

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

**DATE & TIME:** April 18, 2016 – 6:30 PM  
**LOCATION:** COB, 6<sup>th</sup> Floor, Karen Binder Library  
**PRESIDING OFFICER:** Chairman Kevin Roberts  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk  
**PRESENT:** Legislators Belfiglio, Donaldson, R. Parete, Rodriguez (left at 6:42 PM) and Ronk  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislators Allen and Berky, Legislative Counsel Guerin and Pascale, Mr. Tom Kadgen – League of Women Voters, Vic Melville – League of Women Voters Observers Corp

Chairman Roberts called the meeting to order at 6:30 PM.

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**Motion No. 1: RESOLVED To Approve the Minutes of the March 14, 2016 meeting**

**Motion Made By:** Legislator Belfiglio  
**Motion Seconded By:** Legislator Rodriguez

**Discussion:** None

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, Rodriguez and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 2:** LATE Resolution No. 252 – April 19, 2016

**Text of Motion:** Resolved to approve Resolution No. 252 – Authorizing A Ninety (90) Day Extension For Reporting To The Ulster County Legislature The Findings Of The Solid Waste Management Improvement Commission

**Motion Made By:** Chairman Ronk  
**Motion Seconded By:** Legislator Rodriguez

**Resolution No. 252 Summary:** This resolution authorizes a ninety (90) day extension to August 1, 2016 for the Solid Waste Management Improvement Commission to report its findings to the Legislature.

**Discussion:**

Legislator Donaldson asked why the Resolution was submitted late and if it conformed to the rules for lateness. Legislator Rodriguez responded that it was submitted after the most recent meeting of the Commission and was necessary because the commission was not in a position to submit their report by the May 1<sup>st</sup> deadline.

Legislator Belfiglio added that it took the Resource Recovery Agency (RRA) five years to complete their solid waste management study and commented that he expected the Commission would need more time than the ninety days being requested. Chairman Ronk agreed and stated that the report prepared by the RRA was submitted to the DEC for review five years ago and the county has yet to receive comments. Legislator Rodriguez added that a representative of the DEC attended a meeting of the commission and relayed that comments on the RRA report were forthcoming.

<b>Roll Call Vote:</b>	No
<b>Voting In Favor:</b>	Legislators Roberts, Belfiglio, Donaldson, R. Parete, Rodriguez and Ronk
<b>Voting Against:</b>	None
<b>No. of Votes in Favor:</b>	6
<b>No. of Votes Against:</b>	0
<b>Disposition:</b>	Carried

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**Motion No. 3:** Resolution Nos. 179 and 180 – April 19, 2016

**Text of Motion:** Resolved to POSTPONE Resolution Nos. 179 and 180 FOR ONE MONTH –

**Resolution No. 179:** Amending The Rules Of Order To Include A Specific Start Time For Standing Committee Meetings Of The Legislature

**Resolution No. 180:** Establishing A Policy Regarding The Start Time For Standing Committee Meetings Of The Legislature

<b>Motion Made By:</b>	Legislator Donaldson
<b>Motion Seconded By:</b>	Legislator Rodriguez

**Resolution No. 179 Summary:** This resolution amends Rule 5 of the Rules of Order of the Ulster County Legislature to include 6:00 PM or later start time for all Standing Committee meetings.

**Resolution No. 180 Summary:** This resolution establishes a policy of the ulster County Legislature that all regular meetings of Standing Committees shall start at 6:00 PM or later.

**Discussion:**

Legislator Donaldson requested the postponement because the sponsor was not able to attend the meeting due to a death in the family.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, Rodriguez and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 4:** Resolution No. 173 – April 19, 2016

**Text of Motion:** Resolved to approve Resolution No. 173 – Establishing A Policy Requiring All Legal Notices Be Posted On The Official Ulster County Website

**Motion Made By:** Chairman Ronk  
**Motion Seconded By:** Legislator Rodriguez

**Resolution No. 173 Summary:** This resolution establishes a policy that every legal notice published in accordance with law shall also be posted on the official Ulster County website on the relevant department’s webpage as well as on a specific webpage dedicated solely to legal notices.

**Discussion:**

Legislator Belfiglio asked if a specific location on the county website for posting was indicated. Chairman Ronk responded that the policy requires publication on the relevant department’s page as well as the creation of a page dedicated to legal notices.

**Roll Call Vote:** No

**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete,  
Rodriguez and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Carried

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Chairman Roberts informed the members that Resolution No. 176 - Setting A Public Hearing On Proposed Local Law No. 4 of 2016 – on the agenda was postponed by the Government Efficiency & Review meeting held just prior to the Laws & Rules meeting.

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**Motion No. 5:** Resolution No. 178 – April 19, 2016

**Text of Motion:** Resolved to approve Resolution No. 178 – Calling For The Full Repeal Of The New York State Scaffold Law Or Necessary Reform To Include A Pure Standard Of Comparative Negligence, Supporting The Passage Of A3209/S543

**Motion Made By:** Chairman Ronk  
**Motion Seconded By:** Legislator R. Parete

**Resolution No. 178 Summary:** This resolution supports NYS Legislative action on Scaffold Law reform as set forth in Assembly Bill A3209 and Senate Bill S0543, and further supports full repeal of the Scaffold Law or modifications to include a pure standard of comparative negligence.

**Discussion:**

Chairman Ronk explained that the Scaffold Law in NY is an automatic liability law pertaining to construction accidents, regardless of an individuals' fault. He added that these bills would remove the strict liability component and allow for negligence of the employee to be a factor when determining liability on the part of the building owner. Legislator Donaldson commented that the building owner's insurance would cover the claim. Chairman Roberts stated that the current law leads to inflated liability insurance rates. He added that he believed that NY is the only state in the country with this liability law.

Legislator Donaldson asked who the state sponsors of the law were. Chairman Ronk responded that the Assembly Sponsor was Majority Leader Morelle along with other majority co-sponsors. In the Senate it was sponsored by Senator Amedore and other members of the Senate Majority.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, Rodriguez and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 6:** Resolution No. 183 – April 19, 2016

**Text of Motion:** Resolved to AMEND Resolution No. 183 AS INDICATED BELOW – Setting A Public Hearing On Proposed Local Law No. 5 of 2016, A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) Altering The Periodic Compensation Review Committee Process To Allow For Timely Legislative Action, To Be Held On Tuesday, May 10, 2016 At ~~6:10~~ **6:00** PM.

**Motion Made By:** Legislator Rodriguez  
**Motion Seconded By:** Chairman Ronk

**Resolution No. 183 Summary:** This resolution sets a Public Hearing on May 10, 2016 at 6:00 PM for the purposes of hearing public input on Proposed Local Law No. 5 of 2016.

**Discussion:**

Chairman Ronk stated that he would like to be added as a sponsor. Legislators R. Parete and Donaldson also requested to be added as sponsors. Legislator Belfiglio commented that the issue with the way the process went last year was that it did not allow for public input before the General Election. Chairman Ronk added that the amendment allows sufficient time for the legislature to consider the committee’s recommendation and for the public to comment before the election.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, Rodriguez and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 7:** Resolution No. 183 – April 19, 2016

**Text of Motion:** Resolved to APPROVE Resolution No. 183 AS AMENDED – Setting A Public Hearing On Proposed Local Law No. 5 of 2016, A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) Altering The Periodic Compensation Review Committee Process To Allow For Timely Legislative Action, To Be Held On Tuesday, May 10, 2016 At ~~6:10~~ **6:00** PM.

**Motion Made By:** Chairman Ronk  
**Motion Seconded By:** Legislator Rodriguez

**Resolution No. 183 Summary:** This resolution sets a Public Hearing on May 10, 2016 at 6:00 PM for the purposes of hearing public input on Proposed Local Law No. 5 of 2016.

**Discussion:**

None

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, Rodriguez and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 8:** Resolution No. 186 – April 19, 2016

**Text of Motion:** Resolved to approve Resolution No. 186 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Dan’s Hauling & Demo, Inc. – County Attorney

**Motion Made By:** Legislator R. Parete  
**Motion Seconded By:** Chairman Ronk

**Resolution No. 186 Summary:** This resolution approves the execution of a contract with Dan’s Hauling & Demo, Inc. for demolition services in the amount of \$302,802.

**Discussion:**

Chairman Ronk explained that the resolution was before them because the County Attorney's Office is overseen by the committee. He added that the contract pertains to FEMA hazard mitigation projects which are being over seen by the County Attorney's Office.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 9:** Resolution No. 233 – April 19, 2016

**Text of Motion:** Resolved to approve Resolution No. 233 – Authorizing The Chairman Of The Ulster County Legislature To Sign An Intergovernmental Agreement With Various School Districts In Ulster County For The Use Of Polling Equipment, Material And Staff – Ulster County Board Of Elections

**Motion Made By:** Legislator R. Parete  
**Motion Seconded By:** Legislator Belfiglio

**Resolution No. 233 Summary:** This resolution authorizes the Chairman to enter into intergovernmental agreements with various school districts for the use of polling equipment, material and staff for the May 17, 2016 Ulster County School District elections.

**Discussion:**

None

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 10:** Resolution No. 248 – April 19, 2016

**Text of Motion: Resolved to AMEND Resolution No. 248 AS INDICATED BELOW** – Setting A Public Hearing On Proposed Local Law No. 6 of 2016, A Local Law Amending Local Law No. 3 Of 2012 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The “Cold War”), To Be Held On Tuesday, May 10, 2016 At ~~6:15~~ **6:05** PM

**Motion Made By:** Chairman Roberts

**Motion Seconded By:** Chairman Ronk

**Resolution No. 248 Summary:** This resolution sets a Public Hearing on May 10, 2016 at 6:05 PM for the purposes of hearing public input on Proposed Local Law No. 6 of 2016.

**Discussion:**

None

**Roll Call Vote:** No

**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, and Ronk

**Voting Against:** None

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

**No. of Votes Against:** 0

**Disposition:** Carried

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**Motion No. 11:** Resolution No. 248 – April 19, 2016

**Text of Motion: Resolved to APPROVE Resolution No. 248 AS INDICATED BELOW** – Setting A Public Hearing On Proposed Local Law No. 6 of 2016, A Local Law Amending Local Law No. 3 Of 2012 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The “Cold War”), To Be Held On Tuesday, May 10, 2016 At ~~6:15~~ **6:05** PM

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Belfiglio

**Resolution No. 248 Summary:** This resolution sets a Public Hearing on May 10, 2016 at 6:05 PM for the purposes of hearing public input on Proposed Local Law No. 6 of 2016.

**Discussion:**

Legislator R. Parete asked what the financial impact to other tax payers would be as a result of the law. Legislator Donaldson responded that Deputy County Executive

Crannell provided some figures at the Legislative Programs meeting. Legislator R. Parete stated that he was in favor of the law, but wanted to receive, in writing, what the financial impact would be on non-veterans. Chairman Roberts asked legislative staff to ask Mr. Crannell for the information.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 12:** Resolution No. 249 – April 19, 2016

**Text of Motion:** Resolved to AMEND Resolution No. 249 AS INDICATED BELOW – Setting A Public Hearing On Proposed Local Law No. 7 of 2016, (A Local Law Amending Local Law No. 4 Of 2012, To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled “Veterans’; Alternative Exemption”), To Be Held On Tuesday, May 10, 2016 At ~~6:20~~ **6:10** PM

**Motion Made By:** Chairman Roberts  
**Motion Seconded By:** Chairman Ronk

**Resolution No. 249 Summary:** This resolution sets a Public Hearing on May 10, 2016 at 6:10 PM for the purposes of hearing public input on Proposed Local Law No. 7 of 2016.

**Discussion:**

None

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 13:** Resolution No. 249 – April 19, 2016

**Text of Motion:** Resolved to APPROVE Resolution No. 249 AS AMENDED – Setting A Public Hearing On Proposed Local Law No. 7 of 2016, (A Local Law Amending Local Law No. 4 Of 2012, To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled “Veterans’; Alternative Exemption”), To Be Held On Tuesday, May 10, 2016 At ~~6:20~~ **6:10** PM

**Motion Made By:** Chairman Ronk  
**Motion Seconded By:** Legislator Belfiglio

**Resolution No. 249 Summary:** This resolution sets a Public Hearing on May 10, 2016 at 6:10 PM for the purposes of hearing public input on Proposed Local Law No. 7 of 2016.

**Discussion:**

None

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Roberts, Belfiglio, Donaldson, R. Parete, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**New Business**

Chairman Roberts recognized Legislator R. Parete to discuss Resolution No. 252 - Amending the Rules of Order to Set Procedure For Memorializing Resolutions, which he sponsors. Legislator R. Parete informed the members that he requested a May introduction of the resolution in order to give them time to consider it before being asked to vote on it. He added that he felt memorializing resolutions take up a lot of time at meetings and that if a Legislator supports or opposes something on the federal or state level they should write a letter and ask fellow legislators to sign. He added that memorializing resolutions are prohibited in Orange County. He said that he was willing to stay in Legislative Session as long as it takes to complete county business, but not to listen to endless debate on memorializing resolutions.

Legislator Donaldson responded that he agreed and asked for a copy of the Orange County law. Legislator R. Parete added that this had not become a problem until four or five years ago. Chairman Ronk said he would be in favor of creating some criteria for memorializing resolutions, but felt that an enactment of the body carries more weight than a letter. He added that when there is an issue on the state or federal level that will

affect county residents, a memorializing resolution should remain an available tool to formally express the legislature's opinion. Legislator Parete added that the state reps he has spoken to say they have gotten so many memorializing resolutions from the county, they have become less impactful.

The members discussed possible criteria. Mr. Kadgen from the League of Women Voters suggested prohibiting debate on memorializing resolutions. The members were in favor of the suggestion.

Legislator R. Parete suggested adding a section to the resolution limiting public comment at session to only resolutions before the body. Legislator Berky said that she recalled Bob Freeman from the NYS Committee on Open Government saying that you can limit the time someone can speak during public comment, but not the content of their speech. Legislator Donaldson stated he was uncomfortable limiting what the public could say. The members discussed the difference between committee meetings and monthly session.

Chairman Roberts asked Legislative Counsel Pascale for his opinion on prohibiting debate on memorializing resolutions. Counselor Pascale responded that the body could certainly limit their own speech. Chairman Roberts asked him for his thoughts on limiting public comment to resolutions on the agenda. Counselor Pascale responded that the question would require more research on the applicability of the Open Meetings Law and First Amendment protections. The members discussed current rules on public comment.

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Chairman Roberts asked if there was any other new business. He asked Legislator Donaldson if he had something in particular in mind when he mentioned at a previous meeting that he would like to begin discussing Charter reform. Legislator Donaldson responded that he did not have a specific reform in mind, but felt that some review and possible reforms should be pursued. Legislator Allen stated that he felt something should be added to the Charter that establishes a communication protocol between the County Executive's Office and individual legislators. The members discussed whether that issue would be appropriate for inclusion in the Charter.

Legislator Berky informed the members that she discussed the matter with Professor Benjamin. She relayed that it was Dr. Benjamin's opinion that, as policy makers and the appropriating body of the county, Legislators should have access to anyone in the County who has a direct role in developing policy or creating budgets, including department heads. She said she had additional research specific to the role of the legislature if anyone would like to discuss it with her.

Chairman Roberts offered one department that the legislature should review is the Comptroller and whether it should be an elected or appointed office. Legislator R. Parete

responded that there should be an elected comptroller. The members discussed whether the office should be appointed or elected and what its role and function is.

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### **Old Business**

Chairman Roberts asked if there was any old business.

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

### **Adjournment**

**Motion Made By:** Legislator Belfiglio

**Motion Seconded By:** Chairman Ronk

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

**No. of Votes Against:** 0

**TIME:** 7:13 PM.

**Respectfully submitted by Jay Mahler, Deputy Clerk**

**Minutes Approved: May 16, 2016**