



Sullivan County Charter Revision Commission Meeting

November 16, 2016 at 6:00 PM

Present: Steve Altman, Paul Burckard, Bruce Ferguson, Sandra Johnson Fields, J.J. Hanson, Peg Harrison, Michael Levinson, Bill Liblick, Brian McPhillips, Larry Richardson, Ken Walter

Absent: Norman Sutherland, Sara Sprague (entered at 6:05pm)

Others Present: William Rieber, Dan Hust, Nancy Buck, Amanda Loviza-Vickery

The Sullivan County Charter Review Commission Meeting was called to order by Co-Chairperson Larry Richardson at 6:00 pm.

APPROVAL OF MINUTES:

Mr. Altman made a motion to accept and approve the October 19, 2016 minutes, seconded by Mr. Liblick. Put to vote and carried unanimously 11-0.

Ms. Sprague entered the meeting at this point.

SUPERVISOR BILL REIBER'S COMMENTS AND OBSERVATIONS:

Co-Chairperson Richardson introduced Bill Rieber as the Supervisor of the Town of Thompson. The Charter Members then introduced themselves to Mr. Rieber.

Co-Chairperson Richardson stated that he is sure that Mr. Rieber has heard that this Charter group feels that the County would be better served with an elected County Executive. Whatever opinions that Supervisor Rieber has the Charter would love to hear about them. With Thompson being the largest town, he is assuming that Supervisor Rieber interacts quite a bit with the County government in different ways. He would like to know if Supervisor Rieber has any suggestions about how that interaction can be improved or recommendations for the Charter.

Supervisor Rieber stated that his gut reaction is that a County Executive form of government is the way to go. He knows that there are arguments against it which revolve around money and staffing and alike. To him that is a nonissue, the county has a \$200 million-dollar budget, you get someone in there who can do the job, staff it and give them the tools to work with to do the job, his gut is that is the way to go. He has a lot of interaction with Luis Alvarez and before that Scott Samuelson. Luis is as tight as he is, he does not know what he makes but he is sure it is a heck of a lot less than what he makes as a Town Supervisor, you have to be everywhere and be everything to everybody. He thinks it is a little much to ask a part-time Legislator to do the work of a full-time County Executive so to speak. Most of Supervisor Rieber's interactions are with Chairman Alvarez, who

is a gentleman, zero problems with him but he has an awful lot on his plate. Aside from that he thinks that the County would be well served by an elected County Official, countywide at the pleasure of the electorate. He does a little bit of work with Mike Hein and Steve Neuhaus, these guys are movers and shakers and they are elected in their own right and they have to worry about their job, it come up every four years. They campaign and do their work, Mark Molinaro, Mike Hein and Steve Neuhaus, they are moving Dutchess, Orange and Ulster Counties in a good direction. There is a lot of growth there, the same kind of growth that they are going to see in this county very, very fast. They see it in Thompson now with the projects that they have, to ramp up that kind of growth, they need people that are going to be 100% committed to what they have to do. You need a guy who is all in.

Mr. Burckard stated that as Supervisor Rieber sees what is coming or what he is already aware of or heard about for a possibility for the Town of Thompson, setting roads aside, he inquired if they think that they have in the ground between Thompson, Liberty and Fallsburg the infrastructure needed to handle it in water and sewer systems alone.

Supervisor Rieber stated no, not by any stretch. They can handle what they have on the drawing boards now and probably five years down the road in the center of the town, the Kiamesha sewer district. It is only a 2 million gallon a day plant so they are very careful about what they have left there. There is a commitment to the Montreign/EPR project to put a 760,000-gallon reserve. They settled a long-term issue with Cappelli within the first few months of him coming on board. Cappelli actually had control of about a million gallons a day on that sewer plant unconditionally and only owned 140 acres of land to use it on so it was impossible to use the amount of sewer he had, he had 100% veto power and control over it and they negotiated that back to a 300,000 gallon a day commitment. That would have been about a \$20 million-dollar expense that they would be involved in building right now if they had not renegotiated that agreement. That freed up a lot of the sewer capacity in the core business area and the EPR project. He has about 600-700,000 gallons free for other areas in the Kiamesha sewer district on top of Adelaar is committed to take and on top of the reserve for Cappelli, which he only settled for a five-year agreement.

Mr. Liblick inquired when Supervisor Rieber deals on the Town of Thompson level and the developments that they have now, obviously, they are looking at a County Executive as opposed to the current structure of a County Manager. County Executive would be elected by all the people of Sullivan County and would be more of a leader. The County Manager right now is the CEO that reports to the Legislature and is supposed to be running the County. So, when you have an issue that deals with the Town of Thompson and the developments, he inquired who Supervisor Rieber relies on, the Chairman of the Legislature, the Legislators or the County Manager? Who is the key person that Supervisor Rieber looks at as running the government? Not that the way that it should be structured black and white because the Charter knows that it should be the County Manager.

Supervisor Rieber stated that the first thing that he does in his administration is bring everyone in the same room, there are 14-16 individuals today for about 2 ½ hour conference about the water park, the daycare center and the golf course restructuring at the EPR property. No one leaves until they resolve the issues. Every month he has meetings with their department heads, engineers and attorneys and go over every single project that will be in their town. As far as the County is concerned, he knows Joshua Potosek well and he knows his two Legislators well and he knows Chairman Alvarez, he will go to the best person he thinks can answer the question and deal with it. When it came to getting rid of a culvert pipe that was on 17 by the Sullivan Diagnostic Treatment Center, he had a lot of calls into DPW and he knows that they are over worked but one

phone call to Luis Alvarez and he told him it would be gone by noon, and that was something that he had been trying to get done for over a year. If it is a financial issue, he picks up the phone and calls the County Manager.

Mr. Liblick inquired if Supervisor Rieber felt that the top would be better served for their purposes of having an elected County Executive than having the Manager.

Supervisor Rieber asked Mr. Liblick if he went to a County Executive form of government, what would they do with the Manager's position?

Mr. Liblick stated that it would either be eliminated or the County Executive would hire a person.

Supervisor Rieber stated call him what you want but you need a Josh Potossek there with whatever title you want to give him. He does not need an Executive, he is a nuts and bolts guy, he drills down through budgets and falls asleep reading spreadsheets just because that is what he does. He does not know that they need an Executive driven in that type of way. Let someone else do the numbers but he has to be smart enough to know what the numbers mean. He had a brain storm this morning driving into work and as soon as he got to the office he called everyone in the office pulled out a map and laid it down and said take this area right here, we need to find something, (the old 17 area before 106) what can fit there that can fit in with the casino and the growth and the resort oriented economy and let us make it happen.

Mr. Liblick stated that they if they had a County Executive they would still have personnel there that would be experts in whatever field they are hiring them for. The question is about leadership; they have discussed Albany and if Albany takes County Executive seriously as opposed to a County Manager.

Supervisor Rieber stated an Executive 100%.

Mr. Liblick inquired how Supervisor Rieber would sell a County Executive to the Legislature to put it up for vote to go to a referendum if he was in the Charter Commission's shoes. They are confronted right now with the County that is trying to rush them through a report and possible take them and shelve them and they would like some more time.

Co-Chairperson Richardson stated that he just wants to clarify that because Mr. Liblick sent a clear message and he also spoke with Chairman Alvarez last week and the Legislature is not looking to apply that pressure.

Mr. Liblick stated right, they are amendable to that, he then inquired how Supervisor Rieber would sell that to the Legislature. When they are asking the Legislature to change the form of government, in the Legislature's minds they will have less power.

Supervisor Rieber stated that he would not read what is in the Legislature's minds, the Commission should make a presentation of what they feel is an appropriate form of government. Supervisor Rieber thinks that it makes a lot of sense, he thinks that the populous is going to look at it and say they have one guy, if he is Joe Blow on Red Hill Road in Summitville, he does not know who Josh Potossek is from Adam and Eve, he is going to call the Executive. Hopefully, he will get a secretary because that is how you really get it done. He continued by stating that he thinks that the general populous would be highly acceptable.

Mr. Liblick stated that his point of view is to bring it to the public to vote, debate the issue and let the public decide with a referendum, do they want it or not want it.

Mr. Burckard stated that they have a County Executive that has the capacity to look down on the County as a whole from an airplane view, connected all together, it is not just Thompson it is everywhere else you have to hook everything together to get it done whether it is that or roads, importantly something that everyone forgets about, power. When he was a director here, he was on the New York State Gas and Electric all the time, they want to know years in advance what are the estimates of what they are going to need for power. You have to have a much bigger peripheral view.

Supervisor Rieber stated that the problem is that they are a little microcosm here and if you are from anywhere else in the world you could care less, they just do not matter. The digital world is instant gratification and communication. The world does not care but they will know that they have a County Executive. If you ask anyone in Orange County who the County Executive is and they will tell you Steve Neuhaus. They really get the attention and they need to get the playing field higher. County Executives are County Executives it really does not matter how big the county is, he is the County Executive and you are going to stand on a level playing field. Too many times he goes to the Pattern round tables and you have all the different Executives from surrounding counties and then you go to Luis Alvarez the Chairman of the Legislature. He is a great guy and he has the heart of the County and he has a great deal of respect for him but he thinks that the County needs this extra position. With the staffing, he is sure that it will be a \$300-400,000 expense for the County annually, he cannot imagine it would be less than that.

Mr. Ferguson stated that the Ulster County example, they actually saved money because they broke through some of the inefficiencies and deadlocks and had a tremendous reduction of employees through attrition only and they also reduced property taxes when they went to Executive.

Supervisor Rieber then discussed how he changed some efficiencies at the Town of Thompson when he first took office. He then stated that the county needs a guy with a vision and then they have to give him the tools and the staff to do it, staffing is critical.

Ms. Harrison stated that one of the concerns that came up was that there would be a concentration of a certain population that would be able to vote in who they want in because of the concentration in Thompson, Fallsburg and Mamakating. She then inquired if Supervisor Rieber thinks by increasing the number of districts thereby reducing the size of the districts, increasing the number of Legislators would they then have more response from the Legislators because they would know their district better. Similar to what Mamakating did with the wards, voting but do it with a Legislative body.

Supervisor Rieber stated no he does not think so. With nine people trying to run this county with 70 thousand people in this county is enough. He stated that he has only seen his Legislative representative a few times at a board meeting in the three years he has been Supervisor and the 29 years before that when he was a town councilman he could count on two sets of hands how many times he saw a Legislator at a town board meeting.

Co-Chairperson Richardson stated that really is not going to change. It depends on who the Legislator is and how he wants to approach his job.

Ms. Harrison stated that there is something to be said that there are three towns that elect county-wide positions.

Supervisor Rieber stated that he does not think so because all the elected county officials, District Attorney, County Judge, Treasurer, Sheriff all live in different towns around the County.

Ms. Harrison stated that is really not a fair comment, there are three towns that vote in a county-wide election.

Mr. Liblick stated that most of the county-wide officials are Republican and they are voted in by heavily Democratic towns, so if that were the case if you really add up the number of registered people in certain areas it would be that only Democrats would win county-wide.

Co-Chairperson Richardson stated that they are getting off track.

The Commission then asked Supervisor Rieber for an update on the waterpark and he then explained to the Commission how his meeting went regarding the waterpark.

Mr. Walters stated that Fallsburg is a Class 1 Town, they have a Town Manager, he inquired if Supervisor Rieber has a position in his town that no matter who is sitting in his seat there is a person in there that is someone who understands the government needs.

Supervisor Rieber stated that they have a Comptroller, that is it. His secretary is the secretary, bookkeeper and assists him, they need the staff there. He just hired a full-time Deputy Administrator to work under him. Financially their tie is their Comptroller, he is an at will employee and only town auditors are Cooper, Arias.

Co-Chairperson Richardson stated that with the discussion of the County Executive aside, Supervisor Rieber's experience with working with the county, he inquired if there are any suggestions that he would have. Such as inter-department activities or responses or the way it is structured that the Commission might want to look at.

Supervisor Rieber stated that he was in Orange County two weeks ago on a real estate deal and he had the deed and a copy of the subdivision and he finally found where the County Clerk's office is because it is spread out everywhere. He walked in and he was greeted by a young lady that said "how can I help you". He said that he "needed a deed and a map, can she point him in the right direction of where he can look it up", the woman then said "no that is my job, I am happy to be here to help". He sat down and walked out of there within 5 minutes with a copy of the subdivision map and a thank you and have a nice day. He is not saying that we do not do that in other departments but for some departments that are highly in the public's face so to speak. We have someone in the County Clerk's Office every day, he has seen it change over the years, a lot of people walk in and they are lost. It does not hurt to throw someone out there to help the public, the same thing with the County Clerk's office, it is a tough area.

Mr. Ferguson stated that this is something like what the Commission has discussed in the past, when someone comes to do business in Sullivan County there is no go to person. He thinks Mr. Altman stated that there should be a billboard put up, "welcome to Sullivan County, if you are here to do business, list the name and number".

Supervisor Rieber stated that is going to the top but some of the departments could use someone just saying "hi how can I help you". He however did not have the same experience with the building inspector in the same town in Orange County who was far from helpful. They have had their issues in the Town of Thompson over the years, that is why they had many issues with their building department, it was understaffed and a lot of people breaking the rules. The go to mantra was build it and they will pay the fines later, they spent money and hired another building inspector and a Director of Planning and Zoning who is Jimmy Carnell a certified building inspector. He does not get the phone calls anymore; his levies are up a million and a half from last year but the service that the people are getting is a lot better.

Mr. Walter inquired how much of the Town of Thompson's budget is mandated?

Supervisor Rieber stated probably not as much as the County because they do not have social services issues but he does not have a handle on that.

Mr. Walters stated that because of that he is able to spend money where they want to spend it.

Supervisor Rieber stated that he is hamstrung a little bit he has money from the casino revenue right now that he still waiting, there is \$2.5 million dollars sitting in a bank right now, because he still does not have a ruling from the State Comptroller's Office as to what funds he can put it in. The whole issue on casino revenue money is that it is going to help infrastructure and boost the economy and you can build roads. The first thing he was told is that you cannot build roads because they have an A and B fund because they have a Village in their town and the initial report that he is getting is that it is A fund money and you cannot build roads with A fund money. You get caught in a catch 22 with State rules and regulations. They have a couple of sewer and water districts that they have in the town that are impossible for the people to pay for because it costs too much. He is hamstrung by other state rules and regulations like he is required to pay all bills by check, he cannot do electronic transfer, that is a state rule. He can scan all of his court documents into a server based storage system but he still has to index them and keep the original. Can he fight these battles, he can start to fight them, maybe a County Executive could fight those battles because he has 15 towns and 5 villages in this county and maybe they do not need 20 courts, maybe you take five towns and put a district court in and put it on the jail property?

Mr. Ferguson inquired if Supervisor Rieber thinks that they need an incorporated village within the Town of Thompson.

Supervisor Rieber stated that they elected back in the 1800's to become a Village and they can unelect themselves as a village now and that would take care of it. He does not have any power over it but he has 100% responsibility to run the affairs of the village if they decide to dissolve.

Mr. Burckard stated that the Town of Thompson is close to some small counties within this state, if you look way upstate and the way Supervisor Rieber runs it as the Chief Executive is very similar to how a County Executive would run the operation if it is run correctly, his compliments.

Co-Chairperson Richardson thanked Supervisor Rieber for coming to the Commission.

OLD BUSINESS:

Vote on a third Co-Chairperson-

Mr. Ferguson nominated JJ Hanson as the third Co-Chair for the Charter Revision Commission, seconded by Mr. Liblick, put to a vote and carried 12-0.

Mr. Hanson then shared some personal medical information about his cancer coming back and stated that he is actively fighting this cancer. He is hoping that they can get this done quickly and hit their completion and he does not think that this will impact that but before everyone votes he would like everyone to know that it could affect his involvement down the road.

Co-Chairperson Richardson stated that the Commission really does appreciate Mr. Hanson being here and his insider knowledge is extremely important to them as they move forward.

Review of Mr. Ferguson's Draft Presentation and Mr. Hanson's Suggested Changes- (00:44:10-02:10:22)

The Charter Commission then reviewed and discussed the details of Mr. Ferguson's draft presentation as well as the suggested changes by Mr. Hanson along with suggestions and comments from the Charter Revision Commission Members on how the document should be changed and presented. (Please see attached)

Mr. Ferguson suggested that they have a separate document stating the "Role of the County Executive" for the Legislature to see that they are not losing any power only the Strategic Plan which they are incapable of completing now. The Commission seemed to agree with having a separate document.

Co-Chairperson Richardson stated that the Commission still needs to take a formal vote on whether to retain an elected Treasurer or have an elected Comptroller.

Mr. Altman stated that someone should draft something similar to Mr. Ferguson's document as to what they should do about the Treasurer and the Comptroller.

Co-Chairperson Richardson stated that they have from the Assistant County Attorney(ACA) Ford a memorandum outlining Treasurer and the Comptroller's responsibilities. ACA Ford's research showed in almost all cases when the county went to an elected County Executive they went to a Comptroller. So, a lot of that is out there, the members need to reread it again. How do you take a position for or against it or can they agree by majority vote for one position or the another?

Mr. Liblick inquired if they can take a position that after a County Executive is approved that 4-6 years in that they do away with the Treasurer and absorb it.

Some members said absolutely not.

There were some back and forth amongst several members at this point.

Co-Chairperson Richardson stated that they need to think of the position and not the person.

Mr. Ferguson stated that it is not their role, they are not attorneys or Legislators, it is not their role to define all the details of what it would entail to have a County Executive. He thinks that they should say that they would like a County Executive and have some notion about how the Comptroller/Treasurer pieces would work but he does not think it is up to the Commission to make the detail decisions. For instance, in the Local Law, ACA Ford stated to put in the 2 or 4-year term but Mr. Ferguson is not even sure that is the Commission's job. If they leave some of these things to the Legislature they are now much more invested instead of the Commission trying to tell the Legislature A, B, C, D and E. Do we say, give us a County Executive and leave it there?

Co-Chairperson Richardson stated that they heard that recommendation before.

Mr. Burckard stated with all due respect they cannot do that, you have to give them the form of the government and there is, not the minutia, that is a critical major part. Either you have an elected Treasurer or a Finance Commissioner.

Co-Chairperson Richardson stated that he agrees with Mr. Burckard to the fact that they cannot keep digging down to this thing because they will never get out of this discussion. He thinks in a broad discussion if the majority is in agreement with doing away with the elected Treasurer and have an elected Comptroller then they should have the document just as they did with the County Executive. They will have a supporting document

and what the responsibilities will be and that will be their presentation. Beyond that they can let the Legislature decide.

Mr. Altman stated that if they have an elected County Executive, he is under the understanding that no other county that has an elected County Executive has a Treasurer.

Co-Chairperson Richardson stated that he thinks that there are 2 other counties that do.

Mr. Hanson stated that there are so many areas of setting up the Charter that the Commission has to be involved with to some degree and he thinks that is the power of the resolution. They can sit down with the members of the Legislature and advise them if they want to change somethings and they have a good reason; he does not think they should say this is it. For example, if there are simple things like collections of receipts, will that be the responsibility of the Comptroller or the Finance office. He thinks that they should advise on that.

Co-Chairperson Richardson stated that he does not think that is the Commission's responsibility.

Mr. Hanson stated that they will be advising on four departments, Comptroller, County Executive, Finance and potentially Attorney and that is it. The way the Charter is right now is not going to change much but the recommendations that the Commission will make are going to be very specific because those are what are so easy to undermine. Albany County is a great example; they undermine the authority of the Executive by ticking away for their authority for operations. If the Commission is not involved with that you can have someone say that they still want to manage DPW and go see them every day but no, that is not their job anymore, they are not responsible for operations. If they are in DPW telling them what to do and DPW is supposed to be reporting to the County Executive, it creates confusion and sets up a failing system for the Charter. The Commission needs to be the watchdogs of that to make sure that does not happen.

Mr. McPhillips stated that they had talked about the roles of the Legislature and how it will change. Once this document is corrected they will get the two versions, that is the stuff that they should work on. Maybe have an organizational chart to see how it lines up because the Legislature told them not to worry too much about the Code although he disagrees with for the sense that there are going to be these fundamental changes because of what they are changing. That should be the next step but it should all be done so it is a packet.

Ms. Harrison stated that she suggests that the Commission bump out to smaller little groups to work on matrixes for the three positions because they are already done with the Legislature. What they saw with the Legislature form, responsibilities of a County Executive vs. a Manager were there was one area that they did not have control over and that was they did not hire a County Manager. She would suspect that they will come up with one or two line items when they compare the responsibilities of the Treasurer vs. the Comptroller and it is going to be very easy to make this recommendation. It is not going to be that major of an issue. Her suggestion is for the Commission to go into a couple of subgroups and work on those and present those findings to the entire Commission. She thinks that they would have a lot less discussion and come to a conclusion faster.

Mr. Liblick stated that he thinks that the Commission first needs to make a concrete decision here about the form of the Finance or Treasurer. He thinks that they have to immediately right now wipe away personalities. He thinks in this document which they are forgetting, even if it is two paragraphs, to mention the staggered terms because even though the Commission voted on it and there was a report filed it has not been officially made by the Commission in a conclusion that they came up with staggered terms for the Legislature plus the County Executive.

Co-Chairperson Richardson stated that they can put that in some type of conclusion, the Commission presented that to the Legislature and they accepted that and the County Attorney is working on that.

Mr. Ferguson stated that Mr. Burckard seems to have a concrete grasp on the Comptroller, he suggested that maybe Mr. Burckard and one or two other people would like to write a short description and present the Commission a proposal to consider. It would move the discussion forward.

Co-Chairperson Richardson asked for an informal vote if the members would like to see an elected Comptroller and Finance Commissioner instead of an elected County Treasurer? All Commission members were in agreement or comfortable with that and Mr. Walter stated that he would like to see how it comes out. The consensus is that they would like to move forward.

New Business-

Co-Chairperson Richardson stated that the request is from the Chairman of the Legislature that the Commission make a presentation at the Executive Committee tomorrow at 11:30am on where the Commission is and if they want an extension of time. He then inquired if Ms. Harrison could attend that.

Ms. Harrison and Mr. Hanson will attend the Executive Committee meeting of the Legislature tomorrow at 11:30am.

The Commission then had a brief discussion regarding when the Commission feels that they will need a time extension to.

Mr. Walter made a motion to ask the Legislature to extend the Charter Revision Commission's time to June, 2017, seconded by Mr. Altman, put to a vote and carried unanimously.

Mr. Liblick stated that he thinks that it should be worded that the Commission thinks that they will need at least until June.

Co-Chairperson Richardson stated that he thinks that Ms. Harrison and Mr. Hanson are capable of wording it to the Legislature in a politically correct manner.

Some members felt that the Commission should try and wrap this up much before June.

Mr. Liblick stated that the next meeting is on December 21st. Co-Chairperson Richardson stated last year they did not meet in December. There was a discussion of making the meeting earlier or skipping the December meeting. The consensus was to not have the meeting in December the next meeting will be in January.

Mr. Burckard stated that as they get into the discussion on the local law, the Commission is going to find it critical that everyone is here to completely understand what is going on because otherwise they will be lost.

Mr. Ferguson stated that he does not know why the Commission has to get involved with the local law. If the Commission makes a broad recommendation, the County Attorney's office crafts a local law in consultation with the Legislature.

Mr. Burckard stated except for the fact that the local law that the Commission got as a draft is not correct. There are all kinds of things that have to be changed. They know it and it is not right.

Ms. Harrison and Mr. Hanson are going to Co-chair the next meeting.

Mr. Hanson inquired if the Commission wants to have anyone else come in such as a Comptroller from another County.

The Commission stated no they do not think so.

PUBLIC COMMENT:

None

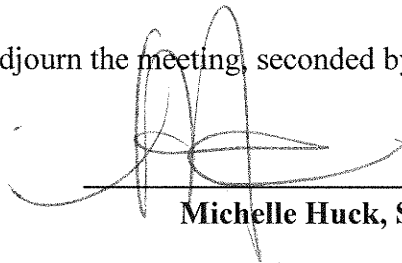
OTHER BUSINESS:

NEXT MEETING ANNOUNCEMENT:

January 18, 2016 at 6:00 PM *Legislative Hearing Room*

ADJOURNMENT:

Mr. Walter made a motion to adjourn the meeting, seconded by Mr. Ferguson, meeting adjourned at 8:35 pm.



Michelle Huck, Secretary

The County Executive and staff work with the Legislature, County Departments, Agencies, Advisory Boards and the general public to provide services to county residents as defined in Federal, State and County laws and regulations. The main goal of the Executive Office is to enhance public safety, strengthen the economy, and improve the quality of life for ... County residents.

The main goals for an Executive will be different from the Orange County [?] in S.C.

The case for a County Executive

The Charter adopted by Sullivan County in 1993 ^{new} fundamentally reshaped county government. It dissolved the Board of Supervisors that had previously managed county operations and administered the county and replaced it with a nine-member Legislature, which in ^{and set policy} turned appointed a County Manager. The Charter ~~also~~ anticipated that it might need to be amended from time to time and therefore it directed the Legislature to appoint a Charter Review Commission every ten years to determine if the Charter, as written, provides the county with the most effective form of government. ~~The Commission can recommend changes, but it does not have the authority to make them; that power rests with the Legislature or, in the event of a referendum, with the people of the county.~~ *Delete*

The current Charter Review Commission was appointed by the Legislature in 2015 and has been meeting for almost two years. It has heard testimony from dozens of individuals, including the County Clerk, the District Attorney, the County Sheriff, the County Treasurer, former and current County Legislators, the County Manager, two County Attorneys, the County Auditor, department heads and commissioners, and several experts in county governance from around the state. *experts on County Govt*

The biggest question facing this Commission has been to determine if our current legislative form of government best serves the people of Sullivan County, or if ~~we~~ *the people* would be better served if the Charter were revised ~~to~~ *to* provide for an elected County Executive, ~~who~~ *This would* would replace the appointed County Manager*. *adopt an*

~~There are intelligent, experienced and civic-minded people with divergent views on this subject, and the Commission heard a variety of views on the question, including from witnesses who, for one reason or another, oppose the notion of a County Executive. These arguments generally centered on two concerns: First, an elected Executive might not have the same degree of competence as a professional Manager, and second, a County Executive form of government would necessarily be more expensive than our present legislative form of government. The Commission carefully considered both these arguments.~~ *legislature/manager*

The Commission received the question:
Would the election of an Executive be little more than a 'popularity contest' that might result in an incompetent individual taking the reins of government? And conversely, when the Legislature hires a professional Manger, does it necessarily

(Add Sentence) After a great deal of research and expert Testimonies the Sullivan County Charter Commission has determined that the benefits of a County Executive far outweigh the negative and the plan should be put in place as a legislative

47 have the ability to select a highly qualified individual from a large pool of
48 applicants?

49
50 In some ways this seems like a curious argument to make in ^a country where we
51 routinely elect executives ranging from mayors, to town supervisors, to
52 governors, to presidents. One doesn't hear the argument that we should replace
53 any of these elected officials with ~~appointed technocrats~~ ^{appointees}. Moreover, this
54 argument makes two assumptions—first, that a relatively poor, rural county like
55 Sullivan will necessarily be able to attract first-rate managerial talent, and
56 second, that the Legislature will unerringly hire the best applicant for the job.
57 Anyone familiar with our county's recent history has to acknowledge Sullivan
58 County's experience with County Managers has not always been an ~~unalloyed~~ ^a
59 success.

60
61 The Commission concluded that elected County Executive would, like other
62 elected executives, would have the authority and ability to hire division and
63 department heads with the appropriate levels of training and experience.

64
65 The second concern, that an executive form of government might place an
66 additional burden on the taxpayer was one the Commission took very seriously.
67 Without doubt, there are some added expenses associated with having an
68 Executive. For example, operating under a system of checks and balances, both
69 the Executive and Legislature must each be afforded independent legal
70 representation. But such additional expenses do not necessarily mean there will
71 be an increase in overall expenses.

*I don't think
this is necessary
true.
Don't can be
restructured.*

72
73 One witness who offered compelling testimony on this point was Dr. Gerald
74 Benjamin, Distinguished Professor at SUNY New Paltz and Director of the
75 Benjamin Center, the university's principle locus for interacting with local
76 governments. Dr. Benjamin has a unique perspective on this issue because he
77 served both as Chair of the Ulster County Legislature and as Chair of that
78 county's Charter Commission. He told the Sullivan County Charter Review
79 Commission that additional costs can be offset by increased efficiency. The
80 Ulster County experience ~~seems to bear this out~~ *has proven this to be correct.*

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82 Ulster County Attorney Beatrice Havranek, who also testified before the
83 Commission said that when the county adopted an executive form of
84 government, it was able to cut the number of county employees from 1,800 to
85 1,300 (through attrition), and reduce its budget from \$363 million to \$330 million. *(while reducing property taxes)*
86 ~~There's no question that circumstances are very different than those in Sullivan~~
87 ~~County, but~~ clearly Ulster's experience undercuts the notion that moving to an
88 executive form of government necessarily entails an increased burden on the

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responsible for govt operations
singular

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Three out of four New Yorkers who live outside of New York City already reside in one of the eighteen counties that has a County Executive.¹ It's a form of government that is readily understood by every American because it resembles our federal and state governments in which a president, or governor, shares power with a legislative body. In contrast, Sullivan County's current form of government, with its elected Legislature and an appointed Manager, has few parallels in civic life. The division of powers and responsibilities with this form of government is not immediately apparent to everyone. Even members of our county government have not always been able to agree on where the lines of authority should be drawn. On occasion this has led to confusion and conflict. The absence of a strong leader who has the authority to act decisively can also lead to inaction. With an elected Executive, there can be little doubt as to who is in charge — he or she has the both the power and the responsibility to ensure that the government operates effectively and efficiently. If an Executive fails to deliver, voters know who is to blame and can vote him or her out of office.

Some of the most compelling testimony heard by the Charter Review Commission concerned recent events in Ulster County, which instituted an executive form of government in 2006. Two years later voters elected Mike Hein, the County Administrator, to serve as the county's first Executive. In this new role Mr. Hein was able to take bold steps that were beyond what either he, or the Legislature, could accomplish under the previous system of government. County Attorney Havranek said that when Hurricane Irene struck in 2011, the county was fortunate to have a single individual with the authority to act quickly and decisively under emergency conditions.

Dr. Benjamin argued that the benefits of having a ^{strong} powerful Executive can extend beyond county borders. An Executive ^{will give} can give a county an advantage when competing with other counties for scarce state resources. The Association of County Executives represents a powerful voting bloc within the New York Association of Counties and is a force to be reckoned with in Albany. It's worth noting that of the seven other counties included in the Mid-Hudson Regional Economic Development Council, only Sullivan lacks an Executive. By many economic measures, these other counties frequently outperform Sullivan.²

Adopting a fundamentally new form of government is not something that should be done lightly or without a frank and full public debate. Members of the Charter Review Commission respectfully ask the County Legislature ~~and other civic institutions encourage a discussion a wide-ranging discussion of all the attendant issues so that, in time, an informed citizenry can decide the matter by a public referendum.~~

adopt a local law allowing a County Executive form of government to be decided by the voters of SC. This will allow for a ~~public~~ public discussion all allow an informed citizens to decide the matter by a public referendum.

140 1. Of the approximately 11,250,000 New Yorkers who reside outside the five boroughs of New York City,
 141 8,392,000 reside in counties with an Executive.

142		
143	NYS Total Population	19,800,000
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148	County	First Executive	Population
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163	Rockland	(1985)	326,000
164	Suffolk	(1961)	1,493,000
165	Ulster	(2009)	180,000
166	Westchester	(1939)	<u>949,000</u>
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 170 2. According to the U.S. Department of Labor Statistics, Sullivan County has the highest seasonally
 171 unemployment rate (4.2%) of the seven counties in the Mid-Hudson region. (July, 2016.)
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 176 Independent research conducted by Jeffersonville resident Ken Hilton found that relative to median income,
 177 Sullivan County property taxes are among the top one percent in the nation.

Comments

- 1.) Very nice overview! Great job putting it together.
- 2.) I think we should switch positive paragraphs with the negative paragraphs. Lead in with the positive points first then debunk the negatives. In the last paragraph, again summarize the positive.
- 3.) We need to add in our recommendation for an elected Comptroller ~~and~~ with appointed Commissioners of finance.
- 4.) The local law needs to be drafted for them and attached.
- 5.) It would be great if we could have a co-sponsor from both parties.

1 *"The County Executive and staff work with the Legislature, County Departments,*
2 *Agencies, Advisory Boards and the general public to provide services to county*
3 *residents as defined in Federal, State and County laws and regulations. The*
4 *main goal of the Executive Office is to enhance public safety, strengthen the*
5 *economy, and improve the quality of life for all ... County residents."*

6
7 From the Orange County 2015 Budget
8

9 **The case for a County Executive**

10
11 The Charter adopted by Sullivan County in 1993 fundamentally reshaped county
12 government. It dissolved the Board of Supervisors that had previously managed
13 county operations and replaced it with a nine-member Legislature, which in
14 turned appointed a County Manager. The new Charter also anticipated that it
15 might need to be amended from time to time and therefore it directed the
16 Legislature to appoint a Charter Revision Commission every ten years to
17 determine if the Charter, as written, provides the county with the most effective
18 form of government. The Commission can recommend changes, but it does not
19 have the authority to make them; that power rests with the Legislature or, in the
20 event of a referendum, with the people of the county.

21
22 The current Charter Revision Commission was appointed by the Legislature in
23 2015 and has been meeting for almost two years. It has heard testimony from
24 dozens of individuals, including the County Clerk, the District Attorney, the
25 County Sheriff, the County Treasurer, former and current County Legislators, the
26 County Manager, two County Attorneys, the County Auditor, department heads
27 and commissioners, and several experts in county governance from around the
28 state.

29
30 The biggest question facing this Commission has been to determine if our current
31 legislative form of government best serves the people of Sullivan County, or if the
32 people would be better served if the Charter were revised to provide for an
33 elected County Executive who would replace the appointed County Manager*.

34
35 There are intelligent, experienced and civic-minded people with divergent views
36 on this subject, and the Commission heard a variety of views on the question,
37 including from witnesses who, for one reason or another, oppose the notion of a
38 County Executive. These arguments generally centered on two concerns: First,
39 an elected Executive might not have the same degree competence as a
40 professional Manager, and second, a County Executive form of government
41 would necessarily be more expensive than our present legislative form of
42 government. The Commission carefully considered both these arguments.

43
44 Would the election of an Executive be little more than a 'popularity contest' that
45 might result in an incompetent individual taking the reins of government? And
46 conversely, when the Legislature hires a professional Manger, does it necessarily

47 have the ability to select a highly qualified individual from a large pool of
48 applicants?

49

50 In some ways this seems like a curious argument to make in country where we
51 routinely elect executives ranging from mayors, to town supervisors, to
52 governors, to presidents. One doesn't hear the argument that we should replace
53 any of these elected officials with appointed technocrats. Moreover, this
54 argument makes two assumptions—first, that a relatively poor, rural county like
55 Sullivan will necessarily be able to attract first-rate managerial talent, and
56 second, that the Legislature will unerringly hire the best applicant for the job.
57 Anyone familiar with our county's recent history has to acknowledge Sullivan
58 County's experience with County Managers has not always been an unalloyed
59 success.

60

61 The Commission concluded that elected County Executive would, like other
62 elected executives, would have the authority and ability to hire division and
63 department heads with the appropriate levels of training and experience.

64

65 The second concern, that an executive form of government might place an
66 additional burden on the taxpayer was one the Commission took very seriously.
67 Without doubt, there are some added expenses associated with having an
68 Executive. For example, operating under a system of checks and balances, both
69 the Executive and Legislature must each be afforded independent legal
70 representation. But such additional expenses do not necessarily mean there will
71 be an increase in overall expenses.

72

73 One witness who offered compelling testimony on this point was Dr. Gerald
74 Benjamin, Distinguished Professor at SUNY New Paltz and Director of the
75 Benjamin Center, the university's principle locus for interacting with local
76 governments. Dr. Benjamin has a unique perspective on this issue because he
77 served both as Chair of the Ulster County Legislature and as Chair of that
78 county's Charter Commission. He told the Sullivan County Charter Review
79 Commission that additional costs can be offset by increased efficiency. The
80 Ulster County experience bears this out.

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