

Agenda



Charter Revision Commission

Date/Time: 5/11/2023 at 5:00 PM Location(s): 244 Fair St., 6th Fl., Kingston, NY
Zoom Mtg ID: 840 4292 4344 80 East Harmon Ave., Las Vegas, NV 89109

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

** *via videoconference with a physical address of Hilton Elara (main lobby), 80 East Harmon Avenue, Las Vegas, Nevada 89109*

Agenda Items:

1. Call to Order / Roll Call / Welcome Guests and Members of the Public
 2. Approval of May 4, 2023 meeting minutes [p. 2-7]
 3. Public Comment (if any)
 4. Review and Discussion of Legislator Phil Erner's Proposed Revisions [p. 8-11]
 5. Discussion of Proposed Revisions Submitted by Tracey Bartels, Chair, Ulster County Legislature
 - a. Chair Bartels Recommendations with post meeting notes [p. 12-21]
 - b. County Executive's Positions on Chair Bartels' Recommendations [p. 22]
 6. Discussion of Proposed Revisions Submitted by the County Executive [p. 23-32]
 7. Proposed Revision to Section C-29 Submitted by the Board of Elections [p. 33-34]
 8. Review and Discussion of Chart of Proposed Revisions Matrix [p. 35-41]
 9. Review and Discussion of Charter Sections C-105 through C-123 [p. 42-52]
 10. Adjournment
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Other Information:

Ulster County Charter Revision Commission Regular Meeting Minutes

Date/Time: May 4, 2023 at 4:00 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
LeShawn Parker

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

Absent David Donaldson

Quorum: Yes

Other Attendees: Tracey Bartels, Chair, Ulster County Legislature
Victoria Fabella, Clerk, Ulster County Legislature
Phil Erner, Ulster County Legislator
Christopher Ragucci, Counsel, Ulster County Legislature
Ashley Torres, Commissioner, Board of Elections
Johanna Contreras, Deputy County Executive
Laura Nordstrom, Director of Research and Operational Programs,
County Executive's Office
Charles Dinstuhl, Deputy Comptroller
Dare Thompson, League of Women Voters – Mid-Hudson Region
Cynthia Bell, League of Women Voters – Mid-Hudson Region
Jim Gellman
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 4:15 PM.

Motion No. 1: Motion to Approve the April 17, 2023 Meeting Minutes

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Scott McCarthy

Discussion: None.

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

Voting against: None

Disposition: Motion No. 1 passed 8-0.

Public Comment: Chair Mihm recognized Deputy Comptroller Charles Dinstuhl who advised the Commission that the Comptroller was unable to attend the meeting and requested that the Commission delay acting on the Comptroller's recommendations.

Commission Member Frank Cardinale joined the meeting at 5:18 PM.

Chair Mihm recognized Tracey Bartels, Chair, Ulster County Legislature, who presented her proposed Charter revisions to the Commission, including but not limited to the following:

- Commission Members discussed Chair Bartels' request that the 10-year period set forth in Section C-5(B) remain unchanged. Chair Bartels proposed that future Commissions be convened on April 15, to fix the time pressure relating to the ballot. Commission Member Rodriguez agreed with a date certain, and proposed March 1. Chair Bartels said she was not opposed to March 1 but noted that an April date would give a new County Executive more time. Commission Member Woltman suggested adding language that the calling of a special Commission would not change the timing of the regular Commission requirement. Commission
- Chair Bartels recommended that the number of required public hearings under C-5(B)(4) be increased from 1 to 2. Commission Member Simonofsky asked if there was a preference for 3 public hearings. Commission Member Tantillo noted that the requirement for redistricting is 2. Chair Bartels was okay with 2 or 3.
- Commission Members discussed the proposed revision relating to clarifying the references to "Clerk" in the Charter. Vicky Fabella, Clerk, Ulster County Legislature spoke in favor of the proposed revision.
- Chair Bartels proposed adding a definition for "departmental estimates" in C-6. Commission Member McCarthy noted that the Comptroller already requested a definition of "departmental estimates" and the Commission voted on it on March 9. Commission Member Tantillo noted that the County Executive proposed replacing the word "estimates" with "requests." Chair Bartels voiced her opposition to the CE's proposal.

Commission Member LeShawn Parker arrived at 4:38 PM.

Chair Bartels continued presenting her proposed revisions, including but not limited to the following:

- Chair Bartels explained that the deletion of the word “a” in C-20(A) would reflect the current practice of having more than one Legislative Counsel.
- Chair Bartels and Commission Members discussed the proposed deletion of C-25(P) which empowers the County Executive, among other things, “to conduct studies and investigations” and “appoint citizens’ committees, commissions and boards.”
- As to C-29(D) Chair Bartels agreed that it needed to be addressed but expressed concern with having an appointed County Executive serving for a protracted period of time. Commission Member Rodriguez noted that the Legislature used to approve all Deputy County Executives and opined that special elections are “small d” not democratic. Chair Bartels spoke in support of the recommendation that the same requirements that apply to the County Executive apply to the succession list.
- Commission Members discussed the proposed changes to C-29(G). Chair Bartels noted that there is no requirement that Deputy County Executives be on the succession list. Commission Member Rodriguez noted that in the past, successors had been approved by the Legislature. Commission Member Tantillo questioned whether successors should be subject to the 3-year residency requirement proposed for the County Executive.
- As to the proposed change to C-34(A), advancing the release date for the proposed budget to the first or second Friday in September, Commission Member Woltman proposed setting a fixed date, such as 8/31, for clarity.
- As to the proposed change to C-34(B), requiring the statement of actual expenses and actual revenues for 3 years as opposed to 1 year, Chair Bartels noted that 3 years helps the Legislature see trends. Commission Member Tantillo noted that all of the years are available online.
- As to C-37, Commission Member Woltman noted that it should be a “legislative” committee. Chair Bartels said she will come back with new language.
- Chair Bartels spoke in support of the proposed change to C-40(A) requiring the County Executive to notify the Legislature of salary transfers within 30 days prior to such transfer. Commission Member Tantillo asked about alternative work schedules which bump salaries. Chair Bartels stated that she chose not to address alternative work schedules as they are an important tool for department heads.
- Commission Members discussed the proposed revision to C-41, striking the requirement that the Commissioner of Health be a licensed physician. Chair Bartels said that she could give the Commission more information, including examples from other counties. Chair Bartels noted that being a licensed physician does not necessarily qualify someone to be a public health director.

- Chair Bartels spoke in support of her proposed revision to C-46 to change the selection process for the Planning Director from being selected by the Executive from a pool of candidates put forth by the Planning Board to being appointed by the Executive. Chair Bartels said that a pool of candidates is a severe limitation and noted that she wants the Executive to have the latitude to find the best person for the job. Commission Member Rodriguez took the position that the Planning Board should be involved in the selection process but that the Commission could debate the number of candidates included in the pool (e.g., 3 or 10). Commission Member McCarthy agreed and noted that he is a member of the Planning Board. Commission Member McCarthy questioned the need for the change when the Legislature could deny the Executive's selection in either case. Chair Bartels noted that the current Planning Director was not chosen from a pool and suggested a compromise could be to have the Planning Board involved in the selection process, but not leading it.
- As to the proposed revision to C-57(H) to delete language giving the Comptroller the authority to "appoint citizens' committees, commissions, and boards," Chair Bartels noted that the Comptroller does not agree with the proposal. Chair Bartels stated that such authority is outside the scope of the Comptroller's duty and steps on legislative power.
- As to the proposed revision to C-63(4), to replace "personal property" with "tangible property," Assistant County Attorney Richard Williams advised the Commission that "personal property" is a legal term of art.
- As to the proposed revision to C-77, to remove the language requiring the Public Defender to "devote full working time to the duties of the office," Chair Bartels noted that there is a discrepancy in pay between the PD and the District Attorney, and that in the past department heads have been allowed to have part-time jobs. Commission Member Rodriguez noted that the reason for such language was that the prior PD was not devoting enough time to the duties of the office. Commission Member Tantillo voiced her concern with the PD taking private clients and noted the potential for conflicts.

Commission Member Harris asked Chair Bartels if all of the recommendations had been vetted by the entire Legislature. Chair Bartels responded no, but that the bulk of the recommendations were agreed to by the Majority and Minority Leaders.

Chair Mihm recognized Johanna Contreras, Deputy County Executive, who presented the County Executive's proposed changes to the Charter, including but not limited to the following:

- As to C-28, requiring every board member of a County board to complete ethics training within 1 year of employment, and every year thereafter, Commission Member Woltman asked whether "appointment" was meant instead of "employment." Commission Member Tantillo said she hoped such training would be available electronically.
- As to the proposed revision to C-33, including the proposal to replace "departmental estimates" with "departmental requests," Deputy County Executive Contreras advised the Commission that the goal is to work with the Legislature and agree on language.

- As to the proposed revision to C-41, relating to the removal of the requirement that the Commissioner of Health be a physician, Deputy County Executive Contreras advised the Commission that the CE's Office agrees with Chair Bartels. Deputy CE Contreras explained that there is a shortage of physicians, and the Commissioner of Health would be required to have a consulting physician on staff either way.
- As to the proposed revision to C-45, relating to the Community Services Board, Deputy County Executive Contreras noted that the change is to align the section with state law.
- As to C-46, relating to the selection process for the Director of Planning, Deputy County Executive Contreras advised the Commission that the County Executive agrees with Chair Bartels.
- Commission Members and Deputy County Executive Contreras discussed the proposed revision to C-47 striking the language "or County Legislature." Deputy CE Contreras explained that the language creates confusion if the Director of Planning (or other department head) is subject to the directions of both the County Executive and the Legislature.
- As to C-100(A), Commission Member Tantillo pointed out that the language "serve at their pleasure" was confusing as to whether the Director of Human Rights serves at the pleasure of the County Executive or the Legislature.
- As to C-100(B), Deputy County Executive Contreras explained that the prior language was unclear as to the powers and duties of the Chair of the Human Rights Commission versus the Director.
- As to C-101(B), Deputy County Executive Contreras explained that the proposal is that the Chair and Director of the Human Rights Commission be the same person. Commission Member Tantillo expressed concern and noted that other County boards do not do this. Deputy CE Contreras advised the Commission that the proposal follows the model in Dutchess County. Commission Member Rodriguez noted that the Human Rights Commission submitted a proposal that is the opposite of the CE's proposal. Commission Member Tantillo raised a concern that the last sentence of the section does not clarify what happens if someone leaves in the middle of their term.
- As to Recommendation 12, regarding the creation of a Department of Weights and Measures in the Charter, Commission Members questioned where the Department was addressed in the Administrative Code. Assistant County Attorney Williams advised the Commission that the Department is under Article 24 in the Admin Code under Consumer Fraud Bureau, and previously was in the Charter under the Consumer Fraud Bureau. Commission Member Woltman raised the issue regarding the unclear "serve at their pleasure" language.

Chair Mihm recognized Ashley Torres, Commissioner, Board of Elections, who spoke on behalf of the Board of Elections in support of their proposed revisions to Section C-29(D) and (E). Commissioner Torres noted that the 7 days matched the time period set forth in NYS Election

Law Section 6-116. Commission Members discussed concerns about whether 7 days was enough time for candidates to gather signatures. Commissioner Members considered 21 or 30 days. Commissioner Torres advised the Commission that they could change the day count. Chair Mihm expressed support of 21 days.

Motion No. 2: Motion to Adjourn

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Mici Simonofsky

Discussion: None.

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

Voting against: None.

Disposition: Motion No. 2 passed 10-0.

Meeting adjourned at 6:22 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo

Dante DeLeo

From: Phil Erner
Sent: Monday, May 1, 2023 12:27 AM
To: Ulster Charter Commission
Cc: Dante DeLeo; Jeremiah Sheehan; Victoria Ann Fabella; Christopher Ragucci; Amanda LaValle
Subject: CHARTER REVISION COMMISSION

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Charter Revision Commission:

Please consider the following changes I propose to the Charter of Ulster County, New York.

1. Article XXXIV Periodic Compensation Review Committee

- a. **Abolish this Committee & determine salaries of elected officers as follows: sliding-scale compensation**, providing a minimum living wage to the wealthiest and a maximum of the median area income for the poorest, all adjusted for family size. For legislators, assume a 30-hour workweek. For County-wide electeds assume a 60-hour workweek.
- b. **If you reject (a.), then abolish this Committee** and set all county-wide elected salaries as equaling the **Area Mean Income (AMI)** adjusted for family size; and for **Legislators**, assume a 30-hour workweek to **earn 75 percent of adjusted AMI** adjusted for family size.
- c. In any case Legislators shall not increase their own salaries but rather **require popular referendum on Legislators' salaries**.

2. All public meetings hybrid, in order to broaden public access to government. **Live broadcast** via television, World Wide Web or equivalent, and make & publish video & audio **recordings, of all public meetings of Ulster County**, including Boards & Commissions, for accessibility & transparency.

3. § C-26 Appointment of department heads

Outside work prohibited for all Department Heads. This will limit conflicts of interest & ensure focus for each officeholder.

4. § C-16 Advisory committees, commissions and boards (Legislature) & § C-28 (Executive):

- a. Appointments to **include representation from all geographic areas of County on Legislative or Executive Boards & Commissions**.
- b. Considering that Boards & Commissions membership have qualifications in their respective subjects generally exceeding those of the legislature and of the public, **define certain powers & duties of these Boards & Commissions to make decisions without needing legislative approval**. The Commission on Reapportionment already does that, for obvious political reasons. Through the efforts of additional boards & commissions we could save time & further empower experts from the public while preventing accumulation of excessive power by a small group of generalist legislators. Because other county elected

leaders choose their membership, the public still has an indirect choice in the board and commission members; but perhaps let's popularly elect more of those positions too!

5. Article XXX. Commission of Human Rights

- a. **Retitle the department head as Director.** It's confusing to call the salaried, top person, as well as the volunteers, all by the same name. One volunteer commissioner recommends keeping their title as "commissioners" & to call the head "Director."
- b. Under Human Rights law section 216-2 B, add 'spoken or written language' to 'impermissible considerations'; that is, **add "language" as a category of prohibited discrimination.**

6. § C-41: Environment, Department of the

- a. Expand powers & duties beyond internal county matters, within limits of State pre-emption, based upon the New York State Constitution as Amended by referendum in 2021, in order to guarantee the right of the people to "clean air, water & and a healthful environment." In practice this Department now does promote policy beyond County government, but the Charter has limited its powers to do so.
- b. Establish a **County Environmental Advocate**, to advocate on behalf of residents as referee between town, state, utilities, other businesses.

7. § C-26, G.: DISALLOW an individual serving as head of two or more departments or administrative units of government; as well as County Executive serving as head of the same.

8. § C-25, A, mentions both Clerk and County Clerk. **Clarify that "Clerk" by itself refers to the "Clerk of the Legislature."**

9. Repeal Article XXIX, as we no longer have a County Residential Health Care Facility.

10. Article XXXIV: change department title to **"Consumer Protection Bureau"**. That friendlier title also suggests more expansive functions.

11. Chapter 37: Elections - - public funding via matched funds of Elections for County offices of Clerk, Comptroller, District Attorney, Executive, Sheriff & Legislature, where not prohibited by state law.

- a. Create election fund.
- b. Limit campaign spending based on the maximum match, set by further (near future) policy.

12. (NEW SECTION; corresponds with Admin Code Chapter 37 "Elections") Any county elected officer seeking a different elective government office at whatever level must "resign to run."

- a. Prevent elected officers from campaigning distractions during their term in office.
- b. Reduce the usage of county elective offices as political stepping-stones.

13. § C-8 Members; term of office; election. All legislators term out after decennial redistricting.

- a. reduces possibilities for gerrymandering.
- b. Create transition procedures, so that new legislators can learn from predecessors and legislative & other staff.

14. (NEW SECTION) Create an Obsolete Laws Commission to study & recommend any laws in need of repeal.

15. (THROUGHOUT) Charter to use **gender-friendly language** for clarity and brevity. For example, replace “he or she” with “they”, “him or her” with “them”, and “his or her(/s)” with their(s).
16. (NEW SECTION) **Create Civic Imagination Office.** See Bologna, Italy, which has made 500 pacts between the people & municipality
<https://www.resilience.org/stories/2019-03-07/bologna-the-city-with-a-civic-imagination-office/>
17. § C-1 Title and purpose.
 As contained in the Constitution of the United States and New York State, I humbly offer the following **preamble### to the Charter of Ulster County**, which states a brief history of the name of the County, as well as the purpose of the County government:

We the people of Ulster County - - so named by European settler colonists since 1683, but also & previously known by the Esopus Lenape Munsee*** people & other regionally descended first nations including but not limited to the Stockbridge-Munsee and Ramapough Munsee Lenape among Algonquian peoples as a part of Lenapehoking, 'homelands of the Lenape'; Atharhacton, or uptown Kingston; bordered to the east by earlier as the Mahicannituck, “river that flows both ways,” later as the Hudson River * - - in order
 to take indigenous action to decolonize our minds and beings with acknowledgment of our unity with Earth;
 to defeat human conceit about our occupying the apex of existence by respecting all beings including other animals, plants, land, water & air, mountains & forests;
 to acknowledge & repair the shame & horror of centuries of enslavement of certain African-descended peoples by certain European-descended peoples upon these lands, and the continuing legacy pertaining thereunto;
 to defeat legal State & social violence, tyranny & oppression once & for all and to hold each other accountable through love;
 to reject the assumption that technology leads to inevitable progress, ever-upward;
 to ensure just mobility for all bodies on streets, and within and between the city, towns & villages;
 to establish respect for scientific methods of collective discovery & invention; to recognize & observe the [Limits to Growth](#);
 to promote music, dance, and the performing & fine arts;
 to support self-organizing workers & self-actualizing work;
 to re-establish & defend a Commons that is shared not a commodity;
 to foster the emergence of [Nurturance Culture](#); to prescribe rest & self-care;
 to reunite & get acquainted with Mother Earth;
 to recommend & to provide for & with each other basic necessities for survival & thriving;
 to ...;
 to ...;
 & to secure for ourselves & our posterity the blessings of liberation;
 do hereby ordain & establish this Charter for Ulster County, New York.

Being neither an historian nor a legal scholar I simply offer my aesthetic opinions as only one of Ulster County’s approximately 180,000 human inhabitants. **I invite you each please to contribute further to this Preamble.** Let’s make & keep it a living thing.

*** permission to use names of First Nations peoples & places to be requested & used only with blessing or endorsement from those peoples. Let’s begin to request these conversations via diplomatic ties maintained by County Clerk with e.g. the Ramapough Lenape.

FINAL NOTE: Because the constitutions of neither the United States of America nor New York State currently insists that the people shall support one another in securing the **basic material necessities of survival**, and in apparent absence of either pertinent imminent action or prohibition pertaining thereunto by such authorities, I believe that here in Ulster County we ought to describe & prescribe such mutual & individual rights & responsibilities, or relations. We could do so by instituting a **Bill of Rights & Responsibilities**, with functions (perhaps establishing **departments** or divisions of)

natural & social utility, e.g. Food; Housing; Transportation; Manufacturing; Domestic economy etc. Such functions might fall within existing department structures. Please consult Deputy Executive Amanda Lavalle, with whom I have begun this conversation with County administration.

Sincerely,

Phil Erner

Legislator, District 6: City of Kingston wards 3, 5 & 9

Health, Human Services & Housing (HSHS) committee

Public Works, Capital Projects & Transportation (PWCPT) committee

Agricultural & Farmland Protection Board, Legislative Representative

Charter/ Admin Code Review Recommendations – Legislature Submitted by Chair Bartels

1. The Legislature respectfully urges the Commission to review the Administrative Code in conjunction with the Charter, as the Administrative Code further clarifies certain sections of the Charter and changing the Charter without consideration of the Code may result in confusion and/or inadvertent modifications to the intent of affected Charter sections.
2. **Section C-5(B):** As set forth by the Chair at a prior Commission meeting, the Chair urges that the time frame set forth in Charter Section C-5(B) be left unchanged, requiring the Charter Revision Commission to convene every ten (10) years.
3. **Section C-5(B):** Section C-5(B) sets forth in part, as follows:

“Amendment or revision by Commission. Within five years after the enactment of this Charter, and at least every 10 years thereafter, a Charter Revision Commission shall be appointed to review and make recommendations to the County Executive and Legislature on amendments, additions or revisions to this County Charter.”

It is proposed that said language be amended as follows:

“Amendment or revision by Commission. ~~Within five years after the enactment of this Charter,~~ **No later than April 15, 2032** and at least every 10 years thereafter **in even-numbered years**, a Charter Revision Commission shall be appointed **and convened** to review and make recommendations to the County Executive and Legislature on amendments, additions or revisions to this County Charter. **Nothing shall preclude the convening of a Charter Revision Commission at any time should the County Executive and County Legislature agree on the need to convene the Commission.**”

4. It is proposed that **C-5(B)4** be amended as follows:

“The Commission, by two-thirds vote of its members, may place directly before the voters for their approval at referendum proposals to amend or

revise Charter provisions pertaining to the County in Article II or III of this Charter. These amendments or revisions must be filed with the Ulster County Board of Elections timely so as to allow a vote upon them at the next scheduled general election after the Commission reports. No later than one month before the scheduled referendum at which its adoption will be considered, the Commission must hold at least ~~one~~ **two duly noticed** public hearings on any Charter change proposed directly to the ballot. Amendments or revisions proposed directly to the ballot by the Commission will be deemed adopted if approved by a majority of voters casting ballots on the question during the next scheduled general election. Notwithstanding other provisions of this Charter, if the Charter Commission proposes a matter for direct ballot consideration, the Commission will continue to function until the day after election day of the year of consideration of its proposal on the ballot.”

5. It is proposed to amend **C-6** Definitions –
 - 1) Strike the definition for CLERK as Clerk of the Legislature and County Clerk are understood within each applicable Charter section and this definition adds confusion.
 - 2) Add a definition of DEPARTMENTAL ESTIMATES to read “Also referred to as Departmental, Agency, Office or Unit Estimates. Any and all documentation setting forth preliminary and/or final budget estimates for a given department agency, office or unit within Ulster County Government, together with any and all supporting documentation relied upon during the creation of said estimate(s), including reports, memorandums, graphs and/or charts. Departmental Estimates include estimates of expenses and revenues but are not required to include both.”
6. **Section C-9(B)** – No County Legislator shall hold at the same time any other elective public office. It is respectfully suggested that membership on a School Board be exempt from the prohibition set forth in Section C-9(B).
7. Correct typo in **C-10E** – “The first meeting of the Commission shall be convened by the County Executive no later than 15 days after it is fully appointed/ for the purposes of receiving its charge and determining how a Chairperson will be selected.

8. **Section C-10F** - Commission on Reapportionment – It is requested to add the words “and state law” to the end of C-10F(1) ... “The Commission shall be guided by the criteria set forth in § C-10A of the County Charter and state law.” It is requested to amend C-10F(3) as follows:

“The Commission shall hold ~~one or more~~ a minimum of three geographically diverse and duly noticed public hearings on or prior to May 20 of each year ending in "2" and shall make its draft plan available to the public for inspection and comment not less than 10 days before such public hearing.”

It is requested that a new section be added, F (7), setting forth as follows:

“Notwithstanding any other provision of this Section, the Commission may reconvene after the date on which the proposed redistricting plan is submitted to the Board of Elections, to correct errors or omissions, or to undertake any further action as required by law.” (The Chair has requested language from the County Attorney regarding this proposed amendment.)

9. **Section C- 11 (H)**: should be amended to prohibit the renaming of positions in Ulster County Government without Legislative oversight and approval, as follows:

“To fix the compensation of all officers and employees paid from County funds or, for employees not covered by a collective bargaining agreement, to establish salary ranges within which the appointing authority shall have discretion to set the actual salary within the range. **Position title(s) for all budgeted county employment positions in Ulster County Government shall not be changed or otherwise modified from the position titles set forth in the adopted Ulster County Budget, unless such changes or modifications are required pursuant to New York State Civil Service Law, or Resolution adopted by the Ulster County Legislature.**”

The Legislature performs its duty of fixing compensation and establishing a salary ranges pursuant to those titles listed in the budget and the changing of titles outside of this process is an infringement on Legislative authority.

10. **Section C-11(O)**: The Legislature respectfully urges the Commission to keep the contract approval threshold at 50K.

11. It is requested to amend **C-20(A)** to strike the word “a” as follows:

“There shall be ~~a~~ Counsel to the Legislature...”

12. It is requested to amend **C-25(H)** as follows:

“Except as otherwise provided in this Charter, serve as an ex officio member of and appoint, supervise and terminate all executive committees, commissions and boards needed to assist him or her in the exercise of his or her executive functions and in the planning, formulation and administration of executive ~~policies~~ **procedures** and programs...”

13. It is requested to strike **C-25(P)**:

~~“To conduct studies and investigations in furtherance of his or her executive functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards,”~~ as it is duplicative of C-25H and C-25H is referenced and reinforced in C-28.

14. **Section C-26:** The Charter does not currently require that notice be given to the Legislature when a vacancy is created by the departure of a department head or head of an administrative unit. In turn, an amendment to Section C-26(C) should be made, as follows:

“All appointments, whether or not subject to confirmation of the County Legislature, shall be in writing, signed by the County Executive, and filed in the office of the Clerk of the County Legislature within 10 days after the date of appointment. Except as otherwise provided in this Charter, **or state law**, no such appointee shall hold office beyond the term of the County Executive by whom the appointment was made. Unless removed, an appointee shall continue to serve until his or her successor is appointed and has qualified, or until an interim appointment is made. **The County Executive shall notify the Legislature, in writing, within ten (10) days from the date a vacancy occurs in any position appointed by the County Executive, pursuant to this Section.**”

15. **Section C-29(D):** The Legislature concurs that there is a timing issue related to the vacancy and the special election that needs to be addressed. There are concerns about not having a protracted period with an appointed Executive.

16. **Section C-29 (G):** Section is confusing and its purpose unclear in relation to the first day and the 45 day period. It is suggested to clean up language.

~~“Commencing with the enactment of these provisions, the County Executive shall, on or before December 1, 2012, and for every new County Executive~~

~~entering into a term thereafter on the first day of such term, be authorized to file the name of two persons to serve as Acting County Executive to take effect immediately. Within 10 days thereafter~~ **of taking office**, the County Executive shall file a list with the County Clerk and Clerk of the County Legislature consisting of a list of one or more names to serve as Acting County Executive. ~~Such list shall take precedence over the first persons initially designated 45 days after the filing of such list. Such list may be modified from time to time, but shall not take effect until the expiration of 45 days the entire duration of which the County Executive who filed such list shall have had to remain in office, or such list shall not otherwise take effect. During such forty-five day period, the prior list shall remain in effect. In the absence of such written designation of order of succession and in the event of the County Executive's inability to perform and exercise the powers and duties of his or her office, the County Legislature shall appoint a person then serving in County government to serve as Acting County Executive."~~

17. **Section C-34(A):** The Legislature respectfully requests that the release date for the proposed budget be advanced by one (1) month, i.e. **no later than August 31st (as suggested by some Commissioners). The full Legislature is in agreement and firmly believes this is necessary in order to perform its duties pursuant to the Charter. The current 2 month schedule has proven time and time again that it is not sufficient time for review and evaluation of the Executive's proposal.** ~~the first or second Friday in September. Also Section C-34(A), calls for a six year capital program but the Ulster County program has consistently been five years.~~ **Please disregard this last sentence about the capital program.**

18. It is requested **C-34 (B)** be amended as follows:

"The proposed County budget shall be balanced, with projected revenues equaling or exceeding estimated expenses for the next ensuing fiscal year, and shall be presented in three sections, one of which shall set forth the estimated revenues and receipts, one of which shall set forth the estimated expenses, and one of which shall set forth the proposed capital authorizations and expenditures. A statement of actual expenses and actual revenues for the **three** immediately preceding completed fiscal years, budgeted expenditures and revenues for the current fiscal year, and expenditures and revenues to date for the current fiscal year shall be included in the proposed County budget, prepared in a format that facilitates year-to-year comparison. The proposed County budget shall present the complete financial plan for the County and its agencies for the next ensuing

fiscal year, including setting forth proposed borrowing, if any. An estimate of unencumbered balances at the end of each completed fiscal year, except when otherwise provided by law or appropriated for a capital improvement or other authorized continuing project, shall be treated as revenue for the County budget for the next ensuing fiscal year.”

19. **Section C-37:** A proposed amendment to Section C-37, is set forth below:

“C-37. Beginning no later than the third Friday of November of each year, the Legislature, **or Legislative committee designated by the Legislature**, shall hold, in at least three geographically dispersed locations in the County, public hearings on the County Executive's proposed County budget, the budget message submitted by the County Executive, the report resulting from the review and analysis of that budget and message by the Legislature or its designated committee. The Clerk of the Legislature shall cause to be posted on the County website published in the official newspaper of the County and such other newspapers as may be designated by the Legislature notices of the places, locations and times when these hearings shall be held, their purposes, a concise summary of the proposed County budget, budget information, together with copies of the proposed budget, the budget message and the report submitted by the Legislature or its committee may be inspected or obtained by any interested person. At least 10 days shall elapse between the publication of a notice and the date specified for any budget hearing. At a budget hearing any person may be heard. Insofar as necessary and practicable within the deadline for the timely final adoption of the County budget, a budget hearing may be adjourned to a date certain or from day to day.”

20. **Section C-40 (A):** It is respectfully submitted that Section C-40 should be amended, as follows:

A. “The County Executive shall manage the County's resources to achieve maximum economy, efficiency and effectiveness in County government. Pursuant to this responsibility he or she may, during any fiscal year, transfer part or all of any revenue or expenditure within a program or purpose of any department, agency, office or unit to another program or purpose within that department, agency, office or unit, except that the effect of such a transfer, unless used for payroll related expenses, may not be to reduce **or increase** the rate of pay or annual salary of any County employee employment position, regardless of whether said employment

position is vacant or filled in a given year. Written notice of such a transfer shall be given **by the Ulster County Executive, or the County Executive's authorized designee**, to the Legislature **no less than 30 days prior to the date such a transfer is made."**

21. It is requested to standardize language for all department heads by adding the following to each department where missing, "Department head title X shall perform such other and related duties as required by the County Executive and County Legislature." Missing from:

C-41 Commissioner of Health or Public Health Director

C-44 Commissioner of Mental Health

C-61 Personnel Director

C-69 County Attorney

C-75(B) Director of Economic Development- strike "as appropriated by the"

C-90 Fire Coordinator

C-96 Director of Probation

C-113 Director Emergency Communications/Emergency Management;
Office of Civil Defense

- Below note applies to this request and also the Executive request to remove authority Charter already grants in relation to Planning and Purchasing Director.

Pursuant to C-11, the County Legislature shall be the legislative, appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto, including but not limited to express legislative authority over the subject matter outlined in Section 11(a)-(p).

Pursuant to C-47 and 74, the Legislature and Executive are expressly authorized to compel both the Director of Planning and Director of Purchasing to perform such "other and related duties" as required by the County Legislature and County Executive. Legislative action authorized by the Charter Sections C-47 and C-74 is subject to the same system of checks and balances as all other Legislative initiatives. A resolution must be drafted, considered in the appropriate Legislative committee, passed by a majority of the members of said committee, then passed by a

majority vote of the full Legislative body. Such a resolution is subject to veto by the County Executive. A veto may be overridden by the Legislature, provided two thirds of the full Legislative body vote to do so.

The Legislature, as the sole appropriating and policy determining body of the County, is required to enact countywide policies, make appropriations and otherwise exercise "all powers and duties" conferred upon it and any such other related duties as required by the Charter. Accordingly, it is essential for the Legislature to have the ability to compel the heads of not only the Planning and Purchasing departments, but all County departments, to take action to provide critical information and other resources that the Legislature requires to develop policy and appropriate funding in an effective manner. To deny the Legislature the authority to compel department heads to take action impairs the Legislature's ability to function in the manner prescribed by the Charter and fosters an unbalanced power structure in county government.

22. It is requested to strike the following language in **C-41**:

“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...~~”

23. It is requested to strike and add language in **C-46**:

“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 be appointed on the basis of his or her professional training and experience and other qualifications for the responsibilities of that office.**

24. **Section C-50(B)** states the capital improvement program is prepared by the Department of Planning (strike the words prepared by the Department of Planning) “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...”

This power already vests with County Executive to decide pursuant to C-25 (I) where the Executive is to “Serve as the chief budgetary officer of the County, and as such, prepare and submit to the County Legislature the annual budget, capital program, and accompanying message...”

25. It is requested to amend **C-50(C)** as follows:

“To review the Comprehensive Plan and to submit its recommendations on it to the County Executive and County Legislature 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.”

26. **Section C-53** – Commissioner of Finance- add language “shall devote full working time to the duties of the office”

27. **Section C-53(C)** Director of Real Property Tax Service – Legislature should confirm appointment. (Same already adopted by Commission for C-69 County Attorney)

“There shall be, within the Department of Finance, an independent Division of Real Property Tax Service under the direction of a Deputy Commissioner of Finance/Director of Real Property Tax Service, who shall be appointed by the County Executive, **subject to confirmation by the County Legislature**, and serve at the pleasure of the County Executive.

28. Delete and Reserve **C-54** Transition

29. It is requested to amend **C-57 (H)** as follows:

“To conduct studies and investigations in furtherance of his or her functions and, in connection therewith, to obtain and employ professional and technical advice, ~~appoint citizens' committees, commissions and boards,~~ subpoena

witnesses, administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations. A subpoena issued under this section shall be regulated by the Civil Practice Law and Rules together with any state or federal laws or rules that may be applicable. The subpoena shall not extend to disclose the identity or jeopardize the safety of victims, confidential informants, witnesses, and undercover officers or operatives;”

30. It is requested to amend **C-62 (B)** Commissioner of Social Services as follows: “Powers and duties. Except as may otherwise be provided in the Charter, the Commissioner shall manage and/or supervise all social services ~~institutions~~ programs and facilities owned or operated by the County.”

~~31. It is requested to replace the word “personal” with the word “tangible” in C-63(4) Commissioner of Public Works as follows:~~

- ~~1. “Have charge of and have the duty of performing such other functions concerning County real and personal **tangible** property, public works and other matters as the County Executive and Legislature may, from time to time, direct;”~~ **Please disregard this request.**
2. **Section C-77** Public Defender – possible removal of language “shall devote full working time to the duties of the office”
3. Delete and Reserve **Article XLII**. Department of Community Corrections (Same for XXIX Department of Residential Health Care Facilities – Potential Replacement with adoption of Department of Budget)
4. It is requested to require further member diversification on the Human Rights Commission by amending **C-101(B)** as follows:

“... Appointments shall be representative of the ~~various religious, racial, ethnic and nationality~~ **diversity groups** in Ulster County's communities. Consideration shall be given to **representation of gender, gender identity, racial, ethnic, socioeconomic, age, cultural, religious, geographic and disability diversity.**
5. Suggested general revision – clarify “in writing” is original signature.
This is in regards to section C-12 – submission of enactments for executive approval. Each unique and original resolution is physically presented to the Executive for consideration. When returned, the Clerk maintains each original document. The integrity of this process and these legal documents should be maintained.

ULSTER COUNTY EXECUTIVE

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JEN METZGER

County Executive

CHRISTOPHER KELLY

Deputy County Executive

Chief of Staff



JOHANNA CONTRERAS

Deputy County Executive

AMANDA LAVALLE

Deputy County Executive

County Executive positions on Chair Tracey Bartels Charter Recommendations:

2. Support and concur, every 10 years is appropriate.
5. Oppose, see County Executive submission.
9. Oppose, removes the ability of the County Executive to manage and supervise the day to day operations of the County and hinders the hiring and management of the workforce.
10. Oppose, Support moving the contract threshold up to \$75k to adjust for inflation that has occurred since charter implementation. Inflation further reduces the value of contracts in the time between now and the next charter revision committee.
13. Need more information to establish a position
17. Oppose, See Executive submission
20. Oppose, curtails Executive ability to manage
21. Oppose, at the core of separation of powers and duties the Executive office is in charge of the operations of the county and this counters to procedure.
22. Concur, see Executive language.
26. Oppose, to vague there is a process for declaring conflicts and recusal
27. Oppose
31. Oppose
32. Support
34. Oppose, See County Executive submission

A charter is the foundation of a local government and functions as the municipal equivalent of a state or federal constitution, setting forth guiding principles for governance, it provides stability and consistency to a local government. The process of drafting charter amendments is not an easy undertaking, it is a major task that has long-lasting impacts - not just for the local government, but also for its residents. The process requires the commitment, time, and talents of citizens and governmental staff.

As such, it is my pleasure to thank those who have donated their time and effort to serving on the Charter Revision Committee to undertake this tremendously important task.

I respectfully submit the following recommendations for charter change to the Charter Revision Committee.

Sincerely

Jen Metzger

Recommendation 1:

To be in alignment with best practices regarding language and inclusivity, we propose that all instances in which gender specific terms including but not limited to she, her, hers, he, his; be replaced with gender neutral terminology such as: they, them, their, theirs; as there is no guarantee of the gender of the individual holding or to hold position being referred to. Current language is exclusive of individuals who identify as non-binary or without gender.

Recommendation 2:

§ C-28. Advisory committees, commissions and boards.

Members of all committees, commissions and boards appointed pursuant to § C-25H of this Charter shall serve at the pleasure of the County Executive without compensation other than for actual and necessary expenses within appropriations made therefor, unless otherwise provided by resolution of the County Legislature; provided, however, that in the case of individuals appointed hereunder for definite terms, no removal shall be made until the person to be removed has been served with notice of the reasons for such removal and given an opportunity to be heard publicly if he or she desires thereon by the County Executive. The decision of the County Executive shall be final.

Individuals who serve on Ulster County Boards are serving functionally as representatives of Ulster County, and as such, must be in compliance with Ulster County's Standard Operating Procedures and Training Requirements. Every Board Member of an Ulster County Government board shall be mandated to complete an ethics training provided by the Ulster County Attorney's Office within 1 year of employment, and every year thereafter.

Recommendation 3:

§ 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 ~~herhim or himher, an overall estimate~~ **a request** for that department, agency, office or unit and estimates by program within that department, agency, office or unit of **personnel, equipment and contractual appropriations for the operation of said department, agency, office or unit** ~~expected expenses~~ and expected **departmental** revenues for the next ensuing fiscal year. A copy of said ~~requests~~ **estimates** from each department, agency, office or unit shall be ~~simultaneously~~ submitted **by the first Friday in August** to the Clerk of the Legislature. These ~~requests~~ **estimates** shall be called "departmental **requests**". ~~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 ~~requests estimates~~ shall be public records and shall at all reasonable times be open to public inspection and published with the County Executive's budget submission.

Recommendation 4:

§ 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. In addition, he or she is~~ they are required to at minimum have a master's degree in public health from a regionally accredited or New York State-registered college or university that demonstrates the core competencies of a public health education or a masters degree in a related field from a regionally accredited or New York State-registered college or university. ~~He or she~~ They 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~~ their 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~~ they 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~~ they shall perform such other and related duties required by the County Executive.

Recommendation 5:

§ 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 separate subcommittees for mental health, developmental disabilities, and substance abuse. The number of members comprising each subcommittee shall be set pursuant to Section 41 of NYS Mental Hygiene Law and shall include at least three currently serving Community Service Board members. ~~There shall be disability subcommittees of nine members each, three members of whom must also be currently serving Community Service Board members, Members of both the~~

Community Service Board and the subcommittees ~~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 incurred in the performance of their duties, within appropriations made for such purposes.

Recommendation 6:

§ C-46. Appointment of Director of Planning.

There shall be a Department of Planning, headed by a Director of Planning **who possesses at least the minimum educational attainments, professional qualifications and administrative experience set out in New York State law.** 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.~~ These powers shall include, but not be limited to:

- 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. § C-52 of this article and attendant provisions of the Administrative Code;
- D. Assisting in the preparation of a capital improvement program as may be set forth in this Charter and attendant provisions of the Administrative Code;
- E. Exercising the powers of review and approval over land use pursuant to § C-51 of this article and attendant provisions of the Administrative Code;
- F. 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;
- G. 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
- H. Acting as host board with regard to the Ulster County Transportation Council.

Recommendation 7:

§ C-74. Director of Purchasing.

- A. There shall be a Department of Purchasing headed by a Director of Purchasing who shall be appointed by the County Executive on the basis of ~~his or her~~ their experience and qualifications for the office to serve at ~~his or her~~ their pleasure, subject to confirmation by the County Legislature.
- B. Powers and duties. The Director of Purchasing shall:
 - 1) In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County;
 - 2) Approve and execute certain contracts as shall be prescribed by the Administrative Code;
 - 3) Establish and enforce suitable specifications and standards for all supplies, materials and equipment to be purchased for the County; and
 - 4) Perform such other and related duties as shall be required and delegated by the County Executive; ~~or County Legislature.~~

Recommendation 8:

ARTICLE XXX ~~Commission of Human~~ ~~Rights~~ Human Rights

§ C-100. ~~Commissioner~~ Department of Human Rights.

A. There shall be a ~~Commission-Department~~ of Human Rights headed by a ~~Commissioner~~ Director of Human Rights who shall be appointed by the County Executive, subject to confirmation of the Legislature, and serve at ~~his or her~~their pleasure.

B. Powers and Duties. The Director of Human Rights shall have managerial responsibility for the Department and administrative responsibility for the Commission of Human Rights. In consultation with the Commission, the Director shall recommend policies and programs to address discrimination in employment, housing, public accommodation, education, and credit; expand public education and awareness of human rights; and foster harmony between the diverse communities within Ulster County.

§ C-101. The Commission of Human Rights Membership; duties; appointments; terms of office.

A. ~~The~~ There shall be a Commission of Human Rights ~~that~~ shall be constituted in accordance with and exercise the powers and duties specified in Article 12-D of the General Municipal Law and other related duties required by the County Executive and/or the County Legislature.

B. Membership; duties; appointments; terms of office. The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of which shall be appointed by the legislative Chairperson, three members by the legislative minority leader, **and five members by the County Executive, one of which, the Commission Chairperson, shall be the incumbent Human Rights Director.** Appointments shall be ~~representative~~representative of the geographic and demographic diversity of Ulster County, taking into account faith-various religious, racial, ethnicitye and nationality, groups in Ulster County's communitiesgender identity, sexual preference, class, ability, marital/familial status, age, and criminal history. No member of the Commission of Human Rights shall serve more than four consecutive terms of three years. [Amended 8-14-2018 by L.L. No. 4-2018; 4-20-2021 by L.L. No. 3-2021]

§ C-102. Authority of Commission. [Amended 8-14-2018 by L.L. No. 4-2018]

A. The Commission of Human Rights shall have all of the authority, powers, duties and obligations expressly set forth in Article 12-D of the General Municipal Law, and shall also have the authority to engage in processes of conference, conciliation and persuasion, with the active assistance of the New York State Division of Human Rights ("State Division"), if needed, in the mediation and solution of complaints within the jurisdiction of the State Division, so as to amicably resolve such complaints, reduce tensions, build consensus, and foster harmony between the various and diverse communities within Ulster County and to otherwise report, but not initiate, any such complaints to the State Division, and shall also have the authority to create bylaws for its own governance, proceedings and activities, but shall not exercise any powers, duties or obligations not otherwise expressly set forth in General Municipal Law Article 12-D.

B. The Commission is authorized to receive complaints of all persons in Ulster County with claimed human rights violations arising under any New York State, federal or local human rights law or regulation occurring in Ulster County and to engage all interested parties who consent to do so in an effort to mutually resolve such complaints through mediation and conciliation before the Commission or its authorized designee. In the event that no members

of the Commission are able or ~~un~~-willing to engage in mediation or conciliation of a given complaint as in the case of ~~a~~ conflict of interest then, subject to legislative appropriation sufficient to pay the expense thereof in a sum not to exceed \$10,000 per year, such complaints may be referred upon consent of all parties to the complaint, to an accredited community dispute resolution center within Ulster County operated under the auspices of Article 21-A of the Judiciary Law for the sole purpose of conducting such a nonbinding mediation and conciliation as specified herein.

- C. The Commission or its authorized designee shall actively monitor and assist persons with such claimed human rights violations through the process administered by the State Division, or pursuant to § C-101B hereof by the local Hearing Officer, for such claims that have not been successfully resolved by the Commission, or its authorized designee, through mediation and conciliation at the local level should such persons elect to file a discrimination claim with the State Division or the local Hearing Officer. The assistance rendered under this subsection shall not include the rendering of legal advice or legal representation to any party.
- D. The Commission or its authorized designee shall maintain records of all complaints received by it during each calendar year and shall make a report to the County Legislature by March 31 of each year summarizing the number, type and disposition of such complaints. Such annual report shall not include names or personal identifying information of any party.

Recommendation 9:

§ C-111. Membership; terms of office; limits of service; compensation. [Amended 10-21-2014 by L.L. No. 5-2014]

There shall be an Ulster County Environmental Management Council comprised of one member from each city, town and village environmental council and commission within the County, nominated by the governing body of that city, town or village and appointed by the County Executive with the confirmation of the Legislature for a term of three years, and up to an equal number of at-large appointees appointed by the County Executive with the confirmation of the Legislature for a term of three years, and the County Director of Planning and County Director of Environment, serving ex officio. The presiding officer of the Environmental Management Council shall be chosen annually by its members from among their members but shall not be an employee of the County of Ulster. Members of the Ulster County Environmental Management Council 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.

Recommendation 10:

§ C-122. Deputy Director.

The ~~Deputy~~ Director of the Youth Bureau shall ~~be appointed by the Director~~ **have the power to appoint a Deputy Director of the Youth Bureau**, in accord with and within the limits of the appropriation provided for this purpose, after consultation with the County Executive on the basis of ~~his or her~~ **their** education and experience. ~~He or she~~ **They** shall possess the powers and

perform the duties of the Director of the Youth Bureau during the absence or inability of such Director to act or in the case of a vacancy in the office of the Director, until a successor is selected and has qualified.

Recommendation 11:

Creation of a Department of Environment in the Charter to align with Ulster County Administration Code:

ARTICLE #

ENVIRONMENT, DEPARTMENT OF THE

§ C-## Director Department of the Environment

- A. There shall be a Department of the Environment, the head of which shall be the Director of the Department of the Environment who shall be appointed on the basis of their experience and qualifications as specifically set forth in the civil service class specifications for that position. The Director of the Department of the Environment shall be appointed by the County Executive subject to confirmation of the County Legislature, and such appointee shall serve at the pleasure of the County Executive. The Director of the Department of the Environment shall execute environmental policy for the County and shall be responsible for the development of environmental policy subject to approval by the County Executive.
- B. Powers and duties. Except as otherwise provided in the Charter, Administrative Code or state law, the Director of the Environment shall:
- 1) Have the authority to appoint and remove all officers and employees of the Department of the Environment, except as such power and authority are specifically limited by local law or New York State statute.
 - 2) Coordinate environmental policy and resource planning for all interrelated County departments and the Ulster County Environmental Management Council.
 - 3) Supervise the efforts of the Department of the Environment employees and coordinate with the efforts of other interrelated County departmental staff on all environmental projects.
 - 4) Review the progress of environmental projects through oversight of the duties of technical staff assigned and make recommendations to ensure the project is on time and the goals of the Environmental Management Council are being met.
 - 5) Provide administrative and technical assistance to the Environmental Management Council.
 - 6) Review ongoing County projects and/or activities with environmental implications and assure that the requirements and guidelines of the project are followed in context with established policies and procedures.

- 7) Act as administrative liaison with personnel in other County departments as well as with federal, state, regional and private environmental planning agencies, consultants and other interested parties involved with environmental issues.
- 8) Formulate and prepare the annual departmental budget.
- 9) Prepare plans, reports, informational material and administrative documents designed to support or implement environmental objectives of Ulster County and the Environmental Management Council to meet both state and federal requirements.
- 10) Coordinate the efforts of County departments and municipalities to utilize geographic information system (GIS) equipment and software as well as global positioning equipment to compile, collect, organize and analyze geographic information relative to the focus and planning objectives of Ulster County and the Environmental Management Council.
- 11) Prepare and present oral, written and multi-media reports to the County Legislature, municipal officials, the media and the public.
- 12) Have all the powers and perform all the duties now or hereafter conferred or imposed by local law or resolution of the Ulster County Legislature.

§ C-## Deputy Directors

- A. The Director of the Department of the Environment shall have the power to appoint one or more Deputy Directors of the Department of the Environment within the limits of appropriations. Every appointment shall be in writing and filed in the office of the County Clerk and the Clerk of the Ulster County Legislature.
- B. The term of office of any deputy appointed hereunder shall coincide with that of the Director of the Department of the Environment, provided that such appointment may be revoked at any time by the Director of the Department of the Environment by written revocation filed with the County Clerk. All positions of Deputy Director shall be in the exempt class of civil service.
- C. Deputy Directors of the Department of the Environment shall perform such duties pertaining to the office of the Department of the Environment as the Director of the Department of the Environment may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign and direct.
- D. If there is but one deputy, they shall possess the powers and perform the duties of the Director of the Department of the Environment during the absence or inability of the Director of the Department of the Environment to act. If there is more than one deputy, the Director of the Department of the Environment shall designate in writing and file in the office of the County Clerk and the Clerk of the Legislature the order in which they are to serve during their absence or inability to act.
- E. In the event of a vacancy in the office of the Director of the Department of the Environment, such deputy, or the deputy so designated, shall possess the power to perform the duties of his or her principal until the disability is removed or, in the case of a vacancy, until a successor

is appointed and has qualified. If no designation shall have been made and filed, the senior deputy shall act.

Recommendation 12:

Creation of a Department of Weights and Measures in the Charter to align with Ulster County Administration Code:

ARTICLE #

WEIGHTS AND MEASURES, DEPARTMENT OF THE

§ C-## Director Department of Weights and Measures

- A. There shall be a Department of Weights and Measures, headed by the Director of Weights and Measures, who shall have all the powers and perform all the duties now or hereafter conferred or imposed on this office by law, so long as they meet all of the qualifications and is duly certified to act in that capacity. They shall be appointed by the County Executive with confirmation by the County Legislature and serve at their pleasure.
- B. Powers and duties. The Director of Weights and Measures shall have and exercise all the powers and duties now conferred or imposed upon a county sealer by applicable law and perform such other and related duties as shall be required of them pursuant to law or delegated to them by the County Executive.

§ C-29 Acting County Executive.
[Amended 8-14-2012 by L.L. No. 9-2012]

- A. The County Executive shall designate in writing, and in order of succession, the person or persons who shall serve as Acting County Executive in the event that he or she resigns, dies or certifies in writing and files with the County Clerk a statement that he or she is unable to perform and/or exercise the powers and duties of the office of County Executive, or in the event that, upon advice sought by a majority of the whole number of members elected to the Ulster County Legislature by formal action not subject to veto by the County Executive, his or her inability to serve is certified by qualified and competent medical authority.
- B. Only persons incumbent in County government may be designated to any list of succession for possible service as Acting County Executive.
- C. If a vacancy occurs in the office of County Executive other than by regular expiration of the term, the person designated under § C-29A as the first successor shall become Acting County Executive until the vacancy is filled in accordance with subsections **D, E and F** of this section. Should the person designated as the first successor be unable to perform and/or exercise the duties of the office, then the person next designated under § C-29A shall become the Acting County Executive.
- D. If the vacancy in the office of the County Executive occurs ~~more than~~ on or prior to 7 days before the last day for circulating designating petitions for the next general election, then the vacancy shall be filled by the next general election. 180 days before the next general election, it shall be filled for the remainder of the unexpired term by a special election to be held no later than 90 days from the date the vacancy occurs. The person so elected shall serve for the balance of the unexpired term commencing 30 days from the date of the certification by the Board of Elections. The Acting County Executive shall continue to serve until such time as the person so elected takes office. Notice of a special election called hereunder shall be in a manner set forth in election law for notice of a general election. It shall be the duty of the Board of Elections to prepare ballots, voting machines and other matters so that such election may be properly held and conducted. Notwithstanding any law to the contrary, the expenses of a special election conducted pursuant to this section shall be borne by the County, except where the special election will be held on the date of a primary election or the next general election. The person so elected at the general election shall serve for the balance of the unexpired term and shall take office on the first day of January next succeeding the vacancy.
- E. If said vacancy occurs after 7 days before the last day for circulating designating petitions for the next general election, then the vacancy shall be filled by the general election held next thereafter. ~~may be filled by a general election to be held no more than 180 days after the vacancy occurs, then no special election shall be held, and the vacancy shall be filled by a general election.~~ The person so elected at the general election shall serve for the balance of the unexpired term and shall take office on the first day of January next succeeding the vacancy.
- F. At any time during the remainder of the term for which a County Executive was elected

after he or she was found unable to perform and/or exercise the duties of the office by competent medical authority, that authority may file a retraction in writing with the County Clerk, and thereafter the County Executive may immediately resume service in that office so long as he or she has not been replaced at a special or general election.

- G. Commencing with the enactment of these provisions, the County Executive shall, on or before December 1, 2012, and for every new County Executive entering into a term thereafter on the first day of such term, be authorized to file the name of two persons to serve as Acting County Executive to take effect immediately. Within 10 days thereafter, the County Executive shall file a list with the County Clerk and Clerk of the County Legislature consisting of a list of one or more names to serve as Acting County Executive. Such list shall take precedence over the first persons initially designated 45 days after the filing of such list. Such list may be modified from time to time, but shall not take effect until the expiration of 45 days the entire duration of which the County Executive who filed such list shall have had to remain in office, or such list shall not otherwise take effect. During such forty-five-day period, the prior list shall remain in effect. In the absence of such written designation of order of succession and in the event of the County Executive's inability to perform and exercise the powers and duties of his or her office, the County Legislature shall appoint a person then serving in County government to serve as Acting County Executive.
- H. The Acting County Executive shall have all the powers and perform all the duties of the County Executive.

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

#	Submitted By	Description of Change	Date Submitted	Determination	Member Note (Y/N/D/Discuss)	Relevant Charter Section(s)
38	Thomas Kadgen	<i>Reimburse up to \$10,000 court and attorney fees to any plaintiff that successfully sues County for breaching Charter</i>	3/23/2023	Revision Declined		1
102	Phil Emer	Adopt preamble to the Charter	5/11/2023			1
8	March Gallagher	Convene Charter Revision Commission at least once every five years	10/4/2022	Revision Accepted		5
51	Legislature	Charter Revision Commission convenes every 10 years	3/11/2023	Seeking		5
52	Legislature	Charter revision commission meets every 10 years *from the previous Commission's first meeting*	3/11/2023	Seeking	Reconsideration	5
103	Legislature	"Amendment or revision by Commission. Within five years after the enactment of this Charter. No later than April 15, 2032 and at least every 10 years thereafter, a Charter Revision Commission shall be appointed to review and make recommendations to the County Executive and Legislature on amendments, additions or revisions to this County Charter. Nothing shall preclude the convening of a Charter Revision Commission at any time should the County Executive and County Legislature agree on the need to	5/11/2023			5
104	Legislature	Convene the Commission. Require two duly noticed public hearings instead of one public hearing on any Charter change proposed directly to the ballot	5/11/2023			5
9	March Gallagher	Clarify definition of "department"	10/4/2022	Accepted 3/9/2023		6
10	March Gallagher	Add definition for "departmental estimates"	10/4/2022	Accepted 3/9/2023		6
81	Hector Rodriguez	Add definition of "read-only access"	4/10/2023	Accepted 4/10/2023		6
105	Legislature	Remove definition of "clerk"	5/11/2023			6
106	Legislature	Define "departmental estimates" to read "Also referred to as Departmental, Agency, Office or Unit Estimates. Any and all documentation setting forth preliminary and/or final budget estimates for a given department agency, office or unit within Ulster County Government, together with any and all supporting documentation relied upon during the creation of said estimate(s), including reports, memorandums, graphs and/or charts. Departmental Estimates include estimates of expenses and revenues but are not required to include both.	5/11/2023			6
64	Town Supervisors	<i>Convert County Legislature to a Board of Overseers format of government</i>	3/9/2023	Revision Declined		7
98	Phil Emer	All legislators term out after decennial redistricting	5/11/2023		4/17/2023	8
53	Legislature	<i>No county legislator shall hold other elective public office. <u>exempting membership on School Board</u></i>	3/11/2023	Revision Declined		9
48	Thomas Kadgen	Add language to section on reapportionment commission where decision on chair can be changed at any time	2/21/2023	Revision Accepted with change		10
54	Legislature	Request section allowing the reconvening of the commission on reapportionment	3/11/2023	Accepted 4/17/2023		10
62	Fawn Tantillo	County Executive ensures qualifications for reapportionment appointees	2/10/2023	Accepted 4/17/2023		10
63	Fawn Tantillo	Provide mechanism for reconvening reapportionment committee	2/10/2023	Accepted 4/17/2023		10
107	Legislature	Correct typo to read "fully appointed for the purposes of receiving its charge"	5/11/2023			10
108	Legislature	"The Commission shall be guided by the criteria set forth in C-10A of the County Charter and state law. "	5/11/2023			10
109	Legislature	Require Commission to hold a minimum of three geographically diverse and duly noticed public hearings, instead of "one or more."	5/11/2023			10
11	March Gallagher	<i>Raise threshold for executive contracts from \$50,000 to \$100,000</i>	10/4/2022	Reconsidered		11
28	Ed Jordan	<i>Increase cost threshold for contracts being approved by the Legislature.</i>	11/2/2022	Reconsidered		11
29	Brendan Masterson	<i>Increase cost threshold for contracts being approved by the Legislature.</i>	11/2/2022	Reconsidered		11
35	Thomas Kadgen	<i>Mandatory issuance of subpoena if request for material is ignored or denied</i>	11/18/2022	Revision Declined		11
36	Thomas Kadgen	<i>Add provision to allow Legislature to act on any mandate that fails to be met or imasse</i>	11/18/2022	Revision Declined		11
50	Legislature	<i>Contract approval stays at \$50k</i>	3/11/2023	Reconsidered		11
55	Legislature	<i>Prohibit reaming of positions without legislative oversight and approval</i>	3/11/2023			11
67	Thomas Kadgen	<i>Appoint an oversight committee for capital projects over 1 million dollars</i>	3/23/2023	Revision Declined		11

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

87 Phil Emer	Appointments to include representation from all geographic areas of County on Legislative or Executive Boards & Commissions.	5/1/2023		16
110 Legislature	"There shall be Counsel to the Legislature" instead of "There shall be a Counsel to the Legislature"	5/1/2023		20
41 Thomas Kadgen	<i>Successor in the instance of a legislator vacancy should come from the same party as the legislator who left the seat.</i>	11/22/2022	Revision Declined	21
66 Thomas Kadgen	Require County Executive to be a qualified elector of the County for a period of 3 years	3/2/2023	Accepted 4/6/2023	23
93 Phil Emer	Specify that "Clerk" is the "Clerk of the Legislature"	5/1/2023		25
111 Legislature	C-25(H) Change "executive policies" to "executive procedures"	5/1/2023		25
112 Legislature	C-25(P). Strike provision	5/1/2023		25
56 Legislature	Require notification when vacancy is created by departure of a department head	3/1/2023		26
86 Phil Emer	Outside work prohibited for all Department Heads.	5/1/2023		26
92 Phil Emer	Disallow an individual serving as head of two or more departments or administrative units of government	5/1/2023		26
88 Phil Emer	Appointments to include representation from all geographic areas of County on Legislative or Executive Boards & Commissions.	5/1/2023		28
129 County Executive	Include language: "Individuals who serve on Ulster County Boards are serving functionally as representatives of Ulster County, and as such, must be in compliance with Ulster County's Standard Operating Procedures and Training Requirements. Every Board Member of an Ulster County Government board shall be mandated to complete an ethics training provided by the Ulster County Attorney's Office within 1 year of employment, and every year thereafter."	5/1/2023		28
31 Brian Wolman	Adopt succession plan for County Executive including election of a C.E. and Prime Deputy ticket	11/10/2022	Subcommittee	29
61 Board of Elections	Change method for replacing County Executive upon vacancy.	2/22/2023	Subcommittee	29
68 Thomas Kadgen	<i>A vacancy for Executive shall be filled by an Acting Executive chosen by a majority of the Ulster County Legislature. That the Acting Executive shall serve at the pleasure of the Legislature until a new Executive is elected. That the election for the unfinished term of the ex-Executive shall have enough time to go through either a State or County scheduled primary, of which shall be determined by a majority of the County Legislature.</i>	3/23/2023	Revision Declined	29
113 Legislature	C-29(G). Replace language to clean up provision	5/1/2023		29
12 March Gallagher	<i>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 WorldLogos/Tyler ERP) these are called "Level 1 Budget Worksheets". Make Department heads send a hard copy to the Legislature.</i>	10/4/2022	Clarified in 3/9/2023 Submission	33
57 Legislature	Budget estimates should be provided to Legislature and Comptroller when submitted to Commissioner of Finance	3/1/2023		33
65 March Gallagher	Require copy of estimates to be submitted to the Clerk "and the Comptroller upon the proposal of the executive budget"	3/9/2023	Revision Accepted	33

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

130 County Executive		5/1/2023	33
<p>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 her/him or him/her, an overall estimate a request for that department, agency, office or unit and estimates by program within that department, agency, office or unit of personnel, equipment and contractual appropriations for the operation of said department, agency, office or unit expected expenses and expected departmental revenues for the next ensuing fiscal year. A copy of said requests estimates from each department, agency, office or unit shall be simultaneously submitted by the first Friday in August to the Clerk of the Legislature. These requests estimates shall be called "departmental requests," 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 requests estimates shall be public records and shall at all reasonable times be open to public inspection and published with the County Executive's budget submission.</p>			
58 Legislature	Release date for proposed budget advanced one month (i.e. first Friday in September)	3/1/2023	34
69 March Gallagher	Include language: The proposed County budget shall include economic and revenue forecasting to provide guidance on the current conditions in, and probable outlook for the performance of, the economy of the state and county, as well as the effect of such conditions and such performance on county receipts. The forecasting shall speak to expected tax receipts on an all-funds basis and anticipated miscellaneous receipts to be received in the general fund.	4/6/2023 Pending Further Discussion as of 4/10/2023	34
78 March Gallagher	Include language: "The proposed County budget shall include economic and revenue forecasting to provide guidance on the current conditions in, and probable outlook for the performance of, the economy of the state and county, as well as the effect of such conditions and such performance on county receipts. The forecasting shall speak to expected tax receipts on an all-funds basis and anticipated miscellaneous receipts to be received in the general fund."	4/6/2023 Pending Further Discussion as of 4/10/2023	34
114 Legislature	Charter calls for a six-year capital program, but Ulster County's program has consistently been five years	5/1/2023	34
115 Legislature	C-34(B) Require submission of a statement of actual expenses and actual revenues for three preceding completed fiscal years, rather than one	5/1/2023	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
13 March Gallagher	Establish a deadline of December 31 for public posting of the budget	10/4/2022 Revision Accepted	38
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
117 Legislature	Strike requirement that Commissioner of Health be a licensed physician with experience in public health	5/1/2023	41
131 County Executive	Remove requirement to be medical doctor, add requirement to have at least a master's degree in public health	5/1/2023	41

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

45 Barbara Hill	Raise maximum term limit for service on CSB	12/8/2022	45
46 Barbara Hill	Increase mental health subcommittee size to 11 persons from 9	12/8/2022	45
132 County Executive	<u>There shall be separate subcommittees for mental health, developmental disabilities, and substance abuse. The number of members comprising each subcommittee shall be set pursuant to Section 41 of NYS Mental Hygiene Law and shall include at least three currently serving Community Service Board members. There shall be disability subcommittees of nine members each, three members of whom must also be currently serving Community Service Board members.</u>	5/1/2023	45
118 Legislature	Strike requirement that County Executive choose Planning Director from three nominees provided by the County Planning Board, require Director of Planning to be appointed on the basis of professional training and experience and other qualifications	5/1/2023	46
133 County Executive	<u>There shall be a Department of Planning, headed by a Director of Planning who possesses at least the minimum educational attainments, professional qualifications and administrative experience set out in New York State law. 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.</u>	5/1/2023	46
134 County Executive	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 <u>Legislature.</u>	5/1/2023	47
49 Planning Board	Allow Planning Director to review proposed actions in event the Planning Board is unable to act	2/9/2023 Revision Accepted	50
119 Legislature	C-50(B): Strike "Prepared by the Department of Planning"	5/1/2023	50
120 Legislature	Require submission of recommendations to County Legislature in addition to County Executive	5/1/2023	50
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. The Commissioner of Finance must be free from any conflicts of interest, must be capable of providing objecting and impartial judgment, and must maintain both independence of mind and independence in appearance in the performance of their duties.	10/4/2022 Accepted 4/10/2023	53
15 March Gallagher	<u>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.</u>	10/4/2022 Withdrawn	53
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 Accepted 4/10/2023	53
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 Accepted	53
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 Accepted 1/12/2023	53
70 March Gallagher	Include subsection: Ensure proper segregation of duties within financial procedures	4/6/2023 Accepted 4/10/2023	53

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

121 Legislature	Commissioner of Finance "shall devote full working time to the duties of the office"	5/1/2023		53
121 Legislature	Director of Real Property Tax Service should be subject to confirmation by the Legislature	5/1/2023		53
121 Legislature	Strike provision	5/1/2023		54
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	Accepted 4/10/2023	56
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	Revision Accepted	57
21 March Gallagher	Remove bank reconciliations from Comptroller's responsibilities	10/4/2022	Revision Accepted 1/12/2023 Meeting	57
22 March Gallagher	Provide Comptroller authority to audit revenues	10/4/2022	Revision Accepted	57
23 March Gallagher	Provide explicit authority to audit public benefit corporations or component units of County government	10/4/2022	Revision Accepted 4/10/2023	57
24 March Gallagher	Grant authority to subpoena documents including digital records and access to software licensed or owned by the County	10/4/2022	Revision Accepted 4/10/2023	57
72 March Gallagher	Include language: The Comptroller shall have read-only access to all software systems of the County except where precluded by law.	4/5/2023	Accepted 4/10/2023	57
73 March Gallagher	C-57(B) Include language: "and investments"; provided read-only access to all County accounts	4/5/2023	Accepted 4/10/2023	57
74 March Gallagher	C-57(D) include language: "contract related payments"	4/5/2023	Withdrawn 4/10/2023	57
75 March Gallagher	C-57(E) include language: "and journal entries"	4/5/2023	Accepted 4/10/2023	57
76 March Gallagher	C-57(J) change "required" to "requested"	4/5/2023	Accepted 4/10/2023	57
79 March Gallagher	Include language: "The Comptroller shall be authorized to have read-only access to all County accounts and be provided access to all such accounts at all times."	4/5/2023	Accepted 4/10/2023	57
122 Legislature	Remove Comptroller authority to "appoint citizens' committees, commissions and boards"	5/1/2023		57
25 March Gallagher	Remove Charter sections regarding filling of Comptroller vacancy by Legislature	10/4/2022	Subcommittee	60
77 March Gallagher	Require comptroller vacancy to be filled according to independence standards set forth by the USGAO	4/5/2023	Accepted 4/10/2023	60
123 Legislature	C-62(B) Amend to read "social services programs" rather than "social service institutions"	5/1/2023		62
124 Legislature	C-63(4) Amend to read "tangible property" instead of "personal property"	5/1/2023		63
39 Thomas Kadgen	County Attorney must be confirmed by Legislature	11/22/2022	Accepted 4/6/2023	69
71 March Gallagher	Include language: The Director of Purchasing must be free from any conflicts of interest, must be capable of providing objective and impartial judgment, and must maintain both independence of mind and independence in appearance in the performance of their duties.	4/6/2023	Pending Further Discussion as of 4/10/2023	74
135 County Executive	C-74(B)(4): Perform such other and related duties as shall be required and delegated by the County Executive, or County Legislature.	5/1/2023		74
125 Legislature	Remove "shall devote full working time to the duties of the office" from provision	5/1/2023		77
1 Patrick Long	Remove reference to Consumer Fraud Bureau	9/16/2022	Revision Accepted	93
94 Phil Erner	Change "Consumer Fraud Bureau" to "Consumer Protection Bureau"	5/1/2023		93
26 March Gallagher	Remove section on residential healthcare facilities	10/4/2022	Revision Accepted	99
44 Human Rights Comm.	Chair of Commission selected by commission, not County Executive	12/8/2022		100
89 Phil Erner	Retitle Commissioner of Human Rights as Director of Human Rights	5/1/2023		100
136 County Executive	Rename section "Department of Human Rights"	5/1/2023		100
137 County Executive	Edit C-100(A): "There shall be a Commissioner <u>Department of Human Rights</u> headed by a Commissioner <u>Director</u> of Human Rights who shall be appointed by the County Executive, subject to confirmation of the Legislature, and serve at his or her <u>their</u> pleasure."	5/1/2023		100

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

138 County Executive	<u>Add C-100(B): "Powers and Duties. The Director of Human Rights shall have managerial responsibility for the Department and administrative responsibility for the Commission of Human Rights. In consultation with the Commission, the Director shall recommend policies and programs to address discrimination in employment, housing, public accommodation, education, and credit; expand public education and awareness of human rights; and foster harmony between the diverse communities within Ulster County."</u>	5/1/2023	100
42 Human Rights Comm.	<u>Allow for filling of long-vacant seats by Commissioner</u>	12/8/2022	101
43 Human Rights Comm.	<u>Increase number of members from 11 to 15</u>	12/8/2022	101
126 Legislature	<u>Require member diversification by amending to read: "Appointments shall be representative of the diversity in Ulster County's communities. Consideration shall be given to representation of gender, gender identity, racial, ethnic, socioeconomic, age, cultural, religious, geographic and disability diversity."</u>	5/1/2023	101
139 County Executive	<u>Rename section "The Commission of Human Rights"</u>	5/1/2023	101
140 County Executive	<u>Edit C-101(A): "There shall be a Commission of Human Rights that shall be constituted in accordance with and exercise the powers and duties specified in Article 12-D of the General Municipal Law and other related duties required by the County Executive and/or the County Legislature."</u> <u>Edit C-101(B): "Memberships, terms, appointments, terms of office, the</u> <u>Commission of Human Rights shall have 11 members appointed to terms of three years, three members of which shall be appointed by the legislative Chairperson, three members by the legislative minority leader, and five members by the County Executive, one of which, the Commission Chairperson, shall be the incumbent Human Rights Director. Appointments shall be representative representative of the geographic and demographic diversity of Ulster County, taking into account faith various religious, racial, ethnic, ethnicity, and nationality, groups in Ulster County's communities gender identity, sexual preference, class, ability, marital/familial status, age, and criminal history."</u>	5/1/2023	101
141 County Executive	<u>Commission of Human Rights shall have 11 members appointed to terms of three years, three members of which shall be appointed by the legislative Chairperson, three members by the legislative minority leader, and five members by the County Executive, one of which, the Commission Chairperson, shall be the incumbent Human Rights Director. Appointments shall be representative representative of the geographic and demographic diversity of Ulster County, taking into account faith various religious, racial, ethnic, ethnicity, and nationality, groups in Ulster County's communities gender identity, sexual preference, class, ability, marital/familial status, age, and criminal history."</u>	5/1/2023	101
142 County Executive	<u>Rename section "Authority of Commission."</u>	5/1/2023	102
47 Nina Postupack	<u>County Historian Appointed by Clerk instead of Exec</u>	1/12/2023 Revision Accepted	103
40 Thomas Kadgen	<u>Periodic Compensation Board member qualification should exclude former county officials for four years from separation</u>	11/22/2022 Revision Accepted 4/17/2023	108
82 Phil Emer	<u>Abolish the Periodic Compensation Review Committee & determine salaries of elected officers as follows: sliding-scale compensation, providing a minimum living wage to the wealthiest and a maximum of the median area income for the poorest, all adjusted for family size. For legislators, assume a 30-hour workweek. For County-wide electeds assume a 60-hour workweek.</u>	5/1/2023	108
83 Phil Emer	<u>Abolish the Periodic Compensation Review Committee and set all county-wide elected salaries as equaling the Area Mean Income (AMI) adjusted for family size; and for Legislators, assume a 30-hour workweek to earn 75 percent of adjusted AMI adjusted for family size.</u>	5/1/2023	108
27 March Gallagher	<u>Require periodic compensation review commission's findings to be incorporated into County Executive's proposed budget unless previously adopted by local law</u>	10/4/2022	110
37 Thomas Kadgen	<u>Mandate salary recommendations of periodic compensation board be placed before Legislature in separate salary categories for a vote</u>	11/18/2022	110
143 County Executive	<u>Add County Director of Environment as ex officio member of EMC</u>	5/1/2023	111
144 County Executive	<u>The Deputy Director of the Youth Bureau shall be appointed by the Director have the power to appoint a Deputy Director of the Youth Bureau, in accord with and within the limits of the appropriation provided for this purpose, after consultation with the County Executive on the basis of his or her their education and experience.</u>	5/1/2023	122
2 Nancy Schmidt	<u>Remove reference to Community Corrections Department</u>	9/29/2022 Revision Accepted	124
3 Juan Figueroa	<u>Streamline budget approval process</u>	9/29/2022	124

WRITTEN SUBMISSIONS TO ULSTER COUNTY CHARTER REVISION COMMISSION

4 Juan Figueroa	County Attorney works for county executive, not the elected officials of the county	9/29/2022
5 Brian Slack	Increase number of Traffic Safety Board appointees from 12 to 15	10/5/2022 Revision Declined
6 Thomas Kadgen	Process for filling vacancies for vacated offices	10/5/2022 Elaborated in 11/14 submission
7 Thomas Kadgen	Charter has been ignored/circumvented	10/5/2022 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	10/13/2022 Revision Accepted
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 Subcommittee
33 Thomas Kadgen	Remove alternative sentencing administrative unit reference from Charter	11/18/2022 Withdrawn
34 Thomas Kadgen	Extend residency requirements for Executive, County Clerk, and Comptroller to be a registered elector for three years	11/18/2022 Later limited to County Executive
80 Dave Donaldson	Replace local assessors with county-wide assessor position	4/12/2023
84 Phil Emer	Require popular referendum to increase legislator salary	5/1/2023
85 Phil Emer	All public meetings hybrid, in order to broaden public access to government, Live broadcast via television, World Wide Web or equivalent, and make & publish video & audio recordings, of all public meetings of Ulster County, including Boards & Commissions, for accessibility & transparency.	5/1/2023
90 Phil Emer	Expand powers and duties of Department of the Environment beyond internal county matters	5/1/2023
91 Phil Emer	Establish a County Environmental Advocate	5/1/2023
95 Phil Emer	Create public election fund	5/1/2023
96 Phil Emer	Limit campaign spending based on maximum public match	5/1/2023
97 Phil Emer	Any county elected officer seeking a different elective office must resign to run	5/1/2023
99 Phil Emer	Create Obsolete Laws Commission	5/1/2023
100 Phil Emer	Use gender-friendly language throughout Charter	5/1/2023
101 Phil Emer	Create Civic Imagination Office	5/1/2023
116 Legislature	Add language that "department head shall perform such other and related duties as required by the County Executive and County Legislature" to C-41, C-44, C-61, C-69, C-75(B) (striking "as appropriated by the"), C-90, C-96, C-113	5/1/2023
127 Legislature	Clarify that "in writing" shall mean "original signature"	5/1/2023
128 County Executive	Revise Charter to include gender-neutral terms	5/1/2023
145 County Executive	Create Department of the Environment	5/1/2023
146 County Executive	Create Department of Weights and Measures	5/1/2023
147 County Executive	Rename Article XXX from "Commission of Human Rights" to "Human Rights"	5/1/2023

ARTICLE XXXIII
Board of Ethics

§ C-105. Purpose and intent.

Ethical conduct by public officers and employees assures public confidence in County government. In addition to and not in any way in conflict with germane provisions of Article 18 of the General Municipal Law of New York State or any other general or special state law relating to ethical conduct and interest in contracts of municipal officers and employees, this article, the Code of Ethics of the County of Ulster, and attendant provisions of the County Administrative Code provide rules of ethical conduct for the officers and employees of the County of Ulster and methods for assuring adherence to them.

§ C-106. Membership; appointment; compensation. [Amended 8-14-2012 by L.L. No. 9-2012²³]

- A. There shall be a Board of Ethics consisting of five members appointed by the County Executive, subject to the confirmation of the County Legislature. Board of Ethics members shall serve without compensation and for a term of five years. No more than two members shall be of the same political party. Members of the Board of Ethics 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. Vacancies shall be filled for the unexpired term.
- B. The County Legislature shall vote on any nominee of the County Executive to the Board of Ethics. The Legislature shall vote on the confirmation of such individual at its next regular meeting at least 30 days after such nomination has been made by the County Executive. If the Legislature fails to vote upon the proposed appointment or appointments, the proposed appointment or appointments shall be deemed confirmed. When an appointment is not confirmed by the Legislature, but such appointment was considered at a regular meeting of the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive for 12 months after the Legislature votes upon the proposed appointment.
- C. Notwithstanding the preceding portions of this section of the County Charter, the existing members of the Board of Ethics, existing as of December 31, 2012, shall be reappointed by the County Executive for initial terms of one, two, three, four, or five years, unless they decline such nomination, such terms to take effect January 1, 2013. Upon the expiration of such initial term, the term of office for any person nominated or renominated to the Board of Ethics shall be for five years. Confirmation by the Legislature of such appointees for initial terms of one, two, three, four, or five years shall not be required, provided such person has previously been confirmed by the County Legislature to membership on the Board of Ethics and such person was a member of such Board on December 31, 2012. If a member of the Board of Ethics in office as of December 31, 2012, declines reappointment, then any other such person nominated for a term of year(s) effective January 1,

23. Editor's Note: This local law was approved at referendum by a majority of the duly qualified voters 11-6-2012.

2013, shall require confirmation of the Legislature pursuant to the provisions of § C-106A and B.

§ C-107. Powers and duties.

- A. The Board of Ethics shall render advisory opinions to the officers and employees of the County of Ulster with respect to Article 18 of the General Municipal Law, the Code of Ethics of the County of Ulster, and Administrative Code. Such advisory opinions shall be rendered in response to written request from any such officer or employee under such rules and regulations as the Board may prescribe.
- B. The Board may also accept from the general public or from any of its own members a complaint or allegation of conflict of interest of any officer or employee of Ulster County. All such complaints or allegations are to be kept in the confidential records of the Board. Should the Board determine that there appears to be merit in the complaint or allegation, it shall send a written invitation to the officer or employee in question to appear at a private meeting of the Board and explain the apparent conflict of interest. Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest, the Board shall send a written report on the matter to the County Executive. The report shall not be made public except by the County Executive or by the unanimous vote of the Board.
- C. In addition, the Board may make recommendations with respect to the County Code of Ethics or amendments thereto upon the request of the Ulster County Legislature.
- D. The Board, upon its formulation, shall promulgate its own rules and regulations as to its forms and procedures and shall maintain records of its opinions and proceedings. Copies of all rules and regulations promulgated by the Board and any and all amendments thereto which may be adopted from time to time shall be filed with the Clerk of the Ulster County Legislature.
- E. The Board shall not act with respect to the officers and employees of any municipality located within the County or agency thereof where such municipality has established its own Board of Ethics, except that the local board may, at its option, refer matters to the County Board.

ARTICLE XXXIV
Periodic Compensation Review Committee

§ C-108. Establishment; membership; compensation.

There is hereby established a Periodic Compensation Review Committee for Ulster County. The Committee shall consist of five members of whom three members shall be selected by the County Legislature with at least one member from the party with the second most number of legislative members. Two Committee members, not of the same political party, shall be appointed by the County Executive. Initial appointments to the Committee shall be made no later than April 1 in the year after this Charter is first effected. As soon as practicable after April 1 of the year, members shall be called together by the County Executive to select a Chairman from amongst their number. No member of the Periodic Compensation Review Committee shall hold an elected or appointed position in Ulster County or be compensated in whole or in part from County funds at the time of his or her appointment and during his or her term of membership. Members of the Compensation Review Committee 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.

§ C-109. Terms of office; limits of service; filling vacancies.

One executive appointee of the Periodic Compensation Review Committee shall serve an initial term of two years and the other an initial term of three years, with appointments thereafter being for a term of three years. One legislative appointee to the Committee shall serve for an initial term of one year, one for an initial term of two years and one for an initial term of three years, with appointments thereafter being for a term of three years. No Committee member shall serve more than eight years. Appointment of a person to fill a vacancy occurring by death, resignation, or cause other than the expiration of a term shall be made for the unexpired term. Vacancies shall be filled and the appointments of successors shall be made by the appointing authority responsible for the original appointment.

§ C-110. Duties. [Amended 6-21-2016 by L.L. No. 2-2016]

At the call of its Chairman, the Committee shall review the salaries of all elected officials of the County of Ulster at least every second year after its first meeting. In the course of its deliberations, the Committee shall hold at least one public hearing and shall otherwise provide ample opportunity for public comment. The Committee shall provide its recommendations and the rationale for them to the County Executive and the County Legislature no later than June 30 of the same year in which it convened, except that the Committee shall not make recommendations concerning compensation of elected officials for whom, by law or judicial determination, the County Legislature does not have the power to fix compensation. Immediately upon their delivery to the County Executive and the County Legislature, the recommendations of the Committee shall be filed with the Clerk of the Ulster County Legislature and posted on the County website. All changes in salaries for elected officials shall be made by local law.

