

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

**DATE & TIME:** June 16, 2022 – 5:30 PM  
**LOCATION:** Powered by Zoom Meetings, Meeting ID: 839 5129 4892,  
By Phone (646) 558-8656  
**PRESIDING OFFICER:** Chairman Heppner  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk  
**PRESENT:** Legislators Bartels, Gavaris, Levine, & Roberts  
**ABSENT:** Legislator Ronk  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislator Erner, Legislative Counsel Ragucci, Minority Counsel Pascale, Deputy County Executive Rider – UC Executive’s Office, Confidential Secretary Lichtenstein – Legislative Chair’s Office

Chairman Heppner called the meeting to order at 5:33 PM with a motion from Legislator Roberts and a second by Chair Bartels.

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**Motion No. 1:** **Moved to APPROVE Minutes of the May 12<sup>th</sup> Regular and May 17<sup>th</sup> Special Meeting Minutes**

**Motion By:** Legislator Roberts  
**Motion Seconded By:** Legislator Levine

**Discussion:** See transcript

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

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Resolutions for the June 21, 2022 Session of the Legislature

**Resolution No. 294** – Setting A Public Hearing On Proposed Local Law No. 8 Of 2022, A Local Law Adopting Amendments To The New York State Public Officer’s Law §103, Expanding The Use Of Videoconferencing At Public Meetings, To Be Held On Tuesday, July 19, 2022 At 7:25 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 19, 2022 At 7:25 to provide members of the public the opportunity to offer comments on Proposed Local Law No. 1 of 2022.

**Motion No. 2:** **Resolution No. 294 MOVED FOR DISCUSSION**  
**Motion By:** Legislator Roberts  
**Motion Seconded By:** Legislator Bartels

**Discussion:** See attached transcript

**Motion No. 3:** **MOTION TO AMEND the start time of the Public Hearing to 7:15 PM**

**Motion By:** Legislator Heppner

**Motion Seconded By:** Legislator Bartels

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Gavaris, Heppner, Levine & Roberts

**Voting Against:** None

**Votes in Favor:** 5

**Votes Against:** 0

**Disposition:** **AMENDMENT ADOPTED**

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Gavaris, Heppner, Levine & Roberts

**Voting Against:** None

**Votes in Favor:** 5

**Votes Against:** 0

**Disposition:** **Resolution ADOPTED AS AMENDED**

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**Resolution No. 295** – Amending The Rules Of Order To Adopt Amendments To Public Officer’s Law §103, Expanding The Use Of Videoconferencing At Public Meetings

**Resolution Summary:** This resolution amends the Rules of Order of the Ulster County Legislature to clarify and expand the use of videoconferencing at public meetings.

**Motion No. 4:** **Resolution No. 295 MOVED FOR DISCUSSION**

**Motion By:** Legislator Roberts

**Motion Seconded By:** Legislator Levine

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Gavaris, Heppner, Levine & Roberts

**Voting Against:** None

**Votes in Favor:** 5

**Votes Against:** 0

**Disposition:** **Resolution ADOPTED**

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**Resolution No. 14:** 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 April 30, 2022 TBD for office space currently occupied by the Board of Elections located at 284 Wall Street, Kingston.

**Motion No. 5:**                    **Resolution No. 14 MOVED FOR DISCUSSION**  
**Motion By:**                    Legislator Roberts  
**Motion Seconded By:**        Legislator Levine

**Discussion:**                    See attached transcript

**Motion No. 6:**                    **MOTION TO POSTPONE Resolution No. 14**  
**Motion By:**                    Legislator Gavaris  
**Motion Seconded By:**        Legislator Roberts

**Discussion:**                    See attached transcript

Motion to postpone rescinded by Legislators Gavaris and Roberts

**Motion No. 7:**                    **MOTION TO AMEND the RESOLVED to read as follows:**  
  “RESOLVED, that the Chair of the Ulster County Legislature is hereby  
  authorized to mail written notice of termination in accordance with Article  
  25 of the Lease Agreement with CPR Kingston, LLC for office space located  
  at 284 Wall Street, Kingston, New York, effective ~~April 30~~ **no later than**  
  **September 1, 2022,”**

**Motion By:**                    Legislator Gavaris  
**Motion Seconded By:**        Legislator Levine

**Discussion:**                    See attached transcript

**Voting In Favor:**                Legislators Gavaris, Heppner, Levine & Roberts  
**Voting Against:**                None  
**Votes in Favor:**                4  
**Votes Against:**                0  
**Disposition:**                **AMENDMENT ADOPTED**

**Motion No. 8:**                    **MOTION TO POSTPONE Resolution No. 14 AS AMENDED TO A SPECIAL  
MEETING ON JUNE 21<sup>ST</sup>**

**Motion By:**                    Legislator Gavaris  
**Motion Seconded By:**        Legislator Roberts

**Discussion:**                    See attached transcript

**Voting In Favor:**                Legislators Gavaris, Heppner, Levine & Roberts  
**Voting Against:**                None  
**Votes in Favor:**                4  
**Votes Against:**                0  
**Disposition:**                **Resolution POSTPONED TO SPECIAL MEETING**

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**Resolution No. 198:** Setting A Public Hearing On Proposed Local Law No. 5 Of 2022, A Local Law Amending Various Sections Of The Ulster County Charter And Ulster County Administrative Code To Reduce The Ulster County Legislature To 17 Members, To Be Held On Tuesday, July 19, 2022 At 7:05 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 19, 2022 At 7:05 PM to provide members of the public the opportunity to offer comments on Proposed Local Law No. 5 of 2022.

Chairman Heppner asked for postponement in the sponsor's absence. See attached transcript

**Motion No. 9:** **MOTION TO POSTPONE Resolution No. 198**  
**Motion By:** Legislator Roberts  
**Motion Seconded By:** Legislator Gavaris

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Gavaris, Heppner, Levine & Roberts  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** **Resolution POSTPONED**

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**Resolution No. 199:** Setting A Public Hearing On Proposed Local Law No. 6 Of 2022, A Local Law Amending Section C-101 B. Of The Ulster County Charter, Section A30-2 B. Of The Ulster County Administrative Code, And Section 216-5 Of The Code Of The County Of Ulster In Relation To Appointments To The Commission Of Human Rights, To Be Held On Tuesday, June 21, 2022 At 7:20 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, June 21, 2022 at 7:20 PM to provide members of the public the opportunity to offer comments on Proposed Local Law No. 6 of 2022.

**Motion No. 10:** **Resolution No. 199 MOVED FOR DISCUSSION**  
**Motion By:** Legislator Levine  
**Motion Seconded By:** Legislator Gavaris

**Discussion:** See attached transcript

**Motion No. 11:** **MOTION TO POSTPONE Resolution No. 199 TO A SPECIAL MEETING ON JUNE 21<sup>ST</sup>**  
**Motion By:** Legislator Roberts  
**Motion Seconded By:** Legislator Gavaris

**Discussion:** See attached transcript

**Voting In Favor:** Legislators Bartels, Gavaris, Heppner, Levine & Roberts  
**Voting Against:** None  
**Votes in Favor:** 5  
**Votes Against:** 0  
**Disposition:** **Resolution POSTPONED TO A SPECIAL MEETING ON JUNE 21<sup>ST</sup>**

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**Resolution No. 297:** Urging New York’s Congressional Delegation To Propose And Adopt A Proposed Amendment To The United States Constitution Clarifying That Corporations Are Not People With Constitutional Rights, And That Unlimited Campaign Spending Is Not Free Speech

**Resolution Summary:** This resolution urges the New York congressional delegation to propose and pass a proposed amendment to the United States Constitution clarifying that corporations are not people with constitutional rights, and that unlimited campaign spending is not free speech.

**Motion No. 12:**                    **Resolution No. 297 MOVED FOR DISCUSSION**  
**Motion By:**                    Legislator Bartels  
**Motion Seconded By:**        Legislator Gavaris

**Discussion:**                    See attached transcript

**Motion No. 13:**                    **MOTION TO AMEND as presented**  
**Motion By:**                    Legislator Bartels  
**Motion Seconded By:**        Legislator Heppner

**Discussion:**                    See attached transcript

**Voting In Favor:**                Legislators Bartels, Gavaris, Heppner & Levine  
**Voting Against:**                Legislator Roberts  
**Votes in Favor:**                4  
**Votes Against:**                1  
**Disposition:**                    **AMENDMENT ADOPTED**

**Discussion:**                    See attached transcript

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

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Chairman Heppner moved on to the Forthcoming Local Laws portion of the agenda and advised the members of two resolutions that were held in other committees. See attached transcript

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Chairman Heppner asked if there was any old or new business and hearing none,

See attached transcript

### **Adjournment**

**Motion Made By:**                Legislator Roberts  
**Motion Seconded By:**        Legislator Gavaris

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

**TIME:** 6:10 PM

**Respectfully submitted:** Deputy Clerk Mahler  
**Minutes Approved:** July 14, 2022

**Laws, Rules & Government Services Committee**  
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**LEGISLATIVE STAFF:** Deputy Clerk Mahler, Deputy Clerk  
**PRESENT:** Legislators Bartels, Gavaris, Levine, & Roberts  
**ABSENT:** Legislator Ronk  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislator Erner, Legislative Counsel Ragucci, Minority Counsel Pascale, Deputy County Executive Rider – UC Executive’s Office, Confidential Secretary Lichtenstein – Legislative Chair’s Office

Chairman Heppner called the meeting to order at 5:33 PM with a motion from Legislator Roberts and a second by Chair Bartels.

