

**Laws, Rules & Government Services Committee
Regular Meeting Minutes**

DATE & TIME: October 12, 2023 – 6:00 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building, Kingston
PRESIDING OFFICER: Chair Heppner
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Gavaris, Levine & Ronk
ABSENT: Legislator Roberts
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Erner & Petit; Legislative Counsel Gordon and Minority Counsel Pascale; Deputy County Executive Kelly

Chair Heppner called the meeting to order at 6:00 PM

Motion No. 1: **Moved to Approve Minutes of the September 14, 2023 Meeting**

Motion By: Legislator Ronk
Motion Seconded By: Legislator Levine

Discussion: None

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Minutes Approved**

Resolutions for the October 17, 2023 Session of the Legislature

Resolution No. 371: Setting A Public Hearing On Proposed Local Law No. 9 Of 2023, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), To Amend Article II Legislative Branch §C-21 Filling Membership Vacancies, To Be Held On Tuesday, November 14, 2023 At 7:05 PM

Resolution Summary: This resolution sets a public hearing on Tuesday, November 14, 2023 At 7:05 PM to provide the public with an opportunity to offer comment on Proposed Local Law No. 9 of 2023

Motion No. 2: **Resolution No. 371 Moved for Discussion**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Levine

Discussion:

Chair Heppner advised the members that per previous discussions, the word village needs to be added to any sections referring to town and city throughout the Proposed Local Law. He commented that the additional amendments presented reflect the Dutchess County language previously agreed to by the

committee. Chair Heppner asked if there was any further discussion or questions; hearing none he called for a vote in favor of the amendments.

Motion No. 3: Motion to Adopt Amendments to the Proposed Local Law as presented:

Motion By: Legislator Levine

Motion Seconded By: Legislator Ronk

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Amendment Adopted

Discussion:

Chair Heppner recognized Legislator Petit who suggested that the members insert a requirement that the individual filling the vacancy be of the same political party as the member who vacated the position. Legislator Ronk opposed the proposal stating that qualified individuals not enrolled in a party or possibly enrolled in a minor party could be excluded from the process. Chair Heppner echoed the concerns.

Chair Heppner asked if there was any further discussion or questions; hearing none called for a vote in favor of adopting the Resolution with the Proposed Local Law as amended.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Resolution Adopted with Proposed Local Law as Amended

Resolution No. 462: Adopting Proposed Local Law No. 12 Of 2022, A Local Law Providing For The Protection And Restoration Of The Hudson River, Also Known As Mahicannituck, And For The Rights Of The Residents Of Ulster County And The River To Clean Water And A Healthy And Productive Ecosystem

Resolution Summary: This resolution adopts Proposed Local Law No. 12 of 2022

Motion No. 4: Resolution No. 462 Moved for Discussion

Motion By: Legislator Ronk

Motion Seconded By: Legislator Gavaris

Discussion:

Chair Heppner stated that Legislator Erner, sponsor of the proposed local law, has been working with the Executive's Office on some language tweaks and has requested a one month postponement.

Motion No. 5: Moved to Postpone Resolution No. 462

Motion By: Legislator Ronk

Motion Seconded By: Legislator Gavaris

Chair Heppner recognized Legislator Erner who advised the members that there were a number of amendments before them that had not yet been adopted and asked that the members consider their adoption before postponing the law. He added that he did not believe the Executive's Office had any concerns with the language before them. Deputy County Executive Kelly stated that Deputy County Executive LaValle was working with Legislator Erner on the proposed law and he could not speak to any concerns they had discussed.

Chair Heppner asked that the motion to postpone be tabled while amendments are considered.

Motion No. 6: Moved to Adopt the Amendments to the Proposed Local Law as presented
Motion By: Legislator Heppner
Motion Seconded By: None

Discussion:

Legislator Ronk stated that he had not reviewed the amendments and advised the members that he would be voting no. Chair Heppner state that adoption of the amendments was not necessary as the measure was being postponed a month.

He asked if there was any further discussion and hearing none called for a vote in favor of postponing the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution Postponed

Resolution No. 553: Establishing A Policy Compelling The Distribution And Publication Of Terms Of Settlement When Actions Involving Ulster County Are Settled

Resolution Summary: This resolution requires that “unless otherwise prohibited by law, if a legal action in which the County is a named party is settled, the term(s) of such settlement shall be promptly delivered to the Clerk of the Legislature for distribution to Legislators, Legislative Counsel and Minority Counsel”

Chair Heppner stated that Resolution sponsor Maloney was not in attendance and asked for a motion to postpone.

