

**Ulster County Charter Revision Commission  
Regular Meeting Minutes**

**Date/Time:** May 24, 2023 at 5:00 PM

**Location:** Ulster County Legislative Chambers  
244 Fair Street, 6<sup>th</sup> Floor, Kingston, New York 12401

**Present:** Fawn Tantillo (Acting Chair)  
Thomas Kadgen\*  
Scott McCarthy  
D. Mici Simonofsky  
Hector Rodriguez  
David Donaldson  
Brian Woltman

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

**Absent** Kathleen Mihm (Chair)  
Shannon Harris  
Frank Cardinale  
LeShawn Parker

**Quorum:** Yes

**Other Attendees:** John Quigley, Commissioner, Board of Elections  
Christopher Kelly, Deputy County Executive  
Alicia DeMarco, Deputy Comptroller  
Charles Dinstuhl, Director of Internal Audit  
Dare Thompson, League of Women Voters  
Cynthia Bell, League of Women Voters  
Kristin Gumaer, First Assistant County Attorney  
Richie Williams, Assistant County Attorney

Acting Chair Tantillo called the meeting to order at 5:09 PM.

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**Motion No. 1: Motion to Approve the May 11, 2023 Meeting Minutes**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member David Donaldson

Discussion: None.

Voting in favor: Commission Members Simonofsky, Tantillo, Kadgen, Rodriguez, McCarthy, Woltman, Donaldson

Voting against: None

**Disposition: Motion No. 1 passed 7-0.**

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**Public Comment:** None.

Acting Chair Fawn Tantillo recognized John Quigley, Commissioner, Board of Elections, who spoke about the Board's recommendation relating to C-29. Commission Members discussed replacing the 7-day window in the proposed revisions to C-29(D) and (E) with a 21-day window. Commissioner Quigley indicated that 21 days would be acceptable to the Board of Elections.

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**Motion No. 2: Motion to Approve the Proposed Revisions to C-29(D) and C-29(E) Submitted by the Ulster County Board of Elections as Amended by the Charter Revision Commission to Replace the References to "7 Days" with "21 Days"**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Brian Woltman

Discussion: None.

Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson

Voting against: None

Abstentions: Commission Member Kadgen

**Disposition: Motion No. 2 passed 6-0.**

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Commission Members discussed C-29(B) including Commission Member Kadgen's suggestions relating to the County Executive's succession list. Deputy County Executive Christopher Kelly spoke in opposition to the proposed revisions to C-29(B). Commission Member Donaldson spoke in support of having the succession list being approved by the Legislature and requiring persons designated to the list of succession to be qualified electors of Ulster County, and spoke in opposition to the 3-year residency and bar on outside employment. Acting Chair Tantillo spoke in support of having the succession list approved by the Legislature.

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**Motion No. 3: Motion to Approve Proposed Revision to C-29(B) Requiring that the Succession Plan be Approved by the Legislature and that Designees to the Succession List be a Qualified Elector of Ulster County at the Time of Appointment and Hold No Other Elected Office or Compensated Full-Time Employment**

Motion made by: Commission Member David Donaldson

Seconded by: Commission Member Scott McCarthy

Discussion: Commission Members discussed at length the proposed language and its potential consequences. Deputy CE Kelly noted his concern that there could be a scenario where a future Legislature fails to approve the succession list and then a vacancy occurs in the County Executive's office. Commission Member Rodriguez noted that it is a massive flaw in the current language to have persons on the succession list who have not been approved by the Legislature or the voters. Commission Member Donaldson noted that there is still a potential issue if a future Legislature fails to approve the succession list. He proposed adding language that the Legislature would have 30 days to act on a proposed succession list. Commission Member Rodriguez suggested additional language, as a compromise, that the Legislature could only deny a proposed succession list 3 times. Acting Chair Tantillo spoke in opposition to that suggestion and noted that there would still potentially be a 3-month gap. Acting Chair Tantillo read aloud C-29(G). Commission Member Rodriguez noted that other counties require that the succession list consist of persons who have been approved by their respective legislature. Commission Members decided to withdraw the motion and decided that the subcommittee will produce new proposed language.

