

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Government Operations and Efficiency

DATE: December 8, 2010

TIME: 6:00 P.M.

PLACE: UCOB, Library Conference Room, 6th Floor

LEGISLATORS PRESENT: Chairperson Bernardo, Legislators Madsen, Maio, Petit, Ronk, Shapiro and Zimet

LEGISLATOR EXCUSED: None

OTHERS ATTENDING: Michael Kavanagh, Legislative Counsel; Tom Kadgen, LWV; Patricia Sirc, Shawangunk Journal; Victoria Fabella, Deputy Clerk, Legislature

- The meeting was called to order by Chairperson Bernardo at 6:09 PM.
- The November 3, 2010 Committee Meeting Minutes were approved.

Chairperson Bernardo began the meeting by saying that Legislative Chairman Wadnola had told her on Monday night that he was considering abolishing the Government Operations and Efficiency Committee, but he has since decided not to do so.

Legislator Zimet said as we have all tried to learn our roles in the new form of government, this Committee has tried to put their hands around a lot of issues and has done a lot of good work. She is insulted by the consideration of disbanding the Committee, and is happy the Committee will stay in tact so efforts such as obtaining the mandate information can proceed. Legislator Zimet also pointed out this Committee is the only Committee to create original Legislation and Resolutions.

Tom Kadgen spoke on behalf of the League of Women Voter's saying they were very displeased at the thought of this Committee being disbanded. Not only has this Committee done well, but over the years the Efficiency and Reform Committee has basically been responsible for the first initiative in Ethics, the Charter, Fleet Management, and Contract Management. Therefore, the LWV would be displeased to see this group and such groups in the future be eliminated.

Legislator Ronk stated that he personally called the Chairman and had a conversation about keeping this Committee in tact.

Legislator Zimet said she and the rest of the Gov't Ops. Committee wanted to publically thank the League of Women Voters for taking a stand on the Committee's behalf.

Chairperson Bernardo said that the Government Operations Committee would be taking on the responsibility of the Environment and all respective issues effective January 2011.

- Update: Local Law Pertaining to Large Capital Projects (See Handouts: Draft Local Law; pages 8 - 16 copied from the Recommendations of the Special Committee To Investigate Matters Regarding The Pre-Planning, Planning And Construction Of The Ulster County Law Enforcement Center; Resolution No. 298- September 10, 1987)

Chairperson Bernardo explained the handouts and said Counsel is reviewing the documents. The Special Committee to Draft a Local Law on Capital Projects will then take the next step of inviting the members of the Special Committee to Investigate Matters Regarding The UCLEC to look at the work that has been done to see if it reflects their vision and matches the recommendations they laid out.

After the Local Law is finalized it will be voted on in both the Publics Works Committee & this Committee.

- Mandates: Can we look deeper?

Chairperson Bernardo explained how the mandate information was used in the Ways & Means Budget Appeals Meeting when it was questioned as to whether the Warden's position was mandated. According to the information provided by the Executive per Resolution No. 192, the Warden position is not mandated. However, Legislator Ronk explained the State disagrees and may not accredit our jail if we eliminate the position. Mike Kavanagh will look deeper into this and report back to the Committee next month.

Legislator Zimet believes that it is essential when reporting mandate information that the Department Heads provide input as to whether each mandate is effective or not. She believes having this input would provide leverage so the Legislature can go to the State and lobby to have a mandate repealed or request an exemption from a particular mandate, and take action in an impactful way. Legislator Zimet suggested coordinating through the Executive to have the Department Heads scheduled out over a period of time to come and explain what each mandate really means, how is it implemented, are there ways it can be done better, etc.

Legislator Petit pointed out that in some cases there seems to be a duplication of services and when questioned, the answer is always that we have to do it because it is a mandated service. She has contacted NYSAC and this has been brought up before, but it is a gray area.

Chairperson Bernardo would like all mandates to appear in the budget and be printed in red. She also suggests that they be footnoted, or an appendix added, citing the law the mandate comes from and an explanation of what the mandate is.

Chairperson Bernardo made a motion to have all members of this Committee go back to the Chairmen of the other Standing Committees they serve on and review the mandates that pertain to those Committees. Then, report back to this Committee with any information obtained, as she believes this will help spread the work out so that it is manageable. Seconded by Legislator Shapiro. All in favor, carried.

- Changing the Rules of Legislature re: Resolution Deadline

The Resolution Deadline will be changed for Standing Committees only. The new deadline will now be the Friday after all the Standing Committees have met for their regular monthly meeting.

The Special Committee to Update the Administrative Code has a running list of changes to the Rules of Order and this change has been added to the list. If the Special Committee to Update the Code has not finished their business by the next meeting of the Government Operations Committee, then the new resolution deadline for Standing Committees will be submitted as a stand alone change. Legislative Counsel to draft the Resolution.

- Updates from Legislator Ronk

Legislator Ronk informed the Committee that a new County emergency communications radio system is being purchased. The RFP process is complete and a study is underway examining the needs of the county based on topography, departments, interoperability with other counties, etc. It is estimated that a new system would cost between \$12 and \$23 million. It is therefore imperative that we try to get as much funding as possible for this undertaking. It will fall under our Capital Projects Local Law once that is passed. It is a serious concern, and it's a necessity.

