

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

NAME OF GROUP: Commission On Reapportionment

DATE: May 16, 2011

TIME: 4:00 P.M.

PLACE: UCOB, Legislative Library Conference Room, 6th Floor

MEMBERS PRESENT: Vernon Benjamin, Paul Benkert, Cynthia Lowe, Richard Messina, Dare Thompson, Bill West

MEMBERS EXCUSED: Michael Catalinotto

OTHERS ATTENDING: Legislative Chairman Fred Wadnola; Legislator Maloney; Beatrice Havranek, Ulster County Attorney; Ken Gilligan, Legislative Majority Counsel; Michael Kavanagh, Legislative Majority Counsel; Chris Raggucci, Legislative Minority Counsel; Vic Work, Commissioner, Board of Elections; Rob Leibowitz, Principal Planner, UC Planning Department; Laura Walls, Deputy Comptroller; Hugh Reynolds, Reporter, Ulster Publishing; Patricia Doxsey, Reporter, Daily Freeman; Lee Cane, LWV; Fawn Tantillo; Karen Binder, Clerk, Legislature, Victoria Fabella, Deputy Clerk, Legislature

- The meeting was called to order by Facilitator Benkert at 4:08 PM.
- Board of Elections Recommended Changes to The Commission's Final Map

Facilitator Benkert asked Commissioner Lowe to explain what has transpired with regards to the Board of Elections recommended changes to the Commission's final map. Cynthia explained that she and Commissioner Messina met with the BOE Commissioners this past Friday afternoon and evaluated the approximately 20 changes being proposed in an effort to maintain existing election districts. After careful assessment, it came down to a final of 8 adjustments that could conceivably be made, should the Commission agree. Cynthia said that the BOE's concern is that if the changes were not made and new election districts need to be created, it could cost the affected towns \$6,000.

The Commissioners agreed to examine each recommended change individually with the assistance of Rob Leibowitz demonstrating the effects of each change via the redistricting software. The Commissioners will then vote as to whether or not each change will be endorsed. If endorsed, the Commission will provide a list of these endorsements to the Legislature along with the final map. Legislative Counsel will witness the process to determine if the changes are substantive in nature.

Proposed Amendment #1: 0 Population moved from District 15 to District 14

As this change maintains an election district, but does not affect any population, Vernon Benjamin made a motion to endorse this change, Seconded by Bill West, with all in favor. Carried.

Proposed Amendment #2: 38 people from District 14 (Shawangunk) to District 16 (Gardiner)

A motion to endorse this change was made by Dare Thompson, Seconded by Richard Messina, with all in favor. Carried.

Proposed Amendment #3: 289 people from District 4 (Ulster) into District 3 (Saugerties)

This amendment was not endorsed, as the Town of Ulster Town Hall would be moved from the District mainly comprised of the Town of Ulster into the District that is split between the Town of Ulster and Saugerties. The Commissioners also felt that this amendment affects a significant amount of people.

Proposed Amendment #4: 54 people from District 4 (Ulster) into District 3 (Saugerties)

A motion to endorse this change was made by Cynthia Lowe, Seconded by Paul Benkert, with all in favor. Carried.

Proposed Amendment #5, #6, #7, and #8, all affecting the City of Kingston, were taken together.

Proposed Amendment #5: 27 people from District 5 to District 6

Proposed Amendment #6: 56 people from District 6 to District 7

Proposed Amendment # 7: 106 people from District 7 to District 5

Proposed Amendment #8: 79 people from District 7 to District 5

A motion to endorse these changes was made by Paul Benkert, Seconded by Vernon Benjamin, with all in favor. Carried.

After some explanation regarding the purpose of the amendments, as well as some additional questioning by Legislative Counsel, Bea Havranek and the 3 Legislative attorneys left for approximately 10 minutes to make a determination about the nature of these amendments.

Upon returning, Ken Gilligan said that counsel believes the amendments would be substantive in nature and they recommend against them. He said that there is a tight timetable here and these changes could provoke a lawsuit resulting in possible problems getting the map approved.

Paul Benkert made a motion to pull all of the amendments the Commission made today, leaving the map as-is with no Commission-endorsed changes, Seconded by Cynthia Lowe, with all in favor. Carried.

- County Attorney Memo Dated May 16, 2011

Bea Havranek went over the above-mentioned memo, which included a time schedule for official adoption of the Commission's plan. The memo also addressed the NYS Civil Liberties Union's objection to including the prison populations in the total population count when creating the new 23 Legislative districts. Bea noted that she has spoken with Mr. Arthur Eisenberg from the CLU and he seems to understand Ulster County's position on this issue. The prison population was included, as it was in past UC redistricting efforts, and the Commission took two prisons that are a very close distance from one another and separated them by placing them in two different districts. Bea asked that the Commission give approval for her to send this memo to the NYSCLU.

Vernon Benjamin made a motion to authorize Bea Havranek to send the memo dated May 16, 2011 to the NYSCLU. Seconded by Cynthia Lowe, with all in favor. Carried.

- Final Report

Bea Havranek gave some recommendations for additional inclusions into the legal issues and prison population sections of the Commission's final report.

The Commissioners will review the narrative of the final report submitted by Vernon, as well as Bea's recommendations, and communicate via e-mail prior to the next meeting with any questions and/or comments.

There was some discussion about the recommendations portion of the Commission's report. General consensus of the Commission was to add Dare's recommendation that reasonable expenses of Commissioners should be reimbursed. Again, the Commission reiterated that it is best to put all recommendations in the report, regardless if they are unanimously agreed upon or not.

- Next Meeting

The Commission will meet next on Monday, May 23, 2011 at 5:00 PM to finalize its final report.

- Adjournment

A motion to adjourn was made by Cynthia Lowe, Seconded by Bill West, with all in favor. Carried. The meeting was adjourned at 5:15 P.M.

Respectfully Submitted,

Victoria Fabella, Deputy Clerk, Ulster County Legislature