

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

DATE & TIME: December 14, 2020 – 6:00 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 971 8729 4033
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Donaldson, Gavaris, Heppner, Roberts & Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Archer, Cahill, Petit & Uchitelle, Legislative Counsels Ragucci & Gordon and Minority Counsel Pascale, Deputy County Executives Milgrim & Rider, Director of Comm Health Relations Vin Martello – UC Health Department, Tom Kadgen – LWV

Chairwoman Bartels called the meeting to order at 6:07 PM.

Motion No. 1: Moved to **APPROVE Minutes & Transcript of the November 16th Meeting**

Motion By: Legislator Donaldson
Motion Seconded By: Legislator Heppner

Discussion: None

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

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Minutes APPROVED**

Resolutions for the December 15, 2020 Session of the Legislature

LATE Resolution No. 470: Authorizing The Chair Of The Ulster County Legislature To Accept The National Association Of County And City Health Officials Implementing Opioid Overdose Prevention Strategies At The Local Level Grant, And Amending The 2021 Ulster County Budget – Ulster County Department Of Health

Resolution Summary: This resolution authorizes the Chair to accept a NACCHO Implementing Opioid Overdose Prevention Strategies at the Local Level Grant in the amount of \$497,359 to provide financial and technical assistance to local governments in an effort to identify, respond to, treat and support those impacted by opioids, stimulants and other illicit drugs of abuse, and to prevent initiation of substance use among youth and young adults.

Motion No. 2: **Resolution No. 470 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Donaldson

Discussion: See attached transcript

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

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Resolution ADOPTED**

Resolution No. 300: Setting A Public Hearing On Proposed Local Law No. 12 Of 2020, A Local Law Amending Local Law No. 4 of 2018, A Local Law Establishing An Ulster County Human Rights Law, To Be Held On Monday, January 11, 2021 At 6:00 PM

Resolution Summary: This resolution sets a Public Hearing on Monday, January 11, 2021 at 6:00 PM to allow the public to offer comments on Proposed Local Law No. 12 of 2020.

Motion No. 3: **Resolution No. 300 MOVED FOR DISCUSSION**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Motion No. 4: **Motion to POSTPONE Resolution No. 300**

Motion By: Legislator Heppner

Motion Seconded By: Legislator Ronk

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 POSTPONED**

Resolution No. 345: Setting A Public Hearing On Proposed Local Law No. 13 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 Further Clarify Budget Modification after Adoption, To Be Held On Monday, January 11, 2021 At 6:10 PM

Resolution Summary: This resolution sets a Public Hearing on Monday, January 11, 2021 at 6:10 PM to allow the public to offer comments on Proposed Local Law No. 13 of 2020.

Motion No. 5: **Resolution No. 345 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. 425: Setting A Public Hearing On Proposed Local Law No. 15 Of 2020, A Local Law Amending Article XXX Of The Ulster County Charter And Article XXX Of The Ulster County Administrative Code To Eliminate The Term Limit Imposed On Commissioners, To Be Held On Monday, January 11, 2021 At 6:05 PM

Resolution Summary: This resolution sets a Public Hearing on Monday, January 11, 2021 at 6:05 PM to allow the public to offer comments on Proposed Local Law No. 15 of 2020.

Motion No. 6: **Resolution No. 425 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Donaldson

Discussion: See attached transcript

Motion No. 7: **Motion to POSTPONE Resolution No. 425**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Ronk

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 POSTPONED**

Resolution No. 427: Authorizing And Appropriating A One-Time Compensatory Time Payment To Certain Employees Of The Ulster County Board Of Elections

Resolution Summary: This resolution authorizes a one-time payout of all accrued compensatory time, including compensatory time for hours worked over 105, accrued as of November 21, 2020 for certain Board of Elections Employees.

Motion No. 8: **Resolution No. 427 MOVED FOR DISCUSSION**
Motion By: Legislator Donaldson
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Motion No. 9: **Motion to AMEND the first Resolved in Resolution No. 427 to read as follows, "... shall receive a one-time payout of all accrued compensatory time balances, including compensatory time for hours worked over 105, accrued as of January 16, 2021 ..."**

Motion By: Legislator Bartels
Motion Seconded By: Legislator Donaldson

Discussion: See attached transcript

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

Discussion: See attached transcript

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

Resolution No. 436: Calling Organizational Meeting Of 2021

Resolution Summary: Pursuant to Section C-17 (A) of the Ulster County Charter and Section A2-12 (A) of the Administrative Code, this Resolution schedules the Organizational Meeting of the Ulster County Legislature on Monday, January 11, 2020 at 6:30 PM

Motion No. 10: **Resolution No. 436 MOVED FOR DISCUSSION**
Motion By: Legislator Roberts
Motion Seconded By: Legislator Gavaris

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. 467: Adopting Proposed Local Law No. 14 Of 2020, A Local Law Amending Local Law No. 17 Of 2007, A Local Law To Create The Department Of The Environment And The Office Of Coordinator Of The Department Of The Environment For The County of Ulster

Resolution Summary: This Resolution adopts Proposed Local Law No. 14 of 2020

Motion No. 11: **Resolution No. 467 MOVED FOR DISCUSSION**
Motion By: Legislator Donaldson
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Bartels, Donaldson, Gavaris, Heppner, Roberts
Voting Against: Legislator Ronk
Votes in Favor: 5
Votes Against: 1
Disposition: **Resolution ADOPTED**

Chairwoman Bartels moved on to Old Business on the Agenda; a continuation of the discussion of Rules of the Legislature. See attached transcript.

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

Adjournment

Motion Made By: Legislator Heppner
Motion Seconded By: Legislator Ronk

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

TIME: 7:09 PM

Respectfully submitted: Deputy Clerk Mahler & Confidential Secretary Lichtenstein (transcript)
Minutes Approved: February 10, 2021

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

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Meeting ID: 971 8729 4033
PRESIDING OFFICER: Chairwoman Bartels
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Donaldson, Gavaris, Heppner, Roberts & Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Archer, Cahill, Petit & Uchitelle, Legislative Counsels Ragucci & Gordon and Minority Counsel Pascale, Deputy County Executives Milgrim & Rider, Director of Comm Health Relations Vin Martello – UC Health Department, Tom Kadgen – LWV

Chairwoman Bartels called the meeting to order at 6:07 PM.

Chairwoman Bartels: All right, I'm going to call the meeting to order. We're recording. It's 6:07 and this is the December meeting of Laws and Rules, Government Services Committee. Clerk Mahler will you please take attendance.

Deputy Clerk Mahler: Sure thing. Chairwoman Bartels.

Chairwoman Bartels: Here.

Deputy Clerk Mahler: Deputy Chair Roberts.

Legislator Roberts: Here.

Deputy Clerk Mahler: Legislator Gavaris.

Legislator Gavaris: Present.

Deputy Clerk Mahler: Legislator Heppner.

Legislator Heppner: Here.

Deputy Clerk Mahler: Legislator Ronk.

Legislator Ronk: Here.

Deputy Clerk Mahler: And Chairman Donaldson.

Chairman Donaldson: Here.

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

Chairwoman Bartels: All right. Thank you. Hopefully everyone's had a chance to look at the meeting minutes and transcripts. Thank you very much for the continued hard work, Clerk Mahler. I'll entertain a motion to accept the meeting minutes and the transcript.

Chairman Donaldson: I'll move it.

Legislator Heppner: Second.

Chairwoman Bartels: Okay. Moved by Chair Donaldson. Seconded by Legislator Heppner. All in favor of accepting the minutes and the transcript?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Okay. Passes unanimously. Okay. I'm going to take Resolution, on our agenda, Resolution Number 7 out of order. Vin Martello and Deputy Executive Rider are with us to discuss. So, Number 7.

Legislator Ronk: I'll move it.

Chairwoman Bartels: Thank you. I'm just going to read it on the agenda, it is Late Resolution No. 470: Authorizing The Chair Of The Ulster County Legislature To Accept The National Association Of County And City Health Officials Implementing Opioid Overdose Prevention Strategies At The Local Level Grant, And Amending The 2021 Ulster County Budget – Ulster County Department Of Health

Moved by Legislator Ronk.

Chairman Donaldson: Move it. Second.

Chairwoman Bartels: Second by Chair Donaldson. Okay, the floor is yours, Mr. Martello, if you want to give us a little background.

Director Vincent Martello: Sure. The NACCHO grant came to us about three weeks before it was awarded. So, we really took a close look at where the gaps are that we would be able to address with this grant. And they fell into three different areas. One of them, which was the largest part of the grant, had to do with a strategy that we recommended in our, from our Opioid Prevention Task Force that we convened in early 2018. And that ran just about up to the time when, when the previous County Executive left. And that had to do with looking at the epidemic from a prevention point of view.

We actually looked at the epidemic from three main categories. Reducing supply, which was drug trafficking, interdiction, medication take back, safe prescribing practices. Improving treatment and recovery services, which had to do with you know, pretty obvious, as just as it says, harm reduction, improving treatment, and improving the linkages between treatments, closing the gaps that that people could slip into.

The third was reducing demand, because we understood that, you know, that you could reduce the supply all you want, if the demand is still there, then the supply will simply rise to meet it. And the fact is that we, you know, a lot of work has been done in, since the opioid epidemic was recognized as an epidemic, a lot of work has been done in the realm of harm reduction. This is like, you know, things like Naloxone, reviving people, setting up in medication assisted treatment in emergency departments. Doing all those things that, you know, that are, really fall into that triage definition of stopping the bleeding and stopping the dying.

However, we understood that if you just, if you just did the work on, in the place where people were already addicted and already overdosing, and you didn't stop young people from coming into that drug, that substance use pipeline, that you would, you would essentially be treading water.

And we took a look at the model of tobacco prevention. Prior to 1998 youth smoking rates rose in a very, very steep curve. Then in 1998, the big tobacco settlement came where billions of dollars was adjudged against the tobacco companies on the basis that they knew that they had highly addictive products, they continue to aggressively market them. So, all these billions of dollars flowed to communities all over the nation, including ours. And youth smoking rates went down at the same curve as they rose previous to 1998. Which meant that investments in prevention, prevention public health messaging, primary prevention in the schools, all that had a dramatic effect on youth smoking rates.

So, you know, so much money has been invested in opioid harm reduction and, and improving treatment. But we saw a real opportunity, with this grant, to do something that the taskforce had recommended, which is to, originally was to form a public private partnership to help, to have the private sector help underwrite prevention messaging created by youth, created by students and directed to students. And we were embarking on that John Finch from Ulster Savings and Ward Todd from Ulster County Chamber of Commerce, were ready to help us with that, and then COVID hit.

So, all of a sudden, this NACCHO grant came along, and we actually for the first time ever in the grant, saw the opportunity, they made it possible for us to apply for a prevention interventions initiative. So, we put a big component in this NACCHO grant, vis-à-vis prevention, and that is to engage students throughout Ulster County. We have multiple high schools involved. We have BOCES involved. We have RYAN involved raising, youth awareness, youth awareness against narcotics, Hope Rocks, Center for Creative Education, and Ulster Prevention Council.

And what we plan to do is to engage students throughout Ulster County to create peer-to-peer messaging in all media. So, social media, videos, radio ads, TV ads, billboard designs, poster designs, and then organize student work groups around the various media that they might be interested in. So, some might be interested in graphics, some might be interested in video production, what have you. And that we would organize these student work groups in a Student Leadership Council, and they would have guidance from faculty and from other media professionals. I've been in the media business for several years, there's a, an amount in the grant to hire a consulting agency to guide students as well. Because this is not just about creating random messages.

This is to create an integrated messaging campaigns designed around the core messaging themes of raising awareness as to the risk of drug use. De-glorifying drug use in general. Because when you think about all the money invested in over the counter and prescription medications, basically sending a message to our young people that whatever difficulties come your way, there's a drug for that.

And the third core messaging element is emphasizing all of the pro, positive pro social alternatives to drug use. which they've found to be, what the research shows is one of the core mitigating strategies, the most effective mitigating strategy for deterring people, young people, from drug use. So, that's the main part of the NACCHO grant, that's the lion's share of it.

We will also put in money for once the students have created all these media elements, that we will run a massive six-month long campaign, in all media, that will basically, everywhere you see, and hear, and go in Ulster County, it will be part of the landscape, part of the social media environment, part of the broadcast environment, all created by students, for students, peer-to-peer with professional guidance. That's one of the that's one of the elements of this NACCHO grant.

Another is that we plan to help the Samadhi Recovery Community Outreach Center in Kingston to go 24/7 with their harm reduction services. Samadhi, as many of you know, has done yeoman's work. I mean, they've been in the deep trenches right at ground zero, where most of the overdoses occur in Kingston. In working with people, they are a mindfulness-based recovery center, but they do a lot of work with connecting people to medication-assisted treatment. They train certified peer recovery advocates. They work with the, our Ulster County jail. They provide Naloxone training in opioid overdose hotspots. So, we're providing money in this grant to help them go 24/7 and to expand those services.

And the, another smaller part of it is for Hudson Valley Community Services, which works strictly, I mean, almost exclusively in the area of harm reduction. And they do things like refer people to addiction treatment, inpatient and outpatient programs, transportation to admissions, expanded syringe program, syringe exchange program, Narcan training, HIV, HCV STI testing and counseling and navigation, case management, and food assistance. All to people struggling with opioid use disorder.

They lost a chunk of funding. They were funded by New York State to provide these services to Ulster County and they're really critical services. But they lost a chunk of funding because of New York State cutbacks and because of Governor Cuomo withholding 20% across the board for funding services.

So, all in all, this grant covers all those three really important areas. It's a \$500,000, approximately, grant. It's 18 month-long program. I will be very much involved with the Ulster Prevention Council part of it; with the media part of it. I've been on Ulster Prevention Council since 2004 when I was a town supervisor, representing the Supervisors' Association. I know they have deep roots in the schools and with our young people as does RYAN and Hope Rocks, and even the Center for Creative Education, which is going to do a dance performance element to this media messaging, which is very exciting. And we think that this will be a really strong, positive, proactive message to our young people to help deter them from substance use.

Chairwoman Bartels: Thank you.

Director Vincent Martello: That's really the nutshell of it.

Chairwoman Bartels: Okay, thank you, Vin. I'm going to if it's okay, I'm going to open the floor for questions. If we have any questions about this grant or that anything that Vin has said in his very thorough presentation. Any questions? Anyone? Legislator Gavaris.

Legislator Gavaris: Just so I can be clear, or be sure, Vin, is the Ellenville Hospital involved in any way of this grant or not?

Director Vincent Martello: Is which, I'm sorry,

Legislator Gavaris: Ellenville Hospital?

Director Vincent Martello: No, not in this particular grant. We do cross over in a lot of our other grants, but not in this one.

Chairwoman Bartels: Okay. Are there any other questions? Okay, I don't see any other questions. So, on the Resolution, as presented, all in favor?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Okay, it passes unanimously, thank you very much for taking the time.

Director Vincent Martello: Thank you. Thank you so much for the opportunity to inform you about this grant. And we really appreciate your support, ongoing support. Thank you.

Chairwoman Bartels: Thank you, and we look forward to getting updated as you administer it. Thank you.

Director Vincent Martello: Will do. Okay. Good night.

Chairwoman Bartels: Good night. Have a great night.

Okay, so we'll get back to the regular flow of the Resolutions starting with Resolution Number 300, which is: Setting A Public Hearing On Proposed Local Law No. 12 Of 2020, A Local Law Amending Local Law No. 4 of 2018, A Local Law Establishing An Ulster County Human Rights Law, To Be Held On Monday, January 11, 2021 At 6:00 PM

Legislator Ronk: I'll move it for discussion.

Chairwoman Bartels: Okay, Legislator Ronk. And Legislator Heppner was that a second? I saw your hand. Okay, Legislator Heppner, second. Okay. On the amendment. Do we have any updates? Legislator Heppner.

Legislator Heppner: Were they be able to get it all reflective? All the agreed upon changes between Counsel and the County Attorney is it all reflected?

Chairwoman Bartels: I do not... I don't think we're there yet on this one. Legislative Counsel.

Christopher Ragucci, Esq.: Sorry, it will be by the end of this evening, it will be reflected.

Chairwoman Bartels: Will be by the end of this evening. Do you mean by the end of this meeting or the end of this evening?

Legislator Heppner: I think we're close. I think we can postpone and just have it kicked off for the start, you know, kick it off at the start of the new year.

Chairwoman Bartels: Is everyone comfortable with that?

Legislator Heppner: If Legislator Ronk agrees.

Legislator Ronk: I definitely agree because I'm unaware of the conversations with the County Attorney's Office on it. So, I want to make sure that we're all in same page.

Chairwoman Bartels: Okay.

Legislator Heppner: I'll move to postpone.

Legislator Ronk: Second.

Chairwoman Bartels: Okay. All in favor of postponement?

Committee Members: Aye.

Chairwoman Bartels: Okay, Next Resolution. Resolution No 345 is: Setting A Public Hearing On Proposed Local Law No. 13 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 Further Clarify Budget Modification after Adoption, To Be Held On Monday, January 11, 2021 At 6:10 PM.

Legislator Ronk: I'll move it for discussion

Legislator Heppner: Second

Chairwoman Bartels: Okay, Legislators Ronk and Heppner. On the Resolution. Legislator Ronk.

Legislator Ronk: I know that, you know, Chairman Donaldson was looking to move forward with it this month. You know, I'd be willing to support a public a public hearing, I'd rather hold off until we can do it all, you know, at the same time, because I do still have concerns about this because it was important to the Human Rights Task Force.

Chairwoman Bartels: Legislator, I just think you're speaking about the next Resolution.

Legislator Ronk: Oh, sorry. I thought they were... I thought they were back-to-back. my fault.

Chairwoman Bartels: I did too, at first. It's no problem. Does anyone have any comments on Resolution 345, which is budget modification?

Legislator Ronk: I'm fine with moving forward on public hearing.

Chairwoman Bartels: Okay. So, all in favor of Resolution number 345?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Passes unanimously.

Okay. Resolution Number 425: Setting A Public Hearing On Proposed Local Law No. 15 Of 2020, A Local Law Amending Article XXX Of The Ulster County Charter And Article XXX Of The Ulster County Administrative Code To Eliminate The Term Limit Imposed On Commissioners, To Be Held On Monday, January 11, 2021 At 6:05 PM.

Legislator Ronk: I'll move it for discussion.

Chairwoman Bartels: Okay, and a second, Chair Donaldson. And then Legislator Ronk, you can pick up where you started.

Legislator Ronk: Yeah, I just, I remember being important to the members of the Task Force that, you know, there shouldn't be a hard and fast term limit, which there used to be, prior to our changes. But that they did favor a cooling off period in between, you know, how many terms they're able to serve now, and then being able to serve again, rather than just continuing to serve in perpetuity.

Chairwoman Bartels: Okay. Chair Donaldson.

Chairman Donaldson: One of the problems we have is we often have difficulty finding people that want to serve and are very active in serving. And but anyway, by the two term limits can seem a little excessive, in a sense. I would rather see something like maybe a four-term limit, which would be 12 years that they could save, serve on that if you're going to have limits, rather than two. And then they have a cooling off period, they can't serve three years. You know, this is the Human Rights Commission. And if you take a look at the Human Rights Commissions throughout the country, often, you know, we look at those, and there's often people that have been on a particular Human Rights Commission for a very long time, that is the voice of the community. So, I mean, I think that, and then not only that, we've also enhanced the powers of the Human Rights Commission, which actually creates some other liabilities that we have. So, having some people that are knowledgeable, are pretty important to have on there.

So, I mean, I would suggest that if, you know, I mean, I am, I'm open for a lot of different changes. I understand that there was a... there used to be term limits, and they wanted a year two but they went on anyway, which is kind of odd. But that's the reality of it all. And then now we put in terms limits saying that they have a cooling off period. Well, I don't mind the cooling off period, but I really think it's two terms, or that's six years, is not that long of a time to really understand the process as well as they need to.

Chairwoman Bartels: Legislator Ronk.

Legislator Ronk: Thanks. I think that one thing that, you know, creating some inflow and outflow from the commission, you know, could help is that right now, a large majority of the commission members are from one community, not from the greater Ulster County community. They're mostly from the City of Kingston. And I'm not

saying that's necessarily a negative, but it really doesn't spread geographic diversity. You know, and if you require, you know, different roads to be taken, you know, every, you know, six years or so, you might actually have some more geographic diversity, you might have people from different portions of the county wanting to participate. Just want to throw out there too.

Chairwoman Bartels: Chair Donaldson, you made, you offered a suggestion of four, I think I heard you offer a suggestion of a four-term term limit that, that would change this Resolution. What's the committee's feeling on a four-term term limit versus no term limit? Legislator Ronk.

Legislator Ronk: I guess that the question I have is, is it four terms and then you can never serve again? Or is it four terms, you take a break, and then you come back on?

Chairman Donaldson: I'm not sure. What do you what, what would you want?

Legislator Ronk: I mean, I personally like the two terms, take a break and come back on for two more terms. I think if we're going to do four terms, I would say four terms and you can't serve again, it would be a hard and fast limit. I mean, I again, you know, I would support a public hearing, but I'm probably going to vote no when it comes to us. Because I think that the current plan is not only reasonable, but what the, you know, Human Rights Task Force made up of, you know, representatives of many of the subgroups of the population that are going to be able to get relief under the human rights law and human rights commission. It was what they wanted.

Chairwoman Bartels: Chair Donaldson, you're the sponsor, what's your pleasure? Do you want it to go to a public hearing as it is, do you want to take the month to work on a compromise?

Chairman Donaldson: I'll take a month work on it. But right now we have a Human Rights Commission that is not really in compliance.

Chairwoman Bartels: Legislator Heppner.

Legislator Heppner: I'll move to postpone one month.

Legislator Ronk: Second.

Chairwoman Bartels: Okay, on the postponement?

Chairman Donaldson: Sure.

Chairwoman Bartels: Okay.

Committee Members: Aye.

Chairwoman Bartels: Postponement passes unanimously. But if you could keep us updated, Chair Donaldson, on your thinking and any proposed amendments, and then we'll get it to a public hearing at the next meeting.

Okay, the next Resolution is Resolution Number 427: Authorizing And Appropriating A One-Time Compensatory Time Payment To Certain Employees Of The Ulster County Board Of Elections.

Chairman Donaldson: I'll move it.

Legislator Heppner: I'll second.

Chairwoman Bartels: Okay. Moved by Chairman Donaldson, seconded by Legislator Heppner. I will be offering an amendment. Perhaps I could do that first just to start, if that's okay. And then we can have the discussion on the amendment.

Jay, do you have it to put up or should I just read it? Hang on a moment. It's in the first resolved. There we go. So, the first resolved would, it's the bold and the strike through, the first resolved would now read, resolved that eight current employees of the Ulster County Board of Elections, excluding the titles of Commissioner of Elections and Deputy Commissioner of Elections, shall receive a one-time payout of all accrued compensatory time balance balances, including compensatory time for hours worked over 105 accrued as of January 16, 2021.

I'll make that as a, as a motion.

Chairman Donaldson: I'll second it.

Chairwoman Bartels: Okay. So, on the amendment, but I'll open it to conversations on the entirety, if need be. Legislator Ronk.

Legislator Ronk: Just a question to you, I guess, as the sponsor, and not knowing anything about this until, you know, tonight when we're being forced to vote on it. You know, what is the reasoning behind January 16?

Chairwoman Bartels: Okay, so the reasoning behind January 16 is that the grants that we're going to be drawing the, should this pass, the grant that the funds will be drawn from...

Legislator Ronk: Yep

Chairwoman Bartels: ... is required to be put in as of January 30th. The final requests have to be put in on January 30th. The accounting for the expenses has to be as of December 31, 2020. But it has to be put in on January 30. So, the last pay period that would allow time to get final numbers ends on January 16. And the reason for pushing it out to January 16th, as opposed to leaving it at its previous date, is that it allows time for both sides of the Department of Board of Elections, to draw down comp time, which is which is currently happening. So, the final number will be smaller than the number had we passed it in November.

Legislator Ronk.

Legislator Ronk: Thank you. You know, a couple of comments, you know, you know, I don't, I wouldn't mind, you know, voting on the amendment first, and then I'll talk on the Resolution because my comments are not really on the on the amendment.

Chairwoman Bartels: Okay. So, on the amendment. Are there any other comments? Okay. All in favor of the amendment?

Committee Members: Aye.

Chairwoman Bartels: Opposed. And we have one recusal, Legislator Roberts. So, it passes unanimously with one recusal, the amendment.

On the Resolution as amended. Legislator Ronk, did you have your hand up?

Legislator Ronk: Yeah, thanks. I, you know, I will not be supporting this. I think it's great that we're, you know, giving some time for them to draw down the balances. I believe strongly as I did, before, that this is really a travesty for us to be doing for, you know, eight employees, you know, in one particular office that just happens to be our, you know, hand-picked, you know, political appointees. You know, they're the only ones being given this option for comp time.

I will say that, you know, I, from what I understand, they're burning down a lot of comp time right now. And I believe that, you know, if we were to push this out further with the, the pandemic affecting county offices as it is, you know, this is, this is a group of people that really cannot work from home. And it's my understanding, you know, through communications that have been, you know, relayed to our Clerk's office that that we're not doing at this point, you know, COVID time where if you can't work from home, you're still getting, you know, your, you know, however many hours you work a day, depending on your bargaining unit number of hours. So, it seems to me like a perfect opportunity to burn comp time without, you know, without payouts. I just I don't understand what the purpose is for, other than the fact that I guess we can use some grant money for this, but it's my opinion that we could use the grant money for something altogether different. I just, I don't, I don't see the reason for this. I think that there's ample opportunity to burn down comp time, you know, beyond January 16th. And I'll not be supportive of this. I really think that, you know, in a budget cycle, when, you know, we removed, you know, salary increases from people. You know, I don't see how, I don't see how we can give a payoff to these eight people.

Chairwoman Bartels: Sorry, I'm having problems with my mute button. Would anyone else like to speak on the Resolution. Okay, so, on the Resolution, all in favor?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Legislator Ronk. And again, Legislator Roberts has recused himself from this vote. Four in favor, one opposed, one recusal.

Okay, moving on. Resolution Number 436: Calling Organizational Meeting Of 2021.

Legislator Roberts: Move it.

Chairwoman Bartels: Moved by Legislator Roberts. Seconded by Legislator Gavaris. On the Resolution. Legislator Gavaris. Oh, you're raising? Your vote? All in favor?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Okay. Passes unanimously.

Resolution Number 467: Adopting Proposed Local Law No. 14 Of 2020, A Local Law Amending Local Law No. 17 Of 2007, A Local Law To Create The Department Of The Environment And The Office Of Coordinator Of The Department Of The Environment For The County of Ulster.

Chairman Donaldson: I'll move it.

Legislator Heppner: Second.

Legislator Ronk: I'll second it for discussion. Oh, Johnathan's got it.

Chairwoman Bartels: Moved by Chair Donaldson. Seconded by Legislator Heppner. Legislator Ronk.

Legislator Ronk: Thank you, I'm going to be a no on this Resolution. I feel after, you know, going through the budget process and seeing the salary increase that was in there for the current Coordinator of the Department of the Environment who is going to be now the director of the Department of Environment. You know, I, I feel like it was sold to the public under false pretenses because the Resolution had stated that there was no financial impact. But had we adopted the budget that County Executive intended to, and from what I've heard about, you know, the deliberations in the Democratic Caucus, that there's a desire there to, you know, through the year find a way to increase the salary of this individual. You know, again, I feel like, you know, the public could be duped by you know, seeing that this has no financial impact when it's, frankly, intended to have at some point a financial impact. So, I will be a no.

Chairwoman Bartels: On the Resolution, anyone else? Legislator Heppner, did you want to speak?

Legislator Heppner: No, sorry, I was just early on my vote.

Chairwoman Bartels: Okay. So, all those in favor of the Resolution?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Legislator Ronk, opposed.

Okay, we did seven. And now? I don't know on the agenda. Do we have the... I don't see the rules on the agenda. But our plan was to discuss the rules. I don't know if we can without being, I didn't realize they weren't on the agenda.

Deputy Clerk Mahler: They should be under old business.

Chairwoman Bartels: Okay. Oh, I see old business. Okay. So, let's, let's go to the Rules of the Legislature. Jay, can you put it up to share, we can run through the changes that we discussed on Thursday?

Legislator Ronk: Can I ask a question?

Chairwoman Bartels: You may.

Legislator Ronk: Is there. Is there a reason why we're trying to get this done? In a, dare I say, a hurry? I'm just curious. I, you know, I feel like we've always kept this to special meetings in order to, you know...

Chairwoman Bartels: I mean, I can answer the question. But let me let me first answer the question that the Chair had suggested that it would be nice to begin the organizational meeting with the, with the new rules. That said, I'm perfectly comfortable holding it off. But if while we have a few minutes, I'd like to go through the changes that we moved through and at least get consensus on what they say. And we'll see where we're at. I'll defer to the... I'll defer to the committee. I don't ...

Legislator Ronk: I mean, that's fine, I can tell you that I won't, under any circumstances support such a move. You know, I think the last time that a Chair of the Legislature tried to do that was when Legislator Bernardo was Chairwoman of the Legislature. And I think that you practically staged a hunger strike about that. You were very unhappy on the floor of the legislature when she tried to start the year with new rules.

Chairwoman Bartels: So, it was more it was, it was not just that fact, it was some of the other changes that had been made without actually marking the changes. But, I hear your point, let's... there should be no problem going through these changes just to have the discussion. So, if we...

Chairman Donaldson: Can I say something, Trace?

Chairwoman Bartels: Sure. I'm sorry, I didn't see you once we...

Chairman Donaldson: I mean, no, I just thought it would be nice if we had it set up for the new year. But the process that we followed, was not something that was being thrown down our throats, or jammed down our throats, like before. This is a process that we have worked on ourselves. It wasn't something that was dreamed up and thrown out at the last minute. It's a little different.

Chairwoman Bartels: Yeah, I think I think it's exceedingly different, especially given that this would be something that would be circulated in advance for approval. But again, I'm okay, not moving it out of this committee. I just would like for us to discuss it since a lot of work was done between the last few days and now. And it will put us in a better place even at the next meeting. Legislator Ronk.

Legislator Ronk: Thanks, just and then, and then I'll shut up. And unless anybody else has anything to say, we can just move through the changes. But I do think that it's different, but it still doesn't follow the proper, you know, process for changing the rules. And to say that, you know, on December 14, it's going to be circulated, and we're going to have less than a month to look at them before we try to adopt them in January, I wouldn't say is an exceedingly large amount of time, considering that our own rules say that rules changes require two months' worth of deliberation. And now with the earlier Resolution deadline, it's more like two and a half months. You know, I just, I appreciate the fact that Chairman Donaldson is not necessarily interested in rushing it through. I just I think that that's a poor idea, no matter what the process was to get here. And I don't think that we're ready yet, either, so.

Chairwoman Bartels: So, that's fine. Your point is noted. And I also said that I'm not interested rushing it through. I would like though to quickly go through the points that were raised on Thursday, just so that we can even see if we

need to do more work before the next meeting. And so, we don't have to go through every tiny, every tiny change. If we could just move through the sections with major changes.

I just stopped screen sharing. I don't know what happened to... Jay, do you still have the screen share? Oh, here we go.

So, if you can, Jay, if you can just scroll forward, we can skip through. Everyone can at their own time look through the ministerial changes and the smaller changes. But if we could look at the couple things that have come back from counsel that are bigger.

Okay, here's one of them. This has to do with petition to discharge. I think this actually is clarifying language as well. Thereafter, if the requisite number of legislators have signed a petition to discharge as described above, the Resolution shall be referred to the next full meeting of the County Legislature for a vote provided such full meeting is at least 10 days from the date that the minimum number of signatures needed pursuant to these rules have been made upon, or with the authorization of the legislator placed upon the petition to discharge. At said full meeting of the County Legislature the discharged Resolution may be adopted, defeated, or referred back to committee. If the discharged Resolution is defeated in committee a second time, and should a second petition to discharge, be successfully executed, the Resolution shall only be subject to adoption or defeat by a full vote of the legislative body.

It's pretty clear, and I don't think it actually is fundamentally changing what we're doing. It's just the language is clarified. If anyone has a problem with that, just speak up.

Legislator Ronk: Okay, I don't have a problem with it. But I just, I have a thought to bring forward. And it actually comes from the petition to discharge that I had executed on the use of the Tax Stabilization Fund Resolution. You know, just keep in your minds, and think about whether we should make this the next full meeting, or the next regular meeting. Because the next full meeting would include any special meetings like the budget vote.

I think it, I think it worked out this time, because I feel like it was important for us to decide what we were doing with tax stabilization before we adopted the budget anyway. But until Vicky and I talked it out, I've had the, you know, I was under the opinion that it was going to show up at tomorrow night's meeting, because, you know, in the rules, we talk about regular meeting and full meeting. And, you know, we might want to standardize some of that. We might not, but I just want to throw that out there as a, just a thought.

Chairwoman Bartels: No, I think it's a good thing to keep apprised of and to consider. And I think whatever we decided should be a thoughtful decision, not an accidental. So, I think it's an important point.

Okay, so, we've made a note of that. And, Jay, can you slide up the next big one?

This is just the clarifying language that we discussed. In the event that multiple appointments are considered for the same position, any legislator may, at his or her sole discretion, request that each candidate for appointment be presented on a separate Resolution.

Okay, that sounds straightforward. Anybody? Speak up? Okay. Ken, are you speaking? You're on mute? Go ahead.

Legislator Ronk: Sorry, have we thought out how that is going to functionally happen?

Chairwoman Bartels: I think it's going to functionally, I mean, I'll just jump in. And I think it's going to functionally happen the way that it's currently happened. In other words, if we have a board that we're making three appointments to, and a legislator wants to vote on the three appointments separately, because they want to vote no to one, and yes to the others, then we would... that person would allow, would ask for this for them to separated. Go ahead.

Legislator Ronk: Should we then make this specific to that the legislator may at his or her own discretion, prior to passage by the committee? Because Resolutions are only divisible in committee, not on the floor. So, it would have to be done in committee. This would lead you to believe that a legislator could make a motion to divide the Resolution on the floor of the Legislature which is not proper procedure.

Chairwoman Bartels: All right, well, we'll make a note. I think you'd want to be able to, to separate on the floor, we'd want to, I'm just speaking for myself, I think you'd want to allow the opportunity to separate on the floor. Given that a legislator who's not on the committee might have a concern, and want, and they shouldn't be required to vote on all three in a whatever, in a blanket.

Legislator Ronk: Right now. They, they would be though. The way our rules are written, we would need to change the divisibility of Resolutions as well. Any of the counsels on the line can correct me if I'm wrong there, but as far as I remember, when we addressed the divisibility of Resolutions in the rules, they're only divisible in committee because making things divisible on the floor makes a logistical nightmare for the Clerk of the Legislature and the staff.

Chairwoman Bartels: Okay. Does any other counsel want to weigh in? If not, okay, Counselor Ragucci.

Christopher Ragucci, Esq.: I think Legislator or Leader Ronk, excuse me, is correct with respect to the procedure of a motion to divide. However, in this instance, based upon rules of statutory construction, the Legislature of course has within its authority to set a specific rule regarding appointments for boards. So, this language is in our Rules of Order, specifically with regard to multiple candidates for, you know, multiple board positions, I think it would trump our standard procedure for meetings and motions.

Chairwoman Bartels: I'm going to suggest we put a pin in this to make sure to, to confirm that assessment and then we just we weigh in on the merit later as well.

Okay. This is the language we talked about quite a bit at the last meeting which says that every legislator shall be appointed to and required to serve on at least one, and no more than three, standing committees of the Ulster County Legislature. Notwithstanding the foregoing legislators may, at their discretion serve on more than three standing committees if appointed by the chair. Seems pretty straightforward. Does anyone have an issue with the way that language is crafted? Okay, let's move on then. Again, if I don't see you, just because of the screen share speak up.

Okay, this... these are two changes, we discussed a Resolution to consider the first regular monthly meeting of Ways and Means Committee may be postponed until either the second regular monthly meeting of the same, or the first regular monthly meeting the following month. That's self-explanatory.

And the second the second addition is to postpone to a special meeting. This is clarification, which shall occur no later than 60 days from the date said motion to postpone is passed, or at the next regularly scheduled committee meeting, whichever is sooner, with the consent of the sponsors.

Legislator, can I ask? I can't see Legislator, Legislator Heppner. Does that satisfy the concerns that you had? Legislator Heppner. You're on mute.

Legislator Heppner: Yeah, I'm good at this moment.

Chairwoman Bartels: Okay. Legislator Ronk. Did you want to weigh in on that?

Legislator Ronk: Yeah. And this is something that, again, something that just came up recently that I think that we seriously need to address is when we talk about consent of the sponsors. Whether it be postponement, or amendment, I think that we need to set a time frame for that consent to be lodged. I still find extreme fault with the way that you failed to consent to the amendment last month at Ways and Means, because it happened the next day, because of new information that was garnered the next day, and not at the meeting itself.

You know, our rules are specific to if the sponsor is not present at the meeting, the Clerk the next day, informs them of the amendment, and then, you know, or postponement in this case, and then they have the opportunity to either agree or not agree to the amendment or postponement. The rules are silent when a member is at the committee meeting. And it would seem to me logical that the member be required at the committee meeting to consent or not consent. So, I just think that might need to be buttoned up.

