

Tuesday, April 14, 2020

Dear Chairman Pulver:

We, the undersigned legislators, hereby request a Special Meeting of the Dutchess County Legislature before the end of April. Given current public health conditions, this meeting can and should be held remotely. Neither the County Executive's order to prevent gatherings of more than twenty people nor the Governor's superseding order to prevent gatherings of more than ten people pertains to meetings held by video or audio conferencing. In an order extending through May 7, the Governor has changed the terms of New York's Open Meetings Law to accommodate such meetings due to the COVID crisis.

We appreciate the challenges of meeting by video or audio conference but note that this technical difficulty has been resolved by the legislative body of every other Hudson Valley county. NYSAC and the New York State Bar Association have issued legal and logistical guidance for best practices in how to hold such meetings remotely. We feel confident that if attention were focused on this problem the Dutchess County legislature could quickly find a solution in keeping with those recommendations.

While the rules of the legislature (4.3.G) allow the chair, in an emergency, to *postpone* a meeting for up to seven days, nothing in those rules grants the chair power to *cancel* a meeting. Indeed, the Dutchess County Charter mandates that the Legislature *shall meet* once in each calendar month (italics added). Cancelling the April meeting is thus a violation of both the rules of the legislature and the County Charter. Put another way, the legislature is legally required to meet. We must find a way to do that.

Those constitutional considerations should be sufficient to mandate a meeting in April. The particular issues before the legislature in April provide specific examples of why such a meeting matters now to our constituents. For instance, the City of Poughkeepsie Common Council unanimously passed a joint land bank proposal in February; it is scheduled to be laid on county legislators' desks in April. Other issues include:

- Funding of upcoming capital projects

- The disposition and management of federal and state aid coming into the county in response to the COVID crisis
- Budget ramifications of the COVID crisis and the New York state budget, which the Executive noted are now being reviewed by county departments and by Dutchess Community College
- Health and safety of essential workers, including county employees, amid the COVID crisis
- Measures to expand emergency shelter to meet the needs of constituents arising from the increase in domestic violence resulting from quarantine conditions. This is a globally reported and documented phenomenon whose impact at the county level can and should be addressed. This issue in particular illustrates how local solutions offer more immediate and effective relief than those at any other levels, and exemplifies the urgency of our continued attention to the job we were elected to do.

Before the March 17 deadline, legislators submitted five COVID-related resolutions for consideration at the April meeting. Two of those resolutions have been superseded by state-level actions but three still require consideration. They propose funding to: 1) expand the hours of the county COVID hotline in order to reach more residents; 2) provide public hand-washing stations at sites where essential social services are offered, and where homeless individuals can access them; and 3) expand support for non-profit partners who are providing emergency food services in this time of urgent need.

At a moment of crisis, it is more important than ever that our democratic processes continue as normally as possible. By not meeting at this most urgent moment, we inadvertently call into question the very purpose of our meeting at all, ever. If we do not meet and perform our necessary function of oversight now, what does that say about the need for us to meet when things return to normal?

We therefore ask that the legislature meet before the end of April, by phone or video conference, with the public invited to listen or observe. Both the county's law and the urgency of this situation demand it.

Sincerely,

Legislator Hannah Black, District 4

Legislator Craig Brendli, District 8

Legislator Rebecca Edwards, District 6

Legislator Brennan Kearney, District 11

Legislator Giancarlo Llaverias, District 1

Legislator Kris Munn, District 20
Legislator Nick Page, District 18
Legislator Frits Zernike, District 16