

Agenda



Charter Revision Commission

Date/Time: 3/9/2023 at 5:00 PM
Zoom Mtg ID: 840 4292 4344

Location(s): 244 Fair St., 6th Fl., Kingston, NY
1250 Penbrook Club Dr., Venice, FL

Commission Members:

Mihm, Kathleen (Chair)	Kadgen, Thomas**	Simonofsky, D. Mici
Cardinale, Frank	McCarthy, Scott	Woltman, Brian
Donaldson, David*	Parker, LeShawn	Tantillo, Fawn
Shannon Harris	Rodriguez, Hector	

* *via videoconference with a physical address of 1250 Penbrook Club Dr., Venice, FL 34285*

** *via videoconference due to "extraordinary circumstances" pursuant to NYS Public Officers Law Section 103-A and Ulster County Local Law No. 8 of 2022*

Agenda Items:

1. Call to Order / Roll Call / Welcome Guests and Members of the Public
2. Approval of March 2, 2023 meeting minutes [see pages 2-5]
3. Public Comment (if any)
4. PowerPoint presentation by Ulster County Association of Town Supervisors and Mayors
5. Review and discussion of Ulster County Comptroller March Gallagher's revised proposal relating to "departmental estimates" [see pages 6-8]
6. Review and discussion of Commission Member Kadgen's proposal related to Section C-23 [see pages 9]
7. Review and Discussion of Charter Sections C-41 through C-52 [see pages 10-19]
8. Review of Chart of Proposed Revisions Matrix [see pages 20-22]
9. Adjournment

Other Information:

Ulster County Charter Revision Commission Regular Meeting Minutes

Date/Time: March 2, 2023 at 5:00 PM

Location: Ulster County Legislative Chambers
244 Fair Street, 6th Floor, Kingston, New York 12401

Present: Kathleen Mihm (Chairperson)
David Donaldson*
Thomas Kadgen**
Scott McCarthy
Shannon Harris
Hector Rodriguez
Fawn Tantillo
Frank Cardinale
D. Mici Simonofsky
Brian Woltman

** via videoconference with a physical address of 1250 Penbrook Club Dr.,
Venice, FL 34285*

*** via videoconference due to extraordinary circumstances pursuant to
NYS Public Officers Law §103-A and Ulster County Local Law No. 8 of
2022*

Absent LeShawn Parker

Quorum: Yes

Other Attendees: Tracey Bartels, Chair, Ulster County Legislature
Jonathan R. Heppner, Majority Leader, Ulster County Legislature
Victoria Fabella, Clerk, Ulster County Legislature
David Gordon, Esq., Majority Counsel
Alicia DeMarco, Deputy Comptroller
Ashley Torres, Commissioner, Ulster County Board of Elections
Dare Thompson, League of Women Voters
Doug Thompson, League of Women Voters
Kristin Gumaer, First Assistant County Attorney
Richie Williams, Assistant County Attorney
Dante De Leo, Assistant County Attorney

Chairperson Mihm called the meeting to order at 5:03 PM.

Motion No. 1: Motion to Approve the February 9, 2023 Meeting Minutes

Motion made by: Commission Member Brian Woltman

Seconded by: Commission Member Fawn Tantillo

Discussion: None.

Voting in favor: Commission Members Mihm (Chair), Woltman, Tantillo, McCarthy, Harris, Kadgen, Rodriguez, Cardinale, Donaldson, Simonofsky

Voting against: None

Disposition: Motion No. 1 passed 10-0.

Public Comment: None

Commission Members discussed the matrix of proposed revisions, including item number 6 regarding the process for filling vacancies for vacated offices.

Motion No. 2: Motion to Create a Subcommittee to Lay Out the Various Proposals Relating to Filling Vacancies of the Following County-wide Elected Positions: County Executive, Comptroller, and Legislators

Motion made by: Commission Member Thomas Kadgen

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Members discussed which County-wide elected positions would fall under the ambit of the subcommittee. Commission Members agreed that the following four Commission Members would serve on the subcommittee: Kadgen, Rodriguez, Woltman, and Harris.

Voting in favor: Commission Members Mihm (Chair), Kadgen, Rodriguez, McCarthy, Harris, Tantillo, Cardinale, Donaldson, Simonofsky, Woltman

Voting against: None

Disposition: Motion No. 2 passed 10-0.

Commission Members continued discussing the matrix. Regarding matrix item number 11, Deputy Comptroller Alicia DeMarco took the floor and advised the Commission that the Comptroller intends to withdraw her proposal relating to the executive contract threshold. Chair Mihm requested that the matrix be updated.

Motion No. 3: Motion to Approve Matrix Item Number 14 Prohibiting the Commissioner of Finance from Holding Any Other Elected Public Office or Compensated Employment

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Donaldson noted that some outside jobs do not conflict with the elected position. Commission Members discussed what constitutes outside employment. Tracey Bartels, Chair of the Legislature, took the floor to discuss the Charter's inconsistent treatment of outside employment in relation to different elected offices and department heads. Deputy Comptroller DeMarco advised the Commission that her understanding is that the only position that presently excludes outside employment is the County Executive. Chair Bartels disagreed with that interpretation and suggested that clarification might be needed. Commission Members Tantillo and Rodriguez withdrew their motion.

Disposition: WITHDRAWN

Commission Member Tantillo requested that the matrix be sorted by relevant Charter sections.

Chair Mihm recognized Ashley Torres, Commissioner of the Board of Elections, who took the floor to discuss the memo submitted on behalf of the Board of Elections relating to vacancies of the County Executive. Commissioner Torres noted that both she and Commissioner John Quigley support the second option presented in the memo, allowing the office to remain vacant longer to allow for a Primary selection process, which is more voter friendly.

Commission Member Rodriguez distributed copies of a memorandum submitted on behalf of Chair Bartels containing the Legislature's Charter proposals through Section C-40. Chair Bartels noted she will not be at next week's meeting and that additional proposals will be forthcoming.

Commission Member Simonofsky suggested dedicating one or two meetings to the Legislature's comments. Commission Member Kadgen agreed. Chair Mihm noted the Commission's upcoming deadline in May for submitting its report to the Legislature. Commission Member Simonofsky suggested scheduling additional meetings.

Commission Member Tantillo took the floor to discuss her two proposals relating to Section C-10 of the Charter regarding (1) ensuring qualified candidates for the Commission on Reapportionment ("COR"), and (2) allowing COR to reconvene if needed. Chair Mihm recognized Jonathan Heppner, Majority Leader of the Legislature, who took the floor and spoke in support of the proposal relating to qualified candidates. Commission Member Tantillo discussed the proposed language drafted by First Assistant County Attorney Kristin Gumaer and noted that she supports the proposed language. Commission Members discussed the issues that

the most recent COR faced. Chair Bartels noted that she does not think the proposed language in C-10(H) solves the issue. Chair Bartels and Commission Member Rodriguez suggested specific language edits to C-10(H). Chair Bartels raised a concern that a court order should not be required for the COR to reconvene. Chair Mihm asked Legislative Counsel to work with the County Attorney's Office on crafting the proposed language.

Commission Members discussed the proposals set forth in the Legislature's memo, starting with Section C-26(c). Chair Bartels spoke in support of the proposal. For the proposal relating to Section C-34(A), Commission Member Woltman suggested replacing "the first Friday of September" with "by August 31." Chair Mihm noted that they needed the County Executive's opinion. Chair Bartels voiced her support of the August 31 date. Commission Member Tantillo noted her support of the Legislature's proposal to C-37. Commission Members Woltman and Rodriguez suggested that it should be a committee "of legislators." Chair Bartels said she would propose new language.

Commission Member Kadgen spoke in favor of adding a residency requirement to Section C-23.

Commission Member Tantillo noted her support of the Legislature's proposal to C-40(A). Deputy Comptroller DeMarco asked whether the change referred to "rate of pay" and noted that many positions have alternative work schedules. Chair Bartels stated that alternative work schedules are meant to be temporary and separate from rate of pay and that the Legislature sets salaries or salary ranges.

Commission Member Mici Simonofsky left the meeting at 6:27 pm.

Commission Member Fawn Tantillo left the meeting at 6:30 pm.

Commission Member David Donaldson left the meeting at or about 6:30 pm.

Motion No. 4: Motion to Adjourn the Meeting

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Brian Woltman

Discussion: None.

Voting in favor: Commission Members Mihm (Chair), Rodriguez, Woltman, Kadgen, McCarthy, Cardinale, Harris

Voting against: None

Disposition: Motion No. 4 passed 7-0.

Meeting adjourned at 6:32 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo

Dante DeLeo

From: March Gallagher
Sent: Wednesday, March 8, 2023 4:10 PM
To: Dante DeLeo
Cc: Christopher Kelly; Tracey Bartels; Alicia DeMarco
Subject: "Departmental Estimates"
Attachments: Notes on Budget Estimates Change.docx

Dear Charter Revision Commission Members,

Attached please find the amended language that was discussed in your February 9th meeting for the revised amendment with regard to "departmental estimates" and release of the Executive Budget.

This language was shared with the Metzger Administration and Chair of the Legislature prior to our submission here.

The only change from what we had previously submitted via our January 25th memorandum is highlighted with red text to make it clear that estimates should be shared with the Comptroller as well as the Legislature and that estimates are only made available after the Executive has finalized and released the Executive Budget.

