

## MINUTES OF MEETING

Committee on Administration and Legislature

December 9, 2005

The Charter Revision Commission's Committee met at 8:00 a.m. on December 9, 2005 in a meeting room of the County Legislature. Present were Committee members John Maggiore, Vice-Chair, David Comerford, Chris Duquin, and James L. Magavern, Chair. Also present were Brian White, Assistant County Attorney, and Jon Lyons, political science instructor, Buffalo State College.

The Committee reviewed a memorandum from Mr. Magavern dated December 5, which identified a number of issues for consideration at the first meeting of the Committee on December 2. A copy of the memorandum is annexed to these minutes.

John Maggiore agreed to research and report on term limits. Mr. Magavern agreed to submit a report on the creation of a strategic planning process for the County.

Mr. Comerford suggested consideration of measures to assure prompt payment to contractors and vendors. For our next meeting, Mr. White will provide a report on the payment process for public works contracts after receipt of an application for payment. Mr. Comerford will provide a report on the process up to the completion of an application for payment.

Mr. Magavern reported that he had sent a copy of his December 5 memorandum to Ed Rath, Chair of the Committee on the Form of County Government, in order to coordinate the

work of the two committees in areas of overlapping interest. The possibility of consolidation of the two committees was discussed but rejected as too cumbersome.

Mr. Magavern said that Len Matarese, the City of Buffalo's Commissioner of Human Resources, had asked to defer his appearance before the Committee to advocate creation of the office of County Manager, but hoped to be able to do so on December 16. Mr. Magavern will invite Mr. Rath and members of his committee to participate. Mr. Duquin will provide a report on the relative functions of the offices of County Manager and County Executive.

Mr. Maggiore inquired as to the relationship of the County Charter and the Administrative Code. Mr. Magavern explained that both are local laws and can be amended by local law, subject to referendum if the amendment changes the power of an elected officer or otherwise falls into any of certain categories provided by the Municipal Home Rule Law or the Charter. It was noted that although the original theory was that the Charter would provide for the fundamental structure and procedures of County government, and the Administrative Code for the details, the line between the two was often hard to find.

It was agreed that the question of the County Executive's role in the budget process for the independently elected District Attorney, Sheriff and County Clerk should be left to the Committee on the Scope and Form of Government. Similarly it was agreed that re-examination of the organization of the fiscal functions of the County (that is, the functions of Budget Director, Commissioner of Finance and Comptroller) should be left to the Fiscal Affairs Committee.

We will request a meeting with Mr. Acquerio, the Executive Director of the New York State Association of Counties, possibly on the same day that Mr. Acquerio appears before the full Commission.

At Mr. Maggiore's suggestion, it was agreed that we shall review our list of issues at our next meeting, determine which issues should be taken up by our committee, and so report to Chairman Arthur and the full Commission. A revised list of issues is attached.

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