

# ULSTER COUNTY LEGISLATURE

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## MINUTES

**APRIL 12, 2011**

### **SPECIAL INFORMATIONAL MEETING: 7:00 PM**

**MEETING CALLED TO ORDER BY CHAIRMAN: 7:03 PM**

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Chairman Wadnola

**MOMENT OF SILENT MEDITATION:**

## **ANNOUNCEMENTS**

### **FIRE EVACUATION PLAN**

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

### **CELL PHONES**

Please silence cell phones and refrain from texting for the duration of the Informational Meeting.

## PAGE 2

(Legislators Briggs, Fabiano, Frey, Hansut,  
Petit, Provenzano, Ronk, Shapiro, and Stoeckeler)  
(Legislator Loughran arrived at 7:08 PM)  
(Legislator Sweeney left at 7:23 PM)  
(Legislator Aiello left at 8:04 PM)

Legislator Donaldson commended the Commission for its work thus far. Having been involved in past redistricting efforts, he understands the difficulties the Commission will face. He also mentioned that Election Districts are changed every 10 years.

## MINUTES

APRIL 12, 2011

PAGE 3

Legislator Harris said like every group picture, you look for yourself first. He commented in conjunction with Legislator Richard Parete's comment that communities should be kept together. He said that school district boundaries should be considered, as you will find that the social activity of people very often follows those lines.

Legislator Maloney thanked the Commission. He commented on the way the Town of Ulster is split in each version of the map. He asked the Commission to keep the bottom portion of the Town intact.

Legislator Gerentine also thanked the Commission and asked what the next steps are for the Commission, i.e. their timeframe for completion, whether or not they would be coming back to the Legislature for input, will they be presenting 1 or 2 final plans. Commissioner Thompson said the Commission is very limited on time. The three very tentative plans before the Legislative Body demonstrate how if you move a line here it affects a line there. The Commission meets tomorrow and is anxious to hear the input from this evening. School Districts and Election Districts were talked about here tonight and the Commission will be looking at those. As far as a timeframe, the Commission would like to be finished by the end of the month. The Commissioners will bring only one final plan. Legislator Gerentine asked if Legislators can provide input at the Commission's regular meetings. Commissioner Thompson said absolutely and encouraged them to do so. Legislator Gerentine clarified that a plan would be presented at the Legislative Meeting on April 26, 2011. The Commission confirmed that is their goal.

Legislator Zimet thanked the Commission and commented that keeping villages whole could present a problem, as one of the biggest issues facing the State is consolidation. The community of New Paltz has a grant from the State of New York and is looking at how to possibly consolidate and share services. By keeping villages whole the Commission is actually going contrary to what is trying to be done. When villages are kept whole and districts are built around them, the Commission is creating a doughnut, a hole, and it's not fair to the towns. Legislator Zimet proposed cutting New Paltz as a whole evenly down the middle to more fairly represent the New Paltz community. She went on to comment on how New Paltz was split in each version of the map. Commissioner Thompson said keeping villages whole is in the Charter, but she feels Legislator Zimet's comment is very interesting.

Legislator Lomita commented that general input is good, but what is best for the towns is most important. He hopes the Commission presents one plan and the Legislators vote the plan up or down, making no amendments.

Legislator Bernardo commented that she is shocked that Rochester is split several ways in every iteration of the map. She advocated keeping Rochester whole, as she believes its population easily allows the Commission to keep all of Rochester intact.

Legislator Rodriguez commented that he is happy to see villages being respected and kept whole. He thinks version 3 best reflects the wishes of the people of New Paltz, keeping the entire community contained in two districts.

## MINUTES

APRIL 12, 2011

PAGE 4

Legislator Roberts thanked the Commission and reiterated the importance of keeping towns whole. He is very displeased and thinks it's unacceptable to see Plattekill split into 4 districts.

Legislator Hochberg asked for clarification on what he understood to be a rule that the towns that are less than 110% of the average be kept whole. Bea Havranek said she has rendered a written opinion on this issue to the Commission which is available via the Deputy Clerk. Ulster County, being a Charter County, does not have to follow that rule.

Legislator Belfiglio said that all seven Commissioners have software on their personal computers. He asked which Commissioner's computer was used to generate the draft plans. Commissioner Thompson said that these drafts were done in the Planning Department in order for the Commission to get together with the Legislature and discuss the problems the Commission is facing. She reiterated that these are very tentative drafts. Legislator Belfiglio said the Commission is charged with splitting up the districts and he wants to make sure it is the Commission doing the actual work.

Legislator Gregorius also thanked the Commission and asked that any case law and opinions be sent to the Legislators.

Legislator Felicello asked that future maps include streets. He commented that the focus shouldn't be on incumbents.

Legislator Richard Parete said that 2/3's of the public voted to have single member districts. Legislators are free to make suggestions during the process. He suggests that the Commission bring its map to the Legislature the day before or day of the vote. The Commission has the support of the public and community and shouldn't let anyone here intimidate them. After the vote, the Legislators will be on record showing who cares about themselves and who cares about the public.

Legislator Donaldson reminded everyone that the population numbers are available on-line for anyone who wants to attempt to create a plan. He echoed Legislator Richard Parete's comments.

Commissioner Messina commented on how difficult it is to use the software. He encouraged everyone to take a look at the program which is set up in the Planning Department. Commissioner Thompson said that all draft maps will be posted on the Commission's website. She asked the Legislative Body to help with rumor control, as people will assume that draft maps are final versions. She too encouraged everyone to utilize the computer set up for use by the public in the Planning Department.

Legislator Terrizzi thanked the Commission and said she understood how difficult it could be to learn a new computer program at the same time as trying to accomplish a task. Legislator Terrizzi asked for clarification on the Planning Department creating the maps. Commissioner Thompson said that the Commission gave very strict guidelines to follow and it is just a start. Commissioner Benjamin said one person in the Planning Department, working as staff for the Commission, made the maps at the direction of the Commission. Commissioner Lowe said the Commission is well aware of its charge and is currently using the staff of the County. The Commission is not giving away its responsibility and saying

## MINUTES

APRIL 12, 2011

PAGE 5

create whatever plan you want. The Commission has not, nor will it, present to the Legislature any plan that it does not understand. The Commission completely understands these maps, how they were formulated, and gave Rob Leibowitz from the Planning Department a list of the issues and concerns the Commission has compiled from the Towns. The Commission agreed from the very beginning that the Election Districts would be overlaid as part of the final process. These maps show that no matter what version you look at, some will be happy and some won't, continued Commissioner Lowe. It is an impossible task to make everyone completely happy. The Commission is trying to be honest, nonpartisan and to create its own product.

Commissioner Catalinotto said that the maps presented were created by a staff member of the Planning Department. During the Commission's meeting this afternoon the Commission voted to possibly hire a consultant in demographics and reapportionment to assist the Commission in meeting its deadline. Legislator Terrizzi thanked Commissioner Catalinotto, as she said her next question was going to be why, when the Commission found itself having such trouble with the software, would it rely on the Planning Department who recommended the software and isn't as necessarily independent as it should be, as opposed to getting someone from the field who is independent, the way the Committee was intended to be independent.

Legislator Felicello said that although he doesn't agree with it, people are saying that a Planning Board member, who is paid by and works for the Executive, is making the maps. There shouldn't be a single question out there like this. To clear up any false perception, Legislator Felicello agrees with Commissioner Catalinotto that an independent consultant should be retained.

Legislator Rodriquez commented that many counties have utilized their planning department in the redistricting process, and that the Ulster County Planning Department was utilized in the last redistricting effort. He also commented that the Planning Department staff makes itself available to anyone interested in utilizing the public computer set up in the department. He urged everyone to try it out.

**PUBLIC COMMENT:** There were five speakers at tonight's meeting.

### **1. Mario Catalano, Republican Chairman, Town of Ulster**

Mr. Catalano spoke about the importance of keeping Election Districts in tact. He also said that he believes many of the Commission's problems can be successfully addressed by using the full allowable 5% deviation in each direction. He encouraged the Commission to keep historic relationships in mind, i.e. Town of Kingston and Ulster, and West Hurley and Woodstock. Mario also expressed his support of the idea to hire an independent consultant to maintain the integrity of the Commission.

**2. Carl Chipman, Supervisor, Town of Rochester**

Supervisor Chipman thanked the Commission for its work and for coming to the recent Town of Rochester Board Meeting. He said that the maps however do not reflect any of the wishes expressed at that Board Meeting. Carl said he is not concerned with incumbents, but with the people of his town. For the first time in many years, Rochester has a representative who lives there. Previously, its Legislative representation has come from the urban area of Ellenville which doesn't at all relate to the rural life of Rochester. He asked the Commission to keep towns whole where possible. When adding or chopping, he advised to look at school districts. Thirdly, he recommended following election districts. Again, he reiterated the desire for Rochester to be kept whole.

**3. Brian Cahill, former Legislator**

Mr. Cahill said that the Town of Ulster completely surrounds the City of Kingston and therefore, if merged with anything it should be the City of Kingston and not the Town of Kingston. He continued by saying the Town of Ulster touches seven towns, and the Commission choose to merge Ulster in every plan with the Town of Kingston which happens to be about 75% Republican. He believes this is disingenuous. He doesn't feel the two towns relate well to each other. Mr. Cahill also questioned whether the Commissioners would actually be creating maps themselves using the software, as he understands the version of the software the Commissioners have is different from the version the Planning Department has.

Commissioner Lowe commented that the question regarding the creation of the maps has already been answered. She also pointed out that the Commission has spoke with many residents in both the Town of Kingston and Town of Ulster who have expressed that they did not want to be paired with the City of Kingston. Here we have diametrically opposed concerns.

**4. Fawn Tantillo, former Legislator**

Fawn commended the Commission and Rob Leibowitz on their work to date. Fawn said she understands that the Commission instructed Rob to not go beyond a 5% deviation, 2.5% in either direction. She believes that this deviation is way too limiting. Fawn commented that the New York State standard in non-Charter counties is 10% in either direction, almost a 20% variation. She asked the Commission to consider increasing its limiting variation to examine whether it would help attain more goals, such as keeping towns whole. She believes it would.

Mrs. Tantillo also suggested forming a sub-committee to look at the City of Kingston. The Commission already established its criteria to keep the City intact and split it into 3 districts. In the essence of time, Fawn suggested the sub-committee focus on meeting the Commission's goals for ethnicity and minorities.

Fawn said that she has attended many of the Commission's meetings and feels strongly that Rob Leibowitz has in no way compromised the Commission's work. She intends to work with the software on the public computer in the Planning Department.

MINUTES

APRIL 12, 2011

PAGE 7

**5. Rokki Carr, Ulster County Resident**

Ms. Carr said she attends all the Commission's meetings. She likes the notion of transparency and believes the Commission is doing a good job in that regard. She commented that she has never heard the term incumbency discussed at any meeting. She also said she has worked with the software on the public computer and has a good understanding of how difficult this job is. Rokki also spoke against hiring a consultant. Finally, she commented that the average person does not know his/her election district; they know where they go to vote.

**MEETING ADJOURNED: 8:37 PM**

**NEXT MEETING:**

A Community Development Block Grant (CDBG) Public Hearing and the next Regular Monthly Meeting of the Ulster County Legislature will be held on **Tuesday, April 26, 2011, 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.