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**Chairman Heppner**

Alright. We're recording and let me pull up my agenda. So with that can I get a motion to call the June 16 meeting of the Laws, Rules and Government Services Committee.

**Legislator Roberts**

Go ahead Chairman

**Chairman Heppner**

Can I get a second.

**Chair Tracey Bartels**

I'll second it

**Chairman Heppner**

All right. And can I get a motion to approve per the agenda, the May 12 Regular and May 17 Special meeting minutes?

**Legislator Roberts**

You got it, Mr. Chairman?

**Chairman Heppner**

And a second.

**Legislator Levine**

I'll Second it

**Chairman Heppner**

All in favor?

**Committee Members**

Aye.

**Chairman Heppner**

Any opposed? Seeing none moving on. If it's okay with the committee, we're going to take chair Bartels two resolutions on the agenda out of order, just because she has scheduling conflict. So with that, I will call resolution number 294 Setting a public hearing on proposed local law number eight of 2022, a local law adopting amendments to the New York State public offices law, and so on, video conferencing at public meetings to be held on Tuesday, July 19 2022. At 7:25, I'd like to make a motion that we change the min the resolution to have a 7:15 meeting time for the public hearing. Can I get a second on that?

**Chair Tracey Bartels**

I'll second

**Chairman Heppner**

All in favor of the amendment.

**Committee Members**

Aye

**Chairman Heppner**

And then on the resolution, any discussion or comments?

**Legislator Roberts**

I'll make a motion to bring it to the floor, if we didn't.

**Chairman Heppner**

Yeah, sorry, I skipped that. A second.

**Chair Tracey Bartels**

I'll second.

**Chairman Heppner**

Any comments or questions?

**Legislator Roberts**

This is all according to state law, I would assume, state guidelines I should say.



**Chair Tracey Bartels**

Yes. May I chair?

**Chairman Heppner**

Yeah, please go ahead.

**Chair Tracey Bartels**

Yes. So um, so and I'm expecting there's a possibility we'll bring something else forward. That deals internally. But what this does is allows us to opt into state legislation that allows for extraordinary use of video conferencing. So and that, that sunsets after a certain period of time, but I believe it's for the next two years, for the municipalities that opt in and our opt in by making it a local law will allow for all municipalities in Ulster County to opt in as well. And it allows that in certain extraordinary circumstances, illness, COVID, taking care of ill family, that members would be allowed to video conference without us having to notice their their addresses, presumably for safety because it wouldn't be safe for the public to come into a sick household. So it's just allowing us that opportunity.

**Chairman Heppner**

Thank you. Anyone else? Seeing none, all in favor?

**Committee Members**

Aye.

**Chairman Heppner**

Any opposed? Seeing none, passes unanimously. Moving on to again, this is out of order resolution number 295. This is amending the rules of order to adopt amendments to Public Officers Law, expanding the use of video conferencing and public meetings. Can I get a motion to discuss.

**Legislator Roberts**

I'll make that motion Mr. Chair.

**Chairman Heppner**

Second.

**Legislator Levine**

Second

**Chairman Heppner**

Okay. On the resolution, any comments or questions, concerns?

**Legislator Roberts**

Call it.

**Chairman Heppner**

Seeing none. All in favor?

**Committee Members**

Aye.

**Chairman Heppner**

Any opposed? Passes unanimously. All right. Thank you [inaudible] those. Moving on now we'll go back to the top of our agenda. Resolution number 14 authorizing the termination of a lease agreement with CPR Kingston LLC bank by the board of elections. Can I have a motion to discuss?

**Legislator Roberts**

I'll make that

**Chairman Heppner**

Second.

**Legislator Levine**

Second.

**Chairman Heppner**

Legislator Gavaris. Any update on this one? Would you like a motion to postpone?

**Legislator Gavaris**

Yes for one month.

**Chairman Heppner**

I'll make that motion. Can I get a, actually Legislator, let me just get the second on the motion and then, Legislator Roberts on the second.

**Legislator Roberts**

I'll second that, and I got something add if you don't mind.

**Chairman Heppner**

Yep. So now it's open on the postponement. Deputy Chair Roberts, if you want to go, do you want deputy executive Rider to go?

**Legislator Roberts**

He might have more information than I do. But he can go.

**Chairman Heppner**

Alright Deputy Executive Rider, the floor is yours.

**Deputy Executive Rider**

So the one piece of this resolution, the BOE will be moving in the next couple of weeks into their new space. So this would become timely.

Now the district attorney has reached out to me. And they are looking for more space, I don't necessarily think that this is the right space for that. But this is something that they are seeking. So I said I would be open to having that conversation and pass it on to you all, but I don't. I mean, the owners want this space to go retail. I don't think they want to continue to lease the space to us once BOE is gone. So

**Chairman Heppner**

thank you, Legislator Roberts, and then [inaudible].

**Legislator Roberts**

Thank you, I'll just like to follow up on what Marc said that I did speak to Commissioner Quigley today. And he said that they will be out they're under contract to with a mover to move out by July 16. There will be some residual furniture leftover, which is his understanding that the Department of Public Works is going to move that out at their convenience, hopefully before August 1.

**Chairman Heppner**

Thank you and Legislator Levine and then Chair Bartels and then Legislator Gavaris

**Legislator Levine**

Thank you, Mr. Chairman. I just had a technical question, I guess I'm not sure if deputy executive Rider would have the answer or if this is something that we might have to, you know, bring bring get an answer from either of the commissioners about but just in terms of the timeline on this whole move that was originally anticipated. I wanted to know if there was any issues with these, this special election and extra primary that was kind of hoisted upon the board of elections that was not anticipated. And I wanted to just basically get some information as to if this has complicated the move or delayed the logistics of getting it done, because of the special election and primary that is going to have to be occurring in August. So if either the deputy executive has that answer, or if we just have to get that information from the commissioners, I just kind of wanted to get an update on that as to feasibility of the logistics of this move and the delay to the potential. Thank you.

**Deputy Executive Rider**

Yeah, I don't think it's delayed it. I think it's actually made it more urgent, because while they may have wanted to drag it out after this, the June primary, I think they they've been kind of forced to make sure that they're ready and in the new location by the August special. So if anything might have sped it up slightly, but I don't think that effect. I don't think it impacted them too much. They were planning on being out after the June primary anyway.

**Chairman Heppner**

Thank you, Chair Bartels, then Legislator Gavaris.

**Chair Tracey Bartels**

Thanks. Well, first of all, I'm wondering if we could get a tour of the space. And I don't know if that's appropriate to do before they before they come in, or once they're in but either way, I just like to be on record asking if we could have a tour of the space, particularly this committee.

And then my second question is related to Deputy Executive Rider's comment that the that the landlord, and I'm not saying it's appropriate for the district attorney, but that the landlord said that once we're out, we want to make

it retail. Don't we have the lease? Is the lease the lease say that it has to be the BOE? Or is our lease just a lease until the county until a certain point in time if we wanted to put a different department in there. Wouldn't we be allowed to do that? And again, I'm not suggesting that's what I want to do. But the comment that they want retail instead once once BOE is out. Just seem to mean I'm not sure that is that is the decision there is

**Deputy Executive Rider**

It won't matter necessarily. I mean if we want to do If we want to not terminate this agreement, I think that we're within our rights to do so. And I'll defer to legislative counsel on that. I have communicated with them because of this resolution, and we're moving out. But, you know, we do anticipate being out, like I, you know, I heard from you all pretty strongly that you're not looking to continue these type of leases in uptown Kingston, so I've been communicating with Nan Potter, this whole time, I think we owe them a little bit of professional courtesy, to let them know that this is coming down the pipe. So when the DA reached out this week, and I relayed that to Nan, as, you know, having to run this by you all, but that it would be a possibility. She was like, well, the I'll check with the owner, the owner would prefer to be retail, but whatever.

**Chair Tracey Bartels**

Okay. And, and on the other question, can we have a tour?

**Deputy Executive Rider**

Yeah, and that's, I mean, what I've, whatever you all feel is most appropriate, I think probably, if you're gonna wait until they move in, you may want to wait a little longer. Like I wouldn't tour through there while they're counting absentees and other things, if you want to try to get in there, before they move in, I'm sure we can contact Joe Deegan and arrange for that. It's whatever's best for your timetable.

**Chairman Heppner**

So I would just suggest on the tour that let's coordinate more a little bit and just double check the calendar and, and everything because it is a crazy cycle. And I'll work with Jay through the deputy executive and members to you know, schedule a time that would be appropriate and you know, non interference, but also productive for us as members of the committee. If that's okay with everyone? So Legislator Gavaris, please go ahead.

**Legislator Gavaris**

Thank you. So I am did not get that update from Commissioner Dittus. So I didn't realize that there was a need for moving. So if so I'd actually like to rescind my motion for postponement and set a I don't know if this would be an amendment or what but I would say a no later than September 1 termination of the least. But preferably it would be August, but no later than September 1 st

**Deputy Executive Rider**

We have to give 60 days. So I think we are in the August 31 realm.

**Legislator Gavaris**

So let's say September 1st then, so I'll rescind my motion then for postponement.

**Chairman Heppner**

And so you rescind that motion, and then you make

**Deputy Clerk Mahler**

That was Legislator Roberts on the second for that.

**Chairman Heppner**

Okay. And then you're making a motion to amend. And then is there a second on the amendment?

**Legislator Roberts**

The rescission, you mean?

**Chairman Heppner**

Oh, so sorry, all in favor of rescinding the postponement.

**Committee Members**

Aye.

**Chairman Heppner**

Opposed? None. Now. Legislator Gavaris? Do you want to make that motion again?

**Legislator Gavaris**

Motion to terminate the lease no later than September 1st

**Chairman Heppner**

I have a second.

**Legislator Levine**

I'll second it

**Chairman Heppner**

And then I'm sorry. So on the amendment. All in favor?

**Committee Members**

Aye.

**Chairman Heppner**

Opposed to the amendment? Seeing none. Alright, so back now, to the resolution as amended. I'm sorry. Legislative Counsel. Did you have your hand up before? I'm sorry, if I missed you

**Legislative Counsel Ragucci**

No, I took it down. Thank you though.

**Chairman Heppner**

Any comments, questions or concerns on the resolution as amended Legislator Roberts?

**Legislator Roberts**

Yeah, I'm not so sure that I'm prepared to vote yes on this today. I don't know if the executive has any other plans. You mentioned the district attorney. I Chairwoman Bartels has also considered an interest to bring in another department. I'm not sure if there is another department but I don't think we should be jumping the gun and ending the lease today. So can we keep it as, Legislator Gavaris?

**Legislator Gavaris**

I'll point out that we just bought another whole building with the space across town. I mean, how much real estate are we going to own for you know, I mean, this is why we need to space needs study already. This is exactly the primary reason for that. But the point of this all along has been let's get out of the high rent district and go to areas that cost us less especially one now that we own.

**Chairman Heppner**

So seeing all the hands if I may, so again, you know, to Deputy Executive Rider's point and again to Counsell please jump in if I misspoke. And you know, in terms of, you know, respect to the landlords, the 60 day timeline, the fact that minority leader Ronk is stuck in another meeting right now. Chair Bartels, this is new information. This is actually also information regarding the DAs office that should be considered by law enforcement and public safety. We would be safe postponing this one month as amended. Does that make sense to folks? And then we could you know, again, I definitely hear what you're saying Legislator Gavaris. But I think we have that. That space, if I'm correct.

**Legislator Gavaris**

Would [inaudible] 60 days.

**Deputy Executive Rider**

That would be September 30th then

**Legislator Gavaris**

It gives us an extra month to rent. Can we postpone one week? And do it just before session? Have a quick, you know

**Chairman Heppner**

We've been killing those meetings as well. So you know,

**Legislator Levine**

Off the floor

**Chairman Heppner**

I'm comfortable with doing that if Deputy Chair Roberts, are you comfortable with that?

**Legislator Roberts**

I don't know if we can come to a decision in one week. I'd like to, you know, Marc, what do you think? Do you have any use for that, you know, downstairs or, you know,

**Deputy Executive Rider**

It's expensive space for what it is. I think that for one we need to empty it. There's dead animals in the ceiling, the landlord needs to do some things to fix it up a little bit. The BOE is kind of stuck, because they don't want the landlord to come in right now. But there's like dead animals up in the ceiling. And so it's got to get cut out like the ceiling tiles need to be replaced. And it smells horrible in there. I don't know that it's the best space. I have not yet met with the DA to see what his actual needs are. As Legislator Gavaris pointed out, like we do have an RFP right now, for a space needs analysis study.

The only thing is, is that once we give up this space, we give it up, we're probably not getting it back, they will turn it around for retail space. But I don't know that that's the worst thing in the world. There's there's other empty buildings around right now. And when we move mental health to 368 Broadway, that'll open up some space up on Golden hill like that there is space that will become available. And so you know, something that's walkable in Uptown is not necessarily I know, the DA wants it because it's literally right across the street from the courthouse., but, that's, that's

**Chairman Heppner**

I think it just hasn't, but again, once it goes to the DA, this lease would not be before us at the decision of this committee to make. In the sense of you know, you know, we can talk about the DA but again, that decision is an agreement upon that would be, and if I'm correct counsel would be before law enforcement and public safety. We have no jurisdiction over the lease for the DA, for change, I'm just kind of this is kind of confusing. And you know, just to make sure.

**Legislative Counsel Ragucci**

I Marc and maybe you're a little more familiar with this provision than I am, I have to look at the lease again, but I believe we would be free to assign it. It is an internal county department. I don't know if they could be if the landlords could stop such an assignment.

**Deputy Executive Rider**

I guess is that this is a public works lease that it's not. I'd have to go back and look. And so you know why it's in this committee specifically in the first place? I'm not 100% sure.

