

Ulster County Charter Revision Commission Regular Meeting Minutes

Date/Time: April 17, 2023 at 5:00 PM

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

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

** 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: Laura Petit, Ulster County Legislator
Ashley Torres, Commissioner, Board of Elections
Tyrone Wilson, Human Rights Commissioner
Amanda LaValle, Deputy County Executive
Alicia DeMarco, Deputy Comptroller
Mike Baden, Supervisor, Town of Rochester
Dare Thompson, League of Women Voters – Mid-Hudson Region
Cynthia Bell, League of Women Voters – Mid-Hudson Region
Patricia Doxsey, The Daily Freeman
Rokosz Most, Hudson Valley One
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 April 13, 2023 Meeting Minutes**

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Frank Cardinale

Discussion: None.

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

Voting against: None

Disposition: Motion No. 1 passed 10-0.

Public Comment: Comptroller March Gallagher advised the Commission that her office plans to take items that have already been approved by the Commission, and which the Comptroller considers major internal control issues, directly to the Legislature for approval this year.

Chair Mihm recognized Ashley Torres, Commissioner, Board of Elections, who spoke on behalf of the Board of Elections in support of their proposed revision to Section C-29 to have a vacancy of the County Executive to be filled by a general election. Commission Members discussed the latest date a vacancy could occur while still allowing for a primary. Commission Member Tantillo spoke in support of picking a date 30 days before petitions are due, instead of the 7 days set forth in Election Law. Commission Member Donaldson suggested 21 days and noted that depending on the date of the vacancy, it could be up to 21 months before the County Executive position is filled by a general election. Commissioner Torres advised the Commission that the Board of Elections will work with the County Attorney’s Office to submit proposed language.

Commission Members discussed the timeframe for when they would need to submit their report to the Legislature for it to make it on the 2023 ballot. Commission Member Rodriguez noted that the deadline would be sometime in May. Commission Member Harris raised the issue of sending certain revisions directly to the ballot. Commission Members discussed what language would actually end up on the ballot. Commission Member Tantillo noted that the Legislature’s June resolution deadline is May 19. Commission Members discussed whether the changes would be on the ballot individually or as a whole.

Chair Mihm recognized Tyrone Wilson, Human Rights Commissioner, who advised the Commission that his office would be submitting proposed revisions prior to the May 1st deadline. Commission Members asked several questions about the forthcoming proposals.

Commission Members discussed Matrix Item 51 about changing the frequency with which the Charter Revision Commission is required to be convened from 10 years to 5 years. Commission Member Donaldson spoke in favor of reconsidering the issue in light of the request by the Legislature. Commission Members spoke for and against reconsideration. Ultimately, the Commission decided to move on without reconsidering the issue.

Motion No. 2: Motion to Approve No. 64 “To Convert County Legislature to a Board of Overseers format of government.”

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Brian Woltman
Discussion: None.
Voting in favor: None.
Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Kadgen, Rodriguez, Cardinale, Woltman, Donaldson,
Abstentions: Commission Members Shannon Harris and Scott McCarthy

Disposition: Motion No. 2 failed 8-2.

Motion No. 3: Motion to Approve Matrix Nos. 54, 62, and 63 as Set Forth in the Redline Submitted by Commission Member Fawn Tantillo and Included in the March 2, 2023 Agenda Packet

Motion made by: Commission Member Fawn Tantillo
Seconded by: Commission Member Hector Rodriguez
Discussion: None.
Voting in favor: Commission Members Mihm (Chair), Simonofsky, Tantillo, Kadgen, Rodriguez, Cardinale, Woltman, Harris, Donaldson, McCarthy
Voting against: None

Disposition: Motion No. 3 passed 10-0.

Motion No. 4: Motion to Approve the Proposal Set Forth in Matrix No. 35

Motion made by: Commission Member Fawn Tantillo
Seconded by: Commission Member Shannon Harris
Discussion: None.
Voting in favor: Commission Member Kadgen
Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Kadgen, Rodriguez, Cardinale, Woltman, Harris, Donaldson, McCarthy

Disposition: Motion No. 4 passed 9-1.

Motion No. 5: Motion to Approve the Proposal Set Forth in Matrix No. 65 Relating to Section C-33

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Tom Kadgen

Discussion: Commission Members discussed the history of the proposed change with input from the Comptroller's Office.

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

Voting against: None

Disposition: Motion No. 5 passed 10-0.

Motion No. 6: Motion to Approve the Proposal Set Forth in Matrix Nos. 69 and 78 Relating to Section C-34

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Shannon Harris

Discussion: Comptroller Gallagher explained the proposal to the Commission and noted that she has not received comments from the County Executive's Office. Commission Members discussed the proposal.

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

Voting against: None

Disposition: Motion No. 6 passed 10-0.

Commission Members discussed Matrix No. 71 relating to Section C-74. Comptroller Gallagher asked to withdraw the proposal.

Motion No. 7: Motion to Approve the Proposal Set Forth in Matrix No. 40 Relating to Section C-108 to Exclude Former County Officials and Employees from Serving on the Periodic Compensation Board Members for a Period of Four (4) Years

Motion made by: Commission Member Shannon Harris

Seconded by: Commission Member Scott McCarthy

Discussion: Commission Members discussed the scope of the exclusion and how long the “cooling off” period should be. Ultimately, the Commission decided that the exclusion should apply to County officials and employees and that the “cooling off” period should be 4 years from the date of separation.

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

Voting against: None

Disposition: Motion No. 7 passed 10-0.

Commission Members discussed Matrix Nos. 27 and 37 relating to Section C-110. Both proposals relate to including the periodic compensation review commission’s findings in the proposed budget. Commission Member Tantillo moved Matrix No. 27 and Commission Member Simonofsky seconded the motion. Ultimately, the Commission decided to postpone the vote to a further meeting.

Motion No. 8: Motion to Adjourn

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Shannon Harris

Discussion: None.

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

Voting against: None.

Disposition: Motion No. 8 passed 10-0.

Meeting adjourned at 6:30 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo