

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

DATE & TIME: July 18, 2016 – 7:00 PM
LOCATION: SUNY Ulster County Community College, Clinton Hall, Howard St.
John Business Seminar Room
PRESIDING OFFICER: Deputy Chairman Donaldson
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Belfiglio, Rodriguez and Chairman Ronk
ABSENT: Legislators R. Parete and Roberts
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Berky, Legislative Counsel Pascale, Minority Counsel Ragucci, Board of Elections Commissioner Thomas F. Turco, Ms. Tracey Steeves – UC Attorney’s Office, Mr. Tom Kadgen – League of Women Voters, Mr. Kristopher Aadahl, Mr. Ralph Durham – FOCMRT, Mr. Kevin Smith – Woodstock Land Conservancy/Friends of Catskill Mountain Rail Trail, Ms. Kathy Nolan – UC Trails Advisory Committee/UC Tourism Advisory Committee, Mr. Robert Gallenz (arrived at 7:04 PM)

Deputy Chairman Donaldson called the meeting to order at 6:35 PM.

Motion No. 1: Moved to Approve the Minutes of the June 20, 2016 meeting

Motion By: Legislator Rodriguez

Motion Seconded By: Legislator Ronk

Discussion:

None

Voting In Favor: Legislators Belfiglio, Donaldson, Rodriguez and Ronk

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Minutes approved

Deputy Chairman Donaldson advised the members that he would be taking New Business on the agenda out of order to allow Board of Elections Commissioner Thomas Turco to address the members before regular business. He informed the Commissioner that many Legislators and members of the public have expressed concern with how long it takes for Election Night results to be posted to the Board of Elections’ website and asked what the Board was doing to address the issue.

Commissioner Turco acknowledged their concerns and explained that, after the full implementation of the new voting systems, the State Board of Elections no longer permits the call-in of results. Instead they require results be loaded from the card from the voting systems. He added that the

large geographic area of the county delays the return of the cards to the Board of Elections in Kingston where the data is uploaded.

Deputy Chairman Donaldson stated that the City of Kingston utilizes Poll Watchers to record results at the close of polls and report the results to Democratic Head Quarters. Commissioner Turco said that was still perfectly allowable and election inspectors are advised to share results with anyone present at the close of polls. He informed the members that the Board is working on establishing remote reporting locations throughout the county to read results from the cards before they reach the Board of Elections in Kingston. He added that there are some infrastructure obstacles in the more remote areas of the county and advised the members that the county may have to provide funding to mitigate those issues.

Deputy Chairman Donaldson asked Commissioner Turco how he could challenge the referendum ballot language regarding the relocation of the Ulster County Family Court facility that was recently submitted to the Board of Elections for inclusion on the 2016 General Election Ballot. Commissioner Turco responded that the role of the Board is only to print what is submitted within the required timeframe. Deputy Chairman Donaldson asked Counselor Ragucci to look into the process to challenge the ballot language.

Deputy Chairman Donaldson thanked Commissioner Turco for his time.

Resolutions for the July 19, 2016 Session of the Legislature

Resolution No. 324: Reappointing – Commissioner Of Elections

Resolution Summary: This resolution reappoints C. Victor Work as the Board of Elections Commissioner for the Democratic Party for the term January 1, 2017 – December 31, 2018.

Motion No. 2: **Moved to adopt Resolution No. 324**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion:
None

Voting In Favor: Legislators Donaldson, Belfiglio, Rodriguez, and Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 291: Setting A Public Hearing On Proposed Local Law No. 9 of 2016 (A Local Law Regarding Campaign Finance Reform in Ulster County) To Be Held On Tuesday, August 9, 2016 At 6:00 PM

Resolution Summary: This resolution sets a public hearing for Tuesday, August 9, 2016 at 6:05 PM to allow the public to comment on Proposed Local Law Number 9 of 2016.

Motion No. 3: Moved to Postpone Resolution No. 291 for one month
Motion By: Legislator Rodriguez
Motion Seconded By: Legislator Belfiglio

Discussion:

Deputy Chairman Donaldson advised the members that time ran short to schedule a meeting of the subcommittee Committee Chairman Roberts established to review the law because of the meeting held to discuss Proposed Local Law Number 10 of 2016 Prohibiting Discrimination On The Basis Of Gender Identity at Places of Public Accommodation, Resort or Amusement. He recommended meeting after the Energy & Environment Committee meeting in August at 7 PM at SUNY Ulster County Community College. He added that Legislator J. Parete, sponsor of the law, had no issue with postponing the resolution to set the public hearing until after the subcommittee had an opportunity to meet and review it.

Voting In Favor: Legislators Donaldson, Belfiglio, Rodriguez, and Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution is POSTPONED

Resolution No. 293: Setting A Public Hearing On Proposed Local Law No. 10 of 2016 (A Local Law Prohibiting Discrimination On The Basis Of Gender Identity At Places Of Public Accommodation, Resort Or Amusement) To Be Held On Tuesday, August 9, 2016 At 6:05 PM

Resolution Summary: This resolution sets a public hearing for Tuesday, August 10, 2016 at 6:05 PM to allow the public to comment on Proposed Local Law Number 10 of 2016.

Discussion:

Deputy Chairman Donaldson recognized Legislator Berky, the sponsor of the law, to address the members. Legislator Berky informed the members that there was some language that needed to be incorporated into the local law based on discussion at the July 11, 2016 Special Meeting. She added that she is withdrawing the resolution and law until the changes are made and will reintroduce them once completed. She thanked the members for the time and work they put into the law.

Disposition: The Resolution was WITHDRAWN BY THE SPONSOR

Deputy Chairman Donaldson informed the members that Resolution No. 297 on the agenda was defeated in the Government Efficiency & Review Committee which met just prior to the Laws & Rules, Governmental Services meeting, and therefore was not being voted on.

Resolution No. 328: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Maynard, O’Connor, Smith, & Catalinotto, LLP – County Attorney

Resolution Summary: This resolution the execution of a contract amendment with Maynard, O’Connor, Smith, & Catalinotto, LLP in the amount of \$75,000 to increase the not to exceed amount for legal services related to the Arris litigation.

Motion No. 6: Moved to adopt Resolution No. 324
Motion By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk

Discussion:

Chairman Ronk explained that the contract was for litigation the county was brought into on a road project involving a contractor and subcontractor dispute. Ms. Tracey Steeves from the County Attorney’s Office added that there were a number of Causes of Action brought against the county totaling about \$1 million which argued that actions of the county delayed the completion of project.

Chairman Ronk asked if the county was entitled to attorney’s fees if that county was victorious in the case. Ms. Steeves believed that was the case.

Deputy Chairman Donaldson asked why the County Attorney’s Office hired an outside law firm to handle the matter instead of handling it in-house. Ms. Steeves responded that the matter was incredibly complex and that firm they hired was a local firm with experience in this type of construction litigation.

Voting In Favor: Legislators Donaldson, Belfiglio, Rodriguez, and Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution ADOPTED

LATE Resolution No. 354: Amending The 2016 Ulster County Budget To Include Revenues From The Use Fee Associated With Tourism Railroad Operations On The Eastern Segment of the Ulster & Delaware Railroad

Resolution Summary: This resolution amends the 2016 Ulster County Budget to include \$20,901 in additional revenues for use of the Eastern Segment of the U&D Corridor by the Catskill Mountain Rail for the term August 1, 2016 – December 31, 2020.

LATE Resolution No. 355: Amending The 2016 Ulster County Budget To Include Revenues From The Use Fee Associated With Tourism Railroad Operations On The Western Segment of the Ulster & Delaware Railroad

Resolution Summary: This resolution amends the 2016 Ulster County Budget to include \$1,508 in additional revenues for use of the Western Segment of the U&D Corridor by the Catskill Mountain Rail for the term August 1, 2016 – October 31, 2016.

Motion No. 7: Moved to consider Resolution Nos. 285 and 286 as a block
Motion By: Legislator Rodriguez
Motion Seconded By: Legislator Belfiglio

Discussion:

Legislator Belfiglio asked why the resolutions were late and if they qualified. Chairman Ronk responded that the attorneys wanted to make sure that the permits were signed before they were presented to the Legislature. He added that one permit is for the Eastern section and the other is for the Western section.

Deputy Chairman Donaldson commented on the amount of money spent on litigation with the Catskill Mountain Railroad and the irony of now granting them a permit. Legislator Belfiglio asked when the resolutions were received. Chairman Ronk responded that the permits were forwarded to the members last week, but the resolutions were received earlier in the day. He added that the timeframe to contract with the Polar Express also required immediate action by the Legislature.

Voting In Favor: Legislators Donaldson, Belfiglio, Rodriguez, and Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolutions 285 and 286 TO BE CONSIDERED AS A BLOCK

Motion No. 8: Moved to adopt Resolution Nos. 285 and 286
Motion By: Legislator Donaldson
Motion Seconded By: Legislator Rodriguez

Discussion:

Legislator Belfiglio commented that he didn't feel he was provided enough time to review the materials to vote. He asked if the permits changed between last week and the meeting. Chairman Ronk responded there were minor changes agreed to by Legislative Counsel, the County Attorney and the CMRR. Deputy Chairman Donaldson advised the members that he would be voting yes to move the resolutions to the floor, but was undecided on how he would vote at session.

Voting In Favor: Legislators Donaldson, Belfiglio Rodriguez, and Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolutions ADOPTED

Resolution No. 356: Authorizing An Additional Ninety (90) Day Extension For Reporting To The Ulster County Legislature The Findings Of The Solid Waste Management Improvement Commission

Resolution Summary: This resolution grants a 90 day extension, to October 31, 2016, to the Solid Waste Management Improvement Commission to submit their report to the Legislature.

Motion No. 9: Moved to adopt Resolution No. 56
Motion By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk

Discussion:

Chairman Ronk advised the members that he would be added as a sponsor of the resolution. Legislator Rodriguez explained that the extension was submitted at the request of the committee. He added that there were some things the committee still wanted to flush out. Chairman Ronk added that the turnover on the committee was also a contributing factor to the delay in completing the report.

Voting In Favor: Legislators Donaldson, Belfiglio, Rodriguez, and Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution ADOPTED

Chairman Ronk advised the committee that this was the year, based on the last Charter revision, to ask the state for a Home Rule Request authorizing a Permissive Referendum on redistricting. The members discussed the timeframe and process as stipulated in the Charter.

Deputy Chairman Donaldson asked if there was any other business, and hearing none;
Adjournment

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk
No. of Votes in Favor: 4
No. of Votes Against: 0

TIME: 7:17 PM
Respectfully submitted: Jay Mahler, Deputy Clerk
Minutes Approved: August 15, 2016