Chairwoman Bartels: Okay. All right. Clerk Mahler, you made a note of that? Thank you. Okay.

All right. So, for this one, I just want to raise this, and this is something we're going to need to think about. So, this, this has to do with the vacancy of a Chair. And what we've been attempting to do, I know that Legislator Roberts, at the last meeting talked about adding language to provide for a secondary level of procedure, so that it wouldn't get to the point of an Executive appointment. And let one of the things that was suggested was the possibility that the Vice Chair, Legislator Roberts suggested to me, that the Vice Chair would then assume the role. Counselor Ragucci has put in two other options here for everyone to look at.

But what I want to raise everyone's awareness to, is that if we put in a change of language, that essentially takes the authority from the Executive, to make that appointment, in terms of our inability to do it, if it becomes a de facto appointment, or we give it to, as is suggested, the majority leader, that we would be open to a Charter... it would be a Charter change, and it would require a referendum because it would change the power of the Executive.

So, I think this is going to require a little deeper discussion, but we, you know, we need to all be aware of how far we want to go with that. So, anyone want to say anything on this subject? Legislator Roberts?

Legislator Roberts: Yeah, I'll weigh in Tracey, thank you very much. I don't know how far you want to push this. You know, it's, it's not a, you know, do or die for myself. I just brought it up, because I think it's a something that may arise in the future. And we don't have an answer for it.

Chairwoman Bartels: Yeah, I agree. Anybody else want to speak on this right now? Okay. So, we'll come back to that. But everyone think about it before the next one.

Oh, here annually, E, annually the members of the two political parties, which have polled the largest in the last general election for the county shall elect a leader of the respective parties, the leader of the political party, whose membership of the Legislature constitutes the majority of the Legislature shall be known as the majority party, the leader of the other political parties shall be known as the minority party, minority leader. For purposes of any mathematical calculation necessary, any legislator may, within 30 days of being sworn into office, declare themselves a member of the majority, minority, or third party caucus, by filing a document to that effect with the Clerk.

Comments, anybody? Okay.

Legislator Ronk: Hold on. I'm just... can you just pause for one second?

Chairwoman Bartels: Sure. Legislator Roberts, were you raising your hand were you about to speak?

Legislator Roberts: No, I'm good, thank you.

Legislator Ronk: I think you. Yeah, I thought that we had talked about the possibility of requiring that everybody designate. You know, because, you know, any legislator, you know, may, within 30 days declare themselves a member of the majority, minority, or a third party caucus by filing a document to that effect with the Clerk. You know, but right now, we have a legislator serving with us that refused to sign on to either caucus, which again, puts us in the same spot, I think.

Chairwoman Bartels: Would you, can I just ask for clarification of what you're suggesting? Would you... are you suggesting that in that instance, that the person would have to sign into one or the other, or that they could sign into a third party? A third ...

Legislator Ronk: All three of them.

Legislator Heppner: I think he's saying, just, and correct me if I'm wrong Leader Ronk. It's you're just suggesting instead of "may," saying, "shall."

Legislator Ronk: Yeah.

Legislator Heppner: Which I don't disagree with just for, you know, keeping things clean. I think it does add more confusion when you kind of have a floating situation.

Chairwoman Bartels: Okay.

Chairman Donaldson: What happens if they don't?

Legislator Heppner: Not a bad follow up question.

Chairwoman Bartels: All right.

Chairwoman Donaldson: We'll make a note of it.

Legislator Ronk: Yeah, it's one of those things, like right now, we have a clause in the charter that says no legislator shall serve in any other elective public office, but a large portion of the Legislature, even while knowing that there was a legislator illegally serving, just looked the other way. So, and that's in our Charter. That's not even our rules. That, so, I mean, you know, what happens if they don't, is a fair question, but you don't make rules, you know, that are impenetrable to rule breaking, as we saw with our Charter, it was just, I mean, plainly ignored.

Chairwoman Bartels: But let's...

Chairman Donaldson: Ignoring something is one thing. What if somebody doesn't ignore it? Do you... there could have been people that did not want to ignore it and, you know, brought some type of a suit.

Legislator Heppner: I would suggest that we bookmark this. Because I think both of these are good points. And I just think we need a little bit time to work through it.

Chairwoman Bartels: And I actually think, I think it's a worthwhile question that we should endeavor to answer. There may be a way that if you don't sign into one of the other, you're in, your in your own caucus. I don't know, we should just, we should endeavor to try to answer it. If we can't, we can't.

Okay, these are technical changes. Now we're down into the order of business. Public comment, which shall be limited to items appearing on the meeting agenda or matters currently before any standing committee. That's prior to the presentation of motions. And then, at the end, public comment on non-agenda items, after the announcements of committee meetings. Okay. Any other? Everyone's good? All right, moving on.

To quorum, this is suggested censure language. I'm going to read it since probably most of you haven't. And then you can all think about it before our next meeting. The Legislature hereby recognizes that censure is a formal group recognition that given a member's conduct, that a given member's conduct runs counter the Legislature's accepted standards of behavior. Censure is to be utilized as a serious rebuke. In turn notwithstanding any other section of these Rules of Order, any legislator may at any time submit a Resolution for consideration of the Legislature seeking to censure another member. Such Resolution will clearly state the reason for the proposed censure. Such Resolution will not be considered in any committee but will be considered by the full body at the next full meeting of the Legislature. A Resolution seeking to censure member requires a majority vote of the members of the Legislature. The Resolution is debatable. The member in question can participate in the debate but cannot cast a vote. In the event that the chairperson is the subject of the censure, the Vice Chairperson will conduct the meeting during that portion of the agenda. A Resolution to censure cannot be postponed, or referred, and cannot be reconsidered. A member cannot be censured twice for the same offense.

Legislator Heppner.

Legislator Heppner: Yeah, no, I feel pretty good with where we're at with this. And just I think you and I had this conversation, Legislator Bartels, just adding also that it may not be amended on the floor.

Chairwoman Bartels: I like that too.

Legislator Ronk: I want to throw out an idea for folks to consider.

Chairwoman Bartels: Sure, go ahead Legislator Ronk.

Legislator Ronk: You know, I can think of more legislators than I could count on one hand, since I've served here over the last 13 years, that could have used this as a political weapon to just censure somebody. I mean, saying that we understand, you know, that it's a formal group recognition, and that it should be utilized as a serious rebuke. Is there a thought process, I mean, my thought process is, I guess, that we should put some sort of a requirement of number of sponsors. I don't think that any legislator should be able to sponsor a Resolution himself or herself, to censure another legislator without having to have some pretty good consensus on the subject.

Legislator Heppner: And a bipartisan consensus, I believe.

Legislator Ronk: Yes, that's it. That's a great point. I just, I feel like this is a danger for us to, you know, to put this in there. And have any legislator be able to, on their own, sponsor something that goes to the floor doesn't go through committee. I don't know. That's just my thoughts ...

Chairman Donaldson: I agree, I think it is too open for abuse. And that would be my concern with it. I think you have to have a number. Maybe we could work a number that makes sense. You know, as sponsors. You know, like, for instance, we have a certain number in order to, you know, move on, I mean, a Resolution out of committee. Maybe we could look at one of those. Maybe the idea should be bipartisan. Have to have somebody, or similar to what that is, has to be a couple more than, maybe somebody from each side of the aisle at least. That may be another aspect of doing it, but I really think that this, you know, with one person being able to do this, I mean, I can see certain members of the legislature, you know, at some point, during my tenure that would have really used this in a manner that wouldn't be, you know, very good for the body.

Legislator Ronk: I'll say it out loud, Bob Aiello would be censuring a new person every week.

Chairwoman Bartels: Okay, so, let's all think about what limitations potentially we want to put on it with regard to numbers of sponsors, and or whether or not it's bipartisan. I do want to point out that since we're governed, you know, by Robert's Rules, Robert's Rules right now allows a censure to be made as a motion on the floor by anyone, you know, at any time where there's not regular business going on. So, but it does require a second. So, that would be a second person.

So, I think I'm hearing some consensus on limiting, further limiting the ability, beyond just making it a Resolution. So, maybe everyone can think about what would make them comfortable in terms of the numbers of sponsors, and whether or not to require that it be bipartisan.

Chairman Donaldson: I also think that you might want to add some language in that, I realize that, you know, we as people that have been around a while, you know, understand the severity of doing something like that, even though I mean, it's really just a, in some ways, a slap on the wrist. But it's really, on the other hand, it, you know, it does say something about the person and it will follow them for the rest of their lives. So, my mind set would be I think something like that should be added to that. In other words, the severity of what this means.

Chairwoman Bartels: The severity of what it means? Or what you're allowed to censure for, for usage.

Chairman Donaldson: I think it gives the idea that this is a ... not, you know, saying something like this is not to be done lightly or something of that nature.

Chairwoman Bartels: Okay. I think it says something like that, but I can make the language more extreme. Legislator Roberts. Legislator Roberts.

Legislator Roberts: Thank you, Madam Chair. And do we want to raise the standard to censure somebody, maybe have a supermajority? And or if a person is censored? Is there a mechanism that he could appeal it?

Chairwoman Bartels: Appeal of a censure. That I feel like we're opening up a serious... I mean, the idea of an appeal, because you... who would you appeal it to? You'd have to appeal it back to the body. I think it's meant to be...

Legislator Roberts: The Ethics Board

Chairwoman Bartels: Okay, well, let's make a note of it. And we'll, let's raise, let's raise the issue. Everyone think about it. And we'll do some research between now and the next meeting.

Legislator Heppner: Chairwoman Bartels, I don't think you can see it. Legislator Cahill has his hand raised, I think.

Chairwoman Bartels: Oh, I didn't, I didn't see it. Thank you, Legislator Cahill.

Legislator Cahill: Thanks, Majority Leader Heppner. Hi, Tracey. So, you know, I don't know if we can do this. But as far as getting a consensus, could we do something like a majority of each caucus? To bring a censure? In other words, that would take any partisanship out of it completely, right? Just an idea.

Chairwoman Bartels: Okay. All right. Let's... I'm keeping notes as well, we'll address... I think we want to... the idea is also finding the balance where it can't be abused. I mean, there's always the possibility of abuse, but it also doesn't make it so difficult to be able to speak out against a serious rebuke and a standard of behavior. So, we're looking for potentially the majority of each caucus or a number of sponsors, bipartisan consensus, a supermajority, and the possibility for appeal. All these things have been raised and I think they should all be looked into.

Alright, when a member may be excused from voting. This is what we erroneously refer to as abstain. So, now it says every member who shall be in the legislative chamber when a question is stated by the Chairperson shall vote. A member may only recuse, may only be recused from voting on a question in which he or she has a direct personal or pecuniary interest not common to other members of the legislature. The member must state his or her connection with the question. In such instances, the member must remove him or herself from any participation in discussion and or debate on the subject. Just clarifies. Okay, I keep going to scroll, but it's you, Jay.

Legislator Heppner: You have Leader Ronk and Counsel Ragucci with hands up.

Chairwoman Bartels: Thank you. Leader Ronk. Go ahead.

Legislator Ronk: Should we specify whether or not presence in the room constitutes, you know, participating. I mean, I don't think it does. But...

Chairwoman Bartels: You know, when we were at the NYSAC committee, I'll just respond to that. And then what I'll ask is that we do a little legal research between now and then. When we were at the NYSAC committee meeting and we spoke to the attorney. He mentioned that he recommends that in recusal situations that he asks people to leave the room. But I don't know if it's required. I think the minimum is no participation on any level on the subject.

But you raise a good point. And I think that if we can make a note to do the legal research on that, that would be helpful. Yeah.

Counsel Ragucci, did you have your hand up?

Christopher Ragucci, Esq.: No. Never mind. Thank you.

Chairwoman Bartels: Okay, moving on. I think that might we were very near the end here. That's it. Okay. So, goes without saying, we'll pick this up at the next meeting. It'll be on the agenda. So if any, if everyone has any thoughts between now and then maybe we can share it through Clerk Mahler to the group. And we'll refine this further. We'll get a refined draft and any legal answers, that legal research back to everyone as well.

All right. Is there any other old business that anyone would like to discuss? Legislator Heppner.

Legislator Heppner: I will make a motion to close.

Chairwoman Bartels: Okay.

Legislator Ronk: I'll second the motion.

Chairwoman Bartels: Okay. All in favor of closing?

Committee Members: Aye.

Chairwoman Bartels: Opposed? Okay, unanimous consent to adjourn. Thank you all and have a great night,

Legislator Heppner: Folks in the Democratic Caucus. It's a different link. So, we'll see you all shortly.