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February 22, 2021

Chemung County Legislators  
203 Lake St., P.O. Box #588  
Elmira, NY 14902-0588

RE: Resolution #21-085

Dear Legislators:

Please be advised upon reviewing Resolution #21-085 I have multiple concerns that I would like to bring to your attention. The information contained in this particular resolution was not forwarded to the Executive Branch of county government for review and or comment. This is not the first time that the Legislative Chairman has bypassed the Executive branch of government in order to forward initiatives surrounding his own agenda. My concerns with this particular resolution are multiple, beginning with the \$48,000 expenditure that was not outlined or approved in the 2021 operating budget. Currently there is no process outlined in the County Charter or elsewhere whereupon the Legislature can arbitrarily remove/appropriate funds from the county's fund balance absent approval of the Budget Director and the County Executive. In fact, there are no records of this type of financial transaction being conducted in the past 25 years and while agree that the legislature has the authority to appropriate funds, the process for the utilization of those funds is the annual budget. The legislature has utilized its own interpretation of the charter language in an attempt hi-jack tax payer dollars from the county's fund balance in order to further its own agenda of eliminating the elected positions of County Executive and County Treasurer. I would call your attention to the letter forwarded to you from the Chemung County Law Department, dated 02/05/21, as it is an objection to the manner in which the Legislature is attempting to spend unappropriated funds. I am also concerned that the letter was never placed on the communications portion of the Legislature's agenda whereupon the public would have access. As the County Executive and Chief Budget Officer I have advised the County Treasurer that no funds are to be released absent the normal financial operating procedures that have been in place for decades. In addition, I've also suggested that she seek an independent legal opinion on the legislature's request to appropriate funds.

Since 2005, Chemung County has spent over \$225,000 hiring the Center for Governmental Research (CGR), a management consulting organization to conduct various studies and reports. These reports and studies included criminal justice assessment, financial reviews, shared services as well as a study relative to a financial review commission. I have personally been involved in two of these studies and they are normally requested in order to meet a specific objective of county government, I have yet to see one of these reports that has not been completed in a fashion that is supportive of the overall goal of the county's initial idea or planned actions. In other words, the previous CGR reports and studies all support the County's position, as the county is paying for the study and the results and recommendations of this report will likely do the same. The current requested study is not an independent analysis of government efficiency, it will simply be a nicely packaged study of what the legislature, who commissioned the study wants outlined in the report. This particular report, titled Benchmarking Legislative Composition and Government Efficiency, appears to be nothing more than an attempt by the Legislature to change the county's current form of government involving the elected County Executive and elected County Treasurer. Furthermore, the information to be collected by the CGR, outlined in their Project Plan, is information that could easily be researched by members of the Legislature, the legislative clerks, the Legislative Attorney or an independent contractor, at a cost much less than \$48,000. As opposed to masking this study as a plan to improve the government, it's obviously apparent that the true goal is to forward a referendum to the voters on replacing an elected County Executive and elected County Treasurer with a legislative appointed County Manager and Comptroller. There is no need to waste \$48,000 of taxpayer funds to meet that objective. The Legislature should be able to acquire most of the information outlined in the CGR's Project Plan in a short period of time. As an example, of the 57 counties outside of New York City, 23 are Charter Counties, of which 18 have county-wide elected Executives, and the other 5 have appointed Administrators or Managers. The remainder of the counties are Non-Charter Counties with various forms of government.

The following counties operate under a Charter form of government, and you can see the number of Legislators, population and residents per Legislator outlined below:

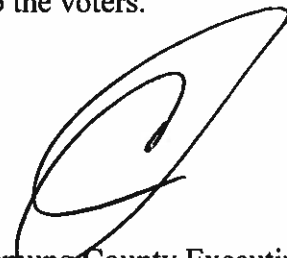
<b>COUNTY</b>	<b>LEGISLATORS</b>	<b>POPULATION</b>	<b>RESIDENTS PER LEGISLATOR</b>
Albany	39	306,945	7,870
Broome	15	197,534	13,168
Chautauqua	19	133,080	7,004
Chemung	15	88,506	5,900
Dutchess	24	296,916	12,371
Erie	11	919,866	83,624
Monroe	29	749,606	25,848
Montgomery	9	49,879	5,542
Nassau	19	1,352,196	71,168
Oneida	23	233,585	10,155
Onondaga	17	468,387	27,552

Orange	21	375,592	17,885
Putnam	9	99,645	11,071
Rensselaer	19	159,918	8,416
Rockland	17	320,903	18,876
Suffolk	18	1,499,738	83,318
Ulster	23	180,998	7,869
Westchester	17	968,802	56,988
<b>Totals</b>	<b>344</b>	<b>8,331,986</b>	<b>364,615</b>

I have also attached the most recent county statewide data (2020) related to salaries for Legislators (chairperson, majority & minority leaders), County Executive's, County Manager's and Administrators, County Treasurers and Comptrollers as well as other elected officials. As you can see the majority of the data being sought by the legislature is readily available without wasting taxpayer funds.

The most important of my concerns is that this work is not being conducted by an independent group/committee of bi-partisan community members. Having Legislators on a committee looking out for their own self-interest lacks any type of transparency. The taxpayers deserve a bi-partisan commission to review legislative districts as well as any contemplated changes to our current form of county government. Furthermore, the CGR Project Plan indicates that Legislators will be taking an **anonymous survey** in relation to the priorities and structure of government, as well as preferred criteria and redistricting. These are elected officials who should not be participating in any type of anonymous survey as their constituents deserve to know exactly what their position is and how they are answering questions in reference to governmental structure. Every voter and tax-payer in Chemung County should be appalled by the lack of transparency in this entire process as well as the continued lack of true leadership from the legislative chairperson.

In closing, if the legislative leadership is truly interested in "benchmarking efficient government", they should concentrate their efforts on doing their jobs as legislators and working with the executive branch instead of continually working against it. Stop wasting tax payer dollars and hiding behind a prescribed proposed report on "government efficiency" and schedule a referendum vote on whether residents prefer the elected Offices of County Executive and County Treasurer vs. the County Legislature appointing a County Manager and County Comptroller. The final say should be up to the voters.



Chemung County Executive  
Christopher Moss