in on there's an opportunity to. on the question of something formal from the county executive's team, I don't know that we've asked for something formal. I, you know, have kind of pressed them on this a little bit. And I've gotten a bit of informal feedback and actually did incorporate that into some of the changes that we've made, but I don't think anything formal has been requested that I'm aware of. And I don't even know if that's, that's something that we typically I mean, we just went

through this with the, with resolution 374. Where they weren't, they were gonna wait until a public hearing until they kind of formally take a I don't know, a legal position, or I guess that was more of a position on policy. So that's, that's my understanding of where we're at. On the question of, you know, this this question of recusal, I would ask, if possible, through the deputy Chair to to ask that the Legislative Counsel just explain what, what that potential recusal is because I'm not sure. I did speak with Legislator Bartels earlier about it. But, you know, it's, it's an interesting question. And I would like to kind of understand that better, or have that kind of on the record here in this meeting.

Legislator Roberts

Counsel.

Legislative Counsel Ragucci

Sure. Thank you, Mr. Chairman. And I always defer these ethics questions to the ethics board, in general. But I'm happy to give my, my thought on it. informally, of course, you know, I do not think that there is a direct conflict of interest, as I've advised several members of this committee. However, our ethics law also, also covers appearances of a conflict. And the question of whether the potential conflict stretches to an appearance of a conflict, I think, is one that is close enough to, in an abundance of caution, advise that those members do not enter a vote at this juncture, at least until we get a formal opinion from the ethics board.

Legislator Roberts

Fair enough. Anybody else want to weigh in?

Deputy Executive Milgrim

If I may, just a quick question to counsel regarding that. Is the language in the bill appearance of a conflict? Or is it an appearance of violation? Because I think the conflict standard should be material conflict. So it is there actually language in the ethics law that says appearance of a conflict is you have to

Legislative Counsel Ragucci

Yeah, we have to avoid an appearance of conflict. And, and that I think has actually come up a couple times previously. And, and again, I don't think it's a conflict for the record, but I am not the ethics board. And I would really, you know, I always err on the side of caution in these matters. So

Deputy Executive Rider

Kevin if I could

Legislator Roberts

Yes

Deputy Executive Rider

I just want to clarify that there has been no memo from the county attorney that's gone to Counsel. Just I just checked in with him. So

Legislator Roberts

Fair enough. Anybody else? I see nobody else with their hands up. Let's take a vote on a postponement. All in favor?

Committee Members

Aye

Legislator Roberts

Opposed? Postponement passes. I'll turn it back over to Chair Bartels.

Chairwoman Bartels

Thank you. Thank you, Deputy Chair Roberts. So moving on, Resolution Number 434, which was confirming a reappointment of a member to the Ulster County Board of ethics. I'd like to withdraw that resolution. That's in consultation with the co-sponsor Roberts, after speaking with the executive's office. Moving on from there, Resolution Number 436, condemning anti-Semitism in all forms supporting the international Holocaust Remembrance Alliance working definitions of anti-Semitism.

Legislator Ronk

I'll move it.

Legislator Roberts

Second.

Chairwoman Bartels

Legislator Ronk, seconded by Legislator Roberts. Any discussion, discussion on the resolution? Okay, all those in favor of resolution 436.

Committee Members

Aye

Chairwoman Bartels

Opposed? passes unanimously. Okay, Resolution Number 462. Setting a public hearing on proposed local law number eight of 2021, a local law amending the code of the county of Ulster chapter 304, solid waste article 4 food waste prevention and recovery in relation to composting to be held on Tuesday, November 16 2021. At 7:10pm. Moved by?

Legislator Ronk

um, I was just gonna, I was gonna make a motion to postpone this. But if we want to talk about it first, that's fine. I'll make a motion for discussion.

Chairwoman Bartels

Okay. Moved for discussion by Legislator Ronk seconded by

Legislator Gavaris

I'll second

Chairwoman Bartels

Legislator Gavaris. Okay, and on the resolution, Legislator Ronk.

Legislator Ronk

Thanks. Um, you know, is there anybody that wants to have discussion before I make a motion to postpone and we can talk about that. All right, then I'll just hold off my comments.

Chairwoman Bartels

What are your comments related to the postponement or, Okay. Well, I alright. I mean, we can Does anyone want to discuss resolution 462? I suppose we could have the conversation as a part of your motion to postpone

Legislator Ronk

Affirmative. I'll make a motion that we postpone this for a month until the next meeting.

Legislator Roberts

Second.

Chairwoman Bartels

So on the postponement Legislator Ronk

Legislator Ronk

Thanks, you know, in consultation with my attorney, while discussing counsels meeting, the county attorney's office, I did, but I do believe that they I asked for time to look at this, um, you know, on a couple of accounts. And, you know, counsel, Pascale can fill us in maybe a little bit better on, on, on any specifics if they're needed, but I think one of them was if it was necessary, and then there was another one about preemption, I think, unless I'm thinking about something different.

Minority Counsel Pascale

Yeah, no, I can say that the topic was discussed at the last counsel's meeting. And county attorney indicated they wanted to revisit a prior memo, their office had put out, either in 2018 or 2019. When this was first proposed, well, part of this amendment was very brief discussion, and I haven't had any further conversation with the county attorney on that point. So I don't know if they've revisited it or continue to look at it.

Chairwoman Bartels

Let's, counsel Ragucci.

Legislative Counsel Ragucci

Thank you. I would just add that I did speak to the county attorney today for quite some time. And he indicated that he is going to be reviewing a couple issues with respect to preemption. I articulated my position, which basically mirrors that of prior legislative counsel's memo from I think it was 2018. David Gordon, and he said he's going to review it, and then he's going to get back to me, but he did not oppose the measure going to a public hearing at this juncture.

Chairwoman Bartels

Um, any

Legislator Ronk

I can withdraw my, my with that knowledge now I can withdraw my motion to postpone I'll just vote no.

Chairwoman Bartels

Okay. Legislator Roberts to you, will you withdraw your second?

Legislator Roberts

I withdraw.

Chairwoman Bartels

Thank you. So on, on the resolution. The memo, I believe was in 19. Their, former counsel Gordon wrote two memos. the more relevant one, I think was later in 19, November 19. And and I recall also very differing opinions on, on the subject. I can get those circulated again. But I'm comfortable with sending it to public hearing. But Legislator Ronk you have

Legislator Ronk

Yeah, I just, yeah, to explain my no vote. I from the very beginning didn't find this local law in in any of its former versions. This is at least the third time that we've amended this particular local law. I've never found it to be well thought out. You know, hence, you know, continually amending it um, you know, I think I'd probably have voted for a couple of the other amendments to the to the law but I'm over that I'm, I'm just going to be voting no from now on any further amendments to this law, just you know, any, any, any local law that you pass, and then over a period of three or four years amend several times wasn't well thought out to begin with, in my opinion.

Chairwoman Bartels

Any other comments? I'll say that, while I did not. This wasn't a piece of legislation that I participated in, directly throughout the process, there was a robust stakeholder process in, in the, in the creation and drafting of this law. And as I recall, at least one of the amendments had to do with pushing out the implementation date due to COVID as requested by the Department of the Environment, which I think was very understandable given what we were dealing with and the hopes of not burdening businesses that were already feeling tremendous burden through a global pandemic, which is obviously unforeseen. So I'm going to respectfully disagree, Legislator Ronk. And I'm going to support moving it forward, although, especially hearing from counsel today that there's a level of comfort with the public hearing from county attorney's office and also with the confidence and the comfort and in my personal agreement with the memo from the from previous Counsel and knowing that our current counsel concurs with that. So does anyone before we call the vote, does anyone have any other Any other comments? Okay, so on the resolution setting the public hearing all those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? That passes. opposition from Legislator Roberts and Legislator Ronk. Resolution Number 478, authorizing the Chair of Ulster County Legislature to sign an agreement with town of Rochester in Ulster County for the use of polling equipment and materials Ulster County board of elections.

Legislator Ronk

I'll move it

Legislator Heppner

Second.

Chairwoman Bartels

Moved by Legislator Ronk seconded by Legislator Heppner. On the resolution, any discussion? Seeing none, all those in favor? Oh,

Legislator Roberts

Tracye, I got a question

Chairwoman Bartels

absolutely. Go ahead, Legislator Roberts

Legislator Roberts

How come we're having a special election a month after the general election?

Legislator Ronk

I'm assuming they missed a deadline. But they're paying for it. So

Legislator Heppner

I believe leader Ronk is correct.

Legislator Roberts

Okay, thank you.

Chairwoman Bartels

You're welcome. Any other comments? Okay, so we'll call the question on resolution 478. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Passes unanimously. Now we're into the late, late resolutions, Resolution Number 506. approving the execution of a contract for \$750,000 entered into by the county, the Institute for Family Health, Department of Health moved by Legislator Ronk.

Legislator Ronk

Oh, I'd like to move 506 and 507 as a block unless there's a disagreement on one of them by somebody.

Legislator Heppner

I'll second that

Chairwoman Bartels

Okay, second. On the on the blocking of 506 and 507. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay, so resolution so on, on the on the blocked resolutions. We have a motion to on the table for the both are Legislator Heppner. Did you want to speak on them?

Legislator Heppner

No I was just gonna vote yes.

Chairwoman Bartels

Okay.

Legislator Ronk

I'll just wait my turn.

Chairwoman Bartels

Okay. All right. So is there any discussion we want to hear any, any back everyone everyone's gotten the back background on these in in caucuses, etc. Okay, so on resolution 506 and 507. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? passes unanimously. Okay, and resolution 508 authorizing the Chair of the Ulster County Legislature to execute an agreement with the United States Department of Justice Office on Violence Against Women District Attorney's Office.

Legislator Ronk

I'll move it.

Chairwoman Bartels

Second. Moved by Legislator Ronk. Seconded by Legislator Heppner. It's my understanding that the district attorney could not be with us today. But we do have representation from his office in the form of attorney mills and attorney

Delpozo. thank you very much for joining us. You want to give any, any background to this? Or does anyone have any questions? Seeing no questions. This is, okay. Okay. All those in favor?

Committee Members

Aye.

Chairwoman Bartels

Opposed? Okay, passes unanimously. Thank you. Thank you for being here in case we did have questions.

ADA Culmone-Mills

Thank you very much.

Chairwoman Bartels

Okay, um, that gets us through the resolution portion of the agenda. I did put on the agenda, thank you clerk Mahler, the ethics and disclosure law. For those of us who've been around recall that Legislator Ronk, now it's some time ago brought forward proposed amendment, basically a redrafting of the law which this committee worked substantially on and made significant amendments to that drafting. Clerk Mahler has been including in the packet, I would like to propose that we have a special, special meeting to discuss this. And ideally, potentially, to move it through. So Clerk Mahler will be reaching out to, to all of you to find a time in near future in advance of our next meeting, to have a meeting on this subject.

And so I'd ask that if each of you could just re-familiarize yourself with the draft where it's at. And if you need any additional backup, if you're interested in any previous drafts, we have a giant file on it. So happy to share. I see I see the reaction, happy to share any of the information that you need to get up to speed. But I, for one, really look forward to the discussion with all of you a substantial amount of work was, was done and I think is it's very good work. And I also just want to say on the record that I think it's, it's very, very needed. So hopefully everyone can find the time and we'll make sure that that we do find a time where everyone can be there on the committee. Is there any old business that anyone would like to discuss? Any new business?

Legislator Ronk

I move we adjourn.

Chairwoman Bartels

Second? Okay. Moving to adjourn Is there a second? All right, we need a second but here we go.

Legislator Gavaris

Gavaris

Chairwoman Bartels

All right, all those in favor of adjournment.

Committee Members

Aye

Chairwoman Bartels

Alright, Aye. Thank you all I can't believe we did it. In time for a seven o'clock finish. All right.