Thank you.

March Gallagher, Esq.
Ulster County Comptroller
PO Box 1800
Kingston, NY 12402
845-340-3529 (o)
845-705-2622 (c)
Comptroller.UlsterCountyNY.gov

Per our recent discussion of providing more clarity to the definition of the word “department” in Article I § C- 6, we recommend that the Charter Revision Commission consider the following amendment to redefine “department”:

Article I § C- 6

DEPARTMENT

~~The administrative unit which is the primary level of County government.~~

Each of those administrative units of the executive branch set forth in Article V to Article XLIV herein;

This change would clarify that each department outlined in the charter is an independent department within the executive branch and that the executive branch as a whole is not a singular department.

Additionally, the Commission discussed providing additional clarity to the discussion of “budget estimates.” We suggest an amendment for the following definition of the term “departmental estimates”

Article I § C- 6

DEPARTMENTAL ESTIMATE

Departmental estimates shall represent the detailed budgets requests submitted by each department to the Executive for the development of the Executive’s Proposed Budget. These departmental requests will include any estimates, detail, and supporting documentation provided to justify the departmental requests submitted, and access to any such information in the County’s financial software system.

This would bring clarity to Article IV § C- 33 of the Charter that requires the estimates to provided and made public. This section of the Charter while relevant can remain **unchanged**:

Article IV § C- 33 Departmental, agency, office or unit estimates.

[Amended 6-16-2020 by L.L. No. 3-2020]

The head of each department, agency, office or unit of County government shall submit to the County Executive, in writing, and through such channels and processes as specified by him or her, an overall estimate for that department, agency, office or unit and estimates by program within that department, agency, office or unit of expected expenses and expected revenues for the next ensuing fiscal year. A copy of said estimates from each department, agency, office or unit shall be ~~simultaneously~~ submitted to the Clerk of the Legislature and the Comptroller upon the proposal of the executive budget. These estimates shall be called "departmental estimates" and shall be organized with proposed grand totals of expenses and revenues for personnel services and other than personnel services for the department, agency, office or unit and proposed subtotal appropriations for personnel services and other than personnel services for each program within each department, agency, office or unit. A statement of actual expenses and actual revenues for the immediately preceding completed fiscal year, budgeted expenditures and revenues for the current fiscal year, and expenditures and revenues to date for the current fiscal year shall be included in departmental submission, prepared in the same specified format for comparison

purposes. Each departmental estimate of expenses and revenue by program shall be supported by such other detail and other supporting information concerning the economy, efficiency, and effectiveness of departmental performance as the County Executive shall require. Departmental estimates shall be public records and shall at all reasonable times be open to public inspection.

Dante DeLeo

From: Thomas Kadgen <kadgen@verizon.net>
Sent: Thursday, March 2, 2023 7:42 PM
To: Dante DeLeo
Cc: kathleenmihm@aol.com
Subject: Please email this to the commissioners

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]
Commissioners
Regarding C-23

I would like the commission to consider adding a residency requirement to the Office of Executive.

I believe the office calls for a deep-rooted connection to the community and is familiar with its various matters of concern.

§ C-23 Election and qualifications.

The County Executive shall be elected from the County at large, shall be a qualified elector of Ulster County (**for X amount of time**), at the time of his or her nomination and election and shall remain a qualified elector of Ulster County throughout his or her term of office. The County Executive shall hold no other elected public office or compensated employment and shall devote full time to the duties of the office.

Thomas Kadgen

ARTICLE V
Department of Health

§ C-41. Commissioner of Health or Public Health Director.

- A. There shall be a Department of Health, headed by a Commissioner of Health or a Public Health Director and Medical Consultant. The Commissioner of Health or Public Health Director shall meet the qualifications for this position specified in the New York State Public Health Law and Sanitary Code. In addition, he or she shall be a licensed physician with experience in public health. He or she shall be appointed by the County Executive in consultation with the Board of Health and with confirmation by the County Legislature and serve at his or her pleasure, except that if either the Commissioner of Health or Public Health Director is appointed for a fixed term of years pursuant to a provision of state law, he or she may only be removed for cause after written notice of charges and an opportunity to be heard.
- B. Powers and duties. Except as otherwise provided in this Charter, the Commissioner of Health or Public Health Director shall have and exercise all the powers and duties conferred or imposed upon county or part-county health commissioners and upon county or part-county boards of health by the Public Health Law or any other law, except as otherwise provided by this Charter. He or she shall perform such other and related duties required by the County Executive, and shall be vested with authority, direction and control over the Department of Health, including power to appoint and remove officers and employees within the department.

Commented [KAG9]: Matrix 30

§ C-42. Board of Health.

