

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

Date/Time: August 10, 2023 at 4:00 PM

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

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

Absent Thomas Kadgen

Quorum: Yes

Other Attendees: March Gallagher, Comptroller
Johanna Contreras, Deputy County Executive
Kristin Gumaer, First Assistant County Attorney
Richie Williams, Assistant County Attorney
Dante De Leo, Assistant County Attorney

Chair Mihm called the meeting to order at 4:08 PM.

Motion No. 1: **Motion to Approve August 3, 2023 Meeting Minutes with Correction that Commission Member Simonofsky Voted Against Motion No. 5**

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Simonofsky noted that she voted against Motion No. 5.

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

Voting against: None

Disposition: **Motion No. 1 passed 9-0.**

Public Comment: Chair Mihm recognized Comptroller March Gallagher, who thanked the Commission Members for their work and expressed appreciation for their service.

Commission Member Rodriguez spoke in support of a proposal to restore the original 2007 Charter language that only persons incumbent in County government and approved by the County Legislature may be designated to any list of succession for possible service as Acting County Executive. Commission Member Rodriguez noted that Ulster County is the most liberal County with regard to legislative approval of deputy and acting county executives. Commission Member Tantillo noted that under the Commission’s current direct ballot proposal, the Legislature would approve the succession plan and, in effect, the Acting County Executive.

Motion No. 2: Motion to Restore the Original 2007 Charter Language in Section C-29(B) requiring that only persons incumbent in County government and approved by the Legislature may be designated to any list of succession for possible service as Acting County Executive

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Dave Donaldson

Discussion: Commission Member Tantillo noted her opposition and position that the Commission’s direct ballot proposal accomplishes the same thing. Chair Mihm agreed.

Voting in favor: Commission Members Rodriguez, Cardinale, Donaldson, Woltman

Voting against: Commission Members Mihm (Chair), Tantillo, Parker, Simonofsky, Harris

Disposition: Motion No. 2 failed 4-5.

Commission Members discussed the proposal submitted by Jane Schanberg, President of Ulster County Democratic Women, to add the following sentence to C-21 (Filling Membership Vacancies): “Public notice shall be given in the district of the vacancy within 3 days after the vacancy occurs.” Commission Member Tantillo expressed concern about the 3-day timeframe and noted her position that the notice should be county-wide. Commission Member Rodriguez noted that there would be a normal legal notice submitted to the County’s official newspapers. Chair Mihm suggested the language “in 3 days or as soon as practicable thereafter.” Commission Member Harris suggested that the notice should be “filed” within 3 days.

Commission Member Scott McCarthy joined the meeting at 4:28 PM.

Commission Members discussed whether to send the notice to the district, county-wide, or both. Commission Member Harris noted that each municipality has designated its own official newspaper and that local people look at local newspapers. Commission Members continued discussing different wording to be used in the proposed revision.

Motion No. 3: Motion to Amend Section C-21 (Filling Membership Vacancies) by Adding the Following Two Sentences:

Within three business days of a vacancy occurring, the Clerk shall submit legal notice of the vacancy to the official newspapers of the County and municipalities located in the district where such vacancy occurred for publication at the first practicable opportunity. Notice of said vacancy shall also be published on the County website and social media channels.

Motion made by: Commission Member Shannon Harris

Seconded by: Commission Member Fawn Tantillo

Discussion: None.

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

Voting against: None

Disposition: Motion No. 3 passed 10-0.

Commission Members discussed Matrix Items 51/52/103 and how often the Charter Revision Commission should be convened. Commission Member Harris requested that the report reflect a recommendation from the majority of the Commission that the Commission convene more often than every ten years, but that due to feedback from the Legislature's Chair and the County Executive's Office, the Commission pulled it back to ten years. Commission Member McCarthy agreed and noted that future Commissions should get recommendations ahead of time. Deputy County Executive Johanna Contreras spoke in support of convening every ten years. Commission Member Donaldson spoke in support of every ten years, with the understanding that the Legislature or County Executive can convene the Commission at any time. Commission Member Simonofsky noted that the Commission already voted on these issues. Commission Member Harris asked that the issues be tabled for now until there is more information.

Commission Members discussed Matrix Item 106 (Legislature's proposal relating to departmental estimates). Comptroller Gallagher advised the Commission that the Legislature's proposal was covered in the Comptroller's proposed local law. Commission Member Simonofsky noted that the Legislature's proposal went further than the Comptroller's. The Comptroller noted that the back-up material requested by the Legislature would be voluminous and challenging to produce.

Motion No. 4: Motion to Remove Item 106 (Legislature's Proposal relating to Departmental Estimates) from the Matrix

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Shannon Harris

Discussion: Chair Mihm and Commission Member Donaldson noted that the matter was sufficiently dealt with when the Commission approved the Comptroller's proposals relating to departmental estimates.

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

Voting against: None

Disposition: Motion No. 4 passed 10-0.

Motion No. 5: Motion to Approve Matrix Item 98 (Legislator Erner's Proposal that Legislators Term Out After Decennial Redistricting)

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Fawn Tantillo

Discussion: None.

Voting in favor: None

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Harris, Parker, Woltman, McCarthy

Disposition: Motion No. 5 failed 0-10.

Motion No. 6: Motion to Approve Matrix Item 130 (County Executive's Proposal Relating to Departmental Estimates):

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.

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Dave Donaldson

Discussion: Deputy County Executive Contreras and Comptroller Gallagher spoke in favor of the proposed revisions contained in Matrix Item 130, which expand on the previous changes. Commission Members decided to approve the changes as all parties were in agreement.

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

Voting against: None

Disposition: Motion No. 6 passed 10-0.

Motion No. 7: Motion to Approve Matrix Item 58 (Legislature’s Proposal to Advance Release Date for the Proposed Budget Up One Month to First Friday in September)

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Brian Woltman

Discussion: Commission Members discussed that such proposal is not possible per the County Executive’s Office.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Harris, Parker, Woltman, McCarthy

Disposition: Motion No. 7 failed 0-10.

Commission Member Shannon Harris left the meeting at 5:01 PM.

Motion No. 8: Motion to Approve Matrix Items 69 and 78 (Comptroller’s Proposal to Include Economic and Revenue Forecasting in the County Budget)

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Mici Simonofsky

Discussion: Comptroller Gallagher spoke in support of the proposal. Commission Member Donaldson noted that the Executive already does something similar most of the time. Comptroller Gallagher noted that those

presentations are not part of the budget. Commission Member Tantillo questioned whether this could be in the Administrative Code as opposed to the Charter.

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

Voting against: Commission Member Tantillo.

Disposition: Motion No. 8 passed 8-1.

Commission Members discussed Matrix Item 114 (Legislature’s proposal noting that the Charter calls for a six-year capital program, but Ulster County’s program has consistently been five years). The Legislature subsequently asked this proposal be disregarded. Commission Members decided to mark Matrix Item 114 as withdrawn.

Motion No. 9: Motion to Approve Matrix Item 115 (Legislature’s Proposal to Amend C-34(B) to Require the Submission of a Statement of Actual Expenses & Actual Revenues for 3 Preceding Completed Fiscal Years)

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Fawn Tantillo

Discussion: Commission Member Rodriguez expressed his support of the proposal and noted that these “look-backs” are useful to Legislators. Commission Member Tantillo noted that Legislators currently have to ask for the information. Commission Member Donaldson noted that the “look-backs” are a good tool for the Legislature.

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

Voting against: None

Disposition: Motion No. 9 passed 9-0.

Motion No. 10: Motion to Approve Matrix Item 102 (Legislator Erner’s Proposal to Add a Preamble to the Charter)

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Brian Woltman

Discussion: None.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy

Disposition: **Motion No. 10 failed 0-9.**

Motion No. 11: **Motion to Approve Matrix Item 108, the Legislature’s Proposal to Amend the Last Sentence of C-10(F)(1), relating to the Commission on Reapportionment, as follows:**

“The Commission shall be guided by the criteria set forth in §C-10A of the County Charter **and state law.**”

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Scott McCarthy

Discussion: Commission Members noted that the proposal is similar to a change they already approved.

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

Voting against: None

Disposition: **Motion No. 11 passed 9-0.**

Motion No. 12: **Motion to Approve Matrix Item 55 (Legislature’s Proposal to Prohibit Renaming of Positions without Legislative Oversight and Approval)**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Dave Donaldson

Discussion: None.

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

Voting against: None

Disposition: **Motion No. 12 passed 9-0.**

Motion No. 13: **Motion to Approve Matrix Item 87 (Legislator Erner’s Proposal to Amend C-16 so that Legislative Appointments to Advisory Committees, Commissions and Boards, include Representation from All Geographic Areas of the County)**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Brian Woltman

Discussion: Commission Member Donaldson noted that you can attempt to do that but you cannot include “all” geographic areas with every appointment.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy

Disposition: Motion No. 13 failed 0-9.

Commission Members noted that Matrix Item 93 (Legislator Erner’s Proposal that the Charter Specify that the “Clerk” is the “Clerk of the Legislature”) is redundant as it has already been dealt with elsewhere.

Motion No. 14: Motion to Approve Matrix Item 111 (Legislature’s Proposal to Amend C-25(H) to Change “Executive Policies” to “Executive Procedures”)

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Fawn Tantillo

Discussion: Commission Member Donaldson noted that he does not oppose the change, but thinks the Legislature should make the change themselves.

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

Voting against: Commission Members Donaldson, Parker, Woltman

Disposition: Motion No. 14 passed 6-3.

Motion No. 15: Motion to Approve Matrix Item 86 (Legislator Erner’s Proposal that Outside Work be Prohibited for All Department Heads)

Motion made by: Commission Member Brian Woltman

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Tantillo noted that “all” department heads is extreme.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy

Disposition: **Motion No. 15 failed 0-9.**

Motion No. 16: **Motion to Approve Matrix Item 92 (Legislator Erner’s Proposal to Disallow an Individual from Serving as Head of Two or More Departments or Administrative Units of Government)**

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Tantillo noted that allowing an individual to serve as head of more than one department is a money-saving option. Commission Member Rodriguez noted that it is also situationally necessary to have a knowledgeable individual as head of more than one department.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy

Disposition: **Motion No. 16 failed 0-9.**

Motion No. 17: **Motion to Approve Matrix Item 88 (Legislator Erner’s Proposal to Amend C-28 so that Executive Appointments to Advisory Committees, Commissions and Boards, include Representation from All Geographic Areas of the County)**

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Hector Rodriguez

Discussion: None.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy

Disposition: **Motion No. 17 failed 0-9.**

Commission Members noted that Matrix Item 57 (Legislature’s proposal that budget estimates be provided to the Legislature and Comptroller when submitted to the Commission of Finance) is duplicative as the Commission already addressed this issue.

Motion No. 18: Motion to Approve Matrix Item 45 (Barbara Hill’s Proposal to Amend C-45 to Raise the Maximum Term Limit for Service on the Community Services Board to 12 Years)

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Scott McCarthy

Discussion: Commission Member Donaldson agreed with increasing the term from 8 years to 12 because the County uses 12 years for everything else. Commission Member Parker noted that he was opposed because there is not enough information and 4 years is a long time.

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

Voting against: Commission Member Parker

Disposition: Motion No. 18 passed 8-1.

Motion No. 19: Motion to Approve Matrix Item 132, County Executive’s Proposal to Amend C-45 as follows:

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,~~

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Scott McCarthy

Discussion: Deputy County Executive Contreras noted that this proposal would bring the Charter in accordance with state law.

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

Voting against: None

Disposition: Motion No. 19 passed 9-0.

Commission Members noted that Matrix Item 46 (Barbara Hill’s Proposal to Amend C-45 to Increase the Number of Members on the Community Services Board’s Mental Health Subcommittee to 11 Persons) is redundant as the issue was dealt with elsewhere.

Motion No. 20: Motion to Approve Matrix Item 133, County Executive’s Proposal to Amend C-46 as follows:

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.~~

- Motion made by: Commission Member Dave Donaldson
- Seconded by: Commission Member Brian Woltman
- Discussion: Commission Members Rodriguez, Tantillo, Donaldson, and McCarthy expressed their opposition to this proposal.
- Voting in favor: None.
- Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy
- Abstention: Commission Member Simonofsky
- Disposition: Motion No. 20 failed 0-8, with 1 abstention.**
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Motion No. 21: Motion to Approve Matrix Item 134, County Executive’s Proposal to Amend C-47 as follows:

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.~~

- Motion made by: Commission Member Fawn Tantillo
- Seconded by: Commission Member Hector Rodriguez
- Discussion: Commission Members Rodriguez, Tantillo, and Donaldson expressed their opposition to this proposal.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Donaldson, Parker, Woltman, McCarthy, Simonofsky

Disposition: Motion No. 21 failed 0-9.

Commission Members discussed Matrix Item 71 (Comptroller’s proposal to include language in C-74 requiring the Director of Purchasing to be free from any conflicts of interest). Commission Member Woltman expressed his opposition to the proposal as overly broad. Commission Members Donaldson and Tantillo expressed concerns with the language. Comptroller Gallagher advised the Commission that she would withdraw this proposal. The Commission marked Matrix Item 71 as withdrawn.

Comptroller Gallagher advised the Commission that there are two issues with the filling of a vacancy of the Comptroller: (1) the vacancy is not decided by a primary, and (2) the Legislature overrides the Comptroller’s successor. Commission Member Rodriguez noted that the Commission had held off on considering how to handle a vacancy of the Comptroller until after deciding how to handle a vacancy of the Executive. Commission Member Rodriguez requested draft language for filling a vacancy of the Comptroller that mirrors the proposed language approved by the Commission for filling a vacancy of the Executive.

Commission Members discussed Matrix Item 125 (Legislature’s proposal to remove “shall devote full working time to the duties of the office” from C-77 relating to the Public Defender). First Assistant County Attorney Gumaer advised the Commission that Chair Bartels asked that his proposal be disregarded. Commission Members marked Matrix Item 125 as withdrawn.

Commission Members discussed Matrix Item 94 (Legislator Erner’s proposal to amend C-77 to change “Consumer Fraud Bureau” to “Consumer Protection Bureau”). Assistant County Attorney Williams advised the Commission that there is no Consumer Fraud Bureau and that the Commission previously voted to remove references to a Consumer Fraud Bureau. Commission Members requested that Matrix Item 94 be removed from the matrix.

Motion No. 22: Motion to Approve Matrix Item 138, County Executive’s Proposal to Add the Following Subsection to C-100 :

[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.](#)

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Fawn Tantillo

Discussion: Deputy County Executive Contreras advised the Commission that the proposed subsection delineates the powers and duties of the Director of Human Rights.

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

Voting against: None

Disposition: Motion No. 22 passed 9-0.

Commission Member Donaldson advised the Commission that he was withdrawing his proposal set forth in Matrix Item 152 to create a three-year term for the Commissioner of Human Rights, with removal subject to Legislative approval. Matrix Item 152 was marked withdrawn.

Motion No. 23: Motion to Approve Matrix Item 42 (Former Human Rights Commissioner’s proposal to amend C-101 to allow for the filling of long-vacant seats on the Human Rights Commission by the Commissioner)

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Fawn Tantillo

Discussion: Commission Member Donaldson expressed support for finding a solution to the problem of Legislators and former Executives failing to timely fill appointments to the Human Rights Commission, but noted that the language would need to be fleshed out. Commission Member Simonofsky noted that she opposed the proposal because there was no language presented.

Voting in favor: Commission Member Donaldson

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy

Disposition: Motion No. 23 failed 1-8.

Motion No. 24: Motion to Approve Matrix Item 43 (Former Human Rights Commissioner’s proposal to amend C-101 to increase the number of members from 11 to 15)

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Brian Woltman

Discussion: Commission Member Tantillo noted that the Commission already dealt with appointments to the Human Rights Commission.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: Motion No. 24 failed 0-9.

Motion No. 25: Motion to Approve Matrix Items 139 and 140, County Executive Proposals to Rename Section C-101 “The Commission of Human Rights” and to Amend C-101(A) as follows:

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.

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Brian Woltman

Discussion: Deputy County Executive Contreras advised the Commission that the proposals were necessary to create a new section.

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

Voting against: None.

Disposition: Motion No. 25 passed 9-0.

Commission Members noted that Matrix Item 141 (County Executive’s proposal to amend C-101(B) relating to appointments to the Human Rights Commission) had already been dealt with via similar proposals that the Commission voted on.

Motion No. 26: Motion to Approve Matrix Item 142 (County Executive’s Proposal to Rename Section C-102 “Authority of the Commission”) as Amended.

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Dave Donaldson

Discussion: Commission Member Rodriguez amended the proposal to include the word “the.”

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

Voting against: None.

Disposition: **Motion No. 26 passed 9-0.**

Motion No. 27: **Motion to Approve Matrix Item 82 (Legislator Erner’s Proposal to Amend C-108 to Abolish the Periodic Compensation Review Committee and Determine Salaries of Elected Officials 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)**

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: None.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: **Motion No. 27 failed 0-9.**

Motion No. 28: **Motion to Approve Matrix Item 83 (Legislator Erner’s Proposal to Amend C-108 to 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 AMI Adjusted for Family Size)**

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Fawn Tantillo

Discussion: None.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: **Motion No. 28 failed 0-9.**

Motion No. 29: Motion to Approve Matrix Item 27 (Comptroller’s Proposal to Amend C-110 to Require Periodic Compensation Review Commission’s Findings to Be Incorporated into County Executive’s Proposed Budget Unless Previously Adopted by Local Law)

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Tantillo and Chair Mihm spoke in support of the proposal. Commission Member Donaldson spoke in opposition to the proposal and questioned whether a volunteer board should be dictating the salary number. Comptroller Gallagher spoke in support of the proposal. Commission Member Rodriguez noted that having the salary findings in the budget would mean that they would have to be accounted for.

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

Voting against: Commission Member Donaldson

Disposition: Motion No. 29 passed 8-1.

Motion No. 30: Motion to Approve Matrix Item 37 (Commission Member Kadgen’s Proposal to Amend C-110 to Mandate Salary Recommendations of the Periodic Compensation Board to be Placed Before the Legislature in Separate Salary Categories for a Vote)

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Fawn Tantillo

Discussion: Commission Member Donaldson spoke in support of the proposal and noted that it is not redundant of the Comptroller’s proposal. Commission Member Rodriguez expressed his opposition to the proposal.

Voting in favor: Commission Member Donaldson

Voting against: Commission Members Mihm (Chair), Simonofsky, Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy

Disposition: Motion No. 30 failed 1-8.

Commission Members discussed Matrix Item 143 (County Executive’s proposal to amend C-111 to add Director of the Environment as an ex officio member of the Environmental Management Council). Commission Members discussed whether the Department of the Environment had been incorporated into the Charter. Commission Member Rodriguez noted that the proposed language should specify that the membership is non-voting. Commission Members discussed Matrix Item

145 (County Executive's proposal to create a Department of the Environment). Commission Member Woltman recommended that Matrix Items 143 and 145 be tabled until the Commission has more information.

Motion No. 31: Motion to Approve Matrix Item 144, County Executive's Proposal to Amend C-122 as follows:

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.

Motion made by: Commission Member Hector Rodriguez

Seconded by: Commission Member Scott McCarthy

Discussion: None.

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

Voting against: None.

Disposition: Motion No. 31 passed 9-0.

Commission Members noted that Matrix Items 3 and 4 (Sheriff's proposal to streamline the budget approval process and comment that the County Attorney works only for the Executive, not the elected officials) were redundant.

Motion No. 32: Motion to Approve Matrix Item 80 (Commission Member Donaldson's Proposal to Replace Local Assessors with County-wide Assessor Position) as Amended to Add the Following to the Commission's Report:

The Legislature Shall Examine the Possibility to Replace Local Accessors with a County-wide Assessor Position

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Tantillo expressed her position that the proposal was beyond the scope of the Commission and that the Towns would not support it.

Voting in favor: Commission Members Donaldson, Cardinale, Rodriguez, McCarthy

Voting against: Commission Members Simonofsky, Tantillo, Mihm (Chair), Parker, Woltman

Disposition: Motion No. 32 failed 4-5.

Commission Member Rodriguez requested a clarification to Matrix Item 118 relating to a change to C-46 and the number of nominees to the Planning Board. Assistant County Attorney Williams advised that he would consult the redline.

Commission Member Mici Simonofsky left the meeting at 6:20 PM.

Motion No. 33: Motion to Approve Matrix Items 84, 85 and 90 (Legislator Erner’s Proposals to (84) Require Popular Referendum to Increase Legislator Salary, (85) Require All Public Meetings to be Hybrid and Broadcast Live, and (90) Expand Powers and Duties of the Department of the Environment Beyond Internal County Matters)

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member LeShawn Parker

Discussion: Commission Member Tantillo expressed her belief that Matrix Item 84 was illegal. Assistant County Attorney Williams noted that Legislator Erner informed the Commission that a similar proposal to Matrix Item 85 is currently under consideration by the Legislature.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: Motion No. 33 failed 0-8.

Motion No. 34: Motion to Approve Matrix Item 91 (Legislator Erner’s Proposal to Establish a County Environmental Advocate)

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Brian Woltman

Discussion: Commission Member Tantillo noted that this would be a huge undertaking for an individual. Commission Member Rodriguez noted that this was not a matter for the Charter.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: **Motion No. 34 failed 0-8.**

Motion No. 35: **Motion to Approve Matrix Items 95 and 96 (Legislator Erner's Proposals to Create a Public Election Fund and Limit Campaign Spending Based on Maximum Public Match)**

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Brian Woltman

Discussion: Commission Member Donaldson noted that creating a public election fund is an interesting idea.

Voting in favor: Commission Members Rodriguez and Parker

Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Woltman, McCarthy, Donaldson

Disposition: **Motion No. 35 failed 2-6.**

Motion No. 36: **Motion to Approve Matrix Item 97 (Legislator Erner's Proposal that Any County Elected Officer Seeking a Different Elective Office Must Resign to Run)**

Motion made by: Commission Member Brian Woltman

Seconded by: Commission Member Hector Rodriguez

Discussion: Commission Member Tantillo noted her opposition to the proposal. Commission Member Rodriguez noted that a similar proposal is in effect in Florida.

Voting in favor: None.

Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: **Motion No. 36 failed 0-8.**

Motion No. 37: **Motion to Approve Matrix Item 99 (Legislator Erner's Proposal to Create an Obsolete Laws Commission)**

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Brian Woltman
Discussion: None.
Voting in favor: None.
Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: Motion No. 37 failed 0-8.

Commission Members noted that Matrix Item 100 (Legislator Erner’s proposal to use gender-friendly language throughout the Charter) was redundant as the Commission already approved a similar proposal.

Motion No. 38: Motion to Approve Matrix Item 101 (Legislator Erner’s Proposal to Create a Civic Imagination Office)

Motion made by: Commission Member Fawn Tantillo
Seconded by: Commission Member Kathy Mihm (Chair)
Discussion: Commission Members noted that the Legislature could form such an office at any time.
Voting in favor: None.
Voting against: Commission Members Mihm (Chair), Tantillo, Cardinale, Rodriguez, Parker, Woltman, McCarthy, Donaldson

Disposition: Motion No. 38 failed 0-8.

Motion No. 39: Motion to Approve Matrix Item 116, Legislature’s Proposal to Add “department head shall perform such other and related duties as requested 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, and C-113

Motion made by: Commission Member Hector Rodriguez
Seconded by: Commission Member Dave Donaldson
Discussion: Commission Member Mihm (Chair) noted her opposition to the proposal as the chain of command should be from the department head to the Executive. Commission Member Donaldson spoke in support of the proposal.

Voting in favor: Commission Members Rodriguez, Parker, Woltman, Donaldson, Cardinale

Voting against: Commission Members Mihm (Chair), Tantillo, McCarthy

Disposition: Motion No. 39 failed 5-3.

Commission Members noted that Matrix Item 128 (County Executive’s Proposal to include gender-neutral terms) is duplicative.

Motion No. 40: Motion to Approve Matrix Item 146 (County Executive’s Proposal to Create a Department of Weights and Measures Headed by a Director of Weights and Measures)

Motion made by: Commission Member Dave Donaldson

Seconded by: Commission Member Hector Rodriguez

Discussion: None.

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

Voting against: None.

Disposition: Motion No. 40 passed 8-0.

Commission Members noted that Matrix Item 147 (County Executive’s Proposal to Rename Article XXX from “Commission of Human Rights” to “Human Rights”) is redundant.

Commission Member Tantillo informed the Commission that, along with Commission Member Simonofsky, she has been working on a preamble to the Commission’s report that will be shared with everyone for their review and input.

Commission Members decided to add a meeting on August 24, 2023 at 5:00 PM.

Motion No. 41: Motion to Adjourn

Motion made by: Commission Member Fawn Tantillo

Seconded by: Commission Member Brian Woltman

Discussion: None.

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

Voting against: None.

Disposition: Motion No. 41 passed 8-0.

Meeting adjourned at 6:43 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo