

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, January 10, 2012*

*9:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair      Lawrence P. Crossett, Vice Chair      Carol A. Ferratella  
Brian C. Schu      Scott J. Van Etten

**STAFF:** Mark R. Alger      Jack Wheeler      Vince Spagnoletti  
John Emo      Jim Gleason      Steve Orcutt  
Ken Peaslee      Brenda Campbell      Sally McDougal  
Shawn Corey      Alan Reed      Ken Isaman  
Brooks Baker      Vicki Olin      Joe Welch  
Wendy Flaitz      Judy Hunter      Jennifer Bailey

**LEGISLATORS:** Joseph J. Hauryski      K. Michael Hanna

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:30 a.m. and asked Mr. Schu to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE DECEMBER 13, 2012, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. GRIEVANCE**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: DENYING THE PUBLIC WORKS GRIEVANCE ON THE GROUNDS THAT THE COUNTY MET THE TERMS OF THE CONTRACT WITH REGARD TO RESPONDING TO THE REQUEST MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. DEPARTMENT REPORTS/REQUESTS**

A. County Clerk

1. **Cott System Maintenance Agreement** – Mrs. Hunter requested authorization to renew their maintenance agreement with Cott. The cost is \$1,757.00 through the end of February and \$1,783.00 from April 1, 2012, through December 31, 2012. Mr. Alger commented this would include any upgrade to that version. This is not an upgrade to the new platform.

**MOTION: AUTHORIZING THE COUNTY CLERK TO RENEW THEIR MAINTENANCE CONTRACT WITH COTT AT A COST OF \$1,757.00 THROUGH THE END OF FEBRUARY 2012 AND FOR \$1,783.00 FROM APRIL 1, 2012, THROUGH DECEMBER 31, 2012 MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Risk Manager

1. **Ergonomics** – Mr. Isaman stated we have an account under our department for ergonomics which had last been used about five years ago. He showed the committee an ergonomic keyboard and mouse which cost \$100 and \$80 respectively. Paying this money now may help to avoid a Workers' Compensation claim later on. This is a great investment for the money. The Ergonomic fund is out of money as the program has been fairly successful. He requested a transfer of \$10,000.00 from the Contingency Fund for the Ergonomics line item to allow him to continue to purchase ergonomic equipment for those employees in outlying offices who request it.

**MOTION: AUTHORIZING THE TRANSFER OF \$10,000.00 FROM THE 2011 CONTINGENCY FUND TO THE RISK MANAGER'S ERGONOMIC CAPITAL PROJECT ACCOUNT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

2. **Workers' Compensation Program** – Mr. Alger informed the committee that they have been talking with PERMA for six months about the Workers' Compensation administration and programs. We have met with them to talk about their proposal. They have a five year proposal to assist us in managing our Worker's Compensation program. Over that period, they would provide for the continuation of the self-insurance plan we have. In addition to what we have been getting with our current third party administrator, we would provide a half-time person who would do safety training improvements across the entire participant group. The County, as well as those towns and villages who participate in our Workers' Compensation program, would receive safety training. This proposal is a little more expensive about \$50,000 more than we had budgeted. In the first year, they estimate savings would be 20 – 40 percent on claims. With the safety training, he thinks this is a consideration we should move forward with. There would be a reserve set aside for future claims. By the end of the five year period, there would be \$800,000 that we will have set aside. Mr. Alger stated at this point, he would be inclined to try this. After the five year period, if you are not satisfied, they will maintain the claims that we had during our time with them. The current third party administrator we feel is stressed and we are not getting any additional assistance from them.

Mr. Isaman stated PERMA will take over that responsibility. We will not have to buy an excess Worker's Compensation policy. That would have to be prorated back. In 2011, we were in the black. We went from 110 cases in 2009, to 107 cases in 2010 and 76 cases in 2011. That is where you can see that we stepped up our safety training to County employees, as well as to the towns and villages.

Mr. Alger stated we paid for an actuarial study of our plan. It was estimated that we should have \$8 million to cover our current claims and we have virtually nothing set aside. With PERMA, they systematically set aside money to help you achieve that over time. That is also a consideration. That amount set aside is built into the premium price. The deductible goes down every year assuming there are no specific injuries. He stated he is not asking for a decision at this point. We will have PERMA come in and talk to the Chairmen's group prior to the January Legislative Meeting. In February we can consider this again at the Administration Committee before we bring it to the Full Board.

Mr. Van Etten asked should we look at other proposals? Mr. Isaman stated PERMA came to us because of the relationship we have with NYSAC. Mr. Alger stated NYSAC has been promoting this to us as a model. Mr. Crossett asked have we looked at anything that doesn't involve self-insurance? Mr. Alger replied no. Mr. Van Etten asked do we have a long term contract with the third party administrator? Mr. Alger replied no.

Mrs. Ferratella asked with regard to the safety training for the towns and villages; how much more additional time would they have? Mr. Isaman replied PERMA will put an individual here for 20 hours per week. That is a

tremendous amount of time. Mr. Alger stated he doesn't know how many hours Mr. Isaman spends on training, but this would be more than that. He commented that NYSAC did an extensive search themselves. This is just an initial presentation.

D. Administrator

1. **Fiber Optic Network** – Mr. Alger stated we are in the process of making a decision about what to do with the Southern Tier Network. The first option is we have use of twelve strands of fiber and we would be responsible for the last mile. The other option is to connect us to the ring. We have preliminary numbers on what that last mile would cost us. In the next month we expect to have a more definitive estimate. He stated that they are leaning toward recommending taking the twelve strands of fiber. Once we have the final numbers, we will bring that back next month for your consideration. It will not be insignificant; a few hundred thousand dollars. In the long run, the access will pay larger dividends.

Mr. Van Etten asked what our requirements are as far as usage? Mr. Wheeler replied we could not compete with the network. Twelve strands of fiber is a lot of access. That would allow us to provide internet services to our Hornell and Corning offices. If we connect to the tower, we would get one or two strands. Mr. Alger stated if we do the last mile ourselves, we would have the opportunity to do other things. If we just connect to the tower, that is all you will get. Mr. Wheeler commented Chemung and Schuyler counties are each doing twelve strands. Mr. Alger stated we don't know how much capacity we will need. We are leaning in the general direction of twelve strands, but we want to see the final numbers. Discussion followed.

2. **Youth Bureau Contracts** – Mr. Wheeler requested authorization to enter into a contract with Steve Sutfin to administer the Compeer Program for an annual cost of \$10,000.00. The Compeer Program connects volunteers with someone in mental health who is in need of a positive relationship. This is 100 percent reimbursed by the State.

**MOTION: AUTHORIZING THE YOUTH BUREAU TO CONTRACT WITH STEVE SUTFIN TO ADMINISTER THE COMPEER PROGRAM FOR AN ANNUAL COST OF \$10,000.00 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Insurance Waiver** – Mr. Wheeler requested authorization to waive the insurance requirements for Jim Gallagher, Youth-In-Government Coordinator, and Steve Sutfin, Compeer Program Administrator. Mr. Alger commented we have waived the insurance requirements in the past.

**MOTION: WAIVING THE INSURANCE REQUIREMENTS FOR JIM GALLAGHER, YOUTH-IN-GOVERNMENT COORDINATOR, AND STEVE SUTFIN, COMPEER PROGRAM ADMINISTRATOR MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

V. **OTHER BUSINESS**

A. New County Website – Mr. Peaslee reported that we have been working on the new County website and today at noon, will be switching over to the new version. This is the result of a shared services grant. The new website will have all pages being consistent and departments will have the ability to maintain their own calendars.

B. Meeting Date – Mr. McAllister stated it has been suggested by the Chairman to set the regular meeting date for the second Tuesday of each month at 9:00 a.m.

**MOTION: SETTING THE DATE OF THE REGULAR MEETING OF THE ADMINISTRATION COMMITTEE FOR THE SECOND TUESDAY OF EACH MONTH AT 9:00 A.M. MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Primary Date Update – Mrs. Ferratella asked if there have been any updates on consolidating primary dates? Mrs. Olin replied they have not heard anything. Mrs. Ferratella asked do you have the number of registered voters versus new voters? Mr. Welch replied the committee at last month's meeting had been concerned with the numbers we had gotten on the full document imaging. We contacted the vendor and have put in 12,000 records out of 60,000.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO HIRE CONFIDENTIAL SECRETARY, PAM AINI AS AN 80 PERCENT PART-TIME EMPLOYEE WITH AN HOURLY RATE OF \$23.08 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING ASSISTANT DISTRICT ATTORNEY, DAVID CODDINGTON TO BE HIRED AS AN 80 PERCENT PART-TIME EMPLOYEE WITH AN ANNUAL SALARY OF \$54,400 MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE SALE OF A SURPLUS CHAIR IN THE DISTRICT ATTORNEY'S OFFICE TO JOHN TUNNEY FOR \$250.00 MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING INCREASING ASSISTANT COUNTY ATTORNEY, RUTH CHAFFEE'S SALARY TO THE MID-POINT MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING INCREASING ASSISTANT COUNTY ATTORNEY, SHAWN COREY'S SALARY FROM \$72,000 ANNUALLY TO \$75,482 ANNUALLY MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A QUIT CLAIM DEED OF THE COUNTY'S INTEREST IN PARCEL NO. 312.00-01-039.000 TO CHARLES H. NELSON MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, February 14, 2012**

**\*\*PLEASE NOTE CHANGE\*\*9:00 a.m.\*\*PLEASE NOTE CHANGE\*\***

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, February 7, 2012.**

**STEUBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, February 14, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair      Lawrence P. Crossett, Vice Chair      Carol A. Ferratella  
Scott J. Van Etten

**STAFF:** Mark R. Alger      Jack Wheeler      Jim Gleason  
Hank Chapman, Psy.D.      Judy Hunter      Pat Donnelly  
Wendy Flaitz      Shawn Corey      Alan Reed  
Jennifer Bailey      Nathan Alderman      Ken Isaman

**LEGISLATORS:** Joseph J. Hauryski      K. Michael Hanna      Gary B. Roush

**ABSENT:** Brian C. Schu

**OTHERS:** Mariella Frush, PERMA  
Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Hanna to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 10, 2012, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. VAN ETTEN ABSENT FOR VOTE)**

**III. PRESENTATIONS**

A. **PERMA** – Mariella Frush, Senior Account Manager, stated that she is here today to answer any questions or concerns the committee may have regarding their proposal for providing Worker’s Compensation coverage. Mr. Alger stated that he would suggest recommending to the Full Legislature that we move forward with PERMA and pursue this as an option for our Worker’s Compensation pool.

Mr. Crossett asked when would this be effective? Ms. Frush replied it would be effective March 1, 2012. As many of you know, we have been working on a plan for the County for the past three years. A lot has changed in Worker’s Compensation. Most counties are in crisis mode because of the tax cap as well as the increase in the benefit level from \$400.00 to \$800.00 which came about as a result of the Compensation Reform Act of 2007. Ms. Frush stated that she has been working for PERMA for 19 years, and during that time she has seen a dire need for Worker’s Compensation assistance for the self-insured county pool, of which there are 36 of you. In May, we came in with a proposal that was still too costly. We went back and came up with a plan which we are very excited about it. We have formed a partnership with the New York State Association of Counties (NYSAC) and they are endorsing our program.

Ms. Frush stated we have come up with a plan that incorporates excess insurance, along with a safety program which is instrumental in everything that PERMA does in reducing Worker’s Compensation costs. We have promised to provide you with two loss control individuals. They will work 20 hours per week to provide training to all County employees as well as to all of the employees of the participants in the plan. We have also included claims administration. The third party administrators that you have are not paid to manage claims. Anytime you have a claim where there is lost time, we

will assign a nurse to that case. All of these things work together to reduce your overall costs going forward. We are proposing a five-year plan. In year three, there will be an opportunity for an optional buy-down of the current claims. Additionally, we included a clause in the contract that if at any time you are unhappy with our services, you may exit the plan. We are looking to begin this contract on March 1, 2012. If this goes through, we will send a few people who will be working with the County and visiting all of the participants.

Mr. McAllister asked where does the catastrophic coverage kick in? He also asked Ms. Frush to provide more information about the buy-down. Ms. Frush replied when we insure the County, you will no longer have to purchase excess insurance as that will be included. Mr. Alger commented the unique thing about this proposal is that it allows the pool to stay together. The competitors that had given us presentations previously have asked why we are not going with them and it is because the pool would have been broken up. NYSAC approached two or three different organizations and PERMA came up with a program that would keep the pool together. We think, with the safety instruction, this is a good option for the County to pursue at this point.

**MOTION: RECOMMENDING TO THE FULL LEGISLATURE THAT THE COUNTY CONTRACT WITH THE PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION, INC. TO PROVIDER WORKER'S COMPENSATION COVERAGE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.**

Mr. Crossett asked what other counties contract with you? Ms. Frush replied we have Essex, Schoharie, Hamilton, Chenango and Madison. We are also working on contracting with Allegany, Cattaraugus and Dutchess counties.

Mr. Van Etten stated that he previously had the question about the five year contract and it is good that there is an early exit. If we are building up a bank account of money and the participating municipalities leave, do they have any claim to that? Mr. Reed replied no. If the plan is discontinued at a later date, then statute allows for those accounts to be split with the remaining active participants.

Mr. Alger commented we looked at the actuarial studies that were done and the money that the plan should have set aside is \$8 million. When we are through, we will have \$800,000 set aside and we are far short of what the actuary says we should have. That is for current claims aging out and you will need that money for the payment of claims in the future.

Mrs. Ferratella asked with regard to the safety training, will the municipalities be trained differently? Ms. Frush replied we have an extensive library of DVD's that we will ship free to any municipality on any topic. Our loss control consultants will design their training to the group they are speaking to. Mrs. Ferratella asked how will this be communicated to the municipalities? Mr. Isaman replied we will have a meeting with the municipalities. Ms. Frush stated they will have staff here four to five days a week and we will meet with every municipality in the County and do an orientation.

Ms. Frush stated that in response to the inquiry regarding the buy-down, in year three we will incorporate money that will be put into a fund for existing claims. Year one will be \$250,000 and with that money, we will try to pay off the smaller claims. It is very common for counties to have claims on the books from the 1960's. The buy-down is optional in years 3, 4 and 5 of the contract. Discussion followed.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

#### **IV. DEPARTMENT REQUESTS**

##### **A. Purchasing**

1. **Award of Copy Paper Bid** – Mr. Gleason informed the committee that they received one bid for copy paper, from Unisource. The cost is \$27.70 per case. He recommended awarding to Unisource.

**MOTION: AWARDING THE BID FOR COPY PAPER TO UNISOURCE FOR A PRICE OF \$27.70 PER CASE MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Printing Services** – Mr. Gleason requested authorization to pursue a contract with GST BOCES to provide quotes and pricing on a job by job basis.

**MOTION: AUTHORIZING THE PURCHASING DEPARTMENT TO PURSUE ENTERING INTO AN INTER-MUNICIPAL AGREEMENT WITH GST BOCES TO PROVIDE QUOTES AND PRICES ON A JOB BY JOB BASIS MADE BY MR. VAN ETEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Real Property Tax Service Agency

1. **Tax Certiorari Proceedings** – Ms. Flaitz requested authorization to amend the resolutions from 1993 and 2003 which established the policy for the County to participate in Tax Certiorari Proceedings. The current wording indicates that there is an annual reassessment program, however, the State does not support annual reassessment programs, only cycle programs. The purpose of this amendment is to change the wording from annual reassessment to cycle reassessment.

**MOTION: AMENDING RESOLUTION NO. 010-93 AND NO. 132-03 ESTABLISHING THE POLICY FOR THE COUNTY OF STEUBEN RELATIVE TO PARTICIPATION IN TAX CERTIORARI PROCEEDINGS MADE BY MR. VAN ETEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

2. **Contract** – Ms. Flaitz requested authorization to renew their contract with ESRI for software and maintenance. The annual cost is \$22,228.00. This is for the mapping software which is shared with 911 and Public Works. Mr. Alger commented this is the actual mapping software for GIS. It is run in conjunction with Pictometry which provides the flyover pictures, but it is not the same. Pictometry is really a product and is a separate contract. We use the ESRI software to use the pictures that are provided by Pictometry.

**MOTION: AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO RENEW THEIR CONTRACT WITH ESRI FOR THEIR MAPPING SOFTWARE AND MAINTENANCE AT AN ANNUAL COST OF \$22,228.00 MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. County Clerk

1. **RFP Waiver** – Mrs. Hunter informed the committee that they received the final approval of their grant application to the New York State Department of Education for \$68,234.00 to be used for their Digitization of Land Records project. After discussing with Mr. Gleason, we determined that it may be in the best interest of this project to waive the RFP. Mr. Reed explained, this is a continuation of an existing project and the waiver of the RFP process would be appropriate.

Mr. McAllister asked will this grant complete the indexing? Mrs. Hunter replied it will allow us to complete the digitization of the grantor/grantee indexes. In the future we could do the deed books. We also need to get the mortgagee indexes digitized as well. She stated that she would like to once again extend an invitation for everyone to come over to the office to see what is happening.

**MOTION: WAIVING THE RFP PROCESS FOR THE DIGITIZATION OF LAND RECORDS PROJECT IN THE COUNTY CLERK'S OFFICE MADE BY MR. VAN ETEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Personnel

1. **Sheriff's Department Reclassification** – Mr. Alderman requested authorization to reclassify one, vacant, full-time armed court security office position to two part-time armed court security officer positions. There will be a savings in the health insurance benefits as well as in overtime as they will be able to provide better coverage.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT FULL-TIME ARMED COURT SECURITY OFFICER POSITION IN THE SHERIFF'S DEPARTMENT TO TWO PART-TIME ARMED COURT SECURITY OFFICER POSITIONS MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0**

2. **Office of Community Services Reclassification** – Mr. Alderman requested authorization to reclassify one Grade XIII Alcohol & Substance Abuse Counselor to one Grade XII Registered Professional Nurse. State regulations require that they have one RPN in each of their office locations. This will result in a savings of approximately \$1,500.00.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE XIII ALCOHOL AND SUBSTANCE ABUSE COUNSELOR TO A GRADE XII REGISTERED PROFESSIONAL NURSE IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Administrator

1. **Records – PMI Contract Extension** – Mr. Wheeler stated that we currently have a contract with Photo & Micrographics, Inc. to microfilm and scan records. He requested authorization to renew this contract for an additional year at a cost of \$35,500.00.

