

LEGISLATIVE & RULES COMMITTEE

AGENDA

AUGUST 30, 2016

Committee Members: Supervisors Strough, Seeber, Girard, Sokol, Wood, McDevitt, Montesi, Braymer, Leggett

- I. Committee meeting called to order by Chairman
- II. Motion to approve the minutes of the prior meeting - *March 28, 2016*
- III. Action Agenda/New Business Items:
 1. Draft resolution submitted by Mr. Robert Schulz, *Town of Queensbury Resident*, “Declaring that it would be a Conflict of Interest for Certain Individuals Regulated by the New York State Constitution to be Delegates at as New York State Constitution Convention”.
 2. Draft resolution proposed by Washington County “To Support Enhancement of Public Safety on Lake George”.
 3. Letter from Dutchess County asking for support of the “Think Differently” initiative.
- IV. Discussion Items:
 1. No smoking policy for the Municipal Center campus - Chairman Geraghty has received a petition signed by 78 employees opposing the policy.
- V. Referrals/Pending Items:
 1. Committee tabled legislation forwarded by Rockland County regulating the use of drones pending future receipt and review of updated FAA regulations (11.05.15)
 2. Ms. Wood to invite contacts referred to her by the Warren County Soil & Water Conservation District to a future Committee meeting to discuss the idea of Agricultural Districts; County Attorney to provide an opinion on whether the authority of the Agricultural District would supercede that of the Adirondack Park Agency. (03.28.16)
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VII. Motion to adjourn

Attachments:

1. Letter and resolution proposed by Mr. Robert Schulz (*Action Agenda Item 1*)
2. Draft resolution proposed by Washington County (*Action Agenda Item 2*)
3. Letter from Dutchess County and Village of Lake George Resolution No. 84 of 2016 in support of the “Think Differently” initiative (*Action Agenda Item 3*)

Robert L. Schulz
2458 Ridge Road
Queensbury, NY 12804

May 5, 2016

Chairman and Members of the
Warren County Board of Supervisors
1340 State Route 9
Lake George, NY 12845

Attn: Amanda Allen - Clerk, Board of Supervisors

Dear Mr. Geraghty and Members of the Board:

With respect, please take notice the following question will be on the statewide ballot in November 2017: "Shall there be a convention to revise the constitution and amend the same?"

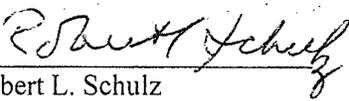
Attached is a draft of a Resolution that would have the Board: a) declare that it would be a conflict of interest for those regulated by the New York State Constitution to be a delegate at a New York State Constitution Convention; and b) call upon the citizens of Warren County to prepare now for the question by beginning a process of nominating and vetting candidates for the position of Constitution Convention delegate.

I respectfully request the Resolution be introduced to the Board for its consideration.

I have prepared a 30-40 minute power point presentation in support of the Resolution that I believe would be educational and beneficial to Board in its deliberation. Please advise.

Thank you for your attention to this matter.

Respectfully yours,


Robert L. Schulz
518-656-3578

RESOLUTION NO. ____ OF 2016

DECLARING THAT IT WOULD BE A CONFLICT OF INTEREST FOR CERTAIN INDIVIDUALS REGULATED BY THE NEW YORK STATE CONSTITUTION TO BE DELEGATES AT A NEW YORK STATE CONSTITUTION CONVENTION

WHEREAS, all power is inherent in the People, therefore no word finds its way into or out of the New York State Constitution except by a vote of the People; and

WHEREAS, by the terms of the New York State Constitution, the People structure and regulate the government and private and private corporations, including political parties and registered lobbying organizations; and

WHEREAS, in Section 1 of Article XIX of the New York State Constitution, the People have provided the Government of the State with a pathway to revise and amend the State Constitution; the Legislature can agree to place a proposed constitutional Amendment on the statewide ballot for a "yes" or "no" vote by the People; and

WHEREAS, in Section 2 of Article XIX of the New York State Constitution, the People have provided themselves with a pathway to governmental reform by formally evaluating the performance of the government, in convention, every twenty years, for the purpose of revising and amending the State Constitution as needed; and

WHEREAS, the question, "Shall there be a convention to revise the Constitution and amend the same?" will next appear on the ballot in November of 2017, and if the People vote yes those desiring to be convention delegates would stand for election in November 2018; and

WHEREAS, it would be a conflict of interest for anyone regulated by the Constitution to be a delegate at the convention the purpose of which is to recommend changes to the rule book that governs their behavior; and

WHEREAS, the good People of Warren County, the 45th State Senatorial District and the State of New York are quite capable of developing a slate of competent candidates who would compete for the 204 delegate seats to be filled in such election of 2018: three from each state senatorial district and fifteen at large; now, therefore be it

RESOLVED, that the Warren County Board of Supervisors does hereby declare that employees of New York State's Government, political parties and lobbying organizations have no business being delegates at a New York State Constitution Convention and such would be a most egregious, unconstitutional and unethical conflict of interest, and be it further resolved

RESOLVED, that the Warren County Board of Supervisors does hereby call upon the citizens of Warren County to begin now, in advance of the November 2017 vote on the question, a process of nominating and vetting individuals for the position of delegate to the Constitution Convention; and be it further

RESOLVED, the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to: a) the New York State Association of Counties; and b) the Boards of Supervisors and Legislatures of the 56 other counties outside New York City; and c) local and regional print and broadcast media.

Title: To Support Enhancement of Public Safety On Lake George

Whereas, an unofficial but annual event involving scores of boats and hundreds of people, known as “Log Bay Day,” occurs on Lake George and adjacent shoreline near Shelving Rock, in Fort Ann, and,

Whereas, Log Bay Day has amassed a history of dangerous and illegal behavior, environmental degradation, and other inappropriate activities at the event and,

Whereas, all the Log Bay Day activities take place on state owned and/or controlled areas and,

Whereas, there have been, this year and in the past, numerous complaints, injuries, and even fatalities associated with the Log Bay event and,

Whereas, the Washington County Board of Supervisors is cognizant of the constitutionally guaranteed right to assemble and will guard this but is additionally cognizant of government’s responsibility for the safety and welfare of our citizens while on public property and,

Whereas, Washington County finds it necessary to dedicate large amounts of money and manpower to policing this event and trying to ensure public safety and,

Whereas, this event has been publicized on a number of forums advertising tourism opportunities related to Lake George,

Now Therefore Be It Resolved That The Washington County Board of Supervisors calls upon the State of New York and its responsible offices such as the Department of Environmental Conservation and Lake George Park Commission to take measures to curb the dangerous and destructive activities associated with Log Bay Day and

Be It Further Resolved That the Washington County Board of Supervisors calls upon responsible agencies and organizations in the Lake George area to stop advertising and promoting the mass gathering known as Log Bay Day.



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

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Next Agenda
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July 8, 2016

Dear Supervisor,

Earlier this month, the City of Troy became the first municipality in New York State to adopt Dutchess County's "Think DIFFERENTLY" initiative, doing so unanimously. I respectfully ask your town to similarly consider our "Think DIFFERENTLY" initiative, which would be a great step forward for residents with special needs – one that can be replicated throughout our state.

Since its inception in 2015, our "Think DIFFERENTLY" initiative has been embraced throughout Dutchess County, and the message has resonated greatly in our community – from businesses and organizations learning how to better welcome their neighbors with special needs, to a greater sense of inclusiveness among residents of all abilities. Dutchess County has also partnered with local sponsors to offer free movie days and picnics for our children with special needs and their families, exemplifying our desire to have every resident, regardless of ability, feel welcome in their own community.

"Think DIFFERENTLY" is a call to action, a genuine challenge to determine if we have it within ourselves to look past our differences and treat others the way we would hope to be treated. Too often, too many with special needs are overlooked and their unique abilities ignored. Instead, we seek to lift each other up and embrace all residents of all abilities.

As the father of a daughter who lives on the autism spectrum, I sincerely ask you to answer our call and consider adopting "Think DIFFERENTLY" in your town. I envision other cities, towns and villages across the state following your lead; and together, we can make our state a model for the nation, letting citizens from Maine to Florida to California know that in New York, we "Think DIFFERENTLY."

Enclosed is a draft resolution for your review. I encourage you to call me at (845) 486-2000 or e-mail me at countyexec@dutchessny.gov should you need more information.

Best regards,

Marcus J. Molinaro
Dutchess County Executive

*Send adopted
Resolution*

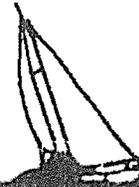
VILLAGE OF LAKE GEORGE, NEW YORK



P.O. BOX 791
12845

ROBERT M. BLAIS
Mayor

DARLENE V. GUNTHER
Clerk-Treasurer



TRUSTEES
John Earl
Ray Perry
John Root
Joseph Mastrodomenico, Jr.
ENFORCEMENT OFFICER
Douglas Frost
518-668-5771
Fax: 518-668-3735
E-mail: lgville@nycap.rr.com

July 20, 2016

Marcus Molinaro, County Executive
County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Dear Mr. Molinaro:

Enclosed please find a copy of our Resolution passed on July 18, 2016.

We are pleased to support your Initiative and raise awareness about individuals with special needs.

We do care and are pleased to cooperate.

Sincerely,

Robert M. Blais
Mayor

Enc.
RMB/das

VILLAGE OF LAKE GEORGE, NEW YORK



P.O. BOX 791
12845

ROBERT M. BLAIS
Mayor

DARLENE V. GUNTHER
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E-mail: lgville@nycap.n.com

Blais, seconded by Trustee Perry, offered the following resolution:

RESOLUTION NO. 84, 2016

WHEREAS, the "Think Differently" Initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs.

WHEREAS, our state and communities are stronger because of our diversity and differences: and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, It is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, It is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this Initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events and expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the "Think Differently" Initiative is an important statement that our Village officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Lake George, residents and business owners to adopt the "Think Differently" Initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs.

**VOTING Ayes: 5 Blais, Earl, Mastrodomenico, Perry, Root
 Nays: 0**

RESOLUTION NO. 84, 2016 ADOPTED.

July 18, 2016