

Special Meeting
SULLIVAN COUNTY LEGISLATURE
March 18, 2016 at 10:00AM

The Special Meeting was called to order by Chairman Alvarez at 10:10AM with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Deputized Clerk read the following legal notice:

There will be a Special Meeting of the Legislature for **Friday, March 18, 2016 at 10:00AM** in the Legislative Chambers, 100 North Street, Monticello, New York. The purpose of the meeting is to address the Commissioner vacancy in the Board of Elections.

Mrs. Rajsz inquired before we consider the resolution, could we have the public to speak please. Mrs. Owens stated she would like the public to speak also.

At this point, Chairman Alvarez stated as a point of order, it is his decision and he would ask that all the Legislators to please state if they would like public comment or not. Mr. Sorensen stated that he would like the public to speak. Mr. Steingart stated he thinks we all know how we are voting and we should get it done. Mrs. Rajsz stated she feels that the public should have their say. Mrs. Owens concurred. Mr. Steingart stated that he has received more emails on this matter than on the county budget. He has read them all. Mrs. Rajsz stated she is going to read her emails publicly. The public is all out here on a Friday morning. Roll call was taken as to whether or not to have public comment. Roll Call results were as follows to hold a public comment:

Mr. Alvarez no
Mrs. Rajsz yes
Mr. Samuelson no
Mr. McCarthy no
Mrs. Owens yes
Mrs. Ward no
Mr. Perrello yes
Mr. Steingart no
Mr. Sorensen yes

Mr. Sorensen moved to approve the resolution, seconded by Mrs. Rajsz for discussion. Mrs. Rajsz wanted to read emails that she received.

Mrs. Rajsz stated in lieu of not having public comment, she would like to disclose that her daughter works in the Board of Elections. I was not involved in her hiring and is not involved with the happenings in that office. Mrs. Rajsz stated that she wanted to disclose that before we take the vote. Starting with emails, she will make this brief, she listed all emails received from the public in the affirmative for Cora Edwards.

Mrs. Owens stated that her constituents have informed her that Sullivan County has a black mark against us for our failure to fight voter fraud. And now, to refuse to honor a democratically elected appointment to the Board of Elections, would bring us another black mark for example, not to allow public comment. And finally, why procedurally, why we are having a special meeting as we had a regular meeting yesterday, with a quorum and we could have voted on this yesterday. Her constituents have told her that this appears improper and appears to be manipulation.

Mrs. Ward stated that there has been a lot of talk and emails of respecting the process that the party went through to put this nomination forward. But until the state or even the parties take the financial and legal oweness of the Board of Elections, this Legislature is still part of that process. That is what has been disrespected throughout this whole thing. She can say right now that just because what has been done in the past, and what has also been done, does not make it right. And the definition of insanity is doing the same thing over and over and expecting different results. I was elected to pull the drain on stagnant water that has been plagued Sullivan County

for years. I am telling you right now that I am pulling that drain and I am going to fill it with crystal clear water so we can move forward as a County and do what is right for our taxpayers.

Mr. Sorensen stated that he gets concerned when elected officials think they have or think they know so much that they think they can second guess what the elector has decided. When I became a legislator, all of us here took an oath of office, that oath upholds the constitution of the United States and the Constitution of the State of New York. Both constitutions confirm that we live in a represented democracy. I am here because I was duly elected and represent the people who voted for me as well as those who did not vote for me. He then read a brief passage from the Declaration of Independence. He cannot say how many hours he has wasted by taking calls on this whole manipulative process. Our actions here as a Legislature are to affirm what the democratic committee, through a democratic election has chosen the person to represent them as their Election Commissioner. We need to uphold that election. All we need to do is to confirm. We are not here to second guess who the Democratic Committee has selected. He takes offense to those who feel they are empowered to do so.

Comments were yelled out from the audience about having no public comment and demanding the reason for not having public comment.

Chairman Alvarez stated that there is no public comment. Some members of the audience are chanting for the Legislature to follow the orders but members of the public are out of order.

Mr. McCarthy stated there is a great guy who still works for the county and said to me a long time ago that something doesn't have to be inappropriate, it just merely has to give the appearance of impropriety. This is not about ability to me as Cora is a brilliant woman and there is no question that she could do this job. But what this is about to me is if you are an elected official and you decide not to run for office and then decide you want to be a Commissioner and you come to the Legislature as say appoint me, to me, that gives the appearance of impropriety to me. I am like Mr. Sorensen, I was sent here by my constituents and he is a Declaration of Independence guy and he believes in Freedom of Speech but people have been tarred and feathered that didn't deserve to be. That was the will of the people. I have a responsibility and to sat that we are here just to confirm, that is not so. If that were true, we wouldn't be voting on it. That is not true at all.

At this point, there was yelling from the audience. Mr. McCarthy stated this is why there is no public comment because you can't control yourselves. To me this gives the appearance of impropriety. If this were my own brother, he would not get confirmed by me. He agrees with Mrs. Ward, this is what is wrong. All the political wrangling that went on is unbelievable and is distasteful to me.

Mrs. Owens stated she feels that the impropriety is when a special meeting is called when we had a quorum yesterday. Are we redefining what is a quorum? Mr. McCarthy stated that is up to the Chairman.

Mr. Sorensen stated he would like to respond. There is a fundamental difference here. The Legislature did not set out and choose a person to fill the Democratic Election Commissioner position. The Democratic Committee through a democratic process held an election and they nominated Cora to fill that position. Who the person is immaterial to me, the fact of the matter is we need to respect the democratic process in the election of the Democratic Committee.

Mrs. Ward stated if it wasn't why are we here. Mrs. Rajsz stated that the person was certified by the Chair of the party. Mrs. Ward stated that has always been done and that is always what we should do. We should just rubberstamp whatever we are told to do. Is that what we are elected to do? To rubberstamp? It ends here Mr. Sorensen, that is where it ends.

Chairman Alvarez requested respect from the audience instead of screaming and yelling. As Chairman, I am going to allow Cora Edwards to speak.

Mrs. Edwards thanked the Chairman for allowing this concession. I am a little surprised that public comment was not allowed in this agenda particularly because I stood on the campaign that she ran on was local democracy. She is standing before you today because she believes in local democracy and she believes in the grass roots and a lot of people have said to her, why did we go

to vote that night in the party on March 2nd. There was a weighted vote. She would like to address several of the honorable legislators into their interpretation of the law. She has spoken to four (4) lawyers and Board of Elections in Albany and the Administrative Code, her understanding of the Administrative Code and any lawyer can challenge her on this, is that political nomination is not part of the waiting period for a legislator. That was cited by Mr. McCarthy in the newspaper. Now if you would like to have a waiting period for a political nomination, for someone who was elected by the party, for a political position, it is your right as legislators to put that in the law and to change the Charter as we did. Hopefully you won't have a lawsuit for changing the Charter but there will be changes to the Charter if you so deem. But in the meantime, there is no bar. If anyone of those lawyers said don't run because it fits this section of the passage, I would not have run. But I did run to give people a choice. They chose me and you are confirming an appropriations line in the budget. I don't mean to sound like a teacher in front of a blackboard but reasonable people who voted or didn't vote for me, are here today. It is going to be a lot of hard choices in the next four years. At least let the Board of Elections have a Commissioner that all of these elections coming up, whether it is the primary for the President or Congress person and all the other school board machines, can you let someone be in there to do the job that the Democratic Committee chose? Can you let the wheels of government keep moving? Thank you.

Roll Call was taken as follows:

Samuelson no
Rajsz yes
McCarthy no
Owens yes
Ward no
Perrello yes
Steingart no
Sorensen yes

Alvarez – Chairman Alvarez stated that he knew this was going to happen. I am in the middle of the four yes and four no here. Spanish communication was exchanged between Chairman Alvarez and Sandy Oxford. Chairman Alvarez stated he was going to vote yes.

Business in Order:

RESOLUTION NO. 150-16 INTRODUCED BY ALAN SORENSEN, DISTRICT 9 LEGISLATOR, NADIA RAJSZ, DISTRICT 2 LEGISLATOR, AND CATHERINE OWENS, DISTRICT 4 LEGISLATOR TO APPOINT DEMOCRATIC COMMISSIONER OF ELECTIONS TO FILL VACANCY

WHEREAS, a vacancy of a Commissioner position has occurred in the Board of Elections due to the resignation of Ann Prusinski effective March 11, 2016 and

WHEREAS, the Sullivan County Democratic Committee has certified to the County Legislature that Cora Edwards is a fit and proper person to be appointed as Commissioner of Elections representing the Democrat Party.

NOW, THEREFORE, BE IT RESOLVED, that Cora Edwards be and hereby is appointed as Commissioner of Elections to fill the unexpired term of Ann Prusinski commencing on March 17, 2016 through December 31, 2016.

Moved by Mr. Sorensen, **seconded by** Mrs. Rajsz, put to a vote with Mr. Samuelson, Mr. McCarthy, Mrs. Ward and Mr. Steingart opposed, resolution carried and **declared duly adopted on motion** March 18, 2016.

There being no further business, Mr. McCarthy moved to adjourn the Special Legislative Meeting, seconded by Mrs. Ward. The Special Meeting of the Legislature was adjourned at 10:50AM.


ANNMARIE MARTIN

Clerk to the Legislature