

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, January 8, 2013

9:10 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 Nancy Smith
David Cole Brenda Mori Vicki Olin
Wendy Flaitz Alan Reed Shawn Corey

LEGISLATORS: K. Michael Hanna Robin K. Lattimer William A. Peoples
Gary B. Roush

ABSENT: Lawrence P. Crossett, Vice Chair

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:10 a.m. and asked Mr. Schu to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 11, 2012, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. GRIEVANCE

A. *Sheriff's Department* – Ms. Smith stated that Council 82 was not available to attend today's meeting and requested to come to the February meeting.

IV. DEPARTMENT REQUESTS

- A. Administrator
1. **Salary Adjustments**

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 MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: CLASSIFYING THE SECRETARY FOR THE COMMISSIONER OF SOCIAL SERVICES AS A MANAGEMENT/CONFIDENTIAL EMPLOYEE EFFECTIVE JANUARY 1, 2013 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 MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. SCHU. 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, February 12, 2013
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, February 6, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, February 12, 2013

9:00 a.m.

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

****AMENDED MINUTES****

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

STAFF: Jack Wheeler Jim Gleason Brenda Mori
Shawn Corey Hank Chapman, Psy.D. Judy Hunter
Nancy Smith Jennifer Bailey Vicki Olin
Wendy Flaitz Joe Welch Alan Reed
Ryan Dolan

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna William A. Peoples
Gary B. Roush Thomas J. Ryan Gary D. Swackhamer
George J. Welch

ABSENT: Carol A. Ferratella

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 8, 2013, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENT REQUESTS

A. Purchasing

1. **Copy Paper Bid Award** – Mr. Gleason recommended awarding the bid for copy paper to the low bidder, Contract Paper Group for \$25.56 per case.

MOTION: AWARDING THE COPY PAPER BID TO THE LOW BIDDER, CONTRACT PAPER GROUP FOR \$25.56 PER CASE MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Copy Machines** – Mr. Gleason informed the committee that the State contract for copy machines expired in December and they have failed to negotiate a new contract. This contract covered the purchase and maintenance of copy machines. We do have some copy machines where we will need to address the maintenance soon. We have looked at a number of other resources, however, they are not offered under GSA contracts. He asked for authorization to put out a request for proposals for copy machine maintenance if necessary.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR, IN THE EVENT THE STATE DOES NOT RENEGOTIATE A CONTRACT FOR THE PURCHASE AND MAINTENANCE OF COPY MACHINES, TO ISSUE A REQUEST FOR PROPOSALS FOR COPY MACHINE MAINTENANCE MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. Information Technology

1. **Network Security Audit** – Mr. Wheeler requested authorization to issue a request for proposals for the Network Security Audit. There have been some changes with HIPAA and we want to ensure that we are in compliance. This has been budgeted for in the 2013 budget.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO ISSUE A REQUEST FOR PROPOSALS TO CONDUCT A NETWORK SECURITY AUDIT MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

C. Real Property Tax Service Agency

1. **Pictometry Online** – Mrs. Flaitz informed the committee that Pictometry is offering online services where we would be able to access the program online. The cost is \$30.00 per seat for 250 seats, bringing the total to \$4,995.00 per year. She stated that she has \$3,000.00 in her budget that she can transfer. The Emergency Management Office is also willing to provide \$1,995.00 if the committee approves this purchase. Having the program online will make it easier for our office and the Town Assessors to access information.

Mr. McAllister asked how does everyone access that information now? Mrs. Flaitz replied the program has been physically installed on computers. Mr. Van Etten asked how do you come up with 250 seats? Mrs. Flaitz replied currently 911, EMO, Treasurer's Office, Department of Social Services and our office use Pictometry. You could have two people in each department using the system and in some departments, they may need more than one seat. We also have the Assessors, Zoning Officers, Town Clerks, Town Supervisors and police departments. Mr. McAllister asked what do you gain by this? Mrs. Flaitz replied when we do property splits in our department, it will show up as a layer on Pictometry. Mr. Wheeler replied there will be changes to the application itself. Currently the program runs slowly and the web-based program should be quicker.

Mrs. Flaitz asked do we want to charge the municipalities for use of the online version? The first 100 seats are \$30.00 per seat. Mr. Van Etten replied it would be tough to manage. We already foot the bill for the flyover, so we should carry the cost for the online access as well. We are going to pay \$4,995 for the 250 seats and he doesn't know that it is worth charging the municipalities for that. He asked, if some towns don't have the ability to get the web-based program, will they still have the ability to have the program downloaded to the computer? Mrs. Flaitz replied yes.

Mr. McAllister asked if you did charge the municipalities, would you just send them a bill? Mrs. Flaitz replied yes. Mr. Van Etten asked does this provide access for the entire county or just their own town? Mr. Dolan replied it will be web-based and will show the entire county. When it is downloaded on the computers, it is only for their town. Mr. Van Etten commented that he doesn't know that it is worth it to charge the towns. Mr. McAllister stated that he likes the idea of someone paying. Mr. Crossett stated they have the option of not taking it, and we already pay for the flyover. Discussion followed.

MOTION: AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO PURCHASE PICTOMETRY ONLINE IN CONJUNCTION WITH THE EMERGENCY MANAGEMENT OFFICE AND THE 911 DEPARTMENT, AND AUTHORIZING THE TRANSFER OF \$3,000.00 FROM THE REAL PROPERTY TAX SERVICE AGENCY SOFTWARE MAINTENANCE LINE ITEM TO THE 911 DEPARTMENT CONTRACTS FOR SERVICES LINE ITEM; *AND CHARGING THE TOWNS \$30.00 PER SEAT FOR USE OF THE SOFTWARE* MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

D. County Clerk

1. **NY SAFE Act** – Mrs. Hunter stated as you are aware the NY SAFE Act was passed last month. Since the passage of this new law our office has been inundated with pistol permit activity. In January 2012 the total amount of money collected for pistol permits was \$2,541. In January 2013, we have collected \$6,614.00. She stated there has been no clarification from the State with regard to how this will be implemented. She is concerned because the law indicates that the New York State Police will be responsible for re-certifications and all costs, however, at the recent NYSAC meeting, they indicated that the counties would be responsible for re-

certifications. Another concern is the confidentiality of records. Under the SAFE Act, individuals may apply to have their records sealed. This form was to be available from the State Police within 30 days of the passage of the bill, with the deadline for filing that application being February 15, 2013. We still have not received the form from the State Police. The Governor's Budget included either \$36 million or \$39 million to the State Police for the implementation of this program and they are talking about passing that requirement on to the counties. This is another unfunded mandate. She stated that her belief, as well as many others, is that this was an effort by the Governor to improve his public position nationally. This law was pushed through at a rapid pace without considering the consequences. When we receive any information about the implementation of this law, we would like to put that up on our website. At this point, we are telling the public that we have no information.

Mr. Ryan asked what if the drop dead date comes and you have no further information from the State, what actions will you take? Mrs. Hunter replied part of the statute is that we are obligated to comply. We would need something, but without any resources, she doesn't know how they could do it.

Mr. Wheeler stated the Public Safety & Corrections Committee discussed the SAFE Act at their meeting and there was a recommendation to draft a resolution looking at the unfunded mandate issue. In speaking with Dr. Chapman, this will be very costly. If the Director of Community Services is responsible for the evaluations, we would have to add staff to perform that task. This mandate hits almost every aspect of the county. This is something that we will look at. The first step is to analyze the different issues and put together a memorializing resolution.

Dr. Chapman stated he is one of 48 – 50 DCS's across the State. The way the law is currently written, we would be responsible for reporting anyone at risk of self-harm or of hurting others. His understanding is that any licensed provider in the County, if they feel someone is at risk of hurting themselves, would send their report to him or his designee and we would have to report that to DCJS. He stated a great deal of his time would be consumed with reporting. Mr. McAllister asked is that specified in the statute? Dr. Chapman replied yes. The NYS Association of Mental Hygiene Directors has submitted a letter of recommendation to the Governor's Office with regard to reporting requirements. We are suggesting that all licensed providers be responsible for reporting. This would be similar to the requirement for sex abuse and mandated reporters. We are suggesting a similar system. Discussion followed.

E. Personnel

1. **Grievance** – Ms. Smith reported that the grievance for the Sheriff's Department has been remediated.

2. **Reclassification – Buildings & Grounds** – Ms. Smith requested authorization to reclassify a vacant, Grade IX Building Maintenance Mechanic to a Grade VII Maintenance Person. Additionally, they would like to reclassify a vacant Grade V Laborer to a Grade V Cleaner. This change would allow for more flexibility with the position. Mr. Wheeler stated we do contract with a company that comes in and does vacuuming, however, by hiring a cleaner we are saving money and we will be able to get more work done.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT BUILDING MAINTENANCE MECHANIC, GRADE IX TO A MAINTENANCE PERSON, GRADE VII AND A VACANT LABORER, GRADE V TO A CLEANER, GRADE V CONTINGENT UPON APPROVAL OF THE AIP COMMITTEE MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

3. **Position Transfer – Office of Community Services** – Ms. Smith informed the committee that the Office of Community Services is in need of assistance with their billing. Dr. Chapman clarified that they need an individual who can get the pre-authorizations from the insurance companies. Ms. Smith stated there is a Computer Operator position in Public Health Nursing that currently does the exact same work. Mr. Wheeler explained this is a lower grade than if we had to hire someone else. Dr. Chapman stated we would not fill the other vacant Grade VI position. This position in Public Health has the exact skill set that we need and will be a perfect fit. We already have money in the budget to cover this.

MOTION: AUTHORIZING THE TRANSFER OF A GRADE VI COMPUTER OPERATOR FROM PUBLIC HEALTH NURSING SERVICES TO THE OFFICE OF COMMUNITY SERVICES CONTINGENT UPON APPROVAL BY THE HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.
Resolution Required.

F. Administrator

1. *Administrative Code Change* – Mr. Wheeler stated this change pertains to vacant positions with funding in the budget. Currently we took 25 percent of the total cost of vacant positions out of the budget in 2013. We have talked about having the language changed to allow for the transfer of funds within the salary and fringe line items of departments to correctly allocate funds after the Vacancy Committee approves positions, without requiring further action by the Legislature. The Vacancy Committee is made up of the County Administrator, Personnel Officer and the Chairman of the Legislature. This change would allow us to move funds from department to department and mainly would relate to the smaller departments.

MOTION: AMENDING THE ADMINISTRATIVE CODE RELATIVE TO VACANT POSITIONS WITH FUNDING IN THE BUDGET, ALLOWING THE COUNTY ADMINISTRATOR AND THE COUNTY TREASURER TO APPROVE BUDGET TRANSFERS BETWEEN SALARY AND FRINGE BENEFITS LINE ITEMS OF DEPARTMENTS TO CORRECTLY ALLOCATE FUNDS WITHOUT THE ADDITIONAL APPROVAL OF LEGISLATIVE COMMITTEES MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

V. OTHER BUSINESS

A. *Litigation Committee* – Mr. Hauryski stated that he had been asked by Mr. Mullen to form a Litigation Committee for the purpose of providing the Legislature with more detailed information pertaining to claims that are filed against the County. He stated he forwarded Mr. Mullen’s request to Mr. Alger, Mr. Wheeler and Mr. Reed and asked for their feedback. Mr. Hauryski stated that his thought is that he doesn’t want to reinvent the wheel if we already had a committee in place. The Insurance Committee, which was established by the Legislature, has the authority for that purpose. In terms of trying to improve the information flow process, one underlying issue is the confidentiality of the information that the Law Department is dealing with. Currently the Insurance Committee is comprised of three Legislators; Mr. Crossett, Mr. McAllister and myself, along with the Risk Manager, Mr. Isaman and the County Administrator, Mr. Alger. To keep information flowing, he stated that he would like to keep the committee as it currently is, but require quarterly meetings by the County Attorney and ask that he prepare a spreadsheet that shows the claims as well as a progress report so that information can be relayed to the Board.

Mr. Reed stated that historically, our office created tort claim reports and the information on that report is limited to just what the auditors need to see. As a companion piece to that, my office will prepare a report that can provide additional information. He stated that he thinks this is a good idea and then when he is talking with the committee, they will have a better understanding. Mr. Hauryski stated that this is also for any Legislator who would like to speak about a particular case one-on-one with the County Attorney.

Mr. McAllister commented that some years ago the committee would get together and the County Attorney would review each pending case and give a status report. Mr. Reed to-date has given status reports during Executive Session on cases. With these things in place, it will add to Mr. Hauryski’s suggestions. Mr. Hauryski stated that he brought this to the committee for your ideas. Mr. Van Etten commented that he thinks it is working well. A quarterly review is a good idea and we don’t need to have another committee.

VI. OLD BUSINESS

A. *Redistricting* – Mr. Wheeler stated that previously we have reviewed the potential scenarios for redistricting, some of which will change the configurations of Corning and the City of Hornell. This committee had recommended moving ahead with Version 9. After discussing with the Full Board, there were more questions and now the committee needs to determine if they want to move ahead with their previous recommendation or entertain further discussion. Mr. Crossett stated that he is happy with the recommendation the committee made previously and would recommend that be forwarded to the Full Board. Mr. Van Etten stated that he agrees. Version 9 will fix most of the

problems. He stated that he did talk with the Town of Corning and they are not necessarily interested in being combined to create a super district. He's sure that Caton and Hornby would feel the same way. It would be tougher merging to make sure that there was always one representative from the Town of Erwin. It would be confusing for the voters. Mr. McAllister stated that it does make it complicated.

Mr. Peoples stated that the compatibility between Addison, Tuscarora and Erwin is not there. Mr. McAllister stated that he understands that. The same argument could be made for the Towns of Hornby and Corning. Mr. Peoples stated that Addison and Tuscarora are not the problem. You are trying to break them up to solve the problem of the other towns.

Mr. Welch asked would everyone have to run again or only the Legislators in the redistricting scenario? Mr. Wheeler replied yes, that statutorily, everyone would have to run again. Mr. Reed explained Version 9 puts North Hornell in with the City of Hornell and therefore requires us to have a charter. There could be language included in the charter that would set forth how the redistricting plan is implemented. The plan has to be the fruit of the charter. The first thing that has to happen is the charter has to be approved. If the charter is not approved, the redistricting plan cannot go forward. Under Municipal Law, it prohibits the breaking up of towns in a redistricting plan where there is not a change of 10 percent or more. The Town of Hornellsville did not have the change.

Mr. Crossett asked will this affect term limits? Mr. Reed replied that would have to be part of the discussion. You could change the Local Law as it currently stands, or leave it as it is. Mr. Van Etten asked with the district changes, does that reset your twelve-year clock? Mr. Reed replied that is a question that you have to answer. That would go along with changing the number of terms. Currently you have staggered terms, where half the Board runs at one time. The Local Law could examine if your district is unchanged whether you would have to run or could remain until the next election. We would have to see how that affects the staggered terms. Mr. McAllister commented this is a topic that we will visit as we go through the charter.

Mr. Wheeler stated next month we will bring in a draft section of the charter that pertains to the Legislature. You will have one local law for the redistricting and the charter will be separate. Mr. Reed stated you can do the redistricting separate or include it with the charter. Mr. McAllister stated the committee had previously discussed doing it separately. If the redistricting doesn't pass what happens? Mr. Wheeler replied essentially you will be left with what you have now, and then you would have to reweight. Mr. Reed stated once you have a charter, your redistricting is included in that.

Mr. Roush stated that the Town of Erwin has a lot of development on the books. All of the functions of the Town are very active and we have a big housing area approved for development. He stated that his prediction is that by the end of the next census, we will exceed the population of the City of Corning and we would then be eligible for two representatives. With our rapid growth, he is reluctant to change how the Town of Erwin is associated with the other townships as they will be somewhat unique. If you treat Hornell separately, then you need to be careful with the Town of Erwin. He would suggest not doing redistricting now and instead look at it in 2020. The other piece is that he doesn't see a problem with the weighted voting as it now. If it isn't broke, don't fix it. He would like the committee to think about and consider the growth in Erwin. He doesn't know of any other areas in the County that are growing like the Town of Erwin.

Mr. Welch asked have we put together a scenario that shows what it would look like if we just changed the weights? Mr. Wheeler replied when we started the process months ago, we showed you the current system and what it would look like if you reweighted and how far from the ideal it would be. Mr. Crossett stated that the problem with the current system is that eight Legislators can pass a law and it necessitates some kind of a change. You could get to that point where eight Legislators could do that. Mr. Roush stated that he understands that and those individuals are representing that amount of population and he doesn't see a problem with that.

Mr. Welch stated on the flip side, Mr. Peoples was elected to a four-year term and with this new proposal, he would have to run against someone from the Town of Erwin. The individual running from the Town of Erwin would know more people. The same is true for Mr. Weaver. Mr. Reed stated that Municipal Home Rule Law allows the Legislature, on a ten-year basis, one time during that period to pass a comprehensive redistricting local law to establish the Legislature of the County. The people of the County establish the Legislature through that process. It is a statement of the people of the County. Under that local law, anybody previously elected, their term will be or could be impinged upon because the people of the County have the right to establish their Legislature. It may be that someone in the prior Legislature may not

serve the original term they were elected for. Mr. Reed explained with weighted voting, it is legal to reweight the vote. It has the problem that you may have eight Legislators making decisions for the entire Legislature. That is always an issue with a Board of Supervisors as they don't change their districts, they just reweight the vote. It is an option. The requirement is constitutional if you get +/- 5 percent. If it is outside of that, then it might be open to legal challenge.

Mr. McAllister asked how close are we to that? Mr. Wheeler replied not very. Mr. McAllister stated if the growth of Erwin is like what Mr. Roush is saying, it could get to a point where 7 Legislators could carry a vote. Mr. Van Etten commented that he doesn't know that hotels and a plaza equate to population. We haven't had a change since 1980. I think it behooves us to do something. He stated that he is not concerned of what happens to one Legislator. He is concerned about the entire County.

Mr. Hauryski commented the committee is in favor of Version 9. Let the voters decide. Mr. Wheeler commented at some point in time we have to deal with this.

MOTION: FORWARDING TO THE FULL LEGISLATURE FOR THEIR APPROVAL, VERSION 9 FOR THE REDISTRICTING OF STEUBEN COUNTY MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

B. *Charter* – Mr. Wheeler distributed a draft version of the language pertaining to the County Manager. Mr. Van Etten asked for clarification of the schedule to get this done. Mr. Wheeler explained we have two big issues for the charter; the County Manager and the County Legislature. The rest of the charter is relatively small and will require some discussion. This month we will address the issue of a County Manager and next month we will review the draft for the County Legislature. In April we will present the remainder of the charter for your review. We would like to present the local law to the Legislature in May or June at the latest. Ms. Mori stated that in her opinion, you would be better off presenting the local law in May so that if something comes up on the floor, you will have time to change it. July is the latest that you can file it with Elections.

Mr. Van Etten asked for an explanation of Section 3.1 Terms where it says that the Chairman may execute a written contract for a term of up to 5 years. Mr. Wheeler replied your current local law allows you to negotiate with the individual for a term of up to four years. Other counties have done terms of five years. If the Chairman and the Legislature wanted a term of three or four years, this gives you the flexibility to do that. Mr. Crossett asked you would hire the County Manager and then set the term? Mr. Wheeler replied yes. They would have a contract for a period of years, up to five years.

Mr. Reed explained if the person serves at the pleasure of the Legislature, you can cut the term and then deal with the contract obligations. This also includes a scenario if the County Manager were to be removed with cause, then you have the details of the contract issue. You can state a term. Right now, it is at the pleasure of the Legislature. They don't need to be reappointed, there would only be the negotiation of the contract.

Mr. McAllister stated that all department heads are appointed by the County Manager, subject to confirmation by the Legislature. Should that also be applicable to deputies? Mr. Wheeler replied in most other counties they do not do that. They give the department heads the ability to appoint their own deputies. Mr. Crossett commented he thinks it should be that way. Mr. McAllister stated the Deputy County Manager may be more important than the department heads and they are subject to confirmation by the Legislature. He almost thinks the Legislature should confirm the appointments of the Deputy Manager as well. Ms. Smith stated that it is not typically done that way. The department head positions are unclassified and they have the power to hire and fire. Normally they appoint an exempt deputy. Mr. Wheeler is an exempt deputy to the County Administrator. The deputies serve at the pleasure of that officer.

Mr. Wheeler stated that Section 3.4 speaks to the issue of an Acting County Manager. That individual may not serve for a period of longer than 60 days unless they have been authorized to do so by the Legislature. Mr. McAllister stated the Deputy County Manager is the second most important position in the County. He thinks that it should be the same as the department heads.

Mr. Hanna stated the County Manager can hire and fire his deputy. What if the Legislature doesn't like the deputy, but the County Manager does? How do you get rid of the deputy? Mr. Van Etten replied in his opinion, the County Manager

selects the individual who he wants and who he thinks can work best with him. It is not a popularity contest. Mr. Hanna asked if you wanted to get a deputy department head out for a reason, could the County Manager step in and tell the department head to do that? Mr. Wheeler replied we do have an evaluation system. The department heads report to the County Manager and they would have influence over them to rectify a problem. Mr. McAllister stated that he is looking at checks and balances. Ms. Smith commented that if you select a quality County Manager, he/she will select a quality deputy.

The committee agreed to further discussion of this issue following the Board Meeting on February 28, 2013.

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. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, March 12, 2013
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, March 6, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, March 12, 2013

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; Mark R. Alger Jack Wheeler Brooks Baker
Ken Isaman Shawn Corey Wendy Flaitz
Teresa Deninger Kathy Muller Lise Reynolds
Tammy Hurd-Harvey Ken Peaslee (by phone) Nancy Smith

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna Hilda T. Lando
William A. Peoples Thomas J. Ryan Gary D. Swackhamer

ABSENT: Scott J. Van Etten

OTHERS: Lee Pollock, Rose & Kiernan

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Mr. Alger noted that in last month's meeting, the committee authorized the Director of the Real Property Tax Service Agency to purchase Pictometry Online in conjunction with the Emergency Management Office and 911. During that discussion, the committee also agreed that the towns should be charged \$30.00 per seat for use of Pictometry Online, however, this was not reflected in the motion. He requested that the motion be amended to include that.

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 12, 2013, AS AMENDED MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Risk Manager

1. **Cyber Insurance** – Mr. Isaman introduced Lee Pollock of Rose & Kiernan. Mr. Isaman stated that recently, Orleans County had a situation where 60 of their employees were affected by identity fraud. We have a number of departments who handle sensitive material and identity theft is becoming a big issue. We had originally talked about this last year, however, at the time the premiums for this type of insurance were very high. Mr. Pollock stated that privacy and security insurance is not just for corporate business. He stated that he has worked with an insurance carrier to look at counties exposure specifically, as opposed to the industry in general. They received a proposal from Illinois National Insurance Company for an annual premium of \$11,906.00. This provides \$1 million in coverage for privacy and security liability, \$50,000 coverage for regulatory action, \$100,000 coverage for event management and \$50,000 coverage for crisis fund. There will be a \$25,000.00 deductible for each claim with a \$10,000 deductible for event management.

Mr. Isaman commented that what we have in place for security has helped with the reduction in the pricing of the policy. This policy would provide good protection for the county. He stated that we do have enough money in our budget to purchase this.

Mr. Schu asked does general liability insurance cover these types of events or are we duplicating coverage? Mr. Pollock replied under general liability you do have coverage for property damage, however, property damage is defined as tangible property, not data. Mrs. Ferratella asked what is the typical cost of an event? It seems as though the deductible is a little high. Mr. Pollock replied the State Comptroller's Office says that the average award is between \$125 - \$150 per hour to do credit watches and notifications. Claims typically vary anywhere from \$50,000 - \$6 million. Mr. Isaman commented that with specialty insurance it is not unusual to have a high deductible.

Mr. Alger commented that we had previously had an issue with laptops. Mr. Peaslee stated that we now require all laptops to have full disk encryption so that if they are lost or stolen you would need a password to read the information on another computer. Additionally, all USB drives have to be encrypted. Mr. Alger stated that we also have remote wipe ability for all phones and tablets. Discussion followed.

