

CHARTER REVIEW COMMITTEE MEETING

The fourth meeting of the Charter Review Committee held on Wednesday, May 20, 2015 at 6 p. m., in the Committee Room of the Legislative Hearing Room, Sullivan County Government Center, 100 North Street, Monticello, New York.

Meeting called to order by Co-Chair JJ Hanson.

Pledge of allegiance.

Roll call

Members present: Paul Burckard, Bruce Ferguson, Isaac Green Diebboll, JJ Hanson, Peg Harrison, Sandra Johnson Fields, Bill Liblick, Ray Nargizian, Larry Richardson, Kenneth Walter.

Members absent: Steve Altman, David Forshay, Nadia Rajsz.

Others present: Scott Samuelson, Chairman of the County Legislature, Kathleen LaBuda, Legislator, Gene Benson, Legislator, Cora Edwards, Legislator, Kitty Vetter, Legislator, Nancy Buck, County Treasurer, Joseph Todora, Acting Commissioner of Health and Family Services, Leni Binder, former Chair to the Legislature, Christopher Cunningham, former Chair to the Legislature and former Commissioner of Health and Family Services.

JJ Hanson is the Co-Chairperson for this meeting.

Motion moved to approve the minutes of the March 25, 2015 meeting. Motion moved by Paul Burckard, seconded by Isaac Green Diebboll, motion carried unanimously, all ayes, no nays.

Paul Burckard asked that the minutes of the April 15, 2015 meeting be approved at the next meeting so members have enough time to review because they were just recently emailed to the members.

Co-Chair JJ Hanson informed Charter members that speakers will make their presentation by giving a brief introduction of themselves as well as giving us a quick overview of some of their thoughts. He goes on to say, then we can go into questions and answers. Today is focused on the Legislator's thoughts, their overviews, some of the history, some of their thoughts on the needs of the current Charter. It is one of the viewpoints that we are going to be gaining additional research on what we are looking at. Next week, Paul Burckard is going to speak a little bit more about this at the end of the meeting, we are going to change gears a little bit and start focusing more on the Administrative Code side. Today, as you ask your questions, think about it from the Legislative role, from their policy role. How they have organized in the past and how they organized today as Legislative leaders. So with that, I will introduce our current Legislator from District 7, Gene Benson.

Legislator Benson said I was born and raised in Sullivan County. I was actually born in the old hospital up here on the hill. Grew up on a farm bungalow colony. Fallsburg High School graduate, went to college

in Oswego. I was in the service for a few years. I went to Nebraska for a few years and worked at a newspaper. Came home when my Dad got sick and went to work for the Town of Fallsburg. I am retiring in about seven days after about 35 years, give or take, and this is my first term as a Legislator. With that being said, the only real thoughts that I have, I think there should be term limits for Legislators. I don't know what those term limits should be. I would leave that up to you. I would say two at the least, three at the most. I also think that to have continuity, there should be standard terms and again, I would leave that up to the Charter Commission to decide how that would be decided. The key thing is, as Legislators, we have to remember that we are not managers. We are policy-makers. We have managers to carry out those policies. Our biggest concern should be to make sure those policies are carried out by our managers to the best of their ability and through the best of the people of Sullivan County. A Legislator should not have a personal agenda. A Legislator should represent his district as best he can and the whole County. If something is only going to benefit one district, I don't think that should be a key. I think if it benefits a district that is fine but it should benefit the County as a whole as well. Other than that, I really don't have any major insights into the Charter system. The only other thing that I might think about would be, whether we have a County Manager or a County Executive. I lean towards the County Manager, only because I don't believe that it should be a political position. Because you don't know what kind of person is going to get elected to that position. It could be a great guy or woman who knows government and would do a great job. To me it would turn into a popularity contest and it shouldn't be a popularity contest. It should be somebody who knows government and knows how to run government for the benefit of all the people as opposed to one or another.

Co-Chair Hanson said with that we will turn it over to questions, who would like to start us off?

Sandra Johnson Fields asked as a first term Legislator, what did you find most difficult about government in Sullivan County?

Legislator Benson said I worked for government for a lot of years, so I kind of have a leg up because I know how government works through the purchasing end and the PR end. The hardest thing was actually learning different types of government and how the different personalities would mesh. The hardest thing I believe is to try and go consensus and that is the key. I think you have to be able to go consensus as opposed to looking for consensus. If you can go consensus because you can convince somebody this is the right thing to do, that is the hardest part, just trying to get nine different people to work together.

Paul Burckard said Gene, you talked about being a policy maker and having administration or management implement that policy. I want to ask you a direct question to get your opinion. Two scenarios, and I will put myself back as still working here as the Real Property Tax Director. You call me up on the phone and you ask me for a technical explanation of the law on Aged Exemptions. You call me up on the phone and say to me I am getting complaints from the Assessors and Town Supervisors that your department hasn't been processing deeds on time, subdivisions and other filings on time, what is going on with your operation? Two totally distinct things. Do you see a difference between the two?

Do you think one is appropriate? Do you think the other one is not appropriate? What goes to the County Manager? Or do you think you do both of them?

Legislator Benson said on the legal question? I don't think that has to go to a County Manager. The other should go to the County Manager due to the fact that you are getting multiple complaints from different townships and the townships are an part of County government and without the townships we couldn't function. If the townships are complaining, as a manager, the County Manager should look into that and try and rectify that situation.

Paul Burckard said so the County Manager should be the person that takes care of overseeing the operation of the County and the Legislators can go to the County Manager to get the questions answered and that is what a Legislator should do.

Legislator Benson said in an ideal world, yes, absolutely, chain of command.

Paul Burckard goes on to say it could very well be the County Clerk's office is way behind and that is why it is not processed.

Legislator Benson said the point is, there should be a chain of command, which we both agree on. It would be the same as a township that has a manager. He looks at the day to day operations. If the Legislature feels that the policy is not being instituted the way you want it to be, you would go to the County Manager and say this is how we want the policy to be instituted and carried out. That is his responsibility to run the day to day operations.

Bill Liblick said if you have a County Manager, obviously a County Manager knows he needs a certain number of votes to stay in his position and he is appealing to a political end of the Legislative body. I don't care who is the Chairman of the Legislature, he is in control, Democrat or Republican. If you elect a County Executive, you are taking away that control of a certain select group of people like you have now, where people make decisions behind closed doors, in caucuses. My question is though, are you accountable to the people of Sullivan County? Are you accountable to a County Manager? Is it proper for a County Manager to dictate to you or are you to dictate to a County Manager as an elected official?

Legislator Benson said it depends on your definition of dictate. Bill Liblick said well, I mean.....

Legislator Benson said we are responsible for the people of Sullivan County. Those are the people who elected us. We have appointed the County Manager to run a business. To run our business. He is accountable to the full board regardless of Democrat, Republican, Communist, and so forth, it doesn't matter. It should be to the full board, not to two members of the board or one member of the board.

Bill Liblick said so, what you are telling me, if you are Chairman of the Legislature, should you go to a Department Head and discuss something or go to the County Manager? If that applies to any one who is a Legislator. They have no right to discuss anything with any Department Heads then and to go through the County Manager from what I am interpreting.

Legislator Benson said you are going through the County Manager when it comes to an operation or decision or if you don't think that the policy is being carried out the way the Legislature wants it to be

carried out. If you have questions, you should be allowed to go and speak to that Department Head just to get the answer.

Bill Liblick said but in this elected body that you have been here for this term, I think we would all be foolish to say, there hasn't been times that certain people of the Legislature, who are of the positions, went to Chairman of Departments and told them that they would have discussions. And then when other members of the Legislature went to discuss it, it was objected to. So, when did we decide or what is the agenda set that we have the proper rules across the board and saying that all nine Legislators should not be discussing what is proper protocol for all nine Legislators and not just the nick and pick. Just because Scott Samuelson is the Chairman does he have a bigger right than Cora Edwards or Gene Benson or Kathy LaBuda or Kitty Vetter. So, who has that decision to say, is the Legislature getting together and saying we are going to treat everyone equally, so none of us are going to have discussions with Department Heads and these are only the specific. Or are we nick picking, ruling out specific Legislators and saying this is how we are going to conduct them?

Co-Chair JJ Hanson said let me know if I am wrong in pulling that all together. Right now, as we are looking at the Charter, we are debating essentially two sides of this coin. Is it up to your discretion? Is it up to the Manager's discretion? Is it up to the Chairman's discretion? And does in your opinion, the Charter sufficiently tell you who is responsible? At the end of the day, when something goes bad, who is ultimately responsible? Is it operationally your responsibility (Legislators)? Is it operationally the responsibility of the Manager? Is it the responsibility of the Chairman? In your interpretation of the Charter and if I am paraphrasing you wrong, Bill, please let me know. Bill Liblick said no, no, no, it is fine. Co-Chair JJ Hanson said as you look at the Charter, as a Legislator, you have read it, what are your thoughts? Does it sufficiently tell you what you are responsible for as a Legislator or does it need to be changed?

Legislator Benson said I think it needs to be fine tuned. I think it needs to be a little more definite about the roles of everybody.

Peg Harrison said isn't there one step that we kind of missed. If we don't get the answer about the Department Heads, isn't it possible for the Legislators to go to the committee? The Legislative Committee that rules, that governs that Department Head, and further discuss and try to implement changes or make, find out what the issues are?

Legislator Benson said of course.

Peg Harrison said so that is one step, before we even get to the individual Legislators.

Bill Liblick said if you are a Department Head, if you are head of a committee, any committee, I am going to say it be or whatever you were stripped down to, whatever committee because you didn't vote the right way, whatever committee is someone is a head of, are they allowed to then be a representative liaison to go to people that work for that Department and just say this is my opinion. These are some of the questions that I have.

Legislator Benson said you should be allowed to discuss things but you shouldn't be able to make decisions without bringing it back to your committee.

Bill Liblick said at the committee all of these people come before the committee.

Legislator Benson said right, if you can't discuss operational things with your employees, how do you understand how things truly work. Not to say that you make a decision on your own and carry that forward, you would have to bring that through the committee and then to the full board.

Bill Liblick said we are looking at three big issues. County Executive versus County Manager. We are looking at term limits, and we are looking at staggered terms. What is your opinion of a County Manager versus a County Executive? And what is your opinion of staggered terms? I know that you said term limits or something.

Legislator Benson said a County Executive is elected by the people. It is a crap shoot. You don't know who you are getting. You don't know if the person is well versed in government or if it is just a popularity contest. Sometimes you are lucky, sometimes you are not. I would prefer a County Manager, simply because you would hire somebody on their qualifications for that position and again, that is my opinion. That is not written in stone anywhere. On the term limits, it is either three at the most, if it is a four year term. If you can't do it in twelve years, you can't work with the other Legislators in a twelve year period, time for a change. Staggered terms, first time would be the hardest, because we don't have that right now. If you have staggered terms, and I would say on a Legislature of nine, it should be three, three, and three. Three Legislators are up for election on those different years. You have more continuity, programs that are already in place that are working well, at least you would have six people there who know what is going on and who could explain it to the three new ones. I don't know how much further to go on that. Staggered terms would be a little better. It is better for the people of Sullivan County.

Bill Liblick said one final question. When this body finishes their work, whether it be a year, two years, whenever it is, and you are still on the Legislature, how seriously do you take the recommendations of this Charter Review Committee?

Legislator Benson said how seriously would I take.....

Bill Liblick said well, in the past, the past Charter Review Commission, made recommendations and the Legislature has ignored those recommendations from the Charter Review Commission. I discussed it with some reporters who cover Sullivan County and said how come you don't come to the meetings and they said, well, between the recommendations and the Legislature, you have to go through the process but sometimes they don't take it seriously what this commission recommends. So, at the end of the day, if we make certain recommendations, are you going to consider, how hardly would you consider what our recommendations are?

Legislator Benson said we appointed you because we thought that you could do this job and make recommendations for the better government of Sullivan County. I trust all of your judgments, so if

you come up with a recommendation, of course, I am going to consider it very hard and I think that is what we should do. I think we should put personal feelings and politics aside when it comes to that. Running the government for everybody, not just a certain group and that is what you have to do.

Bruce Ferguson said I would like to revisit very briefly one of the things touched on early. I read the Charter, the County Code, nowhere is there the protocol clearly spelled out between how Legislators, County Manager and Department Heads should interact. There is nothing in the Code, nothing in the Charter that prohibits Legislators from speaking to Department Heads. If I am a member of the public and say I have a public safety concern, I am either go to my Legislator or I am going to go to Cora, who is head of Public Safety (Committee). I don't know the County Manager. I don't have a relationship with him. I do have a relationship with my Legislator. These concerns come across the desk of the Legislator, it seems to me particularly if they are in charge of a committee that has oversight of a particular Department Head, they are going to want to and should go to the Department Head and convey the concerns that they have received and concerns of their own as the person with oversight of that Department. That seems to be entirely appropriate and I don't get where this notion of this is impermissible comes from. That is not managing the Department. That is not attempting to manage the Department that is having, it seems to me, have a very important line of communication between the public and the people who are implementing the policy set up by the Legislature.

Legislator Benson said I agree with that. I don't see any impropriety in you going to your Legislator or the head of a committee to discuss that and they go back to the Department Head. The Department Head, after hearing those concerns should take it to the County Manager.

Bruce Ferguson said and come up with a solution.

Legislator Benson said yes.

Co-Chair JJ Hanson said does everyone, just as a point of clarification, because there might be some confusion, does everyone here understand operations as it is different from, like a constituent issue. Operations would be what the Manager is responsible for, dealing with that Department Head for. So, if we have to go out and pave a road, ok that is the job of the DPW. That is part of operations. They do that on a daily bases. If a Legislator comes in and says I don't want that road paved, I want this road paved and goes directly to the Department Head and does that, that would be going outside the typical protocol of what you would normally have in a normal organization. However, when you have a constituent service, say a truck knocks down a mail box, as they are coming through and plowing, well, now you have a constituent who is calling the Legislator and saying, hey, my mail box got knock down. They are going to say what happened? In many different types of County government, they have that protocol where that Legislator can call the Department Head because, I am not saying either way, I am saying it differs in some areas. You have a County Executive form, the County Executive is going to say, you come to me, I will take care of it. Other ones, the Legislature can call the Department Head directly and say hey, you knocked down this mail box, can you take care of it? My constituent is angry that you knocked down their mail box. That would be the difference between the two, in the way the Charter would then deal with it.

Paul Burckard say let me clarify, the question that I asked, significantly different from the question that Bill asked. My was of the investigative nature, entirely different then asking questions of Department Heads for clarifications. Two tremendously different questions.

Ken Walter said to me it is what we as a Charter Review Commission to either strengthen or rectify this problem, where maybe there are Legislators who are running and talking to Department Heads and asking a lot of questions. What rules are there in the Charter? How does it affect the Code? Should the Code be strengthen? To me, the committee system is there for a purpose so that a Legislator can ask the pertinent questions of the Department Head, so that everybody hears the answer. I don't believe it is good governance when only one person gets an answer, and the other eight do not know what the question was to the answer. So the committee system was set up for a purpose and that is where the proper question should be asked. It may be a little uncomfortable sometimes with a question asked but maybe that is good too because maybe the temper will change a little bit in how it is asked. Right now, there seems to be no direction in the Charter to give the Legislators what they can and cannot do or when do they step out of balance for approaching a Department Head or even an employee within a division.

Sandra Johnson Fields said are the questions that are being asked right now because the government is getting bogged down with people over stepping their bounds? Because in my mind, I am envisioning, why are we having this line of questioning? Is it because things are getting bogged down and the government is not working properly because people are over stepping their bounds because that is what is being inferred.

Legislator Benson said depending upon who you ask some people may think that certain Legislators are over stepping their bounds, others think not.

Sandra Johnson Fields said so are things not being down? That is what I am not sure of, that is what I am hearing. Are things not being down in our County because people are overstepping their bounds or are they being down on a personal bases as opposed for the good of all because if there are personal connections that maybe should not be there?

Bill Liblick said it could be the reverse, absolutely reverse of what you are saying. Because some things are getting done and people were concerned that they are asking questions and they are trying to muzzle them from asking questions. So it could be the opposite of what you are asking.

Sandra Johnson Fields said is our government getting bogged down with this?

Legislator Benson said all government s are bogged down by this. No matter what I say, somebody is going to think I am right, somebody is going to think I am wrong. Depending upon the day and who you ask, you will get a million different answers.

Sandra Johnson Fields said because I am sure. To define things so much, that people have one way where they could move, where a Legislator couldn't go to a Department Head, obviously, it was

originally done this way for a reason. So what I am hearing and I am listening for, why would we do something differently? Does it need to be that stringent that we would have these guidelines in there?

Legislator Benson said there should be guidelines. I don't think it should be strict where you could not go to a Department Head because again, you have to be out there. You have to see what goes on. You have to be able to talk to the people. So you know what their concerns are. When you know what those concerns are there is a proper way to handle them. That is what needs to be defined.

Paul Burckard said Sandra, I ask the question for this reason. I probably would get a broader prospectus. We are trying to figure out the proper form of government . One of the things we should take a look at is the Legislature has the strength. The stronger the Legislature is, then you write the Code and the Charter to weaken the County Manager. The converse is also true so that if you want to weaken the legislative government , you are going to have a strong County Manager. So there is a method to my madness, when I asked Gene two questions that I did, (Legislator Benson said try to find that happy medium) Paul said right, we need to determine where the Legislature needs to sit and how that is your function before we try to figure out what happens on top. You can't figure out what happens up on top, until you figure out what is on the bottom.

Sandra Johnson Fields said if it is not broken, why are we trying to fix it? That is what I am asking, is it broken?

Legislator Benson said was it ever right to begin with? That is the question? That is what you are charged with.

Sandra Johnson Fields said as a Legislator, that is what I am asking you. Do you notice that things are out of balance? Because how will we know what to fix, if we don't know what is broken. We ask the public but you are also a Legislator but what do you see is out of balance?

Legislator Benson said I really don't know how to answer that. Because I ask questions of Department Heads and I have gotten the answers. And I go back to committees and I discussed it in committees and I seem to get my point across. I haven't tick anybody off when it comes to Department Heads or the County Manager. I just think I am doing my job when I go out and talk to the people. I find out what the general feelings are and then I bring it back and we discuss it. Whether that is taken and whether I built consensus and got enough votes to change it to the way that my constituents think it should be. It is a tough call but you were charged with trying to corral this as opposed to us. That is not our job to set the Charter. Once you set the Charter, we live by those rules.

Larry Richardson said we have had considerable discussion already about who should or shouldn't interact with Departments. I would just like to remind the Committee that we heard previous testimony that a County Executive form of government , that County Executive can say no one can communicate directly to a Department Head. All communication has to come through us. From the very beginning of the discussion, does that then take out some of your responsibility to your constituents?

Isaac Green Diebboll said Gene, what do you feel the relationship should be between the Town Supervisors and the County Legislators and what do you feel it is currently?

Legislator Benson said I have good relationships with a majority of the Town Supervisors. I don't even have relationships with some of them because I don't get out to those Townships. I deal a lot with the Town of Fallsburg because that is the basis of my constituency and I work for them. So I know how it works over there. I think we should have a working relationship with all of the Townships. That is another thing to think about. Maybe we should have a fifteen member Legislature as opposed to nine. I know that is a big number but one from each Township. Years ago, when you had a Board of Supervisors everybody complained about the weighted voting and that is why we went to this form of government . I don't know which is better or which is worse.

Isaac Green Diebboll said do you see the separation of duties between what Towns try for a need to accomplish and what Counties need to accomplish? Or that is separate, they don't, the persons elected to the positions, don't need to meet as often as they do? I mean, I know that the County has to do certain things and the Towns have to do other certain things. You see each other sometimes and sometimes you are friends and sometimes you are not. I have talked with several Supervisors, who feel there is a lack of communication, and that they are upset and frustrated by that. To me that becomes a concern when thinking about not just whether we are going to have a Manager, an Executive, a Legislative Body but if some people want to return to a Board of Supervisors.

Legislator Benson said again, that is up to the people. That is not up to us. It is not up to us as Legislators. It is not up to the Charter Committee.

Isaac Green Diebboll said do you feel you could do more to connect with them or do you feel that it is not feasible? Or do you feel it is void?

Legislator Benson said I think you have to issue a dialogue.

Isaac Green Diebboll said I guess what I mean is should this be something that is mandated by a Charter or a Code for that kind of relationship? Maybe this isn't important but it is a concern.

Legislator Benson said as a self rule state, we as a County government cannot dictate to the Town government s and vice versa. Would it be nice to work together? Absolutely. Shared services, which I know has been discussed. But everybody is like a Tom Cat, they all mark their own territory. I have to be very careful.....

Peg Harrison said when Fracking was big issue, I was the Supervisor for the Town of Tusten and everybody, we had our Multi-Municipal Task Force Meetings. There was a lot of understanding of just how to get the County involved. What happened was, I was the lead agency, Town of Tusten was the lead agency. I came to a committee meeting and I asked the committee to support me with the Legislature to have the DPW Commissioner come to our Multi-Municipal Task Force Meeting. Through that there was discussion to have the Planning Department put on these Town Hall Meetings to discuss Fracking. So it does work and it did work here in Sullivan County when the Fracking was going on

because meetings happened. We had an engineer from DPW at our task force meetings, which was based on the road use law. So it does work and the Legislators all supported us. All of the Supervisors at that time met on a regular bases and I think most of the Legislators at that time came to those meetings.

