

Laws & Rules Committee  
Library Conference Room, 6<sup>th</sup> Floor  
September 8, 2008  
6:00 PM  
**Minutes**

Call meeting to order at 6:00 PM

Present: Committee Chairman Gary Bischoff and Legislators Jon Decker, James Maloney, Brian Shapiro, Kevin Roberts and Sue Cummings. (Legislator Rodriguez excused).

Approval of minutes of August 11, 2008 per Committee sign-off.

Late Resolutions:

**Requesting Adequate Funding and Staffing From the New York State Department of Environmental Conservation for New York Wildlife Pathologist Ward Stone NYS Dec Ward Stone**

Legislator Shapiro spoke in favor of the resolution to support the memorializing resolution because of the great job Ward Stone is doing. Motion by Legislator Shapiro, 2<sup>nd</sup> by Legislator Decker to accept the resolution for lateness:

**MOTION PASSED UNANIMOUSLY**

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement And Any Amendments To The Agreement With The Catskill Watershed Corporation (CWC) Storm water Retrofit Grant For The Glenford-Wittenberg Road Stormwater Project – Public Works (Highway And Bridges) Stormwater Project**

Dave Sheeley, Commissioner of Public Works spoke in favor of the resolution.

Motion by Legislator Maloney, 2<sup>nd</sup> by Legislator Decker to accept the resolution for lateness:

**MOTION PASSED UNANIMOUSLY**

**Appropriating Funds To Be Allocated For Salt And Chloride For Ulster County Highways For Year 2008 – Amending The 2008 Ulster County Budget – Public Works (Highways And Bridges)**

Dave Sheeley, Commissioner of Public Works spoke in favor of the resolution. He stated the funds would be coming from unused insurance settlement funds. The mission is to fill up the salt sheds now in anticipation of the upcoming winter months. This will be an interfund transfer.

Motion by Legislator Maloney, 2<sup>nd</sup> by Legislator Shapiro to accept the resolution for lateness:

**MOTION PASSED UNANIMOUSLY**

**Authorizing the Chairman Of The Ulster County Legislature To Submit Application And Assurances For Preparation Or Update Of The Ulster County Farmland Protection Plan To The New York State Office Department Of Agriculture And Markets Assurance.**

Planning Director Dennis Doyle spoke in favor of the resolution stating it was important to get our application in as soon as possible.

Motion by Legislator Shapiro, 2<sup>nd</sup> by Legislator Decker to accept resolution for lateness:

**MOTION PASSED UNANIMOUSLY**

**Introductory Local Law No. 11 of 2008 (Administrative Code for the County of Ulster, State of New York)**

Chairman Bischoff brought to the committee's attention the concern expressed by some Legislators that the restriction on hiring of Legislators until one year after their retirement from the Legislature per Local Law No. 6 of 2004 should be extended to the County Administrator as well. Discussion followed. Chairman Bischoff further stated that the Charter Transition team by a vote of 4 to 2 had agreed that Local Law No. 6 of 2004 would not apply to the County Executive. Legislator Shapiro requested that the email comment, that he received from Legislator Provenzano be enter into the record:

**“Please ask the L&R to vote no on allowing the Co. Exc. to be able to appoint a Legislator without the one year wait. I would not be able to support the Code with that amendment added to it.”**

Legislator Shapiro made a motion, 2<sup>nd</sup> by Chairman Bischoff to put the restriction, as stated in Local Law No. 6 of 2004, back in the Administrative Code with regard to the County Executive.

Ayes: Chairman Bischoff and Legislator Shapiro.

Nays: Legislator Decker, Legislator Roberts, Legislator Cummings and Legislator Maloney.

**MOTION FAILED**

## **Introductory Local Law No. 2 of 2008 (Ethics Law)**

Ethics law:

Legislator Maloney asked how it could come back to the committee without 17 votes.....Chairman Bischoff stated he wanted the committee to address the concerns that were brought up at the public hearing.

1. Concerns over the numbering sequence. County Attorney's Office stated that any numbering issue would be handling in the final analysis that will be provided through the codification process at General Code, and that it was not a substantive change.
2. Reference to gender neutral. The Clerk's office did an electronic search of the Ethics Law for the word Chairman and found 3 references to Chairman.

A motion by Legislator Decker to change Chairman to Chair in the Code was 2<sup>nd</sup> by Chairman Bischoff

Ayes: Chairman Bischoff, Legislator Decker and Legislator Shapiro.

Nays: Legislator Maloney, Legislator Cummings and Legislator Roberts.

**MOTION FAILED**

3. The concern about the Appointment by the executive of the members of the Ethics Board is in the County Charter and cannot be changed by the Administrative Code.

Legislator Shapiro asked that the Legislator Provenzano concerns as stated in her email which appears below be addressed.

**"I believe the Adm Code Com. has it right by excluding the BOE from Section B of the code. This determination was made by those that have no political interest in who is Chair of a party and/or who is the Election Commissioner. That cannot be said of those most outspoken members of the ethics committee that are pushing the opposite viewpoint. I'm requesting the L&R follow the determination made by the Adm Code Committee."**

Discussion followed. Legislator Shapiro made a motion, 2<sup>nd</sup> by Legislator Cummings to amend Section 4C "with the exception of the Commissioner of Elections".

Ayes: Legislator Cummings and Legislator Shapiro.

Nays: Chairman Bischoff, Legislator Decker, Legislator Maloney and Legislator Roberts.

Meeting adjourned at 7:00 PM.