

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: LEGISLATIVE & RULES

DATE: APRIL 23, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY
THOMAS
STEC
SOKOL
PITKIN

OTHERS PRESENT:

NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD
SUPERVISORS STRAINER
TAYLOR
VANNESS
THOM RANDALL, *THE ADIRONDACK JOURNAL*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBERS ABSENT:

SUPERVISORS GIRARD
SIMMES

Mr. Bentley called the Legislative & Rules Committee meeting to order at 10:25 a.m.

Motion was made by Mr. Stec, seconded by Mr. Pitkin and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Legislative & Rules agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Mr. Bentley stated that Item 1 on the agenda was a request for a resolution of support of Jilly's Law, which was a bill that provided additional protection to victims of domestic violence throughout New York State.

Motion was made by Mr. Pitkin, seconded by Mr. Stec and carried unanimously to authorize a resolution in support of Jilly's Law. *The necessary resolution was authorized for the May 15, 2009 Board meeting.*

Mr. Bentley said that Item 2 on the agenda was a request from Columbia and Seneca Counties for support of a resolution urging Governor Paterson to order the printing and issuing of tax exemption coupons for members of Indian tribes. Mr. Pitkin noted that according to the attached resolution from Columbia County, New York State tax law called for tribal members to be exempt from payment of sales and excise tax on motor fuel and cigarettes. He added that the request was to support a resolution that would urge Governor Paterson to remove the exemption and increase sales tax revenue to the State. Mr. Bentley questioned if this was an attempt to tax members of the Indian tribes or the non-members to which they sold their products and Mr. Thomas responded that it was to collect taxes on non-Indian purchases.

Following a brief discussion, motion was made by Mr. Pitkin, seconded by Mr. Sokol and carried by majority vote to draft a resolution in support of the resolution from Columbia and Seneca Counties, as outlined above, with Mr. Thomas voting in opposition. *The necessary resolution was authorized for the May 15, 2009 Board meeting.*

Mr. Bentley apprised that Committee that Item 3 on the agenda was a referral from the Joint-Criminal Justice, Public Safety and Social Services Committees requesting a letter to the State Legislature advising them of the concerns with drug sales in connection with the Department of Social Services, Temporary Assistance benefits. Mr. Thomas stated that the County would be requesting reimbursement to cover the cost of rectifying the situation. He added that the State had created the issue by allowing Temporary Assistance recipients the ability to purchase and sell prescription drugs for profit. Mr. VanNess explained that they were requesting reimbursement to cover the cost of hiring a part-time investigator through the Sheriff's Office, with a Memorandum of Understanding with the Department of Social Services. Mr. Strainer questioned how the drugs were obtained and Mr. VanNess responded that the recipients were prescribed the medications; however, he added, instead of using the medications for themselves they were selling them for a profit.

Following a brief discussion, motion was made by Mr. Thomas, seconded by Mr. Pitkin and carried unanimously to authorize the Chairman of the Board to sign and forward a letter to the State Legislature advising them of the concerns with drug sales in connection with the Department of Social Services Temporary Assistance benefits. *The necessary resolution was authorized for the May 15, 2009 Board meeting.*

Mr. Bentley advised that Item 4 on the agenda was a referral from the Public Safety Committee on behalf of Fire Prevention & Building Codes requesting a letter to the State Legislature requesting that engineered septic systems not be required for all dwellings and that the determination as to whom they would be required of be made on a case by case basis. He noted that this item would be deferred until the next Committee meeting as the County Attorney's Office was researching the matter.

Mr. Bentley stated that Item 5 on the agenda was a referral from the Public Safety Committee on behalf of the Sheriff & Communications Department requesting a letter be forwarded to the State Legislature requesting that all 911 surcharge revenues, rather than a small portion, be distributed to the Counties of New York State, as intended by law. He added that at the previous Committee meeting they had discussed the fact that the State retained almost 90% of 911 surcharge revenues for their use.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to authorize the Chairman of the Board to sign and forward a letter to the State Legislature requesting that all 911 surcharge revenues, rather than a small portion, be distributed to the Counties of New York State, as intended by law. *The necessary resolution was authorized for the May 15, 2009 Board meeting.*

Mr. Bentley said that Item 6 on the agenda was a referral from the Planning & Community Development Committee requesting a resolution of support of the Affordable Housing Bill, which would award density bonuses of four units for one principal building if certain criterion were met and including an amendment eliminating the requirement that the building be within four miles of the hamlet for those towns that do not have hamlets.

Motion was made by Mr. Stec, seconded by Mr. Thomas and carried unanimously to support the Affordable Housing Bill, as outlined above. *The necessary resolution was authorized for the*

May 15, 2009 Board meeting.

Mr. Bentley apprised the Committee that the last item on the agenda was a referral from the Public Safety Committee on behalf of the Sheriff's & Communications Department for a resolution opposing the boarding of State prisoners in County jails with no reimbursement from New York State while the State prisons were closing. Mr. Pitkin suggested that they request that the State use the funds that were saved by closing the State prisons to alleviate the expenses incurred by the counties. Mr. VanNess stated that NYSAC (New York State Association of Counties) had reported that the New York State Division of Budget estimated that the boarding of State prisoners would cost the counties outside of New York City approximately \$15.7 million annually.

Motion was made by Mr. Stec, seconded by Mr. Sokol and carried unanimously to authorize the Chairman of the Board to sign and forward a letter to the State Legislature requesting that the State use the funds that were saved by closing the State prisons to compensate the County for the boarding of Federal prisoners; and opposing legislation requiring the County to board Federal inmates for two years, rather than the current requirement of one year. *The necessary resolution was authorized for the May 15, 2009 Board meeting.*

As there was no further business to come before the Legislative & Rules Committee, on motion made by Mr. Stec and seconded by Mr. Sokol, Mr. Bentley adjourned the meeting at 10:40 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist