

Ulster County Charter Revision Commission Regular Meeting Minutes

Date/Time: July 6, 2023 at 5:05 PM (or immediately following the public hearing)

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

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

Quorum: Yes

Other Attendees: March Gallagher, Comptroller
Charles Dinstuhl, Director of Internal Audit
Johann Contreras, Deputy County Executive
Dare Thompson, League of Women Voters
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 5:24 PM.

Chair Mihm noted that Commission Member Mici Simonofsky is participating remotely due to extraordinary circumstances.

Commission Member Tantillo requested that the review of the June 8, 2023 meeting minutes be postponed. Chair Mihm agreed to move the review of the minutes to the end of the meeting.

Public Comment: None.

Chair Mihm recognized Johanna Contreras, Deputy County Executive, who discussed the statement submitted by the County Executive's Office opposing the proposed Charter revision to

subject the Executive line of succession to Legislative approval. Deputy CE Contreras advised the Commission that, while the proposed change would not be the preference of the Executive, the Executive understands the change in the context of the other changes being made to Section C-29 of the Charter.

The Commission Members next discussed the draft resolution and ballot language for the proposed changes to Section C-29 of the Charter. Commission Member Tantillo noted that certain language from C-29(B) was moved to C-29(H). Commission Member Kadgen spoke in support of including a safety valve so that if a long-term Acting County Executive was not living up to expectations, then a supermajority of the Legislature could call for a special election. Commission Members discussed whether the proposal should be included in this revision or separately. Commission Members Tantillo and McCarthy spoke in support of the draft ballot language. Commission Member Harris spoke in favor of working to improve the draft language in order to highlight the benefits of the changes to the public. Assistant County Attorney Williams noted that the ballot language should not be a piece of hard advocacy. Commission Member Kadgen noted that advocacy is the Commission's job. Chair Mihm noted that the abstract is a flyer that is prepared and presented at the polling site. Chair Mihm agreed that the abstract and ballot language should not contain advocacy. Commission Member Harris reiterated her position that the ballot language needs to be revised and reworked. Comptroller March Gallagher spoke in support of revising the ballot language. Commission Members discussed potential changes to the abstract and ballot language.

Commission Members Harris and Tantillo offered to work on revising the language and sharing the draft with First Assistant County Attorney Gumaer prior to the next meeting.

Commission Member Tantillo questioned whether the SEQRA language needed to be included in the resolution. First Assistant County Attorney Gumaer noted that such language was in the resolution for the 2018 Charter Revision Commission. Commission Member Simonofsky noted that there was no harm in keeping the SEQRA language. The County Attorney's Office will confirm whether such language is necessary.

Commission Member Kadgen spoke in support of holding the public hearing before the Commission makes the decision is made to go referendum. Commission Members noted that there have been previous public hearings and public comment, and that the public will make the final decision at the ballot. Commission Members discussed whether there was enough time to hold the public hearing prior to making the decision. Commission Members discussed holding the public hearing prior to the regular meeting on August 3, 2023 if there is enough time for the legal notices. Assistant County Attorney De Leo advised the Commission that he will report back at the next meeting. Assistant County Attorney Williams noted that the Charter contemplates this kind of situation where the hearing happens after the decision to send issues directly to the ballot.

Commission Member Frank Cardinale left the meeting at 6:08 PM.

Commission Member Tantillo requested that the minutes be revised to state the full motion instead of referring to a separate document. Commission Members agreed that the minutes should be revised for the next meeting. Assistant County Attorney De Leo will revise the draft minutes for the next meeting.

Motion No. 1: 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), Simonofsky, Tantillo, McCarthy,
Harris, Kadgen, Woltman

Voting against: None

Disposition: Motion No. 1 passed 7-0.

Meeting adjourned at 6:22 PM.

Meeting minutes prepared by Assistant County Attorney Dante De Leo