

Ulster County Charter Revision Commission Regular Meeting Minutes

Date/Time: February 9, 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
LeShawn Parker
Shannon Harris
Hector Rodriguez
Fawn Tantillo
Frank Cardinale
D. Mici Simonofsky

** 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
Brian Woltman

Quorum: Yes

Other Attendees: Drew Boggess, Chair, Ulster County Planning Board
Mike Baden, Vice-Chair, Ulster County Planning Board
Thomas Wilkin, Member, Ulster County Planning Board
Dennis Doyle, Director, Ulster County Planning Department
Christopher Kelly, Deputy County Executive
Victoria Fabella, Clerk, Ulster County Legislature
David Gordon, Esq., Majority Counsel
March Gallagher, Ulster County Comptroller
Alicia DeMarco, Deputy Comptroller
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 5:02 PM.

Motion No. 1: Motion to Amend the February 2, 2023 Meeting Minutes

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Members discussed amending the draft February 2, 2023 meeting minutes to include reference to Legislator Joseph Maloney’s comments about: opposing the proposed revision to Section C-11(O) which would increase the amount set forth therein to \$100,000; supporting the proposed revision to Section C-5(B) which would shorten the frequency with which the Commission must be convened to 5 years; and urging the Commission to make recommendations to the Legislature within this legislative session.

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

Voting against: None

Disposition: Motion No. 1 passed 9-0.

Motion No. 2: Motion to Approve the February 2, 2023 Meeting Minutes As Amended

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: None.

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

Voting against: None

Disposition: Motion No. 2 passed 9-0.

Public Comment: Mike Baden, Vice-Chair of the Ulster County Planning Board, took the floor and spoke in support of the existing Section C-46 and urged the Commission to leave it as it is. Mr. Baden also spoke in support of the Planning Board’s proposed revision to Section C-50(E), which would authorize the Ulster County Director of Planning to review certain proposed actions in the event the Planning Board is unable to do so due to a lack of quorum or inability to convene a timely meeting. Several Commission Members discussed the proposal. Drew Boggess, Chair of the Planning Board, also took the floor to speak in support of the proposed

revision to Section C-50(E). Chair Mihm recognized the Ulster County Director of Planning, Dennis Doyle, who took the floor to speak in favor of the proposed revision. Several Commission Members voiced their support for the proposal. Commission Member Rodriguez expressed hesitancy over the “inability to convene a timely meeting” language. Mr. Baden said that the main focus is the “lack of a quorum” language and that the “timely meeting” language could be deleted if necessary. Commission Member Tantillo spoke against striking the “timely meeting” language.

Chair Mihm recognized Christopher Kelly, Deputy County Executive, who advised the Commission that he would be attending the Commission’s meetings going forward.

Chair Mihm recognized Victoria Fabella, Clerk of the Legislature, who spoke against the proposed revision to Section C-11(O) and advised the Commission that the Legislature would be submitting its package of proposed revisions for the next meeting.

Motion No. 3: Motion to Amend the Proposed Additional Sentence to Section C-10(E) by Deleting “of the entire membership of the Commission.”

Motion made by: Commission Member Shannon Harris

Seconded by: Commission Member Mici Simonofsky

Discussion: Commission Members discussed deleting “of the entire membership of the Commission” from the proposed addition to Section C-10(E) and putting the period after the word “vote” in the proposed sentence. Assistant County Attorney Dante De Leo advised the Commission that the language “of the entire membership of the Commission” was included to be consistent with the current language in Section C-10(E).

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

Voting against: None

Disposition: Motion No. 3 passed 9-0.

Motion No. 4: Motion to Approve the Proposed Addition to Section C-11(O) As Amended: “This decision will continue for the duration of the Commission unless and until changed by majority vote.”

Motion made by: Commission Member Thomas Kadgen

Seconded by: Commission Member David Donaldson

Discussion: None.

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

Voting against: None

Disposition: Motion No. 4 passed 9-0.

Commission Member Harris read aloud Sections C-11.1 through C-21 of the Charter. Commissioner Member Rodriguez noted that the Legislature had problems with the timeline set forth in C-15. Victoria Fabella, Clerk of the Legislature, disagreed and spoke in favor of the process set forth in C-15. In regard to C-16, Commission Member Tantillo noted that many advisory boards/committees on the books are inactive and have not convened in a long time. Commission Member Tantillo proposed adding language that if an advisory board/committee has not convened a meeting within a certain amount a time (e.g. a year or 18 months), then it is dissolved. In regard to C-21, Commission Member Tantillo suggested sending C-21 to the Board of Elections for their input. There was a discussion about Commission Member Kadgen's proposal relating to C-21 and partisanship in filling vacancies.

The Commission discussed the matrix of proposed revisions. Chair Mihm recognized Ulster County Comptroller March Gallagher who took the floor to speak about departmental estimates in relation to Matrix Items 10 and 12. Comptroller Gallagher advised the Commission that her office submitted clear proposed language at the last meeting. Deputy Comptroller Alicia DeMarco spoke in support of the Comptroller's proposed changes and emphasized the need for transactional detail that supports the budget. Deputy County Executive Christopher Kelly spoke on behalf of the County Executive's Office in regard to departmental estimates and the annual budget process. Chair Mihm advised the Deputy County Executive that a letter from the Commission requesting input from the County Executive's Office would be forthcoming.

Commission Member Shannon Harris left the meeting at 6:35 pm.

Comptroller Gallagher noted that she will work with Deputy County Executive Kelly on language relating to departmental estimates to propose to the Commission.

Chair Mihm suggested moving the review of the matrix to the front of the agenda.

There was a discussion that Matrix Items 18 and 21 need to be corrected to reflect that they were adopted at the January 12, 2023 meeting.

Commission Member Rodriguez asked whether the Commission ever received opinions from public benefit corporations in regard to Matrix Item 23 and the proposed change to Section C-57(G) of the Charter granting explicit audit authority. There was a discussion as to whether such opinions were necessary or warranted. In response to questions from the Commission, Comptroller Gallagher noted that her office has only audited Ulster County Economic Development Alliance, and not the others.

Motion No. 5: Motion to Adjourn the Meeting

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: None.

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

Voting against: None

Disposition: Motion No. 5 passed 8-0.

Meeting adjourned at 6:48 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo