

**Laws & Rules, Governmental Services Committee
Regular Meeting Minutes**

DATE & TIME: June 17, 2019 – 6:30 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building
PRESIDING OFFICER: Chairman Donaldson
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Bartels, Roberts, Rodriguez & Ronk
ABSENT: Legislator Heppner
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Joseph Maloney, Nolan & Woltman, Legislative Counsel Gordon, Minority Counsel Pascale, Cindy Bell – League of Women Voters

Chairman Donaldson called the meeting to order at 6:36 PM.

Motion No. 1: Moved to APPROVE the Minutes of the May 20, 2019 Regular meeting

Motion By: Legislator Ronk
Motion Seconded By: Legislator Roberts

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Roberts, Rodriguez & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Minutes APPROVED**

Motion No. 2: Moved to APPROVE the Minutes of the June 10, 2019 Special meeting

Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Roberts, Rodriguez & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Minutes APPROVED**

Resolutions for the June 18, 2019 Session of the Legislature

Resolution No. 281 of 2018: Establishing A Policy To Prohibit The Use Of Public Funds To Place The Likeness Or Name Of Elected Officials On All Promotional And Informational Signage On County Owned Property

Resolution Summary: This resolution establishes a policy that no County elected official shall appear by likeness, picture, or be named, or otherwise be identified or referenced on any promotional and informational signage on County owned property, where same is paid for or produced in whole or in part with public funds of any kind including grant funds.

Motion No. 3: **Resolution No. 281 of 2018 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion:
Chairman Donaldson reminded the members that the legislation is a policy not a law and is therefore more easily amended. Legislator Joseph Maloney stated that a member of the new County Executive’s staff reached out to him to discuss three scenarios, none of which would have been effected by the policy. He added that the conversation supported his position that the policy would not greatly affect the county’s ability to functionally distribute information. He stated that he also spoke with the Chairwoman and Clerk of the Legislature about concerns surrounding the County Directory and felt that the Resolution addresses those worries. Chairwoman Bartels suggested, and the members discussed, a few friendly amendments to the policy.

Motion No. 4: **Motion to AMEND the last two RESOLVEDs to read as follows**

RESOLVED, that it is the policy of Ulster County that on and after the effective date hereof, no **currently serving** County elected official shall appear by likeness, picture, or be named, or otherwise be identified or referenced on any promotional and informational signage on County owned property, where same is paid for or produced in whole or in part with public funds of any kind including grant funds; and, be it further

RESOLVED, that this policy shall not apply to the appearance of an elected official’s name and/or likeness on his or her office or his or her official web page, or in **any county directory, or to any promotional and informational signage on County owned property which is in existence prior to the effective date of this policy**, and **this policy** shall not apply to appearances during a declared state of emergency or **to appearances** otherwise required or permitted by law; and, be it further

Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Roberts, Rodriguez & Ronk
Voting Against: None

Votes in Favor: 5
Votes Against: 0
Disposition: **Amendments ADOPTED**

Motion No. 5: **Motion to ADOPT Resolution No. 281 of 2018 AS AMENDED**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Roberts, Rodriguez & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution ADOPTED AS AMENDED**

Resolution No. 473 of 2018: Setting A Public Hearing On Proposed Local Law No. 23 Of 2018, A Local Law Entitled “Ulster County Ethics Law”, To Be Held On Tuesday, July 9, 2019 At 6:10 PM

Resolution Summary: This resolution sets a public hearing for Tuesday, July 9, 2019 At 6:10 PM to allow the public to offer comments on Proposed Local Law Number 23 of 2018.

Motion No. 6: **Resolution No. 473 of 2018 MOVED FOR DISCUSSION**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion:

Legislator Ronk informed the members that he and Chairwoman Bartels had met and reviewed the Proposed Law. He advised the members that a copy of the Law marked up by Chairwoman Bartels with comments from Counselor Pascale used during their review meeting was provided in the meeting materials. He stated that they identified a number of items that could be agreed on, some that should be discussed in committee and some that needed more time for additional investigation. The members reviewed the law page by page. The members agreed to a number of amendments and identified multiple areas that should be revisited.

Some discussion points included: the definition of gift, unemancipated child, editing the law throughout for gender neutrality, effective date and terms of new board members, service on the Board of Ethics by local elected officials/members of other boards, methods to make Board findings public and notification to supervisors/department heads, publication of unfounded accusations, recusal requirements, appearance of elected officials before county agencies or departments, exempted gifts, bidding on county owned real property acquired by tax sale, voting on collective bargaining agreements, amount of fines, and budget amendment for outside counsel.

Chairman Donaldson requested that Legislative Staff mark up the proposed law to reflect the agreed upon changes and highlight the areas to be revisited. He asked that Legislative Staff send the marked up version to the members for review in advance of the next meeting.

