

RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
Held In Room 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512

Members: Chairman Othmer, Legislators Albano, & Gross

Monday

May 14, 2012

6:30 P.M.

The meeting was called to order at 6:30 P.M. by Chairman Othmer who led in the Pledge of Allegiance. Upon roll call, Legislators Albano, Gross, and Chairman Othmer were present.

3) Approval of Minutes – April 17, 2012

The minutes were approved as submitted.

4) Proposed Charter Amendment Section 12.08 “Coroners”/Discussion

Chairman Othmer introduced this item and requested that Board of Elections Republican Commissioner Anthony Scannapieco come forward to discuss this item.

Commissioner Scannapieco stated that the memorandum from Deputy County Attorney Danielle Harris dated May 11, 2012, summarized the issues surrounding this proposed charter amendment.

The memorandum stated that County Law requires this change to be made 150 days before the general election to which it would apply. All current coroners' terms would end December 31st of the year the amendment was passed regardless of when their term was scheduled to end. This would require all current coroners to run in the general election of the year the amendment was passed. The coroners that are elected in the new positions during said general election would be elected for specific and designated terms to ensure the staggering of coroners' terms.

Chairman Othmer stated that it was similar to what was done when the Legislature changed to nine seats.

Legislator Tamagna stated that the Charter Review Commission looked at the number of cases for each coroner and which coroners completed each case load.

Legislator Albano asked if the Legislature could cut the office down from four to two coroners.

Legislator Tamagna stated that the Charter Review Commission saw which coroners took on the number of cases in 2011 and recommended the Legislature go down to two coroners.

Legislator Oliverio stated he would support two coroners at this time.

Legislator LoBue stated she would support three coroners at this time because these are elected positions and they might not know that two may be removed. She stated that the numbers show that the County could go with two coroners. She would like to do three now and look at going to two later. She asked if the County would be subject to a lawsuit for going from four to two, technically someone would lose their job.

Deputy County Attorney Harris stated the item is time sensitive, whether it is the two option or the three option, it must be done right now to meet the deadline of 150 days before the general election to be implemented for 2013. Under New York State Law the County is authorized to abolish the positions of the coroners therefore, at that point all current coroners terms expire at the end of the year the amendment was passed, everyone has to run for re-election. Whether it is two or three, those are the positions that they would be eligible to run for.

Commissioner Scannapieco stated they need to stagger the terms and he would ask if any of the current coroners would retire after their current terms beside the one he is aware of right now. He stated that if another coroner was planning to retire at the end of their current term that the Law Department could research a way to amend the charter from four to three to two coroners without an additional charter amendment.

The Committee and attendees further discussed the intricacies of the two versus three coroner option.

Legislator Tamagna reminded everyone that anyone can run in the general election because all positions are up for election if the charter is changed, regardless of what option is chosen.

Legislator Albano requested that both options be explored as soon as possible because we have enough time to research both right now and choose one at the June Full meeting.

Deputy County Attorney Harris stated if both options are explored, the Legislature must address the course of action to choose the Coordinator of Coroners position in the two-coroner option. Though it is simple to determine a mechanism for selection, it must be addressed.

The Committee and attendees further discussed the intricacies of the two versus three coroner option.

County Executive MaryEllen Odell stated that the number of cases speak to the number of positions that are feasible.

Legislative Counsel Clement Van Ross stated that the Legislature must make a decision for the June Full meeting.

The Committee decided that the avenue to select a Coordinator of Coroners for the two-coroner option would be that the position is appointed by the County Executive and approved by the Legislature.

Deputy County Attorney Harris stated she will research and prepare both options with aspects discussed for the Legislature for the June Full meeting. She also stated that she would research the legalities of the three-coroner option legally becoming the two-coroner option if one of the remaining three was planning to retire at the end of their current term, in hopes of preventing another charter change and re-election requirement to take place for all of the coroners.

Chairman Othmer made a motion to move both the two-coroner option with the selection of Coordinator of Coroners as appointed by the County Executive and approved by the Legislature and the three-coroner option as amended. All in favor.

5) Approval/Fund Transfer (12T089)/County Clerk-Records Mgmt/Video Surveillance System

The proposed resolution was moved by Legislator Albano, seconded by Legislator Gross. All in favor.

6) Other Business

a) Approval/Fund Transfer (12T92)/Board of Elections/Security Personnel at Board of Elections

Commissioner Scannapieco stated that it is a request for a security guard from 1pm-6pm, part-time, to ensure the safety of employees in the building who are there until 6pm.

The proposed resolution was moved by Chairman Othmer, seconded by Legislator Albano. All in favor.

There being no further business, at 6:50 P.M., Legislator Albano made a motion to adjourn, seconded by Legislator Gross. All in favor.

Respectfully submitted by Krista M. Butler, Administrative Assistant.