Motion No. 7: Moved to Postpone Resolution No. 553
Motion By: Legislator Ronk
Motion Seconded By: Legislator Levine

Discussion: None

Chair Heppner asked if there was any discussion and hearing none called for a vote in favor of postponing the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Postponed**

Resolution No. 595: Setting A Public Hearing On Proposed Local Law No. 12 Of 2023, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For the County Of Ulster, (Local Law No. 10 Of 2008), To Modify The Term Of The Chair Of The Legislature, To Be Held On Tuesday, November 14, 2023 At 7:15 PM

Resolution Summary: This resolution sets a public hearing on Tuesday, November 14, 2023 At 7:15 PM to provide the public with an opportunity to offer comment on Proposed Local Law No. 12 of 2023

Motion No. 8: **Resolution No. 595 Moved for Discussion**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Gavaris

Discussion:

Chair Heppner recognized legislation sponsor Legislator Levine who commented that he felt having a Chair serve for the term of the Legislature would provide continuity in committees and leadership. Legislator Ronk commented that he put forward the same measure and members of the Democratic caucus defeated it. He added that he agreed with the 2/3 vote requirement for removal of the Chair, but recommended the word “first” be removed stating that the first January meeting in a term is the organizational meeting and the second January meeting in a term is a re-organizational meeting.

Chair Heppner asked Legislator Levine is he consented to the change. He stated he did.

Motion No. 9: **Moved to Amend Section 2. Of Proposed Local Law No. 12 to strike the word FIRST immediately preceding the word ORGANIZATIONAL as follows:**

Section C-17 B. and Section A2-12 B.: Organizational meeting.

~~At this organizational meeting, the members of the Legislature shall select a Chairman at the call of the Clerk of the Legislature in each year.~~ **DURING THE FIRST ORGANIZATIONAL MEETING FOR EACH NEW COUNTY LEGISLATURE, THE MEMBERS OF THE COUNTY LEGISLATURE SHALL ELECT A CHAIR AT THE CALL OF THE CLERK OF THE**

Motion By: Legislator Heppner
Motion Seconded By: Legislator Gavaris

Discussion:

Chair Heppner asked if there was any further discussion and hearing none called for a vote in favor of adopting the amendment.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Amendment Adopted**

Discussion:

Chair Heppner asked if there was any further discussion and hearing none called for a vote in favor of adopting the Resolution with the Proposed Local Law as amended.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Adopted with Proposed Local Law as amended**

Resolution No. 596: Setting A Public Hearing On Proposed Local Law No. 13 Of 2023, A Local Law Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), To Establish The Office Of Housing Counsel, To Be Held On Tuesday, November 14, 2023 At 7:20 PM

Resolution Summary: This resolution sets a public hearing on Tuesday, November 14, 2023 At 7:20 PM to provide the public with an opportunity to offer comment on Proposed Local Law No. 13 of 2023

Motion No. 10: **Resolution No. 596 Moved for Discussion**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Levine

Discussion:

Chair Heppner advised the members that the Resolution passed in the Health Committee the night before. He advised the members that he has spoken with legislation sponsor Erner and stated that he recognizes that other municipalities have discussed the idea, and believes it has merit, but preferred at the present time to continue with the services offered through Legal Services of the Hudson Valley. He added that he would support a budget amendment to increase funding for their services. Legislator Ronk stated that he would be a no on the measure, adding that he felt it was well intentioned. The members briefly discussed whether funding to continue eviction services through Legal Services of the Hudson Valley was included in the 2024 Proposed Budget.

Chair Heppner asked legislation sponsor Erner what he requested of the committee considering the members' positions on the law. Legislator Erner state that he would like to see the law put forward to public hearing. He added that he was still gathering information on the number of evictions in Ulster County in response to questions he received in caucus. He advised the members that an office of housing counsel was just created in Westchester County and is being considered other municipalities.

The members discussed support for the service and current organizational structure and experience offered through LSHV. Deputy County Executive expressed concerns with the county taking on an adversarial role in civil proceedings and the amount suggested to fund the division. Legislator Ronk stated that there could be the possibility of the Public Defender's Office opposing the Department of Finance for in REM proceedings.

Deputy County Executive Kelly questioned the justification behind the staffing level proposed and what type of caseload could be supported, adding that certain state laws govern staffing levels in the Public Defender's Office. Legislator Erner responded that the legislation would cover certain residents who could not otherwise be represented by LSHV, would empower the PD's office to make outside referrals. He added that the law would give the office six months to get set up. Chair Heppner asked Legislator Erner if he was okay with postponement and exploring further the budget amendment route. Legislator Erner responded that it did not appear that he had the committee's support and was okay with postponement.

Motion No. 11: **Moved to Postpone Resolution No. 596**
Motion By: Legislator Heppner
Motion Seconded By: Legislator Gavaris

Discussion:

Chair Heppner asked there was any further discussion and hearing none called for a vote in favor of postponing the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Postponed**

Chair Heppner stated that the first special meeting to consider the Charter Revision Commission's Report and recommendation went well and advised them that the next Special Meeting has been scheduled for Wednesday, October 18th at 2:30 PM.

He asked if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Gavaris
Motion Seconded By: Legislator Levine

No. of Votes in Favor: 4
No. of Votes Against: 0

TIME: 6:18 PM

Respectfully submitted: Deputy Clerk Mahler
Minutes Approved: November 9, 2023