- A. Appointment. There shall be a Board of Health consisting of seven members who shall be appointed by the County Executive for a term of five years, subject to confirmation by the Legislature, except that of the members first appointed to the Board of Health following adoption of this Charter, two members shall hold office for the term of one year, two members for the term of two years, one member for the term of three years, one member for the term of four years, and one member for the term of five years from and after their appointment. Two members shall be physicians. One member shall be a licensed health care professional who is not a physician. One member shall be selected from among three nominees submitted to the County Executive by the Mayor of the City of Kingston. If a vacancy shall occur other than by expiration of a term, it shall be filled by appointment for the unexpired term in the same manner as specified in this subsection. The members of the County Health Board shall select the Chairman of that Board for a term of one year. No member of the Board of Health shall serve for more than two consecutive terms. Members of the Board of Health shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.
- B. Powers and duties. The Board of Health shall advise the Commissioner of Health or Public Health Director, the County Executive and the Legislature in matters relating to the Department of Health. The members of the Board of Health shall further have the power to inspect and review all facilities and programs of the Department of Health, with or without notice to the Commissioner of Health or Public Health Director, and as it regards as necessary and desirable may report and make recommendations to the County Executive, the County Legislature and

Commissioner of Health or Public Health Director. All such reports shall be public records, posted on the website of the County government and made available for inspection at the offices of the Commissioner of Health or Public Health Director and the County Executive at all reasonable times. The Board of Health shall also advise and consult with respect to all capital projects necessary for the Department of Health. The Board of Health shall have and exercise such other and related duties required by the Legislature or the County Executive.

§ C-43. Medical Examiner.

The Health Department shall assure the provision of medical examiner services that promote the public health by or under the supervision of qualified Medical Examiner(s), accountable to the Commissioner of Public Health or Public Health Director. The Medical Examiner shall be appointed by the County Executive, on the advice of the Commissioner of Health or Public Health Director, for a term of four years, subject to confirmation by the Legislature. He or she shall be a physician duly licensed to practice his or her profession in the State of New York and shall:

- A. Be trained to investigate causes of death and order autopsies;
- B. Conduct community education as prescribed by the New York State Department of Health.

ARTICLE VI
Department of Mental Health

§ C-44. Commissioner of Mental Health.

- A. There shall be a Department of Mental Health, headed by a Commissioner of Mental Health. The Commissioner of Mental Health shall be experienced in public mental health administration and meet the qualifications for this position as specified in the New York State Mental Hygiene Law and/or by the State Commissioner of Mental Hygiene. He or she shall be appointed by the County Executive in consultation with the Community Services Board and with confirmation by the County Legislature and serve at his or her pleasure.
- B. Powers and duties. Except as otherwise provided in the Charter, the Commissioner of Mental Health shall have and exercise all the powers and duties conferred or imposed upon a Director of Community Mental Health or Community Services Board by the Mental Hygiene Law or any other law. He or she shall perform such other and related duties required by the County Executive, and shall be vested with authority, direction and control over the Department of Mental Health, including power to appoint and remove officers and employees within the department.

Commented [KAG10]: Matrix 30

§ C-45. Community Services Board.

There shall be a Community Services Board of 15 members who have demonstrated interest in behavioral health services, one member of whom must be a licensed physician and one of whom must be a licensed physician or licensed psychologist. There shall be disability subcommittees of nine members each, three members of whom must also be currently serving Community Service Board members, who shall be appointed by the County Executive after consideration of the recommendations of the Community Services Board for terms of four years, subject to confirmation by the Legislature. No Board member or subcommittee member shall serve more than eight years. The Chairman of the Community Services Board shall be selected by the members of the Board for a term of one year.

- A. The Board shall advise the Commissioner of Mental Health, the County Executive and the Legislature on matters relating to the Department of Mental Health. The members of the Board shall further have the power to inspect and review all facilities and programs of the Department of Mental Health, with or without notice to the Commissioner of Mental Health, and may report and make recommendations to the County Executive, County Legislature and Commissioner of Mental Health. All such reports shall be deemed public records, posted on the website of the County government, and be available for inspection at the office of the Department of Mental Health and the County Executive at all reasonable times. The Board shall also advise and consult with respect to all capital projects necessary for the Department of Mental Health. The Board shall have and exercise such other and related duties required by the Legislature or the County Executive.
- B. If a vacancy shall occur other than by expiration of a term, it shall be filled by the County Executive for the balance of the term in the same manner as the original appointment.
- C. Members of the Community Services Board shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses

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incurred in the performance of their duties, within appropriations made for such purposes.

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ARTICLE VII
Department of Planning

§ C-46. Appointment of Director of Planning.