MOTION: AUTHORIZING THE RISK MANAGER TO ACCEPT THE PROPOSAL FOR PRIVACY & SECURITY LIABILITY INSURANCE FROM ILLINOIS NATIONAL INSURANCE COMPANY FOR AN ANNUAL PREMIUM OF \$11,906.00 MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **2012 Workers' Compensation Fund Revenue Appropriation** – Mrs. Hurd-Harvey requested authorization to appropriate additional 2012 Workers' Compensation Fund Revenue in the amount of \$475,000 to the 2012 Workers' Compensation expenditure line items. This reflects an adjustment to the projected costs of existing claims.

MOTION: AUTHORIZING THE TREASURER TO APPROPRIATE ADDITIONAL 2012 WORKERS' COMPENSATION FUND REVENUE IN THE AMOUNT OF \$475,000.00 INTO THE 2012 WORKERS' COMPENSATION EXPENDITURE LINE ITEMS MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **PERMA** – Mr. Isaman commented that they are at the one-year mark with PERMA. We have seen our training program accelerate. PERMA has sent individuals to every participating municipality and we have been very happy with them. Mrs. Ferratella stated one of the things PERMA had indicated they were going to do was assign nurses to reduce the amount of time individuals are out on Workers' Compensation. Has that improved? Mr. Alger replied they have done everything they said they would do. They have been very successful and we still have cases which occurred prior to the changeover. At some point it may be in our best interest to switch those cases to PERMA to help us resolve those.

B. Personnel

1. **Reclassification – Law Department** – Ms. Smith stated that the Law Department currently has a vacant Grade V Receptionist position. They have requested authorization to reclassify that to a Grade IV Typist position. This would result in a savings of \$1,100 - \$1,200.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT GRADE V RECEPTIONIST POSITION TO A GRADE IV TYPIST POSITION IN THE LAW DEPARTMENT MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Department of Social Services

1. **Contract** – Ms. Muller asked if there were any questions regarding her proposal to transfer attorney and support staff positions from the Law Department to the Department of Social Services? Mr. McAllister asked if anyone was here when they originally switched and why was that done? Mr. Alger replied it

was originally done to generate additional reimbursement to the County Attorney's Office. You are gaining within that office, some of Mr. Reed's or Mr. Corey's time when they do family court work. Going forward that was captured in an indirect cost study as opposed to a direct cost with a contract. Mrs. Ferratella commented that they will be gaining \$20,000 by moving services back to the Department of Social Services.

Mr. Ryan asked are there any legal challenges about the way it is currently being done today? Ms. Muller replied that she didn't believe so.

Mr. Hanna asked how will this be structured? Will the attorneys be shifted to report to Ms. Muller directly? Ms. Muller replied the attorneys will report to the Counsel to the Commissioner position. Mr. Hanna asked do they report to Mr. Reed now? Ms. Muller replied yes. The attorneys would report to Jessica Drake, Counsel to the Commissioner, and she in turn would report to me. She stated that Ms. Drake has eight years of experience in Family Court.

Mr. McAllister asked is Ms. Drake in the job that Mr. Leyden previously held? Ms. Muller replied yes. He had remained as a contract employee in order to train her. Mr. McAllister commented that Mr. Leyden had a lot of experience. How long has Ms. Drake been in this position? Ms. Muller replied two and one half years. Mr. McAllister commented that she doesn't have near the experience that Mr. Leyden did.

Mr. Ryan asked have there been questions about the legality of how things are handled? Ms. Muller replied no; there have been some direction that cases have gone that she would have preferred to have gone differently in terms of the legal process.

Mr. Crossett stated the Human Services, Health & Education Committee, approved this request. Mrs. Ferratella stated based on the background information they were getting, they felt that there was a dual relationship. There are two departments controlling one area. That was basically what she saw people were talking about. Personally, the reporting relationship needs to be cleaned up and there is conflict there.

Mr. Schu stated that if the transfer of positions is legal, and he will assume it is, then why would Mr. Reed care? They would be doing DSS family court issues and you are handling other cases. Mr. Reed replied on a day-to-day basis, the attorneys in family court do a great job and they talk with the DSS workers. There are matters where the independent legal judgment is preserved. There are times when an attorney needs to be able to communicate with the County Attorney. That requires a communication stream that remains independent of the attorney. Mr. Schu asked so your opinion is that if they are close to the department, then they are less objective? Mr. Reed replied yes, that is his fundamental issue. He also believes there may be other impacts that the other stakeholders may have. We haven't had a chance to talk with the courts, the Public Defender or any of the other stakeholders.

Mr. Alger explained if this change goes forward, the position of Counsel to the Commissioner will be of paramount importance. If it is not the County Attorney, then it will be the Counsel to the Commissioner that makes determinations.

Mr. Crossett stated that Mr. Reed made mention that the County Attorney is overseeing staff in DSS anyway or will that be transferred as well? Mr. Alger replied one of the biggest areas of concern is Article 10. Additionally two other areas, JD/PINS and Fraud are of concern. With fraud cases there is the issue of the District Attorney being able to deputize Counsel in the Department of Social Services. This is an issue that we need to resolve the methodology and approach. Other counties have found a way around those issues and this is something that we would need to explore.

Mr. McAllister stated that without resolving those issues, he doesn't know if he is ready to make a decision. He can see the \$20,000 in savings in statement, but doesn't see that on paper. He would like to talk with some of the staff of the courts, the judges and the court clerks to see what the impact of this may be to them. Mr. McAllister distributed a copy of a letter that Mr. Mullen asked be distributed as he was unable to attend today's meeting.

Mr. Crossett stated that he sees this as a “me vs. you” conflict and there is a problem with communication. Maybe the only way to resolve this is to give the responsibility to the Commissioner.

Mr. Hauryski commented that he would like to refer the committee to page 20 of the packet of information that was forwarded to the committee. This document reviews N.Y. S.O.S. Law §66 – County Appointments and Bonds and states “The legislative body of the county may authorize the appointment of any number of deputy commissioners of social services, physicians to care for sick persons in their homes, other assistants and employees, including attorneys to perform duties it considers necessary to carry out the provisions of this chapter. However, such legislative body may also authorize that such attorneys, in addition to performing duties assigned to them by the county commissioner, may be deputized by the county attorney to perform duties on his behalf in connection with the work of the social services department”. Mr. Hauryski stated that additionally he would refer to the memo from Mr. Leyden who previously performed these duties as well as the opinion of the Attorney General. He stated that he doesn’t have a problem if the committee needs more time to discuss this. To finally get this behind us, the Legislature is going to have to take a position.

Mr. Swackhamer commented before we transferred these positions to the Law Department, this was the way the County operated and it was done legally then. The positions were transferred for money purposes. All of these questions have already been answered as this was how we had previously operated. He stated his suggestion would be to go back to how we functioned before. There is no question of the legality. Those questions have already been answered by past practice.

Mr. McAllister stated that even though it may be legal, my question is this the best thing for the county right now? He stated he doesn’t know the answer to that.

Mrs. Ferratella stated we are one county and we need to work to the best of our ability. Mr. Leyden’s memo is powerful as he was in that position for the last twenty plus years.

MOTION: PROVIDING THE COMMISSIONER OF SOCIAL SERVICES WITH THE SUPERVISORY CONTROL OF ATTORNEYS IN THE DEPARTMENT OF SOCIAL SERVICES AND APPROVING THE NECESSARY POSITION AND FUNDING TRANSFERS REQUIRED MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT FOR DISCUSSION.

Mr. Hanna stated that he agrees with Mr. McAllister in terms of whether this best serves the County. He also would need more information. Mr. Schu stated that he agrees with needing more information as we have not had enough time to look at this. He stated that if he were Mr. Reed, he would be more than happy to do this. We don’t need to rush into this and we could get input from the courts. Mr. Alger explained this is an independent decision of the Legislature and is independent of the judges. Mr. Reed commented you don’t know what the judges may tell you by way of input. It may be helpful to be fully informed.

VOTE ON PREVIOUS MOTION: MOTION CARRIES 3-1. (MR. McALLISTER OPPOSED)

D. Administrator

1. **Memorializing Resolution** – Mr. Alger requested the committee consider a memorializing resolution to amend the Real Property Actions and Procedures Law in reference to providing contact information to the plaintiff in the event of a foreclosure. Ms. Mori explained when a property is foreclosed and run down, this would require that the taxing jurisdictions be given the contact information of the owner or mortgage company.

MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE TO AMEND THE REAL PROPERTY ACTIONS AND PROCEEDINGS LAW IN RELATION TO NOTICE OF CONTACT INFORMATION OF A PLAINTIFF IN A MORTGAGE FORECLOSURE ACTION MADE BY MR. SCHU. 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 MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: ADJUSTING ASSISTANT DISTRICT ATTORNEY JOAN MERRY'S SALARY FROM \$31,950.00 TO \$36,198.50 MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: ADJUSTING ASSISTANT DISTRICT ATTORNEY AMANDA CHAFEE'S SALARY FROM \$60,835.00 TO \$65,000.00 MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: ADJUSTING SENIOR ASSISTANT PUBLIC DEFENDER AMY VICHINSKY'S SALARY FROM \$53,315.00 TO \$57,632.00 MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: ADJUSTING DISTRICT ATTORNEY BROOKS BAKER'S SALARY FROM \$160,000.00 TO \$167,000.00 EFFECTIVE APRIL 1, 2013 MADE BY MR. CROSSETT. 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.

2. **Charter Discussion** – Mr. Wheeler stated that he had distributed the Legislative section of the charter for review. This section is largely based on the existing local law. There are still a couple of outstanding items that need to be discussed. He asked if there were any questions or comments.

Mr. McAllister stated that in Section 1.02 he would suggest in the first sentence moving the word law after local. On page 3, the first full paragraph, last sentence, he asked for an explanation of which other elected officials would that be? Mr. Wheeler replied that is in reference to the Highway Superintendents and other local officials. Mr. Alger stated this is a mirror of the State Law. Mr. Wheeler stated this is language that you currently have in your local law.

Mr. McAllister questioned the language in Section 2.07 with regard to the Clerk appointing additional personnel as required. Mr. Wheeler replied that is subject to your approval with what you allocate in the budget. You will see similar language when we present you with the department portion of the charter. With regard to the five-year term language, that will be worked on.

Mr. McAllister referred to the last page, item #10 in relation to appointing the County Manager and such other officials and employees. He commented there could be an issue there. Mr. Alger explained currently all of the department heads are appointed by you. All of their employees are appointed by the appointing authority, which is the Department Head. The charter is not any different from that. You would receive the recommendation from the County Manager to appoint. Once appointed, they would then fill their staff. The County Manager would be responsible for the removal of the department head if there were an issue. We are not changing the system you have now, we are just clarifying the reporting function to the County Manager.

Mr. Crossett stated with regard to the Deputy County Manager, if you remove the County Manager, chances are the Deputy County Manager would go as well. Mr. Alger stated there needs to be checks and balances in the system. The financial component is separate and you want to not overly concentrate authority. By maintaining a separation, you do that. The Finance Director would be appointed by the Legislature, not the County Manager.

Mr. McAllister stated with regard to Section 2.11 shouldn't that designate two official papers instead of one? Ms. Mori replied County Law Section 214 states if two or more newspapers are published in the County, two newspapers must be designated as official newspapers. It's also based upon the papers' circulation. She commented that she would prefer to only have one, such as a weekly publication like "The Shopper" which is countywide. Mr. Wheeler stated they would look into this.

Mr. Hanna asked do you see this charter changing, in large part, the responsibilities of the Legislature? Mr. Alger replied the change won't be that big. The charter will provide the clarification of the reporting relationship between a County Administrator and departments versus a County Manager and departments. Right now, the Legislature is the appointing authority for Department heads. With the charter, the County Manager would be the appointing authority. Mr. Crossett commented that was the responsibility change that we wanted to see, the hiring and firing of Department heads. Mr. Hanna asked why change it? Mr. Crossett replied the hiring and firing of Department heads should be vested with someone who is here on a daily basis. Mr. Alger explained a good manager would not do that independent of the Board. The charter makes it clear that Department heads report to the County Manager.

