

MINUTES OF MEETING

Committee on Administration and Legislature

February 10, 2006

The Charter Revision Commission's Committee on Administration and Legislature ("A&L") met in a meeting room of the County Legislature at 8:00 a.m. on February 10, 2006. Present were Committee members Dave Comerford, Chris Duquin, and James Magavern, Chair. Also present by invitation were Hank Bromley, Commission research analyst and Ray Walter, law student.

Mr. Magavern reported that at meeting of Professor Greiner's seminar on February 9, he had proposed re-assignment of work to the law students as proposed by the Committee in its February 3 meeting, pursuant to the priority to be given to development of a reform package for the legislative branch, to accompany the county manager proposal, for possible action by the County Legislature and submitted to the voters at referendum this year. As a result, the law students have accepted the following assignments, all in respect to the County Legislature:

1. Term Limits -- Sean Cooney
2. Terms of Office and Salary Limits -- Jennifer Hyatt
3. Redistricting standards and procedures and district residency requirement -- Ray Walter, to be joined by Tim Minter when he completes work on the county manager proposal.

The Committee discussed the staffing plan being prepared by Chris Duquin for the offices of County Executive and County Manager. Mr. Duquin will prepare a plan for the latter as well as the former office. The plan will call for a combined cost less than or equal to the current cost of the County Executive's office. Mr. Comerford will consult with Sam Iraci, former Deputy Mayor in Buffalo and City Manager in Elmira, and will pass on Mr. Iraci's suggestions to Mr. Duquin. Mr. Duquin will transmit the plan to Mr. Rath and post it on the Commission's website before Thursday's Commission meeting.

The Committee discussed at length a complex of issues relating to the term of appointment, performance review, and termination of the County Manager. The Committee determined to submit the following recommendations:

1. The County Manager should have an employment contract for the term of the appointing County Executive, but subject to termination at the will of the County Executive and with provision for severance pay of nine months salary upon termination without cause or at the expiration of the contract.
2. In the event of termination by the County Executive, with or without cause, the County Executive will be required to state in writing the reasons for termination.

3. The performance of the County Manager will be reviewed in June each year by a board of review consisting of the County Executive and the Majority Leader and Minority Leader of the County Legislature.

These recommendations will be submitted by transmitting these minutes to Mr. Rath by e-mail and to the Commission by posting on the Commission's website.

The Committee decided to recommend to Mr. Rath that following his presentation of the county manager proposal to the full Commission on February 16, questions from the floor should be directed to Mr. Magavern. Mr. Duquin will convey this recommendation to Chairman Arthur, Mr. Rath and the members of the F&S and A&L Committees by e-mail.

The Committee determined to recommend a joint meeting of the F&S and A&L Committees at 8:00 a.m., Wednesday, February 15, to further prepare for presentation and discussion of the county manager report at the Commission's meeting the following day. This will be communicated by e-mailing these minutes to Mr. Rath and the members of both committees.