ARTICLE XXXV
Environmental Management Council

§ C-111. Membership; terms of office; limits of service; compensation. [Amended 10-21-2014 by L.L. No. 5-2014]

There shall be an Ulster County Environmental Management Council comprised of one member from each city, town and village environmental council and commission within the County, nominated by the governing body of that city, town or village and appointed by the County Executive with the confirmation of the Legislature for a term of three years, and up to an equal number of at-large appointees appointed by the County Executive with the confirmation of the Legislature for a term of three years, and the County Director of Planning, serving ex officio. The presiding officer of the Environmental Management Council shall be chosen annually by its members from among their members but shall not be an employee of the County of Ulster. Members of the Ulster County Environmental Management Council 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.

§ C-112. Powers and duties.

Except as otherwise provided in this Charter, the Ulster County Environmental Management Council shall:

- A. Advise the County Executive and the County Legislature on all matters affecting the preservation, conservation and ecologically suitable use of the natural resources of the County;
- B. Review the condition of the County environment as a whole and prepare and submit an annual report of its findings to the County Executive and the County Legislature, which report shall also include an account of the Council's activities and accomplishments based on accurate records of its meetings and other works;
- C. In cooperation with the County Planning Agency and other appropriate agencies, prepare a plan for the protection of the County's environment and the management of its natural resources. To the extent practicable, the preparation, content and subsequent revision, if any, of the County environmental plan shall be coordinated with the state environmental plan and a copy of this County plan and any subsequent revisions of it shall be filed with the State Commissioner of Environmental Conservation;
- D. Investigate and recommend to the County governing body ecologically sound methods for use of the County's resources; and
- E. Cooperate with and assist such other governmental or nongovernmental boards or organizations on the preparation of plans or reports or review of proposals or applications as the County may direct.

ARTICLE XXXVI

Department of Emergency Communications/Emergency Management**§ C-113. Director Emergency Communications/Emergency Management; Office of Civil Defense.**

- A. There shall be a Department of Emergency Communications/Emergency Management headed by a Director of Emergency Communications/Emergency Management appointed on the basis of his or her experience and qualifications for the duties of the office by the County Executive to serve at his or her pleasure, subject to the confirmation by the County Legislature. The Department of Emergency Communications/Emergency Management shall be the Office of Civil Defense for the County of Ulster.
- B. Powers and duties. Except as otherwise provided in the Charter, Administrative Code or state law, the Director of Emergency Communications/Emergency Management shall:
- (1) Have charge and supervision of emergency services dispatching and disaster preparedness;
 - (2) Assist the County Executive and the County Legislature as required and directed in fulfilling their responsibilities in the area of disaster preparedness under the Executive Law or any other law, rule or regulation;
 - (3) Act in accordance with Civil Service Law, have the authority, direction and control over the department, including the power to appoint and remove all officers and employees of the Department of Emergency Communications/Emergency Management;
 - (4) Have charge and supervision over the preparation of the departmental budget and the expenditure of departmental funds;
 - (5) Have responsibility for operation of 911 services;
 - (6) Direct the administrative activities of the Department;
 - (7) Have necessary powers and duties of the County Director of Civil Defense as provided by the New York State Defense Emergency Act; and
 - (8) Have charge of and have the duty of performing such other related functions and other matters as the County Executive may from time to time direct.

Commented [KAG44]: Matrix 30

§ C-114. Deputy or Assistant Directors.

- A. The Director of Emergency Communications/Emergency Management shall have the power to appoint one or more Deputy Directors or Assistant Directors within the limits of appropriations provided for this purpose.
- B. Deputy or Assistant Directors shall perform duties pertaining to the Department of Emergency Communications/Emergency Management as the Director may require and shall act generally for and in the place of the Director, performing other duties as the Director of Emergency Communications/Emergency Management may assign.

ARTICLE XXXVII
Intermunicipal Relations

§ C-115. Contracts with public corporations and authorities; implementation.

The County shall have the power to contract with any public corporation, including but not limited to a municipal, district, or public benefit corporation, or with any public authority or combination thereof, for the cooperative or joint establishment, maintenance, and operation of any facility and the provision of any service that each of the contracting parties would have legal authority to establish, maintain, operate, or provide for itself. The costs, expenses, and charges for central facilities and administrative services connected with intergovernmental collaborative activities shall be shared by all contracting parties. The provisions of this article shall be implemented pursuant to Article 5-G of General Municipal Law of the State of New York, unless and until the Ulster County Legislature shall, by local law, provide for an alternative method.

§ C-116. Intermunicipal Collaboration Council.

- A. There shall be a nine-member Intermunicipal Collaboration Council established whose purpose is to advance communication, coordination and collaboration among the local governments in Ulster County so as to achieve greater economy, efficiency, equity, effectiveness and responsiveness of public service. [Amended 6-10-2009 by L.L. No. 5-2009]
- B. Membership of the Intermunicipal Collaboration Council shall include the County Executive, the Chairman of the Ulster County Legislature, the majority leader of the Ulster County Legislature or his or her respective designee, the minority leader of the Ulster County Legislature or his or her respective designee, the Mayor of the City of Kingston or his or her respective designee, a representative of the Ulster County Board of Cooperative Educational Services (BOCES), one community member, appointed by the County Executive, and two representatives of the Ulster County Town Supervisors' Association to be selected by the Association. Any designee appointed by the majority or minority leader pursuant to this subsection shall be a member of the Legislature. Any designee appointed by the Mayor of the City of Kingston pursuant to this subsection shall be a duly elected official. Designations shall be in writing and filed with the Clerk of the Legislature. [Amended 6-10-2009 by L.L. No. 5-2009]
- C. The Council shall meet at the call of the County Executive, or upon the call of a majority of the Council members, but no fewer than two times annually, to consider matters or issues that might be brought before it by any member and to take initiatives designed to advance its objectives. [Amended 8-14-2012 by L.L. No. 9-2012²⁴]

24. Editor's Note: This local law was approved at referendum by a majority of the duly qualified voters 11-6-2012.

ARTICLE XXXVIII
Department of Employment and Training

§ C-117. Director of Employment and Training.

- A. A Department of Employment and Training shall be headed by a Director of Employment and Training who shall be appointed by the County Executive based on his or her experience and qualifications to perform the responsibilities of office, subject to the confirmation by the County Legislature. He or she shall serve at the pleasure of the County Executive.
- B. Powers and duties. In accord with the requirements of state and local law, he or she shall conduct training programs for dislocated workers and low-income and otherwise disadvantaged adults and youths so as to simultaneously improve their life chances and meet the needs of employers, thus strengthening the County economy. He or she shall have all other powers and perform all other duties now and hereafter conferred or imposed upon him or her by law, have authority, direction and control over the Department of Employment and Training, including power to appoint and remove officers and employees therein, and shall perform such other and related duties required by the County Executive or County Legislature.

Commented [KAG45]: Matrix 30

ARTICLE XXXIX
Department of Tourism

§ C-118. Director of Tourism.

- A. There shall be Department of Tourism headed by a Director of Tourism who shall be appointed by the County Executive based on his or her experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and shall serve at his or her pleasure.
- B. Powers and duties. He or she shall promote all of Ulster County's tourism sites, attractions and events with a view toward strengthening the economy of Ulster County. He or she shall also have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, have authority, direction and control over the Department of Tourism, including the power to appoint and remove officers and employees therein, and perform other and related duties required by the County Executive and County Legislature.

Commented [KAG46]: Matrix 30

ARTICLE XL
Traffic Safety

§ C-119. Coordinator of Traffic Safety.

- A. Appointment; term. There shall be a Coordinator of Traffic Safety who shall be appointed by the County Executive based on his or her experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and shall serve at his or her pleasure.
- B. Powers and duties. The Coordinator shall be responsible for the development and coordination of local programs which promote the safety and efficacy of traffic and transportation, including pedestrian and nonmotorized transport, and shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and perform other and related duties required by the County Executive and County Legislature.

§ C-120. Traffic Safety Board.

- A. There shall be a Traffic Safety Board which shall exercise all powers and duties set forth in Article 43 of Vehicle and Traffic Law and heretofore or hereafter lawfully granted or imposed by this Charter, local law, resolution of the County Legislature, or by applicable law not inconsistent with this Charter. The Traffic Safety Board shall consist of 12 persons appointed for terms of three years by the County Executive, subject to the confirmation of the County Legislature, except that four members will be initially appointed to a term of one year and four members to a term of two years. Members shall be residents of and qualified electors in the County. At least one but not more than three members shall be resident(s) in the City of Kingston. The Traffic Safety Board shall elect annually a Chairman, Vice Chairman, and a Secretary from its members as provided in Article 43 of Vehicle and Traffic Law. The Coordinator of Traffic Safety shall serve on the Traffic Safety Board ex officio.
- B. The Traffic Safety Board shall advance traffic and transportation safety, including pedestrian and nonmotorized transport, through study, advocacy and public education in accord with the provisions of the New York State Vehicle and Traffic Law and local law and perform other duties that may be assigned to it by the County Executive and the Legislature. The Board shall further prioritize safety concerns based on relative risk to people using major modes of transportation such as walking, cycling and/or other nonmotorized and motorized transport.
- C. Members of the Traffic Safety Board shall receive no compensation for services but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriation made for such purposes.

ARTICLE XLI
Youth Bureau

§ C-121. Director of the Youth Bureau.

- A. There shall be a Youth Bureau headed by a Director who shall be appointed by the County Executive based on his or her education, experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and shall serve at the pleasure of the County Executive.
- B. Powers and duties. The Director of the Youth Bureau shall have managerial responsibility for the department and, with the advice and assistance of the Youth Board, recommend policies that promote youth development and prevent delinquency, plan and coordinate activities devoted to the well-being and protection of all youth in Ulster County, and expand public awareness of youth issues. He or she shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, have authority, direction and control over the Youth Bureau, including power to appoint and remove officers and employees therein and perform such other and related duties required by the County Executive and County Legislature.

Commented [KAG47]: Matrix 30

§ C-122. Deputy Director.

The Deputy Director of the Youth Bureau shall be appointed by the Director, in accord with and within the limits of the appropriation provided for this purpose, after consultation with the County Executive on the basis of his or her education and experience. He or she shall possess the powers and perform the duties of the Director of the Youth Bureau during the absence or inability of such Director to act or in the case of a vacancy in the office of the Director, until a successor is selected and has qualified.

§ C-123. Youth Board.

- A. Membership; appointment; term. There shall be a Youth Board that shall consist of 15 members who shall be appointed by the County Executive for a term of three years, subject to confirmation by the County Legislature. No member of the Youth Board shall hold any other County or state office. Members shall elect a Chairman and Vice Chairman for a term of one year. Board members shall be known as "Commissioners of the Youth Bureau of the County of Ulster" and shall receive no compensation for their services or activities except for actual and necessary expenses in the performance of duties as appropriated. The Sheriff of Ulster County, the Commissioner of Health or Public Health Director, the Family Court Judges, the County Attorney or his or her representative, the Commissioner of Social Services, and two members of the County Legislature designated by the Chairman of the County Legislature shall be ex officio members of the Youth Bureau.
- B. Powers and duties. The Youth Board shall propose policies, programs and recommendations to the Director of the Youth Bureau, the County Executive and the Legislature regarding measures most suitable to supplement, aid and coordinate the work and activities of all public and private agencies, including religious and social institutions, seeking to prevent delinquency and youth crime, to advance the moral, physical, mental and social well-being of the youth of this County, and to encourage the County's local governments to take an interest in the well-being of

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