There shall be a Department of Planning, headed by a Director of Planning. The County Executive shall appoint the Director of Planning from among three nominees given him or her by the Ulster County Planning Board, subject to confirmation by the Legislature. The Planning Board may nominate only persons possessed of at least the minimum educational attainments, professional qualifications and administrative experience set out in New York State law. In the event that the County Planning Board fails to bring forward to the County Executive three recommendations for the position within 90 days of the occurrence of a vacancy, the County Executive shall make the appointment on his or her own initiative, subject to confirmation by the Legislature. The Director of Planning shall serve at the pleasure of the County Executive.

§ C-47. Powers and duties of Planning Board and Director.

Except as may otherwise be provided in this Charter, the County Director of Planning and Planning Board shall have all the powers and perform all the duties conferred and/or imposed in the Charter, state law or the County Administrative Code upon a county director of planning or a county planning board. The Director of Planning and/or the County Planning Board shall perform such other and related duties as required by the County Executive or County Legislature and shall be vested with authority, direction and control over the Department of Planning, including power to appoint and remove officers and employees within the department. ~~Other These~~ powers and duties shall include, but not be limited to:

Commented [KAG11]: Matrix 30

- A. Advising the County Executive, County Legislature, County departments, and other agencies with respect to any matter relating to the development or redevelopment of the County on which an opinion is requested or upon which the Director of Planning deems it advisable to report;
- B. Preparing and maintaining a comprehensive plan and annual planning program for the County as set forth in § C-52 of this article and attendant provisions of the Administrative Code;
- C. Assisting in the preparation of a capital improvement program as may be set forth in this Charter and attendant provisions of the Administrative Code;
- D. Exercising the powers of review and approval over land use pursuant to § C-51 of this article and attendant provisions of the Administrative Code;
- E. Making available, within constraints of available resources, the professional staff of the Department of Planning for advice regarding planning to the City of Kingston and the towns and villages within the County;
- F. Maintaining basic data on the County's population, land use, housing, environmental status, human and natural resources and other such matters and performing studies, analysis, plans and recommendations as may be necessary in the exercise of the powers and performance of the duties set forth in this article; and
- G. Acting as host board with regard to the Ulster County Transportation Council.

§ C-48. Additional duties of Director of Planning.

The Director of Planning shall:

- A. Exercise the duties and responsibilities accorded him or her under the bylaws adopted by the County Planning Board;
- B. Serve ex officio on the County Environmental Management Council;
- C. Serve ex officio on the County Agricultural Farmland Protection Board; and
- D. Act as liaison between County agencies and nonprofit bodies involved in economic and community development for which the County provides funding.

§ C-49. County Planning Board.

- A. There shall be a County Planning Board consisting of 25 members and associated alternate members. Members and their alternates shall be appointed by the County Legislature to serve for four-year terms. The Town Board or Village Board of each town and village in Ulster County shall recommend for consideration and appointment by the Legislature one person and one alternate from that town or village. The City of Kingston shall recommend for consideration and appointment by the Legislature two persons and two alternates from that city. The County Commissioner of Finance, the Commissioner of Public Works, and the Chairman of the Environmental Management Council shall serve ex officio but shall not have voting rights. Vacancies occurring other than by expiration of term shall be filled for the balance of the term remaining in the same manner and by the same appointing authority as the original appointment. The Chairman of the Planning Board shall be selected by the Board from among members nominated by the city, towns, and villages and shall serve a one-year term. If the number of municipalities in Ulster County is reduced or increased, the membership of this Board shall be concomitantly reduced or increased, with members proposed and appointed in the manner described in this section.
- B. An alternate member shall have the right to vote only on the occasion of absence, conflict of interest, or required abstention under law of the member for whom he or she serves as alternate.
- C. Continuation of Board.
 - (1) The terms of existing County Planning Board members shall remain in effect until such time as the member is either reappointed or the term of the member ends; and
 - (2) The term of office of each member of the Ulster County Planning Board, so appointed, shall be for a period of four years and the appointment of a successor to any member of the said County Planning Board shall also be for a term of four years, except that an appointment to fill a vacancy in the office of a member of said County Planning Board occurring by reason of death, resignation or other cause shall be made for the unexpired term of said office.
- D. The members of the Planning Board shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary

expenses incurred in the performance of their duties within appropriations made available for this purpose. The Planning Board may adopt, by a majority vote of its total membership, such additional rules and procedures as are necessary for the efficient and orderly conduct of its business.

§ C-50. Additional powers and duties of Planning Board.