Larry Richardson said all due respect Gene, there is a lot of experience in this room. I would like to move on to hear some others and then maybe at the end if you don't have to run out, we could all have discussion.

Legislator Benson said I have to stay and lock up so I am here for the night.

Legislator Benson said I would just like to end with one last statement. I can't speak for the other Legislators because I don't know their schedules but I try to make as many Town of Fallsburg board meetings and Village of Woodridge board meetings that I can because they are in my district and address any of the concerns that they have and I do bring that back here.

Co-Chair JJ Hanson thanked Legislator Benson and introduced Legislator Cora Edwards, District Six.

Legislator Edwards said my background is mainly in the non-for-profit world. I was Adjunct Lectured NYU, specializing in government grants. So the type of students that came to that were mostly people in the non-profit-sector and before that I was mainly focused on international fund raising through UNICEF & Care in New York. Before that I was with my husband in England, he is British and I worked for one of the Prince of Wales charities called Business in the Community. The purpose of that community was to get businesses to increase their presence in local communities in education, economical development and the environment by being good corporate citizens. I am a first time Legislator, one term Legislator. I made a commitment to be a one term Legislator and do as much as I could in four years. My view is from having gone to various NYS Association of Counties conferences and people can get certificates for being Legislators. There is a very high level of professionalism required in order to be a good Legislator, in order to have good governance. So one of the vehicles for that are these twice a year conferences on finance and so on. I see Joe Todora here and he is at every conference and he is Acting Commissioner for Health and Family Services and also see Nancy Buck at every conference. So there is a tremendous amount of technical knowledge that is required, legislative knowledge that is required and I feel that in a lot of ways that is only going to increase as technology makes information faster and more readily available. When I was preparing for today, JJ, we had spoken a little bit on the phone about my views. So what I thought I would do today is just look at a macro level, sort of the big picture, and the kind of views a couple of specific examples drilling down for those things that I wanted to talk about. I don't know how many of you have actually read "Adopting and Amending County Charters". This was handed out at the beginning. So I have actually based my presentation on that particular document. If anybody needs it or wants a copy of it, it's really a road map for how a Charter Review can be conducted and I think it is very comprehensive. I did do my penance and watched the two hour YouTube video of the April meeting. There were a couple of points that I thought were disseminated that were actually incorrect. If anybody wants to correct me I am more than happy to be corrected. My understanding from my tax bill when you see property taxes is

that 83% of that County tax bill is mandated costs. So that means that 17% is up for grabs. That is where all of the politicking takes place. There is about 56 million in property taxes. There is about 34 million that comes in from sales tax, which we all know is the inverse of pretty much every other County in New York State in which sales tax is two to three times the amount of income. Last time I spoke to Art Hussey, who is the Department Head for Grants Administration, and he told me he wants to come and make a presentation to this group as well. About 14 to 20 million in income from state and federal grants, discretionary grants that is coming through this Baby Huey here. In addition, there is close to 400 million that comes from state and federal funds for mandated programs. So when we talk about the sort of burden of mandates, we actually pay out a cap of 20 million. That was legislation that came from New York State but we could be building a resort development every year with that 600 million that comes in for these mandated programs. I mean that is the equivalent in my mind of how much money is coming into Sullivan County on federal and state funding. So I just wanted to make that point. The other point that I wanted to make is that on page six of this document (Adopting and Amending County Charters) it talks about developing a work plan after you have gone through the staffing and financing of the Charter Commission. It is kind of loonier. I realize you are in a different stage right now. It says once the Charter Commission has defined its organization, adopted its rules of operation provided for necessary staff assistance, it can begin substantive work. The commission will then want to examine the existing organization and operational agreements of the County government arrangements. So that is where we are at, I am assuming right now. I highlighted this particular sentence. A specially, designed questionnaire to be completed by County officers can be an effective means for gaining information about the way in which legislative, executive and administrative functions are performed and about their operational inter-relationships. Questionnaire responses can then be supplemented by personal interviews and examination of a variety of countywide and departmental documents such as budgets, annual and interim reports and legislative proceedings. So that is actually a request that I am making to this body that you do provide a questionnaire to all nine Legislators that have the same questions. Because what you will get will be very different prospectives. A lot of times those prospectives may have to do with the geographical area or the constituency and what makes certain districts different from other districts, as much as we are a very small community with 76,000 people, we still have very different needs. So one of the things that I have highlighted here on page 11 of this document, focusing on Legislative powers and duties and was good for me to read it again. I am just going to go through a very quick list. It says there are certain powers that must be vested in the County Legislative body and other powers that ordinarily would be assigned to the County Legislative body. Among the most important of these are powers to: enact local laws, adopt resolutions, adopt an operating and a capital budget, levy taxes, make or confirm appointments and I highlighted here approve contracts and I am going to get to that in a minute. Provide for outside audits from time to time, establish departments, agencies, boards and commissions, provides its own internal organization and rules, authorize the establishment and abolition of personnel positions, and if the Charter provides for a Manager or Administrator employment of such an official should be a specific duty of the Legislative body. It says here Legislative Executive problems often develop because of inadequate flows of information. I highlighted that in yellow. If Legislators are expected to refrain from direct contact with Department Heads, it should be clear from the Charter that the Executive or Manager is to provide requested information. For example, the Charter can include provisions requiring the Executive to

present an annual message to the Legislative body or to provide a monthly or quarterly report. A frequent point of Legislative Executive friction involves appointments and removals. The Charter should clearly identify the appointing and removal authority for each County office. If Legislative confirmation is required for all or some appointments and removals, that requirement too should be straightforward and clear. I highlighted that too, because these two points have been as you have heard from various, every single one of these commission meetings that I have attended or heard, it just keeps coming up and keeps coming up. When I had an opportunity to talk to JJ, on the phone, I said, to me, my personal view and this I actually didn't say on the phone. If this body does go down the road of having a recommendation for an Executive form of government, it should be put to a vote to the people. It should be a referendum. Someone said it has to be. I don't understand how that didn't happen the last time that the Legislative body said Oh! Ok, thanks for your recommendation. Bill Liblick said ask Chris (Cunningham). So part of what I am trying to point out is that if this body makes a decision that you want to go down the Executive road then you will have a very different looking Charter then if you decide that you are going to go down the Legislative road, which is what we have now and either tweak or amend the Charter as it exist. To me the Charter is a living document. I know that we reached this situation where there was Legislative friction regarding appointments and removals and that was discussed at the last meeting, I saw on the YouTube video. We could go on and on about that but it has to be a document that reflects the fact that government is changing. Government is changing by virtue of the fact that we have a Governor that sets out certain policies like the tax exempt policies for Start Up New York or funding through the CFA process. It is also changing by virtue of the fact that we can't go back to a pre 2008 world. What happened in the financial crisis in 2008, we will never go back to a time before that, so we are living under financial constraints that will be affecting generations to come and I look to other Counties to see how their leadership addresses cutting sort of old boy hand out contract networks and having a more efficient form of government while still maintaining services. I am very proud of the fact that in law enforcement and public safety we have increased the staffing levels not just me but the Legislators who voted for that. We have gotten about 5 million dollars in grant funding to be able to have a radio inter-operability project that brings us into the 21st Century and we have cut over a million dollars in expenses, whether it is through pharmaceutical contracts or having video conferencing in the jail. To me, those are the kinds of technical and based on having relationships with people in order to be able to face the future really because right now, the way County government operates, it is making itself obsolete. The other thing that I highlighted was approving contracts and this is a very sensitive issue for me, primarily because since 2002, we have been trying to get contracts reviewed and it is a mammoth task as you can image, with a 200 million dollar budget and one of the resolutions that was put in December 2012 was to put all contracts in aggregate over \$25,000 on the web. That would do a lot of things. That would mean I wouldn't have to bother the County Manager or do an information request, or go to a Department Head. If I want to look at how a contract has been written, who signed it and if I get a complaint from someone saying this contract isn't being fulfilled properly, I can at least go to the contract and read it. Any taxpayer can go to the contract and read it. I think that the fact that it is in this document means I am not making that stuff up. I see that I have taken my ten minutes and I still have a lot of green stickers here but I am more than happy to take questions.

Bruce Ferguson said was that resolution of disclosure contracts, was that adopted by the Legislature.

Legislator Edwards said I was told it didn't need to be adopted and at the last Management and Budget meeting there was a discussion about putting \$50,000 contracts on the web rather than \$25,000 in aggregate. So I am not going to scupper the almost good for the perfect, if this is what the political will, will tolerate at this point. I am not saying no.

Bruce Ferguson said I guess I don't understand what wasn't needed means. If it is a resolution brought before the Legislature wasn't it put to a vote.

Legislator Edwards said it was not.

Bruce Ferguson said why.

Legislator Edwards said because the meeting was adjourned prior to the resolution coming to the vote.

Bruce Ferguson said why, I realize we are going down a rather bold why's here but there could be no answer.

Legislator Edwards said I think because I think.....

Co-Chair JJ Hanson asked did you withdraw the resolution?

Legislator Edwards said I did not.

Bruce Ferguson said doesn't it have to be acted on, I don't understand how a County government works and if a resolution is introduced it can be ignored.

Legislator Edwards said the meeting was adjourned and I got a request to put it through a committee instead.

Co-Chair JJ Hanson said just for everyone, in the interest of time, when we ask our questions, if we could keep them concise for the speakers and then allow them time to respond, it would probably make it go a lot quicker, so we could get more questions in for them.

Bill Liblick said I have two questions. One, at the end of the year, when you were talking about the process of going into committees. At the last session of the year, Legislators have the opportunity to bring in the motions that they want before the Legislature. In December, I think it was twelve resolutions.....

Discussion ensued between Legislator Edwards and Bill Liblick regarding what was presented to the Legislature and the result of that discussion was stated by Bill Liblick. Bill Liblick said it was a packet of resolutions regarding things that were discussed at one point or another over the last four years. Bill Liblick said, and none of them had been voted on? Legislator Edwards said I got a request that it goes through the committee and what I decided to do was to go to Josh the County Manager and talk over each of the resolutions with him and he said some of these don't have to be resolutions. Some we can just do on our own and other ones can come through committee and I just decided there was enough

political will at that point to spend political capital on something that should have been done ages ago. I just let it lie.

Bill Liblick said were any of those issues that the County Manager said doesn't need a resolution, were they adopted?

Legislator Edwards said I did ask the Legislative Clerk to pull that one about the web site on the contracts because so many contracts will be coming for request for proposal and then two days later in the Management and Budget meeting, the County Auditor said they were going to be putting the contracts on the web site for \$50,000 and above. So I am not complaining.

Bill Liblick said my other question is about the Charter. Do you feel that the Charter has changed over the years and the intent the Charter was changed?

Legislator Edwards said all you have to do is look at the amendments. When you see the amendments, you see how much the Charter has changed.

Bill Liblick said what do you feel is right about the Charter and what is wrong about the Charter.

Legislator Edwards said I feel that the Charter, what we are going through right now, with the Charter Review Commission is to see whether the Charter is a living document or was it something that was put on a shelf and taken down. I mean I know, I got a lot of push back from people when we made the decision to amend the Charter in 2012. There was a lot of discussion, I saw about that in the April meeting, so I am not going to rehash everything that was brought up then. But I think what is important is that as you go through interviewing each Legislator, each Department Head, the County Manager and so on, you get the kinds of specifics that I am giving you right now. If the County Charter is silent on whether a County Manager, my recollection, because I don't have that particular passage in front of me right now, that there is a super majority required to hire or fire but not to renew. So if this Charter was silent on that particular aspect of it, then you know if we as Legislators, how could we not address that issue and then as you know there was a lawsuit against the Legislators that wanted to make that change and the lawsuit failed because everything was done by the book. But I don't want to get so bogged down in the details of this particular amendment or that particular amendment as much as, is the Charter reflecting good government ? Is the Charter reflecting the fact that taxpayers money is precious and needs to be spent in the most effective way and not contracts for cronies? Is the Charter reflecting the fact that we are living in a different age? We are living in a professional age. We are living in a technical age and government needs to reflect that.

Co-Chair JJ Hanson said what would your answer be to those questions?

Legislator Edwards said no, the Charter needs to really be scrutinized. When you read the first part of this document, it says that County government s haven't changed very much since the 1920's.

Co-Chair JJ Hanson said so your suggestion, and I am paraphrasing here so correct me if I am wrong, your suggestion to us as a commission would be to put in more definitive detail in the Charter itself to clarify these issues.

Legislator Edwards said no, let me rephrase what I am trying to articulate. If you go through the process that this document is recommending, you will get questionnaires out to say give me examples of where the Charter has failed you, whether you are a Department Head or whether you are a County Manager or whether you are a Legislator or whether you are a constituent or a taxpayer. Does this County Charter reflect who we are and who we want to be?

Bill Liblick said but you read the Charter. What do you see in the Charter that you.....

Legislator Edwards said I just told you. I just read to you the thing about the contracts.

Bill Liblick said what else? Is there anything else, the amendments over the years?

Legislator Edwards said yeah.

Bill Liblick said that is what we want to know.

Legislator Edwards said I didn't realize that was your question.

Bill Liblick said yes.

Legislator Edwards said so I went through the appointments and removals, I went through approving the contracts, I went through what I think should happen with regards to the form of government whether it is Executive or Legislative body. The Charter itself says it is the intent of the Charter to provide for a government that is efficient, effective, accountable, inclusive, open and environmentally and fiscally responsible. I think that should be in the questionnaire, to what extent do you feel the Charter is promoting inclusive and open government .

Co-Chair JJ Hanson asked Cora, can you make this notes available to us?

Legislator Edwards said I am happy to give you whatever. Discussion ensued regarding what Legislator Edwards was reading.

Peg Harrison said Cora when you had those resolutions was there any policy or procedure in place for you to bring them to the County Attorney to make sure that those resolutions were accurate, that you didn't have to withdraw another prior resolution? Sometimes when you do resolutions, you don't realize there is something already in place that you need to rescind in order for this to be effective.

Legislator Edwards said that actually happens a lot. We are right now in the process of looking at rescinding a group of resolutions. The great irony of it is, that I advocated and pushed very strongly for a cover sheet in which all of the Department Heads would sign prior to a resolution coming to a committee. But when I sat down, honestly, heart to heart, and started looking at my New Year's Resolutions, I started thinking of all of these things in the Legislature that we had discussed and were just on this merry-go-round and not being resolved in any way. So because in December, you are able to put resolutions in, there is not quote on quote late filing, I thought at least it could be brought for discussion, at least it could be brought forward. Then there were a series of circumstances, the Governor came to Bethel Woods, that changed the time.

Peg Harrison said now there is a procedure in place?

Legislator Edwards said there has always been as far as I know. We just tightened it up because there were so many new Legislators, a board of six.

Peg Harrison said at this particular time you didn't go through the process but.....

Legislator Edwards said I went through the process that existed. A lot of people were not happy with it, that I used a process which was there were no late filings. But I am not going to blame anybody else to say O! so and so wasn't here on the day that they were should have be submitted and I didn't realize there was going to be a Governor's press conference or whatever. I submitted resolutions in accordance to the rules that on December of that year, there is no late filing, so I take responsibility for that.

Peg Harrison said what is a late filing?

Legislator Edwards said that normally a resolution goes in by a certain deadline, prior to the committee meeting.

Co-Chair JJ Hanson said just as an explanation point, that is not dictated by the Charter. That is a Legislative process of how you guys receive resolutions, and local laws, correct?

Legislator Edwards said yes.

Co-Chair JJ Hanson said and there is a standard for that?

Legislator Edwards said I think we created it. We put that through Sam Yasgur.

Co-Chair JJ Hanson said would it be similar to the Code?

Paul Burckard said Rules of the Legislature and it is also in the Code, which is operational for the whole government as well as the Charter.

Legislator Edwards said but we haven't gotten to the Administrative Code yet.

Paul Burckard said I want to ask you the same thing that I asked Gene and I will be concise. Do you feel it is ok to go to Department Heads and Commissioners and ask questions, clarification questions etc., without a problem but if something is more serious and it is investigative of nature, do you think an individual Legislator should be able to go to the Commissioners or Department Heads and do that or should that go to the County Manager?

Legislator Edwards said I have made a decision to take everything through the County Manager. I made a decision that if I have a question for a Department Head, I address the question in an email to the County Manager and I cc the Department Head. A couple of times the County Manager has said just go straight to the Department Head with this. I have just made that decision. It has caused a lot friction where you hear from a consultant that two Legislators have gone to a Grants Administrator on a Friday to ask for a grant, where the deadline is on a Monday and nobody ever hears about that. Or you find out that there is a Legislator who has asked for a particular person to be put in a particular position and

it creates a lot of ripples. So I just made my own personal decision that everything goes to the County Manager. Because he has a certain perspective and a view on things that I don't know about and if I go through him first, like he said with the packet of resolutions, not all of these need to be resolutions. We can just do some of these things without it, being a resolution.

Paul Burckard said that is the decision that you have made. Are you also saying that is the way you think it should work?

Legislator Edwards said I think that with good relationships anything can be accomplished and with bad relationships nothing gets accomplished. And so, if you have a good relationship, you will go out of your way to include everyone in the communication loop. If you don't care then you don't care.

Co-Chair JJ Hanson said do you think there is sufficient clarification of that relationship under the current Charter?

Legislator Edwards said I think what has happened and I have brought this up several times before is that there are resolutions, as a matter of fact we have one coming tomorrow, where it says that the Legislature authorizes the County Manager to enter into contract with a particular sub-contractor and if you don't have the contract in advance and you can't see what changes are being made to the contract, you sort of are operating in the dark. So I feel that is something that the County Charter needs to look at the language that other Charters have and decide what is best with regards to contracts. That is where we are hemorrhaging a lot of money.

Paul Burckard said more appropriately that is going to come down to the Rules of the Legislature or possibly in the Code.

Legislator Edwards said that is not for me to.....

Paul Burckard said you are right that would not be in the Charter.

Legislator Edwards said if you want me to go through the Charter itself and pick out specific.....

Co-Chair JJ Hanson said that would be wonderful. If you could do that, I think the whole Commission would really appreciate it.

Legislator Edwards said I think you should put that in your questionnaire to all of the Legislators. That is why I said I am going to go from the macro to the specific but for anybody who hasn't read "Adopting and Amending County Charters" this is the road map. This is a gold mine.

Co-Chair JJ Hanson said thank you very much. It was a great presentation. A great way to start into it. Thank you.

Legislator Edwards said JJ anytime you ask I am always there.

Co-Chair JJ Hanson introduced Chris Cunningham, former Chairman of the County Legislature. Thank you for coming to speak to us.

Chris Cunningham said my background is I served in this room for twelve years, four of which I was Chairman of the Board. Before that I was on the Town Board, in the Town of Bethel. I worked in various not-for-profit human service agencies over the course of my time with the County. After I was Chairman, I was Commissioner of Health and Family Services for 4½ years or so. So I have been around County government for quite a long time. I know many of you folks in various capacities over the course of the years. Larry was my constituent. Kathy (LaBuda) I have known forever, most of you guys Paul (Burckard) and Leni (Binder). I thought it would be useful to start, Paul and I have talked about this from time to time, how this Legislature actually came to view. If you go back into history, about 1992, when there was a financial crisis here at the County and also there was a political crisis that happened at the same time, which lead to a discussion and ultimately the Charter form of government being put on the ballot. In 1992, there was a big huge meeting at the Monticello High School one night. A very large tax increase was being proposed and then there was a political crisis at the same time, a trip to Japan by some of the Supervisors at the time. So there was political turmoil, financial turmoil, which lead to, we need to separate the County government from the Town government, the Board of Supervisors doesn't work anymore for a variety of reasons. There was a discussion about one man, one vote, due to disparities on the weighted voting at the time, which was actually put in place prior to that, to make it fair. When there was one vote per town, it was finally one vote. So then, they put in the weighted voting but that got so, I think Forestburgh got 12 votes and Thompson had something like 400 votes, such a disparity that lead to a discussion about needing another form of government. I believe there was litigation at that time that probably would have overturned the weighted voting. So there was a crisis and what I want to get to is there is a context in which you guys are talking about government. A lot of the things that I hear talked about are related to current experiences with the current board. Current members and current people and the context at that time was the financial and political crisis which lead to a complete overhaul of County government. In my experience, one of the things that you might want to spend some time thinking about and talking about, is what I consider the unresolved issues between Towns and the County. Because when you separated things you left several issues unresolved that periodically followed. This gentleman asked about Supervisors. Did they feel like they were being treated fairly by the County? Or when the Supervisors altered the County government, you did have a lot of that. There was discretion about the County costs getting pushed on them. The Town costs being push on to the County. We still have the legacy of that and people talk about roads and bridges and things like that. If I was a Supervisor when I was getting elected in my Town, it would be convenient for me to..... a certain cost that could rise my taxes in the Town belong to the County, maybe they weren't so obvious to people. Not that anybody would act politically in that way. So there is unresolved issues that Paul and I talked about, Countywide Assessment, Countywide Tax Collection, Countywide Police Forces, and a whole host of issues. You are dealing now with the college, which is again a legacy of the Board of Supervisors that still is an unresolved issue. They support the viability of the college. I happen to be a supporter of the community college but it does pop up periodically. So I don't know what the answer to that is but I know as a Town Board member you tend to look at the County as trying to push things off on you, asking you to do things. When I talked to Supervisors, they would say why are you trying to get us to do things, you are not giving us some money. Funded mandates, they tend to be, we want what we want. We want the County to do certain things so there is this constant tension. We tried to do this thing called the Council of Governments, whether it was a

good thing or a bad thing, we tried to get the communications flow going. So if you guys are going to look at things as far as the Charter of County government, you might want to take a little bit of time and kind of look at this relationship between the municipalities and maybe there is a way you can make some of that work a little bit better. I don't know that it is something you can do but to my mind it is an unresolved sibling rivalry. So that would be one thing that I would think about. And as I said the context of what you are doing, I hear people talking about - does government work? Well, whether it works is kind of where you stand. Cora, obviously has some concerns. I can see that it is not working. Other people might think, well it is working pretty good. So when you have yet to define, I think what you mean by does it work, what do you want it to do and then decide. This might sound a little odd but in my opinion any system will work if the people in it are committed to making it work. There is a lot of discussion about Legislators talking to Department Heads. They are not talking to Department Heads, they ask questions. I don't think you could ever put a system in place here where a Legislator is not going to talk to a Department Head. When I first got here, I was Chair of General Services Committee. There was a very wise old gentleman named Harvey Smith that worked here for many years. I talked to him almost every day. Was there anything wrong with it? No, we talked about issues. We talked about stuff on the agenda. I also spoke to the County Manager about it too. So the idea that people shouldn't talk to Department Heads, it is a small little family here. People talk all of the time and they are going to talk and it is appropriate. A lot of things get going, in sort of informal discussions, where people are differing but they are talking. So if there is a big issue and it is something very important, you would expect that the County Manager would be involved in the discussion. You would expect that the Chairman in some way would be talking about those things, that issue would pretty important. Through the Chairman, and I know we heard a little bit about caucus' and things like that. I understand that people said that caucus' are not the flavor of the month but people talking informally, in a way that they could express their opinions, there is nothing necessarily wrong with that. There was a leadership group at one point, a Steering Committee that I know some people liked and didn't like but it also brought people together, say with the County Attorney and the County Manager, to talk and communicate up and down. What is going on? What are the issues? How does everybody feel? What is coming? There used to be those venues for people. There is also, in my opinion, nothing that was ever talked about, in any other venue that was not talked about in this room (Committee Room). When I was Chairman, I made it very clear, no matter what we talked about, if somebody has something to say, if there is an important issue, Executive Sessions are for very specific reasons and that needs to be maintained and it is only for very specific reasons. So I think that you people are committed to making the government work. The Board of Supervisors worked very well for a very long time. If it hadn't been a perfect storm of events there probably still would be one. Probably still be Supervisors hanging around, not Legislators, or some form like that. In many Counties upstate, there is still Boards of Supervisors. I think that conceptually you have to start with some of those conceptual issues. You can't legislate people's ability to talk to each other. You can't legislate their agendas, how they approach things. Do they let their personal agendas and personal animosity get in the way of the best interest of their constituents and the best interest of the County? You have to hope that you elect people that are..... they don't start out that way but over time they will come to see that it is better if they talk to each other. They differ but then they can be friends afterwards. That they are committed to open government, which I don't know if anybody ever sat in any of these chairs that wasn't. We did a lot of very important

discussions here, Leni and Kathy and all of the other people and the ghosts that sit around this table. I don't think anybody was against public discussion that would be the box that I would start with.

Co-Chair JJ Hanson said so the follow up question that I have, you started out with unresolved issues, relationship with Supervisors, how County costs have been separated between a Town level and a County level, policy or other areas. Most of those discussion items that you brought up are things that sound like they still need to be definitely dealt with. They sound like policy issues. They sound like areas that the Legislature would be ultimately responsible for, reviewing those and making decisions on. Earlier parts of the conversation that we had, a discussion on operations verses policy. So, in your opinion, does the Charter, currently, as you see it and as you followed it, so let's not say currently. As you viewed it and you saw it, because obviously the Charter you dealt with as a Legislator might be different from the Charter we have today. Does that provide the Legislators, especially new Legislators, coming in to understand the difference of what they are responsible for in terms of creating policy verses what they are responsible for in having oversight of operations?

Chris Cunningham said I don't know that the Charter is going to educate people. I think it speaks in broad terms about the purpose and the mission of County government. I think that in a certain way some of these are things you learn as you do them. I know when I first got elected at the end of 4 years, I thought a lot differently than I did at the beginning. So I think you learn as you go. I think that the idea of Legislators being policy makers, County Managers or Executives or Administrators being administrators and handling that side of the government, there needs to be a healthy separation there but there can't be a separation where they don't talk to each other. Again, it is somewhat, you know it when you see it almost. The County Manager should be talking to the board and offering ideas and suggestions and I have served a couple of County Managers that were very good at doing that. The Legislator should be offering maybe from time to time ideas on how government should be organized and that might ease over into Executive, administrative kinds of things. If I have a constituent problem that I thought was somewhat routine, I might talk directly to a Department Head. Again, it is hard to make that into something that is so codified because people are going to talk. They are going to work together. They are going to find their own ways anyway. But as a general rule, Legislators should make policy. Administrators should administer. I think that is just the way this is set up. I think the Council form of Government, if you look back in history, at the end of the 19th Century in response to widespread political corruption the Civil Service System was instituted and the Manger form of government was instituted as a way to take politics out of the administrative side of government. People were hired and fired regularly and to take the partisanship out of it, to end cronyism and the spoil system. I think that you need a board that is committed to working together internally and communicating in clear tongues, to a Manager in board terms, here is what we want you to focus on. You need ideally a Manager who is going to respond to that and say here are some ideas, how to get that done and wants to be helpful and wants to provide that. Also, wants to oversee the administrative pyramid with minimal interference. Unless something so aggrieves that the Legislators have to get involved in it, in terms of the management of the staff, our Legislators are going to talk to Department Heads freely. There is nothing wrong with that.

Isaac Green Diebboll said have you seen a difference in the way people of Sullivan County viewed the Board of Supervisors verses how they view the current County Legislative body? Do you feel that the people trust more or less this form of government verses that form of government? Obviously, you made it clear there was a perfect storm that made the change but I am interested in the communication flow between government and people. And if you think it needs to be improved or changed or at one point it was better?

Chris Cunningham said to a large extent people look in the rear view mirror more fondly at the Board of Supervisor now than they did at the time. When it went by the Boards at the time, you heard a lot of the same criticism of the Board of Supervisors that hear about this County Legislature. In retrospect, it may be a lot better than maybe it was. Again, right now, if County government isn't functioning in the way that you want it to function then things are not good. If you think government is functioning well and you are doing well then you like this form of government. People criticize the Board of Supervisors in the same way that they criticize the County Legislature. County government is going to get criticized just like Town government or Village government. Some people, they don't get what they want or they feel that they are not being treated fairly or things are not going the way that they want or they are not getting the services that they want, criticize their elected officials. As far as interaction with people, again, it is a commitment. I know somebody like Cora, is in her district all of the time, interacting with people, talking with people bringing their concerns to the group. I think this group has made a very strong commitment to bring in people, being transparent, putting things on the web for people to find and see and comment on and I think that is all great and the more the board can do that, the better. The more people know and see and can understand that is fantastic.

Bill Liblick said the last time the Charter Review Commission met and when they made their recommendations, two big issues, was including the Sheriff's Patrol in the Charter, the Legislature acted on it, the recommendation. The other recommendation was the County Executive and the Legislature didn't do anything with that recommendation. So I have two questions.

Chris Cunningham said I was not the Chairman when they finalized their recommendations.

Bill Liblick goes on to say right.

Chris Cunningham said I don't remember having a discussion about County Executive. I left the board in 2007 and I believe the Charter Commission didn't finalize itself until the following summer but we did vote on the road patrol and some other recommendations.

Bill Liblick said my question is when you were Chairman and not Chairman, how seriously did you take the recommendations of the Charter Review Commission and why wasn't the suggestion of having the County Executive discussed openly, which I don't think it was and not only was it not discussed but it went nowhere.

Chris Cunningham said I know that when I was still Chair we received recommendations from the Charter Commission at that time. I think we adopted almost everything, including the road patrol.

Bill Liblick said except?

Chris Cunningham said I don't remember getting the Executive, I think that may have happened after I left the Chairman. I don't remember having the discussion. I could be wrong, my memory is not what it used to be. I don't remember that particular discussion coming to us as a recommendation.

Bill Liblick said because it never came out publicly out in the open. It was Shirley. Do you know why (the recommendation did come to you)?

Chris Cunningham said I have no idea. I really don't

Paul Burckard said Chris you have unique prospective that no one else has and that is going from a Legislator to Chairman of the Legislature then going to Commissioner status running an operation of the government. If you can think back about that, once you became the Commissioner and running that operation, did you feel that the form of government, the same form that we have today, did you feel that the form of government was functioning ok with the prospective that you now had as a Commissioner of a very large operation with a big chunk of the budget that the government form was working?

Chris Cunningham said I think it worked pretty well. I worked for a guy, David Fanslau, who I actually hired and we knew each other very well but he was a very direct individual. He had a lot of ideas and he had a long background in government and he knew clearly what he wanted to do. So it might have been difficult for me to transition from being the Chairman and providing direction and working for him but it worked out pretty well. My health issues, obviously, I might still be there if I had a different health situation. So I think it worked very well. I think there was a lot of interaction between him and his Department Heads on a daily bases. As far as his interaction, and he did or didn't interact with the Legislature, again as a Department Head, I was aware of some of that, I was concentrating on the administrative things that I was directed to do and my responsibilities as Commissioner and not being involved so much as to what was going on as far as policy direction. I was getting that from him. This is what the board decided they wanted to do. Here is the direction that we need to go. I would talk to Legislators. Again, getting back to the communication issue, I had no problem. I would only let David know for the most part if a Legislator asked me a question and for the most part he said ok. So do I think it worked, yes.

Paul Burckard said so that prospective changed significantly, and when you look back on it you didn't see a flaw in the form of government.

Chris Cunningham said no, I didn't

Co-Chair JJ Hanson said a question for you and it is kind of a crossover between policy and getting involved with operations that I think very Legislator has but I think that a Chairman specifically, probably the most out of all Legislators and that is the budget process. Through your experience how involved were you early on with the budget. Now, I believe that according to the Charter the Tentative Budget is supposed to be drafted by the Manager, Budget Officer, and then delivered to the Legislature and then

the Legislature considers it. But I know in most cases, many cases, the Legislators get involved early in that process and know where it is going before they actually receive it. It is not like they actually receive it on the 1st of October and boom. Can you talk to that. What was your normal procedure that you utilized and did you think it was good or bad or indifferent?

Chris Cunningham said again, the Charter may say the Manager delivers the Budget October 1st and but if anybody thinks that the board members aren't talking about the budget amongst themselves amongst the staff, talking about it, having a discussion. What does the revenue look like? What things are coming up? People are always concerned about property taxes, things like that so I think there would be that sort of informal interaction. The County Manager coming to the board members and saying what is your sense of what you want to do. What is your sense of what your priorities are? Things like that. We used to have discussion when I was Chairman and even before that, there would be a polling of the board. What are your priorities? What things would you think you want to talk about this coming year, obviously based on finances? How much money do we have to spend? With the budget and kind of where you start, it helps where you end up. You start with how much money you have that will take your discussion one way. Here is all of the things we want to do that can take the budget in another way. You might get to the same place but you might get there in a different way. So are there discussions about the budget between the Legislature and the Manager on an ongoing bases, pretty much all year. The County Manager at one point might say what are you guys comfortable with? Here are some ideas. I am not sure if I answered your question.

Co-Chair JJ Hanson said yes. I am trying to learn.

Chris Cunningham said again it goes to the personalities. I worked for a couple of County Managers that very active and had I ideas and some of them were passive. Some wanted to wait for the board to maybe give them direction. So there is that balance. You may have the rest of the Legislators that want to push the issues. You may have ones that sit back, well the Manager is supposed to give us the budget, let's just wait. There is always that kind of interaction.

Co-Chair JJ Hanson said it is one of the most important things that a Legislature does, is a budget.

Chris Cunningham said you worked in a County Executive form of government.

Co-Chair JJ Hanson said yeah, no one saw it until we released it. That thing was covered, ten locks on the wall.

Bill Liblick said the Department that you ran as a Legislator, Chairman of the Legislature, then working at Family Services, the budget, the burden that Department has on the taxpayers, sitting on both ends and then sitting as Commissioner and then as a Legislator and Chairman, how do you view that budget when so much is mandated?

Chris Cunningham said first off, I would say, I was here for 12 years and until I got to Liberty. I didn't know what I didn't know about how money is spent, the mandates and how complicated things are in the whole human services field in the State and Federal government. So it was a brand new learning

curve in a lot of ways as far as all of the things that belong in Liberty. It is like peeling an onion in a lot of ways. I am sure Joe (Todora- Acting Commissioner of Health and Family Services), he has worked in Community Services for a long time but now he is figuring out Medicaid, Temporary Assistance, Food Stamps and all of the things that go on and the constant stream of administrative directives and new regulations that come down and has to keep up with as far as eligibility. The State has created a very torturous, complicated and very difficult administrative system to help folks in need. It is easily taken advantage of by some people but it is in place to help those that need help. The motto of the Department of Family Services was People Helping People and I think the staff there over time, prior Commissioners and County government, saw that as a necessary thing to help those in need to make sure the people in need where the ones that were getting the help. It is a complicated thing to deal with and there are no easy answers. A lot of it has to do with what the State does. I think people there work very hard to administer the programs as best they can and it is very difficult.

Peg Harrison said can you talk a little bit about Steering Committee and what kind of issues that committee dealt with or what the foresight was for that committee?

Chris Cunningham said Steering Committee went through a series of incarnations. Actually, I think that one of the recommendations in 2008, might have been a discussion about the Steering Committee and actually putting that in and codifying it. It basically was the leadership. It was a Chairman, Vice Chairman, Majority Leader, Minority Leader and usually the County Manager and the County Attorney, sometimes, we would have a discussion about the agendas and policy issues. The idea was that group would communicate back to various other members and also it was a regular communication between the Legislature and the County Manager. It was informal and it served a useful purpose. It created that environment where people could talk. Nobody was making any decisions or trying to manipulate the process. It was just a once a week, let's talk about what is going on.

Bruce Ferguson said were those public meetings?

Chris Cunningham said no, not that they couldn't have been. I don't know if much of what went on in Steering couldn't have but they usually had them in the Chairman's office. I want to emphasize, no decisions ever got made, in my opinion, no decisions ever got made except for around this table and Steering was just a discussion. The leadership in other bodies met and discusses informally.

Bill Liblick said if you meet behind closed doors, you know where people are going with that, obviously, you have to make decisions in public but discussions and negotiations and politics that are involved.

Chris Cunningham said I don't think there was any negotiations or politics discussed.

Bill Liblick said when you had met behind closed doors, there was nothing politic going on.

Chris Cunningham said something that wasn't audible - behind closed doors.

Bill Liblick said Steering was open to the public.

Chris Cunningham said no, but it wasn't a formal committee.

Bruce Ferguson said what about the Open Meetings Law, with four Legislators.

Chris Cunningham said we didn't meet with a majority of the board.

Chris Cunningham said the prior Charter Revision must have thought it was something worthwhile because they recommended that they meet. I am a proponent of openness and transparency and I think some points, you elect leaders of boards, you have a Chairman, a Vice Chairman, you have leadership, and you have a venue to follow. I think if you don't do it one way, they are going to find a way to do it.

Bill Liblick said do you support a County Executive?

Chris Cunningham said at this point, I am not a fan of County Executive. As I said before, I think any form of government will work if people are committed to it. I don't think this form of government has been around long enough that you would want to upset it with a County Executive. I think communication would change radically between administrative and legislative, if you had County Executive.

Bill Liblick said what about leadership role?

Chris Cunningham said I think that you would see the Legislature become less and less relevant.

Bill Liblick said do you think there would be a leader in Sullivan County?

Chris Cunningham said I think that a Chairman with board that works together, with a clear set of policy goals, in my opinion, that leader can lead the County.

Bill Liblick said do you think we have that now?

Chris Cunningham said I think every board is different and I think that the current leadership is doing the best that they can.

Paul Burckard said the Charter requires the County to meet with the Supervisors and I think you said you tried to do that.

Chris Cunningham said no, the Charter doesn't require it but I think that is something that was discussed. We had what we called the Council of Governments, it was a discussion group to bring the Town Supervisors and Village government to talk about issues. It met for a while, again, if there is a commitment to doing it, it will work.

Legislator Edwards said how did you set a Legislative agenda, like for the year, we are going to work on these three issues?

Chris Cunningham said ask people what their priorities were and try to come to a consensus.

Legislator Edwards said so when the consensus was reached, were those agendas, whether it was the Solid Waste Facility or the Jail, those big ticket items, once you set the Legislative agenda for that year or two years, then were there a series of resolutions either to push that agenda forward or keep it?

Chris Cunningham said again, if the Legislature has made a commitment, hopefully there has been a consensus between all nine that these are the things that we think are important going forward. Then it is up to the leadership then to make sure that you keep discussing them. Does that mean that things aren't go to pop up, that are going to take you in another directions? No, but at the end of four years when you look back, we actually did this, we did that and we said we would do this but we got off the track but we are going to try to do it this time. It goes to the folks and the people in the commitment to go with consensus, to work together for your leadership, the management and keep the communication going.

Co-Chair JJ Hanson thanked Chris Cunningham for his input and introduced Leni Binder.

Leni Binder said I have to tell you it is great to follow Chris. When the Legislature started, Chris and I were probably diametrically opposed as two Democrats can be. He was conservative and I was the most liberal person on this Legislature. It is interesting now, it is probably the reverse. I have become more conservative and he is what you call liberal. I agree with everything he said except maybe a little bit at the end, on the issue with the Exec. I am not going to talk about that because you may ask me. Chris and I both went on to do Master's Degrees at Marist and he just gave you in his speech a three minute summary of the first session and that is why you get the administrative from both of us. I will just start out by saying if you look at what is going on in government today, distrust on the federal level, on the state level, the issue of all of the test going on and the education, so I am going to start with a wonderful quote in light of that. It was the best of times, it was the worst of times and I think I can truly say that about my time in the Legislature. That was a quote about the French Revolution. We used to have to study those quotes because we had standardize tests for Regents and you had to be able to recognize 50 quotes when they gave you those multiple choice questions. So we are still at the same place with that. I am Leni Binder, if you don't know. I Chaired just before Chris. I came in and Chaired and I said at the time I was not running for the Chair again. I would finish out Rusty's (Pomeroy) term, when he went to law school and took another job. In fact, circumstances change but that is what I was going to do. I came in on the issue of gaming. We were dealing with Indian Gaming. So when you talk about do we have issues, do we have agendas, yes. One point of view, the reason you didn't run into trouble with the Open Meetings Law was your Majority Leader was also your Vice Chair or something, so you really didn't have four Legislators, you had your three. When I was Chair, if somebody was absent, I would always bring in a different Legislator so they could see what was going on. The kind of things that we discussed that were more private, weren't private, they were confidential. If you had a contract coming up or if you were talking about an employee, you were doing a certain thing, and the information had to get back to the individual Legislators or about a priority, you vote on it here (Committee Room), but there had to be some way of letting you know about the issue. It just didn't make sense to have a County Manager go around nine times, to nine different people, which was the original reason for a caucus. It was never supposed to be political and it did become so. I am not going to get into that. I think one of the things that I am hearing with this Charter and everything you are talking about is the difference

between government and governance. It is true, government is one thing, governance is how we do it. You have your County Manager, you have a County Exec and so on. You can't take the people out of that, you cannot. The people are going to come in. You never had a Legislator or any part of this government that didn't want it to be the best government it was. That didn't want to do right by all the people, although, some of the people you could not do right by. If you weren't paving their roads, it was just no issue about it. They didn't want to hear about dollars and the fact that the neighbors road was getting paved. They didn't want to hear about certain things. When I was there, we would meet with the Towns and in fact, even after when we met with the Board of Supervisors, the Supervisors had their own meetings, once a month and I believe they had all of the Legislators come to them. They met in this room, once a month. John LeGrici was the Chair and pushed it over to Daniel Strum when he left but I know Kathy (LaBuda), Sam (Yasgur), and I were at them, Ira (Cohen) came to a lot of them. We attended them to make sure there weren't issues and we could discuss but the Towns had different issues and it became very political. Whereas the big Towns loved the weighted voting, small Towns love the Legislature so that is where you are with those issues. But anyway, I made a few notes, one of the things that I think is an example of what we don't do well. It is a far out thing but it tells the story. At the end of the first term of the Legislature, we took a group picture of the Legislators, it is in the back of the room. We were going to do that every four years. There should have been a commemoration of each group of Legislators. It probably should have been taken on day one. There is one picture of the first group of the Legislature. Now, whose job was that. Was that the Clerk's job? Should that have been the County Manager's job? Should the Chair have said at the back of the book, January 1st group picture? Who is responsibility was that? You write a list of things that go forward. When I left the Chair, I left stuff in there. Things that had to be done. Things that I inherited and I know Chris has the same thing. So, I don't mean that to be a metaphor for government. It is an example of the kind of things that would frustrate us. We always knew about the issues. We knew every year we were going to have an issue with the college, and the money. We knew the law was one third State, one third County and one third college. The State never gave its third and the college came back to us each year, can we make up the deficit. Not that we didn't want to but because we couldn't. Accountability, one of my frustrations, I am an elected official in Woodridge. I am Deputy Mayor and Trustee there and I am probably the only one that went on to run. The good thing about my Village election is, we don't run on party lines, which is the only reason I did it. So, you have a little purer form of government. People came to your house, knock on your door and really complain. One of the things that we didn't do here is follow through with that. Kathy, sees her constituents, Chris did, I did and some of the other Legislators, people say they never saw their Legislators. It was the choice of the government. If they got re-elected that was fine. People had different ways of governing. They had different things when they came here and you are never going to change that. The question is do you trust the people to pick who they want? Do they get what they deserve? Do they necessarily get the best government? That also would be the same question I would give you on a County test. People get elected by the people. Look at the Federal government. Look at the State. You think they have overcome some of the questions we have. I don't see New York State running any better. I think the issues with the Federal government, no matter what you do, when you get here it becomes political. Not Democrat verses Republican, political that may be part of it but it is not so much party lines, especially at this level. It becomes the issues and the power struggle. You ask why we never backed the County Exec, I am going to tell you why it wasn't allowed to

get on. Someone asked why? Leni said because not enough people wanted it on the table and the answer was, if the people want it, they can do a petition, get enough signatures and demand that it be put on the ballot. That was the answer. What I see frustrating from my point of view is the accountability. It is the constant repetition of everything we did for 16 years and it seems nothing gets done. I dug out a lot of newspapers including our first agenda from 1996. We talked about accountability from agencies. There is a big article of me going head to head with the CACHE agency and getting rid of the Director who was running the CACHE agency, working full-time somewhere else and running another agency. We got rid of him. We got the accountability. It seems every new group comes in, they don't trust what the other group did. They want to re-invent the wheel. I made one comment since I have been out of government. I sent someone an email, they were going to do another study on gaming. I wrote to them and said go into the Planning Board, on the middle shelf there is a study on gaming. Don't spend \$35,000. For \$5,000 you can get the last few years updated. It might have been Indian gaming. It made no difference, the statistics were there. As a constituent who helps pay for government, my frustration is the fact that nothing gets done. The Jail, the studies were done. We knew about the costs. We had already started. I was sitting up in Albany, Kathy was at that meeting. I went to a meeting and we found out some things we didn't like about the Jail. We met, with the County Manager and the County Attorney, we brought that company in and changed the first structure of the Jail then and there. Kathy and I were the only ones who were not in favor of that company when it started. So there has always been issues but if you don't go on and go forward and you always keep going back to day one, you are not going to get anywhere. And that I think is my frustration and I don't know how you change that in the Charter. How many times most you vote on the same issues before it goes forward? Do you have ten votes on the Jail? Do you have twenty bond issues? Do you have six votes on the college each year? Then do you go and put more money in? I don't know the answer to that. If you ask me one fallacy of government that would be it. I don't know if it would be the leadership or the Manager, whoever is in charge. I don't know if it is the Chair's role, the majority, or the minority leader, if it is all of the above. To me that is biggest deficit, I see in government. Someone said but you don't do anything. Leni said you do a lot, but the perception is all this stuff you do, running government, it falls into a big box and the piece of towel is hanging out the side of the box and when the company comes in that dirty towel is all that they see. You might ask if the people have more faith in government now or not, I don't think so. I think that is your reflection on the Federal government, the State government and the annoyance of things, the cost of the Jail, the cost of this, all of the above. I think the people are frustrated. I know, like Chris says, I don't think a change in government is going to fix that or make a difference. I think it is just the climate today with what is going on the economy, the environment, and all of the above. I can tell you from my own point of view. I had a little motto, over my desk, it was a great little card and it said "some of my best mistakes have not yet been made".

Co-Chair JJ Hanson said that was an awesome start. I hope that we don't become considered the towel at the end of this process. With that we will turn it over to questions for you.

Paul Burckard said Leni, you and I have spent an awful lot of time at NYSAC over the years.

Leni Binder said my mentor, he taught me everything I know about Real Property, GIS, everything. We came in very naive. He (Paul Burckard) took us aside one by one. This is what you must know. It is not political. It is the future of the County. One of the best teachers we have had. I worked with Joe (Tadora) before government. I came in as an advocate. I was an advocate because my daughter is developmentally disabled and I came in as a advocate knowing nothing about government. I had a Social Studies degree. I was a teacher. That does not tell you about running government. I ran corporations and that does not tell you about government. I worked with Joe on a committee. Number one, I would like to say you were such a little pistola. You were a young kid, just out of college, knew nothing and it was a pleasure to see you mature. Now, you can't ask me nasty questions.

Paul Burckard said what I want to ask you is prospective. You and I, for years were very active in NYSAC. We have seen various forms of government, functioning and not functioning. Now, that you have been out of County government for awhile, you have the ability of looking back at it. As you look back, think about this form of government. Do you see in retrospect this form of government having a significant flaw? Or do you think this form of government, the general picture, is the form of government for this County at this point in time, do you think it something else we should be going on to as you look back at it and think about it?

Leni Binder said that is a sophist question. I mean it touches an anomaly. I think Chris agrees with me. It is the people who are running the government that make the difference. I don't care what government you have. If you have dysfunctional people, if your Legislators and your Chair are going to be at odds with your Manager, if they are going to try to show that they are more powerful than the Manager and keep that hammer over his or her head, so they feel stronger, it doesn't make a difference who is there. That is one reason to use as an excuse to have a County Exec who is independently elected. One of the answers against that is a minimum of extra million dollars a year for a County Exec. I'll give you four sentences with the money. I am not giving you budgets. I am just telling you. You have a County Executive, he gets a salary. We will also still have a board Chair. County Exec has his attorney who gets a salary. Legislature has an attorney who gets a salary. County Exec also has his own staff and an accountant and financial advisors. Legislators still has theirs and it goes on and on. You total those numbers up with benefits and so on, you reach over a million dollars. So it is not simply one or the other. Can you guarantee who you are getting? You can't. I am very impressed with the Executive in Ulster County. I actually did my Master's Degree with the Executive in Orange County. I see leadership in both. It is not my place here to say which will be a little better. Up Albany we saw lots of leadership. We some of the best. We saw Supervisors who were superior. When we were working on the Indian gaming issue, we saw Counties that were decimated by Indian gaming, Madison County and some of those Counties. As their leadership was amazing, they went to bat for their people in an no win situation. They were strong and determined, very impressed by these people and yet it didn't make difference.

Co-Chair JJ Hanson said just to be clear on it. Are you saying you would be against shift by the Charter to a form of government that would be a County Exec form of government.

Leni Binder said no, I am not for or against. I don't know because I can't guarantee who is going to be there and that is the issue you had. When we voted for the Charter, we as a County, I had no idea of being a Legislator then. I don't know about it. I came to the Board of Supervisors to most of their meetings as an advocate largely for the Human Service Program. So when this started it was voted on by the people. They never voted on what the districts were, where they were or how they were going. After the Charter was voted on carte blank, they gave you a blank piece of paper, they hired somebody from Cornell or something, Gerry Benjamin was also on that. Paul Burckard said no. Leni Binder goes on to say they waited until after the decision was made, then they decided where the districts would be. When I first ran, the ballots were already printed. I did even know what my district number was because Neversink went into court. They didn't want to be divided with part of Fallsburg. Fallsburg didn't want three different districts in it, with Hurleyville carved out. The way it was done, it was not done well. I don't know if there is reminisce of that in the government today. When I talk about the Legislators, the first rebellion in this Legislature, Chris, was not political. It was Chris, Kurlander and Richard Levine, two Democrats and a Republican. They had different issues. They were probably more concerned at that time and they would go do their own caucus' sort of like the State, where they have a separate group of people. You are not guarantee by party or by leadership, a uniform answer.

Bill Liblick said let me ask this question. You started out as a Democrat and you are talking about politics in the Legislature. You started out as a Democrat and then at the end of the day you became a Republican and Chair.

Leni Binder said yes.

Bill Liblick said so how political, when we are dealing with the Charter, how political is this to the Legislature.

Leni Binder said this one, I am not here on the Legislature.

Bill Liblick said no, no, no, the Legislature in general.

Leni Binder said it wasn't Democrat verses Republican political.

Bill Liblick said but you did change parties?

Leni said yes I did, and I changed again. I am a registered Conservative so you can't go by that.

Bill said when you were a Democrat, you then became a Republican and then the Chair.

Leni said yes, but that was separate. The reason I left the party and you know the people involved, in fact there was an article about an elected official who threaten to de-elect me. There were some particular issues. But at that point I said it was the gaming issue that focused it. I took the Chair simply as the compromise candidate on gaming. I say it categorically. I said it then. It was my goal to put some good government in. I ask you for one other thing. I brought this to show, about the changes in government and how it works. This is from the Record in 2003, it says Village considers Jewish boundary. I grew up in government that separated Church and State. Why would I as an elected official

have to deal with the religious issue and yet in my Village and throughout the Towns around the issue of the eruv, which is the stream that goes around so that the Orthodox Jews can carry certain items on the Shabbat, is now an issue that is voted upon by the politicians. So does that go into your Charter? How do your Legislators do that if their Supervisor comes to them, do you say all religious things should be approved. We never talked about religion in government. What I am trying to say is you change in prospective the change and what is required of you.

Co-Chair JJ Hanson said policy change. Leni said absolutely.

Bill Liblick said what about gaming, the casinos come in and you wrote your thesis on gaming. Leni was a big speaker at a Statewide Convention with gaming.

Leni said it was set up.

Bill said, yep, she said it right from the start for casinos, what was happening. This was before this round happened. How do you feel the impact is going to affect Sullivan County and with the recommendations of the Charter.

Leni Binder said I had once stated that I felt that when we got a casino we might need the County Executive. Because I thought the amount of the administration work in dealing with the casino issue would be so vicious, so heavy, so involved that the County Manager playing politics and working with the Legislature would be overwhelmed by it. If he concentrated on the gaming issue would he lose the Legislature. So I think there is a validity to that too. So do you start another committee and have it for gaming. You can carry that to the extreme. The Indian gaming issue was completely different. Remember we had compacts, we did have control. It is nothing like the casinos that is government regulated. So some of those issues may go away. But I don't think by basic impact that I stated about ten years ago, I don't think that has changed at all. I never looked at the casino to be a savior. I never looked at it as changing everything. I didn't think that the people who came to the casino wanted into the community. Never thought that, Indian or regular casino. I didn't think that they would hire everyone because I knew we didn't have that kind work force here. Half of them couldn't pass the security test. They either have drug or they have background criminal records. They couldn't go near a casino. I was not afraid of crime and so on because casinos have some of the best security I have ever seen. They have eye recognition. They have eyes in the sky and so on. If you have a family member who has gaming problems, you can have them kicked out of the casino. If you really want to gamble, go Stewards and buy all of the lotto tickets you want. Go into anyplace and you can do lotto every few minutes. You can take your welfare check because a lot of them will cash it. I didn't really think some of the negatives were there. I wasn't afraid of sin. I wasn't afraid of those issues. I think it is up to you, how you raise your children and the morality issue. Government can't go in and say we can't have a casino because I am afraid your kids want to go in and..... that is not our job. So those weren't the issues but I did feel the school teacher who might be off for the summer could get a job as a cashier for a few hours a day. She would be the one who would buy a new car that is the way that I saw the growth in the County coming. Not huge, I didn't think we could handle huge growth. The other thing that I definitely saw, was a growth issue, it would be quiet and it would be much slower. We were concerned

about issues, about school systems. We did the impact. I didn't see great, great, impact. From my prospective, I think the biggest issue that you have to deal with that no one is dealing with is Social Service, or an education as your influx of the community that is coming in now, your Orthodox community. Everyone says they don't use our schools. They don't use our system but as year round residents they do use more and more of our services and nobody has really discussed it. That is not good, bad, or indifferent, that is a reality. We have three new cultures coming into this County and all of the Counties. Sort of never been a topic, never been discussed publicly. It only comes to the surface when you have an issue like Ideal Snacks. If you really wanted to help your immigrants, you wouldn't try to get rid of the one company that hires them and gives them food to put on the table. You and your union and your people would go in with them and help them fill out the forms to get their legitimate status and let them keep their jobs if that was really the issue. Because now you feel very good, you have gotten them out of this horrible situation and now they have no jobs. So now there choice is to go back to the car wash and the chicken plant. I don't see where we have accomplished anything. I don't know if it is the role of government but I think somehow between our Social Service and Planning and our Economic Development we should have been in there and part of that work with the Supervisor.

Co-Chair JJ Hanson said any last questions? We thank you very much for a very passionate speech. We appreciate it.

Co-Chair JJ Hanson said do we have any public comments?

Legislator Kathleen LaBuda said as far as term limits, down on Long Island, Suffolk County, they have term limits. It is three, four year terms. I have been here for sixteen years and if I am lucky enough to get re-elected this year, I will be here for twenty years. But having said that the Legislature did discuss term limits. First of all, it must be brought up for a public referendum and you cannot discriminate. It cannot be just the Legislator, it has to be the DA, the Sheriff, the Treasurer, and the County Clerk all of the elected officials, Countywide. It does have to go to public referendum.

Bill Liblick said I think Mrs. LaBuda being on sixteen years should come before us.

Legislator Kathleen LaBuda said how do you know that I am not.

Bill Liblick said no, no, no, I am just saying

Co-Chair JJ Hanson said we offered the opportunity to all of the Legislators on the last round and we said if they couldn't make it, they could make it later on in the process.

Legislator Benson said the base point was the public should decide.

Bill Liblick said we already discussed the term limits or something that has to go before everything to be a referendum, whatever we recommend.

Joe Todora, Acting Commissioner of Health and Family Services said I have a slight comment because I will be back here next month. I have been doing this for twenty-nine years now, so you are talking about structure and you are trying to put some fail safes on things and as Steve Acquiro said when he

was here. There are all different forms of government. They all work or they don't but they all have flaws. The issue really is about getting good people in good places. Hopefully, that is the reason I am still here for twenty-five years. I have been a good person and I have always viewed what I do as being a public servant, not just for the people who come through the door that I provide services to but mostly to my community. I think that is part of the stuff that you can't legislate. I don't care what you write. I don't care what rules you put in place necessarily. If you don't have good people and are able to hold on to those good people to perform all of the jobs, and I mean Legislators too, then you have got a problem. You have a problem in government. By the way, the other truth is, whenever there is a closed door, there is going to be somebody going, there is some shenanigans going on back there. Most of my experience has been not a lot of shenanigans going on back there. As a matter of fact, when I came into my current role, people were uncomfortable because I left my front door open. I can see what is going on at the front counter and staff were surprised that the door was open. It is because we all need to know what is kind of going on and I need to be somewhat available. If I have something that is a personnel issue or a policy issue that I am struggling with or ever a client issue then you close the door. That is my experience of closed doors. Most people close the doors because of those issues. So that is the one thing that I wanted to share with you. The other thing from an employee prospective, and you know this, is that with a County Executive form of government, when the County Executive form of government comes in, every Department Head and Commissioner gives them their letter of resignation and they do one of two things. They either regretfully accept it or they tear it up and throw it in the circular file. That is also something you have to think about because then you have a great pool of blood and brains.

Bill Liblick said but do you do that also when a new Legislature comes in and say everyone from the boards like the IDA?

Joe Todora said if it is a board appointment, perhaps. If it is Department Heads and Commissioners not necessarily.

Co-Chair JJ Hanson said that comment, when I was in the Governor's office, I had to submit my resignation. I choose to leave before the new Governor came in. However, on a County Executive level, where I worked, that did not take place and that County Executive did not do that. I also believe that could probably be if this commission chose that we want to review a County Executive and then this commission said we want to go with a County Executive that could be something that could be accounted for within that Charter. There are other Counties where that does happen. I think Suffolk, Nassau County, the larger Counties do that.

Paul Burckard said we have an aggressive schedule that is already set up. We are going to try to do a lot of things all at the same time. We wanted our County Manager to come and speak to us with his prospective and also an opportunity to ask him questions. Secondly, we needed to go through the Code because the 43 page Code is what actually makes the government run. The 17 page Charter sits on top of that but the Code is the mechanics that makes this place actually function. So I asked Josh if he would do both and he has agreed to do that. He is going to come in and use the time to not only give us his prospective on it but also to walk us through the Code and then use that as a means of explaining how

the government actually runs. I think it is going to work very well for us. Also, there are some technical problems with the Code that he is going to point out. So we have some cleaning up to do with the Charter, which we know and we also have some cleaning up on some technical issues on the Code.

Bill Liblick said can we have some hard copies of the Code?

Paul Burckard said let's ask Ann Marie to run off a set so everyone has it in front of them as Josh walks through it. The County Treasurer is, once Josh is finished, she is going to make a presentation to us. Because the Treasurer Department does much more than I think any of you actually realize as to how this government runs, also the interconnection between the Treasurer and the County Manager with regards to agreement on finances, that money as budgets are built, which is a requirement. It will be tremendously helpful to everybody here. Hopefully, we will have time to finish it properly. I am trying to kill two birds with one stone again with Joe, head of Community Services and head of all of the Social Services, Public Health Nursing, Child Protective Services (CPS) and Adult Care Center, all in one shot. Joe now has the unfortunate circumstance of trying to deal with it all. So we cross off a tremendous amount of the budget and the operations that he oversees at this point. Having him with the County Treasurer, with the County Manager, doing the Code and putting it together, I think is going to give everyone of us a tremendous background to go forward and get it to the other things that we need to do. It is a very aggressive schedule, hopefully we will be able to finish it.

Leni Binder said you don't talk about Supervisors when you talk the Treasurer and the budget. Remember, the County collects the taxes and makes the Towns whole and we are mandated to do that and that is where you might want to throw them in.

Legislator Benson said if you want to take that one step further, you should bring in the school Superintendents because we make them whole as well.

Paul Burckard said I know that is a very aggressive schedule and I am going to ask Joe if it runs too late and we can't finish it all that he could come back and finish. This will give us a tremendous background that this commission needs.

Co-Chair JJ Hanson said two follow up things before we close. I think that is an excellent agenda for our follow-up meeting. Just so everyone knows, the Co-Chairs have discussed it, just to make sure everyone is on board and there is no major objections to how we are handling agendas that we are setting up. Today was supposed to be kind of the, we have been discussing a lot of the issues that have been going on a policy level. So that involves dealing with the Legislators, building more information, learning that. We are now transitioning into more of the operation side of government. How that works? How it operates? Who are the people that are involved in that? That is why the people that are going to come to speak to us, are going to be speaking to us. That may be going on two to three weeks, Paul?

Paul Burckard said I will get done as much as I can and then Nadia will have to pick up with other people, County Clerk, the Sheriff, DA and some other officials that have got to come in. Because here you have elected and appointed people at a very high level and their perspective as to how this government is

actually working. You have to go through that group before you can actually start and figure out, where should we be.

Bill Liblick said then I think we have to get some involvement from outside the government.

Co-Chair JJ Hanson said to learn how it is going in other places, outside of our sphere of influence. So at the conclusion of that period, which could be up to four or five sessions, at the conclusion of that will be where we make the determination as a commission of what are the primary issues that we want to focus on as a commission. To alter the Charter and then move forward with having those issues developed with the ultimate conclusion of that process making the vote on those particular issues. That process will also be a fairly lengthy process and require more research and more insight on each particular issue. So one day we might say today is nothing but re-districting. That is all that we are doing today. That is the purpose of this meeting. So we will be doing that at that point. Just to make sure everyone knew how we were setting this forward.

Paul Burckard said one quick answer to a comment that Leni made. This is the best time to answer it. The reason that when the public vote was done, you didn't know the size and how the Legislative districts were going to be created. The constitution specifically requires one man, one vote. The cost of hiring the company to put that in place prior to the time the public voted, to say we are going to go there, the decision was made.

Leni Binder said I knew the answer to that but that didn't change the fact that you were voting on a blank piece of paper.

Paul Burckard said that is correct. Just a concept in the form of the government.

Motion moved to adjourn, motion moved by Larry Richardson, seconded by Sandra Johnson, the meeting was adjourned at 8.25.

Respectfully submitted,

Terri Waverla

Secretary to the Charter Review Committee