Mr. Hanna asked would the County Manager have more control in situations? Mr. Alger replied you should view the County Manager as having more authority to go in and make changes than what the Administrator currently has. He stated that the authority he has is by virtue of what the Legislature delegates to him. He stated that he is able to get Department heads to do things because of his experience, rather than because of the strength of the position. A County Administrator is a weaker form of government.

Mr. Hanna asked if you move on and we get a new County Manager, would they have too much authority? Mr. Alger replied no, the Board would still maintain control. The Department heads will have a clearer line of authority back to the County Manager and then to the Board. Frankly, that is how we function now.

Mr. Peoples stated that Section 2.04 discusses the districts. A motion was made and approved by the committee to change the districts, but that was not brought before the Full Legislature. He commented there were several questions that were asked and not answered. If you are going from a district that had one representative to two representatives, where would they come from? Would one of those representatives serve a shortened term? If you select this charter, then you are approving the redistricting. Mr. Wheeler stated that in his view that is not the intent. These are two separate things. This is just the language for the charter. Mr. Alger explained the presentation of the redistricting will be presented prior to the charter. Before we get to that point, there will be discussion. If that changes, then that language will come out of the charter.

Mr. Crossett stated one of the unresolved issues is term limits. Mr. Wheeler stated that will be addressed in Section 2.01 and that is a decision the Legislature has to make. In Mr. Van Etten's opinion, when you address term limits, you extend the term and the legislators in the new district would have to run again. You would get an extra four-year term. Mr. Alger stated it gives the currently elected legislator the opportunity to run in the new district, as it is constituted, independent of term limits. Depending on the district, it gives you in essence, the opportunity to continue for another term. Mr. Crossett asked would we all have to run? Mr. Alger replied that he doesn't see how you cannot.

Mr. Crossett asked would staggered terms be based on that election? Mr. Alger replied you do need to make a decision on that. If you authorize people to run based on staggered terms and they are in a new district, the question is how does someone run for a district that has been changed. In some fashion we have to define that. Mr. Crossett asked so if you have two years left and get elected for a four-year term, you would get an additional two years? Mr. Alger replied yes, you would fill out the term.

Mr. Hauryski stated that there are two issues; staggered terms and term limits. He suggested giving Mr. Reed time to research those issues. At the April Legislative meeting he will schedule a workshop which will cover just the charter. We can then get an example for the language of staggered terms and term limits and send that out to the Legislature so that no one will be excluded. At the March Legislative meeting we will present a Local Law on

redistricting. Mr. Wheeler stated that the committee will have the language for the department structure in the charter for the April meeting. We should then have a complete charter draft for the April workshop.

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, April 9, 2013
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, April 3, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, April 9, 2013

9:00 a.m.

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

****MINUTES****

COMMITTEES:	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger Andy Greeley Nancy Smith Wendy Flaitz	Jack Wheeler David Cole Brenda Mori	Jim Gleason Ken Peaslee Shawn Corey
LEGISLATORS:	Joseph J. Hauryski Gary D. Swackhamer	K. Michael Hanna	William A. Peoples

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 OF THE MARCH 12, 2013, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Information Technology

1. **Award RFP for Network Security Audit** – Mr. Peaslee recommended awarding the RFP for the annual network security audit to the low bidder, Dox Electronics for a total cost of \$13,250.00. He stated they did our audit in 2011.

MOTION: AWARDING THE RFP FOR THE NETWORK SECURITY AUDIT TO THE LOW BIDDER, DOX ELECTRONICS FOR A TOTAL COST OF \$13,250.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Personnel

1. **Reclassification – Sheriff’s Department** – Ms. Smith informed the committee that the State has requested that the Sheriff have an additional supervisor for Court Security. She requested authorization to reclassify one Court Security Officer, Grade X to a Court Security Corporal, Grade XI.

Mr. Van Etten asked will we receive more reimbursement? Mr. Alger replied yes, however, it will not be more than what we are paying for the position.

MOTION: AUTHORIZING THE SHERIFF TO RECLASSIFY ONE COURT SECURITY OFFICER, GRADE X TO A COURT SECURITY CORPORAL, GRADE XI MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Reclassification – Probation** – Mr. Greeley stated that last year he had asked for a Deputy Director position and it was approved. At the time, the position was not filled, however, he would like to now fill

that position. We have 31 staff in our department including three supervisors. The duties of a Deputy Director would include oversight of the ATI program, staff training, sex offender registry verification, the coordination of support staff, drug court and Leandra's Law. Three years ago when the retirement incentive was offered we lost a Senior Probation Officer and a Supervisor. The loss of that Supervisor position has really hurt our department. Currently our positive outcome percentage is 56 percent, compared to a statewide average of 67 percent. If we had a Deputy Director, our supervisors would be freed up to improve the positive outcome percentage.

Mr. Alger commented that Mr. Greeley is serving the last quarter of his position, so we will have a transition. It would be nice if we could have a Deputy in place that could be involved with the preparation of the State Plan. There would be no guarantee that they would be selected as Director. He commented that for the 10 percent State aid we receive, the State puts a lot of requirements on us. We meet the minimum requirements. They do not give us much aid and it really has become a local program.

Mr. Van Etten asked is there funding in the budget? Mr. Alger replied if we promote from within, there is funding in the budget. If we backfill, then the position will not be funded.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A PROBATION SUPERVISOR, GRADE XVI TO A DEPUTY PROBATION DIRECTOR, II, GRADE XVII MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Administrator

1. **Purchase of Copy Machine** – Mr. Alger stated that they have a purchasing issue that they need to address. Mr. Gleason requested authorization to upgrade a copier with a fax board. The total cost is \$600.00 and will be paid for out of the Copier Capital Project.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE A NEW COPY MACHINE WITH A FAX BOARD OUT OF THE COPIER CAPITAL PROJECT FOR A TOTAL COST OF \$600.00 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Records Contract** – Mr. Wheeler informed the committee that they currently have a contract with Photo Micrographics for microfilming/microfiching services. The Treasurer and the County Clerk utilize this. Last year our contract was for \$35,500 and we spent \$5,000. He requested authorization to extend this contract for one year, not to exceed \$35,500.

MOTION: EXTENDING THE CONTRACT WITH PHOTO MICROGRAPHNICS FOR AN ADDITIONAL YEAR FOR THE MICROFILMING/MICROFICHING OF RECORDS AT A COST NOT TO EXCEED \$35,500.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Van Etten commented we probably need to start looking at our records program. Mr. Alger stated we have started to go to imaged records. Mr. Peaslee has selected a system and a bid is in place. Some of the departments, including the Law Department and Personnel, have begun using this system. This will eliminate some of the paper. Long-term, we will still want storage space for the shorter-term records. Over the next two to three years we will need to make a decision on what to do for the Records Center. We don't see this as imminent as the group that has purchased the building are willing to allow us to stay with a lease. That is our plan initially. Over the next two to three years we will develop a plan for Records as well as look at what to do with Elections.

3. **Memorializing Resolution** – Ms. Mori informed the committee that she had received a call from Assemblyman Kearns' office asking if we would support a resolution requiring a plaintiff in a mortgage foreclosure action to maintain the subject property in good faith. This is a separate resolution from the one that we passed last month. We did not do this resolution at that time, as we did not have a corresponding Senate bill

number. This resolution will take the responsibility of the maintenance of a foreclosed property off the municipalities.

Mr. Donnelly commented there is one very narrow exception with regard to the rural grants for septic and water systems. The County takes first mortgage. This would become an issue in the event there is a subordinate mortgage. In a rare event, we may be called upon to maintain the property.

MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE TO REQUIRE A PLAINTIFF IN A MORTGAGE FORECLOSURE ACTION TO MAINTAIN THE SUBJECT PROPERTY IN GOOD FAITH MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Van Etten asked if there was any update on the Cott System upgrade? Mr. Alger replied as far as we know, it went pretty well. Mr. Donnelly stated they use it a lot in their office and it seems to have gone all right. Mr. Corey commented that the Law Department also uses it and there does not seem to be any problems. Mrs. Flaitz commented the only problem they have is that they are unable to print out the deeds. Mr. Alger stated that is something we can talk to IT about and have them relay our concerns to Cott.

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 MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE XII NURSE POSITION AT THE JAIL TO A GRADE XV NURSE POSITION EFFECTIVE JUNE 2012, AND AUTHORIZING A TOTAL OF \$2,000.00 TO BE PAID RETROACTIVELY TO JANET OSBURN MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE PUBLIC DEFENDER TO HIRE CRAIG PATRICK, ASSISTANT PUBLIC DEFENDER, ABOVE THE MID-POINT AT \$65,000.00 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

4. **Charter Discussion** – Mr. Wheeler stated that we emailed the full text of the draft charter for the Legislature’s review. He stated that under Article II, Section 2.02, we removed any reference to redistricting since we had talked about doing that separately. If the charter passes, the Legislature stays as it is currently constituted. Mr. Alger stated there are options. We have discussed the actual implementation plan for the reapportionment plan. You have the ability to make it a permissive or mandatory referendum. He stated that he feels the Board should make it a mandatory referendum. If you are doing anything other than adjusting the weight, it should be sent to the voters.

MOTION: AUTHORIZING THAT ANY IMPLEMENTATION OF A REDISTRICTING PLAN BE DONE BY MANDATORY REFERENDUM MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN FOR DISCUSSION.

Mrs. Ferratella asked when you make it a mandatory referendum, what is the reaction of the public? Mr. Alger replied he cannot think of a time in the past when a mandatory referendum did not pass. The initial redistricting plan that came up with the Board of Supervisors was the result of a challenge from one of the newspapers in the

1960's. At that time the one man, one vote issue was raised nationwide and was challenged here. Since then, the County has been redistricted once.

Mr. Crossett asked with the plan that we had previously approved, do we have to have the charter in place first? Mr. Alger replied the County Attorney had advised that since you were addressing issues with the Village of North Hornell and proposing removing them from the town that would not normally be permissible as the population does not exceed 110 percent. They are still below that threshold. In order to do that, we would need to have the charter in place. Adding North Hornell does help the City of Hornell because they are below where they should be for two representatives.

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

Mr. Wheeler stated at the last meeting, we took care of the changes that the committee had requested regarding the section on the County Manager. Article IV of the charter addresses the Administrative Code and we have stated that the Administrative Code remains in effect and that it contains the policies and procedures utilized by the County in contracting with private and nonprofit organizations. Article V and VI addresses those departments whose department heads are appointed by the Legislature; specifically the Department of Law and the Department of Finance. With the Department of Finance, the committee had agreed to go from an elected Treasurer to a Commissioner of Finance.

Mr. Van Etten asked is there a residency requirement for the Treasurer? Mr. Corey replied according to Public Officers Law, they should be a resident of the County. Mr. Crossett stated you can pass a local law that authorizes them to live in another county and we have done that in the past. Mr. Corey agreed that you could adopt a local law that removes the residency requirement.

Mr. Alger stated you have the ability to waive that if you choose, but it would be anticipated that the Commissioner of Finance would be a resident. They would be a direct appointee of the Legislature which would maintain the separation from the County Manager. Mr. Hauryski asked would this be required to be a separate item on the ballot? Mr. Alger replied that he does not think so. You can have this be part of the charter or you could separate it out.

Mr. McAllister commented that he does not think you will have an issue with the public. Mr. Hauryski stated that he would agree that we should keep it with the charter. Mr. Alger stated the other option you have is you can continue to have a Treasurer, and their only function would be foreclosing tax liens. That is what Chemung and Tioga counties have. Mr. Van Etten commented that if it were a contentious position, the voters would feel like they were losing something. The Treasurer is not a position that draws a lot of interest. Mr. Wheeler stated that one thing to note with the other appointed department heads is they are appointed by the County Manager, but subject to confirmation by the Legislature and also subject to a term.

Secretary's Note: The committee agreed to leave the Commissioner of Finance in the charter rather than separate it out.

Mr. Wheeler stated that with regard to Article IX, Department of Community Services, the language was changed to say that the Community Services Board is an advisory board. The Legislature would retain the authority with the Community Services Board advising them.

Mr. Alger explained most charters have changed their language making the Community Services Board an advisory board. Most of it is to make the Director more responsible to the County Manager and the Legislature. Right now, you would not have the ability to remove the Director. This gives you additional home rule authority that is really needed as this is a major expense area for you.

Mr. Wheeler stated Article XII, Other County Functions, outlines the other departments. Section 12.00 relative to department configuration, retains the Legislature's right to change departments as you see fit, by local law. Mr.

Alger stated that in the areas where the charter references “applicable law”, he would suggest also include local, State and Federal rules and regulations.

Mr. Hauryski stated we will have a Workshop at the April Legislative Meeting to discuss this draft document. All legislators will have the opportunity to ask questions and give input. Following that, in May we will present the charter for an official vote.

Mr. Crossett stated that he is concerned that this will come as a big surprise to the voters in November as there has been no media coverage. Mr. Alger stated we will have to undertake a little community outreach because we are not getting any media coverage. We will go to the rotary clubs, chambers, etc. and tell them why we think this is important. Mr. Hauryski stated that he has asked Mr. Alger and Mr. Wheeler to have a written explanation of this and to have something that the legislators can take to their town boards to promote the charter. Mr. Swackhamer suggested having a summary sheet of what is changing. Mr. Alger explained what you are doing is recognizing the way we currently operate.

Mrs. Ferratella commented most municipalities have email. Perhaps you could send out the finalized charter and ask them to post it. Mr. Wheeler stated we have to send it to the municipalities and we also have to post it in the papers. Mr. Van Etten suggested posting it on the County website.

5. **Health Services Review Committee** – Mr. Van Etten asked if there were any updates? Mr. Alger replied the Public Health Nursing CHHA process is moving forward. We have notified the remaining clerical staff that will be severed. This will affect 3 – 4 individuals and their last work day is April 19th. The Account Clerk-Typists will go on a preferred list and most will get hired, but it may take some time.

Mr. Wheeler stated the process is moving along with the Health Care Facility. Our intent is to sign all of the contracts at the same time. Mr. Corey stated the contracts are basically done and we are waiting to hear from the attorney for the purchaser. We expect to get the contracts back sometime this week. Mr. Alger stated they are anxious to get going and will be bringing in their management team to begin the transition.

Mr. Alger stated that with regard to the Office of Community Services, we are working on the leases. The Hornell lease was discussed at the Human Services, Health & Education Committee and was extended through January. We have also been talking with ARA to see if they would be interested in taking over the Hornell operation. We also have been trying to contact Chemung County to discuss the Corning office. We have begun the process of looking for outside interest in those offices. The Bath office leases all tend to be ending late fall or early next year. We have talked with Yunis about negotiating a single lease and they do not have an issue with doing that.

6. **Sales Tax Agreement** – Mr. Hauryski asked what is the status of the sales tax agreement with the cities? Mr. Alger replied they have met with the cities. We would like to meet with them again to talk about where they are at and to see if there is any interest in doing an agreement. He stated that he would like to get that done by the end of August so that when we start on the budget in September we will know where we are at.

7. **Retirement Incentive** – Mr. Swackhamer asked will there be a retirement incentive? Mr. Alger replied we have 94 budgeted, vacant positions. This is 15 more than we had when we did the budget. There have been a lot of rumors that the State will do an incentive. He stated that he does not believe the Governor will do an incentive for State employees. The only way is if the schools put enough pressure to do an incentive that would help them with their staffing. Then they might extend that to State and County employees. He stated that he has not heard anything from Albany and he would have thought they would have done that as part of the budget if they were going to do it. Mr. Alger stated that part of the concern we have is we don’t know how many more people you can take out and still function. Once the Health Care Facility transition is complete, we will have taken out a quarter of our workforce. That will bring us up to 400 people that will no longer be on the payroll. We had 1,100.

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, May 14, 2013.
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, May 8, 2013.**

**STEUBEN COUNTY HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE
STEUBEN COUNTY ADMINISTRATION COMMITTEE
STEUBEN COUNTY FINANCE COMMITTEE**

Joint Meeting

Monday, April 22, 2013

9:15 a.m.

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

****MINUTES****

COMMITTEE:	Carol A. Ferratella, Chair Randolph J. Weaver	Hilda T. Lando	Robin K. Lattimer
	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
	Lawrence P. Crossett, Chair Scott J. Van Etten	Gary D. Swackhamer, Vice Chair	K. Michael Hanna
STAFF:	Mark R. Alger Nancy Smith Shawn Corey	Jack Wheeler David McCarroll Alan Reed	Kathryn Muller Pat Donnelly
LEGISLATORS:	Joseph J. Hauryski George J. Welch	Dan C. Farrand	William A. Peoples
ABSENT:	Gary B. Roush		

I. CALL TO ORDER

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

II. GENERAL BUSINESS

A. *Personnel Issue* – Mr. Alger informed the committee that Public Health Nursing is eliminating a Receptionist position. We would like to transfer this position to the Department of Social Services; they do not have any vacant Receptionist positions, however, they do have a vacant Records Clerk grade 5 position. He requested authorization to transfer the Grade V Receptionist from Public Health to the Department of Social Services and reclassify the Records Clerk position in Department of Social Services to a Grade V Receptionist position.

MOTION: AUTHORIZING THE TRANSFER OF A GRADE V RECEPTIONIST FROM PUBLIC HEALTH AND RECLASSIFICATION OF A GRADE V RECORDS CLERK TO A GRADE V RECEPTIONIST IN THE DEPARTMENT OF SOCIAL SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MR. WEAVER. MOTION CARRIES 4-0 HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE, 5-0 ADMINISTRATION COMMITTEE, AND 4-0 FINANCE COMMITTEE.

B. *Relative to the Health Care Facility*

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. LANDO. MOTION CARRIES 4-0 HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE, 5-0 ADMINISTRATION COMMITTEE AND 4-0 FINANCE COMMITTEE.

MOTION: AMENDING RESOLUTION NO. 213-12 RELATIVE TO THE STEUBEN COUNTY HEALTH CARE FACILITY AUTHORIZING THE CENTERS FOR SPECIALTY CARE GROUP, LLC AND ANY AFFILIATES OR WHOLLY-OWNED SUBSIDIARIES TO ENTER INTO ANY AND ALL NECESSARY AGREEMENTS FOR THE SALE OF THE HEALTH CARE FACILITY MADE BY MR. SWACKHAMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0 HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE, 5-0 ADMINISTRATION COMMITTEE AND 4-0 FINANCE COMMITTEE.

MOTION: TO ADJOURN EXECUTIVE SESSION MADE BY MRS. FERRATELLA. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 4-0 HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE, 5-0 ADMINISTRATION COMMITTEE AND 4-0 FINANCE COMMITTEE.

MOTION: TO ADJOURN MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0 HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE, 5-0 ADMINISTRATION COMMITTEE AND 4-0 FINANCE COMMITTEE.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, May 14, 2013

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger David Cole Shawn Corey Kathy Muller Judy Hunter Joe Welch	Jack Wheeler Amy Dlugos Ken Peaslee Vicki Olin Brenda Mori	Jim Gleason Pat Donnelly Nancy Smith Wendy Flaitz Alan Reed
LEGISLATORS:	Joseph J. Hauryski Aaron I. Mullen Gary D. Swackhamer	K. Michael Hanna Gary B. Roush	Hilda T. Lando Thomas J. Ryan

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 9, 2013, AND APRIL 23, 2013, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Information Technology

1. **RFP – County Phone System Replacement** – Mr. Peaslee requested authorization to put out an RFP for the County Phone System Replacement. We currently have a Nortel system. This company has been bankrupt for quite a while and it is crucial for the County to keep the phone system up-to-date. Mr. McAllister asked how old is the phone system? Mr. Alger replied the phone system was installed at the time the building was built in 1984. Mr. Peaslee commented it has been ten years since we have done an update. We do have a capital project for this project. Last year, the committee had approved us doing a chargeback to the departments. Any surplus in IT then goes into this capital project. We currently have \$350,000. Mr. Van Etten asked is the phone system just for this building or for the entire County? Mr. Alger replied the plan is to do the switch between this building and the Public Safety Building and they will back each other up. You could provide services elsewhere through these switches if you wanted. We may be better off doing a smaller system for this. Mr. Peaslee stated the goal is to have four-digit calls to the Hornell and Corning offices. This RFP will be for the County Office Building, with an option to do the Public Safety Building and 911. Mr. Van Etten asked will this be an IP system? Mr. Peaslee replied yes. Mr. Alger stated the advantage is that it is a much more modern system. Mr. Peaslee stated they do have \$100,000 funding from the Department of Social Services for equipment in their offices. Mr. Alger stated one of the biggest costs are the handsets. Mr. Van Etten stated that in his opinion, it is the cost of doing business and we need to keep our system current.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO SOLICIT RFP'S FOR THE COUNTY PHONE SYSTEM REPLACEMENT AT THE COUNTY OFFICE BUILDING, WITH THE OPTION TO INCLUDE THE PUBLIC SAFETY BUILDING AND 911 MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. County Clerk

1. **Semi-Annual Mortgage Tax Distribution** – Mrs. Hunter presented the Semi-Annual Mortgage Tax Distribution Report to the committee for approval. She stated that they are up about \$40,000 for the same period last year. Mrs. Ferratella stated the report does not show the villages, however they are included on the resolution. Mrs. Hunter explained when we record and collect the mortgage tax we designate it to the town in which the mortgage is located. The Treasurer then splits it out to the villages.

MOTION: APPROVING THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION REPORT AS PRESENTED AND AUTHORIZING THE DISTRIBUTION OF THE MORTGAGE TAX RECEIPTS MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Elections

1. **Early Voting** – Mrs. Olin informed the committee that the NYS Assembly has passed the Early Voting Bill and that has been forwarded to the NYS Senate for their consideration. This bill would require early voting to occur 15 days prior to a General Election and 7 days prior to a Primary Election. She distributed a handout, which shows the estimated costs to the County if that were to occur. For Primary and General Elections, we would need to be open Monday – Friday, 8am – 8pm as well as Saturday and Sunday from 9am – 5pm. There would be four polling sites, plus our office. This would mean a lot of overtime for our staff. For manpower costs alone, we anticipate that it will cost approximately \$126,000. Add into that the cost for additional memory cards. We would need two cards per machine, as the ballots will be removed from the polling sites every night. Mrs. Olin stated if this bill passes, we would have to go to electronic poll books. The estimated cost for that is \$176,000 to purchase everything that we would need and to get the software. Essentially this would put the poll books on an I-pad. Voters would sign in on the I-pad. If we do not go to an electronic poll book, we would have to bar code scan every single voter from all 85 districts, into the system. If we had the electronic poll books, that would allow us to download that information directly into the system.

Mr. Crossett commented that at the recent InterCounty meeting, the Assemblyman in attendance stated there was no companion Senate bill at this point.

Mr. Welch stated there is a senate bill. There will need to be a good analysis of the bill on the table. This bill has passed the Assembly, however, it will have a tough time getting through the Senate. There are two ways of looking at this. First, it is a very costly, unfunded mandate. If we are against it, as it exists, are we for or against early voting in principal? Secondly, our Senator is the Chairman of the Senate Elections Committee. Assemblyman Nojay is the ranking member of the Assembly Elections Committee. This is an opportunity to say that perhaps you are in favor of early voting and perhaps it is too expensive. Having five early voting places is too many for Steuben County. We need to look at negotiating this bill. Thirty-five states offer early voting. In most cases, those states have one polling place in each county. In his financial analysis, the highest amount we would spend would be approximately \$10,000. What has been distributed to you by Mrs. Olin is a good analysis of what is on the table. It may not be what will be signed by the Governor.

Mrs. Olin stated this is what has been passed by the Assembly. She stated this information is giving you a complete idea of what has been passed and what we may be looking at. The issue is that this is an unfunded mandate. There is no actual proof that this will increase voter turnout.

Mr. McAllister commented there should be some press on this. We need to show the costs for this. I am personally against this.

Mr. Alger commented what is being proposed now is more than our tax cap.