**Chairman Heppner**

The board of elections [inaudible]

**Deputy Executive Rider**

I get that part

**Chairman Heppner**

This new information that we're just getting this evening is related to the District Attorney's Office, which is not under this committee's jurisdiction, Legislator Gavaris

**Legislator Gavaris**

So you mean, it would also have to go to ways and means it would require a modification to the budget, because in the DAs budget, there is no lease payments that was scheduled so that would have to be done. It's a lot of things

that would have to happen if we were going to assign it for the duration of the lease agreement and I don't remember what the expiration of this agreement is currently, but it's not going to come back to us. I just feel like this is space we've been talking about for months now that we were going to get rid of. And this is exactly why I put this resolution in because I didn't want to see this happen and this is exactly what's happening

**Chairman Heppner**

Yeah, and I believe you know, it's you know, and again, if I'm correct went to originally went through public works anyways, the memes the original use, correct. So you know, so the question to the committee is, you know, are we putting our colleagues in a situation and other committees, where if we terminate the lease, but again, if we terminate the lease, do we have to go back? Does Public Works and ways and means have to agree to terminating the lease as well? As a question to counsel?

**Legislative Counsel Ragucci**

Sorry, can you repeat the question, you cut out for a second John?

**Chairman Heppner**

So this originally went through the the acceptance of the lease went through public works, ways and means, and laws and rules. Are we allowed unilaterally to cancel this lease as the laws rules committee?

**Legislative Counsel Ragucci**

Well, no, we we'd have to present it to the body. I mean, the body would vote on that.

**Chairman Heppner**

Yeah. But we don't have to go back to any of those committees.

**Legislative Counsel Ragucci**

No, I don't think so. No.

**Chairman Heppner**

And then so my second question to that, just confirming that, is are we comfortable, then, you know, not, you know, you know, if we terminate this and go to the body would not allowing the DA, public safety, public works, other committees that would have more input on this next decision, are we making it harder for them? Or would we have to renegotiate an entire new lease?

**Deputy Executive Rider**

It would be a brand new lease. And it wouldn't, it wouldn't be solely up to the county at that point, it would be up to the county and the landlord.

**Chairman Heppner**

Legislator Roberts.

**Legislator Roberts**

Thank you, Chairman. I'm prepared to after what Marc just said. I'm prepared to talk about it again next week. But I don't know, you know, if the county executive's office has to do an internal discussion on whether they want



to keep it or not. And as for Legislator Gavaris' point, true, it has been on our agenda every month, for the last six months. But we haven't discussed this at all, terminating the lease. But, again, I don't want to hamstring the county. By terminating the lease too soon. I'd like to have, you know, the executive's office, you know, do some homework to see if they need it. They come back and say we don't need it, then let's vote on it. And there's a week, is one week enough time Marc?

**Deputy Executive Rider**

We'll take a look

**Chairman Heppner**

So Legislator

**Deputy Executive Rider**

[inaudible] conversation with the DA. So I know there's 10 people that just got moved down to the basement in the courthouse and the courthouse wants them out of there. It's not an ideal situation.

**Chairman Heppner**

Legislator Gavaris, are you comfortable with us

**Legislator Gavaris**

I was gonna say I'm comfortable moving it to next week. And then worst case scenario, we just postpone it next week for a month. Yeah, if there's not, if there's not enough information out there, I'm fine with that. But I'd like us to be teed up to potentially be able to vote on.

**Chairman Heppner**

Exactly. So I believe we're under position right now that if we postpone it what, I'll make a motion to postpone the one week as amended. Is the committee comfortable with that.

**Legislator Roberts**

Yes.

**Chairman Heppner**

Can I have a second?

**Legislator Gavaris**

I'll second it

**Chairman Heppner**

All in favor?

**Committee Members**

Aye

**Legislator Gavaris**

I think Legislator Levine has a question [inaudible]

**Legislator Levine**

Just a quick question, Mr. Chairman, by postponing one we are we are we referring to postponing to Tuesday before session?

**Chairman Heppner**

Yep, it's our new standing meeting, go on.

**Legislator Levine**

Excellent. Thank you.

**Deputy Clerk Mahler**

Was that I'm sorry, Chair Heppner. Were you the motion or was Legislator Gavaris. I know I have a second as

**Chairman Heppner**

Legislator Gavaris can be and then I think Legislator Roberts, called the second. Whatever is easier. All right. So on favor on the postponement as amended one week?

**Committee Members**

Aye

**Chairman Heppner**

Opposed? I see none. And we'll be in, you know, as much communication as we continue to gather this information that we just got. Moving on to resolution number 198. This is reducing the members of the county Legislature to 17 members. I know Legislator Maloney was under the weather on caucus Tuesday. So out of respect to him not being here, I'll ask for a motion to postpone one month.

**Legislator Roberts**

I'll make that

**Legislator Gavaris**

Second.

**Chairman Heppner**

All in favor.

**Committee Members**

Aye.

**Chairman Heppner**

Any opposed? Seeing none, postponed one month. Now moving on to resolution 199, this is setting a public hearing on proposed local law number six a local amending section C 101. B. This is in reference to appointments to the Commission of Human Rights that to be held on July 19 2022, at 7:10. Motion to discuss

**Legislator Levine**

Motion

**Chairman Heppner**

A second

**Legislator Gavaris**

Second

**Chairman Heppner**

On the resolution, Legislator Erner, I know you've joined us as a sponsor, would you like to speak?

**Legislator Phil Erner**

Yeah, thank you Chair Heppner. So Legislator petit and I, after hearing feedback from this committee had put in the 90 days instead of 60, giving a little more time having a a path to fill the seats if one or the other, or a third body does not make the appointment, this now prescribes what happens. So I hope you'll consider moving it forward tonight.

**Chairman Heppner**

Thank you, anyone else on the resolution? So again, you know, I still have some concerns in terms of, you know, putting constraints but you know, I'm willing to move to a public hearing. Unless anyone has strong concerns. Chair Bartels was that a hand? Or

**Legislator Roberts**

Yeah

**Chairman Heppner**

Legislator Roberts, do you have hand?

**Legislator Roberts**

Yeah, I don't have the resolution in front of me. I apologize. But is the mechanism to move a appointment forward. Say if the minority leader doesn't make his appointment, or the majority leader, doesn't it is the mechanism does that meet our standards, or is that legal with the charter?

**Chairman Heppner**

I'd refer to counsel Ragucci or Pascal, either one.

**Legislative Counsel Ragucci**

Well, thank you, Legislator Roberts. I, I'd have, I want to look at it a little closer. I haven't really studied it. And you know, in the context of that question, I know that the Commission on Human Rights is a creature of state statute. And I believe that the appointment process is also prescribed by state statute. I'm happy to look at this issue and in consultation with minority counsel, send you an email, you know, in the next couple of days giving you the answer to the question. So it may not comport is the is the answer, but I want to double check.

**Legislator Roberts**

Can I follow up, Mr. Chair?

**Chairman Heppner**

Please do

**Legislator Roberts**

While we wait for the answer, I make a motion to postpone until the special meeting on Tuesday.

**Chairman Heppner**

Are you comfortable with that, Legislator Erner?

**Legislator Phil Erner**

Yes

**Chairman Heppner**

I'm not sure who said the second

**Legislator Gavaris**

I'll second.

**Chairman Heppner**

Yep. All in favor on the postponement.

**Committee Members**

Aye.

**Chairman Heppner**

Any opposed? Seeing none, moving on to resolution, so we took out of order 294 295 We're now on resolution 297.

**Deputy Clerk Mahler**

Chair Heppner. Chair Bartels was frozen and then frantically waving at you.

**Chairman Heppner**

Oh sorry, so please go ahead Chair Bartels sorry

**Chair Tracey Bartels**

Sorry. I just have a question. I'm sorry if I missed it, because in that interim where I was dark, I did not good reception, for the special meeting.

**Chairman Heppner**

Do you want to try and cut your video and go to audio? Because you're still cutting up in places

**Chair Tracey Bartels**

Yeah, does that work better?

**Legislator Gavaris**

Yeah, now you're good

**Chair Tracey Bartels**

Maybe not.

**Chairman Heppner**

You're good now at least on our end?

**Chair Tracey Bartels**

Can you hear me?

**Chairman Heppner**

Yes.

**Chair Tracey Bartels**

I was wondering if if for if you've set a time for the special meaning if you're going to allow for enough time now that [inaudible] on session day.

**Chairman Heppner**

So I think I get what Chair Bartels question is, I'm going to interpret. She's questioning whether we'll have enough time. I think you know if it's okay with the committee. Let's have you know further discussions going into tomorrow and just sorting out these type of questions and worst case scenario when we did move the meeting that Thursday we did allow ourselves the option on Monday evening based on you know the the availability of the committee. And if we don't feel like we have time, you know, it will just give us a little fluidity to, to determine if we can't exactly schedule on Tuesday, then I think per the rules, I can as call of the chair, I can change the meeting time, as long because as long as it's publicly reported by the time it goes out Friday evening, the weekly schedule correct, Jay?

**Deputy Clerk Mahler**

Correct. And just keep in mind that Monday is the Juneteenth holiday.

**Chairman Heppner**

Oh, right. Yeah

**Deputy Clerk Mahler**

So that's not on the table this particular time round

**Chairman Heppner**

Right. The actual day is Sunday, but the public holiday's Monday

**Deputy Clerk Mahler**

Right.

**Chairman Heppner**

My apologies. Yeah, so I think we're just gonna have to give us time to work that out.

**Deputy Clerk Mahler**

I might also offer, um, if you can all coordinate a meeting by zoom at a non traditional hour, maybe like two o'clock in the afternoon, because you do have a public hearing on session night earlier than you're used to it starts at 6:45. Legislator Gavaris' ways and means meeting is at five, because they did postpone some things and have a presentation. And we still need time for your caucuses. So while you're discussing, you know, gathering your information, maybe we could do a quick zoom meeting, at some off brand hour during the day on Tuesday, I'm just gonna throw that out there. You don't need to be necessarily in person for this. Or after Ways and Means.

**Chairman Heppner**

Yep. So let me let's work this out between members. I'll be in communication tomorrow and working with Jay. And will, you know, I think, again, we've been taken care of it in month's passed, we'll get it figured out and in time by the end of the day tomorrow for proper public notification. Legislator Gavaris.

**Legislator Gavaris**

Yeah, I'm not hearing anything that's really going to require a lot of lengthy discussion next week that we're postponing, it's really just we don't have certain information. And in the absence of that, we're postponing it. So once we get this, I can't imagine it being more than a 10 or 15 minute meeting, and ways and means we'll probably be half hour, 45 minutes. Next week. So if you wanted to say 5:45 or immediately following, I think you'd probably be fine.

**Deputy Executive Rider**

Our presentation is going to be very quick. And there's only 12 resolutions, including I think six bond resolution. So even saying 5:30 and if Ways and Means went into 5:45, you're at least ready on deck.

**Chairman Heppner**

Alright, so let's stick to that and we'll re-confirm tomorrow. If there's any changes, I'll let folks know. Again, we have till end of the day just to make sure unless some crazy thing comes up. And we'll finalize that. So I don't know if Chair Bartels is back now. Did you have anything further on that Chair Bartels? I tried to interpret what I thought your question was?

**Chair Tracey Bartels**

Yeah, I was just asking that you you allow for enough time for the you know, on Tuesday that you give it enough time. Because it could it could take there could be a debate. I mean, I'm hearing the sense that there could be debate on either of the issues potentially. So that's all

**Chairman Heppner**

Yep, we'll work to make sure that's all addressed. So again, so now we're on resolution 297. This is a memorializing resolution urging New York's congressional delegation to propose and adopt a proposed amendment to the United States Constitution, clarifying that corporations are not free people with constitutional rights, and that unlimited campaign spending is not free speech. Can I have a motion to discuss? Can I get a second?

**Legislator Gavaris**

Second

**Chairman Heppner**

Seconded by Legislator gavaris. On the resolution, this is proposed by Legislator Hewitt. I know he did, if I'm correct, Jay, he did want to make an amendment but was he planning on attending this evening? Or is he still away?

**Deputy Clerk Mahler**

My understanding is he is out of country until session day.

**Chairman Heppner**

So then

**Deputy Clerk Mahler**

I can put the requested amendment on the screen if that's convenient for the membership.

**Chairman Heppner**

Yeah, if you would like to, if you can, for the purpose of discussion

**Deputy Clerk Mahler**

It is the addition of the first Whereas in bold text, if you can see that

**Chairman Heppner**

Does anyone have any, anyone have any comments or questions? Chair Bartels?

**Chair Tracey Bartels**

Well, if there's no objection, I mean, I'll move the I'll move the amendment that we accept the amendment. It's whereas

**Chairman Heppner**

I'll second that, on the amendment. All in favor?

**Committee Members**

Aye.

**Chairman Heppner**

Any opposed?

**Legislator Roberts**

I'm a no.

**Chairman Heppner**

So the amendment carries. So on the resolution as amended. Any discussion? I mean, again, you know, my opinion, this is, you know, essentially calling for an overturning of Citizen United. That's the way I interpret this resolution. I personally have no issue with moving it forward. But again, open to the any comments or questions from members of the committee? So on the, I'm gonna call the question on the motion as amended. All in favor.

**Committee Members**

Aye

**Legislator Gavaris**

I'll be a yes, tonight, I don't know on the floor, though. I want to have a conversation with a Legislator Hewitt, but I'll be yes for tonight.

**Chairman Heppner**

Okay. Any opposed?

**Legislator Roberts**

No.

**Chairman Heppner**

So that is four yeses, one no, the resolution as amended carries. And with that, you see, as noted by Clerk Mahler, the forthcoming resolutions, and local laws, on which no action was taken in both Health, Human Services and Housing Committee on June 8. Any old business or new business from the committee? Seeing none, can I get a motion to adjourn?

**Legislator Roberts**

I'll make that motion.

**Chairman Heppner**

Can I have a Second? Second by Legislator Gavaris motion made by Deputy Chair Roberts. All in favor of adjournment?

**Committee Members**

Aye



**Chairman Heppner**

Opposed? Seeing none. Thank you all as always.

**Legislator Roberts**

Thank you Mr. Chair

**Chair Tracey Bartels**

Thanks everybody

**Legislator Levine**

Thank you.