Legislator Ronk also informed the Committee that his resolution requiring two readings on labor contracts has not been brought forward yet, as he is waiting on an opinion from Counsel re: any possible violation of the Taylor Law. His plan is to bring it forward in early 2011.

- Bipartisan Majority/Minority Rooms

Chairperson Bernardo suggested abandoning the titles majority and minority room and making the majority room open for use by all Legislators.

The general consensus of the Committee is that nothing formal needs to be put into place at this time, as all Legislators have been able to work together and utilize the majority room, regardless of party affiliation, when necessary. The Committee will just keep the idea on the back burner and see if any issue or conflict arises in relation to this situation.

- Standing Committee Meeting Minutes

From this point forward, prior to the monthly meeting, this Committee will receive in PDF format all the Standing Committee Meeting Minutes from the previous month. Hard copies will be made available upon request. Chairperson Bernardo believes reading these minutes is an excellent way for Government Ops Committee Members to stay in the know.

- Terms of Office/ Term Limits (See Handout provided by Legislator Petit: *Westchester Legislature Passes Term Limits Bill*)

Chairperson Bernardo thinks a two-year term is too short, as every other year much effort and time is focused on campaigning. She pointed out that new Legislators spend their entire first year learning the procedures and processes. Chairperson Bernardo believes a three or four-year term would be more effective. Chairperson Bernardo would like this issue to be a priority for the Committee in 2011.

Legislator Shapiro said the cost of holding elections is a factor to consider.

General Committee consensus is that four-year terms, with a three term limit is best.

- Which positions should limits apply to?

Counsel believes that the Sheriff, District Attorney and County Clerk are subject to State Election Law. By amending the Charter, the Legislature, County Executive and Comptroller terms can be changed.

Legislator Zimet is in support of limits, but believes this should be subject to referendum. Legislator Shapiro and Legislator Ronk agreed.

Counsel will report back to the Committee as to whether a referendum is required to implement terms of office/term limits. In the meantime, the Committee members will discuss this issue in caucus.

- County Website Policy

Chairperson Bernardo said there is currently no policy for the County website. There are at least 5 different style sheets within the site for different departments. Policy needs to be set to include things like, who is authorized to put things on the website, what things are appropriate for the site, target audience, collection of data, are we collecting e-mail addresses and using them, twitter and facebook accounts, etc.

The Committee discussed creating a site for the Legislature that could be linked to the County website and is more up-to-date in terms of technology. This site would be interactive and informative for the public. Legislator Madsen will work on some prototypes for all Legislators to review.

- New Time Clock System

The Committee agreed to invite someone from the Executive's Office to the next Committee meeting to discuss the system and answer questions.

Legislator Zimet understands that money was already invested in the system, but if it doesn't work properly and the County needs to keep throwing money at it to fix it, and at the end of the day it doesn't serve its intended purpose, she doesn't want to keep throwing good money after bad.

Chairperson Bernardo and Legislator Zimet will compile a list of questions to be answered by the Exec's office and that office can opt to answer the questions in writing or attend the next Committee meeting.

- New Environmental Responsibilities

Legislator Petit is the Cochairman of the Environmental subcommittee which will meet on December 20th at 5:30. Legislator Petit invited the Government Ops Committee Members to attend the meeting on the 20th to become aware of the current environmental issues being addressed.

Legislator Ronk informed the Committee that the next meeting of the RRA Board is on December 13th. Attending would be a good way to get up to speed on the RRA and give the Committee an opportunity to become familiar with the Board Members. The Legislative Clerk's Office will arrange a tour of the facility during operating hours. Committee Members should review all of the minutes from the Governmental

Services Committee, who the RRA has been reporting to. Legislator Ronk will speak with Leadership re: new RRA Board appointments so this Committee can get familiar with these individuals and their qualifications. Chairperson Bernardo agreed that attending these meetings was a good way to prepare for the Committee's new responsibilities, but as to not overstep boundaries, the Committee would not take any additional action until January 2011.

- Deputy Chair Zimet: Policy vs. Operations

Legislator Zimet believes since the Charter form of government has gone into place the Legislature as a whole has not found their role/footing, or has operated as an independent strong Legislature. There is lack of understanding as to what policy is and the Legislature as a whole does not know how to move forward to create policy. In thinking of how she can help empower the Legislature to understand their role, Legislator Zimet would like to visit other Counties, Execs and Legislatures, who have dealt with this structure for a while and see if there is any helpful information that can be obtained.

Chairperson Bernardo and Legislator Zimet will set up these meetings and let the Committee know the details so other Committee Members can attend if they wish.

- Motion to Adjourn:

The meeting was adjourned at 8:22 P.M. with a motion by Legislator Madsen, Seconded by Legislator Ronk, with all in favor, Carried.

Respectfully Submitted,

Terry Bernardo/vf
Chairperson, Government Operations and Efficiency Committee