Motion No. 7: Motion to POSTPONE Resolution No. 473 of 2018

Motion By: Legislator Ronk

Motion Seconded By: Legislator Rodriguez

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Roberts, Rodriguez & Ronk

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: Resolution POSTPONED

Resolution No. 267: Amending The Rules Of Order To Prohibit Personal Attacks

Resolution Summary: This resolution amends the Rules of the Legislature to require that any Legislature who engages in personal attacks or inflammatory comments directed at or about any named individual must yield the floor at the Chair's order.

Motion No. 8: Resolution No. 267 MOVED FOR DISCUSSION

Motion By: Legislator Ronk

Motion Seconded By: Legislator Roberts

Discussion:

Legislator Ronk stated that the Rules currently protect Legislators from attacks on the floor of the Legislature, but not other elected officials or anyone else. He added that he felt the same protections afforded Legislators should either be extended to everyone who works in county government, or eliminated. He advised the members of a proposed amendment to make the language more consistent with current language. Legislator Joseph Maloney commented that the proposed Rules change was directed at him and comments he has made on the floor and stated that he did not believe his comments were personal attacks. The members debated First Amendment infringements versus decorum and respect, and the ambiguity of the proposed terms "attack" and "inflammatory."

Legislator Woltman stated that claims of criminal activity are consistently considered inflammatory in professional circles. Legislator Joseph Maloney said that he makes statements of fact on the floor and does not concede that stating facts should be considered an attack or inflammatory. Legislator Ronk stated that Legislator Joseph Maloney was not the reason, but maybe the impetus, for the introduction of the Rules change. He added that Legislative Chairs have, in the past, called for more respect and decorum on the floor during instances when persons other than Legislators have been named. He added that after the May Legislative Session the Rules were reviewed and as a result he and Legislator Woltman decided to introduce the change.

Motion No. 9: Motion to POSTPONE Resolution No. 267

Motion By: Legislator Rodriguez
Motion Seconded By: Legislator Bartels

Discussion:

Legislator Ronk stated that the members should vote on the Resolution if they have already decided whether or not they support it. Chairman Donaldson stated that the amendment was just proposed and felt there was still opportunity to come to a consensus that would promote decorum while maintaining free speech. Legislator Ronk advised the members, as the Resolution sponsor, that he did not consent to the postponement.

Voting In Favor: Legislators Bartels, Donaldson & Rodriguez
Voting Against: Legislators Roberts & Ronk
Votes in Favor: 3
Votes Against: 2
Disposition: **Resolution POSTPONED**

Chairman Donaldson moved on to Old Business on the agenda.

Resolution No. 120: Amending The Rules Of Order To Modify Resolution Deadline

Resolution Summary: This resolution requires resolutions be submitted to the Clerk of the Legislature twelve days in advance of the first Regular meeting date of Legislative Committees.

Chairman Donaldson advised the members that the proposed change was discussed with the County Executive at a recent leadership meeting. He informed the members that it was agreed to give the Executive time to evaluate the current process and consider what effects the proposed change might have.

Motion No. 10: **Motion to POSTPONE Resolution No. 120**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion: None

Voting In Favor: Legislators Bartels, Donaldson, Roberts, Rodriguez & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolution No. 212 of 2018: Setting A Public Hearing On Proposed Local Law No. 16 Of 2018, A Local Law Regarding Campaign Finance Reform in Ulster County, To Be Held On Tuesday, July 9, 2019 At 6:05 PM

Resolution Summary: This resolution sets a public hearing for Tuesday, July 9, 2019 At 6:05 PM to allow the public to offer comments on Proposed Local Law Number 16 of 2018.

Resolution No. 361 of 2018: Setting A Public Hearing On Proposed Local Law No. 21 Of 2018, A Local Law Regarding Campaign Finance Reform in Ulster County, To Be Held On Tuesday, July 9, 2019 At 6:05 PM

Resolution Summary: This resolution sets a public hearing for Tuesday, July 9, 2019 At 6:05 PM to allow the public to offer comments on Proposed Local Law Number 21 of 2018.

Discussion:

Chairman Donaldson stated that the Subcommittee was continuing to meet to create compromise legislation.

Disposition: **NO ACTION TAKEN**

Chairman Donaldson moved on to New Business on the agenda. He advised the members that Resolution No. 268 (Setting A Public Hearing On Proposed Local Law No. 3 Of 2019, A Local Law Amending Chapter 304, Article I Of The Code Of The County Of Ulster, To Be Held On Tuesday, August 13, 2019 At 6:00 PM) was submitted by Legislator Petit with a request for July introduction. Legislator Ronk explained that the law seeks to address illegal dumping of C&D materials by changing definitions. Chairman Donaldson recommended the members review the legislation prior to the next meeting.

Chairman Donaldson asked the members to consider changing Legislative Session to Thursday to allow more time for committee meetings between Resolution deadline and Session. The members discussed that the Chair sets the meeting schedule.

Chairman Donaldson asked the members if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Roberts
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 8:54 PM

Respectfully submitted: Jay Mahler, Deputy Clerk
Minutes Approved: July 15, 2019