

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: LEGISLATIVE

DATE: JULY 11, 2007

COMMITTEE MEMBERS PRESENT:

SUPERVISORS F. THOMAS
BELDEN
GABRIELS
MONROE
STEC
GIRARD

OTHERS PRESENT:

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND
FISCAL SERVICES
JOAN SADY, CLERK
SUPERVISOR O'CONNOR
AMANDA ALLEN, LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR MERLINO

Mr. F. Thomas called the meeting of the Legislative Committee to order at 11:15 a.m.

Motion was made by Mr. Gabriels, seconded by Mr. Stec and carried unanimously to approve the minutes from the April 11, 2007 Committee meeting, subject to correction by the Clerk of the Board.

Joan Sady, Clerk of the Board, distributed copies of the meeting agenda to the Committee members, a copy of which is on file with the minutes.

Beginning the agenda review, Mr. F. Thomas noted that the first item listed pertained to a referral from the special Board meeting held on July 6th. He explained that this referral suggested that the Legislative Committee consider the adoption of a resolution aimed towards New York State Legislators which would request legislation requiring the State to pay for the operations of those services/departments that they mandated, such as the Courts and the One Stop Center.

Mr. Gabriels asked if a resolution had been drafted to this effect for the Committee's consideration and Mr. F. Thomas replied in the negative. He added that if approved, the resolution would be produced by the County Attorney's Office and presented at the July 20th Board meeting for final approval by the full Board of Supervisors.

Mr. O'Connor noted that few, if any, other Counties had developed a working relationship between the ETA (Employment & Training Administration) and NYSDOL (New York State Department of Labor) such as what was being considered for Warren County in the proposed One Stop Center. He reminded the Committee that the ETA had been located near the NYSDOL only because upon their inability to house the ETA within the Municipal Center, lease space had been available near the NYSDOL and for no other reason. Mr. O'Connor asked if the One Stop Center was actually being mandated by the State or if it was just being strongly suggested. He stated that if the State were mandating that the County pay for space for the One Stop Center, he would like to see a copy of the law, as the NYSDOL had always been a State controlled and financed operation.

Mr. Monroe replied that although he was unsure whether or not the One Stop Center was being mandated by the State, its proposed implementation was the result of their suggestion and therefore should be their fiscal responsibility if they wished to proceed with the project. He added that major cost issues had been brought to light by the fact that additional space would be required in the proposed Health & Human

Services Building to facilitate the One Stop Center at the County's cost, with no contribution promised by the State.

As for the Court System, Mr. Monroe apprised, in the past the County had actually controlled the Courts, validating their financial support. However, he said, at this point the State controlled the Courts and it was unfair to require the County to finance the expansion of the current space, or the construction of a new building. Mr. Monroe noted that Essex County had faced the same space constriction in their Courts approximately ten years prior and they had been ordered by the State to construct a new building for the Courts at their own cost.

Discussion ensued with respect to the matter.

Motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously to approve a resolution stating that State mandated services and departments should be funded by the State and to use the Court system and One Stop Center as specific examples of such.

Mr. Gabriels suggested that, once adopted, this resolution should be forwarded to the regulatory agencies of the Executive Branch, (i.e. NYSDOL and the New York State Unified Court System), as well as the State Legislature, and the Committee agreed.

Mr. Stec asked if there had been any update on the retro-active charges made in connection with State training schools and Mrs. Sady replied not that she was aware of. She said that although the charges were paid, no update had been received on refund of them. Mr. F. Thomas added that a resolution had previously been adopted (*Resolution No. 660 of 2006*) requesting a refund of part of the monies paid for the increase for State training schools. Mr. Stec reminded the Committee that these charges were the result of the State Office of Children and Family Services' decision to retro-actively increase their rates for the prior four years.

Returning to the topic of State mandates, Mr. Monroe apprised that they would affect courts at the Town and Village levels also, as the State was considering mandating increased security, such as metal detectors and guards, at Town courts. He said that this would lead to increased costs at the Town level for additional salaries and security equipment which the State would most likely decline to fund. Mr. Monroe apprised that it was his feeling that if the State intended to require such things then the costs should be paid at the State level from income tax rather than at the County level from property tax.

Mr. F. Thomas said that it was his understanding that these mandates for Town and Village courts were still under review and Mr. Monroe noted that they were; although, he noted, it was easily comprehensible that they would be enforced by the State in the future. He added that these mandates might also lead to the elimination of Town and Village courts altogether, in favor of a more generally placed District Court.

Discussion ensued.

Mr. F. Thomas suggested that a second resolution be passed, directed towards the New York State Judicial Branch in opposition of a District Court, as well as these increased requirements for Town and Village courts.

Motion was made by Mr. Gabriels, seconded by Mr. Monroe and carried unanimously to approve a resolution voicing Warren County's opposition to proposed mandates at the local Court level resulting in increased costs

to the Towns/Villages and noting that the Court system was taking a direction that Warren County was not in favor of.

Resuming agenda review, Mr. F. Thomas stated that the second item listed referenced a referral from the Real Property Tax Services Committee asking that the Legislative Committee revisit the Homestead Act. He stated that this item should remain on the pending item list for discussion at a future meeting.

Mr. F. Thomas apprised that on June 27th he had attended a Support Services Committee meeting at which the Board of Elections had made a presentation. He said that during the meeting he learned that the State Legislature had yet to rescind or correct a law passed during the prior year banning the use of lever voting machines beyond September 1, 2007. Because the County currently had no other voting system in place, it was Mr. F. Thomas' suggestion that a resolution be passed requesting an exemption to this law for Warren County, allowing for the continued use of the lever voting machines until such time that an acceptable replacement system was found and implemented.

Mrs. Sady advised that a letter requesting such had been written and forwarded to the State Legislature asking for an exemption. However, she noted, if the allowance was not received, Warren County would have no other alternative than to use a paper ballot voting system for the upcoming elections.

Mr. Belden stated that the lever machines had been used effectively for many years and if forced to use a paper voting ballot system the County could face many problems as well as delays in the process.

Motion was made by Mr. Gabriels, seconded by Mr. Belden and carried unanimously to approve a resolution to request an exemption to the law passed in 2006 banning the use of lever voting machines beyond September 1, 2007, pending the implementation of an approved alternative voting system.

At Mr. F. Thomas' request, Mrs. Sady distributed a packet of information pertaining to a Universal Healthcare program and containing various resolutions encouraging Warren County's endorsement; *a copy of this information is also on file with the minutes.* Mr. F. Thomas asked each of the Committee members to review the packet for discussion at their next meeting.

As there was no further business to come before the Legislative Committee, on motion made by Mr. Belden and seconded by Mr. Stec, Mr. F. Thomas adjourned the meeting at 11:34 a.m.

Respectfully submitted,
Amanda Allen, Legislative Office Specialist