



# Commentator

MAY 2016

The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League does not support or oppose candidates for public office but does encourage its members as individuals to participate actively in the political process. The League acts on those issues the membership chooses for study and action. The LWV of the Mid-Hudson Region covers the Ulster County area and the Dutchess County area. We belong to the LWV of New York State and the LWV of the US.

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<b>2016</b>	Check our online <a href="http://lwvmidhudson.org/calendar.html">calendar</a> ( <a href="http://lwvmidhudson.org/calendar.html">http://lwvmidhudson.org/calendar.html</a> ) for updates.	
<i>Our general meetings are open to all. Family and friends welcome!</i>		
<b>May</b>		
<b>2</b>	6:00 PM	Guardians of the Charter Meeting at the Boices Lane Panera Bread in Lake Katrine (1151 Ulster Ave, Ulster, NY 12401).
<b>3</b>	5:30 PM	LWV Materials Management (Solid Waste) Study Committee at the Main Course Restaurant (175 Main Street, New Paltz, NY 12561). For more information, contact Kathy OConnor at (845) 757-2247 or <a href="mailto:occonnor.kraye@gmail.com">occonnor.kraye@gmail.com</a> .
<b>12</b>	4:00-6:00 PM	Board Meeting at Jacki Moriarty's, 167 Apple Hill Rd, Hurley, NY 12443.
<b>16</b>	8:30-9:00 AM	Kingston Community Radio, WGHQ 920 AM LWV On Air. Go to <a href="http://www.mykcr.org">http://www.mykcr.org</a> to listen on your computer. Call 845-331-9255 to ask a question or make a comment. Speaker – Margot Becker (Materials Management)
<b>18</b>	5:30 PM	Annual Meeting at Deyo Hall in New Paltz (6 Broadhead Ave, off Route 32). NOT DEYO HALL ON THE SUNY CAMPUS.
<b>22-25</b>		Students Inside Albany
<b>24</b>	1:45 PM	Book Club Meeting Club at Enzo's Pizzeria, Boices Lane, Lake Katrine – <i>The Fifties</i> For more information, contact Jacki Moriarty at 331-3418 or <a href="mailto:jackim@hvc.rr.com">jackim@hvc.rr.com</a> .
<b>June</b>		
<b>10</b>	12:00 PM	Naturalization Ceremony, Ulster County Court House, 285 Wall St., Kingston. Volunteers should arrive at <u>10:45</u> .
<b>16-18</b>		National Convention – Washington, D.C.
<b>28</b>		NYS Congressional Primaries
<b>SAVE THE DATE: National Voter Registration Day – September 27<sup>th</sup></b>		

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**Prez Sez**

The members of the Board of the League of Women Voters of the Mid-Hudson Region (what a mouthful) have been hard at work: get out the vote phone calls, a presentation on the New York State Constitution, an earth day booth in Poughkeepsie, and planning the annual meeting on May 18th at 5:30.

We will meet at Deyo Hall, give you an update on our activities, elect new Board members for next year, and enjoy each other's company. With the current primary season there will be plenty for us to talk about.

It is worth going to [lwvny.org](http://lwvny.org) to see the Road Map to a Constitutional Convention.

In November of 2017 we will be asked "Shall there be a convention to revise the constitution and amend the same?"

If we say yes, then in 2018 we will be asked to elect delegates, who will meet in April 2019 and work till they're done. If they propose changes we will be asked to vote on those changes November 2019.

There is also a link to a November 23, 2015 letter from 7 (seven) organizations including the League recommending that the delegate selection be made more accessible.

The governor put \$1 million into the budget for this process, but unfortunately it did not survive the budget negotiation process. We will keep you posted.

*Jolanda Jansen*

Monthly Board meeting minutes and more can be found at: <http://lwvmidhudson.org/Committees.html>

**VOTER SERVICE****Moderating Guidelines**

Guidelines for moderating and sponsorship of candidates' events by the League are on our website at <http://lwvmidhudson.org/Moderating.html> or from the [Home](#) page and the [Elections](#) page.

**What Voter Service has done and What We're Doing****Constitutional Convention Forum**

**Paul O'Neill**

**Dare Thompson & Jerry Benjamin**

Over 40 people gathered at Deyo Hall on New Paltz on April 20 to hear about the history of the New York State Constitution and to learn about the road to having another convention. This is decided by the voters every twenty years. Coincidentally, our forum was on the anniversary of the signing of the New York State Constitution which occurred on April 20, 1777 in Kingston.

Paul O'Neill, Ulster County Commissioner of Jurors and local historian, outlined the extremely important role of Ulster County in the authoring of this first constitution, playing host to delegates John Jay, Robert Livingston and Gouverneur Morris. These men and their ideas ultimately helped shape the course of our nation.

Jerry Benjamin from SUNY New Paltz and an acknowledged expert on local and state government in New York State explained the process of adopting an amended or totally overhauled state constitution. The first step would be for New Yorkers to approve a referendum in November 2017 to

convene a Constitutional Convention. If voters approve the convening of a convention, delegates are elected at the next general election. The convention puts its recommended changes on the ballot during the general election and if passed will go in effect January 1 of the following year.

Previously the LWVNYS opposed having a constitutional convention and as Dare Thompson, past president of the Mid Hudson league and current New York State league president explained, much of the opposition was the method of delegate selection. The process as well as transparency remain as much a concern today as twenty years ago. At this point, the LWVNYS has no position on whether to support or oppose a constitutional convention but they will be reviewing the pros and cons and could possibly change their stance.

The confidence level of New Yorkers in their government rates number 43 out of 50 so this could be a good opportunity to improve our system. On the other hand, it may also be an opportunity to erode safeguards that have been unique to New York State such as pensions and Forever Wild statutes. Finding a balance is not easy but we will try to address the pros and cons in future forums.

Jean McGarry

### **Constitutional Convention Forum - A Second View**

The Constitutional Convention Forum was held on April 20<sup>th</sup> at Deyo Hall in New Paltz. It featured speakers Paul O'Neill, Jerry Benjamin, and Dare Thompson discussing the 2017 constitutional convention vote and providing context for the issue.

**Paul O'Neill** spoke first, discussing the history of the New York State Constitution. Written in Kingston by such personages as John Jay, Robert Livingston, and Gouverneur Morris, the constitution was one of the strongest of the early state constitutions and influenced the later development of the United States Constitution. It was also unique in that it provided for popular election of the governor.

**Jerry Benjamin** addressed the NYS constitutional convention process and its history. Like many states, New York provides two pathways to amend its constitution: one that can be initiated by the legislature and one that can be initiated by citizens without the involvement of the legislature. Both ultimately require citizen approval before changes are finalized.

The opportunity, every 20 years, for citizens to vote to hold a constitutional convention is New York's method of providing an amendment pathway independent of the legislature. Benjamin suggests that this opportunity is like a warning light on a car: when it comes, people can ignore it, investigate but decide not to make any changes, make changes, or develop an entirely new constitution.

Oftentimes, the opportunity that the vote provides to make changes does not coincide with an enthusiasm for change among the citizens. Benjamin, however, believes that that may be different in 2017. It seems to him that the enthusiasm for candidates such as Donald Trump and Bernie Sanders, as well as the anger of New Yorkers about corruption in Albany, may speak to a desire to change the status quo. Still, more than 70 percent of are not aware of the upcoming vote.

In addition, some people are nervous about constitutional conventions. Those who value provisions already in the Constitution may be reluctant to begin a process that could eliminate those provisions. Others are skeptical of the process and worry that undesirable provisions could be added. Ultimately, the decision to hold a constitutional convention requires a risk-benefit analysis: what stands to be gained and what stands to be lost and how likely are these outcomes?

It is difficult for the convention process to be conducted in a way that addresses people's concerns. It is not possible, for example, to limit the scope of a convention or to change the allocation of delegates across the state. Some changes, such as those regarding campaign financing for delegates, could be made by passing new laws, but most require constitutional amendments. This situation then creates a dilemma: numerous organizations have expressed willingness to support a convention *if* certain changes are made, but a constitutional convention is in turn the best vehicle for making those changes.

While it is true that the Legislature could, in theory, make the requested changes by beginning an amendment process on its own, Benjamin finds this unlikely. In his experience, the Legislature does

not often begin such a process when it is not in its own best interests. He also believes that because the popular vote is meant to be a way to go around the legislature, it is not wise to make an action of the legislature a precondition for taking that alternate pathway. (This is particularly true, he argues, when the legislature is itself one of the things people are most upset about.)

