

WESTCHESTER COUNTY CHARTER REVISION COMMISSION
CHARTER AND CODE FOCUS GROUP MINUTES

April 4, 2012

Members in Attendance: Guy Parisi, Florence McCue, Herman Geist,
County Staff in Attendance: Chris Crane, Melanie Montalto, Stacey Dolgin-Kmetz
Special Counsel in Attendance: Lester Steinman
Guest: Sam Yazkur, Former Westchester County Attorney

MINUTES

Focus Group Chairman Parisi called the meeting to order at 12:10 pm

Mr. Yazkur explained that he often wondered if in fact the charter may be amended at the county level at all, since it was created by a state law. The doctrine of legislative equivalency states that the legislature cannot delegate it's authority to another entity. State law (the charter) shouldn't be able to be amended by anyone but the state.

Mr. Yazkur was formerly the County Attorney in Westchester County and he is currently the County Attorney in Sullivan County. He was asked whether he thinks the Board of Legislators should have separate attorneys from the County Executive. Mr. Yazkur did not think so. He remembered acting as a neutral in any controversy involving both branches of government. He made it clear to all that he was the attorney for the county and that he had to interpret everything in a manner that was best for the county based on the law.

He stated that in Sullivan County there is no county executive, but rather a County Manager who is hired by the Board of Legislators. The county attorney's term is coterminous with the term of board members. In Westchester County the County Attorney serves at the pleasure of the County Executive.

In discussing possible charter revisions that could make for more smooth relations among branches of government, whether related to the appointment process or any other matters, he was sure that a change in the structure of government would make no difference at all. "The difference is the people", he said, "not the structure. Some people will find ways to work together for the good of the county and others will not." He felt that we could change the appointment process, but in the long run conflicts would still arise based on individuals' ability to work together.

Regarding *Playland*, he felt that we should just look at where it fits in present day Westchester County.

Regarding the relationship between the Legislative and Executive branches, he remembered when there were formal teambuilding training that focused on county matters and forced all participants to look at the big picture. They used to call the BOL the “Big Board” and A & C the “Little Board”.

He used to be the attorney for the county in the same way as the Attorney General is the attorney for the state and the Corporation Counsel is the attorney for NYC.

The minutes of the previous meeting were approved as amended with a type-o correction changing the word “dies” to “does” at the top of page two.

Focus Group meeting adjourned at 1:10 pm.

Respectfully submitted,

Florence McCue