- A. To consult with and advise the Director of Planning in the performance of his or her duties.
- B. To review the capital improvement program prepared by the Department of Planning and guidelines for its preparation; to make written recommendations to the County Executive and the County Legislature on all capital projects contained in the program and on the priority of capital projects in the first year of the program; and to review and make written recommendations on any capital project additions to the capital improvement program or capital budget.
- C. To review the Comprehensive Plan and to submit its recommendations on it to the County Executive and to make recommendations on any proposed amendments to that plan prior to action being taken on such amendments by the County government and to review procedural guidelines for the coordination and preparation of the Comprehensive Plan and annual planning program.
- D. To conduct studies and review County policies and standards for inclusion in the Comprehensive Plan and to make recommendations regarding such policies and standards to the County Executive and Legislature as it sees fit.
- E. To have all the powers and duties assigned to a county planning board under Article 12-B of the General Municipal Law. In the event the County Planning Board is unable to fulfill the powers and duties of review of a particular municipal referral due to lack of quorum or inability to convene a timely meeting, the Director of Planning shall be authorized to review proposed actions referenced for inter-community or county-wide considerations subject to the provisions assigned under sections 239-l, 239-m, and 239-n of Article 12-B.

Commented [RW12]: Matrix 49

§ C-51. Review and approval over land use.

- A. Review of land use and subdivisions. Except as may otherwise be provided in this Charter, the County Planning Board shall possess, exercise and perform all of the powers, functions and duties granted to and imposed upon a County Planning Board under and pursuant to Article 12-B of General Municipal Law as the same may be amended from time to time.
- B. Advisory review on land use. The County Planning Board shall have the power to review, with the right to render advisory reports only, over land use and land subdivision elsewhere in Ulster County in accordance with General Municipal Law Article 12-B.
- C. Advisory reviews on actions by County departments and other County agencies. Before adopting any final plans, policies or standards on services or capital facilities and before making any recommendation to the County Legislature on any such plans, policies or standards, on the acquisition or sale of land, on major changes in the use of land or on site plans for any County building or buildings, the respective County department or other County agencies shall refer such proposals to the Director of Planning for a written report of his or her recommendations. The Director of Planning shall prepare and submit his or her recommendation to the respective department and the County Executive.

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§ C-52. Comprehensive Plan and annual planning program.

- A. Comprehensive Plan required. The County shall have and maintain an official plan for the comprehensive social, physical, environmental and economic development of the County, focusing primarily on the services, functions and responsibilities of County government with consideration of regional needs and the official plans of other governmental units and agencies within the County. The contents of the plan may include but shall not be limited to those areas contained in Article 12-B of the General Municipal Law, § 239-d. The County Planning Board shall cause such plan to be developed in conjunction with the County Executive, who shall submit this plan or any of its elements or parts for adoption by the County Legislature. The contents of this plan shall be set forth in the Administrative Code and posted on the County website. The procedures for the preparation, submission and adoption of this plan, and/or any amendments to it, shall be in accordance with General Municipal Law § 239-d.
- B. Intent of Comprehensive Plan. The Comprehensive Plan is intended to serve as a guide for achieving the broad social, physical, environmental and economic development objectives of the County. The plan is intended to give direction to the actions of the County Legislature, and of all County departments and agencies that affect the development of the County, and is intended to guide all official County plans and policies concerning human resources, public safety services, physical and environmental resources and land use. Although the authority of the plan over the actions of local governments and private interests is limited to the authority set forth in General Municipal Law § 239-d, the plan is intended to serve as general guide to these actions as they affect the development of the County. The plan, through its development and continuing amendment, is intended to serve as a means for reviewing, modifying and integrating all plans of local governments and private entities.
- C. Adoption. The County legislative body may adopt by resolution a County Comprehensive Plan or any amendment thereto.
- D. Filing of adopted County Comprehensive Plan. The adopted County Comprehensive Plan and any amendments thereto shall be filed in the office of the County Clerk and a copy thereof filed in the office of the County Planning Board, with the Secretary of State, as well as with the Clerk of each municipality within the County.
- E. Effect of adoption.
- (1) All County land acquisitions and public improvements, including those identified in the County Official Map adopted or amended pursuant to this article, shall be in accordance with a County Comprehensive Plan, if one exists; and
 - (2) All plans for capital projects of a municipality or state governmental agency on land included in the County Comprehensive Plan adopted pursuant to this section shall take such plan into consideration.
- F. Periodic review. The County Legislative Body shall provide, as a component of such proposed County Comprehensive Plan, the maximum intervals at which the

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CHARTER

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adopted plan shall be reviewed.

