

**WESTCHESTER COUNTY CHARTER REVISION COMMISSION
MINUTES
November 21, 2011**

Members in Attendance: Richard Wishnie, , Raymond Belair, Jeff Binder, Anita Delgado, Alfred Gatta, Julie Killian, Derickson Lawrence, Steve Mayo, Anne McAndrews, Florence McCue, Paul Meissner, David Menken, Jane Morgenstern, Guy Parisi, Vincenza Restiano, Ronald Volino, Paul Windels, Gary Zuckerman

Absent Members: Herman Geist, John Mattis, Bertrand Sellier Matthew Thomas, Sam Zerka

County Staff in Attendance: Katy Delgado, Kevin McGuire, Stacey Dolgin-Kmetz, Chris Crane, Melanie Montalto

Guests: Julie Stern, Les Steinman

MINUTES

With a quorum present, Chairman Wishnie called the meeting to order at 7:10 PM.

Les Steinman, ESQ., a member of Wormser Kiely Galef & Jacobs, LLP and Counsel to the City of Newburgh Charter Revision Commission spoke to the Commission about his work. He stated that he also worked on charter revisions for New Castle and White Plains. He explained the process of having a professional consultant work with a charter revision commission, from attending every meeting, to making presentations, to providing legal advice and drafting the final report and legislation. Mr. Steinman provided copies of the final report he prepared for the City of Newburgh. A copy is on file and available for review.

Mr. Steinman stated that it is important to hire professional staff to have the commission as their primary focus. He stated using the government employees compromises the commission and these employees have other duties and cannot focus solely on the commission.

The Committee discussed the different types of government structures with Mr. Steinman, as well as the difference in commission legislation between Newburgh and Westchester.

Chairman Wishnie stated that the legislation establishing the Commission allows us to decide how deep we want to go, if we just want to make recommendations for some policy changes or if we want to suggest a complete restructure of the county government. He stated that the Commission will need an extension and if the Commission thinks we

need to, we can ask for amended legislation to require that the Commissions recommendations be implemented.

Chairman Wishnie also stated that he believes we should have some paid staff, that current staff has many tasks in addition to this and we may want to ask for funding to hire an outside consultant and professional staff. Several members agreed, stating that the legislation says funding is supposed to be available for such a purpose. The Commission continued the discussion regarding hiring professional staff, the cost, and possible law students.

Kevin McGuire, Commissioner of the Department of Social Services explained the Department and its various programs. He stated that Social Services is the largest department in the county. The Commissioner said this year's budget was \$587,578 million, with \$200 million of that being tax levy dollars which goes to pay for things like public assistance and foster care. He stated that a lot of the funding is provided by the state. He stated that the activities of the department are prescribed in state law and the commissioner is actually considered an agent of the state. Commissioner McGuire explained that he has to work with the State Department of Health which oversees the Medicaid program and the Medical Assistance Programs. He also has to work with the State Department of Social Services and two branches within it, the Office for Children & Family Services which covers the child welfare activities, adult protective services and child care, and the Office of Temporary and Disability Services which handles the welfare programs itself, the temporary assistance, home heating assistance, etc.

Commissioner McGuire stated that while the state writes the regulations and programs that have to be provided they do not tell the counties how to operate these programs, that is left to the counties and local municipalities and this is one thing the Charter Commission may want to look at.

Commissioner McGuire stated that the Department has 1,100 staff members, which comprise of the child protective services, foster care, and welfare programs which are family assistance and food stamps which is 100% federally funded aside from the administrative expense.

A lengthy discussion ensued regarding Medicaid, Medicaid fraud, and reimbursements. Commissioner McGuire explained the process of the county determining eligibility for Medicaid and how the payments are made by the state. He said the state is beginning to take on the eligibility portion of the process for the county. He explained that the state used to do a 50-50% payment plan for all of their programs but over the past few years they have been changing the reimbursement rates so the county is paying up to 70% of their mandated programs. He explained that over the next few years the state may begin taking over more of the Medicaid costs, the idea is gaining momentum in Albany and being thought out.

Commissioner McGuire explained how Medicaid fraud is identified at the state level.

Mr. Zuckerman asked why the towns and villages do not have their own social services office. Commissioner McGuire explained that that used to be the case but the state feels it is more efficient to deal with one department for each county and send the funding to one place to be distributed by the county.

Mr. Zuckerman asked how much of the Department's tax levy money is discretionary. Commissioner McGuire stated that not much of it is discretionary at all because many of the state and federal programs require matching dollars, or the funding provided by the state and federal government is not enough to administer mandated programs.

Commissioner McGuire explained that the Department often contracts with not-for-profit organizations in the county to help provide services. He also discussed the staffing structure with the Commission.

Commissioner McGuire explained the difficulties of operating with three different budget cycles, with funding and mandated programs coming from the Federal budget cycle, the State budget cycle, and the County budget cycle. The Commission discussed looking into possibly changing the County budget calendar to match the state calendar.

Chairman Wishnie stated that we will be sending a letter to all of the Commissioners asking them for suggestions on changes the Commission could suggest that would improve the operations of their departments.

The Commission discussed the current budget process with Commissioner McGuire. He stated that he would like to be able to keep his staff and ensure that housing is provided to the homeless for next year and moving forward.

The Focus Group Chairs provided updates on their groups meetings and progress.

Vincenza Restiano, Chair of the Local-Government-County Government Relationship Group, said they are reviewing the Westchester 2000 report and the previous 1988 commission report for valuable information. She discussed the importance of sharing the work that we are doing with the public so they can provide input. Ms. Restiano stated that they will discuss planning and assessment, consolidation of services with municipalities, school boundaries, county road service, mutual aid and first responders, storm water management, sewer district management, and more. Ms. Restiano stated that all of the members are coming up with questions that can be circulated to the local municipalities in terms of their workings with the county. The group also wants to learn better the roll of the county to understand what is already being provided to the municipalities and what they can provide. Chairman Wishnie stated that we will prepare a letter that can be sent to all of the municipalities.

Jeff Binder gave an update on the Budget & Finance Focus Group's two meetings. He said they are asking all of the members of the group and the rest of the Commission to attend a budget meeting or public hearing and provide feedback to group on the

procedures. Mr. Binder stated that they are following the budget presentations and studying the budget to see where the funding comes from and how it is distributed and allocated. He said he has met with a former Budget Department Director to help understand the budget process. It was explained that anyone can watch the live stream or later watch the video of the departments budget presentations but Mr. Binder encouraged being in the room at least once to get the entire experience. He stated that they have requested and are receiving helpful suggestions and information from commissioners and former and current staff. The next meeting will be on Monday, November 28th at 9:30 am.

Al Gatta gave a report on the Executive/Legislative Relationship Focus Group's first meeting. He stated that the group discussed the different forms of government. For the next meeting he will invite a member of NYSAC to speak to the group on their dealings with the different counties and government structures. Mr. Gatta said that at the next full Commission meeting in January, Al DelBello will be invited to speak about his experiences as a County Executive and working with the Legislature.

Guy Parisi, Chair of the Charter & Codes Committee gave an update on their first meeting on November 11th. He said they have identified the group's mission and will be looking for inefficiencies and redundancies in the charter, as well as looking at the processes for amending the charter.

Chairman Wishnie stated that there will not be a full Commission meeting in December. He discussed finding a bigger meeting space where everyone will fit at the table with parking. The members discussed the possible move and how they would only like to do so if it will be convenient for the staff. The members also discussed the need for an extension on the deadline for the Commission report. Chairman Wishnie stated that he will draft a request for an extension to be submitted after the budget is complete.

Moved by Gary and seconded Anne by the Charter Revision Commission adjourned at 8:45 p.m.