I wouldn’t dare call my old New Paltz college professor Gerry Benjamin “Dusty,” but that’s how some of the government studies his Benjamin Center New Paltz think tank wind up. His latest contender for extended shelf-life recommends constraining the county executive and the legislature from reducing the comptroller’s budget and thereby its oversight. I’m hopeful, however, that this report will kick up some dust before it goes gentle into that good recycling bin.

To reiterate that government on every level resists scrutiny, a comptroller’s fundamental duty, is no knock on the only teacher who ever gave me an “A” in college (he was my...
thing but. Information, after all, is power.

Benjamin, a transplanted Democrat from New York City (did that make him an immigrant?) came to New Paltz when the Republicans ruled in the 1960s. Eventually, Benjamin, representing “the college vote,” filled a spot on the GOP ticket and won election to the county legislature. He even served as chairman.

He remains nonetheless fiercely independent, the quintessential good-government guy. When Dr. Benjamin perceives an injustice or imbalance, he speaks to it, setting his talented research team to task. Be assured the former professor carefully peruses any document that goes out with his name on it.

As the 2006 charter commission’s only academic and widely respected expert on state government, Benjamin is generally considered the father of the county charter. Among other important reforms, the document recommended the county executive form of government, adopted in the midst of the county jail debacle. Commission members were aware the pendulum might swing too far, but were assuaged by a provision that allowed for formal review every five years.

Five years ago they tweaked it. For those keeping track, the 10th year passed without a peep. Can this charter now be considered perfect?
Maybe not. Benjamin recommendation is for major charter revision. Benjamin has apparently been pondering the paradox of the “watchdog” comptroller having his fangs pulled by the very people he was charged with watching — the executive and the legislature.

Last year’s budget process saw County Executive Mike Hein recommending a 22 percent reduction (from $890,000 to $695,000) to sometimes butt-biting County Comptroller Elliott Auerbach’s budget. Among other things, Hein cited a reduced comptroller’s workload. The legislature, itself no friend to the comptroller, cut the executive's proposal for the cut in half, eliminating one staffer.

Auerbach quickly took the county to court. That’s where the Benjamin Center’s Feb. 27 reported titled “Three Proposals that Assure Independent Oversight by Elected County Comptrollers” could be considered evidence.

Benjamin, as is his wont, cast a wide net for this study. Examined in the survey were the eight counties (including Ulster) that have independently-elected comptrollers. Benjamin said he didn’t want the report to be seen as parochial, or worse, political.

Auerbach may have been doing cartwheels around the county office building after seeing the findings. Hein’s reaction, not untypically, was “very critical,” its author said.
The executive, who hasn’t returned an inquiry from this column in about eight years, told Benjamin, said Benjamin, that an independent in-house study that he had ordered came to different conclusions. Hein’s criticism, said Benjamin, was that the Benjamin Center hadn’t consulted him. Neither, apparently, had Hein consulted Benjamin on the subject of the comptroller. “I was motivated to take a look,” Benjamin said in retrospect. “I’ve since read the [executive’s] report.”

And?

“I’ve read the report,” he repeated.

As others have learned, there can be consequences to challenging this executive.

According to Benjamin, a few years ago, his think tank was commissioned by the county to study its court systems as part of a state initiative on court reform. The three-year contract was worth about $300,000, he said, of which the Benjamin Center had been paid about $80,000 to date.

On or about the time of the comptroller report, the center was advised the county was “taking a different direction” on the court study. Good-bye contract. Benjamin would not speculate as to whether cause and effect might be involved, saying only, “It’s their decision.”
Meanwhile, we await a decision from the judiciary, traditionally averse to interfering in these kinds of intergovernmental disputes.

Personally, I find the angels on the side of Auerbach and Benjamin, but angels don’t vote. Says Benjamin in analyzing his own report: “There are two ways for the comptroller to protect himself, one with certain powers that make him formidable, the other [with] good relations with the legislature.”

Auerbach has neither.

