

MINUTES OF MEETING

Committee on Administration and Legislature

January 13, 2006

The Charter Revision Commission's Committee on Administration and Legislature met at 8:00 a.m. on January 13, 2006 in a meeting room of the County Legislature. Present were Committee members John Maggiore, Vice-Chair, Chris Duquin, and James L. Magavern, Chair. Also present by invitation were Brian White, Assistant County Attorney, Jon Lines, political science instructor, Buffalo State College, John Davis, legislative clerk, and law students Sean Cooney, Tim Minter and Ray Walter.

Mr. Magavern introduced Sean Cooney, Tim Minter and Ray Walter, students at UB Law School, who are enrolled in a seminar, led by Professor Greiner and assisted by Mr. Magavern, in county government. They have been assigned to assist in the development of the Commission's report and recommendations regarding the creation of an Office of County Manager.

The minutes of the Committee's meeting on December 23rd were approved.

The Committee then resumed consideration of Mr. Maggiore's Memorandum of October 23, 2005, identifying topics for possible consideration by the Committee. A copy of Mr. Maggiore's Memorandum is attached to the Committee's minutes of December 23, 2005. Referring to those topics in the order presented in Mr. Maggiore's Memorandum, it was decided to consider the following topics:

4. Qualifications of appointed officials.
7. Streamlining
 - a. Streamlining advisory boards and commissions.
 - b. Combining departments.

In addition, it was concluded that the Committee will propose that two items will be mentioned in the Commission's final report as subjects recommended to the County Legislature and Administration for further consideration:

6. Codification of local laws, and
- 7.c. Code v. Charter.

Mr. Maggiore will prepare two letters for Chairman Arthur's signature: (1) to the department heads and Chairman of the Legislature requesting information as to the current status of the County's many advisory boards; and (2) to the County Executive requesting information and ideas from the administration regarding possible consolidation of departments and administrative units.

Mr. Magavern reported that five law students are enrolled in Professor Greiner's county government seminar. To assist in the joint report of the Committee on Form and Scope and the Committee on Administration and Legislation on the county manager issue, they have been given the following initial research assignments:

1. Tim Minter: county manager governments in the other urban countries in the United States.
2. Jennifer Hyatt: county manager governments in New York.
3. Leonardo Sette-Camara: relevant information from Frederickson, The Adopted City.
4. Ray Walter: relevant provisions of the New York Alternative County Government Law and Optional Government Law.
5. Sean Cooney: literature search for scholarly and historical assessment of city and county manager governments.

It was agreed that it is important in our research to look at the experience of urban cities and counties in the Northeast and Great Lakes regions, especially those suffering economic stress, and to identify problems as well as successes that have been experienced in city and county manager governments.

Mr. Minter will contact Mr. Rath, Chair of the Form and Scope Committee, to coordinate his research with Mr. Rath's.

Discussion then turned to the subjects of proportional representation and non-partisan elections. Jon Lines, who provided the Committee with information and a website reference on proportional representation, pointed out that at least certain forms of proportional representation require a party ballot and are therefore inconsistent with non-partisan elections. Mr. Duquin suggested that we invite Michael Beeney an expert on reapportionment, to meet with us.

Next week, we will review Mr. Maggiore's draft letters for Chairman Arthur. We will then review the initial reports of the five law students, and begin work on a draft joint report of the two committees on the pros and cons of county executive, county manager, and hybrid county executive - county manager forms of government.