Mrs. Olin stated one of the big things will be polling sites. She stated that she does not know of any place that will open for us for 15 days. A number of our polling places are privately owned. We may have to rent halls. The other option would be to have mobile polling sites. These are other additional costs. The resolution says that it is an unfunded mandate and we do not want that. This bill also wants us to have same-day registration.

Mr. McAllister stated that the last “whereas” should be a “resolved”, in addition to what is already there.

Mr. Welch commented that if you memorialize this, we will miss an opportunity to negotiate this bill. If we say we are against this, he worries that we will cripple ourselves going forward.

Mr. Crossett that he does not see any purpose for early voting anyway, even for one day.

MOTION: OPPOSING PROPOSED AMENDMENTS TO THE ELECTION LAW AND AMENDING THE DRAFT RESOLUTION TO REFLECT THE LAST WHEREAS BE CHANGED TO A RESOLVED MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Alger commented that it is important that we tell the State that this bill is unworkable, and that is what this resolution is intended to do.

D. Purchasing

1. **Bid Awards**

a. *Copier and MFPD Maintenance* – Mr. Gleason informed the committee that they received two proposals; one from Ricoh, USA and one from Electronic Risk Consultants. The approach for maintenance is different through Electronic Risk Consultants as they have a call center. If there were a problem, we would call the call center and work with an operator to prevent a service call. If a service call were required, Electronic Risk Consultants would contract with a local provider for services. We asked for pricing for June – December. Electronic Risk Consultants were \$5,483.82 per month and Ricoh, USA is \$3,739.81 per month. We bid it for four years, with a one-year renewal option. The price for four years for Electronic Risk Consultants is \$271,186 and for Ricoh, USA is \$186,620. Mr. Gleason commented that Ricoh, USA also provides all supplies, with the exception of paper and staples. He recommended awarding to the low bidder, Ricoh.

MOTION: AWARDING THE BID FOR COPIER AND MFPD MAINTENANCE TO THE LOW BIDDER, RICOH, USA FOR A TOTAL OF \$186,620.00 FOR A FOUR-YEAR CONTRACT, WITH THE OPTION FOR A ONE-YEAR RENEWAL MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

b. *Xerographic Copy Paper* – Mr. Gleason recommended awarding to the low bidder. He commented they bid the paper every 90 days as they get a better price.

MOTION: AWARDING THE BID FOR XEROGRAPHIC COPY PAPER TO THE LOW BIDDER, CONTRACT PAPER GROUP FOR A PRICE OF \$24.97 PER CASE MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

c. *Desktop Supplies*- Mr. Gleason recommended awarding to the low bidder on a line item basis.

MOTION: AWARDING THE BID FOR DESKTOP SUPPLIES TO EATON OFFICE SUPPLIES AND STANDARD STATIONERY ON A LINE ITEM BASIS MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: AWARDING THE BID FOR PAPER PRODUCTS TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: CENTRAL POLY, PETERS SUPPLY, AMERICAN MAINTENANCE, UNITED SALES USA, EASTERN MAINTENANCE AND VASCO BRANDS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

e. *Garbage Bags* – Mr. Gleason stated that we have both low density and high density bags. He recommended awarding both to the low bidder, Interboro.

MOTION: AWARDING THE BID FOR LOW DENSITY GARBAGE BAGS TO INTERBORO “D” FOR A TOTAL COST OF \$5,949.24 AND AWARDING THE BID FOR HIGH DENSITY GARBAGE BAGS TO INTERBORO “C” FOR A TOTAL COST OF \$1,572.02 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Personnel

1. **Reclassification – Sheriff’s Department** – Ms. Smith requested authorization to reclassify three Correction Officer positions to three Correction Officer Sergeant positions in the Jail. This is in response to the State Corrections requirements for Sergeants.

MOTION: AUTHORIZING THE RECLASSIFICATION OF THREE CORRECTION OFFICER POSITIONS, GRADE X TO THREE CORRECTION SERGEANT POSITIONS, GRADE XII IN THE SHERIFF’S DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution Required.*

2. **Management Plan Grade Adjustments** – Ms. Smith informed the committee that they have been advertising for a Jail Superintendent since January and have only received three qualified applicants. We have looked at the salary for the Jail Superintendent, which is currently a Management Grade E. She would like authorization to move that position to Management Grade F. That will be the same grade as the Undersheriff. Additionally, she would like authorization to move the Undersheriff from Management Grade F to Management Grade G. There will be no additional money for the Undersheriff, as he will now fall within the mid-range of Management Grade G. By adjusting the grade for the Jail Superintendent, we would be able to re-advertise this position at a higher salary level.

Mrs. Ferratella asked is there some reason that we cannot have the two positions at the same salary level? Mr. Alger replied you could have both positions at Management Grade F, however, the issue is that the Undersheriff has come in on the high end of the F scale. By adjusting his grade, he would now fall in the mid-range of Grade G. We believe by moving the Jail Superintendent up, that we will be able to have better recruitment.

MOTION: AUTHORIZING THE ADJUSTMENT OF THE JAIL SUPERINTENDENT FROM MANGEMENT GRADE E TO MANAGEMENT GRADE F AND ADJUSTMENT THE UNDERSHERIFF FROM MANAGEMENT GRADE F TO MANAGEMENT GRADE G MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN FOR DISCUSSION.

Mr. Van Etten asked what are other counties paying their Jail Superintendent? Mr. Alger replied NYSAC does an annual salary survey and we can look at that. Mr. Van Etten asked what drives that salary? Is it the size of the Jail? Mr. Alger replied that are a number of factors including the size of the Jail, the number of inmates and the responsibilities. This is a specialty position and not one that many people have the experience and knowledge for. Discussion followed.

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

3. **Salary Adjustment – Department of Social Services** – Ms. Smith informed the committee that the Department of Social Services has a request to adjust the salary of an attorney, Michelle Cook, who has been here for three years, up to the mid-point. Mr. Van Etten asked has this individual received a favorable performance evaluation each year? Ms. Smith replied yes. She will have been with the department for three years in June.

MOTION: AUTHORIZING THE SALARY ADJUSTMENT OF MICHELLE COOK, DEPARTMENT OF SOCIAL SERVICES ATTORNEY, TO THE MID-POINT MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Administrator

1. **Memorializing Resolution – Draft Perm 33c** – Mr. Alger stated at this point he would like to hold off on this. It looks as though the initial information we had received regarding this proposal was incorrect. Originally, we were told that there was a \$5,000 application fee, however, it has been indicated to us that in fact there will be a \$25 application fee. We want to make sure the facts are correct before we take any action.

2. **Mayday for Mandate Relief** – Ms. Mori commented this is a resolution that was forwarded to us by NYSAC. This has been passed by all counties who are opposed to mandates.

MOTION: DECLARING “MAYDAY FOR MANDATE RELIEF” AND URGING THE STATE TO ADOPT LAWS THAT DO NOT IMPOSE FURTHER FISCAL STRESS ON LOCAL GOVERNMENTS AND TAXPAYERS AND BUILD UPON RECENT EFFORTS TO REFORM COSTLY UNFUNDED MANDATES MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Charter Discussion** – Mr. Alger commented that this is an opportunity for discussion, questions or recommendations to the Board regarding the proposed charter.

Mr. Mullen stated with regard to the qualifications of Legislators, he is opposed to Legislators also being other elected officials. How can they separate the issues? They are serving two masters and would have to recuse themselves from voting. Mr. Alger explained normally they are not allowed. We have permitted it with specific exceptions. We have always permitted certain elected officials by including them in the context of the law. Absent that, they would not. There has been a conscious effort in the past by the Board to include them.

Mr. Van Etten commented that was in recognition of the old Board of Supervisors. Mr. McAllister stated they have to be keenly aware of when they need to recuse themselves. Mr. Alger stated that over the years it initially was Town Supervisors. The last reapportionment included everyone listed specifically in State statute. The Town Highway Superintendents are not permitted to serve as Legislators.

Mr. Roush commented that he has been a Town Councilman and Legislator for 3 ½ years and there is not one incident that he recalls where there has been a conflict. He stated that he has been able to provide information both here and at the town level. When he votes at the County, he votes based on his constituents. He commented that he is always amused when the Administration Committee approves the purchase of garbage bags and paper. Under the charter, would this give the County Manager the authority to approve those purchases? Mr. Alger replied to a point. Mr. Wheeler explained many thresholds are set by the Administrative Code.

Mr. Mullen stated that he felt there was a conflict with the Town of Erwin security contract. Those are the exact kinds of issues that can come up. Mr. Roush stated that when he first started, he had a conversation with another Legislator who warned him to do what is in the best interest of the County instead of the township. He stated that he disagreed with that. Is he representing the Town of Erwin or the County? He is representing the Town of Erwin at the County level. That is his job as a County Legislator. I am only 1 of 17. You represent your area and should be representing your constituents and your townships. Mr. Roush stated the security contract is a good example. Because I pushed that, the Sheriff is now looking at the schools and other areas.

Mrs. Lando stated she is a member of the Corning City Council and is a Legislator. She agrees with Mr. Roush. The synergy is good and it works. I represent the City of Corning at the County level. I have not seen a problem with that.

Mrs. Ferratella stated that she is in the same situation. This is a great communication tool between the County and the town and that is something that is lacking in some areas for us.

Mr. Hanna stated that his concern is about the County Manager having too much authority. With this process, if the charter passes is the Administrative Code adjusted? Mr. Alger replied no. The Administrative Code would only be adjusted if you choose to adjust it. Mr. McAllister stated the Administrative Code will be incorporated into the charter.

Mr. Mullen stated that he does not know why we are giving away our power. Mr. Crossett asked what are you giving away? Mr. Mullen replied we are giving away the layer of communication with the department heads. Mr. Hauryski stated that he has advocated the charter for two reasons. The first is that we are very fortunate to have Mark Alger. That has been a big reason why. The charter is legalizing what we have been doing all along. The second reason is that he did not seek the Legislative position to be a micromanager at the County level. He does not agree with having to go to the department heads. That is the responsibility of the County Manager. He is concerned overall about the policy for the County and how we operate. Mr. Mullen asked do we micromanage now? Mr. Hauryski replied that is what you are saying.

Mr. McAllister commented that it seems to him that most of his contact with the department heads is at the committee level. Mr. Alger has been dealing with the department heads. The consensus was that we are not really changing anything. We are just calling the position a County Manager because that is what the position is right now.

Mr. Van Etten stated that he thinks this charter provides a formal structure that legitimizes what we have been doing for the last ten years. This is all because of Mr. Alger and his ability to work with the department heads. They do not have to listen to his directives and we are trying to get them to that. You do not want 17 chiefs, you want 1. If we have a problem with any department, then we go to one person to get results.

Mrs. Ferratella stated we are not here on a day-to-day basis. It is a good management tool to have the position as a County Manager.

Mrs. Lando stated we have had a City Manager form of government in the City of Corning for 18 years and it works well. This is just formalizing what you are already doing.

Mr. Alger stated the role of the person who is in the position of County Manager is to make things work. Ultimately, that is what you will need going forward. The County Manager is an extension of the Board. They should have a relationship with the Legislature where they reflect what your wishes are. The concerns about losing authority boils down to the position. If you get the wrong person, you are right, it will not work. The last thing you want is someone who pits people against one another. The County Manager does not have the ability to do a lot of independent things. The Administrative Code defines those rules. The department head appointments are not done independent of the Board. That will not change with a charter. You want to put in place something that is not personality driven. The County Manager form of government gives you more structure than what you have now. The County Administrator position is weak. The way you make it work is by building relationships. The department heads see the County Administrator as a resource to use to resolve issues. My job is to solve problems before they get to you. If it turns around and it is not that way, then you have a problem with your County Manager. You still retain ultimate control. You appoint the County Manager and they serve at your pleasure.

Mr. Hanna stated that when this goes before the public, the County Treasurer position is proposed to go from an elected position to an appointed position, will that be done in the same vote? He stated that he would like to see that separated out. Mr. Alger replied that is a choice you have to make. You can have it be two issues.

Mr. Mullen stated that Section 3.4 discusses the Acting County Manager and how they have a limit of 60 days to serve. The Legislature has to vote to put a new County Manager in. Would that have to be a two-thirds vote to take someone who is Acting County Manager to appoint them as County Manager? Mr. Wheeler replied that is the way it is worded now. Mr. Alger stated 60 days is not a long time. The intent is to put in place a process that just does not linger on. This brings the issue back so it can be addressed. You could extend the Acting position for another 60 days, but it comes back to the Board for action. Mr. Mullen asked is the appointing of an Acting County Manager a majority vote or a two-thirds vote? Mr. Reed replied in his view he would say that it would be a two-thirds vote.

Mr. Van Etten asked if we are going to split the Finance Director position out of the charter, will that be done here or at the Full Board meeting? Mr. Wheeler replied he is guessing that we would have two local laws and that would be done at the committee level.

Mr. Crossett stated that he does not believe that it should be separate. When you present it to the public they will understand. If you separate it out, it will be defeated. Mr. McAllister commented the current Treasurer is in favor of changing the position from an elected to an appointed position. If he were opposed to this, then maybe you would separate it out. Mr. Van Etten stated that he agrees that it should be kept as part of the charter.

MOTION: TO INCLUDE AS PART OF THE CHARTER, THE CHANGE FROM AN ELECTED COUNTY TREASURER TO AN APPOINTED FINANCE COMMISSIONER MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING THE CHARTER 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 5-0. Resolution Required.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO CONTRACT WITH A THIRD-PARTY, EXPERT CONSULTANT TO REVIEW THE 911 CALL FLOW PROCEDURE FROM SOLACOM AT A RATE OF \$150.00 PER HOUR, NOT TO EXCEED \$2,500.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. 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. CROSETT. 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, June 11, 2013.

9:00 a.m.

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

NO LATER THAN NOON

Wednesday, June 5, 2013.

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, June 11, 2013

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Jack Wheeler Jim Gleason Nancy Smith	Shawn Corey Vince Spagnoletti	Wendy Flaitz Brenda Mori
LEGISLATORS:	Joseph J. Hauryski Gary B. Roush	K. Michael Hanna Randolph J. Weaver	Hilda T. Lando

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 9, 2013, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Purchasing

1. **Authorization to Pay Copier Maintenance out of the Copier Capital Project** – Mr. Gleason informed the committee that they did not have a bid in place for the period of January 1, 2013 – May 31, 2013. They did award the bid to Ricoh last month, and the company has agreed to allow us to pay the same rate as what was awarded in the bid. The amount is \$18,705.00 and he requested authorization to pay for that out of the Copier Capital Project.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PAY RICOH A TOTAL OF \$18,705.00 FOR COPIER MAINTENANCE EXPENSES INCURRED DURING THE PERIOD JANUARY 1, 2013 – MAY 31, 2013 OUT OF THE COPIER CAPITAL PROJECT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Real Property Tax Service Agency

1. **Plotter/Scanner Bid Award** – Mrs. Flaitz requested that her agenda items be postponed until next month, as they need more time to research the bids.

C. Personnel

1. **Reclassifications – Public Works**

a. *Account Clerk Typist, Grade VI to Senior Account Clerk, Grade VIII* – Ms. Smith informed the committee that this position is doing more complicated work than they were in the past and she would recommend approval of this reclassification. Mr. Spagnoletti explained originally, this individual was in charge of the Equipment Shop accounts. Now, in addition, she is also scheduling and supervising the Mobile Work Crew, and is responsible for the Landfill accounts.

MOTION: AUTHORIZING THE RECLASSIFICATION OF AN ACCOUNT CLERK TYPIST, GRADE VI, TO A SENIOR ACCOUNT CLERK, GRADE VIII IN THE PUBLIC WORKS DEPARTMENT MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

b. Auto Mechanic, Grade X to Assistant Machine Shop Supervisor, Grade XII – Mr. Spagnoletti informed the committee that their Shop Supervisor does a great job, however, is in need of help. As a result of his work with quotes and bids, he has saved us a great deal of money; however, it is very time consuming and generates a lot of paperwork. The Assistant Machine Shop Supervisor would continue to be a working mechanic. Discussion followed.

MOTION: RECLASSIFYING AN AUTO MECHANIC, GRADE X TO AN ASSISTANT MACHINE SHOP SUPERVISOR, GRADE XII IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MRS. FERRATELLA. 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, July 9, 2013.
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, July 3, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, July 9, 2013

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; Mark R. Alger Jack Wheeler Jim Gleason
 Brenda Mori Ken Isaman Nancy Smith
 Ken Peaslee Shawn Corey Alan Reed
 Wendy Flaitz

LEGISLATORS: Joseph J. Hauryski Dan C. Farrand William A. Peoples
 Gary B. Roush

ABSENT: Scott J. Van Etten

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 11, 2013, MEETING MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Purchasing

1. **Contract Renewal** – Mr. Gleason requested authorization to renew their contract with PIRRUNG Auctioneers for Auctioneer Services. This would be at the same terms and conditions as the previous year, including a 10 percent buyer’s premium. This is the third year option from the 2010 RFP.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO RENEW THE CONTRACT WITH PIRRUNG AUCTIONEERS FOR AUCTIONEER SERVICES AT THE SAME TERMS AND CONDITIONS AS THE PREVIOUS YEAR, WHICH INCLUDES A 10 PERCENT BUYER’S PREMIUM MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Setting the Date for the County Auction** – Mr. Gleason requested authorization to set the date for the County Surplus Auction for Thursday, September 26, 2013. He also requested that other municipalities and school districts within Steuben County be invited to participate.

MOTION: SETTING THE DATE FOR THE COUNTY SURPLUS AUCTION FOR THURSDAY, SEPTEMBER 26, 2013, AND INVITING OTHER MUNICIPALITIES AND SCHOOL DISTRICTS WITHIN STEUBEN COUNTY TO PARTICIPATE MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Clerk of the Legislature

1. **Retirement Reporting** – Ms. Mori presented the standard workday and retirement reporting resolution for elected and appointed officials for review and approval. This is not entirely complete as she still has not received everyone’s time. Mr. McAllister commented that there have been discussions at his town board meetings about having a recertification form? Ms. Mori stated that you can use a recertification form if you believe that your calendar is still representative of your time.

MOTION: APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS AS PRESENTED MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Risk Manager

1. **2014 Worker’s Compensation Budget** – Mr. Isaman presented the 2014 Worker’s Compensation Budget for review and approval. He commented that the increase in the salary line item is a reflection of the reallocation of the amount of time spent in each category. He explained that his time is allocated to three areas; property casualty, motor pool and worker’s compensation. Since most of his time is spent on worker’s compensation, they increased the salary in that category to reflect the amount of time spent. Additionally, in this budget, they have been under PERMA for one year and they have been phenomenal. He would recommend continuing to work with them. Mr. Isaman stated that this budget also reflects the reimbursement of expenses as we had four municipalities that left the pool in 2011. Those were the Village and Town of Bath, the Town of Cohocton and the Town of Wayland. We paid their tail claims and that brought back \$35,000.00 into the plan. Another change is that each year we put aside \$250,000.00 into our reserve account to build that up.

Mrs. Ferratella asked now that you have PERMA, are you spending less time doing worker’s compensation work? Mr. Isaman replied no. PERMA make the checks out, call the physicals and do other follow-up work. He still is very involved in training. The new salary figures are more reflective of the actual time that he spends on worker’s compensation.

Mrs. Ferratella stated that the Town of Corning still has one outstanding tail claim. Where do we stand with that? Mr. Reed replied we are configuring the cost to the town based on the statute at the time the town left the plan. There have been changes to the statute since that time and Mr. Isaman has been examining how the towns that left during that timeframe were assessed.

MOTION: APPROVING THE 2014 WORKER’S COMPENSATION BUDGET AS PRESENTED AND FORWARDING TO THE FULL LEGISLATURE FOR APPROVAL MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **2014 Worker’s Compensation Table of Apportionment** – Mr. Isaman presented the 2014 Worker’s Compensation Table of Apportionment for review and approval. He explained that this is based upon a formula which is 60 percent payroll, 20 percent assessed value and 20 percent claims. The claims go back five years and then drop off. Mr. Alger explained the county largely subsidizes this. Overall, PERMA is having an impact on the whole plan by bringing to light what the towns can do in their own jurisdictions to make their claims lower. We have seen an improvement in the claims themselves.

Mr. McAllister commented the perception out there is that our plan is not well funded and that it is risky to be involved in. Mr. Isaman explained in 2010 we were in the red. Some increases did come about when we adjusted the rates. Mr. Alger stated that with the change from the previous methodology, we had to put a specific formula into place in the local law. Initially, that resulted in swings until we adjusted the formula.

Mrs. Ferratella asked is there a cap on the amount that you will build up the reserve to? Mr. Isaman replied he would like to have between \$1 million - \$2 million. This is our second year of funding the reserve.

MOTION: APPROVING THE 2014 WORKERS' COMPENSATION TABLE OF APPORTIONMENT AND FORWARDING TO THE FULL LEGISLATURE FOR APPROVAL MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

D. Personnel

1. **Reclassifications – Sheriff's Department**

a. *Transfer and Reclassify PHNS Home Health Aide, Grade V, to Sheriff's Department, Registered Professional Nurse, Grade XV* – Ms. Smith stated the Sheriff has a need for an additional Registered Professional Nurse to cover shifts in order to administer medication to inmates. Right now they have two RN's and they have to cover 14 shifts. The State is requiring that the Jail have more medical personnel.

MOTION: AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A PUBLIC HEALTH NURSING SERVICES HOME HEALTH AIDE POSITION, GRADE V, TO A SHERIFF'S DEPARTMENT, REGISTERED PROFESSIONAL NURSE POSITION, GRADE XV, MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

b. *Reclassifying Vacant Maintenance Person, Grade VII to Criminal Investigator, Grade III* – Ms. Smith stated the Public Safety & Corrections Committee is holding this pending further review. Mr. Farrand stated that when we initially transferred Noel Terwilliger to the District Attorney's Office, the committee had said that we were not going to backfill that position. Mr. Alger stated this position is different as it is a Criminal Investigator, not a Chief Deputy.

Secretary's Note: This item is informational at this time, pending review by the Public Safety & Corrections Committee.

2. **Reclassification – Public Defender**

a. *Transfer and Reclassify PHNS Part-Time Home Health Aide, Grade V to The Public Defender's Office, Part-Time Assistant Public Defender* – Ms. Smith stated that this position is funded by grant money through 2015. Mr. Roche has indicated that if the funding goes away, the position will also go away.

MOTION: AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A PUBLIC HEALTH NURSING SERVICES PART-TIME HOME HEALTH AIDE POSITION, GRADE V, TO A PUBLIC DEFENDER'S OFFICE, PART-TIME ASSISTANCE PUBLIC DEFENDER POSITION, MANAGEMENT GRADE E; SAID POSITION TO BE PAID FOR WITH GRANT FUNDING FROM THE NYS INDIGENT LEGAL SERVICES WITH SAID POSITION TO BE ELIMINATED IF FUNDING IS ELIMINATED MADE BY MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. **Reclassification – Information Technology**

a. *Reclassify Computer Systems Analyst, Grade XV to Computer Programmer, Grade XIII* – Ms. Smith informed the committee that Information Technology has a vacant Computer Systems Analyst position that they would like to reclassify down to a Computer Programmer position.

MOTION: RECLASSIFYING A VACANT COMPUTER SYSTEMS ANALYST, GRADE XV POSITION TO A COMPUTER PROGRAMMER, GRADE XIII POSITION IN THE INFORMATION TECHNOLOGY DEPARTMENT MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Law Department

1. **Uniform Notice of Claim Act** – Mr. Corey explained a bill was passed with regard to how we receive notices of claim. This bill was changed and includes a new Section 53 of General Municipal Law, which requires that we file a certificate stating that the Law Department is the office/agent for the County that can receive notices of claim and our share of the filing fee. We are supposed to receive half of the \$250.00 filing fee

that is paid to the State. Mr. Crossett asked what is the purpose of this change? Mr. Corey replied the claim was that it was very confusing on whom to serve, and this change makes that clearer.

F. Administrator

1. **Status of Sales Tax Extension** – Mr. Alger informed the committee that the Governor has not yet signed the bill, because it has not been delivered to him yet. We are waiting for word and if it is signed, then he will add it to the Board agenda. It must be signed by the Governor and adopted by us 90 days prior to the December 1st effective date; basically by September 1st.