**Early bird**

Colonie Town Justice Peter Crummey, 61, announced his candidacy for state Supreme Court justice last week, accompanied by huzzahs from all seven county Republican chairmen. Candidates will be competing for the seat being vacated by Democrat Karen Peters of Ulster, currently presiding justice of the district’s appellate court. Peters will “age out” (at 70) this year and cannot seek re-election.

Where has the time gone? I covered Peters’ first election for Family Court judge. She was 36.

Encompassing Albany, Columbia, Greene, Rensselaer, Schoharie, Sullivan and Ulster counties, campaigning for an open seat in the heavily Democratic Third District is a challenge Crummey seems to embrace.

“I’ve run 10 times for [town] office, the last four without opposition,” said the single practitioner from his Albany law office this week. “We have always run vigorous campaigns. This will be a full-on, vigorous campaign.”

Colonie is a town of just about 82,000 residents on the northern border of Albany. Owing to its vast shopping centers along its bustling Wolf Road, the population bal-
loons to more than 200,000 on a daily basis. Its busy town court handles some 17,000 cases a year.

As the court’s senior judge and administrator, Crummey's salary is about $75,000 a year. Supreme Court will pay $192,000 next year.

The family’s roots run deep in the Capital District, a seat of Democratic power. Crummey’s forebear, Michael Crummey, a baker, emigrated from Ireland during the Great Hunger (in the 1840s) and established a business in downtown Albany. Yes, it was called Crummey Bakery and it thrived. The site is a parking lot near his descendant’s law office. Crummey’s grandfather, like his grandson, graduated from Albany Law School (in 1910 and 1981, respectively), as did one of the candidate’s daughters. He and his wife have five children, ranging in age from 30 to 19.

Crummey is a past president of the Albany Bar Association, where in 2014 he presented an award to judge Peters for her work on establishing a healthcare center for Family Court.

Candidate Crummey presents compelling profile. As a capital-district Republican with close ties to the community, the youthful-looking jurist can fairly present as a hometown favorite, albeit in a vast sea of Democrats. No less a sage than Assemblyman Kevin Cahill once predicted no Republican judge would be elected in the district in his lifetime. Lisa Fisher, riding a tide of Democratic dissention in the Capital District, refuted that prediction two years ago under clearly unusual circumstances. Democrats have yet to surface — the official nominating conventions are usually held in mid-September — though Crummey's early start may give pause. Most assuredly, Dems will vigorously defend a seat they now hold.

Crummey has run with Conservative, Independence and Reform party enforcement before. He’ll need every one of those votes in a judicial district where, according to the state Board of Elections, Democrats outnumber Republicans by some 87,000 enrollees. Independents, with some 158,000 on the rolls, outnumber Republicans by about 15,000.
After Preet, what?

The messy firing of U.S. Attorney Preet Bharara has been received with mixed feelings here in New York. On one hand, there's that awful Donald Trump exercising his constitutional rights as president to select his own people. On the other, Bharara, after reeling in the Assembly speaker and state Senate majority leader, was actively trolling for other very big fish. Crossing the hard-charging ex-prosecutor's radar were the governor (or at least some very close associates), the mayor of New York, some allegedly bad actors in Ramapo soon facing trial, and a brace of Ulster County Democrats collectively known as “the laundry crew.” (My sobriquet.)

The latter refers to some $350,000 transmitted from one of New York City mayor Bill de Blasio’s campaign committees to the Ulster County Democratic Committee in a failed effort to elect a Democratic majority in 2014. Bharara reportedly questioned the mayor extensively on that and other issues last month, but now?

Pols on the chopping block can only hope that it all just drifts away like so many other such investigations under a new administration.

Not to be ruled out is that Trump might want to further punish Democrats in a state that hasn’t voted Republican since Reagan in ’84 by appointing some hound-dog latter-day Thomas Dewey-like muckraker. If so, Democrats might be in even bigger trouble than under the departed and well-respected Bharara. His act will in any case be hard to follow.
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