C:37

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

#	Submitted By	Description of Change	Date Submitted	Date(s) Considered	Determination	Member Note (Y/N/Discuss)	Relevant Charter Section(s)	Redline Page(s)
8	March Gallagher	Convene Charter Revision Commission at least once every five years	10/4/2022	10/6/2022	Revision Accepted		5 C:4	5
51	Legislature	Charter Revision Commission convenes every 10 years	3/1/2023					5
52	Legislature	Charter revision commission meets every 10 years *from the previous Commission's first meeting*	3/1/2023					5
9	March Gallagher	Clarify definition of "department"	10/4/2022	11/3/2022; 2/9/2023	Awaiting discussion between Comptroller's Office and Executive's Office		6 C:6	6 C:6
10	March Gallagher	Add definition for "departmental estimates"	10/4/2022	11/3/2022; 2/9/2023	Awaiting discussion between Comptroller's Office and Executive's Office		6 C:6	6 C:6
53	Legislature	No county legislator shall hold other elective public office, exempting membership on School Board	3/1/2023				9	9
48	Thomas Kadgen	Add language to section on reappointment commission where decision on chair can be changed at any time	2/2/2023	2/9/2023	Revision Accepted with change		10 C:9	10 C:9
54	Legislature	Request section allowing the reconvening of the commission on reappointment	3/1/2023				10	10
62	Fawn Tantillo	County Executive ensures qualifications for reappointment appointees	2/10/2023				10	10
63	Fawn Tantillo	Provide mechanism for reconvening reappointment committee	2/10/2023				10	10
35	Thomas Kadgen	Mandatory issuance of subpoena if request for material is ignored or denied	11/18/2022				11	11
55	Legislature	Prohibit renaming of positions without legislative oversight and approval	3/1/2023				11	11
50	Legislature	Contract approval stays at \$50k	3/1/2023				11	11
11	March Gallagher	Raise threshold for executive contracts from \$50,000 to \$100,000	10/4/2022	10/6/2022; 11/3/2022	Reconsidered		11 C:12; C:18	11 C:12; C:18
28	Ed Jordan	Increase cost threshold for contracts being approved by the Legislature.	11/2/2022	11/3/2022	Pending Further Discussion		11 C:12, 18	11 C:12, 18
29	Brendan Masterson	Increase cost threshold for contracts being approved by the Legislature.	11/2/2022	11/3/2022	Pending Further Discussion		11 C:12, 18	11 C:12, 18
56	Legislature	Require notification when vacancy is created by departure of a department head	3/1/2023				26	26
61	Board of Elections	Change method for replacing County Executive upon vacancy.	2/22/2023				29	29
12	March Gallagher	Make it clear departmental estimates must be shared to the Legislature. Give Legislature and Comptroller view only access to the budget requests made by the departments. In the current financial system (New World/Logos/Tyler ERP) these are called "Level 1 Budget Worksheets". Make Department heads send a hard copy to the Legislature.	10/4/2022	11/3/2022; 2/9/2023	Awaiting discussion between Comptroller's Office and Executive's Office		33 C:23	33 C:23
57	Legislature	Budget estimates should be provided to Legislature and Comptroller when submitted to Commissioner of Finance	3/1/2023				33	33
58	Legislature	Release date for proposed budget advanced one month (i.e. first Friday in September)	3/1/2023				34	34
59	Legislature	Allow a Legislature-designated committee to attend public hearings on the proposed Budget, rather than requiring the entire Legislature	3/1/2023				37	37
13	March Gallagher	Establish a deadline for public posting of the budget	10/4/2022	10/6/2022	Revise to include deadline of December 31		38 C:26	38 C:26