**Disposition: WITHDRAWN**

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Acting Chair Tantillo requested an update from the County Attorney's Office as to the difference between boards, commissions, and citizen committees. Assistant County Attorney Gumaer provided the Commission with the legal definitions of the three terms. Commission Member Rodriguez noted that the Charter treats the three terms as if they are the same thing. Commission Members discussed whether the Comptroller and County Executive should have the power to create boards, commissions, and citizen committees. Acting Chair Tantillo raised the issue that there are certain boards and commissions on the books that no longer meet.

The Commission Members discussed Chair Bartels' proposed recommendations. As to the first recommendation, which urged the Commission to review the administrative code along with the Charter, the Commission Members decided to take no action. Relating to recommendation numbers 2 and 3, Acting Chair Tantillo suggested language in C-5(B) to require the Commission to be convened every ten years in years ending in "2." Commission Member Donaldson spoke in opposition to the Charter meeting every 5 years.

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**Motion No. 4: Motion to Approve the Proposed Revision to C-5(B)(4) Requiring the Commission to Hold At Least “Two Duly Noticed” Public Hearings As Set Forth in Chair Bartels’ Recommendation # 4.**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Dave Donaldson

Discussion: None.

Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson, Kadgen

Voting against: None

**Disposition: Motion No. 4 passed 7-0.**

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Commission Members discussed scheduling a public hearing for June 8, 2023 at 5:00 PM.

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**Motion No. 5: Motion to Approve the Proposed Revision to C-6 to Strike the Definition of “CLERK”**

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Scott McCarthy

Discussion: None.

Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson, Kadgen

Voting against: None

**Disposition: Motion No. 5 passed 7-0.**

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Commission Members agreed that the typo should be corrected in C-10(E) as set forth in Chair Bartels’ recommendation number 7.

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**Motion No. 6: Motion to Approve the Proposed Revision to C-10(F) As Amended to Require the Commission on Reapportionment to Hold “A Minimum of Three Geographically Diverse and Duly Noticed Public Hearings, One of Which Shall Be in the County Seat.”**

Motion made by: Commission Member Scott McCarthy

Seconded by: Commission Member Dave Donaldson

Discussion: Commission Members discussed Chair Bartels' recommendation number 8. Commission Member Donaldson proposed requiring one public hearing to be held in Kingston or the County seat. Acting Chair Tantillo proposed language reflecting that change. Commission Members decided to adopt Chair Bartels' proposed revision as amended.

Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson, Kadgen

Voting against: None

**Disposition: Motion No. 6 passed 7-0.**

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Commission Members discussed Chair Bartels' proposed revision to C-11(H) and Acting Chair Tantillo noted that the Commission is waiting for a legal opinion.

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**Motion No. 7: Motion to Approve the Proposed Revision to C-20(A) to Strike the Word "A" as Set Forth in Chair Bartels' Recommendation #11**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Dave Donaldson

Discussion: None.

Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson, Kadgen

Voting against: None

**Disposition: Motion No. 7 passed 7-0.**

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As to Chair Bartels' recommendation number 12, to change the word "policies" to "procedures" in C-25(H), the Commission decided to take no action.

As to Chair Bartels' recommendation number 13, relating to C-25(P), the Commission decided to take no action.

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**Motion No. 8: Motion to Approve the Proposed Revision to C-26 to Require the County Executive to Notify the Legislature of Vacancies within 10 Days As Set Forth in Chair Bartels' Recommendation #14.**

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Scott McCarthy  
Discussion: None.  
Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson, Kadgen  
Voting against: None  
**Disposition: Motion No. 8 passed 7-0.**

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**Motion No. 9: Motion to Adjourn**  
Motion made by: Commission Member Dave Donaldson  
Seconded by: Commission Member Brian Woltman  
Discussion: None.  
Voting in favor: Commission Members Simonofsky, Tantillo, Rodriguez, McCarthy, Woltman, Donaldson, Kadgen  
Voting against: None  
**Disposition: Motion No. 9 passed 7-0.**

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Meeting adjourned at 6:55 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo