

MINUTES

Charter Revision Commission

March 16, 2006

The meeting was called to order by Chairman Arthur at 8:05 am. The Clerk called the roll and announced that a quorum was present.

Chairman Arthur commented that the introduction of Legislator Smith's appointment to the Commission would be delayed. Chairman Arthur noted the receipt of two communications by the Commission from Senator Mark Coppola and the other from Mr. Lichtenthal.

The Clerk announced that the minutes will be distributed to Mr. Bromley for his review prior to distribution to Commission members. After review Commissioners should contact the Clerk if they have any questions.

The Commission photograph has been selected by Chairman Arthur and will be prepared for hanging in the Legislature. Copies will be made available for each Commissioner.

Committee Reports

Commissioner Duquin reported that the Fiscal Affairs committee continues to meet weekly and has recently met with the independently elected officials who have expressed concerns about the presentation of the respective budgets and how their budgets are managed once they are approved by the Legislature. The Fiscal Affairs Committee will be drafting language to address the concerns expressed by the independently electeds and will be submitting it to the full Commission for review. The committee has completed its review of all the sections of the charter under its purview and recommendations will be forthcoming in a full report which will be ready in 3-4 weeks.

Chairman Arthur announced that he would like to meet with all committee chairs immediately following the Commission meeting today to establish a schedule for the submission of all committee reports. In addition, he reminded the committee chairs to forward their reports and recommendations for change to all Commissioners in advance so that there is an adequate opportunity to review each committee's recommendations. In addition, Mr. Bromley is posting all reports on the Commission's website once he receives them.

Commissioner Rice reported that the Human Services Committee continues to meet and most recently with the Commissioner of Mental Health and the CEO of ECMCC. All of

the committee's recommendations will be posted on the website as soon as they are completed. The committee has reached a consensus to leave language relating to ECMCC in the charter in the event control of the institution returns to the county (language will be drafted to reflect the hospital's status as a public benefit corporation). The committee's report is scheduled to be completed by the end of April.

Commissioner Flaherty reported that the Public Safety Committee continues to meet weekly and their work is progressing. The proposal presented by Commissioner Kevin Comerford regarding the combining of Central Police Services and Emergency Management Services has been shared with the Chiefs of Police Association and the committee is waiting for their reaction since their agencies would be directly impacted by this proposal. There is still discussion of an Office of Public Safety and the committee has also heard from the Sheriff and the District Attorney regarding independent treatment of their budgets. Erie County College has expressed a desire for charter language which would mandate that they have responsibility for training all police candidates. Commissioner Rice noted that ECC has submitted extensive language to her committee on the issue of training and the committee is evaluating the recommended language.

Commissioner Rath reported that the Form & Scope Committee continues to work in collaboration with the Administration & Legislature Committee on language relating to the hybrid form of county government. The language is expected to be completed in two days and will be distributed to all Commissioners for review. Commissioner Rath also suggested that the Commission meet in special session to review the language and discuss the issue in question. Chairman Arthur suggested that the language should go to the County Attorney's Office for review prior to coming back to the Commission.

The Commission engaged in a lengthy discussion regarding the next steps with respect to the review of the language related to the hybrid form of government. After discussion, it was concluded that the language would be circulated to all Commissioners and placed on the website for review by the general public. No time or date was set for future Commission action on this subject.

Commissioner Magavern reported that the Administration and Legislature Committee has continued to work collaboratively with the Form & Scope Committee on the language for hybrid form of government and has continued to prepare its report on a variety of issues including term limits, reapportionment and salaries of elected officials. The committee will be reporting on these issues in the very near future.

New Business

Commissioner Flaherty expressed concern about a portion of the communication received from Senator Coppola, relating to the composition of the Commission and its lack of diversity. After discussion, Chairman Arthur agreed to write a letter to the Senator explaining how the Commission was appointed and indicating that the Commission had no control over its composition. Commissioner Reese encouraged all commissioners to continue to reach out to the public and explain the work of the Commission and seek

public input. Chairman Arthur indicated that he would like to have public input after the Commission's report is completed but prior to final Commission action so that the public's input might be incorporated into the final Commission report to the Legislature.

Commissioner Lillis inquired about whether any committee was studying the issue of increasing the length of terms for members of the Legislature. Commissioner Magavern responded that his committee will be reporting on the length of terms issue.

Commissioner Dudek inquired about the legality of a recall process for the County Executive. The County Attorney responded that recall process was prohibited by the New State Constitution and he indicated that a written opinion would be filed with the Commission. Commissioner Dudek suggested that the term of office for the County Executive should be changed to two years to insure accountability to the voters.

Chairman Arthur suggested that Commissioner Dudek put his suggestion in writing so that it can be referred to Commissioner Magavern's committee.

There being no further business to discuss, Chairman Arthur accepted a motion from Commissioner Comerford to adjourn. The motion was seconded by Commissioner D. Kelly and the meeting adjourned.