

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

DATE & TIME: July 13, 2023 – 6:00 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building, Kingston
PRESIDING OFFICER: Chair Heppner
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Gavaris, Levine & Roberts
ABSENT: Legislator Ronk
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Criswell and Erner; Legislative Counsel Ragucci and Gordon and Minority Counsel Pascale; Deputy County Executive Kelly; Comptroller Gallagher and Deputy Comptroller DeMarco; Commissioners Torres and Quigley and Deputy Commissioners Fuentes and Williams – UC Board of Elections; Rakosh Most – HV One

Chair Heppner called the meeting to order at 6:03 PM

Motion No. 1: **Moved to Approve Minutes of the June 12, 2023 Meeting**

Motion By: Legislator Gavaris
Motion Seconded By: Legislator Levine

Discussion: None

Voting In Favor: Legislators Gavaris, Heppner, Levine & Roberts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Minutes Approved**

Resolutions for the July 18, 2023 Session of the Legislature

Chair Heppner advised the members that Board of Elections Commissioners and Deputy Commissioner were in attendance to answer any questions on Resolution No. 418, so he would be moving it to the top of the agenda.

Resolution No. 418: Approving The Execution Of A Contract For \$1,798,088.00 Entered Into By The County – Hart InterCivic, Inc. – Board Of Elections

Resolution Summary: This resolution approves a \$1,798,088 contract with Hart InterCivic, Inc. for the purchase of new voting system machines, software and support services for 6/14/23 – 6/13/28.

Motion No. 2: **Resolution No. 418 Moved for Discussion**
Motion By: Legislator Gavaris
Motion Seconded By: Legislator Levine

Discussion:

Chair Heppner acknowledged Board of Elections Commissioners Torres and Quigley and Deputy Commissioners and asked if they would like to speak to the resolution. Commissioner Torres stated that they were excited to roll out the new systems and were pleased that the voting systems will be in hand in time for the 2023 elections. She added that the Board of Elections pushed for the 2023 rollout as opposed to 2024 with a Presidential Election turnout. The Commissioners briefly discussed the state and federal voting system certification process and timeline and expected improvements to election night reporting and other back end systems. The Board advised the members that the county’s purchasing department was able to negotiate a \$200,000 reduction in price, and would also be getting a Technology Investment Grant to help with costs.

Legislator Levine thanked the Commissioners for their work and the seamlessness of the transition. He asked what the expected lifecycle of the machines was and what the plan was for the old systems. Commissioner Quigley responded that the warranty was for 5 years, but that he expected to get about 15 years of useful life out of the systems. He advised the members that they were actively working on the plan to dispose of the current systems, citing federal requirements for destruction of motherboards and likely an auction for the metal casing and some election supply bags.

Legislator Gavaris asked if there was an annual operating cost for the systems. Commissioners Quigley responded that beyond the first 5 years there would be an annual operating cost in the \$40,000 - \$60,000 range.

Legislator Erner asked how the paper trial process and electric in the event of a power failure differ than the current systems. The Commissioners responded that there was essentially no change adding that any pen can be used to mark a ballot as opposed to the specific type required previously, and improvements to the area the voter marks and the type of acceptable mark. They stated that the battery life is 10 hours.

Chair Heppner asked if there was any further discussion and hearing none called for a vote in favor of the Resolution.

Voting In Favor:	Legislators Gavaris, Heppner, Levine & Roberts
Voting Against:	None
Votes in Favor:	4
Votes Against:	0
Disposition:	Resolution Adopted

Resolution No. 124: Setting A Public Hearing On Proposed Local Law No. 3 Of 2023, A Local Law Amending Local Law No. 3 of 2019, A Local Law Establishing The Ulster County Electrical Licensing Board And Providing For The Qualifications, Examination, Licensing And Regulation Of Electricians In Ulster County, New York, To Be Held On Tuesday, August 15, 2023 At 7:00 PM

Resolution Summary: This resolution sets a public hearing on Tuesday, August 15, 2023 At 7:00 PM to provide the public an opportunity to comment on Proposed Local Law No. 3 of 2023

Discussion:

Legislator Roberts requested postponement on behalf of Minority Leader Ronk.

Motion No. 3: Moved to Postpone Resolution No. 124

Motion By: Legislator Roberts

Motion Seconded By: Legislator Levine

Discussion:

Chair Heppner asked if there was any discussion and hearing none called for a vote in favor of postponing the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Roberts

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Resolution Postponed

Resolution No. 371: Setting A Public Hearing On Proposed Local Law No. 9 Of 2023, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), To Amend Article II Legislative Branch §C-21 Filling Membership Vacancies, To Be Held On Tuesday, August 15, 2023 At 7:05 PM

Resolution Summary: This resolution sets a public hearing on Tuesday, August 15, 2023 At 7:05 PM to provide the public an opportunity to comment on Proposed Local Law No. 9 of 2023

Motion No. 4: Resolution No. 371 Moved for Discussion

Motion By: Legislator Roberts

Motion Seconded By: Legislator Gavaris

Discussion:

Chair Heppner stated that Proposed Local Law sponsor Legislator Petit had expressed interest in a weighed voting option but he was not in receipt of any amendment language. He added that the Charter Revision Commission is still meeting and exploring the issue. In the sponsor's absence he asked for a motion to postpone.

Motion No. 5: Moved to Postpone Resolution No. 371

Motion By: Legislator Roberts

Motion Seconded By: Legislator Gavaris

Chair Heppner asked if there was any further discussion and hearing none called for a vote in favor of postponing the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Roberts

Voting Against: None

Votes in Favor: 4

Votes Against: 0

Disposition: Resolution Postponed

Resolution No. 373 – Adopting Proposed Local Law No. 5 Of 2023, A Local Law Amending Chapter 216 Of The Code Of The County Of Ulster, Human Rights, In Relation To Gender Expression

Resolution Summary: This resolution adopts Proposed Local Law No. 5 of 2023.

Motion No. 6: **Resolution No. 373 Moved for Discussion**
Motion By: Legislator Roberts
Motion Seconded By: Legislator Gavaris

Discussion:

Chair Heppner acknowledged Legislator Criswell and asked if the members had any questions or discussion. Legislator Gavaris stated that he had a concern previously with definition language, adding that he has since spoken with counsel who assured him that his concerns about compelling speech would not apply to general public enforcement.

Chair Heppner asked if there was any further discussion, adding that he was excited to move the law on to the next step. Hearing no further discussion, he called for a vote in favor of the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Roberts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Adopted**

Resolution No. 374 – Adopting Proposed Local Law No. 6 Of 2023, A Local Law Amending The Code Of The County Of Ulster, Chapter 131, Vehicles, County, Article I, Sustainable Green Fleet Policy, In Relation To Strategies And Goals

Resolution Summary: This resolution adopts Proposed Local Law No. 6 of 2023

Motion No. 7: **Resolution No. 374 Moved for Discussion**
Motion By: Legislator Levine
Motion Seconded By: Legislator Gavaris

Discussion:

Legislator Gavaris stated that he supports the law but commented that the Legislature does not even know what the impact will be and cautioned pushing through measures that the county may not be able to support long term.

Chair Heppner asked if there was any further discussion and hearing none called for a vote in favor of the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Roberts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Adopted**

Resolution No. 375: Adopting Proposed Local Law No. 8 Of 2023, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), To Provide Enhanced Transparency And Accountability Over County Finances

Resolution Summary: This Resolution adopts Proposed Local Law No. 8 of 2023.

Motion No. 8: **Resolution No. 375 Moved for Discussion**
Motion By: Legislator Gavaris
Motion Seconded By: Legislator Roberts

Discussion:

Chair Heppner asked if there were any questions or discussion and hearing none called for a vote in favor of the Resolution.

Voting In Favor: Legislators Gavaris, Heppner, Levine & Roberts
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Adopted**

Resolution No. 419: Opposing Moving Certain Local Elections To Even Numbered Years And Urging New York State Governor Hochul To Veto A.04282B/S.3505B

Resolution Summary: This memorializing resolution urges the NYS Governor to oppose legislation to move certain elections from odd numbered years to even numbered years.

Motion No. 9: **Resolution No. 419 Moved for Discussion**
Motion By: Legislator Roberts
Motion Seconded By: Legislator Gavaris

Discussion:

Legislator Roberts stated that he would like a vote on the resolution. Chair Heppner stated that he spoke to the sponsor and although he does not support the resolution, would honor the request and would not move for postponement. Legislator Gavaris asked why the Chair supported the change. Chair Heppner responded that a number of offices would remain in odd years including Sheriff, DA, judges per the NYS Constitution. He added that in other states where elections are held similarly, voter turnout has increased significantly, adding that they should be encouraging the greatest amount of participation in all elections as possible.

Legislator stated that fire districts are 3 year terms, adding that if the state was serious about voter participation, they would move state elections to odd years. The members briefly discussed the potential large size of the ballot and whether voting systems would be able to accommodate it, as well as how odd year terms would be addressed.

Chair Heppner asked if there were any other questions or discussion and hearing none called for a vote in favor of the Resolution.

Voting In Favor: Legislators Gavaris & Roberts
Voting Against: Legislators Heppner & Levine
Votes in Favor: 2
Votes Against: 2
Disposition: **Resolution Defeated**

Chair Heppner advised the members to take note of forthcoming resolutions on the agenda and asked if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Gavaris
Motion Seconded By: Legislator Roberts

No. of Votes in Favor: 4
No. of Votes Against: 0

TIME: 6:25 PM

Respectfully submitted: Deputy Clerk Mahler
Minutes Approved: August 10, 2023