**MOTION: AUTHORIZING RECORDS MANAGEMENT TO RENEW THEIR CONTRACT WITH PHOTO AND MICROGRAPHICS, INC. FOR THE SCANNING AND MICROFILMING OF RECORDS AT AN ANNUAL COST OF \$35,500.00 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Administrative Code** – Mr. Alger requested approval to add a checklist to the contract boilerplate in the *Administrative Code*. He stated that this will serve as a coversheet to help the departments keep track of what they need. Mr. Reed explained at times the process for how we receive and review the contracts doesn't always flow through the proper channels. We were looking to make sure that the department heads are complying with the need to secure signatures in a timely fashion, get current certificates of insurance for their vendors and to forward those contracts to the Clerk of the Legislature so they can be entered into the database.

**MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE THE ADDITION OF A CONTRACT CHECKLIST TO THE CONTRACT BOILER PLATE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: APPROVING THE SALARY FOR ASSISTANT DISTRICT ATTORNEY, JAMES MILLER AT \$80,000.00 WHICH IS SLIGHTLY ABOVE MID-POINT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MRS. FERRATELLA. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

V. **OTHER BUSINESS**

A. *Defrayment of Demolition Costs* – Mr. Reed stated in November 2011, he sent a memo to Ms. Flaitz and Mr. Donnelly regarding the County's position regarding certain assessments on parcel which are not paid by the County for delinquent taxes to local municipalities, specifically at issue are the costs of clean-up and demolition of structures.

From a legislative standpoint, the cities are covered by an agreement with the County, the villages are covered by local law and the towns receive the tax warrants. They collect the taxes for us and they receive the credit which does not include the specific assessment. When the towns, villages and cities have demolitions, it most often is for properties that are in disrepair and very often are delinquent in taxes. The question is there something the County can do with the policy to defray the costs of the municipalities when they take down a structure that is unsafe and/or unsightly? The in-rem process allows the County, as the taxing district, to have agreements with other tax districts on liens against properties. Under Real Property Tax Law §1166, the County, when they have acquired title to a premises pursuant to the tax foreclosure proceeding, the County is authorized to sell and convey the real property with or without advertising for bids, not withstanding provisions of any general, special, or local law, as approved by the Legislature.

Mr. Reed stated one idea is to create a rate of taxes owing and the cost of the demolition against the sale price and the municipalities would share the proceeds. You could have a situation where the County is receiving very little and municipalities are receiving more. If you want the County to be made whole first, you have to state that. This is at the Board's discretion. The County is in the driver's seat because it is the taxing district that does the in-rem process.

Mr. Van Etten commented his concern is that when you demolish a residence on a lot, and the value was with the actual residence. Now you are selling the lot. We should be made whole first to cover our costs and then if there is enough money left after that, then reimburse the municipalities for demolition costs. He asked what about the water and sewer? Mr. Reed replied within the taxing district, we guarantee water, sewer and solid waste. Mr. Crossett asked what about the other charges that municipalities levy such as mowing and sidewalks? Mr. Reed replied those are special assessments that are not guarantee under the law. Mr. Crossett asked how would this be policed? Mr. Donnelly replied we would have to have a special transaction code.

Mr. McAllister asked is there any incentive for the towns to take action and do demolitions? Mr. Crossett replied the County participates in the actual demolition, or we have given them a landfill pass. Mr. Alger stated the real issue is that up until this year, we did that because we were making them whole. With this policy, that would change. In addition to giving them something after we recover the tax, we still participate, to the extent we are able to, with the process of demolition and using Public Works. That is separate.

Mr. Van Etten stated that he thinks we should do this. We are first in line and if there is anything left, then we can reimbursement the municipalities. If you can't meet the entire amount with the sale, then the municipality assumes the difference. Mr. Crossett stated the biggest issue is that the assessors don't change the assessments as the properties deteriorate.

Mr. Alger stated we can draft up a policy and send to the committee before we take it to the Full Board in March.

B. *Reapportionment* – Mr. Alger stated that there is a proposal at the State level to divide the County into three assembly districts. He recommended urging the State to maintain the County as a whole.

**MOTION: OPPOSING THE PROPOSED REDISTRICTING PLAN WHICH WOULD DIVIDE STEUBEN COUNTY INTO THREE ASSEMBLY DISTRICTS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.***

**MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, March 13, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, March 6, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, March 13, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair Carol A. Ferratella Brian C. Schu  
Scott J. Van Etten

**STAFF:** Mark R. Alger Jack Wheeler Vicky Olin  
Joe Welch Jim Gleason Ken Peaslee  
Alan Reed Nancy Smith Pat Donnelly  
Brenda Mori

**LEGISLATORS:** Joseph J. Hauryski Gary B. Roush Thomas J. Ryan  
Gary D. Swackhamer

**ABSENT:** Lawrence P. Crossett, Vice Chair

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Gleason to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE FEBRUARY 14, 2012, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**II. DEPARTMENTAL REQUESTS**

A. Elections

1. **HAVA Grant** – Mr. Welch requested authorization to accept a HAVA Grant in the amount of \$3,370. This is a reimbursement grant for poll site access improvements. The County will pay for eligible projects up front and the State will reimburse us.

**MOTION: AUTHORIZING ELECTIONS TO ACCEPT A HAVA GRANT IN THE AMOUNT OF \$3,400.00 FOR POLLING PLACE IMPROVEMENTS MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Purchasing

1. **Copier Purchases** – Mr. Gleason stated he has money in the copier capital project and he would like to update the central copiers on the first and second floors of the County Office Building, replace the copier in Public Works and add a fax board to the copier at the Public Safety Building.

Mr. Schu asked what will you do with the existing units? Mr. Gleason replied we will take the hard drives out and sanitize the machines. Now we have electronics recycling at the landfill, so we will dispose of the machines at the landfill and give the hard drives to Information Technology to dispose of.

Mrs. Ferratella asked does the fax board replace a fax machine? Mr. Gleason replied yes. We do see some savings as a fax machine costs approximately \$700 and purchasing a fax board allows for the consolidation of equipment.

**MOTION: AUTHORIZING THE PURCHASING DEPARTMENT TO PURCHASE TWO RICOH MP8001SP COPIERS AT \$25,620.00, ONE RICOH MP5001SP AT \$7,839.00 AND ONE FAX BOARD FOR COPIER AT PUBLIC SAFETY BUILDING AT \$578.00, TO BE PAID FOR FROM THE COPIER CAPITAL PROJECT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Information Technology

1. **Mail Encryption System RFP** – Mr. Peaslee stated that a couple of months ago we sent out an RFP for a mail encryption system as a result of the security audit we had done last year. We received five responses. He recommended awarding the RFP for a mail encryption system to Proof Point. This would be a three-year contract; their company has the best value for the three years and they offer one of the top rated email encryption and data loss protection. We have \$120,000 in our capital project and the RFP came in at \$51,290. Mr. Peaslee explained that another item that came up on the audit was that we needed to get rid of older profiles on computers. We have come up with a solution to clean up profiles older than 150 days of inactivity. In doing that, the number of mailboxes is now at 700. We contacted Proof Point and since we are under 750 users, they have adjusted their price to \$43,000. This is the total price for maintenance and equipment over three years.

Mr. Schu asked who did the audit? Mr. Peaslee replied Dox Electronics, which is a software/hardware company out of Rochester. He explained the mail encryption system will allow us to encrypt email that we feel is sensitive in nature. This will automatically scan emails and conduct searches for Social Security numbers, credit card numbers, health information, etc. If that information is found in an email, this system will automatically encrypt it.

**MOTION: AWARDING THE RFP FOR AN EMAIL ENCRYPTION SYSTEM TO DOX ELECTRONICS, INC. FOR PROOFPOINT SOFTWARE FOR A TOTAL OF \$43,000.00 OVER THREE YEARS MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN FOR DISCUSSION.**

Mr. Van Etten stated we had set aside \$120,000 for a capital project to protect our entire system from data loss and data integrity. How much does this system cover? Mr. Peaslee replied this is a different process. During our audit review with Dox, they had stated that mail encryption was a low-hanging fruit and there was a higher percentage that problems would occur through this. Mr. Van Etten asked do we still have exposure? Mr. Peaslee replied yes. Mr. Van Etten asked why aren't we addressing that? Mr. Peaslee replied we don't have the staff, money or the time to do all of that. He is recommending doing this over a whole system encryption as it would be more effective. Mr. Van Etten asked how much more will it cost to do what you had originally told us in December 2010? Mr. Peaslee replied we stopped pursuing that to do this. Mr. McAllister asked would you use the remaining money in the project to do that? Mr. Peaslee replied yes. One of the big items addressed in the audit was the encryption of databases. With Mental Health, the vendor for their database realized they need to be Hi-Tech compliant and so that will be one less package that we will need to encrypt, which will result in a lower cost. There will be some changes that could possibly reduce the costs we will have for completing that project.

Mr. Alger asked with regard to the encryption, is there a different program that you could use universally? Mr. Peaslee replied there are two theories. The first is field based, which picks up fields within a database. The second is complete database encryption. We haven't had the time to research which will be best. The field based interface would require interaction with the vendors.

Mrs. Ferratella asked will you be encrypting internal emails? Mr. Peaslee replied we can if we set it up that way. Right now we are only looking at encrypting external emails. Mr. Van Etten stated that he is concerned as we had raised this issue a year and four months ago and put money aside into a capital project, and now you are using this money to fix something else. Mr. Peaslee replied that is because of the result of the audit. Dox said this was

more critical to address. Mr. Van Etten asked that Mr. Peaslee provide the committee with a review of the audit, what we have done to address the concerns raised in the audit and what Mr. Peaslee still believes to be a risk.

Mr. Alger asked from a priority standpoint, can we address the majority of areas for HIPAA compliance with the remaining money in the capital project? Mr. Peaslee replied yes. Mr. Alger stated that the long term care provided under Public Health is going away and we are also looking at the Health Care Facility and Mental Health, so those areas of concern may change. Mr. Van Etten asked with Public Health, what happens to the data they have? Is that handed over to the new contractor? Mr. Alger replied with Public Health, his expectation is that those records would be archived. They would not actually be available on our system. He stated if we can cover these areas with the funding we have, we can wait and see what transitions will bring over the next six months and then we will have a better idea of what will happen in the next year or so. Mr. Peaslee commented that Mental Health is still moving forward with encryption of their database through Anasazi.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Administrator

1. **Census Discussion** – Mr. Wheeler provided a presentation outlining the changes in population in each district. Green areas represent an increase in population and red areas represent a decrease in population. The total net change was +262. The City of Hornell had a large loss of population and the Town of Erwin experienced a large gain. With the new census numbers, the ideal weight for each district is 582. Ten years ago, the ideal weight was 581. When you look at reweighting, the seats for the City of Hornell would be 26 percent lower and the seat for the Town of Erwin would be 40 percent higher than the ideal weight.

Mr. Alger commented this is a big issue from the district standpoint as the City of Hornell is 26 percent lower, the Town of Erwin is 38 percent higher and everyone else is settled in between. Historically, we have tried to keep the cities separate. The challenge is that the City of Hornell has a population of 8,500 and the City of Corning has a population of 12,000. With that difference between the cities, it is hard to come to an ideal place to keep the cities as a whole. If we are looking at new districts, we have to look at what to do with them. If you keep the cities separate, you have to allow for the discrepancies in population.

Mr. Alger stated there are a lot of options. You can adjust the weight and wait another ten years and revisit this. You can look to do something with the districts. He stated that he would caution that once you change the district lines, then that will create a domino effect across the County. Other decisions to be made include what do you want to do with the cities? Do you want to keep them freestanding or do you want to incorporate them with another district? For example, do you want to put the Town of Corning with the City of Corning? If you do that, then there are different options to look at with respect to representation.

Mr. Alger stated his inclination, based on the opinion of the former County Attorney, is to keep the cities separate with Hornell being low or high compared to Corning. You have to make a decision with the cities themselves. With regard to the rest of the districts, you could end up with a different version. One option is to have a single member per district, or look at having larger districts with multiple representatives. There are many ways to go about this. Next month we will bring you some examples of what you can do. First, if you decide to do anything other than adjusting the weighted voting, that will require a mandatory referendum. That also leads you to the question of do you want to do anything else. The last time you proposed term limits. There is also the option of doing some sort of a charter. The County Attorney has indicated that doing a charter has some advantages for redistricting from a practical standpoint, as it allows you to deviate from the statutory requirement. You could do a basic charter to protect the districting plan you have. When you do a charter, then all issues are open for discussion. For example, what form of government do you want; County Administrator, County Manager, County Executive. That is something to talk about as well. Mr. Alger stated we can start the process with decisions on districts and weighted voting. Then, based on those decisions, you can look at the other issues.

Mr. McAllister asked that next month Mr. Alger bring some options for the committee to review. Mr. Alger stated with regard to weighted voting, as you adjust going forward, your simple majority could end up being a minority. Historically, we have had a simple majority, and rarely do we need to use weighted voting.

Mr. Van Etten asked so nothing has been done since 1980? Mr. Alger replied we have had the same districts since 1980. Mr. Van Etten stated it is time to give that some consideration. Mr. Alger commented when we did the districts in 1980, we tried to get the weight within +/- 5 percent. Over time, people have moved around and that has changed the weight. Mr. Van Etten asked do the cities have to remain separate or was that just the opinion of the former County Attorney? Mr. Alger replied we don't make that decision. Practically, the former County Attorney wanted the cities to stand on their own. In our case, the towns should remain whole and we don't address the cities per se. Practically, we may want to keep them freestanding as historically, they have been a recognized political jurisdiction, but we are not obligated to do that. Every ten years you are required to address your districting policy based upon the census. We merely have adjusted the weights in the past. This may be a time when you need to adjust the districts a little bit. Prior to the 1980 census we had a Board of Supervisors with 34 members. In 1980 we presented two plans, one that would reduce the number to 31 and the current plan.

Mr. Schu asked if we come up with a plan and the public rejects it, do we just stay with the plan we have? Mr. Alger stated if your proposal was voted down, you would want to adjust your weights until you proposed and adopted a new plan. The reason we do this every ten years is to comply with the one man one vote and to make sure your district plan can withstand a challenge.. Even with your current plan, there are still counties that have Boards of Supervisors with weighted voting. Court cases always hang on whether each Legislator has the ability to cast a deciding vote in the event of a close vote. Our plan would withstand that challenge.

Mr. Van Etten asked if we came up with a new redistricting plan and the public passed it, how many years would it take to implement it? Mr. Alger replied that all depends on how you determine that. When we did the staggered terms, we had a lottery of districts of everyone elected at that time. Some were for two years and some were for four years and that allowed us to stagger the terms. He doesn't know how else you could put that into effect.

Mr. Hauryski stated now you have an outline of the process. This committee is charged with the responsibility of this from start to finish. He stated that he will not be appointing a separate committee. He has spoken to Mr. McAllister and each meeting there will be time allotted for discussion of this. There may be occasions where you will need to have a special meeting. There is a lot to this process and we will take it step by step.

Mr. Van Etten stated that he likes the idea of Mr. Alger bringing the committee a few options for next month's meeting. He also asked if someone could give us a rundown on charters and what they mean, what they cover, etc. Mr. Reed stated that he is compiling a list of items that could be incorporated into a charter to allow for greater flexibility. Mr. Alger stated that with a charter you are essentially writing your own constitution. It can be as simple or as complex as you want it to be. Depending on the options, it can either restrict or expand how it functions. The biggest decision is the kind of leadership you want; County Administrator; County Manager or County Executive. You can also delegate different responsibilities to that position.

Mr. Swackhamer stated his concern is that the voter doesn't lose his voice. With some charters, the voter does not have a voice and final decisions are made by the County Executive and not the board. Once the vote is taken away from the board, then the people are not making the decision. Mr. Alger stated the key to putting that together is how you want it to be structured.

Mr. Schu asked does this have to be done by November? Mr. Alger replied it doesn't have to be unless you really want to move. If you want to do it in time for the November election, it has to be on the ballot by August. Mr. Reed stated if you make changes this year that is the change that will be in effect for the remainder of the decade.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mrs. Ferratella asked if the letter regarding the demolition policy had been sent to the towns or just to the Legislature. Mr. Reed stated it was a policy letter so it only went to the County Legislators. He noted Ms. Flaitz had discussed it with the town assessors. Mrs. Ferratella stated she wants to make sure the towns are clear that we have a policy in place. Mr. Alger noted they were going to bring the proposed policy back to the committee for approval. Mrs. Ferratella stated after the policy is approved, it should be sent to the towns.

**MOTION TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, April 10, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, April 3, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, April 10, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Lawrence P. Crossett, Vice Chair Carol A. Ferratella Brian C. Schu  
Scott J. Van Etten

**STAFF:** Mark R. Alger Ken Peaslee Nancy Smith  
Pat Donnelly Wendy Flaitz Shawn Corey  
David McCarroll Alan Reed Brenda Mori

**LEGISLATORS:** Joseph J. Hauryski K. Michael Hanna

**ABSENT:** Patrick F. McAllister, Chair

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Crossett called the meeting to order at 9:00 a.m. and asked Ms. Smith to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE MARCH 13, 2012 MEETING MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENT REQUESTS**

A. Information Technology

1. **Imaging System RFP** – Mr. Peaslee requested authorization to issue an RFP for a document imaging system for the Law Department and Personnel. This is something that is needed within the County and will help to improve staff efficiency. We have money budgeted for this year and would like to start with these two departments. We can add other departments at a later time.

**MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO ISSUE AN RFP FOR A DOCUMENT IMAGING SYSTEM FOR THE LAW DEPARTMENT AND PERSONNEL MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU FOR DISCUSSION.**

Mr. Peaslee commented we will provide the system, however, the actual scanning of documents will be up to the departments. Mr. Alger asked could we ask vendors to give a price to include one to two years of back records? Mr. Peaslee replied our RFP would start from day 1 forward and as time allows, staff could back date. We could include that as an option in the RFP. He stated that he doesn't have money in his department to pay for the back work. That is something that would have to come from the departments. Mr. Van Etten commented that may be a good metric as we could look at the cost and determine if it would be cheaper to hire a temp to come in and scan back records.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Personnel

1. **Breast/Prostate Cancer Screening Leave** – Ms. Smith distributed copies of a policy regarding Breast and Prostate Cancer Screening Leave that she would like to have included in the Administrative Code. This is a policy that we already follow.

**MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE THE BREAST/PROSTATE CANCER SCREENING LEAVE POLICY MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Health Care Facility Reclassification** – Ms. Smith requested authorization to reclassify a vacant Grade 18 Physical Therapist position to a Grade 11 Physical Therapy Assistant position at the Health Care Facility. A Physical Therapy Assistant can do many of the same things as a Physical Therapist. Mr. Crossett asked are we currently contracting for Physical Therapists? Ms. Smith replied yes, temporarily.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT GRADE 18 PHYSICAL THERAPIST TO A GRADE 11 PHYSICAL THERAPY ASSISTANT IN THE HEALTH CARE FACILITY MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Administrator

1. **Mitigating Municipal Demolition Costs** – Mr. Alger stated the committee received a proposed resolution for mitigating municipal demolition costs. Basically, after our taxes are paid, any proceeds that are remaining may be shared with the municipality that had undertaken the demolition. This is for demolition expenses.

Mr. Reed explained this addresses those excess funds from a sale with regard to properties in rem. The County, under Real Property Tax Law, is authorized to enter into these agreements with taxing districts. This allows for the County to agree to another agreement with the taxing district if there are mitigating circumstances. Mr. Crossett asked does this include other non-taxables such as mowing? Mr. Donnelly replied we are not paying those costs now. Mr. Reed stated that he has done a draft letter reciting the law with regard to each municipality and why we don't guarantee demolition. In addition, he also outlined what charges can be put on the bill and levied and what cannot be.

Mr. Van Etten asked with regard to the window of time, can a property be foreclosed on and sold in the same calendar year? Do we maintain those properties until the sale? Mr. Alger replied technically yes. Mr. Donnelly stated we have agreements with the cities where they are responsible for the maintenance of those properties. Mr. Alger stated we do maintenance when we need to.

Mr. Hauryski requested that the letter, along with some examples, be given to the towns so there are no issues. Mrs. Ferratella commented that she would like to get an emailed copy of the letter before it goes out. Mr. Hauryski asked that Mr. Reed email the letter to the committee for review. Mr. Alger stated we will circulate the letter and ask for comment.

**MOTION: ADOPTING A POLICY FOR MITIGATING MUNICIPAL DEMOLITION COSTS IN CERTAIN SITUATIONS MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

2. **Census Discussion** – Mr. Alger stated Mr. Wheeler did an analysis of the 2010 census and the impact on the districts. A packet was sent to the committee showing a number of scenarios on how they could accommodate the population shift. Mr. Alger stated that he would suggest that the committee look at issues in order. There are a number of things we are looking for direction on so that we can prepare other scenarios going forward. They include will you keep the cities whole, or will you add the cities to adjacent towns, do you want the Legislature to remain at the same number or do you want more representatives or fewer representatives, and do you want to look at the possibility of smaller districts or large, regional districts? Given those decisions, we can narrow down the versions.

Mr. Crossett asked is there a consensus on the number of Legislators? Mr. Schu replied he doesn't think we should have an increase. Mr. Van Etten stated that he would not be opposed to have the same or fewer. Mr. Crossett asked is there interest in reducing the size of the Legislature? Mr. Schu and Mr. Van Etten both stated they were not opposed to the idea. Mrs. Ferratella commented at this time the number we have is beneficial as you have the flexibility on attendance at meetings. She stated that she would prefer to stay with 17. Mr. Crossett stated that he likes 17 as well. They did a lot of work reducing the number from 34 to 17 and we have good representation. Mr. Van Etten stated that from a committee standpoint, 17 members is nice. If we reduced the Legislature, that would also need to be done in configuration with a realignment of the committees and how we run government and whether we have a County Administrator, County Manager or County Executive.

Mr. Crossett asked the committee if there were any particular scenarios they wanted to discuss in more detail. Mr. Van Etten commented that in his opinion you cannot keep the Legislature at the current size and keep the cities whole. Hornell is a perfect example as they have shrunk. In his opinion, they should not remain whole and should be combined with the Town of Hornellsville. Does everyone agree? Mr. Alger commented you should leave the cities alone mostly because historically, they have been. They are separate from the towns and villages. You could make the argument that there are differences between two towns, the exception being that under statute, the cities have different authorizations. With regard to the number of Legislators, the plans reflect Hornell is low compared to everything else. In looking at the numbers the only way to make that better was to add the town to the city. Either the town or the city will lose their autonomy. Mr. Schu commented most likely the town would. Mr. Van Etten commented you have the same argument with the Town of Erwin if you were to combine them with another town. Mr. Alger stated you will always have that argument whether you are talking about Hornell, Erwin, Canisteo or Avoca.

Mr. Crossett stated the cities are different in that they have their own roads. It is the autonomy that we have to recognize. We don't have to have two representatives from the City of Hornell. Mr. Van Etten stated that now we have two representatives for a population of 8,500 and one representative for a municipality with a population of 8,000.

Mr. Alger stated with the cities, the only way to fix them is to reduce the number of Legislators on the board or increase the number. If you increase the number on the Board, the City of Corning would get three representatives and the City of Hornell would get two representatives. If you reduce the Board, it doesn't work all that well because Hornell and Corning are 50 percent apart.

Mr. Schu stated there will be a variance in weight regardless. He asked Mr. Van Etten, realistically, since you've been on the Board, how many times has a vote come down to weight? Mr. Van Etten replied maybe once a year. Mr. Alger commented the Rules of Procedure states that you need a super majority to elect a Chair and if you received 10 votes, you won. If you don't do anything with the districts, that may no longer hold true.

Mr. Van Etten asked is the main purpose of this to maintain the one man one vote? Mr. Alger replied yes. Mr. Schu stated it will never be perfect. Mr. Alger explained if you remain within +/- 10 percent, then under statute, it is acceptable to not have a weighted vote. Historically we applied a weight as it was difficult getting the districts within that +/- 10 percent. Some counties still have a Board of Supervisors, each town has representation and that was viewed as constitutionally acceptable with weighted voting. Our situation is not that bad even with the City of Hornell at -26%. Applying weighted voting corrects the one man, one vote.

Mr. Van Etten stated if we can get past the two cities, the next biggest issue is the Town of Erwin. If we keep the cities whole, the Town of Erwin is growing and they only have one representative. Mr. Alger replied he doesn't think this is just Erwin. There are other districts that are getting too high or too low as well. We need to make adjustments to try to correct that going forward. The packet we distributed has various scenarios, some with more changes than other.

Mr. Hauryski stated he would prefer the Board to stay at 17, going with what Mrs. Ferratella stated earlier and given the size of our County with 34 towns and 2 cities. He would like to keep the cities whole, while at the same time adjusting for the Town of Erwin. Mr. Alger stated we are not looking for a decision today.

Mr. Van Etten asked Mr. Alger what his thoughts were. Mr. Alger replied he doesn't think 17 is a bad number and it still works fairly well. He stated that he does think you should keep the cities whole and you will avoid a lot of issues by doing that. He stated that he doesn't think you will want to go with large, regional districts. There are two or three options in your packet that aren't too bad. Mr. Van Etten commented the cities and the number of Legislators drive everything. He stated that he is fine with staying at 17 unless we are looking at a change in our style of government.

Mr. Crossett asked is there a suggestion that we make a dramatic change in government? Mr. Van Etten replied not from him.

Mr. Crossett asked are there other scenarios that you would like to see with keeping a Board of 17 Legislators? Mr. Schu stated that he would like to look at the current maps that they have generated and try to adjust those. Mr. Alger stated we can see if there are additional scenarios by focusing on 17 Legislators and keeping the cities as they are. There are limitations to what you can do.

Mr. Van Etten commented the handouts entitled 17 Legislators – Version 1 and Version 2 are applicable to what we are talking about. The difference between Version 1 and Version 2 is what you do with the Town of Erwin. Mr. Alger stated Version 2 is a bit more regional. Mr. Van Etten asked is there a benefit to doing large districts? Mr. Alger replied it is easier for the numbers. When you look at District 5, putting a couple of towns together increases the population and allows you to get closer to the ideal number.

Mrs. Ferratella stated that she liked the handout entitled 17 Legislators – Version 3. She would like to see what would happen if we used that model and kept the cities whole. Mr. Alger stated we will come up with some additional scenarios keeping a 17 member Board. Mrs. Ferratella stated that she would like to thank Mr. Wheeler for all of his work with this.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION RELATIVE TO A SPECIFIC INDIVIDUAL AND SALARY AND ARTICLE 7§ 105.1.A. MATTERS WHICH WILL IMPERIL THE PUBLIC SAFETY IF DISCLOSED RELATIVE TO DATA SECURITY MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: ADJUSTING THE DISTRICT ATTORNEY'S SALARY IN ACCORDANCE WITH THE STATUTORY REQUIREMENT MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, May 8, 2012  
9:00 a.m.  
Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, May 1, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, May 8, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair      Lawrence P. Crossett, Vice Chair      Carol A. Ferratella  
Brian C. Schu

**STAFF:** Jack Wheeler      Jim Gleason      Vicki Olin  
Joseph Welch      Nathan Alderman      Joel Ordway  
Chris Lian      Shawn Corey      Brooks Baker  
Brenda Mori      Patrick Donnelly      Ken Peaslee  
Judy Hunter      Jennifer Bailey

**LEGISLATORS:** K. Michael Hanna      William A. Peoples, Jr.      Gary B. Roush

**ABSENT:** Scott J. Van Etten

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mrs. Ferratella to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 10, 2012, MEETING MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REQUESTS**

- A. Purchasing Department
1. **Bid Awards**
- a. *Xerographic Copy Paper* – Mr. Gleason recommended awarding the bid to the low bidder, Contract Paper for \$25.96 per case.

**MOTION: AWARDING THE BID FOR XEROGRAPHIC COPY PAPER TO THE LOW BIDDER, CONTRACT PAPER, FOR \$25.96 PER CASE MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

- b. *Stationery Supplies* – Mr. Gleason recommended awarding on a line item basis to the low bidder.

**MOTION: AWARDING THE BID FOR STATIONERY SUPPLIES ON A LINE ITEM BASIS TO THE FOLLOWING LOW BIDDERS: SENTRY, EATON, STANDARD STATIONERY AND S & B COMPUTER MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

- c. *Custodial Paper Products* – Mr. Gleason recommended awarding on a line item basis to the low bidder.

**MOTION: AWARDING THE BID FOR CUSTODIAL PAPER PRODUCTS ON A LINE ITEM BASIS TO THE FOLLOWING LOW BIDDERS: EASTERN, CENTRAL POLY, SAN-SOLUTIONS AND SENTRY MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

d. *Garbage Bags* – Mr. Gleason explained there are two categories, low density and high density. He recommended awarding the bid for low density bags to Interboro and high density bags to Poly Corporation.

**MOTION: AWARDING THE BID FOR LOW DENSITY GARBAGE BAGS TO INTERBORO PACKAGING AND AWARDING THE BID FOR HIGH DENSITY GARBAGE BAGS TO CENTRAL POLY CORPORATION MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

e. *Office Furniture* – Mr. Gleason informed the committee that more and more they have been purchasing office furniture off of State contract. He recommended rejecting the bids for Office Furniture and, instead, utilizing the State contract.

**MOTION: REJECTING THE BIDS FOR OFFICE FURNITURE AND AUTHORIZING THE PURCHASING DIRECTOR TO UTILIZE THE STATE CONTRACT FOR PURCHASE OF OFFICE FURNITURE MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Board of Elections

1. **HAVA “Shoebox” Grant** – Ms. Olin explained that the committee had originally approved this grant back in 2004. At that time, the funding was disbursed directly from the Office of Governmental Services for anything purchased for the Help America Vote Act (HAVA), but those purchases had to be off of State contract. The grant is \$94,289.43 and is now a reimbursement grant, which means we purchase everything up front and are reimbursed by the State. Ms. Olin stated they will be utilizing these funds to purchase seals, pens and a central scanning unit. Eventually we will be scanning military and absentee ballots, which will eliminate the need for hand counting. She requested authorization to accept the balance of the 2004 grant.

**MOTION: AUTHORIZING THE BOARD OF ELECTIONS TO ACCEPT AND APPROPRIATE THE BALANCE OF A 2004 HAVA “SHOEBOX” GRANT IN THE AMOUNT OF \$94,289.43 MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. County Clerk

1. **Semi-Annual Mortgage Tax Distribution Report** – Mrs. Hunter presented the Semi-Annual Mortgage Tax Distribution Report for the committee’s approval. Discussion followed.

**MOTION: APPROVING THE SEMI-ANNUAL MORTGAGE DISTRIBUTION REPORT MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Treasurer

1. **Resolution Authorizing Distribution of Mortgage Tax Receipts** – Mr. Donnelly presented a resolution authorizing the distribution of the Mortgage Tax Receipts.

**MOTION: AUTHORIZING THE DISTRIBUTION OF THE MORTGAGE TAX RECEIPTS MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

E. Administrator

1. **Supporting Full Casino Gaming at 9 Existing NYS Racinos** – Mr. Wheeler informed the committee that they received a request from the Western Regional Off-Track Betting Corporation requesting our support of full casino gaming at the 9 existing racinos. He commented that the County does benefit from this.

**MOTION: MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO SUPPORT FULL CASINO GAMING AT THE NINE EXISTING RACINOS IN NEW YORK STATE MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

2. **Amendments to Administrative Code** – Mr. Wheeler informed the committee that the Family Medical Leave Act now allows for military exigency as well as care of a service member with an injury or serious illness.

**MOTION: APPROVING AN AMENDMENT TO THE ADMINISTRATIVE CODE RELATIVE TO THE INCLUSION OF MILITARY EXIGENCY AND CARE OF SERVICE MEMBER WITH INJURY OR SERIOUS ILLNESS TO THE FAMILY MEDICAL LEAVE ACT MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Mayday for Mandate Relief** – Mr. Wheeler informed the committee that NYSAC has asked us to pass a resolution recognizing May 21, 2012 as “Mayday for Mandate Relief” and urging the Mandate Relief Council to take action in submitting a package of mandate relief proposals to the Governor and State Legislature to be voted on this session. Mr. McAllister commented that he would like to see this go out to the public and be in the newspaper.

**MOTION: DECLARING MAY 21, 2012, TO BE “MAYDAY FOR MANDATE RELIEF” MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

4. **ProAct Prescription Card** – Mr. Wheeler stated we have been using this card for three years and Steuben County residents have saved \$2 million since the inception. We have between 600 – 1,000 users per month. The average savings is \$35.00 per prescription and is at no cost to us. He stated that he will do a press release announcing this.

5. **Public Works Department Reclassification** – Mr. Wheeler requested authorization to reclassify two vacant Grade X HMEO positions in the Public Works Department to two Grade VIII MEO positions. There will be a total savings of approximately \$8,000.00 per position. This was approved by the Public Works Committee.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF TWO VACANT HEAVY MOTOR EQUIPMENT OPERATORS TO TWO MOTOR EQUIPMENT OPERATORS IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### **IV. OTHER BUSINESS**

A. **Goals and Objectives** – Mr. McAllister reviewed the goals and objectives for the Administration Committee which are as follows:

1. Review Reapportionment - look at options for legislative districts, analysis of form of government and term limits;
2. Real Property Tax Agency - look at how we can assist those towns that are not at or near 100 percent assessment
3. Elections - look at how we will deal with additional election costs and responsibilities.

B. **Update on Redistricting** – Mr. McAllister stated today we will continue our discussion on reapportionment. He would like everyone to be involved in this process. Mr. Crossett stated at last month’s meeting we had come to a consensus that we wanted to stay with 17 members. Mr. Schu commented we also had said that each city would continue to have two representatives.

Mr. Wheeler stated that today he has brought twelve scenarios based on the parameters that were discussed at last month's meeting. Mr. Hauryski stated that the Administration Committee is charged with this responsibility however, he is hoping that all Legislators will get involved in this process. He stated that he doesn't want someone coming to him down the road and saying that they didn't have any input in this process. Everyone has access to this information and he would like the Legislators to come in and review the maps and express their ideas.

Mr. Wheeler briefly discussed each version of the maps. Versions 1 and 2 have minor changes. With version 3 we tried to address all of the areas that were high. Mr. Peoples commented that in District 11 in the first three versions, it is possible that there would be no representative from either Addison or Rathbone and that it was likely that both representatives would come from Erwin. Mr. Wheeler agreed that is feasible. In version 4, we have District 12 just being the Town of Erwin minus the Village of Painted Post. In this version we have included the Village of Painted Post with the Towns of Hornby, Corning and Caton in District 13 because they geographically touch each other. In order to be split, a town has to be 110 percent of the ideal. Based on that, we can take the village from that and assign them to another district. That works pretty well. Additionally, that then leaves Addison in its own district. Mr. Wheeler stated the most major issue is the overage in the Town of Erwin, and version 4 also addresses the Corning and Caton district, which is too low.

Mr. Wheeler stated Version 5 changes Painted Post and also reassigns Hartsville and Greenwood. This brings Hornellsville closer to the ideal. Additionally, this version also takes Bradford, Campbell and Wayne and assigns Thurston to them. District 4, encompassing Wayland and Cohocton stays high. If you keep the City of Hornell separate, you will have at least two districts that will be 10 percent higher than the ideal. We are getting as close as we can get without a lot of changes. Version 7 shows significant changes and Version 9 shows the biggest change. Mr. Wheeler stated we also provided two scenarios for regional districts. Regional 1 provides you with the opportunity to get closer to the ideal. The county is so large that there will be 6 – 8 towns per district. The regional districts are not the ideal scenarios, but we wanted to show you the potential.

Mr. Roush asked do these scenarios follow the population trends? Mr. Wheeler replied we did look at that. Versions 4 and 5, specifically 5, reflect the population trends. The towns of Wayland and Cohocton are losing population, and if that trend continues, that number will soften. In the Bradford and Campbell area, that district is losing population and that number should also soften.

Mrs. Ferratella asked what would be the impact if the Village of Painted Post were to merge with the Town of Erwin? Mr. Wheeler replied there will also be a geographical area. Mr. Corey stated that are still boundaries that we could use to define the districts.

Mr. Crossett stated that he agrees with Mr. Wheeler and any version we choose, should involve the least amount of change as possible. That is the way we should approach this. Mr. McAllister stated that he agrees with that and based on that, that brings our choices down to Version 4 and 5.

Mr. Welch commented it might make sense to follow the new Assembly lines somewhat; in the northwest and southwest portion of the County. A Legislator would be able to focus on State issues rather than sharing and having to focus on two different assembly districts. Mr. Wheeler stated that will be tough without regional districts.

Mr. McAllister commented that he would like to see the other Legislators offer their input. Mr. Wheeler stated we will send this handout to the Legislators who are not in attendance today. If anyone has any questions or comments, please let us know. Mrs. Ferratella asked if we could just eliminate those options that we don't feel work well? Mr. Crossett stated we have to have this wrapped up in August if you want to see this on the ballot this year.

Mr. McAllister stated that a notice needs to be sent to the other Legislators advising them that this discussion is happening and that we have two more sessions to discuss this. Mr. Hauryski stated you should give notice to the Legislators that you want to hear back from them by a certain time to get their feedback. Mr. Schu stated that we have already eliminated options as we have decided that we want the cities to stand alone, that we want to keep 17 Legislators and that we are leaning away from regional districts. Discussion followed.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS LAW, ARTICLE 7§ 105.1.F. REGARDING A PARTICULAR INDIVIDUAL MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A CHIEF DEPUTY POSITION IN THE SHERIFF'S DEPARTMENT TO AN INVESTIGATOR POSITION IN THE DISTRICT ATTORNEY'S OFFICE MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.***

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE PERMANENT, PART-TIME RN POSITION TO ONE FULL-TIME RN POSITION IN THE SHERIFF'S DEPARTMENT AND RECLASSIFYING A SECOND PERMANENT, PART-TIME RN POSITION TO A TEMPORARY HIRE POSITION IN THE SHERIFF'S DEPARTMENT MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, June 12, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, June 5, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

**Special Meeting**

Monday, May 21, 2012

9:15 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
<b>STAFF:</b>	Mark R. Alger	Jack Wheeler	Shawn Corey
<b>LEGISLATORS:</b>	Joseph J. Hauryski Hilda T. Lando Gary B. Roush Randolph J. Weaver	Dan C. Farrand Aaron Mullen Thomas J. Ryan George J. Welch	K. Michael Hanna William A. Peoples Gary D. Swackhamer

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:15 a.m.

**II. GENERAL BUSINESS**

A. Administrator

1. **Endorsing Legislation Relative to a Residential-Commercial Tax Abatement Program** – Mr.

Alger stated that we have been approached by the two cities to allow them to provide an exemption for residential-commercial development which is different than the statute. Currently the statute allows for an exemption for a 20-year period. This proposed legislation shortens that time to 12 years. All municipalities, including the County, would be eligible to sign on if they choose to. This is permissive, not mandatory. Mr. McAllister asked is this only for buildings that are residential and commercial? Mr. Alger replied this is for mixed use, commercial or residential buildings. The abatement is only on the cost of the improvement, not on the total structure.

**MOTION: SUPPORTING LEGISLATION RELATIVE TO A RESIDENTIAL-COMMERCIAL TAX ABATEMENT PROGRAM MADE BY MR. VAN ETTEN. SECONDED FOR DISCUSSION BY MR. CROSSETT.**

Mr. McAllister asked if this is granted, would the tax burden be picked up by the rest of the County? Mr. Alger replied the burden would be picked up by those in that municipality where the abatement is granted. The abatement is on the value of the improvement. This is an alternative to the statute and is shorter in term. Discussion followed.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: TO ADJOURN MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, June 12, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair      Lawrence P. Crossett, Vice Chair      Carol A. Ferratella  
                  Brian C. Schu                                      Scott J. Van Etten

**STAFF:** Mark R. Alger                                      Jack Wheeler                                      Vicki Olin  
                  Joe Welch    Jim Gleason                                      Brenda Mori  
                  Shawn Corey    Alan Reed    Judy Hunter  
                  Jennifer Bailey    Phil Roche    Brooks Baker

**LEGISLATORS:** Joseph J. Hauryski                                      K. Michael Hanna                                      William A. Peoples, Jr.  
                  Gary B. Roush

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Roush to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 8, 2012, MEETING MADE BY MRS. FERRATELLA, SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. VAN ETTEN ABSENT FOR VOTE)**

**III. DEPARTMENT REQUESTS**

A. Elections

1. **Budget Adjustment for Voting Machines** – Ms. Olin requested authorization to transfer \$8,500 from the Insurance Recovery line item to their Major Equipment to purchase a replacement voting machine. She explained that one of the voting machines had been fried after the electrical service upgrade in the storage room. Mrs. Ferratella asked with the consolidation of voting locations, do you need another voting machine? Ms. Olin replied it is best to have the replacement as the warranties on the current machines expire next year.

**MOTION: AUTHORIZING THE BOARD OF ELECTIONS TO TRANSFER \$8,500.00 FROM THE INSURANCE RECOVERY LINE ITEM TO THEIR MAJOR EQUIPMENT LINE ITEM AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THE REPLACEMENT PURCHASE OF ONE VOTING MACHINE MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. VAN ETTEN ABSENT FOR VOTE)**

B. Clerk of the Legislature

1. **Retirement Reporting** – Ms. Mori informed the committee that it is time to do the annual retirement reporting resolution. She is still collecting hours, but stated this would be included on the agenda for this month's Board meeting. This resolution is done every time an elected or appointed official begins a new term.

**MOTION: APPROVING THE STANDARD WORKDAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. VAN ETTEN ABSENT FOR VOTE) Resolution Required.**

2. **Subject Matter Lists for FOIL Requests** – Ms. Mori informed the committee that each department is required to submit a subject matter list to her twice a year; however, this is very time consuming. She stated that she spoke to Bob Freeman who indicated that the County could adopt the State Archives Records Retention List which outlines the types of documents available in each department.

**MOTION: ADOPTING THE STATE ARCHIVES RECORDS RETENTION LIST AS THE SUBJECT MATTER LIST FOR FREEDOM OF INFORMATION LAW REQUESTS MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. VAN ETTEN ABSENT FOR VOTE) Resolution Required.**

C. Purchasing

1. **Request to Purchase from Copier Capital Project**

a. *Fax Board for Public Defender's Office* – Mr. Gleason stated that the fax machine in the Public Defender's Office is no longer working. He requested authorization to purchase a fax board to add to their copier. The cost for that is \$300.00.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE A FAX BOARD FOR THE PUBLIC DEFENDER'S COPIER AT A COST OF \$300.00 FROM THE COPIER CAPITAL PROJECT MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

b. *Small Copy/Print/Fax/Scan Machine for Court Security Office* – Mr. Gleason stated that the fax machine at the Sheriff's Office is no longer working. They have requested a copy machine. Currently they do not have a copy machine and make approximately 2,000 copies per month. He requested authorization to purchase a multi-function copier for a cost of \$3,742.00.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE A SMALL MULTI-FUNCTION COPY MACHINE FOR THE SHERIFF'S COURT SECURITY OFFICE FOR A COST OF \$3,742.00 FROM THE COPIER CAPITAL PROJECT MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Treasurer

1. **Approval of Model Plan Document – Deferred Compensation Plan** – Mr. Donnelly stated the County has a deferred compensation plan which employees, including Legislators, are eligible to participate in. Approximately 40 – 50 percent of employees participate. The model plan has been updated to incorporate the changes allowed by law, including the addition of the Small Business Act of 2010. We contract with ICMA to administer our Deferred Compensation Plan. He requested approval of the model plan document as approved by the Internal Revenue Service.

**MOTION: APPROVING THE MODEL PLAN DOCUMENT FOR THE DEFERRED COMPENSATION PLAN AS PRESENTED MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Administrator

1. **Status of County Clerk's Document Imaging System** – Mr. Alger informed the committee that the County Clerk has been looking at Document Imaging Systems across the State. Mr. Peaslee did communicate that he has found SMS who will assist us in attempting to maintain the old server we have for an annual cost of \$386.40. Mr. Alger recommended doing this as SMS has access to parts that are otherwise difficult to find and they can help us to maintain that system.

**MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO ENTER INTO A CONTRACT WITH SMS FOR THE MAINTENANCE OF THE SERVER AT THE COUNTY CLERK'S OFFICE FOR AN ANNUAL COST OF \$386.40 MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mrs. Hunter stated that we have a problem with an aging server that we may not be able to restore. We can upgrade the software and the server to the current vendor's Resolution 3 version, however, we have not been given a quote to do that. Given our past issues and a review of the Resolution 3 version, the server is still an issue. One option is to see if we could obtain a new server and load the old software onto that and then upgrade at a later time. Another option is to put out a RFP to get ready for the next platform. This is not a minor upgrade as we would be moving to another level. We know that e-filing is coming and that is something that OCA is pushing. Additionally, e-recording legislation has been adopted. We need to be ready for that next level. She stated that she believes it is important to see what is out there and is requesting authorization to issue an RFP.

Mr. McAllister asked is the RFP for the maintenance of the current system or for a new system? Mrs. Hunter replied the RFP would be for a new system. Mr. Alger informed the committee we received a quote from Cott on upgrading our system and the initial quote was \$23,000 plus miscellaneous items. We have been talking with the vendor about the other components that the County Clerk believes are important to the system. E-filing is an added element to the Resolution 3 version. Cott has indicated those upgrades would be another \$10,000. The total cost if you are looking to upgrade would be \$33,000 - \$34,000 plus the cost for hardware. The hardware costs will be the same whether you upgrade or get a new system.

Mr. Schu asked how many different document imaging systems are throughout the State? Mrs. Hunter replied there are three or four major companies. Mr. Alger commented Cott is a major corporation and provides services throughout the country. We are the last County in the nation to use this particular system due to not upgrading. Mr. Van Etten stated the County Clerk has refused the upgrades that Cott wanted to do on the system and now wants to spend \$30,000 - \$34,000 on an entire new system. Mr. Alger stated the cost for an entire new system would be \$100,000 - \$120,000 and you would still have the hardware costs. Mr. Van Etten asked you would also have soft costs, such as training. Mr. Alger stated he and Mrs. Hunter have talked about that as well. There are going to be some issues when you convert to another system. There will still be issues with the original data conversion as that data is not in the same format. Mr. McAllister commented that Mr. Peaslee should be involved in this process.

Mr. Alger stated there are two options. The first option is to purchase a new system and the conversion process will take 6 - 12 months. The second option is to upgrade the current version. The conversion time for that would be 6 months at the most. You have to weigh the alternatives. The equipment cost will be \$25,000 plus another \$4,000 for miscellaneous items. This additional cost will be incurred regardless of which option you choose.

Mr. Hauryski stated he received an email from Mr. Peaslee a couple of months ago which basically was warning him that the County Clerk's system was on the verge of crashing. Unless something is done immediately, we are on borrowed time. Something needs to be fixed. Mr. Crossett commented that if we need to do something, then the upgrade seems to be the way to go. Mr. Alger explained an upgrade would be to a new platform.

Mr. Schu asked are the problems that are occurring inherent to the software or to the vendor? Mrs. Hunter replied that she believes they are inherent to the vendor. She stated that as a constitutional officer, her job is to file, record, maintain and retrieve on demand, court records, land records and other miscellaneous records. It is irresponsible to circumvent the RFP process for an upgrade of this magnitude. Mr. Van Etten stated that he has said before that he is not in favor of spending \$100,000 on a new system when we can upgrade the current system for \$30,000. He has been told by Mr. Alger and Mr. Peaslee that you have not done the upgrades. We are in an environment of trying to cut costs and we are looking at laying people off, and you are asking the committee to spend money that is unnecessary. We can do the RFP process, but that will do nothing to change his mind. Mrs. Hunter replied that she has had the upgrades and when they are put in, there have been issues.

Mr. Schu stated we have approved a contract for the maintenance of the server. He would like to hear from Mr. Peaslee and get his input before we decide on doing an RFP or an upgrade. Mr. Alger stated we have a contract now for the maintenance of server and that should be sufficient until we decide which direction to go.

2. **Southern Tier Network** – Mr. Wheeler stated in the past we have talked about entering into a Right of Use Agreement with the Southern Tier Network. This agreement will provide us with access to the fiber network for 25 years in exchange for our \$1.2 million investment. He requested authorization to enter into this agreement. There are two options for payment; either one lump sum payment, or three payments.

Mr. Alger stated the secondary issue relates to whether we want to go with the initial suggestion for connecting the radio towers to the network or if we want to assume responsibility for the final mile of connection to the tower site which would give us access to 12 strands of fiber. He recommended going with the second option. There would be an additional investment of \$700,000 which includes \$450,000 to do the final mile and \$250,000 for the equipment at the end. We think this is a worthwhile investment and will give us flexibility going forward. He suggested using funds from the Old Health Care Facility Renovations Capital Project. Mr. Alger stated we can do the some work ourselves using Public Works. We did run the fiber from the Public Safety Building and 911 Center to Mt. Washington ourselves. We can also contract with the Southern Tier Network and pay them to do it. There are several options for how to do this.

Mr. Wheeler commented with the 12 strands of fiber, it will enable us to connect the Corning, Bath and Hornell facilities as soon as the network is up. There are a lot of efficiencies that could be experienced by having those 12 strands. If we pass by municipalities, we could also connect to them via the fiber. We also would have the capability of communicating with the Schuyler and Chemung counties 911 Centers. Mr. Alger stated that this network makes your public safety system more robust. We feel this is a valuable, worthwhile investment.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A RIGHT OF USE AGREEMENT WITH THE SOUTHERN TIER NETWORK AND OPTING TO USE 12 STRANDS OF FIBER AND ASSUME THE RESPONSIBILITY FOR THE FINAL ONE MILE OF CONNECTION AT EACH SITE FOR A TOTAL COST OF \$700,000.00 AND USING THE FUNDS IN THE OLD HEALTH CARE FACILITY RENOVATIONS CAPITAL PROJECT FOR THIS PURPOSE MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.**

Mr. Van Etten commented you have said that it may save significant costs over the long term. Do you have estimates of those savings? Mr. Wheeler replied he has talked with Mr. Peaslee about what we pay Time Warner for internet service in Corning and Hornell. Currently we pay \$100.00/month/location. The cost savings over the short term are relatively minimal, but there is a potential for savings in the future. Mr. Alger explained some of this is cost avoidance. In the long term this will provide you with a hot-standby for the microwave system and is a more robust backup. If there is a failure at a tower, we could actually connect to that tower with the fiber. The fiber will also go by the majority of our Public Works shops so there would be some savings with the phone/internet costs. We do have some cost avoidance, but we have not yet quantified that.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

3. **Census Discussion** – Mr. McAllister stated that several versions of redistricting proposals have been distributed. From listening to past discussions, is has seemed that for most, Version 4 or Version 5 had the most appeal.

Mr. Crossett stated that he feels that Version 5 adjusts the districts better than Version 4 as it brings them closer to what they should be. Version 5 is the least disruptive of any of the other versions. He would suggest just putting this on the ballot rather than filing a petition, and letting the voters vote on it. Mr. McAllister stated that with whatever version we choose, someone will not be in favor. Version 5 does affect Painted Post with other changes. Mr. Hauryski stated that he would support Version 5 as it covers all of the districts and equalizes each one.

Mr. Van Etten stated that he would support Version 2 over Version 5 because of the issue with Painted Post and Erwin. He believes that Painted Post should remain with Erwin. With Version 2, in his district, it makes sense to pick up a rural township like Lindley. Mr. Crossett stated Version 2 would potentially eliminate Addison from having an elected representative. That is why he is opposed to that version. Mr. Peoples stated that he would support Version 5.

**MOTION: RECOMMENDING THE FULL LEGISLATURE ADOPT REDISTRICT PLAN VERSION 5 AS PRESENTED SUBJECT TO MANDATORY REFERENDUM MADE BY MR. SCHU. SECONDED BY MR. CROSSETT FOR DISCUSSION.**

Mr. Alger stated the next step is to present a Local Law to the Legislature for that plan and there would be Public Hearing. Following that, the plan would be submitted to Elections to put on the ballot in November. His suggestion would be that you all would run in the next regular election for Legislator and then devise a method for staggered terms. In the Local Law, you would have the option of doing away with staggered terms if you choose.

Mr. Schu asked when would this take effect? Mr. Alger replied it would take effect January 1, 2014. You would run for election next year and would be seated in 2014 in the newly formed districts.

Mr. Roush asked what happens if you do nothing? Mr. Alger replied the timeframe if you do nothing this month, is that it will not be on the ballot for this year. Mr. Roush asked what if we choose not to pursue this? Mr. Alger stated in the long-term, you would be obligated to adjust the weighted voting to comply with one man, one vote. There would be an opportunity for someone to challenge the districting plan. If, for example, the Legislature votes on a version and it is rejected, there would be no plan for this year. You could continue to pursue and propose a new plan. You are obligated to review the district plan once every ten years. You are making a good faith effort to do that. If the plan fails in November, then you would go back to the drawing board. Mr. Roush asked what would happen if we were challenged? Mr. Alger replied you would be taken to court and then there would be issues associated with that. You would be subject to the decision of the court. Mr. Corey commented the court could tell you what your districts will be.

Mr. Van Etten asked with regard to the Local Law, are we going to pursue going with a charter or is there no interest in that? Mr. Crossett stated that he would like to tackle that issue as a separate item. Mr. McAllister stated we had decided to separate those issues as we needed more time to discuss the charter portion.

Mr. Hauryski asked would the current weighted vote stay the same until we make a change? Mr. Alger replied yes, as the weighted vote was established by Local Law.

Mr. Welch commented the current terms would be cut short. Are we clear and sure whether or not you can tell the Legislators that their terms will be cut short because of the referendum? You could put that part off and stagger the terms after the current terms run out. Mr. Alger stated that he would suspect that is what would make this a mandatory referendum as it will be impacting an elected official during their term of office. Mr. Reed stated that he suspects that as well and we would have to confirm that. Mr. Schu stated if someone is elected to a newly formed district, would they have a new term limit? Mr. Reed replied we would have to examine the Local Law and the term limits.

Mr. Roush stated that his vote is that we have looked at this issue, spent time evaluating it and he doesn't think we should change anything. If the system is not broken, don't try to fix it. Mr. Van Etten stated that he thought it was broken and that's why we are looking to fix it. Mr. Roush stated the imbalance in the districts can be corrected by weighted voting and that hasn't been an issue.

**VOTE ON PREVIOUS MOTION: MOTION CARRIES 4-1. (MR. VAN ETTEN OPPOSED) Resolution Required.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: SETTING THE SALARY OF THE DISTRICT ATTORNEY AT THE SAME LEVEL AS THE SUPREME COURT JUDGES IN ACCORDANCE WITH THE OPINION OF THE PREVIOUS COUNTY ATTORNEY MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE PAYMENT OF A \$5,000.00 ANNUAL STIPEND TO TIMOTHY MARSHALL, DEPUTY DIRECTOR, WHILE ACTING AS DIRECTOR FOR EMERGENCY MANAGEMENT OFFICE, MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, June 12, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, June 5, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

**Special Meeting**

*Monday, June 25, 2012*

*8:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
<b>STAFF:</b>	Mark R. Alger Brenda Mori	Alan Reed	Shawn Corey
<b>LEGISLATORS:</b>	Joseph J. Hauryski Robin K. Lattimer Gary B. Roush George J. Welch	Dan C. Farrand Aaron I. Mullen Thomas J. Ryan	K. Michael Hanna William A. Peoples Randolph J. Weaver

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 8:30 a.m.

**II. GENERAL BUSINESS**

A. Administrator

1. **Redistricting** – Mr. McAllister commented the reason we are meeting is to discuss the possible withdrawal of a motion from last month's Administration Committee regarding redistricting so that we may have additional time to look at the other issues involved. Mr. Reed stated the related issues pertain to term limits and the timeframe for when those would or would not reset. Additionally you would want to include in the Local Law whether there would be an election for those districts not affected by the redistricting proposal. There also is the issue of determining which representatives would have a two-year term versus a four-year term.

Mr. Schu asked how many new districts would there be? Mr. Alger replied three or four districts would be directly impacted. Mr. Schu asked could those districts that remain the same continue their terms as established now? Mr. Alger replied that is part of the debate. There are many questions, not the least of which is if you go forward with a board wide election, the question of who will get the two-year and four-year terms. The way we drafted the proposed Local Law, we left the selection process as it used to be. We don't want to rush you through that thought process.

Mr. Van Etten asked are we under the gun to have to do this today? Mr. Alger replied the Federal requirement is that you need to reapportion once every ten years based on the population numbers. The expectation is that you would act in good faith and debate a plan. Mr. Alger stated he believes the Board is doing that. You have been actively pursuing this.

**MOTION: WITHDRAWING THE PREVIOUSLY ADOPTED MOTION RELATIVE TO ADOPTING REDISTRICTING PLAN VERSION 5, SUBJECT TO MANDATORY REFERENDUM MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.**

Mr. Roush stated this is the time of year when the petitions are going around and you get a sense of what the voters are thinking and talking about. This time around, there will be talk about redistricting and the future of the Health Care Facility. He stated that he has discovered that the voters have political fatigue and have really had it. They will vote for anything that changes government because they believe government is broken and they don't

want to see their taxes raised. We could propose having three Legislators representing three districts and the voters would vote for it. We have an opportunity, especially with another year, to do a good job.

Mr. Hauryski commented that after the last Administration Committee meeting, he wanted to make sure that all Legislators were versed and in-tune with our decision and that proposed scenario. He felt that it was unconscionable to propose the local law given the fact that everyone was not versed in the proposed scenario. This is a good opportunity to look at this. Additionally, we have the opportunity to look at a charter form of government and rolling that out as one package with the redistricting proposal.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, July 10, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair      Lawrence P. Crossett, Vice Chair      Brian C. Schu  
Scott J. Van Etten

**STAFF:** Mark R. Alger      Jack Wheeler      Ken Isaman  
Nancy Smith      Pat Donnelly      Vicki Olin  
Jim Gleason      Shawn Corey      Wendy Flaitz  
Alan Reed      Brenda Mori      Mike Flint  
Judy Hunter      Jennifer Bailey      Tammy Hurd-Harvey

**LEGISLATORS:** Joseph J. Hauryski      K. Michael Hanna

**ABSENT:** Carol A. Ferratella

**OTHERS:** Al Campney, PERMA

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Crossett to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 15, 2012, AND JUNE 25, 2012, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENT REQUESTS**

A. Risk Manager

1. **2012 Worker's Compensation Budget** – Mr. Isaman introduced Al Campney from PERMA. He also provided the committee with a copy of the three year budget comparison. Mr. Campney stated that on March 1, 2012, PERMA assumed the role of your previous Third Party Administrator and we began providing coverage for large loss as well as safety control. Thus far, your loss activity is at \$90,000 and the actuarial work that was done had predicted a loss activity of \$1 million - \$1.4 million in claims for the year. That is looking very good. The actuarial report had predicted that you would have 120 claims for the year and to-date you have 30 claims. There are 25 open claims. Mr. Campney explained that they also have a nurse case manager who is involved in any loss of time cases. We had predicted that you would have 25 loss of time cases and currently you have 1 loss of time case.

Mr. Campney stated that you have a five-year contract with PERMA with a declining retainage each year. The cost is \$750,000 for the first year for the self-insured portion. This is similar to what you previously paid. Each year, that cost could decrease up to \$50,000. At the end of the five-year period, you could be spending \$500,000; which would be good for the size of your pool. Our contract also includes 20 hours per week of safety services. A safety specialist will review each participant and make recommendations. Mr. Isaman stated that the safety specialist has gone to every town and village in the Workers' Compensation Plan and has been very well received. He stated that PERMA has given us incentives so that we can keep our budget within what we had anticipated. Mr. Campney stated that we tried to match your current budget and have tried to keep any potential increases reasonable. It is up to the County whether you want to set aside money to fund down the current tail piece. To

fund that, we use 3 percent of your contribution fee and divide that over three years. Year one is \$19,619 and that will continue for three years. There will be a \$75,000 reduction in Administrative costs in year one and those have been deferred to year two.

Mr. Isaman commented that prior to PERMA we had paid \$143,000 for excess coverage and we received a refund of \$107,000. We had also purchased a \$21,000 employer's liability policy and did not need that, so we have received a refund of \$14,000. Mr. Isaman stated we did keep our contract with Corvel for our old TPA claims and the cost for that for 2013 will be \$40,000. Mr. Campney stated you should see that cost continue to dwindle. He stated the highest costs in the budget are related to claims. Mr. Isaman commented that our costs in that area were going up anyway as they increased the weekly WC payment from \$400 per week to \$790 per week.

Mr. Van Etten asked what is the difference in the budget that was posted on-line and the one you distributed today? Mr. Isaman replied the refund of prior year's expenses and the interest line was not included in the original budget. Mr. Van Etten stated there is a 17 percent increase in the budget. Mr. Donnelly explained that cost will be spread among the participants. Mr. Van Etten stated the budget in 2011 was \$2.1 million and in 2013 is projected to be \$3.4 million. Where are we headed with this? Mr. Campney replied we did project out the expected costs over the next five years and built in funding for the tail claims. This budget represents less than a 10 percent increase from the previous year. It is up to you whether you want to fund the put away. You have not been fully funding each year's loss as they come out. We are recommending that you consider funding that. Mr. Isaman commented the actuarial report said we should be funding \$8 million for tail claims. That is why we are taking this step by step to first reduce the number of claims and build up some sort of reserve. Mr. Campney stated that we are trying to help control those costs and keep them from spiraling out of control. The WC benefit levels have increased from \$400 to \$800 per week and that has affected everyone's budget, as those costs are considerable. We wanted to come up with a plan to control those costs. Mr. Donnelly stated that they built in a surplus in the 2011 budget.

Mr. Van Etten asked we did that intentionally to build up a surplus? Mr. Donnelly stated the total expenses between last year's budget and the proposed 2013 budget are pretty close.

**MOTION: APPROVING THE 2013 WORKER'S COMPENSATION BUDGET AS PRESENTED AND FORWARDING TO THE FULL LEGISLATURE FOR CONSIDERATION MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

B. Purchasing

1. **Surplus County Auction** – Mr. Gleason requested authorization to hold the Surplus County Auction on Thursday, September 27, 2012. We have a contract with Pirrung Auctioneers to conduct this auction and as previously agreed, there will be a 10 percent buyer's premium on all purchases. He explained the buyer's premium is used to pay for the expenses of the auction, and results in no expense to the County.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO HOLD A SURPLUS COUNTY AUCTION ON SEPTEMBER 27, 2012, TO BE CONDUCTED BY PIRRUNG AUCTIONEERS WITH A 10 PERCENT BUYER'S PREMIUM MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. County Clerk

1. **Contract Renewal – Microfilm Storage** – Mrs. Hunter requested authorization to renew their contract with ACS for the storage of microfilm for an additional year with five, one year extensions. The cost is \$1.30 per roll and represents no additional costs to the County. Annually we have spent less than \$2,000.

**MOTION: AUTHORIZING THE COUNTY CLERK TO RENEW THEIR CONTRACT WITH ACS FOR THE STORAGE OF MICROFILM FOR ONE YEAR WITH FIVE, ONE YEAR EXTENSIONS AT A RATE OF \$1.30 PER ROLL MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Administrator

1. **Status of County Clerk's Document Imaging System** – Mr. Alger stated we have been discussing the status of the County Clerk's Document Imaging System. Last month we looked for Mr. Peaslee's input regarding this and today, Mr. Flint is here to discuss options. Essentially, the situation as we see it is to either upgrade the Cott software which is \$33,000. Other associated upgrade costs are an additional \$10,000 - \$11,000. They will also need some new cash drawers which will be \$2,500 - \$5,000. The total cost to do the upgrade would be approximately \$47,000 including hardware. The hardware costs are about \$16,000. That is a cost you will have regardless of whether you opt for a new system or upgrade the current system.

Mr. McAllister asked has IT done an analysis? Mr. Flint stated the prices quoted for a server and SQL software expired in December. At that time, the total price for the hardware was \$11,000 and he would expect the price would go up a couple of thousand dollars. The \$11,000 is just for the server and the SQL 2008 software. Ms. Bailey commented that additionally, they will need dual monitors for each station, receipt printers and bar code printers. Mr. Flint stated the cash drawers are \$250 each and they will need a label printer. We have 6 dual monitors in our office, and that would complete 13 workstations. If you need to purchase new monitors, they will cost \$160 - \$200 each. According to the sale representative, that cost will be the same. The hardware you currently have works.

Mr. Alger stated the pricing from Cott is good through August 31<sup>st</sup> and after that, you would be looking at doing an RFP. It is a question of what you want to do. He stated that he is fairly comfortable that the transition for Cott will work fairly well. His concern is with the maintenance and for that, we will want IT to be involved. The decision is do you want to put out an RFP and take a chance on a new program that will cost \$100,000 plus, depending on the market; or do you want to maintain the current system on the current servers. SMS is guaranteeing that they can find parts and have parts to repair. That doesn't fix the problem, but it will get it back up and running.

Mr. Van Etten asked does purchasing a new server eliminate having to find parts to get it up and running? Mr. Alger replied yes. You will get a new software platform and a new server. Mr. Van Etten asked will the new server be good for growth in the future? Mr. Flint replied yes. It has a higher memory. The speed and storage is more than what we would need. Mr. McAllister asked if the server goes down, is there a backup? Mr. Flint replied we take a direct image of what the server looks like every two weeks and every night we back up the data. The first component is we would put the image on a computer and the second part is we would load the backed up data onto that. It would take 1 - 4 hours to complete that process. Mr. Alger stated that Mrs. Hunter had talked about having an additional server for hot standby. You would still have a conversion time, but would be storing the information simultaneously. There would be a switch between the two servers and that would take a little bit of time to switch from one server to the other. Mrs. Hunter stated that she had talked to Mr. Peaslee about that three weeks ago and he said he would be willing to look into the pricing to do that. Mr. Flint stated the cost for another server would be \$6,500 plus \$4,500 for another copy of the SQL 2008 software. Additionally we would have to purchase system software and that is costly. Mr. Alger stated that is something we can add and is not fundamental to the discussion of continuing with Cott or going to another system.

Mr. Van Etten commented that in this environment, with people losing their jobs, we cannot afford \$100,000 for a new system when we have the option of upgrading our current system for \$50,000. Mr. McAllister stated that Mrs. Hunter had wanted to do an RFP to get prices. Mr. Crossett stated if we do an RFP, Cott may not come back with the same price.

Mr. Van Etten asked where will the money come from to pay for this? Mrs. Hunter stated that she doesn't want the committee to think that this is only going to cost the county \$33,000 for the upgrade. There is still maintenance which will cost \$150,000 for five years. Mr. Van Etten stated we are paying for software maintenance now and that is not incremental year after year. The only way to avoid that cost is by going back to paper. Mr. Van Etten asked where will the funding come from? Mr. Alger replied we have money left in the Document Imaging Capital Project. There is \$50,000 - \$60,000 in that and that should be enough. If that is not enough, then we would have to look to Contingency.

**MOTION: APPROVING AN UPGRADE TO THE COTT SYSTEM FOR THE COUNTY CLERK'S DOCUMENT IMAGING SYSTEM AT A COST NOT TO EXCEED \$60,000.00, INCLUDING THE PURCHASE OF RECEIPT PRINTER, BAR CODE PRINTERS, CASH DRAWERS AND DUAL MONITORS; AND AUTHORIZING AND DIRECTING INFORMATION TECHNOLOGY DEPARTMENT TO COORDINATE WITH COTT TO ASSURE PROPER MAINTENANCE OF THE SYSTEM AND SOFTWARE AND SAID AMOUNT TO BE TAKEN FROM THE DOCUMENT IMAGING CAPITAL PROJECT MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Redistricting** – Mr. Alger commented Mr. Reed is looking into the questions that were raised at last month's meeting. Mr. Crossett stated if you want to look at putting a charter into the discussion we should think about having special meetings specifically for that purpose. Mr. Van Etten stated we could hold quarterly meetings. Mr. Alger stated we have copies of several charters that we can put together for you to review. Mr. McAllister asked that Mr. Alger put together copies of charters and that Mr. Reed put together a report regarding the questions raised at last month's meeting.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, August 14, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, July 31, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

**Special Meeting**

*Monday, July 23, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Lawrence P. Crossett, Vice Chair	Carol A. Ferratella	Scott J. Van Etten
<b>STAFF:</b>	Mark R. Alger Pat Donnelly	Jack Wheeler Tammy Hurd-Harvey	Ken Isaman
<b>LEGISLATORS:</b>	Joseph J. Hauryski Aaron I. Mullen Thomas J. Ryan George J. Welch	K. Michael Hanna William A. Peoples Gary D. Swackhamer	Hilda T. Lando Gary B. Roush Randolph J. Weaver
<b>ABSENT:</b>	Patrick F. McAllister, Chair	Brian C. Schu	

**I. CALL TO ORDER**

Mr. Crossett called the meeting to order at 9:30 a.m.

**II. GENERAL BUSINESS**

A. Risk Manager

1. **Table of Apportionment** – Mr. Isaman presented the Table of Apportionment for the committee's review and approval. He stated that the Administration Committee had already approved the 2013 budget. The Table of Apportionment shows the distribution of money to each of the participants. Approximately 70 percent of the plan is Steuben County. Our budget is up \$350,000. We now have PERMA involved and the costs associated with PERMA are included in the 2013 budget.

Mrs. Ferratella asked how is PERMA with regard to following up on claims? Mr. Isaman replied they will be getting people back to work quicker and that is trending very well. Currently PERMA has an individual devoted to going to every town and village in our plan. They work for us 20 hours per week and that is a big component that will help draw our costs down. Discussion followed.

**MOTION: APPROVING THE TABLE OF APPORTIONMENT FOR 2013 AS PRESENTED MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**  
*Resolution Required.*

Mr. Alger commented we may want to look at the formula again to see if any adjustments should be made.

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, August 14, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
<b>STAFF:</b>	Mark R. Alger Dan McRae Shawn Corey Steve Orcutt	Jack Wheeler Alan Reed Amy Dlugos Nancy Smith	Wendy Flaitz Jim Gleason Vince Spagnoletti Ken Isaman
<b>LEGISLATORS:</b>	Joseph J. Hauryski Thomas J. Ryan	K. Michael Hanna	Gary B. Roush

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Ryan to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 10, 2012, AND JULY 23, 2012, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. GRIEVANCE**

Mr. Alger stated the grievance item has been withdrawn from the agenda.

**IV. DEPARTMENT REQUESTS**

A. Purchasing

1. **Award of Copy Paper Bid** – Mr. Gleason informed the committee that they received two bids for copy paper from Unisource and Contract Paper Group. He recommended awarding to the low bidder, Contract Paper Group for \$26.20 per case.

**MOTION: AWARDING THE BID FOR COPY PAPER TO THE LOW BIDDER, CONTRACT PAPER GROUP, FOR \$26.20 PER CASE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Real Property Tax Service Agency

1. **Tax Resolutions for 2013 County/Town Tax Levy** – Mrs. Flaitz stated she sent out the schedule for the tax resolutions that will be coming to the Legislature for approval this fall.

2. **RPSV4 Chargeback Fees** – Mrs. Flaitz distributed a report showing the chargebacks for the 2013 tax levy. She commented the fees have remained the same as last year.

**MOTION: APPROVING THE ANNUAL RPSV4 ANNUAL CHARGEBACK TO THE TOWNS AND CITIES FOR LICENSE AND SUPPORT FEES MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

3. **Gold Star Parent Tax Exemption** – Mrs. Flaitz requested approval to amend the Alternative Veterans’ Exemption to include Gold Star Parents. Gold Star Parents are the parents of a child who died in service during wartime. Individuals would still have to qualify by owning property. She commented that she believes it is a good idea to adopt this.

**MOTION: AMENDING THE ALTERNATIVE VETERANS’ EXEMPTION TO INCLUDE GOLD STAR PARENTS MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Mr. Van Etten stated last month when we toured the 911 Center, there was mention made that Pictometry did not take pictures this spring, but will take them this fall. Will that affect the assessments? Mrs. Flaitz replied the pictures are now three years old. We will receive the pictures a little later this year, but it should be okay.

C. Personnel

1. **Contract Approval** – Ms. Smith requested authorization to enter into a contract with Disability Management Associates to manage our 207-c cases. This company will assign a nurse case manager to make sure that the individuals are getting the care they need. Mr. Alger explained the costs associated with 207-c cases are a lot higher than the traditional Workers’ Compensation cases. We want to try to aggressively pursue these cases as individuals on 207-c receive 100 percent of their salary with no deductions. We want to actively pursue getting those individuals back to work.

Mr. Crossett asked what is the cost? Ms. Smith replied the rate for a nurse case manager is \$90.00 per hour. We will contract with them on a case by case basis. Mr. Alger stated this is a contract that we will utilize specifically for 207-c cases. Mrs. Ferratella asked are these cases that PERMA could follow? Ms. Smith replied currently PERMA does not have any of these cases. Mr. Alger stated we could transfer these cases to PERMA, but we haven’t done that yet. PERMA currently is working just with our Workers’ Compensation cases. Mr. Crossett asked would PERMA take the 207-c cases? Mr. Alger replied that they probably would if we asked.

Mr. Reed explained that 207-c’s, strictly speaking, are not a Workers’ Compensation entity. These cases are for law enforcement and fire personnel awaiting surgery. Mr. Ryan asked what is the term of the contract? Mr. Alger replied this will be on a per diem basis. Mr. Crossett asked how many of these cases do we have? Ms. Smith replied we have two cases right now. Mr. Van Etten asked where will this be paid from? Mr. Alger replied it will be paid for out of the Workers’ Compensation budget.

**MOTION: AUTHORIZING THE PERSONNEL DEPARTMENT TO ENTER INTO A CONTRACT WITH DISABILITY MANAGEMENT ASSOCIATES TO MONITOR 207-C CASES AT A RATE OF \$90.00 PER HOUR FOR A NURSE CASE MANAGER, ON A PER DIEM BASIS, WITH THE COST TO BE PAID FROM THE WORKERS’ COMPENSATION BUDGET MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Reclassification**

a. *Public Works – Building Supervisor to Leachate Facility Maintenance Mechanic* – Ms. Smith informed the committee that Public Works has a vacant Building Supervisor position at the Landfill. They have a need for an individual to do more hands on mechanical work. She recommended reclassifying the Building Supervisor, Grade XII, to a Leachate Facility Maintenance Mechanic, Grade XI. This a highly skilled position, which requires more industrial mechanic work.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT GRADE XII BUILDING SUPERVISOR POSITION AT THE LANDFILL TO A GRADE XI LEACHATE FACILITY MAINTENANCE MECHANIC POSITION MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Administrator

1. **Energy Services Contract** – Mr. Wheeler informed the committee that EnerPath is an authorized installer of the lighting retrofits for NYSEG. They are subsidized one-quarter to one-half of the installation by NYSEG. We used EnerPath when we did the lighting at the Mt. Washington Shop. We spent \$10,000 to retrofit the lighting and we have already been saving money. At that time, we did not authorize a contract with them going forward. Mr. Wheeler requested authorization to contract with EnerPath going forward, when funds are available, or when we identify shops that require retrofitted lights. The funds come out of the maintenance line item in the Public Works Department. The cost is approximately \$10,000 - \$15,000. Mr. Alger commented this is a win-win situation for us as it improves our lighting efficiency and saves us money.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH ENERPATH WHEN FUNDS ARE AVAILABLE OR WHEN THE COUNTY IDENTIFIES THOSE SHOPS THAT REQUIRE RETROFITTED LIGHTS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Coffee Cart Contract** – Mr. Alger informed the committee that the current owner of the coffee cart, Cheryl Harkness, approached him with her desire to sell the interest in the coffee cart to a third party. He requested authorization to transfer the interest of this contract to Gloria Moran and Michelle Cavanaugh and to extend the contract until the end of 2013. At the end of 2013, we will have to decide whether to do an RFP.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO TRANSFER THE INTEREST OF THE COFFEE CART FROM CHERYL HARKNESS TO GLORIA MORAN AND MICHELLE CAVANAUGH AND EXTENDING THE CURRENT CONTRACT UNTIL DECEMBER 31, 2013 MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

3. **Reapportionment** – Mr. Alger stated that they distributed a number of various charter provisions from other counties. He encouraged the committee to look at those, particularly the organizational structure. We can discuss these at next month's meeting. Mr. Van Etten commented that he is glad that we are going to chip away at this. Mr. Alger stated it will take some time though, and we don't want to wait to do this until January. The examples we distributed; three have County Managers, one has an Administrator and one has an elected Executive.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION; AND ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE TOWN OF CAMPBELL, SAID COSTS NOT TO EXCEED \$29,000.00; WITH THE COUNTY SHARE OF THOSE COSTS BEING \$19,430.00 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: ABOLISHING THE POSITION OF CHIEF FISCAL OFFICER IN THE HEALTH CARE FACILITY MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Hauryski commented that with regard to reapportionment, we have put that on hold until we decide what we want to do. We will start with the charter and build from that. In the Charter, will we include the qualifications

for serving as a Legislator? Mr. Alger replied yes. Many of these charters we distributed describe the districts and qualifications for Legislators to serve. Mr. Hauryski asked will the charter include term limits? Mr. Alger replied yes, those should be included. Mr. Hauryski commented this will all be part of the discussion. Let's try to make this charter all-inclusive. When this goes for referendum, do we separate it out? Mr. Alger replied that will be part of the discussion. We can specify a number of things to be separated on the ballot. Mr. Reed explained we can have a base charter. It is important that the charter come first as it gives you more options on redistricting. Discussion followed.

**MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, September 11, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, September 4, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, September 11, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
<b>STAFF:</b>	Jack Wheeler Judy Hunter Alan Reed	Jim Gleason Jennifer Bailey Nancy Smith	Brenda Mori Shawn Corey
<b>LEGISLATORS:</b>	Joseph J. Hauryski Thomas J. Ryan	K. Michael Hanna	Gary B. Roush

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Ms. Mori to lead the Pledge of Allegiance. Mrs. Ferratella asked if the committee could have a moment of silence in remembrance of 9/11.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 14, 2012, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENT REQUESTS**

A. County Clerk

1. **Cott Resolution 3 Upgrade** – Mrs. Hunter reviewed all of the events leading up to the implementation of the Cott Resolution 3 Upgrade. She stated that the committee had approved the upgrade and equipment for an amount not to exceed \$62,238.00. They would like to also include a bar scanner and receipt printer for both her and Ms. Bailey, however, that would put their project over budget by approximately \$1,000.00. She stated that she believes she would have enough money available in her budget to cover this additional expense. Mr. Wheeler stated they could purchase a couple of pieces of equipment from this year’s budget if the committee was agreeable.

Mr. McAllister asked is this more than we expected? Mr. Wheeler replied her capital project had \$62,238.00. Mr. McAllister asked what is the reason why it is more? Mrs. Hunter replied because of the cost of the equipment. Mr. McAllister asked is this extra equipment or are you just replacing what was necessary? Mrs. Hunter replied this is equipment that is necessary for the operation of the new system. Mr. Wheeler stated this is additional equipment we don’t have now. Mrs. Hunter and Ms. Bailey, at their request, would like the same workstations that will be at the front desk, in each of their offices. That is a total of \$5,000.00 of equipment that we currently do not have.

Mr. McAllister asked will these workstations supplement the workers out front? Mrs. Hunter replied yes. Mr. Crossett asked are you and Ms. Bailey actually going to use the workstations to do that work? Mrs. Hunter replied yes. Mr. Van Etten asked is this a nice to have or a must have? Mrs. Hunter replied that she believes these are must haves. When we go to the new system there will be a backlog and in order to stay current, we need to have this equipment. She commented that she could eliminate the receipt printers for her and Ms. Bailey, but in a year or so we will need to replace the seven current receipt printers as they will no longer be compatible. Ms. Bailey stated there will be equipment that we will need to replace when we convert.

Mrs. Ferratella asked the equipment that will be in your offices, is that because of the expected backlog or for ongoing workload? Ms. Bailey replied that she typically helps the front desk from her computer, more than one day per week. Mrs. Hunter stated that once we get the new system, hopefully things will move faster. When the time comes to replace the receipt printers, then perhaps at that time we could send the two receipt printers at our stations out front to the front desk, and instead of purchasing a total of seven printers, we would only need to purchase five. We could realize a savings, although she cannot guarantee that.

Mr. McAllister asked with the upgrades we are doing, how far will that get us before the equipment becomes outdated? Mrs. Hunter replied we are also on IT's schedule to receive new computers as well. Ms. Bailey commented our warranty on our current computers ends June 2013.

Mr. Van Etten asked are there times when both of you are helping out the front desk? Does that justify spending an extra \$3,000.00? Mrs. Hunter replied that she believes so. Mr. Van Etten stated that he does not. Mrs. Hunter stated if you went over and saw the volume of mail we get. Ms. Bailey and I can help out with the mail and get that processed. She stated that she would also remind the committee that when Cott finally did the workflow analysis, this was their recommendation as well.

Mr. Hauryski asked how many employees do you have? Mrs. Hunter replied there are twelve employees, including her and Ms. Bailey. Mr. Hauryski stated that he doesn't see how Mrs. Hunter can utilize this equipment on her desk. He can see Ms. Bailey using it. He stated that he would envision Mrs. Hunter's job and role as supervising the department. He doesn't see how you are going to spend this much time on that work. Mrs. Hunter replied that she needs to have the ability to do that.

Mr. Schu asked we previously authorized spending the money for this upgrade? Mr. Wheeler replied yes. Mr. Schu asked what action are we taking today? Mr. Wheeler replied a decision needs to be made regarding funding of the additional \$1,000.00. To purchase the equipment this year, we would need to add it to the equipment list. The other option is to transfer the funds into the capital project, but that would require a resolution. Mr. McAllister asked is there enough money in the project now to purchase one bar scanner and receipt printer in Ms. Bailey's office? Mr. Wheeler replied yes.

**MOTION: AUTHORIZING THE COUNTY CLERK TO INCLUDE IN THE CAPITAL PROJECT FOR THE COTT RESOLUTION 3 UPGRADE, THE ADDITION OF ONE BAR SCANNER AND RECEIPT PRINTER FOR THE DEPUTY COUNTY CLERK MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Information Technology

1. **Wireless Communication Policy for Tablets and Other Devices** – Mr. Wheeler stated that Mr. Peaslee drafted a policy after looking at what other counties do and industry standards. This policy gives the Administration Committee and/or the County Administrator the ability to authorize individuals to connect to the wireless network with either a Smartphone, PDA or tablet computers. If an individual is using a county-owned device or they are directly connecting to the County network, it is suggested that those devices have remote wipe capability. This policy also provides the roles and responsibilities of the IT department and help desk.

Mr. McAllister asked does this policy contemplate whether the device is county-owned or personal? Mr. Wheeler replied yes. It really depends on what the individual would like to do. If they want to connect to the Wi-Fi for internet access, then the rules regarding internet use are a little less stringent. If the individual is connecting to access documents and other information, then their device would be required to have the remote wipe capability.

**MOTION: ADOPTING THE WIRELESS COMMUNICATION POLICY AS PRESENTED MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Clerk of the Legislature

1. **Budget Transfer** – Ms. Mori requested authorization to transfer a total of \$7,450.00 from various line items in the Legislature’s budget into the Legislature’s line item for miscellaneous machines and equipment for the purchase of 13 Ipads and accessories.

**MOTION: AUTHORIZING THE CLERK OF THE LEGISLATURE TO TRANSFER \$2,900.00 FROM ACCT. #101000.5.407200, \$3,300.00 FROM ACCT. #101000.5.408120 AND \$1,250.00 FROM ACCT. #101000.5.471000 AND APPROPRIATING A TOTAL OF \$7,450.00 TO ACCT. #101000.5.298090 FOR THE PURCHASE OF 13 IPADS AND ACCESSORIES FOR THE LEGISLATURE MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Administrator

1. **Charter Discussion** – Mr. Wheeler stated that a Special Administration Committee meeting has been scheduled for September 24, 2012, at 11:00 a.m. to discuss a charter form of government versus a non-charter form of government. He distributed an outline of the discussion points relative to this. This outline provides you with a starting point for determining if you want to go with a charter or not. If you don’t want to go with a charter, then you would keep government the way it currently is and address the redistricting. If you determine that you want to look at a charter, then you will need to decide which form of government you want; County Administrator, County Manager or County Executive. Additionally you would need to determine which option to proceed with for redistricting. Would you want to include districting in the charter, or redistrict separately. You would also need to look at your redistricting options, including the size of the legislature, bigger districts with multiple legislators, keeping the cities whole and addressing the Village of Painted Post/Town of Erwin issue. Other changes to look at for inclusion in the charter include term limits, qualifications of legislators, staggered terms, department structure and issues related to other elected officials. Finally, you would need to discuss the detail of the charter. Do you want to describe each department and function, or provide an overview and reference the *Administrative Code*?

Mr. McAllister asked, is there consensus to looking at this further and discussion in more detail at the September 24, 2012, special meeting? The committee members were in agreement to continue to look into this issue further.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, October 9, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature’s Office  
NO LATER THAN NOON  
Tuesday, October 2, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

**Special Meeting**

*Monday, September 24, 2012*

*12:00 p.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
<b>STAFF:</b>	Jack Wheeler Nancy Smith	Alan Reed Brenda Mori	Shawn Corey
<b>LEGISLATORS:</b>	Joseph J. Hauryski Robin K. Lattimer Gary B. Roush George J. Welch	Dan C. Farrand Aaron I. Mullen Gary D. Swackhamer	K. Michael Hanna William A. Peoples Randolph J. Weaver

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 12:00 p.m.

**II. OPTIONS FOR CHARTER FORM OF GOVERNMENT**

1. *Form of Government to Handle Day-to-Day Operations* - Mr. McAllister stated at the last Administration Committee meeting, we took an informal poll of those interested in whether to do a charter or not. The committee was overwhelmingly in favor of looking at a charter. If we are inclined to go with a charter, the first thing we have to decide is which form of government will handle the day-to-day operations. Mr. Schu stated in our previous discussions, not many were in favor of having a County Executive. Can we dismiss that as one of the options? The committee was in agreement that a County Executive form of government would not be considered.

Mr. Weaver asked what is the difference between a County Administrator and a County Manager? Mr. Wheeler replied a County Manager typically can hire and fire department heads, with legislative confirmation. If you choose a County Administrator, things would be as they are now. Ms. Smith commented that under Civil Service, a County Administrator is considered unclassified. If you change to a County Manager, we will have to go through that process again. Mr. Reed stated with Mr. Alger, some of the functions that he currently does, technically speaking, are those of a County Manager. A County Administrator cannot direct department heads to do anything. A County Manager can call a department head in and direct them to do something. As a practical matter, there are a lot of similarities, but a County Manager has more discretion to direct.

Mr. Ryan asked would the Legislature have no less oversight with a County Manager than a County Administrator? Mr. Reed replied that is correct. Mr. Ryan asked so the Legislature would still have oversight with regard to the employment of a department head? Mr. Reed replied a County Manager might say to a department head that their employment is being terminated, subject to the approval of the Legislature. A County Manager is hired by you. The Legislature has oversight over both positions. The actions of a County Manager are broader than those of a County Administrator.

Mr. McAllister stated his understanding is that with a County Manager, the day-to-day operations are more simplified as they can make certain decisions without reaching out to the Legislature, but on major issues, they do confer with the Legislature. Mr. Reed stated you can set certain parameters in the Local Law. Mr. Wheeler commented a lot of that is in our Administrative Code.

Mr. Crossett commented if you are going to change, then you need to give the person in charge the authority, otherwise you should stay with what you have. You need to give the Manager/Administrator the ability to tell the department heads what they can do. Mrs. Ferratella asked a County Manager can direct the department heads? Mr. Reed replied a County Manager can do that, if you give him that authority. Mr. Crossett stated if you are not going in that direction, then stay with what you have. Mr. Schu stated you can call it a County Manager and define the duties and roles in the charter. It is a matter of semantics.

Mr. Mullen asked what is the difference between doing a charter and modifying the Administrative Code? Mr. Reed replied under statute, with a charter, you are given greater discretion with regard to what you do. Mr. Swackhamer asked if we could have a chart showing charter versus no charter and compare how we run things now? Mr. Crossett asked is the Chief Executive Officer the Chairman? Mr. Wheeler replied yes. Mr. Crossett stated if you go with a charter, the Chief Executive Officer could be the County Manager.

Mr. Farrand stated Mr. Alger had given a presentation on the charter form of government. Mr. Wheeler stated that was last year. We can put a chart together for comparing the two systems. There is not a huge amount of difference in how you function. Mr. Hauryski stated that in his presentation, Mr. Alger had said that you can make the charter two hundred pages long or thirty pages long. He had suggested keeping a charter simple. Once we decide on whether to go with a charter, then you need to identify if you want a County Manager and what his responsibility to the Legislature will be. You will write the rules. You can reference the Administrative Code.

Mr. McAllister stated if we are looking at going with a charter, it should be simple. He stated that he liked the Schenectady County charter. Mr. Swackhamer asked how do you make changes to a charter? Mr. Corey replied with a local law. Mrs. Ferratella stated with the Administrative Code, we have a great document and we should build off that. Mr. Wheeler stated Schenectady County identified their major departments. We could list all other government functions and reference the Administrative Code. Then we would be in pretty good shape.

Mr. Van Etten stated that he agrees that we should have a charter. As far as the construction of the power of authority, we shouldn't look at the incumbent in office, or an upcoming individual. We should look further down the road and how we are setting this up for someone in the future. We have a very easy situation right now and we could include powers, but a few people down the line, the circumstances could be different. He stated that he is not interested in giving up a lot of power. He is comfortable with our current situation with a committee form of government. Mr. Crossett stated you have to have faith that the Legislature hires the right person for the job. Mrs. Ferratella stated that she liked the charters for Sullivan and Schenectady counties. We should not abandon one over the other, but should pick and choose.

Mr. Wheeler stated that we can do a comparison between the current form of government and other possibilities for the next meeting.

2. *Term Limits of Legislators* - Mr. Wheeler stated that another issue to be addressed within the charter is term limits for the Legislature. Most of the counties do not have term limits. You currently have term limits. There are pros and cons and you could change that now if you wanted. Mr. Van Etten stated the biggest political football is term limits and that could make or break a public referendum. If you continued with this form of government and added a term, that may be easier than a total elimination of term limits. Mrs. Ferratella commented extending the term to four terms makes more sense. You lose a lot of expertise when you limit terms to three terms. There is a learning curve with this job. Mr. Ryan stated that he would not support a change in the term limits. Mr. Schu stated that he agrees with Mr. Van Etten and Mrs. Ferratella that it would be tough to eliminate term limits altogether. You are losing valuable experience and there is a learning curve. He stated that he would not have a problem extending it to four terms. Mr. Crossett stated that he could leave it the same or extend it.

Mr. Reed commented that you could put any change to the term limits in the charter, or separate it out. Mr. Crossett asked what would happen in this case? Mr. Reed replied you could either stay with term limits as they are, you could include it in the charter, which would then be subject to the charter passing, or you can have two separate proposals; one for the charter and one for the term limits. Mr. Corey commented term limits are adopted by local law.

