

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

DATE & TIME: December 16, 2019 – 6:30 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building
PRESIDING OFFICER: Chairman Donaldson
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Bartels, Heppner, Roberts & Ronk
ABSENT: Legislator Archer
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Greene, Nolan & Petit, Deputy County Executives Marc Rider & John Milgrim – UC Executive’s Office, Cindy Bell & Tom Kadgen – LWV, Penny Coleman, Ed Kowalewski, Elisa Tucci & Todd Wolgamuth – Ulster People, Rashida Tyler – Kingston Tenants Union, Amanda Sisenstein - Citizen

Chairman Donaldson called the meeting to order at 6:30 PM.

Motion No. 1: Moved to Consider Minutes from the November 18th Regular Meeting & November 18th & 19th Special Meetings AS A BLOCK

Motion By: Legislator Roberts
Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Heppner, Roberts & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Minutes BLOCKED**

Motion No. 2: Moved to APPROVE the Block

Motion By: Legislator Roberts
Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Heppner, Roberts & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Minutes APPROVED**

Resolution No. 448: Adopting Proposed Local Law No. 23 Of 2018, A Local Law Entitled “Ulster County Ethics Law”

Resolution Summary: This resolution adopts Proposed Local Law No. 23 of 2018.

Motion No. 3: Resolution No. 448 MOVED FOR DISCUSSION
Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion:

Legislator Ronk stated that, despite the months of work that has been put into the law, he wanted to give the new Executive the opportunity to review and weigh in on the proposed law. Chairman Donaldson advised the members that he reluctantly supported the postponement, adding that he felt the Executive was willing to work with the Legislature to correct the appointment process.

Motion No. 4: Motion to POSTPONE Resolution No. 448

Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: None

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

Resolution No. 517: Calling Organizational Meeting Of 2020

Resolution Summary: This resolution call the Organizational meeting of 2020 for Thursday, January 9, 2020 at 6:30 PM.

Motion No. 5: Resolution No. 517 MOVED FOR DISCUSSION
Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion:

Legislator Ronk advised the members that it was his understanding that a few Legislators had reached out to the Clerk requesting a change in the date to Wednesday, January 8.

Motion No. 6: Motion to AMEND meeting date to Wednesday, January 8th
Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

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

Motion No. 7: **Motion to ADOPT Resolution No. 517 AS AMENDED**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

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

Resolution No. 519: Adopting Proposed Local Law No. 10 Of 2019, A Local Law Regarding Campaign Finance Reform in Ulster County

Resolution Summary: This resolution adopts Proposed Local Law No. 10 of 2019.

Motion No. 8: **Resolution No. 519 MOVED FOR DISCUSSION**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Ronk

Discussion:
Legislator Heppner stated that some Legislators have expressed concerns surrounding the ability of the Board of Elections to administer the program in the face of numerous elections in 2020.

Motion No. 9: **Motion to POSTPONE Resolution No. 519**

Motion By: Legislator Heppner
Motion Seconded By: Legislator Donaldson

Discussion:
Legislators Roberts and Ronk stated that they would prefer to see the law moved to the floor for a vote.

Voting In Favor: Legislators Bartels, Donaldson & Heppner
Voting Against: Legislators Roberts & Ronk
Votes in Favor: 3

Votes Against: 2
Disposition: Resolution POSTPONED

Resolution No. 520: Adopting Proposed Local Law No. 11 Of 2019, A Local Law Amending Various Sections Of The Ulster County Charter And Ulster County Administrative Code To Reduce The Ulster County Legislature To 21 Members

Resolution Summary: This resolution adopts Proposed Local Law No. 11 of 2019.

Motion No. 10: Resolution No. 520 MOVED FOR DISCUSSION
Motion By: Legislator Bartels
Motion Seconded By: Legislator Heppner

Discussion:

Legislator Ronk stated that he struggled with the Resolution because the Public Hearing was just held the previous week, adding that it is disingenuous to have a vote so soon after the Public Hearing. Chairman Donaldson stated that he was concerned with postponing the measure because it was the end of the year and term. Legislator Heppner stated that the law would need to be voted on before August of 2020 in order to for the referendum to make it on the ballot.

Motion No. 11: Motion to POSTPONE Resolution No. 520

Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion: None

Voting In Favor: Legislators Bartels, Heppner, Roberts & Ronk
Voting Against: Legislator Donaldson
Votes in Favor: 4
Votes Against: 1
Disposition: Resolution POSTPONED

Resolution No. 521: Adopting Proposed Local Law No. 12 Of 2019, A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Require Submission Of Departmental Budget Estimates From Elected Officials To The Legislature

Resolution Summary: This resolution adopts Proposed Local Law No. 12 of 2019.

Motion No. 12: Resolution No. 521 MOVED FOR DISCUSSION
Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion:

Chairman Donaldson stated that the Legislature currently has the power to require budgets be submitted to them, but the law codified the requirement. Chairwoman Bartels advised the members that the District Attorney responded that he felt it was a good idea, and the Sheriff and County Clerk responded that they were fine with it as long as it didn't require additional budget meetings.

Motion No. 13: Motion to POSTPONE Resolution No. 521

Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion: None

Voting In Favor: Legislators Bartels, Heppner, Roberts & Ronk
Voting Against: Legislator Donaldson
Votes in Favor: 4
Votes Against: 1
Disposition: Resolution POSTPONED

Resolution No. 522: Adopting Proposed Local Law No. 13 Of 2019, A Local Law Requiring That Property Owners Of Multi-Family Dwellings Located In Ulster County With More Than Twenty Units Have An Office In Ulster County

Resolution Summary: This resolution adopts Proposed Local Law No. 13 of 2019.

