

**OFFICE OF THE ULSTER COUNTY LEGISLATURE
PUBLIC COMMENT MEETING MINUTES**

NAME OF GROUP: Commission On Reapportionment

DATE: April 13, 2011

TIME: 7:00 P.M.

PLACE: Community Center, New Paltz, NY

MEMBERS PRESENT: Cynthia Lowe, Richard Messina, Dare Thompson

MEMBERS EXCUSED: Vernon Benjamin, Paul Benkert, Michael Catalinotto, Bill West

OTHERS ATTENDING: Legislator Rodriguez, Steve Auerbach, Josh Honig, Fawn Tantillo, Roger Roscoe, Jane Ann Williams, Kitty Brown, Jason West, Victoria Fabella, Deputy Clerk, Legislature

- The meeting was called to order by Cynthia Lowe at 7:08 PM. Cynthia introduced the Commissioners in attendance and explained the purpose of the Commission. Cynthia, Dare and Rich spoke about the Commissions' process to date. Cynthia told the audience that the three draft plans being handed out this evening (Draft Maps 1, 2 and 3) are a very preliminary first pass at what the Commission thinks can be done with the various Legislative districts. Rich mentioned the all-day 4/20/11 workshop the Commission has scheduled to work on new maps. Cynthia opened the floor to public comment.
- There were 8 speakers at tonight's meeting.

1.) Steve Auerbach (Written comment on file with Deputy Clerk of the Legislature)

Thank you for your efforts. Prior to the court ordered redistricting several years ago, the large majority of New Paltz residents never had representation in the legislature because of gerrymandering. We have urged through letters and via our town board and political committees that this not occur again.

Thankfully, version 3 accomplishes some of this. In it, New Paltz gets 2 whole representatives. But I do have a major problem with the structure of the town outside the village and the village being 2 distinct districts.

The village of New Paltz is part of the town, not the other way around. We are 1 community of 14,000 residents, not 2 communities. At a time when the governor and NY state government is encouraging consolidation of towns and villages, you have done just the opposite, fostering the separation of the two. In fact, New Paltz was awarded a grant to study consolidation and in next month's village elections, at least one slate is running on consolidation. This treatment of villages at the expense of towns is unprecedented in county history. Prior to the legislature forming, county affairs were run by a board of town supervisors, not village mayors.

Redistricting versions 1 and 2 are unacceptable. Each version marginalizes the town and disenfranchises its' voters. I would like to point out that the town of Shawangunk, with the same population as New Paltz has, in all three options, been split down the middle with an add on to make up the difference. All we are asking for in the same treatment. Divide the town in half and instead of adding Highland, add the districts in Gardiner Rosendale and Esopus that are part of the New Paltz School district.

By accommodating smaller entities over larger, which you seem to be doing, you may be treading on shaky constitutional grounds.

Finally, by scheduling public comment less than 24 hours after presenting to the legislature and not publicizing it, you make it seem like you are not really interested in public comment. Since I know this is not the case, may I suggest you schedule another session and publicize it via radio and newspaper PSA's.

Thank you.

2.) Josh Honig

Josh read a letter that he and the New Paltz Democratic Committee Chair, Corinne Nyquist, have previously submitted to the Commission:

To the Redistricting Committee:

Thank you for giving us the opportunity to express our feelings regarding the imminent county redistricting. We, the New Paltz Democratic Committee, after much discussion, would like to urge the following:

- Based on the publicized population parameters for a legislator of about 7500 per district, the town of New Paltz is 14/15 or 93% of the required 15,000 for two legislators (almost a perfect fit). Therefore we are of the opinion that New Paltz is entitled 2 two legislators.
- That the district these two legislators represent be entirely composed of New Paltz with the additional voters (if necessary) coming from the 12561(New Paltz) zip code part of Gardiner. This makes sense because that part of Gardiner is in the New Paltz school district and has more in common with New Paltz than parts of any other town.
- That New Paltz not be split into a situation where the town has 1 legislator and parts of several other legislators. This would not be acceptable in that it would disenfranchise a good part of the town voters and lead to constitutionality questions.

We are reiterating the position taken by the New Paltz Town Board and residents when you met with them last month. Only since the court ordered redistricting several years ago has New Paltz had the kind of representation (2 legislators) that reflects the values of the town. Even then, several New Paltz districts were placed in other town's districts. It was much better than the previous 30 years, when New Paltz was gerrymandered into a legislative district that made it almost impossible for any resident of New Paltz to win.

New Paltz went almost 30 years underrepresented in the legislature. We do not want this to happen again. We respectfully urge you to give us the representation we deserve based on the parameters you set.

Thank you.

Josh added that he is most pleased with draft map version 3 because it best keeps all of New Paltz intact.

3.) Fawn Tantillo

Fawn said there are a couple of things she heard that she takes exception to. New Paltz has had three Legislative Chairman in the last 30 years and has had at least two Legislators who reside in New Paltz for at least the last 20 years.

Fawn said that counties in New York State that do not have a Charter are mandated by the State Law to keep any towns 110% over the average whole. So that means that they set a standard that you can be 10% higher or 10% lower, and in some places, mandate that they do so. We don't have to do that because we have a Charter. Fawn said she is not advocating expanding to that full deviation range. However, she believes that the current deviation on the draft maps is too tight and should be expanded. Fawn said that at a meeting this afternoon, the Commission discussed looking at map with a greater deviation and she was pleased to hear that.

Fawn said another concern is the jail population. The corrections population from the two prisons in Shawangunk make up 12.6% of the population, and in Wawarsing it's 21% of the population. Fawn therefore thinks it makes sense to have a greater variation in the districts encompassing these two towns.

Fawn also said when you overlay the current election districts on the census blocks, the census blocks cross the election district lines. Fawn said she understands that it would be a huge problem to get the political process off the ground if all new election districts have to be drawn up. That would be an enormous undertaking.

Finally, Fawn shared a comment made by Legislator Harris at last night's Legislative meeting. He said, "Looking at these districts is like looking at a group photo. You first find yourself and see how you look." Fawn said this is true and is happening here tonight with New Paltz. She commented how accommodating the needs of one town may have an adverse effect on other towns.

4.) Roger Roscoe (Written comment on file with Deputy Clerk of the Legislature)

My first comments will be directed to the procedural process that the Commission has taken to get to this point.

It is clear that the intent stated in the Charter and in the recent court case that the Reapportionment Commission complete their work in a non-partisan manner.

With that clearly understood, it is public information that the current versions presented by the Commission were prepared by staff from the Ulster County Planning Department.

The Ulster County Planning Department is under the direction of Dennis Doyle who answers directly to the County Executive.

Any involvement by County Staff in the preparation of these plans lends itself to the appearance of impropriety and partisanship.

The silence of the County Executive on this subject indicates he approves of this unethical and partisan approach to Redistricting.

It has been reported via emails and public comment that the software the County purchased to assist the Commission is not very user friendly and has been difficult to learn. It has also been reported that just yesterday the Commission in view of the concerns I have outlined above voted 4-2 in favor of hiring an independent outside

consultant to assist the commission in their work "and" that this afternoon the Commission changed their minds and decided to proceed without a consultant.

I also urge the members of the Commission to reconsider this decision in the interest of overcoming any hint of impropriety and I also urge the members of the commission to discard and scrap any plans that had the involvement of the County Executive's staff and start anew in your work.

If the Commission decides to continue with Ulster County staff, you will be leaving yourself open to unnecessary questioning and most certainly litigation against whatever plan you come up with.

My further comments will be directed to the plans that have been submitted:

It appears that the Commission made an attempt to hold each district to being as close to the ideal legislative district size as possible with the great variance being 1.74%. It is my understanding that the law allows for a 5% variance either above or below the ideal size. In minimizing the variance in size, you have hindered yourself from making districts that make sense.

It also appears that certain townships have been divided more than others with Rochester and Plattekill being the most prominent.

It also appears that the lines drawn on the proposed plans do not take current election districts into consideration. If the plans go forward as presented, you will disrupt thousands of voters throughout the County from voting in their traditional polling location.

While I respect you and thank you for your volunteer service for this thankless task, I urge you all to reconsider the approach you have taken to this point.

Roger also commented that Shawangunk has been disenfranchised for the last 10 years. The maps here split Shawangunk down the middle into two districts which is great for Shawangunk, and of course he is pleased with that. However, Roger said he sees the way other towns like Plattekill and Rochester are being disenfranchised in these maps, and he believes it is unfair and should be reevaluated. Roger also commented that if it helps to keep the election districts intact and the Commission increases its deviation, the Town of Shawangunk would be fine if the western part of the town had a greater population than the eastern part.

5.) Jane Ann Williams

Jane thanked the Commissioners for their work. She said she wanted to second the comments of Steve and Josh, as they accurately depicted the wishes of New Paltz residents.

6.) Kitty Brown

Kitty said New Paltz is about 75% of the way through a consolidation study funded by the State to consider merging the Town and Village. Kitty said the Commission could advance the spirit of unity by not separating the Village from the Town.

In the past, New Paltz has been attached to many other towns and currently New Paltz has seven Legislators representing different parts of it. Kitty said only two Legislators ever came to any of the Town events that were important to the town. She said that is it therefore known that taking a piece of one town and attaching it to another doesn't create that feeling of inclusiveness that is needed from our Legislators. Kitty said there are big,

important issues coming before the County soon, i.e. farmland protection, an open space plan, transportation plans, affordable housing plans, and New Paltz needs Legislators who are really listening to those shared interests.

Kitty said not to let perfection be the enemy of pretty good. She believes plan 3 is pretty good. She does think some other towns are getting short changed from it, but they are so small she is not sure how to solve that problem.

Kitty concluded by thanking the Commissioners for taking on a thankless job.

7.) Legislator Rodriguez

Legislator Rodriguez opened his comments by thanking the Commission. He said that per State Law, election districts are set by the Board of Elections. He said that will happen outside of the Commission's purview no matter what lines the Commission ends up drawing. Legislator Rodriguez said they will likely push for larger election districts because the machines that they were forced to buy can handle larger volumes. He said it's more important to consider the community than it is to consider an election district line.

Legislator Rodriguez also commented that plan 3 is the direction the New Paltz community would like to see the Commission go in.

8.) Jason West

Jason said the consolidation is something that is entirely separate from the Commission's work. No matter if New Paltz is a town or city or whatever, the population is 14,000 and that should get New Paltz two seats on the County Legislature. Jason said he is happy the Village of New Paltz is its own district in each draft map version. The Village of New Paltz is the only "urban-ish" center in Southern Ulster. Jason thinks there should be one Legislature for the Village and one for the Town, each with expertise in the issues that affect the different areas, working hand and glove. Jason too believes draft map version 3 is the best option for New Paltz.

- Discussion:

Josh Honig said the elected officials seem more concerned with village vs. town. Most people who live in New Paltz consider it to be one community.

Steve Auerbach commented that some of the Commissioners have highly political backgrounds. Secondly, he said that everyone here tonight is connected politically in one way or another.

There was some discussion about the meeting being more widely publicized to draw a larger audience. The Commissioners explained that the details regarding the meeting were sent to all local media including print, radio and television. It is the choice of each individual media organization as to whether the information will be published.

Kitty said that New Paltz may have issues as a town and village, but when it comes to county issues, New Paltz really needs Legislators to advocate for one community. Two Legislators are necessary because of the large population and numerous issues.

Jane said another huge issue is a county water authority and coordination of water resources. New Paltz is slowly moving toward developing the water resources that we have. Jane said this project can only be moved forward with cooperation from the County.

Fawn said that she believes if there was a plan that cut the Village of New Paltz in half there would be a lot more people here to comment about it. Fawn commented that she agreed with Legislator Rodriguez's comment about the election districts and she reiterated that the census blocks do not abide by election district boundaries. Fawn also commented that during the last redistricting effort, New Paltz said that it was okay to be split up. Now that they have had 10 years of division, they are asking to be kept whole.

Jason said that everyone in the room is here for either personal self-interest or political interest. We want certain outcomes from our Legislature he said. Jason doesn't see a problem with this. The people that are going to show up to these meetings are the people who are running for office or working on campaigns. Everyone here got into politics for the right reasons. They want to see so-and-so get elected and take the community in the right direction. We are the kinds of people who the Commission will be hearing from.

Roger asked for clarification on something he heard. Is it accurate if a municipality doesn't have sufficient population to have its own district, then it could not be split? Legislator Rodriguez said if you are a non-charter county then that rule holds. If you are a charter county then it doesn't apply. Fawn pointed out that by abiding by that rule, the larger towns are forced to take the hit and become divided into several pieces.

- Adjournment

Cynthia Lowe thanked everyone for their comments. The meeting ended at 8:30 PM.

Respectfully Submitted,

Victoria Fabella, Deputy Clerk, Ulster County Legislature