3. *Qualifications of Legislators* - Mr. McAllister stated with regard to the qualifications of Legislators, is that a question of whether a Legislator can also serve as an elected official of a city, town, or village? Mr. Corey replied yes. Municipal Home Rule Law says there won't be multiple offices held unless you enact an exception. You can continue as you have it, or remove it. Mr. Van Etten stated that we have a hard enough time getting people to take public office. Mrs. Ferratella commented that she lives in a village with 279 households. We have to beg people to get on the Planning Board. She stated that she is in favor of keeping the board form. Ms. Lattimer stated that she doesn't think it hurts the Legislature. Mrs. Ferratella stated it allows you to communicate with the towns. Ms. Lattimer stated that she doesn't see where it does any real harm and there is certainly an upside.

Mr. Van Etten asked we currently don't allow town supervisors to be Legislators? Mr. Wheeler replied that is the way it was structured in the 1980's. Mr. Hanna stated that initially, he doesn't feel that you should be on two boards. He is not comfortable with that. He understands the difficulty in getting people to run for office. Being on the town board first and then running for the Legislature is a good thing. Mr. Crossett commented that it makes it parochial on certain issues. Mr. Schu stated if you serve on multiple town boards there could be a perceived prejudice. Mrs. Ferratella stated it allows you to work more closely with your governments. Mr. Hanna commented that he thinks it becomes too political. Ms. Lattimer stated that is something the electorate takes care of anyway. You would be running for two separate positions. Discussion followed.

4. *Departmental Structure* - Mr. Wheeler stated if you wanted to make any changes to the departmental structure, the charter provides you the ideal way to do that. Putting departments together, we still have 30 departments and that seems to work for us. You could maintain what you currently have or create Commissioners to consolidate management. There are options. Mrs. Ferratella asked can you put that in place and make changes through attrition? Mr. Crossett stated that for instance, you could take Emergency Management and 911 and have a Commissioner of Public Safety. Mr. Reed stated the department structure needs to be in the charter. This is not something that you can do through the *Administrative Code*. Mr. Wheeler explained either a County Manager or the Legislature would appoint the Commissioners. The charter would provide for that flexibility.

Mr. Van Etten asked what about changing elected positions to appointed positions? Can you build that into the charter? Mr. Wheeler replied you can. With the Treasurer, you could make that position a Director of Finance. The issue, if you choose to do that, is something that you would want to separate out from the charter. Mr. Weaver asked are elected positions set by State law? Mr. Reed replied yes. He stated that he will provide the Legislature with a list of those officers along with a description of what their function is beyond their constitutional functions. Other counties, in their charters, have created a Public Safety Officer that has certain powers throughout the County, while the Sheriff has constitutional authority. Mr. Van Etten commented that Schuyler County is going through that process right now. Mr. Wheeler commented that if an elected officer is leaving their term of office, the Governor can appoint that position.

Mr. McAllister asked how much power is the Legislature losing by going with a charter form of government? Mr. Reed replied with regard to day-to-day operations, you are losing direct oversight. You have the flexibility of expanding the power of the Legislature to have options. Mr. McAllister stated so with day-to-day operations; there are some things that would be subject to the approval of the Legislature? Mr. Reed replied it is how you compose your charter.

Mr. Weaver asked that the Legislators also have a list of the departments that we could group together. We could look at consolidation. Ms. Mori commented the Administrator's Office had previously done a study on the consolidation of departments.

Mr. McAllister stated that at the next meeting we will have another presentation on the charter form of government. Mr. Wheeler stated we can also draft up some charter language for you to review.

## **II. NEXT MEETING**

The date of the next special meeting will be Tuesday, October 9, 2012 at 11:00 a.m., following the Finance Committee meeting.

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***

Tuesday, October 9, 2012 @ 11:00 a.m.

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, October 9, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
<b>STAFF:</b>	Jack Wheeler Alan Reed Brenda Mori Nancy Smith	Kathy Muller Pat Donnelly Wendy Flaitz	Jim Gleason Shawn Corey David McCarroll
<b>LEGISLATORS:</b>	Joseph J. Hauryski Thomas J. Ryan	K. Michael Hanna	William A. Peoples

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Ms. Muller to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

Mrs. Ferratella stated that on page three of the September 24, 2012, Special Meeting minutes, #3, "Mr. Van Etten asked we currently don't allow town supervisors to be Legislators?" Instead, that should read town highway superintendents.

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 11, 2012, AND SEPTEMBER 24, 2012 MEETINGS AS AMENDED MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENT REQUESTS**

A. Purchasing

1. **Purchase of Copiers** – Mr. Gleason requested authorization to replace copiers in Personnel, the Sheriff's Department and Probation's Corning Office. He also will be replacing the central color copy machine that is located in his department. All machines will have the ability to print, scan to email and fax. These will be purchased from the copier capital project for a total of \$14,500.00.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE FOUR REPLACEMENT COPIER MACHINES, FOR A TOTAL COST OF \$14,500.00, FROM THE COPIER CAPITAL PROJECT MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **2012 Surplus Auction Summary** – Mr. Gleason commented that the County share was down quite a bit. We had the greatest participation from outside agencies. There was a 10 percent buyer's premium.

B. Information Technology

1. **Document Imaging RFP** – Mr. Wheeler stated the Document Imaging RFP is for the digitization of records. We received two proposals from Toshiba and Gemco. He recommended awarding to Gemco and noted that the total cost is higher than what we had originally included in the budget. We will not be purchasing the hardware. The total cost for the first year will be \$41,395.51. We will use the \$30,000.00 budgeted in the

Document Imaging Capital Project and the difference will come from IT's capital project. Mr. Wheeler stated that the Personnel and Law Departments will be the first departments to do this.

**MOTION: AWARDING THE REQUEST FOR PROPOSAL FOR DOCUMENT IMAGING TO GEMCO FOR A FIRST YEAR TOTAL OF \$41,395.51 MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Budget Transfer** – Mr. Wheeler informed the committee that we know in the future our telephone system will need to be replaced and that will cost \$500,000.00 or more and we have been looking at other options. Our phone switch is approaching the end of its life and we felt that it was prudent to increase the telephone chargeback that we charge to the departments to build up a reserve. He requested authorization to transfer approximately \$100,000.00 from the Central Communications Overall Surplus to the County Telephone System Capital Project.

**MOTION: AUTHORIZING A YEAR-END TRANSFER OF SURPLUS FROM CENTRAL COMMUNICATIONS TO THE CAPITAL PROJECT ENTITLED COUNTY TELEPHONE SYSTEM MADE BY MR. SWACKHAMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required**

Mr. Van Etten commented that in his opinion, this is an expense that you don't want to pay, but you are better off managing it and being proactive. We still out to look at the project and figure out how much it will cost. Mr. Wheeler stated 911 is demoing an IP phone system that is not Sysco, that we believe will be significantly less expensive. In a couple of months we will know how that is working and we will keep the committee updated.

C. Department of Social Services

1. **Personnel** – Ms. Muller informed the committee that she has a zero-based Help Desk Technician, Grade VIII that she would like to fund, and zero-base a Support Cashier-Typist, Grade VIII. Doing this will enable the individual currently working in the Support Cashier-Typist position to make a lateral transfer to a position that is more appropriately titled. There will be no change in salary.

**MOTION: AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO FUND A ZERO-BASED HELP DESK TECHNICIAN POSITION, GRADE VIII, AND ZERO-BASING A SUPPORT CASHIER-TYPIST POSITION, GRADE VIII MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Personnel

1. **Health Care Facility Reclassifications** - Ms. Smith requested that the committee rescind their prior approval of a reclassification of a Physical Therapy Assistant, Grade XI to a Physical Therapist, Grade XVIII as they do not need a full time Physical Therapist. Instead, she requested authorization to reclassify a Physical Therapist, Part-Time, Grade XVIII to a Physical Therapy Assistant, Part-Time, Grade XI.

Mr. Crossett asked do we have a Physical Therapist? Ms. Smith replied yes. Mrs. Ferratella asked what changed? Ms. Smith explained there was some miscommunication. When we were first approached about the Physical Therapy Assistant, we were told that it would full time. Now we will have one more Physical Therapist, full-time and a Physical Therapy Assistant, part-time. Mr. McCarroll stated we will have two Physical Therapists. We have already had them under contract through a staffing agency. Mr. Van Etten asked is there a benefit to having them as employees? Mr. McCarroll replied there will be somewhat of a savings as they will be permanent positions. Mr. Van Etten commented that he is not happy about adding permanent employees, but they are revenue generating positions.

**MOTION: RESCINDING PRIOR APPROVAL TO RECLASSIFY A PHYSICAL THERAPY ASSISTANT, GRADE XI TO A PHYSICAL THERAPIST, GRADE XVIII AT THE HEALTH CARE FACILITY AND AUTHORIZING THE RECLASSIFICATION OF A PHYSICAL THERAPIST, PART-TIME, GRADE XVIII TO A PHYSICAL THERAPY ASSISTANT, PART-TIME, GRADE XI AT THE HEALTH CARE FACILITY MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Ms. Smith informed the committee that the Health Care Facility has a Clerk whose duties are more consistent with those of an Account Clerk-Typist. She requested authorization to reclassify a Clerk, Grade IV to an Account Clerk-Typist, Grade VI. She explained the Account Clerk-Typist is currently vacant.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A CLERK, GRADE IV, TO AN ACCOUNT CLERK-TYPIST, GRADE VI IN THE HEALTH CARE FACILITY MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

E. Administrator

1. **ASCAP License** – Mr. Wheeler informed the committee that the County has been approached by the American Society of Composers, Authors and Publishers (ASCAP). We have had the Law Department reviewing their request for quite some time. They are insisting that any music that is played on public grounds needs to be licensed and they have quoted us a price of \$766.00. Mr. Van Etten asked where are we playing music? Mr. Wheeler replied the Office for the Aging may play music for some of their events. Music is also played at the Health Care Facility. It was construed that we could be sued. He stated that we have talked with NYSAC, but most other counties are paying it. Mr. Reed commented many counties are paying and some are not. In principle, the likelihood of a suit is small, but it is the exposure it brings.

Mrs. Ferratella asked is this being done nationally? Mr. Wheeler stated right now it seems as though they are focusing on New York. He stated we had received a letter a few years ago and at that time, the Office for the Aging paid for it. Mrs. Ferratella asked is this an annual fee? Mr. Wheeler replied yes. Mr. Reed stated that our thought is to have NYSAC address this as it is affecting all counties in New York State.

Mrs. Ferratella commented we need to make the departments aware of this if they choose to play music. Mr. Wheeler stated we can do that. There are some off-site events and we will express to them our position. Mr. McCarroll commented that the music at the Health Care Facility is provided through Senior Radio and, therefore, they are already licensed.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A WRITTEN MANAGEMENT SALARY PLAN WITH MARK R. ALGER, COUNTY ADMINISTRATOR, PROVIDING FOR SALARY INCREMENTS BASED ON TIME OF SERVICE AND REAPPOINTING SAID INDIVIDUAL MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**Tuesday, November 13, 2012**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Wednesday, November 7, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

**Special Meeting**

*Tuesday, October 9, 2012*

*11:15 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Patrick F. McAllister, Chair Scott J. Van Etten	Lawrence P. Crossett, Vice Chair	Carol A. Ferratella
<b>STAFF:</b>	Jack Wheeler Alan Reed	Shawn Corey	Brenda Mori
<b>LEGISLATORS:</b>	Joseph J. Hauryski William A. Peoples	K. Michael Hanna Thomas J. Ryan	Robin K. Lattimer Gary D. Swackhamer
<b>ABSENT:</b>	Brian C. Schu		
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 11:15 a.m.

**II. OPTIONS FOR CHARTER FORM OF GOVERNMENT**

A. *Form of Government to Handle Day-to-Day Operations* - Mr. McAllister stated the purpose of today's meeting is to discuss the option of having a charter form of government, versus what we currently have. One of the questions posed was what is the Legislature giving up in power. Mr. Reed sent us a memo outlining the legal issues surrounding the adoption of a County Charter. We can set it up and define the powers so that we are not losing much. The only big difference between a Charter and our current form of government is that in a Charter, the County Manager has the authority to hire/fire departments, subject to the approval of the Legislature.

Mr. Reed explained daily operations are where you would be making the most adjustments. If you want to include the confirmation of any hiring/firing, then that is included. There are certain thresholds on the content and those are included in the *Administrative Code*. If you want to limit the policy making functions of the County Manager to daily functions, you can state that. It is all how you state it. As an example, Schenectady County has it written that the County Manager appoints the subordinates to the Department Heads.

Mrs. Ferratella commented that in Schenectady County's Charter, they state that communications between the Legislature and the Department Heads should go through the County Manager. Does that mean that we are not allowed to speak to the Department Heads? Mr. Wheeler replied it doesn't, in his view, prevent the Legislators from communicating with the Department Heads, but it does involve the County Manager in those discussions. If there are decisions being made or looked at, then the County Manager would be involved.

Mr. Crossett stated that having worked here; he has seen some weaknesses over the years with regard to the Department Heads going to the Legislature without talking to the County Administrator. Mr. Van Etten stated that undermines the Administrator. There is a distinction between a County Administrator and a County Manager. With a County Administrator, the Department Heads don't necessarily have to communicate with the Administrator. We would not want that. A County Manager form of government would be the best way to manage.

Mr. Reed stated from a legal standpoint, in the *Administrative Code*, the Department Heads still are designated as policy generating employees. There is a different standard for responsibility and accountability. If they are acting inconsistent with the appointing authority, then you can take action. Mr. Van Etten commented that he does not feel that the ability of a County Manager to hire/fire Department Heads would be an erosion of our power. That decision currently comes from the County Administrator. Mr. Crossett stated there was a time when the Legislature did interview the Department Heads. Mr. McAllister stated one thing that was happening is that Department Heads were putting items on the agenda without the County Administrator knowing in advance.

Mr. Corey commented there is no statute or rule that says that the County Manager has to have certain powers. You give what you choose to, via the Charter. That is entirely at your discretion and every county works differently. Mr. McAllister stated we are open to define what we want. Is the committee ready to take a vote on transitioning to a Charter versus our current form of government?

Mr. Van Etten stated we would be better off having a Charter as it allows more flexibility. He stated that he would like to see a County Manager. Mr. McAllister stated that he would agree with that. Mr. Reed stated that the Personnel Officer has talked to him about the change of title. In Civil Service, when there is a change in title, there is a process that needs to be followed. You could leave the same title, County Administrator, and have expanded job duties. On the other hand, there are possible inferences that are made from the title as to what powers you have, and he stated that he thinks those are real.

Mr. Wheeler stated you would have to go through the process of classifying that position. It will take some time to get the Charter in place and you will have some lead time to get through that process. Mr. Crossett stated a County Manager carries more clout. Mr. McAllister stated with the Charter, he likes the idea of getting closer to the one man, one vote for redistricting.

**MOTION: DIRECTING THE COUNTY ADMINISTRATOR AND LAW DEPARTMENT TO PURSUE ESTABLISHING A CHARTER FORM OF GOVERNMENT WITH A COUNTY MANAGER MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT FOR DISCUSSION.**

Mr. Van Etten asked if Chairman Hauryski was in agreement with this? Mr. Hauryski replied he is. This is the kickoff point for what we need to do. Mr. Ryan commented the hard work begins with defining the Charter. Mr. Wheeler stated what we can do, if you like, is we can start drafting the language so you can go through and edit. Mr. Van Etten commented we have a leg up on this as we already have the *Administrative Code* in place. Mr. Crossett stated that he is confused as to what we put in the Charter and what we have in the *Administrative Code*. Mr. McAllister stated we can keep the Charter relatively simple, but most of the requirements are in the *Administrative Code*. Mr. Reed stated you want to make sure the power between the Manager and the Legislature is set in the Charter. You also want to make sure you have the construction of the Charter. Keeping the functions of the Legislature second, the Legislative powers are broadly construed and the Manager's power is strictly construed.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. McAllister asked do we have something prepared with the options for those major issues? Mr. Reed replied no. In our previous discussions, the committee had indicated that the Schenectady Charter form was good as it did not have the volume as some of the other counties. We could draft something consistent with your discussions so far. Mr. Wheeler stated the County Manager section we could draft pretty easily. We will also need to look at the other issues on the checklist and we can build the document as you go.

B. *Departmental Structure* - Mr. McAllister stated the other issues are term limits, qualifications of Legislators and departmental structure. Mr. Van Etten stated the Schenectady County Charter states that the County Manager serves at the pleasure of the Legislature and that they supervise all county departments. Does that include elected officials? Mr. Reed replied in their charter, it does not. Unless it is otherwise specified, the County Manager does the supervision. Mr. McAllister asked can you specify out the elected officials? Mr. Corey replied that depends on what you are asking. If you are asking relative to direct supervision, probably not. Some counties contracts and budget requests are approved by the County Manager.

Mr. Van Etten stated that in the Law Department's memo, it addressed the issue of appointing certain elected officials. He stated that we should also discuss and consider making a change to the County Treasurer's position so that it becomes an appointed position. Mr. Crossett stated that he agrees. Mr. Van Etten stated that is where we get the most exposure if someone was unqualified. Mr. Crossett asked would that require a separate ballot? Mr. Reed replied that is a decision that the Legislature would make. You can have a separate provision set out as a separate local law with the same requirements for passage. Mr. Van Etten commented this is very easy to explain. Mr. Crossett stated as long as the Treasurer is in favor, it shouldn't be a problem. Mr. McAllister asked does the charter specify this? Mr. Reed replied yes. Mr. Corey stated you would draft it so the existing County Treasurer is in the charter and have a separate amendment subject to a separate referendum.

Mrs. Ferratella stated that in the Schenectady County Charter, they had departmental areas that they consolidated such as the Health Care Facility under the Department of Social Services, and Buildings and Grounds under Public Works. Is that something we want to look at? Mr. Wheeler replied we did look for the consolidation report and most of what had been recommended has already been done. You can go further in your charter if you choose to. Mr. Crossett stated that creates another layer of expense. Mr. Van Etten stated some of that can be empire building as well.

Mr. McAllister asked does anybody know whether Mr. Donnelly would be in favor of having his position an appointed position? Mr. Hauryski replied he has spoken to Mr. Donnelly and he is in favor of that. Mr. McAllister asked would you suggest we deal with that as a separate referendum item? Mr. Van Etten replied that he thinks it would be better to separate it out from the Charter.