In its history, New York has had 9 constitutional conventions and 4 constitutions. The last constitutional convention was in 1967, but it did not result in any changes as the proposal was voted down at the polls. (The last constitutional convention anywhere in the United States occurred in Rhode Island in 1986.)

Finally, **Dare Thompson** spoke about the League's position on the constitutional convention. The last time the vote occurred, the League opposed it because it was not satisfied with the delegate selection process. Currently, the League does not have a position on the 2017 vote, but will take one (or make a decision to stay neutral) in the coming months. The LWVNY board will make this decision, rather than developing it through a consensus process that involves local Leagues.

Kristen Faughnan



### Get Out the Vote Pilot Program for the Presidential Primary

Three phone banks resulted in 2,461 phone calls made by our volunteers to remind "occasional voters" that were enrolled as a Democrat or Republican that they had an opportunity to select a presidential candidate on April 19. In addition, two Robo-calls went out to remind voters. We await the final report from LWVUS to see if our effort made a difference but our local league can be proud that we were only one of three leagues in the entire United States to have participated in this pilot program. Thank you to: Kristen Faugham, Jean and Jim McGarry, Jacki, John, and son Mark Moriarty and grandson John William, Anne Needham, Linda Resnick, Lee Ridgway and her grandson, Ethan, Soyal Smalls and Dare and Doug Thompson.

Jean McGarry

## STUDY AND ADVOCACY

### UC/DC Materials Management Committee

Ulster County Legislator Tracey Bartels spoke to our Committee on April 5th — offering insight into the development and implementation of the Styrofoam Ban in UC foodservice establishments. Progress has been going well with chain establishments, and the rest should follow suit in May.

The new Chairman of the Legislature Ken Ronk, however, is said to be in favor of repealing the ban. Stay in touch with your district legislators to let them know you want to keep this ban in effect.

Visited by Recycle Man at Poughkeepsie's Earth Day, LWVMHR Materials Management Committee had many folks stopping by to learn about recycling and composting. This was the debut of our new tent/banner, and we plan to visit other community festivals to discuss these subjects.

Other topics continuing to hold our attention are helping to pass Paint Stewardship legislation in NYS, and continued involvement in the UC Solid Waste Management Improvement Commission.



AND, we're still looking forward to "Trash Fest" in Marbletown this June.

Kathy OConnor

**Earth Day Celebration in Poughkeepsie, April 23, 2016**



The League of Women Voters supports the Public Policy Position in Natural Resources of Environmental Protection and Pollution Control. This means the League has a mission to



preserve the physical, chemical and biological integrity of the ecosystem, with maximum protection of public health and the environment. The Materials Management Committee of the League's Mid-Hudson Region Chapter

promotes policies to reduce the generation and promote the reuse and recycling of solid and hazardous wastes.



This year, Kathy OConnor, the Chair of Materials Management Committee, joined up with Linda Marston-Reid of Arts Mid-Hudson to prepare educational material and art-centered activities in celebration of Earth Day. Soyal Smalls had stopped by a Wednesday evening meeting of the Mid-Hudson Council of the Arts to learn more about the groups active in Dutchess County, and specifically in Poughkeepsie. It became apparent by the end of the meeting that many of the members supported using recycled material for many different purposes, including for their artwork. The following week, Ms. Smalls attended a Materials Management meeting in which one of the members of the committee was looking for opportunities to put on a "Trash Fest" event. This seemed like the perfect opportunity to mention Linda Marston-Reid and her group. Eventually the two women connected and began planning for an Earth Day event.

Kathy OConnor and Kristen Faughnan had been working on informational brochures about the Materials Management dCommittee, which were given to visitors during the Earth Day celebrations. The Committee also wanted to be able to provide folks with material about recycling and composting. To this end, a video was available for viewing by the public on the day of the event as another source of information. Kathy also felt it was important to provide child-centered reading material about recycling and composting, which added to children's excitement at being a part of a community event. Since the Materials Management Committee was joining with Mid-Hudson Council of the Arts, Jolanda Jansen thought it would be a good idea to offer an art activity during the event. Compostable pots were found and guests could paint the pots with non-toxic paint and decorate them with paper using glue made from edible cooking ingredients.

Laurie Sandow was the organizer who helped coordinate organizations and vendors to set up tents on Saturday, April 16, at Mural Park on Main Street in Poughkeepsie. Kathy OConnor was assisted by Kristen Faughnan, Jolanda Jansen, Soyal Smalls, and Marist College student Gauthami Priya. From 12 noon to 4pm folks visited the tent. There were high school students, college students, parents with children, other vendors, and locals who came by to paint pots and learn about who the League of Women Voters were and what the Materials Management Committee did. Sarah Wormer came over from Beacon to spend some time at the tent as well. It was a successful event for Poughkeepsie, especially as the first Earth Day event to have been put together. The Tivoli Arbor Day on April 30<sup>th</sup> will be the next opportunity for the Materials Management Committee to spread knowledge about environmental protection and pollution control in a friendly and festive fashion.

Soyal Smalls

**Book Club**

We began our discussion of David Halberstam's "The Fifties" at our March 15th book group meeting with chapters 1 through 18, Division One. There are two more divisions which we'll explore in April and May. Some of us had vivid memories of McCarthyism, images of the Korean War on television and air raid exercises in school. We compared today's political and foreign policy situations with the issues that faced Eisenhower's USA. Cars (whose mother drove then?) and houses (who moved to the suburbs?) were part of our reminiscences. Oddly, we didn't talk much about entertainment. Maybe we'll get to Lucille Ball next month!

The quick overview of Divisions Two and Three are below. And maybe this is a good time to look at chapter 25 which shows the very earliest, seemingly unimportant steps which led to Viet Nam.

The next book group meeting will be April 19th. (Also Primary Day for the presidential candidates.)

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**Division 3: Chapters 32-46 pp 487 to 733**

- 32 Prosperity and GM; the automobile is king and every year the car gets get bigger.
  - 33 Betty Furness opens refrigerator doors. Poppy Cannon says "the can opener....is the open sesame to wealth and freedom." Home appliances become status symbols.
  - 34 "Ozzie and Harriet" is what every American family should be? Only later is the real Nelson family seen to be dysfunctional. "Father Knows Best" is a snapshot of everyone (else's) family. Many people feel cheated.
  - 35 The cracks begin to show. The people who feel cheated begin to speak. "The Man in the Gray Flannel Suit" is a best seller, showing the price (both financially and emotionally) of conformity. The left and academia are criticized for backing U.S. cold war aggression.
  - 36 Rosa Parks starts a revolution. The bus boycott and the rise of Martin Luther King, Jr. 37 Marilyn Monroe, and Hugh Hefner and ain't sex fun...
  - 38 There is "literature" and then there is "Peyton Place."
  - 39 As more families move into the middle class, there are the women's magazines calls for "togetherness". Betty Friedan finds her calling: "The Feminine Mystique" launches quiet then noisier subversion by women.
  - 40. The Pill.
  - 41. Werner Von Braun and the space race.
  - 42 The salesman invades the living room; Madison Avenue comes of age. "See the USA in your Chevrolet..." but the little Volkswagen is stealthily gaining ground
  - 43. The \$64,000 Question starts it all. Then there are many. The high stake television quiz shows reign until corruption brings them down.
  - 44 Little Rock Central High photos are traveling the world, with American white hatred on front pages – and then on the TV screens.
  - 45 Eisenhower is criticized for his defense policies from both left and right. America has become more hawkish than its president. Sputnik scares everybody. Then there is that embarrassing U-2 Flight.
  - 46 Cuba. The fall of Batista; the U.S. struggles to find a policy about Castro. Hardliners gain and there is a tentative Bay of Pigs plan of attack. But there is no time to do it before the 1960 election. Therefore it will be handed off to the next president. Nixon assumes it will be him.
- Anne Needham

**ULSTER COUNTY OBSERVER CORP**

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If you'd like to help but don't want to attend the meetings, you could prepare a summary of the meeting just by listening to audio recording, reviewing the agenda, minutes and resolutions considered, all of which can be found by going to <http://ulstercountyny.gov/legislature>. (Minutes are generally not available until after approval at the next monthly meeting.)

**Economic  
Development,  
Tourism, Housing,  
Planning & Transit  
Committee**

**April 5, 2016, 6:05 PM – 6:48 PM**

Committee Members: **James F. Maloney, Chairman, Hector S. Rodriguez, Deputy Chairman, Ron G. Lapp, Herbert Litts III, Mary Beth Maio, Jennifer Schwartz Berky, James Delaune absent**)

Other Legislator: **Ken Ronk, Legislature Chairman**

Meeting called to Order by Chairman Maloney.

The minutes of the March 1, 2016 meeting were approved.

**Presentation (10 Minutes):**

**Father John** – neutral position on the Trail and Rail package: He discussed several proposals including, a Woodstock scenic corridor, Explore the Catskills, a new railroad project, a Water Discovery Center, and a Wildacres project.

**Resolutions for April 19, 2016 Regular Legislative Session:**

**Resolution No. 170** - Re-Authorizing the Update of the County-Wide Economic Development Strategy Ulster Tomorrow: Postponed following a suggestion by Legislator Rodriguez to form a sub-committee for the update – Legislators Berky, Delaune, Litts and Maio were suggested for proposed members. A grant writer was discussed.

**Resolution No. 173** - Establishing A Policy Requiring All Legal Notices Be Posted On The Official Ulster County Website: Approved.

**Resolution No. 182** - Establishing The Ulster County Technology Business Task Force: Approved, as amended, following comments on the appointment process and qualifications.

**Resolution No. 184** - Establishing The Ulster County U&D TRAC (Trail Rail Advisory Committee): Approved.

**Resolution No. 193** - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Tracker Software Corporation Inc d/b/a PubWorks– Department Of Information Services: Approved, following discussion by Sylvia Wohlfahrt, Director, and Brian Cunningham.

**Resolution No. 234** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Transportation – To Accept The New York State Share For Mass Transportation Projects For Federal Fiscal Year 2016 – Department Of Public Transportation (Ulster County Area Transit): Approved, following comments by Bob DiBella, Director.

**Resolution No. 235** - Authorizing The Chairman of The Ulster County Legislature To Accept Section 5310 State Funding Under the Terms Of An Existing Continuing Agreement With The Federal Transit Administration & New York State Department Of Transportation For The Purchase Of One (1) Gas Cutaway Bus For Fiscal Year 2016 – Department Of Public

Transportation (Ulster County Area Transit): Approved, following comments by Bob DiBella regarding the Office for the Aging and the disabled. Legislator Rodriguez commented on the Federal provisions.

**Resolution No. 236** - Appointing Alternate Member To The Ulster County Planning Board – Town of Shandaken: Approved.

**Resolution No. 237** - Authorizing The Implementation and Funding In The First Instance 100% Of The Federal-Aid Eligible Costs Of A Transportation Federal-Aid Project (Hudson Valley Rail Trail West: Phase 4), And Appropriating Funds Therefore- Department of Planning: Approved, following comments by Chris White, Deputy Director, the project is to acquire for trails and construction is expected in 2017.

**Resolution No. 238** - Amending Capital Project No. 451 To Provide For Right-of-Way Acquisition for the “Hudson Valley Rail Trail West: Phase 4” Project And Amending the 2016 Capital Project Fund- Department of Planning: Approved.

**Resolution No. 250** - Approving A Home Rule Request For Senate Bill No. S5301A And Assembly Bill No. A7480A Authorizing The County Of Ulster To Regulate The Registration And Licensing Of Taxicabs, Limousines And Livery Vehicles: Approved, following comments by Legislator Ronk about contact with the County Executive regarding a Taxi and Limo Commission and a UBER gateway.

**New Business:** IDA Appointment update: A letter by May 1 and a press release are planned.

**Old Business:** Legislator Rodriguez - Resolution on Pole by Pole Assessment: on hold until June meeting. Chris White commented on town supervisors regarding maps and TWC responses. Legislator Ronk commented on towns regarding franchise agreements.

Vic Melville, LWV Observer Corps, 4-27-16

**Laws and Rules,  
Governmental  
Services Committee**

**April 18, 2016, 6:30 PM – 7:13 PM**

Committee Members:

**Kevin A. Roberts, Chairman, David B. Donaldson, Deputy Chairman, Richard A. Parete, Hector S. Rodriguez, Carl Belfiglio**

Other Legislators: **Ken Ronk, Legislature Chairman, Chris Allen, Jennifer Schwartz Berky**

Other: **Nicholas Pascale, Legislative Counsel**

Meeting called to order by Chairman Kevin Roberts.

Minutes from March 14, 2016 meeting approved.

**Resolutions for April 19, 2016**

**Resolution No. 173** - Establishing A Policy Requiring All Legal Notices Be Posted On The Official Ulster County Website: Approved.

**Resolution No. 176** - Setting A Public Hearing On Proposed Local Law No. 4 of 2016 (A Local Law Amending Local Law No. 5 Of 1991 (A Local Law Adopting A Hotel And Motel Room Occupancy Tax) To Update The Tax Law’s Application To Short-term And Vacation Rentals) To Be Held On Tuesday, May 10, 2016 At 6:05 PM: Not addressed.

**Resolution No. 178** - Calling For The Full Repeal Of The New York State Scaffold Law Or Necessary Reform To Include A Pure Standard Of Comparative Negligence, Supporting The Passage Of A3209/S543: Approved.

**Resolution No. 179** - Amending The Rules Of Order To Include A Specific Start Time For Standing Committee Meetings Of The Legislature: Postponed, no representative present.

**Resolution No. 180** - Establishing A Policy Regarding The Start Time For Standing Committee Meetings Of The Legislature: Postponed, no representative present.

**Resolution No. 183** - Setting A Public Hearing On Proposed Local Law No. 5 of 2016, A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of

2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York) Altering The Periodic Compensation Review Committee Process To Allow For Timely Legislative Action, To Be Held On Tuesday, May 10, 2016 At 6:10 PM.: Approved, as amended, to set the time for 6:00 PM.

**Resolution No. 186** - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Dan’s Hauling & Demo, Inc. – County Attorney: Approved, following a discussion of including the amount in resolutions.

**Resolution No. 233** - Authorizing The Chairman Of The Ulster County Legislature To Sign An Intergovernmental Agreement With Various School Districts In Ulster County For The Use Of Polling Equipment, Material And Staff – Ulster County Board Of Elections: Approved.

**Resolution No. 248** - Setting A Public Hearing On Proposed Local Law No. 6 of 2016, A Local Law Amending Local Law No. 3 Of 2012 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The “Cold War”), To Be Held On Tuesday, May 10, 2016 At 6:15 PM: Approved, as amended, to set the time for 6:05 PM.

**Resolution No. 249** - Setting A Public Hearing On Proposed Local Law No. 7 of 2016, (A Local Law Amending Local Law No. 4 Of 2012, To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled “Veterans”; Alternative Exemption”), To Be Held On Tuesday, May 10, 2016 At 6:20 PM: Approved, as amended, to set the time for 6:10 PM.

**LATE Resolution No. 252** - Authorizing A Ninety (90) Day Extension For Reporting To The Ulster County Legislature The Findings Of The Solid Waste Management Improvement Commission: Approved, following a discussion by Chairman Roberts about the Solid Waste Management Plan that is still being reviewed by NYS DEC, Ulster County is next in line.

#### **New Business:**

Discussion of Resolution No. 251 (MAY INTRODUCTION) – Amending the Rules of Order to Set Procedure For Memorializing Resolutions: Legislators Richard Parete and Ken Ronk discussed issues with the time and relevance in the legislature session and if alternatives could be found. Tom Kadgen, LWV member, suggested a condition of no debate on the floor that was well received. The public comment period was also discussed.

The Committee discussed some Charter Revision topics: including, Legislator Chris Allen want a communications policy between the Legislature and County Executive. Chairman Ronk stated the Legislature has subpoena power. Legislator Berky stated she had worked on the Charter and she will look into the matter, re Jerry Benjamin. Chairman Roberts asked: do we want/need a Comptroller?

Vic Melville, LWV Observer Corps, 4-27-16

#### **UC Board of Health**

The April 11, 2016 meeting of the UC Board of Health was convened by President Dr. Woodley at 6:34 and adjourned at 7:30.

Present: Woodley, Delma, Graham, Cardinale, Kelly, Hilderbrandt

Others: Commissioner Carol Smith, Neredia Veytia, Dep. Com/Patient Services Director, Katrina Kouhout, Secretary to the Commissioner and the Board

The first order of business was the approval by the Board of the minutes for December, January, February, and March meetings. Following the approval of the minutes of the Board the Board addressed the amendments to the Sanitary Code. These amendments were presented at the Public Hearing in March, 2016. The Board then voted at this, its April meeting, to accept these amendments as had been indicated at the Public Hearing that it would do so. Having done so the amendments to the Sanitary Code will be forwarded to the NY State Department of Health.

The first report under new business was Commissioner Smith’s report.

-the first item was a review of the case UCDOH v. Gregory Soltanoff.

Apparently, the owner of the mobile park failed to comply with the order to fix the septic system problem that exists at the park. This was non-compliance with an order from the Commissioner as noted in December, 2015. The respondent had agreed to make the repairs by December 2015 and did not. A hearing to address the situation was held on March 15, 2016. The respondent, Dr. Soltanoff did not appear. A \$2,000 fine was imposed; respondent was so notified. The violation still exists, the problem continues to exist which concerns the local DOH: there are 15 mobile homes, only one is apparently faced with the problem in question: could the person's trailer be moved to another spot on the property? Is there such room available? Should the local building inspector be involved? These were items raised during discussion.

The respondent is claiming that the problem is created by the local aqueduct which is leaking and the NYS DEP is responsible to repair it. Apparently he is suing them.

The Commissioner noted that she could revoke the respondent's license; could send the case to the NYS Attorney-general.

So far the respondent has refused to meet with the UC DOH reps. He has until April 18 to respond.

The Board approved the imposition of the \$3,000 fine. At a future meeting the Board will review the fine schedule amounts that can be imposed.

Mention was made of a boarding house in the T/Esopus that the owner who lives there has 10 rooms and 3 people residing in each room. The septic system is also failing there as it was not set up to handle that many people. The owner is working to repair the system. The difference apparently from the other case mentioned above is that the UCDOH does not provide a permit for this boarding house to operate to begin with; had no jurisdiction in this instance. It was suggested during discussion that the town might be able to close it or it could advise the town building inspector to review.

The next item in the Commissioner's report dealt with an update on Zika.

The NYS Department of Health has advised all county DOH in NYS that they must submit an action plan by the end of April 2016 indicating how the local Health Department would handle a local outbreak of the Zika virus.

There have been 277 cases reported in the United States at this point. It is not believed that these are cases from mosquitos' bites with the Zika virus made in the United States, but rather as a result of people traveling to those areas where such Zika carrying mosquitoes have been found.

The local DOH has been working very hard to put together such a plan. The Commissioner noted that Dep. Com. Veytia had performed much work on the action plan. Deputy Commissioner Veytia noted that Ulster County and 6 other counties have received additional funding to check on tracking any cases of exposure to Zika due to travel in those areas where the Zika virus has been found. Locally, part of the campaign includes advising Ulster County residents about cleaning up the areas particularly around their homes with respect to any objects and places where water can collect.

There were several items from the NYS Department of Health dealing with the Zika problem that were distributed at the meeting. Among some of the items distributed were the following:

- Mosquito Bite Prevention for Travelers: Zika virus: [http://www.health.ny.gov/disease/Zika\\_virus](http://www.health.ny.gov/disease/Zika_virus)

- Zika information line: 1-888-364-4723

- Information on Zika Virus Testing (outside of New York City) should this raise questions for anyone, contact your health care provider, and contact the local health department (845-340-3150).

- Memo from NYS Department of Health, Bureau of Communicable Disease Control (BCDC) and Wadsworth Center Laboratory (WC); <http://emergency.cdc.gov/han/han00388.asp>

These are very specific memos regarding the Zika virus.

Zika updates can be found on the UCDOH web site: <http://ulstercountyny.gov/health/services>

The Medical Examiner's Report for March, 2016 was then reviewed:

21 calls received, 9 sites visited, 13 autopsies, 2 suicides, no motor vehicles and no homicides

The final report was presented by Nereida Veytia, Deputy Commissioner/Patient Services Director

dealing with various aspects of Patient Services that were referenced to 2015:

- influenza prevalent: staff dealing with home care: 100% vaccinated. Apparently anyone who had not been vaccinated was required to wear masks. The latter aspect was enforced by the supervisors who visited those homes where staff so involved had been assigned.

- the local DOH must be prepared to handle cases in emergency/disaster situations when individuals must be moved from the home

- there was an extensive report given on how lead poisoning prevention problems were handled by the local DOH during 2015. This process involved among other procedures:

- educational program brochures distributed

- continued educational office visits to pediatric (28) and family practice providers, ob/gyn offices (21)

- educational mailings to mid-wives in UC and surrounding counties which offer service to UC women

- monthly visits to WIC clinics (21), as well as continued visits to daycare (33)/child care agencies and continued daily Lead Web review to monitor for elevated blood lead levels in infants and children to ensure appropriate follow-up

- and 2 media campaigns were produced

(Note: the numbers indicated above refer to the number visited. Also 54 outreaches were made to community partners).

A brochure on Lead Poisoning was distributed as well as a lengthy report, which is only partially covered above.

Lee Cane, Observer Corp

### **UC Association of Town Supervisors and Mayors**

The April 19, 2016 meeting of the UC Association of Town Supervisors and Mayors was convened by President, Supervisor T/Rochester Chipman and adjourned at 10:10.

Present: Denning, Esopus, Gardiner, Hardenburgh, Marletown, Marlboro, New Paltz, Olive, Plattekill, Rochester, Rosendale, Wawarsing

The first order of business on the agenda dealt with each person present introducing themselves to the group.

Following that the representative of LED Consortium Street Project, Jennifer Metzger (representative on the Rosendale Town Board) spoke to the group, updating the information from previous meeting. Apparently Governor Cuomo has signed amendments to the Public Service Commission which will make it easier for towns to buy back their street lights. The local group works to ensure that the rules are followed. There are individual negotiations between the towns and the Public Service Commission that are in progress. The Association passed a motion to support the local group's endeavors.

The next item involved an update on the efforts to expand the Broadband service in areas in UC which are without such.

Dennis Doyle, Director of UC Planning and Chis White, the Deputy Director distributed maps of UC to the members. To assist in improving the service available, the towns are being asked to provide the following information on the maps and return the maps to the Planning Department with a month:

- note streets in red without coverage;

- note streets in green which are okay;

- note areas in yellow that there is question about.

Additionally the towns are asked to mark on the map such businesses/home owners who have reached out to the towns that they don't have access to broadband.

Mr. White noted that the state had indicated that over 140,000 homes are not presently served would be upgraded.....and UC plans on working to ensure that the towns in UC have access to such.

It was noted again during discussion that those who have contacted Time-Warner Cable for improved service are not generally positively responded to by Time-Warner Cable.

There was some discussion about Solar Zoning when the subject was raised (not on the agenda). It was suggested by Mr. Doyle that if there were any questions on the ordinances applying to towns that calls be made to the Planning Department. The latter apparently has much information it would be willing to share.

There was some reference to the topic of Bed/Breakfast which had been part of Comptroller Auerbach's talk at a recent meeting. Mr. Chipman indicated he had heard the state was not involved in discussion, Had Mr. Doyle heard anything about such. Mr. Doyle indicated he had not, but did point out that there were rules such as number who could be housed, whether owner lived in the house, etc.

The Sales Tax update that was referenced by Mr. Chipman noted that negotiations were going on; he had received assurances that the towns would not be hurt. He introduced a legislator representing the City of Kingston, Jennifer Schwartz-Berky. She noted that she and Legislator Donaldson (both of the UC Legislature) had introduced a resolution to extend the sales tax as is. Apparently it was tabled. She did comment on the need to discuss the matter and to reach agreement in public, not in a room. She further referenced the Intermunicipal Collaboration Council which is noted in the county charter as possible place for such discussion. The comments that were made during discussion appeared to be supportive of this idea. (Note: The reference to the Council is Article XXXVIA-37-2 page A-86 of the Administrative Code. It is a 7-member council "established for the purpose of advancing communication, coordination and collaboration among the local governments in Ulster County so as to achieve greater economy, efficiency, equity, effectiveness and responsiveness of public service." Who the representatives to the Council shall be, when it will meet, how often, and how the meetings are to be covered can be learned by reading the above mentioned source)

Mr. Chipman did indicate he wants to be equal partners across the board in matters such as this.

Shared Services was the next topic. The comments that were made during the discussion noted that the towns have been engaged in sharing services with each other throughout the years. Particularly true where the highway departments, training, even dog wardens. There are agreements of a general nature and of specific services. Comments made suggested that some of the towns have been able to save money in doing such.

Mr. Chipman did advise those present of his visit to the Seneca Falls area with regards to the landfill area near there that he visited. One of the items he suggested during discussion was a regional landfill that would involve Sullivan, Columbia, Greene and Ulster counties....but he did emphasize that this was for a future thought. He did announce that the June meeting of the Association would be held at the Resource Recovery Agency. At that time a report from the Commission will be made.

Minutes of the March Association meeting were approved. The Treasurer's Report will be presented upon Supervisor Quigley's return next month.

Lee Cane, Observer Corp

