

Resolution No. 81 February 26, 2019

Scheduling A Special Election To Fill The Position Of County Executive Pursuant To Ulster County Charter § C-29

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Donaldson and Legislators Heppner, Roberts. Rodriguez, and Ronk)

Chairwoman Tracey A. Bartels offers the following:

WHEREAS, on February 10, 2019, County Executive Michael P. Hein resigned from the position of Executive, thereby creating a vacancy in the office of County Executive; and

WHEREAS, pursuant to Charter on February 11, 2019, Adele B. Reiter, the designee as established in Executive Hein's Order of Succession, was sworn in as Acting County Executive pursuant to Charter § C-29(C); and

WHEREAS, pursuant to Charter § C-29(C), the Acting County Executive shall serve in such capacity only until the vacancy is filled in accordance with Charter § C-29(D)(E) and (F); and

WHEREAS, the office of County Executive was vacated more than 180 days prior to the November 2019 General Election; and

WHEREAS, pursuant to Charter § C-29(D) such vacancy in the office of County Executive "shall be filled for the remainder of the unexpired term by a special election to be held no later than 90 days from the date the vacancy occurs"; and

WHEREAS, pursuant to Charter § C-29(D), the cost of such Special Election shall be borne by Ulster County; and

WHEREAS, the Acting County Executive concurs that in the unique circumstance of this vacancy and to meet the timeline imposed by the Charter, it is in the best interest of the County for the Ulster County Legislature, the appropriating and policy determining body of the County that is empowered by the Charter to determine the matter of the special election, to schedule the special election accordingly; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby calls for a special election for Ulster County Executive for the unexpired term of Michael P. Hein; and, be it further

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RESOLVED, that the special election shall be held in Ulster County on the thirtieth of April, two thousand nineteen, such election to be conducted in the manner prescribed by law for election of the County Executive for the County of Ulster; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall deliver a certified copy of this Resolution to the Ulster County Board of Elections in furtherance of the Board's duty under Charter § C-29(D) to prepare ballots, voting machines and other matters so that such election may be duly held and conducted, and shall also deliver a certified copy of this resolution to the Ulster County Clerk and the New York State Board of Elections,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 14 NOES: 6
(Noes: Legislators Gerentine, Lopez, Maio, James Maloney, Ronk, and Wawro)
(Absent: Legislators Fabiano and Litts)
(Legislator Collins left the meeting at 8:25 PM)

No Action Taken in Committee: Laws and Rules, Governmental Services on February 19, 2019

Passed Committee: Committee of the Whole as amended on February 26, 2019

FINANCIAL IMPACT:
\$225,000.00 – APPROXIMATE ELECTION COSTS

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 26th Day of February in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 27th Day of February in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
27th Day of February, 2019.

Approved by the Acting County Executive this
27th Day of February, 2019.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Adele B. Reiter
Adele B. Reiter, Acting County Executive