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

60	Legislature	Disallow transfer of budget to allow for increase of rate of pay or annual salary of county employment position, require notification of transfers to Legislature within 30 days after transfer is made	3/1/2023		40
49 Planning Board					
		Allow Planning Director to review proposed actions in event the Planning Board is unable to act	2/9/2023	2/9/2023	Revision Accepted
14	March Gallagher	The Commissioner of Finance shall hold no other elected public office or compensated employment and shall devote full time to the duties of the office.	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
15	March Gallagher	Add Commissioner of Finance responsibility for timelines to enforce real property tax. Foreclosures should be processed as expeditiously as possible, with an annual review of all hazardous properties, a committee structure to review properties being withheld from the foreclosure action.	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
16	March Gallagher	Add enforcement power/duties related to Ulster County's Occupancy Tax so that it's clear the Finance Commissioner has enforcement responsibility.	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
17	March Gallagher	Change the required submission date of the Annual Update Document (AUD) [Financial Report] to the Legislature to mirror the due date in state law (May 1st). In practice, the AUD is never submitted to the Legislature prior to May 1.	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
18	March Gallagher	Place responsibility with Commissioner of Finance for reconciling the county's bank accounts. And create a deadline for notifying the County Comptroller of any new account within 30 days of opening.	10/4/2022	10/6/2022; 11/3/2022	Accepted 1/12/2023
19	March Gallagher	The Comptroller shall hold no other elected public office or compensated employment and shall devote full time to the duties of the office.	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
20	March Gallagher	The Comptroller shall use risk assessment to identify weaknesses in internal controls and shall summarize improvements in internal controls in an annual audit report to the Legislature and Executive by April 1 of each year.	10/4/2022 2; 11/3/2022; 11/10/2022	Revision Accepted	
21	March Gallagher	Remove bank reconciliations from Comptroller's responsibilities	10/4/2022	10/6/2022; 11/3/2022	Revision Accepted
22	March Gallagher	Provide Comptroller authority to audit revenues	10/4/2022 2; 11/3/2022; 11/10/2022	Revision Accepted	
23	March Gallagher	Provide explicit authority to audit public benefit corporations	10/4/2022	10/6/2022; 11/3/2022	Request Opinions from Public Benefit Corporations
24	March Gallagher	Grant authority to subpoena documents including digital records and access to software licensed or owned by the County	10/4/2022 2; 11/3/2022; 11/10/2022	Pending Further Discussion	
25	March Gallagher	Remove Charter sections regarding filing of Comptroller vacancy by Legislature	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
1	Patrick Long	Remove reference to Consumer Fraud Bureau	9/16/2022	10/6/2022	Revision Accepted
26	March Gallagher	Remove section on residential healthcare facilities	10/4/2022	10/6/2022	Revision Accepted
47	Nina Postupack	County Historian Appointed by Clerk instead of Exec	1/12/2023	1/12/2023	Revision Accepted
27	March Gallagher	Require periodic compensation review commission's findings to be incorporated into County Executive's proposed budget unless previously adopted by local law	10/4/2022	10/6/2022; 11/3/2022	Pending Further Discussion
2	Nancy Schmidt	Remove reference to Community Corrections Department	9/29/2022	10/6/2022	Revision Accepted
3	Juan Figueroa	Streamline budget approval process	9/29/2022	10/6/2022	Await further elaboration from Sheriff's Office
4	Juan Figueroa	County Attorney works for county executive, not the elected officials of the county	9/29/2022	10/6/2022	Await further elaboration from Sheriff's Office

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

5	Brian Slack	Increase number of Traffic Safety Board appointees from 12 to 15	10/5/2022	10/6/2022	Revision Declined
6	Thomas Kadgen	Process for filling vacancies for vacated offices	10/5/2022	10/6/2022	Elaborated in 11/14 submission
7	Thomas Kadgen	Charter has been ignored/circumvented	10/5/2022	10/6/2022	Elaborated in 11/14 submission
30	Dawn Spader	Add language to department head descriptions to include vesting authority, direction, and control over the department, including power to appoint and remove officers and employees within the department	10/7/3/2022	11/3/2022; 11/10/2022	Revision Accepted
31	Brian Woltman	Adopt succession plan for County Executive including election of a C.E. and Prime Deputy ticket	11/10/2022	12/1/2022	Pending Further Discussion
32	Thomas Kadgen	Executive, Comptroller, and County Clerk choose successors, which serve at pleasure of Legislature; can be removed and replaced by supermajority vote of Legislature; next election to take place as soon as a 'complete election cycle' can take place; veto from Acting C.E. can be overridden by simple majority.	11/14/2022	12/8/2022	Pending Further Discussion
33	Thomas Kadgen	Remove 'alternative sentencing administrative unit' reference from Charter	11/18/2022		
34	Thomas Kadgen	Extend residency requirements for Executive, County Clerk, and Comptroller to be a registered elector for three years	11/18/2022		
36	Thomas Kadgen	Add provision to allow Legislature to act on any mandate that fails to be met or impasse	11/18/2022		
37	Thomas Kadgen	Mandate salary recommendations of periodic compensation board be placed before Legislature in separate salary categories for a vote	11/18/2022		
38	Thomas Kadgen	Reimburse up to \$5,000 court fees to any plaintiff that successfully sues County for breaching Charter	11/18/2022		
39	Thomas Kadgen	County Attorney must be confirmed by Legislature	11/22/2022		
40	Thomas Kadgen	Periodic Compensation Board member qualification should exclude former county officials	11/22/2022		
41	Thomas Kadgen	Successor in the instance of a legislator vacancy should come from the same party as the legislator who left the seat	11/22/2022		
42	Human Rights Comm.	Allow for filling of long-vacant seats by Commissioner	12/8/2022		
43	Human Rights Comm.	Increase number of members from 11 to 15	12/8/2022		
44	Human Rights Comm.	Chair of Commission selected by commission, not County Executive	12/8/2022		
45	Barbara Hill	Raise maximum term limit for service on CSB	12/8/2022		
46	Barbara Hill	Increase mental health subcommittee size to 11 persons from 9	12/8/2022		