

Ulster County Legislative Committee Meeting
March 6, 2006
Library Conference Room
6 PM

Name of Committee: Efficiency, Reform, And Intergovernmental Affairs Committee

Legislators Present: Gary Bischoff (Chairman)
Peter Liepmann
Hector Rodriguez
Brian Shapiro
Susan Cummings
Charles Busick.

Legislators Absent: Tracey Bartels (excused)

Others Present: Board of Elections Commissioners Thomas Turco
Board of Elections Deputy Commissioner Fraser
Tom Kadgen, League of Women Voters
Kevin DuMond, CSEA (Agenda Attached)

The meeting convened at 6:00 pm.

Board of Elections

Chairman Bischoff asked Commissioner Turco to update the committee on Board of Elections (BOE) business and to report on anything new relating to of the implementation of the Help America Vote Act (HAVA) in Ulster County. Turco informed the committee that the BOE will make a written proposal to the committee and Legislator Lomita by March 10 regarding the Legislature mandated 5% charge back on the BOE budget. Turco noted that this year's budget is different because of HAVA funds and charge backs. Bischoff asked whether the budget increased this year because of HAVA. Turco answered that it had increased to just under \$1 million though \$469,000 would be charged back and that some new items in the budget would not be needed if we do not have the new voting machines this year. Turco explained that the BOE is a mandated agency under NY election law and that the net BOE budget had been cut to its lowest level in many years and therefore achieving a 5% cut will be difficult.

On other matters, Turco noted that the BOE is sponsoring a demonstration and viewing of voting machines the next day, March 7, 2006, for county government officials and the public. The BOE welcomes the opinions of the legislature and the public on the issue. So far, one vendor, Sequoia, has agreed to attend and will demonstrate three machines: two DREs (Direct Recording Election Device) and one optical scanner. Turco also reported that Sullivan County is holding two days of vendor demonstrations: on

Monday, March 13, Sequoia and Avante and on Tuesday, March 14, ES&S and Liberty will each demonstrate their voting machine technology. Legislator Cummings noted that next Monday, March 13 the committee will consider the resolution endorsing the optical scan technology and questioned whether such a resolution was premature given that the county will not have new machines this year. Bischoff answered that enough is now known about the machines to make a recommendation and noted also that the resolution does more than endorse the optical scan technology; it is also directed at New York State urging the state board to act promptly and certify optical scan technology. It sends a message to the State and hopefully will help get the State moving in the right direction.

Turco also reported on the lawsuit filed in federal court by the Department of Justice asking the court to order NY State to comply with HAVA. The State is hoping to satisfy the DOJ by meeting the requirement of full accessibility for the disabled by either (1) a phone system that would result in a printed ballot that the BOE would then hand count at a cost of \$164,000 to the county or (2) auto mark machines at each polling place at a cost of \$5500 per machine. With 111 polling places in Ulster County, the cost of the auto mark machines would be over \$600,000. Legislator Shapiro asked if the county could seek reimbursement from the state for the cost of the phone system or the auto mark machines. Turco noted that the election commissioners association raised this very point last week at a meeting in Albany. Shapiro suggested that the legislature pass a resolution about this increased cost. Turco also noted that the disabled community does not seem to be demanding that these machines be in place.

Fleet Manager

Legislator Shapiro distributed a description of the fleet manager position (copy attached). A discussion followed about whether this should be a new position or whether someone who already works for the county should take on the additional responsibilities of the job. It was noted by DuMond that the increase in pay would have to be high enough to act as an incentive for someone in central auto or accounting to take on the new duties. Liepmann noted that the job really required two skill sets, one clerical, day-to-day maintenance and another more sophisticated involving control procedures and special computer software, so that maybe the job should be divided between two people. DuMond noted that central auto believes it is currently understaffed and that no one there would be likely to accept new duties without a significant increase in pay. Shapiro and Bischoff agreed to work with DuMond to make a recommendation on the fleet manager to the service committee by April.

Ethics Panel

Legislator Bischoff made a motion to move forward with the ethics panel with the members as follows: Brian Shapiro and Brian Cahill (majority) and Glenn Noonan (minority) from the legislature and members of the public Peter Cordovano and Alice Tipp (appointed by the minority) and Lanny Walter and Lori Rosenberg (appointed by the majority) for a term until 12/31/2006 with a charge to look into drafting a new ethics law, produce a plain language disclosure form, and to render ethics opinions as necessary.

Cummings noted that the charter commission is addressing this issue. Shapiro noted that he appeared before the charter commission and urged that an ethics board that was charged to write a new ethics law be part of the new charter. Shapiro further urged that any new law contain provisions for bringing complaints before the panel, permitting the ethics panel to retain counsel, and giving the panel subpoena power.

Cummings seconded Bischoff's motion, which was unanimously approved.

Supervisors' Association

Bischoff asked for volunteers to attend the meetings of the Supervisors' Association to open dialogue with the town supervisors and the county legislature. Liepmann volunteered to act as liaison with back up by Bischoff.

Other Business

Shapiro asked that this committee write a letter to the criminal justice council asking the council to report to this committee on the success/failure and the cost/effectiveness of alternative to incarceration programs. Shapiro made a motion that the committee send such a letter drafted by him. The motion was never formally seconded and voted upon though there was agreement by committee members for Shapiro to go forward with such a letter as part of the committee's duty to examine mandated costs.

Kadgen distributed a study entitled "Medicaid Cost for Alcohol and Substance Abuse Treatment" (copy attached) which shows that Ulster County has above average costs for this item. He asked that the committee look into all county Medicaid costs, in particular high cost areas, such as alcohol and substance abuse treatment.

Shapiro noted that tracking of mandated services has never before been done by the county and suggested that Liepmann because of his medical background be liaison to a citizens' advisory committee formed to look into these costs. Kadgen volunteered to be a member of this committee.

DuMond began a discussion of the Ulster County Employee Suggestion Program (attached). DuMond stressed its importance in bringing the county to more effective and efficient operation in order to avoid lay offs of county employees. There was discussion of how the monetary awards section would work and whether it was legal. Busick suggested that the county look at Erie County's program and see how it has worked there since this suggested program is modeled after their program. DuMond and CSEA is facilitating the implementation of the suggestion program. Liepmann asked that the committee explore ways to ensure that Information Services gives more support to county employees.

Shapiro distributed copies of a letter he received from the Office of the Public Defender regarding the Fugitive Felon Act (copy attached). Shapiro asked that the committee review this issue and recommend to the Public Defender that it review each instance of application of the Fugitive Felon Act on a case-by-case basis. Shapiro offered to draft a letter from the committee on this issue.

Rodriguez noted that the charter commission's study has been released only to commission members but will be released to the public on March 31 and will make a

presentation to the public in Kingston on March 18 at City Hall. Bischoff said that he would try to get a copy of this document for members of the committee as soon as possible.

Cummings asked if the committee had received a memo from legislator Roberti regarding CAPSTAP. Bischoff answered that he has received it and will respond.

The meeting was adjourned at 7:35 pm.

Respectfully submitted

Stuart Fraser o/b/o
Gary Bischoff, Chairman
Efficiency, Reform and Intergovernmental Affairs Committee