

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

**DATE & TIME:** June 12, 2023 – 6:00 PM  
**LOCATION:** KL Binder Library, 6<sup>th</sup> Floor, County Office Building, Kingston  
**PRESIDING OFFICER:** Chair Heppner  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk  
**PRESENT:** Legislators Gavaris, Levine, Roberts & Ronk  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislators Erner and Petit; Legislative Counsel Ragucci and Minority Counsel Pascale; Comptroller Gallagher

Chair Heppner called the meeting to order at 6:01 PM

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**Motion No. 1:** **Moved to Approve Minutes of the May 11, 2023 Meeting**

**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Gavaris

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Heppner, Levine, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 5  
**Votes Against:** 0  
**Disposition:** **Minutes Approved**

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Resolutions for the May 16, 2023 Session of the Legislature

Chair Heppner advised the members that Comptroller Gallagher was in attendance for the discussion on Resolution No. 366 and asked for their agreement to take the Resolution out of order. The members agreed.

**Resolution No. 366:** Setting A Public Hearing On Proposed Local Law No. 8 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 Provide Enhanced Transparency And Accountability Over County Finances, To Be Held On Tuesday, July 18, 2023 At 7:15 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 18, 2023 at 7:15 PM to provide the public an opportunity to comment on Proposed Local Law No. 8 of 2023

**Motion No. 2:** **Resolution No. 366 Moved for Discussion**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Roberts

**Discussion:**

Comptroller Gallagher thanked the Legislature for taking the issue on and especially thanked Legislators Gavaris and Bartels for putting it together. Se added that the law essentially gives audit authority of component units of government to the Comptroller’s Office and Legislative staff, including clear subpoena power over digital records. The legislation also changes the filling of a vacancy in the Comptroller’s position to avoid appointing someone who may be conflicted according to GAO standards, and transfers the bank reconciliation responsibilities from the Comptroller’s Office to the Finance department to avoid reviewing of their own accounting.

Chair Heppner asked if there were any questions. Legislator Ronk stated that the members should have a received a letter from the Charter Revision Commission in support of the changes.

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

<b>Voting In Favor:</b>	Legislators Gavaris, Heppner, Levine, Roberts & Ronk
<b>Voting Against:</b>	None
<b>Votes in Favor:</b>	5
<b>Votes Against:</b>	0
<b>Disposition:</b>	<b>Resolution Adopted</b>

**Resolution No. 5** – Setting A Public Hearing On Proposed Local Law No. 12 Of 2022, A Local Law Providing For ~~The Rights Of The Residents Of Ulster County To Clean Water, And For The Rights 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,** To Be Held On Tuesday, July 18, 2023 At 7:00 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 18, 2023 at 7:00 PM to provide the public an opportunity to comment on Proposed Local Law No. 12 of 2022

<b>Motion No. 3:</b>	<b>Resolution No. 5 Moved for Discussion</b>
<b>Motion By:</b>	Legislator Ronk
<b>Motion Seconded By:</b>	Legislator Gavaris

**Discussion:**

Chair Heppner asked if legislation sponsor Erner would like to address the committee. Legislator Erner thanked him for the opportunity and stated that the law before them include substantial amendments to address comments and concerns he has received since first introducing the proposed law. He added that the impetus behind its introduction was public concern about drinking water from the Hudson River by residents in the Towns of Esopus and Lloyd. He added that the legislation also acknowledges the river itself to be free from pollution and other harm. He informed the members that Counselor Gordon rewrote the law to focus on protecting and restoring the river and actions that administration would be asked to take in that regard.

Legislator Gavaris stated that he supported moving forward with the public hearing.

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

**Voting In Favor:** Legislators Gavaris, Heppner, Levine & Roberts  
**Voting Against:** Legislator Ronk  
**Votes in Favor:** 4  
**Votes Against:** 1  
**Disposition:** **Resolution Adopted**

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**Resolution No. 124:** Setting A Public Hearing On Proposed Local Law No. 3 Of 2023, A Local Law Amending Local Law No. 3 of 2019, A Local Law Establishing The Ulster County Electrical Licensing Board And Providing For The Qualifications, Examination, Licensing And Regulation Of Electricians In Ulster County, New York, To Be Held On Tuesday, July 18, 2023 At 7:05 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 18, 2023 At 7:05 PM to provide the public an opportunity to comment on Proposed Local Law No. 3 of 2023

**Motion No. 4:** **Resolution No. 124 Moved for Discussion**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Levine

**Discussion:**

Legislator Ronk stated that his scheduled had prevented him from advocating for the law in the way he traditionally would have and asked for postponement.

**Motion No. 5:** **Moved to Postpone Resolution No. 124**  
**Motion By:** Legislator Ronk  
**Motion Seconded By:** Legislator Gavaris

**Discussion:**

Legislator Roberts stated that he had a conversation with Legislator Maloney who described a similar situation with one of his constituents that the law is attempting to address. Legislator Ronk stated that there appears to be some confusion as to what the exemption should have been adding that the importance of reciprocity was emphasized during the drafting of the law.

Chair Heppner 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, Roberts & Ronk  
**Voting Against:** None  
**Votes in Favor:** 5  
**Votes Against:** 0  
**Disposition:** **Resolution Postponed**

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**Resolution No. 328:** Adopting Proposed Local Law No. 4 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 Establish The Department Of Budget

**Resolution Summary:** This Resolution adopts Proposed Local Law No. 4 of 2023.

**Motion No. 6:**                    **Resolution No. 328 Moved for Discussion**  
**Motion By:**                    Legislator Ronk  
**Motion Seconded By:**        Legislator Gavaris

**Discussion:**

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

**Voting In Favor:**                Legislators Gavaris, Heppner, Levine, Roberts & Ronk  
**Voting Against:**                None  
**Votes in Favor:**                5  
**Votes Against:**                0  
**Disposition:**                    **Resolution Adopted**

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**Resolution No. 365:** Setting A Public Hearing On Proposed Local Law No. 7 Of 2023, A Local Law To Authorize County Registry For Domestic Partners, To Be Held On Tuesday, July 18, 2023 At 7:10 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 18, 2023 At 7:10 PM to provide the public an opportunity to comment on Proposed Local Law No. 7 of 2023

**Motion No. 7:**                    **Resolution No. 365 Moved for Discussion**  
**Motion By:**                    Legislator Ronk  
**Motion Seconded By:**        Legislator Gavaris

**Discussion:**

Chair Heppner advised the members that they should have received a copy of a memo from the county attorney addressing some questions on the law. He added that the law was brought forward by Vice Chair Criswell and Legislator Hansut at the request of the County Clerk. He added that the Clerk was given short notice about the meeting and had a schedule conflict.

The members briefly discussed a question about whether the law required maintenance of a registry by town clerks. Counsel confirmed that it would not.

Chair Heppner asked if there were any other questions or discussion and hearing none called for a vote in favor of the Resolution.

**Voting In Favor:**                Legislators Gavaris, Heppner, Levine, Roberts & Ronk  
**Voting Against:**                None  
**Votes in Favor:**                5  
**Votes Against:**                0  
**Disposition:**                    **Resolution Adopted**

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**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, July 18, 2023 At 7:20 PM

**Resolution Summary:** This resolution sets a public hearing on Tuesday, July 18, 2023 At 7:20 PM to provide the public an opportunity to comment on Proposed Local Law No. 9 of 2023

**Motion No. 8:**                   **Resolution No. 371 Moved for Discussion**  
**Motion By:**                   Legislator Ronk  
**Motion Seconded By:**   Legislator Levine

**Discussion:**

Chair Heppner acknowledged Legislator Petit as a sponsor of the legislation and asked if she would like to address the committee. She thanked him for the opportunity and stated that the issue came up years ago when Legislator Jim Maloney passed away while in office. She added that she and former Legislator Mary Wawro consulted with former Legislature Chair and Charter contributor Gerald Benjamin on the subject of filling a vacant Legislative seat. She advised the members that Mr. Benjamin felt the seat should be filled by the party who lost the member.

Legislator Ronk disagreed, stating that the method was too political for a government action. He added that the process for filling Legislator Walter’s vacancy has been met with animosity from people in the district, within and outside of her party, as well as by members of the Legislature. He stated that Dutchess County uses a process of weighted votes of the Town Boards in the district.

The members and sponsor discussed whether the town boards would be less political than the party committees. Chair Heppner stated that he liked the Dutchess County model and believed that was being considered by the Charter Revision Commission, adding that he did not favor the party committee’s involvement. Legislator Petit stated that she would be okay with postponement, but wanted to keep the legislation active to ensure a Mechanism to change the process if the Charter Revision Commission declined to act on the issue.

Legislator Levine asked if, in the Dutchess County process, the candidate put forward by a vote of the respective Town Boards was subject to confirmation by the legislature. He added that he would support confirmation by the Legislature. He stated that the law as presented did not address a legislator who was elected independently of a political party or party line. Legislator Erner stated that he agreed with the sentiment that the law places the decision in the hands of those more locally connected to the position.

The Dutchess County Charter was accessed and Legislator Ronk read the provision to the members. He confirmed that the Legislature does not confirm the appointment of the towns. Legislator Gavaris commented that the Dutchess County provision does not provide for participation by Village Boards.

Chair Heppner asked legislative staff to provide a copy of the Dutchess County provision to the members. Chair Heppner asked if there was any other discussion.

**Motion No. 9:**                   **Moved to Postpone Resolution No. 371**  
**Motion By:**                   Legislator Gavaris

**Motion Seconded By:** Legislator Ronk

Chair Heppner 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, Roberts & Ronk

**Voting Against:** None

**Votes in Favor:** 5

**Votes Against:** 0

**Disposition:** **Resolution Postponed**

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

### **Adjournment**

**Motion Made By:** Legislator Ronk

**Motion Seconded By:** Legislator Gavaris

**No. of Votes in Favor:** 5

**No. of Votes Against:** 0

**TIME:** 6:23 PM

**Respectfully submitted:** Deputy Clerk Mahler

**Minutes Approved:** July 13, 2023