

MINUTES

GOVERNMENT OPERATIONS COMMITTEE

JANUARY 15, 2004 2:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: M. Koplinka-Loehr, Chair; T. Todd; K. Herrera; M. Lane (arrived at 2:05 p.m.); L. McBean-Clairborne (arrived at 2:23 p.m.)

Staff: W. Skinner, Public Information; J. Thomas, Administration; D. Squires, Finance Director; J. Wood, County Attorney; E. Marx, Planning Commissioner/Deputy County Administrator; J. Franklin, Assessment; V. Coggin, Assessment Director; S. Martel-Moore, Human Rights Commission

Guests: P. Pryor, former Common Council member; D. Feldman, ILGBTTF; D. Kiefer, Legislator; N. Schuler, Legislator

Called to Order

The meeting was called to order at 2:00 p.m.

Changes to Agenda

The following items were added to the agenda:

- Appointments to Public Information Advisory Board

Report from the Chair

Mr. Koplinka-Loehr said he did not have a report.

Report from the County Administrator

Mr. Marx said he did not have a report.

Report from the County Attorney

Mr. Wood had not report.

Report from the Finance Director

Mr. Squires reported January 9th was the last date for property owners to pay their taxes to avoid foreclosure. He distributed a list of properties currently on the foreclosure list and said there are 28 vacant lots and 13 residential properties. Following the January 9th deadline, the County can continue to accept payment from the property owners, however the property owner is charged a \$250 fee. Mr. Squires indicated at a future meeting he will be requesting the County consider increasing that fee to more appropriately cover legal and administrative expenses. At this time he briefly reviewed some of the properties on the list.

Mr. Lane arrived at this time.

Report from the Public Information Officer

Ms. Skinner updated the Committee on her proposed work plan for 2004. She reported Administration is in the process of streamlining the budget process and possibly redesigning some of the documents. She continues to work on reformatting and updating the user-friendly budget with the help

of Norma Jayne and hopes it will be available in a month or so. She feels there will be more use of the County website this year for information and will encourage public input. One proposal she will be recommending is the creation of a citizens study group on the issue of County Executive. The Public Information Advisory Board has some suggestions on how to get more public involvement in the budget process that she will be presenting to the appropriate committee for consideration. She continues to be involved with the grant-funded project through the Town of Dryden that includes the development of a website and video. The hours of her position were temporary increased to 40 per week to assist the Planning Department with the write-up of the Comprehensive Plan. She briefly spoke about the proposed appointments to the Public Information Advisory Board she is recommending.

Mr. Koplinka-Loehr asked Ms. Skinner if she thought there might be interest by the Public Information Advisory Board to consider the creation of a citizens advisory group concerning the issue of income tax. Ms. Skinner stated the group would be interested.

Approval of Minutes

It was MOVED by Mr. Todd, seconded by Ms. Herrera, and unanimously adopted by voice vote by members present, to approve the minutes of the December 15, 2003 meeting as corrected.

Assessment Department

Local Advisory Board of Assessment Review

Ms. Coggin explained that pursuant to the recently amended Charter, the Assessment Department will be notifying municipalities of upcoming appointments to the Local Advisory Board of Assessment Review. The notification asks that the two appointees not be members of their governing body as has been the case in the past. Most municipalities recognized that this request was reasonable and because otherwise it could have an appearance of a conflict of interest. However, some municipalities have expressed opinions that if a County Legislator can be appointed to these boards, then local elected municipal officials can be appointed. Ms. Coggin commented that no other counties have elected officials on their local boards of assessment review. Mr. Franklin stated he has received many calls concerning the make-up of these boards, and said people just decide to go their County Legislator when they learn of the membership. Ms. Coggin also commented that more people are informed about their assessments and the processes.

Ms. Coggin asked the Committee to consider amending the Charter to exclude all elected officials from serving on the Local Advisory Board of Assessment Review boards.