Motion No. 14: Resolution No. 522 MOVED FOR DISCUSSION
Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion:

Chairman Donaldson advised the members that members of the public were in attendance to speak on the law. He stated that there have been numerous discussions on the topic, adding that many Legislators feel the issue needs to be addressed. He thanked Legislator Petit for introducing the proposed law and explained that there are a number of questions about whether the staffed office requirement is necessary. He added that New Paltz and the City of Kingston have requirements that a responsible local individual must be available 24/7.

Legislator Petit stated that the impetus behind the introduction of the law was in response to the recent influx of large developers coming into the county and taking ownership of numerous large rental complexes. She added that serious maintenance and safety issues have occurred at these complexes which have gone unanswered. She informed the members that she was made aware of a fatal legal flaw in the law that needs to be corrected. Ms. Rashida Tyler of the Kingston Tenants Union and Citizens Action, shared instances of landlord abuses and expressed her support for the law. Legislator Nolan stated that she did not have complexes with more than 20 units in her district, but that there were still issues. She suggested adding levels of requirements based on the number of units.

Chairman Donaldson stated his support for requiring a responsible local person be available 24/7. Legislator Roberts expressed his support for requiring an on-call person. He expressed concerns that an office requirement might end up hurting tenants by passing along the costs of the space and staffing. New Paltz resident Amanda Sisenstein, expressed her support for the law and commented that in the Village of New Paltz, tenants often act as the on-call person in exchange for a reduction in rent.

Legislator Petit clarified that the law does not require an office in the complex or in the building, rather requires that an office be located within Ulster County. Legislator Donaldson questioned what assistance an office provides when issues arise after office hours. Legislator Roberts questioned how effective an office located 30 miles away from a complex would be. Legislator Heppner commented that Woodstock Commons, a large rental complex in his district managed by RUPCO, has management office on site. He added that he was unsure what the protocol was for afterhours issues.

Legislator Ronk stated that the subject of preemption should be addressed by counsel. when reviewing the law. Ms. Tyler encouraged expediency in adopting the law 2020. Legislator Ronk stated that, while he appreciated the call for expediency, the law is legally insufficient and would be open to challenge. Chairman Donaldson informed those present that another Public Hearing on the law would be required because of the extent of the changes necessary. He added that Towns should be encouraged to act locally as they have the additional ability to enforce requirements through code enforcement mechanisms, which the county does not. He advised those present that the earliest a Public Hearing could be scheduled would be March 2020. He asked Deputy County Executives Rider and Milgrim if the Executive has any thoughts on the law and asked for feedback from the County Attorney's Office. Deputy County Executive Milgrim responded that the County Attorney's Office had said there were some issues in regard to prohibitions. Legislators Ronk and Petit requested that the County Attorney's Office forward comments on the law sooner rather than later.

Motion No. 15: Motion to POSTPONE Resolution No. 522

Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion: None

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

Resolution No. 549: Adopting The Ulster County Code Of Conduct

Resolution Summary: This resolution adopts The Ulster County Code of Conduct.

Motion No. 16: Resolution No. 549 MOVED FOR DISCUSSION

Motion By: Legislator Heppner
Motion Seconded By: Legislator Ronk

Discussion:

Chairwoman Bartels advised the members that it was her intention to introduce the Resolution and provide the draft Code of Conduct to the members for consideration, but was not looking to move it forward. She explained that the working group was having struggles getting together once the Legislature moved into the budget cycle. She added that one of the challenges of drafting the Code was the aspirational aspect and acknowledging holding Legislators to the highest standards in terms of how others are treated, as well as the aspect of accountability and a mechanism to hold Legislators responsible. She explained that the draft before the members did not include an accountability portion and encouraged the members to forward feedback. Legislator Ronk thanked the Chairwoman for putting the draft together.

Motion No. 17: Motion to POSTPONE Resolution No. 549

Motion By: Legislator Ronk
Motion Seconded By: Legislator Heppner

Discussion: None

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

LATE Resolution No. 579: Adopting The Ulster County Code Of Conduct

Resolution Summary: This resolution adopts The Ulster County Code of Conduct.

Motion No. 18: Resolution No. 579 MOVED FOR DISCUSSION
Motion By: Legislator Heppner
Motion Seconded By: Legislator Bartels

Discussion:

Chairman Donaldson asked why the Resolution was late. Chairwoman Bartels explained that the previous law was being repealed and replaced because it lacked the SEQRA requirement component. She added that the SEQRA was not completed in time for the deadline. The members briefly discussed and reviewed criteria for lateness and whether the measure requires a Public Hearing.

Legislator Greene brought the members attention to the Applicability Section and asked them to consider changing the start date of the first cohort from January to July. She added that a January start date was untenable as the law was before them in December, and still needed to be considered by the Executive and filed with the State.

Motion No. 19: Motion to AMEND Section 304-50 (a). Applicability to read as follows:
“Beginning July 1, 2020, a large food scraps generator ...”

Motion By: Legislator Roberts
Motion Seconded By: Legislator Heppner

Discussion: None

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

Motion No. 20: Motion to ADOPT Resolution 579 with Proposed Local Law AS AMENDED

Motion By: Legislator Heppner
Motion Seconded By: Legislator Roberts

Discussion: None

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

Chairman Donaldson asked the members if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Ronk
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 7:25 PM

Respectfully submitted: Jay Mahler, Deputy Clerk
Minutes Approved: February 13, 2020