**MOTION: CHANGING THE ELECTED COUNTY TREASURER POSITION TO AN APPOINTED DIRECTOR OR COMMISSIONER OF FINANCE AND PRESENTING THIS AS A SEPARATE REFERENDUM FROM THE CHARTER MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.**

Mr. Van Etten asked how does that affect someone who is currently in their term? Mr. Reed replied they would complete their term.

Mr. Hanna asked is a Charter new for Schenectady County? Mr. Reed replied no, they adopted their Charter in 1967. Mr. Hanna asked how would you get this out to the public? Mr. Wheeler stated we would have to have a public relations campaign. We would want to go out and talk with various groups about what a Charter does. Mr. Hanna asked does this have to have a certain number of votes? Mr. Wheeler replied in order for the Charter to be adopted, there must be a majority vote for the entire county and a majority vote in each of the two cities.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Wheeler stated there are some ideas for minor consolidations and they would be similar to what we have done with the Youth Bureau and Records. We are not prepared for any big changes. Mr. Hauryski stated Mr. Alger has some suggestions that would make sense for efficiencies.

Mr. Swackhamer asked what about Social Services and Mental Health? Mr. Wheeler stated we haven't re-examined that with what is happening with the RFP for Mental Health. The sense of the group at the time was that there was no interest in consolidating the two departments, but we could look at that. Mr. Swackhamer stated with the RFP for Mental Health you would still need a Director and you could bring them under one department. Mr. Reed stated you can state that the Community Services Board would function under Mental Health. Mr. Crossett asked can you get rid of the Community Services Board? Mr. Corey replied no, but you can take over the hiring authority of the Director. They currently hire your Director and you could take that back. That could be part of the Charter. Mr. Van Etten stated that he thinks that is a good way to go. Mr. Swackhamer stated that he would like the County to consider having one commissioner over both Mental Health and Social Services.

**MOTION: INCORPORATING INTO THE COUNTY CHARTER THE AUTHORITY OF THE COUNTY MANAGER TO HIRE/FIRE THE DIRECTOR OF COMMUNITY SERVICES SUBJECT TO THE APPROVAL OF THE LEGISLATURE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. *Staggered Terms* – Mrs. Ferratella asked what would be the benefit of not staggering terms? Mr. Van Etten replied staggered terms helps to provide for continuity. Mr. Crossett stated if all the terms were to expire at the same time, you could potentially have a new Legislature.

Mr. Reed stated Schenectady County did not start staggering their terms until they were eight years into the Charter. If you leave your terms limits alone, there is a pre-existing local law and there would be the continuance of the prior local law.

**MOTION: INCLUDING STAGGERED TERMS WITHIN THE COUNTY CHARTER MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. *Qualifications of Legislators* – Mr. McAllister stated that at the last meeting, there was some discussion as to whether a Legislator could also serve as a Town/Village Board member or in any other capacity. Mrs. Ferratella stated that in the smaller communities, we have trouble getting people to be members of the Zoning Board or Planning Board. Mr. Van Etten stated that several years ago we had a Board of Supervisors and it is beneficial to have people serving on multiple boards; it is a benefit to both the local municipality as well as the County. He stated that he never understood why we changed it so that Town Highway Superintendents could not run for County Legislature. Mr. Reed stated that as the State statute is written, you can only be in one elected office. There is a provision for Legislators in County Law, but that only sets the qualifications. In our Local Law, the set qualifications do not list Highway Supervisors or Town Clerks. Mr. Crossett stated we need to take some time to find out why that decision was made in the past.

E. *Term Limits* – Mr. Reed stated you can include term limits in the Charter. If you don't do anything, it will remain as it is. If the pre-existing local law is not inconsistent, then term limits will remain in full force and effect. Mr. McAllister asked would we deal with this as a separate ballot issue? Mr. Reed stated that as a practical matter, it is nice to have the institutional memory. Mr. Wheeler stated that 12 years is not a long term. Having an additional term would certainly be helpful. Mr. McAllister stated that people were against us eliminating term limits. We could possibly increase it to a four-year term.

**MOTION: SEPARATING OUT TERM LIMITS FROM THE CHARTER AND INCREASING TERM LIMITS FROM THREE TERMS TO FOUR TERMS MADE BY MR. VAN ETTEN FOR DISCUSSION.**

Mr. Corey commented that because there is an existing local law, it is not necessarily something that needs to be addressed in the Charter. If you are concerned that it would defeat the Charter, then we could do it separately. Mr. Crossett stated that you should wait until after you get a Charter in place, then you could do a permissive referendum. Mr. McAllister stated you will have a public relations battle. He stated that he thinks it should be separated from the Charter, but put on the ballot at the same time. Mr. Wheeler commented the more things you carve out and separate, there may be a tendency by the voters to vote everything down. Mr. Crossett stated if you deal with it in the future, it is a local law and then you would be changing the local law.

**PREVIOUS MOTION WAS RESCINDED BY MR. VAN ETTEN.**

Mr. Van Etten stated that right now on the ballot we have the Charter and a separate referendum for changing the Elected County Treasurer position to an Appointed Director/Commissioner of Finance. Mr. Wheeler stated redistricting will also be a separate item. Mr. Van Etten stated that he would agree that if someone is hung up on one of these issues, they will have a tendency to vote no on all the items.

F. *Redistricting* – Mr. Crossett asked is there anything new or significant? Mr. Wheeler replied there is nothing of great significance. The Charter will provide you with the flexibility to work with Erwin and the City of Hornell. We will have to run those different scenarios. There will be more options as you can district more easily on the

census tract basis. Mr. Van Etten stated that he is of the opinion that we need to keep Painted Post in Erwin, no matter what we do. Pulling them out of Erwin never worked. Mr. McAllister stated the beauty of the Charter is now we no longer are restricted in keeping the towns whole. It makes sense to put the City of Hornell with the Town of Hornellsville with the requirement that because it is a two seat district, one seat would come from the City of Hornell and the second from the Town of Hornellsville. At the other end of the County, if you left Painted Post with Erwin, you could put Erwin with Addison and Rathbone. That would leave you at +1.03. That would also require two Legislators; one from Erwin and one from one of the other two towns. That would bring you closest to the one man, one vote requirement.

Mr. Van Etten asked does the charter allow you to do that? Mr. Reed replied the question is if the elected is not qualified to hold office by residence. The Charter does do, whether you have a district that has two representatives or not, is that within the district you draw the line not only for where the representative comes from, but who votes.

Mr. Wheeler stated you could keep Erwin and Painted and split them. With the City of Hornell you could take a portion of the city out and put that with the Town of Hornellsville. Mr. Van Etten commented you don't necessarily need to have multiple member districts. Mr. Wheeler stated in his opinion, the rest you would treat at the town level and keep them separate. You don't want to get too deep. We can run some of these scenarios for you.

Mrs. Ferratella commented that with regard to moving the Village of Painted Post out of the Town of Erwin, the residents are very adamant that they don't want to be separated. Mr. Swackhamer asked do you think the City of Hornell will want to be split out? Bringing in the Village of North Hornell into the City is one thing. Bringing a small population into a large population is something different. That will be a tough vote. Mr. Wheeler stated North Hornell will get you closer to your number. Mr. Reed commented the Charter allows you to do different options from one end of the County to the other.

Mr. McAllister asked Mr. Wheeler to come up with different scenarios for Erwin and Hornell. Mr. Wheeler stated that he will do that. Mr. McAllister asked if we were agreed that redistricting will be separate from the Charter? Mr. Van Etten replied yes, but if a separate item is something the public feels strongly against, they could vote no on everything. Mr. Crossett asked are the voting requirements on the separate issues the same as for the Charter? Mr. Wheeler replied yes. Discussion followed.

### **III. NEXT MEETING**

The date of the next meeting will be Monday, November 26, 2012, at 3:00 p.m., prior to the Legislative Board Meeting.

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
Monday, November 26, 2012 @ 3:00 p.m.

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, November 13, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Patrick F. McAllister, Chair      Lawrence P. Crossett, Vice Chair      Brian C. Schu  
Scott J. Van Etten

**STAFF:** Mark R. Alger      Jack Wheeler      Jim Gleason  
Joel Ordway      Alan Reed      Pat Donnelly  
Vince Spagnoletti      Nancy Smith      Wendy Flaitz  
Vicky Olin      David Hopkins      Brenda Mori  
Shawn Corey

**LEGISLATORS:** Joseph J. Hauryski      Lawrence P. Crossett      K. Michael Hanna  
William A. Peoples      Gary B. Roush

**ABSENT:** Carol Ferratella

**I. CALL TO ORDER**

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Donnelly to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 9, 2012, MEETING AND THE OCTOBER 9, 2012, SPECIAL MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENT REQUESTS**

A. Elections

1. **Amendment to Major Equipment List** – Ms. Olin requested authorization to use \$4,000.00 in her Major Equipment line item to purchase extensions for their current desks. She stated that they can get this from Stevens Office Furniture which is on the State bid. Mr. Van Etten asked what had this \$4,000.00 originally been earmarked for? Ms. Olin replied it was not earmarked for anything.

**MOTION: AUTHORIZING ELECTIONS TO ALLOCATE \$4,000.00 IN THEIR MAJOR EQUIPMENT LINE ITEM TO PURCHASE DESK EXTENSIONS AND AMENDING THE LIST TO INCLUDE THESE ITEMS MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Purchasing

1. **Copy Paper Bid** – Mr. Gleason recommended awarding the bid for copy paper to the low bidder, W.B. Mason for \$25.67 per case.

**MOTION: AWARDING THE COPY PAPER BID TO THE LOW BIDDER, W.B. MASON FOR \$25.67 PER CASE MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Capital Project Request – Fax Board for 911** – Mr. Gleason requested authorization to purchase, from the copier capital project, a fax board for the 911 copy machine. The total cost is \$600.00.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO SPEND \$600.00 OUT OF THE COPIER CAPITAL PROJECT TO PURCHASE A FAX BOARD FOR THE COPY MACHINE AT 911 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Grant** – Mr. Gleason informed the committee that there is a grant available that we have applied for to pay for the last copier we purchased, which was \$9,000.00. We are getting \$7,000.00 from that grant and IT will also be using it to purchase printers and scanners.

C. County Clerk

1. **Semi-Annual Mortgage Tax** – Mr. Wheeler stated a total of \$639,039.36 has been distributed to the 33 municipalities. This is an increase over November of last year and May of this year.

**MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Real Property Tax Service Agency

1. **Annual Resolutions** – Ms. Flaitz reviewed the Table of County Equalization Rates, County Equalization Report, 2012 Tax Impact Report Due to Changes in Equalization Rates and Valuation and Exemption Impact Reports. Discussion followed.

Mrs. Flaitz commented that many municipalities saw a drop in rates due to decreases in oil and gas production. Mr. Alger stated that with regard to assessable values, the State determines the value of the oil/gas product and that value is added to the roll. Given the climate with gas being plentiful, they did not produce as much value and instead went down \$35 million. Even with Pictometry, that will not make up for that loss.

**MOTION: APPROVING THE TABLE OF COUNTY EQUALIZATION RATES, THE COUNTY EQUALIZATION REPORT, THE 2013 TAX IMPACT REPORT DUE TO CHANGES IN EQUALIZATION RATES AND VALUATION AND THE EXEMPTION IMPACT REPORT FOR THE COUNTY AND FORWARDING TO THE FULL LEGISLATURE MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Personnel

1. **Sheriff – Transfer and Reclassification of Two Positions** – Ms. Smith informed the committee that the Sheriff will receive funding from the State for two additional court security positions for Judge Scudder. The Sheriff currently does not have any vacant positions; however, Public Health Nursing has two vacant RN positions. She requested authorization to transfer those two vacant RN positions from Public Health to the Sheriff, and to reclassify them to Court Security Officers. This will result in a savings of \$2,000.00 per position.

Mr. Van Etten asked why not just create these positions? Ms. Smith replied we would need an extraordinary majority of the Legislature in order to create those positions and it is a better use of resources to transfer and reclassify the positions from Public Health Nursing. Mr. Wheeler commented this process is also quicker and the State had indicated they wanted these positions as soon as possible. Sheriff Ordway commented that the Public Safety & Corrections Committee approved the positions, contingent upon continuing to receive State funding. Mr. Alger stated that is what we have been doing with the court security positions; the positions will be there as long as there continues to be State funding.

Mr. Van Etten asked are these positions needed? Sheriff Ordway replied yes. Judge Scudder is the fourth highest ranked Judge. These security officers also will be providing security for the Public Defender.

**MOTION: AUTHORIZING THE TRANSFER OF TWO VACANT RN POSITIONS IN PUBLIC HEALTH NURSING TO THE SHERIFF'S DEPARTMENT AND RECLASSIFYING THEM TO COURT SECURITY OFFICERS, CONTINGENT UPON RECEIVING FUNDING FROM THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

F. Administrator

1. **Contract Renewal** – Mr. Alger requested authorization to renew their contract with Securitas Security Services USA, Inc. for building security. All terms and conditions will remain the same. Mr. Gleason commented that this is the last year that we can renew, and then we will need to rebid.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO RENEW THEIR CONTRACT WITH SECURITAS FOR ONE YEAR UNDER THE SAME TERMS AND CONDITIONS MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AUTHORIZING THE COUNTY ATTORNEY TO HIRE JAMES B. DOYLE AS ASSISTANT COUNTY ATTORNEY ABOVE THE MID-POINT AT A SALARY OF \$71,107.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: SETTING THE 2013 SALARY FOR THE STEUBEN COUNTY SHERIFF AT 79,128.00 MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: WAIVING THE MAXIMUM SALARY CAP FOR 2013 FOR THE FOLLOWING POSITIONS: PROFESSIONAL ENGINEER, PUBLIC WORKS; DIRECTOR OF COMMUNITY SERVICES; AND JAIL SUPERINTENDENT, MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: APPROVING MANAGEMENT SALARY INCREASES OF 1.5 PERCENT, 2 PERCENT AND 2.5 PERCENT BASED UPON EVALUATION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, December 11, 2012  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Wednesday, December 4, 2012**

**STEBEN COUNTY ADMINISTRATION COMMITTEE**

*Tuesday, December 11, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Joseph J. Hauryski	Brian C. Schu	Scott J. Van Etten
<b>STAFF:</b>	Jack Wheeler Shawn Corey Alan Reed	Jim Gleason Vicki Olin Brenda Mori	Nancy Smith Wendy Flaitz
<b>LEGISLATORS:</b>	K. Michael Hanna Thomas J. Ryan	William A. Peoples Randolph J. Weaver	Gary B. Roush
<b>ABSENT:</b>	Patrick F. McAllister, Chair	Lawrence P. Crossett, Vice Chair	Carol Ferratella

**I. CALL TO ORDER**

Mr. Hauryski called the meeting to order at 9:00 a.m. He asked Mr. Roush to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 13, 2012 MEETING MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. DEPARTMENT REQUESTS**

A. Law Department

1. **Professional Services Quote** – Mr. Reed requested, on behalf of both the Law Department and the District Attorney’s Office, to waive the formal RFP process for court reporting services. Originally, back in 2007, Verbatim had the contract, however, we may be able to get more competitive bids if we secure informal quotes.

**MOTION: WAIVING THE FORMAL RFP PROCESS SO THAT THE LAW DEPARTMENT AND THE DISTRICT ATTORNEY’S OFFICE MAY SECURE INFORMAL QUOTES FOR COURT REPORTING SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Real Property Tax Service Agency

1. **Completed Report of % Change** – Mrs. Flaitz distributed the Completed Report of % Change with the 2013 County Budget included, for review.

C. Personnel

1. **Budget Transfer** – Ms. Smith requested authorization to transfer \$6,552.24 from the Employee Training line item to the Major Equipment line item to purchase bar scanners for the department. These scanners will be used to scan documents for electronic records retention. Discussion followed.

**MOTION: AUTHORIZING THE PERSONNEL OFFICER TO TRANSFER \$6,552.24 FROM THE EMPLOYEE TRAINING LINE ITEM TO THE MAJOR EQUIPMENT LINE ITEM TO PURCHASE BAR SCANNERS AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THAT PURCHASE MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

D. Administrator

1. **Revision to Administrative Code** – Mr. Wheeler informed the committee that they have a small change to the Outside Employment Form. We are now requiring a printed name as Personnel was having a difficult time reading the signatures.

Mr. Van Etten asked why do we do this? He understands the conflict of interest issue, but can we limit someone from getting outside employment? Mr. Reed replied yes. Mr. Wheeler explained we can identify a conflict and if the employee doesn't disclose, then we have something actionable. Mr. Reed stated we require employees to give us notice and ultimately the Department Head determines if there is a conflict. This provides us with a process. We cannot interfere with the lawful activities of our employees.

**MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE THE REQUIREMENT FOR A PRINTED NAME ON THE OUTSIDE EMPLOYMENT FORM MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

2. **Reappointment of Election Commissioner** – Mr. Wheeler stated we received a recommendation from the Republican Committee to reappoint Veronica Olin.

**MOTION: RECOMMENDING THE REAPPOINTMENT OF VERONICA OLIN AS REPUBLICAN ELECTION COMMISSIONER AND FORWARDING TO THE FULL LEGISLATURE MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

3. **Personnel** – Mr. Wheeler stated that it was brought to the attention of the Public Works Committee that Bryce Foster, Deputy Commissioner of Public Works, is not at the midpoint of his grade. We asked Ms. Smith to do an analysis. After three years, employees in management go to the midpoint. Currently Mr. Foster is \$172.00 below midpoint. He requested authorization to adjust his salary to bring him to the midpoint.

**MOTION: AUTHORIZING A SALARY ADJUSTMENT OF \$172.00 TO BRING BRYCE FOSTER, DEPUTY COMMISSIONER OF PUBLIC WORKS, UP TO THE MIDPOINT MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

IV. **OTHER BUSINESS**

A. *Redistricting* – Mr. Hauryski suggested that in lieu of holding a Special Administration Committee meeting to discuss redistricting, that we include a "Redistricting Workshop" on the January Legislative Agenda. Mr. Wheeler has indicated that he will have more information available at that time. Mr. Wheeler stated assuming the Charter passes, there are some additional avenues that you could go with in regards to districting, and we would like to present those to you.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON AND ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, January 8, 2013  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Wednesday, January 2, 2013**