Ms. Kiefer feels that constituents appreciate the presence of a legislator at the meetings. Mr. Lane agreed with Ms. Kiefer and said that this topic was discussed a couple years ago at the Charter Review Committee and it was felt that having a legislator present was a benefit to the taxpayer. Ms. Herrera agrees that there is a need for a Legislator to be present and available to answer constituent's questions. Mr. Koplinka-Loehr clarified that the proposal does not preclude people from observing.

Mrs. McBean-Clairborne arrived at this time.

Following a brief discussion, Ms. Coggin suggested a letter be sent to municipalities indicating County Legislators are on the local boards of assessment review specifically to make sure the process is carried out properly.

Ms. Herrera stated for the record that based on her experience it is clear to her that the people conducting these meetings were being very professional and had great credentials.

It was the consensus of the Committee to do the interim step of writing a letter as suggested above with the understanding that if it is not sufficient this subject will be revisited and a Charter amendment considered. Mr. Lane said he does support the recommendation and Mrs. McBean-Clairborne said she could not comment as she arrived late.

Ms. Herrera commented that she requested additional information from Mr. Franklin concerning Increasing Senior Income and Disabilities Limits and said she will make this information available to the Legislature.

Mr. Lane asked if comparables were going to be included with the assessment information sent out this year. Ms. Coggin said that she does not have the funding or the staff to handle it. Mr. Franklin also commented that it would increase the number of assessment reviews.

Proposed Anti-Discrimination Law

At this time the Committee discussed the draft law distributed with the agenda. Ms. Kiefer asked for clarification about paragraph (2) under Exemptions; Mr. Koplinka-Loehr requested Ms. Kiefer discuss it further with the County Attorney following the meeting.

It was MOVED by Ms. Herrera, seconded by Mrs. McBean-Clairborne, to approve and submit the proposed local law amending the anti-discrimination law to add gender identity and expression.

Ms. Martel-Moore said one issue discussed at a meeting was the section concerning investigations and if language could be added that would allow subpoena authority at the local level. Mr. Wood said he did not have a concern with adding this language and said it would give the Human Rights Department (via the County Attorney's office) the power to force individuals who may not wish to participate in the process to produce documents.

Ms. Martel-Moore said she received a copy of Westchester County's law and will share it with the County Attorney to assist in drafting appropriate language. The Committee agreed with the principle and to have the County Attorney draft the language.

A voice vote resulted as follows on the proposed local law with the additional information concerning subpoena power: Ayes - 5, Noes - 0. CARRIED.

County Attorney

County Vehicle Policies

Mr. Wood briefly reviewed the reasons for revisiting the policies and said he is proposing some changes. The policies were presented and approved by the Department Heads. Mr. Lane asked about emergency situations and if there were provisions in the policy. Mr. Wood spoke about the liability issue and understands emergency situations do come up. Discussion followed concerning language pertaining to extreme and unusual emergency situations when prior approval is given by the employee's Supervisor and asked the County Attorney to draft appropriate wording to add to the policy.

It was MOVED by Mrs. McBean-Clairborne, seconded by Mr. Lane, and unanimously adopted by voice vote, to approve the policies presented to the Committee including the additional wording concerning emergency situations.

Annual Financial Disclosure Form

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Mr. Koplinka-Loehr briefly explained the proposed Annual Financial Disclosure Form was reviewed and is being recommended by the Ethics Advisory Board.

Ms. Kiefer said the definition for household member and domestic partner should be separated and read as follows: (For purposes of this entire form the definition of household member is a person defined as a spouse, domestic partner, dependents, minor children, or anyone else who resides with you. A domestic partner is someone who resides with you and you both intend to continue to reside together for the foreseeable future and are committed to the care and support of each other.)

The Committee continued its review of the draft form and raised many concerns with the following questions:

- 3B. Commitments/Allegiances -- what is met by primary commitment.

Discussion followed and some Committee members spoke in opposition to including this question on the Financial Disclosure form.

- 3D. Associations and Organizations.

The concern is that the question is open-ended and can be interpreted differently.

Mr. Wood expressed his concern and objection to the question asking for the disclosure of household member as it discloses the person's sexual orientation. The Ethics Advisory Board, however, did not agree with him.

Discussion followed with the remaining questions on the form and additional concerns raised.

- 3E. Real Estate

Mrs. McBean-Clairborne feels the question could be clarified.

- 3F. Business Connections

Ms. Herrera raised a concern that she may not be aware or is not privy to contract connections her employer may have with the County or that a household partner may have.

- 3G. DBA (Doing Business As)

Mr. Lane felt partnership name should be added to this question if it remained on the form.

Mr. Wood said that if the Committee decided not to recommend the draft proposal that he would like to recommend some changes to the current version as questions and concerns have been raised by various employees with some of the questions such as the value of investments.

Ms. Kiefer addressed a question raised previously by Mr. Whicher concerning question 3I. Loans. She said there were two versions to this question but could not remember which one was the correct interpretation: (1) List any current outstanding personal loans received by you from individual person(s); or (2) List any current outstanding personal loans received by you at or below market rate.

Mr. Todd said he does not support revising the form and recommends the current version remain in place.

Further discussion on the form was postponed.

Appointments

It was MOVED by Ms. Herrera, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote, to approve and submit the following appointments to the full Legislature for approval:

Public Information Advisory Board

Larry Roberts - term expires December 31, 2005

Andrea Gerding - term expires December 31, 2005

Rules of the Legislature

Mr. Koplinka-Loehr explained the subcommittee met and has presented their recommendations for the Committee to consider.

Ms. Kiefer began by stating she would like to have resolutions added to committee agendas by simple majority and not by a unanimous vote. She would also like to request a procedure be included that will delay action until the next meeting if requested by a committee member.

Mr. Lane was excused at 3:34 p.m.

It was MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera, to add the following language to the Rules of the Legislature:

Member-Filed Resolutions

It is recommended that a title and resolution be filed in time to be distributed with the agenda provided to committee members and the public.

If the title and resolution are not filed according to the above recommendation, it will take a unanimous vote of the listed committee to add the item to the agenda for action.

If a unanimous vote is not reached, action on the filed resolution will be put on the following scheduled meeting agenda of the listed committee(s).

Staff-Filed Resolutions

It is recommended that a title and resolution be filed in time to be distributed with the agenda provided to committee members and the public.

If the title and resolution are not filed according to the above recommendation, it will take a unanimous vote of the listed committee to add the item to the agenda for action.

If a unanimous vote is not reached, action on the filed resolution will be put on the following scheduled meeting agenda of the listed committee(s).

If the action required is an emergency action, a recommendation from the County administrator or his or her designee will be required and sufficient at the committee meeting.

Written Reports

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It is strongly recommended that written reports from staff be sent out with the agenda so that committee members may read and review the content prior to the committee meeting.

It was MOVED by Ms. Herrera, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members, to change the votes above from unanimous to simple majority.

It was MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera, and unanimously adopted by voice vote by members present, to add the following language to each of the two sections above pertaining to the addition of resolutions:

"It is recommended that if a committee member requests more time for consideration of or research on an action item, so long as quick action is not required to meet the deadline, the request for delay should be agreed to."

It was MOVED by Ms. Herrera, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present, to add the following language to the first paragraph of the appointment policy:

"Recruitment of advisory board members shall include outreach efforts in order to assure, whenever possible, geographic and demographic diversity reflective of the community."

A voice vote on the Rules of the Legislature as presented and amended resulted as follows: Ayes - 4 (Koplinka-Loehr, Herrera, McBean-Clairborne, and Todd); Noes - 0; Excused - 1 (Lane). CARRIED.

Adjournment

The meeting adjourned at 3:54 p.m.