

Authorizing The Chairman Of The Ulster County Legislature To Create An Ulster County Charter Revision Commission

The Governmental Services and Administration Committee (Chairman Roberts and Legislators Belfiglio, Fabiano, Ronk, Robert Parete, Madsen and Rodriguez) offers the following:

WHEREAS, pursuant to Section C-5. of the Ulster County Charter and Section 1-7. of the Administrative Code: ***“Amendment or revision of Charter.***

- A. *Amendment through the Legislature. The County Executive, any Legislator, the Legislature collectively or any person may make recommendations at any time to the County Legislature for amendments to the Charter. A proposed amendment or proposed amendments to the Charter may be adopted in the manner provided by the Municipal Home Rule Law.*
- B. *Amendment or revision by Commission. Within five years after the enactment of the Charter, and at least every 10 years thereafter, a Charter Revision Commission shall be appointed to review and make recommendations to the County Executive and Legislature on amendments, additions or revisions to the County Charter. The Commission shall consist of 11 qualified electors of Ulster County and representing the different geographic areas and reflective of the demographic diversity of the County, with five members appointed by the County Executive, three members to be appointed by the leader of the party in the Legislature with the most members, and three members by the leader of the party in the Legislature with the second most members. No appointee to this Commission shall be a County employee or elected official at the time he or she serves on this Commission.*
 - (1) *The first meeting of the Commission members shall be convened by the County Executive in the second week after the deadline for its appointment for the purposes of electing a Chairman and receiving its charge. The Chairman of this Commission shall be elected at that meeting by a majority vote of the entire membership of the Commission.*
 - (2) *The Legislature shall provide such funds as are necessary for the Commission to conduct its business effectively. No member of the Charter Revision Commission shall receive any compensation, but each member shall be reimbursed by the County of Ulster for all actual and necessary expenses incurred in the course of the performance of his or her duties as a member of the Commission.*

Resolution No. 75 March 15, 2011

Authorizing The Chairman Of The Ulster County Legislature To Create An Ulster County Charter Revision Commission

- (3) *The Commission shall call upon necessary expertise in the community and state, shall hold public hearings to gather citizen opinion on the strengths and weaknesses of the Charter and proposed improvements, and shall maximally publicize its work through the print and electronic media and the County website. The Commission shall issue a written report to the County Legislature and County Executive at the conclusion of its deliberations, but no later than one year from the date of its first meeting, containing its findings and recommendations, if any, for amendments or revisions of the Ulster County Charter to be placed by the County Legislature before the people of Ulster County for their consideration at the next scheduled general election at least 60 days after the report is delivered to the Clerk of the Legislature. The Commission shall be dissolved on the day following its report or one year and one day from the date of its first meeting.*
- (4) *The Commission, by two-thirds vote of its members, may place directly before the voters for their approval at referendum proposals to amend or revise Charter provisions pertaining to the County in Article II or III of the Charter. These amendments or revisions must be filed with the Ulster County Board of Elections timely so as to allow a vote upon it at the next scheduled general election after the Commission reports. No later than one month before the scheduled referendum at which its adoption will be considered, the Commission must hold at least one public hearing on any Charter change proposed directly to the ballot. Amendments or revisions proposed directly to the ballot by the Commission will be deemed adopted if approved by a majority of voters casting ballots on the question during the next scheduled general election. Notwithstanding other provisions of the Charter, if the Charter Commission proposes a matter for direct ballot consideration, the Commission will continue to function until the day after election day of the year of consideration of its proposal on the ballot.*

WHEREAS, in accordance with the above referenced sections of the Ulster County Charter and the Administrative Code for the County of Ulster, it is the intent of the Ulster County Legislature to create an Ulster County Charter Revision Committee, and

WHEREAS, the Governmental Services and Environmental Committee has met and reviewed said request with the majority of members voting approval, now, therefore, be it

Resolution No. 75 March 15, 2011

Authorizing The Chairman Of The Ulster County Legislature To Create An Ulster County Charter Revision Commission

RESOLVED, that in accordance with the provisions of the Ulster County Charter and the Administrative Code for the County of Ulster, an Ulster County Charter Revision Commission shall be appointed, and be it further

RESOLVED, that, in an objective and nonpartisan manner, the commission shall review and make recommendations for the County Executive and the Ulster County Legislature on amendments, additions or revisions to the County Charter, and be it further

RESOLVED, that *“The Commission shall call upon necessary expertise in the community and state, shall hold public hearings to gather citizen opinion on the strengths and weaknesses of the Charter and proposed improvements, and shall maximally publicize its work through the print and electronic media and the County website. The Commission shall issue a written report to the County Legislature and County Executive at the conclusion of its deliberations, but no later than one year from the date of its first meeting, containing its findings and recommendations, if any, for amendments or revisions of the Ulster County Charter to be placed by the County Legislature before the people of Ulster County for their consideration at the next scheduled general election at least 60 days after the report is delivered to the Clerk of the Legislature. The Commission shall be dissolved on the day following its report or one year and one day from the date of its first meeting,”*

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Felicello and Shapiro)

FINANCIAL IMPACT:
UNDETERMINED

Resolution No. 75 March 15, 2011

**Authorizing The Chairman Of The Ulster County Legislature To
Create An Ulster County Charter Revision Commission**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 15th day of March, 2011, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18th Day of March in the year Two Thousand and Eleven.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this

18th Day of March, 2011.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

VETOED by the County Executive this

22nd Day of March, 2011.

/s/ Michael P. Hein
Michael P. Hein, County Executive