2. **Administrative Code Revision** – Mr. Alger stated that with regard to the settlement of claims, the Risk Manager and the County Administrator are authorized to settle claims up to \$10,000. The Risk Manager has the authorization to waive the insurance requirements for contracts on a case by case basis. He requested authorization to revise the Administrative Code to allow the Risk Manager and the County Administrator to waive the insurance requirements on contracts up to a certain amount. Mr. Wheeler stated that since the Risk Manager and the County Administrator can settle claims up to \$10,000, it would make sense to have it be the same amount for contracts. Anything above that would go to the Insurance Committee or the Administration Committee.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE A SECTION AUTHORIZING THE RISK MANAGER AND THE COUNTY ADMINISTRATOR TO WAIVE THE INSURANCE REQUIREMENTS FOR CONTRACTS UP TO \$10,000.00 MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. 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 13, 2013.
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, August 6, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, August 13, 2013

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark Alger Hank Chapman, Psy.D. David Cole Brenda Mori	Jack Wheeler Jim Gleason Shawn Corey	Nancy Smith Wendy Flaitz Alan Reed
LEGISLATORS:	K. Michael Hanna Gary D. Swackhamer	William A. Peoples	Gary B. Roush

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 9, 2013, MEETING MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Purchasing

1. **Copy Paper Bid** – Mr. Gleason informed the committee they received one bid from Contract Paper Group for **\$25.48** per case. This represents a \$.50 per case increase from the last 90 days, most likely due to increases in fuel costs. He recommended awarding the bid to Contract Paper Group.

MOTION: AWARDING THE BID FOR COPY PAPER TO CONTRACT PAPER GROUP FOR \$25.48 PER CASE MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Real Property Tax Service Agency

1. **Review Tax Resolutions Report for 2014 County/Town Tax Levy** – Mrs. Flaitz distributed a revised version of the list of tax resolutions. The new list includes the tax cap override.

2. **RPSV4 Annual License Fee** – Mrs. Flaitz distributed a report showing the chargebacks for the 2014 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. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Award Bid for Plotter/Scanner** – Mrs. Flaitz stated last year the committee had authorized the purchase of a plotter/scanner. On state bid, the price was \$32,000.00 and we had money in our capital project. In January, the plotter/scanner was no longer on state contract. We did put it out to bid in the spring and received

two bids; however, one did not meet the bid specifications. She recommended awarding the bid to Biel's Information Technology Systems for a Cannon plotter/scanner and a keyboard tray for a total price of \$15,439.00, which is inclusive of a service contract.

MOTION: AWARDING THE BID FOR A PLOTTER/SCANNER TO BIEL'S INFORMATION TECHNOLOGY SYSTEMS FOR A TOTAL AMOUNT OF \$15,439.00 INCLUDING A KEYBOARD TRAY AND SERVICE CONTRACT MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Tax Cap Override** – Mr. Alger informed the committee that the sales tax credit hurts us for the cap. It takes all of the tax credit off the levy total before the cap. That is \$8 million dedicated for the cap amount off the top. It will make it virtually impossible, year to year, to consistently be able to meet the cap. Mr. Alger stated sales tax credits are a decision of the towns and they can decide to use as a credit or take as cash. If we are successful with our negotiations with the cities, that will give us more flexibility. We are hoping to complete negotiations and finalize details within the next couple of weeks. The cities will need to adopt local laws not to preempt. Mr. Van Etten asked what is the timeframe for the sales tax agreement? Mr. Alger replied our agreement will be for five years.

MOTION: RECOMMENDING THE LEGISLATURE OVERRIDE THE TAX CAP FOR THE 2014 BUDGET YEAR MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Personnel

1. **Reclassification – Office of Community Services** – Ms. Smith informed the committee that the Office of Community Services is requesting authorization to reclassify two Grade XVIV Staff Psychologist positions to two Grade XVIII Mental Health Program Coordinators. She explained that two psychologists are retiring September 13, 2013. One is the program coordinator for the Children and Youth Program and the other is the coordinator for the Adult Clinic Program. Dr. Chapman stated that in an effort to reduce costs, he would like to reclassify these positions to a Grade XVIII and promote two Senior Social Workers to oversee those programs. This will save \$47,000.00 in salaries for next budget year.

MOTION: AUTHORIZING THE RECLASSIFICATION OF TWO GRADE XVIV STAFF PSYCHOLOGIST POSITIONS TO TWO GRADE XVIII MENTAL HEALTH PROGRAM COORDINATOR PROGRAMS WITHIN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Reclassification – Sheriff's Department** – Ms. Smith informed the committee that the Sheriff has a vacant, Grade VII Maintenance Position that he would like to reclassify to a Grade XIII Criminal Investigator Position. The Public Safety & Corrections Committee did approve this reclassification. Mr. Schu stated the committee felt this was an important need because, as was discussed by the District Attorney, there has been an increase in cases predominantly due to drugs.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT MAINTENANCE POSITION, GRADE VII, TO A CRIMINAL INVESTIGATOR POSITION, GRADE XIII, IN THE SHERIFF'S DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Van Etten asked are we backfilling the void of moving the Chief Deputy to the District Attorney's Office? Mr. Alger replied to an extent; the Sheriff wants to increase his investigative services. Beyond that, there has been an increase in caseloads and additional resources are needed. Mr. Crossett asked we are not filling the Chief Deputy position? Mr. Alger replied no. Mr. Van Etten asked is there a need for the maintenance position? Mr. Alger replied we added additional maintenance personnel when we built the additional pods. We had three, and with this transfer, we would still have two. The Sheriff feels that they can do the maintenance with two people and that he needs a criminal investigator position more.

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

D. Administrator

1. **Reappointment of Director of Real Property Tax Service Agency** – Mr. Alger recommended the reappointment of Wendy Flaitz as Director of the Real Property Tax Service Agency. This is a six-year appointment.

MOTION: RECOMMENDING THE REAPPOINTMENT OF WENDY FLAITZ TO A SIX-YEAR TERM AS THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY MADE BY MR. VAN ETEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Jail Capital Project** – Mr. Alger informed the committee that in either 2011 or 2012, under the previous administration, the Jail was replacing their portable radios. When the new radios were purchased, they did not include the man down feature and there was concern that they would not meet the narrowbanding requirements. The Jail had a capital project in the amount of \$65,000 for the new radios. When it was determined that the portables were not compatible, they were sent back and the Jail received a credit. Since that time, the cost of the radios has increased and the difference is \$17,000. The Sheriff has grant funds available and would like authorization to transfer \$17,000 from the Sheriff's budget to the Jail budget to cover the difference in cost.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$17,000.00 OUT OF THE SHERIFF'S BUDGET TO THE JAIL CAPITAL PROJECT TO PURCHASE PORTABLE RADIOS FOR THE JAIL FOR A TOTAL COST OF \$82,000.00 MADE BY MR. VAN ETEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Sales Tax Extension** – Mrs. Ferratella asked for an update on the Sales Tax Extension. Mr. Alger replied he received word from the County Attorney that the bill has not yet been sent to the Governor for signature. He has called Assemblyman Palmesano and Senator O'Mara to get the bills moved. Twenty-six counties are waiting for their bills to be signed. We are required to file our request with the Office of Tax and Finance by September 2, 2013. If we do not, then we will need to request a 90-day waiver. We are trying to get this done. There are two alternatives if we are unable to get this done; we can wait until September and request the extension, or hold a Special Legislative Meeting when the bill is signed by the Governor and send it in prior to the September 2, 2013 deadline.

4. **Health Services Review Committee** – Mr. Van Etten asked for an update since the meeting was cancelled. Mr. Alger replied the Centers for Specialty Care have made numerous visits to the Health Care Facility. They have taken over the Medicaid billing, and as of August, they were able to successfully bill for and receive payment. Their staff has met with our staff and the transition is going well. The biggest issue is waiting for the State to approve the CON for the Centers for Specialty Care. Mr. McAllister asked what is the timeframe for closing **on the sale of** the facility? Mr. Alger replied once they have the CON, closing usually occurs within 30 days. Hopefully, the closing will be no later than June of next year, if not sooner.

Mr. Alger stated that with regard to the CHAA, that is closed and the final payment has been made to us. With the Office of Community Services, we are working with Dr. Chapman on the leases for the facility in Bath. The landlord has agreed to one lease and we are still looking at what opportunities we have with the two satellite offices for the future. Until the issues with the new health homes and rates are more solidified we probably will not get a lot of interest in the satellite offices. We hope to get clarification on the rates and the health homes within the next six months. He stated that the proposed 2014 budget for Community Services is down \$400,000.

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. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO APPOINT CHERYL CROCKER AS THE ACTING DIRECTOR OF PROBATION AND AUTHORIZING A \$5,000.00 STIPEND MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO ENTER INTO A CONTRACT WITH PUBLIC SECTOR HR FOR INDEPENDENT INVESTIGATIVE SERVICES IN AN AMOUNT NOT TO EXCEED \$10,000.00 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 MR. SCHU. SECONDED BY MR. CROSSETT. 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, September 10, 2013
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, September 4, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, September 10, 2013

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger Wendy Flaitz Jim Gleason Alan Reed	Jack Wheeler Ken Peaslee Nancy Smith	Shawn Corey David McCarroll Brenda Mori
LEGISLATORS:	Joseph J. Hauryski Gary B. Roush	K. Michael Hanna	William A. Peoples

I. CALL TO ORDER

Mr. McAllister called the meeting to order and asked Mr. Van Etten to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 13, 2013, MEETING MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Information Technology

1. **Payment of Yearly Invoice for Sungard Pentamation Maintenance** – Mr. Peaslee requested authorization to pay the yearly invoice for the Sungard Pentamation maintenance. The total cost is \$36,334.24.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO PAY THE YEARLY INVOICE FOR THE MAINTENANCE OF THE SUNGARD PENTAMATION SOFTWARE IN THE AMOUNT OF \$36,334.24 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Purchasing

1. **Authorization to Purchase Fax Board for District Attorney's Copier** – Mr. Gleason informed the committee that the fax machine in the District Attorney's office is broken. He requested authorization to purchase a fax board for their copy machine for a total cost of \$855.55.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE A FAX BOARD FOR THE DISTRICT ATTORNEY'S COPY MACHINE FOR A TOTAL COST OF \$855.55 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Surplus Auction** – Mr. Gleason distributed a list of items that will be offered in the upcoming surplus auction. The date of the auction is September 26, 2013.

C. Personnel

1. **Health Care Facility – Director of Nursing Position** – Ms. Smith informed the committee that Raellen Melious retired in August. The Director of Nursing is a required position at the Health Care Facility. The Centers for Specialty Care have been involved with the recruitment for this position and has recommended promoting an individual from within. The salary they would like this individual to start at is above our mid-point, and for that she needs the committee's authorization. Mr. Alger explained we are hiring this individual while we are transitioning over to the Centers. Once the transition is complete, Centers will retain this individual. He commented that they also have contracted with Ms. Melious to be available to help the facility through the annual State survey.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO HIRE A DIRECTOR OF NURSING ABOVE THE MID-POINT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Pre-employment Drug Testing** – Ms. Smith informed the committee that currently the County does not do pre-employment drug testing, and she would like authorization to look into doing that. If approved, she would like to begin January 2014. This can only be done after an offer of employment and prior to the start of work. Mr. Alger commented the only requirement for pre-employment drug testing is through the Department of Transportation. The private sector is telling us that 50 percent of the candidates fail their drug testing. We really should look to see that we are getting the best employees. We would like to put out an RFP to see what the costs of doing this would be.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO SOLICIT REQUESTS FOR PROPOSALS FOR PRE-EMPLOYMENT DRUG TESTING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Administrator

1. **ProAct** – Mr. Wheeler informed the committee that since the program was started in 2008, County residents have saved \$3 million. We will issue a press release to announce this.

Mr. Van Etten asked if the committee could get a status report on grievances; current and closed cases? Mr. McAllister asked Ms. Smith to provide a report at the October meeting.

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

MOTION: AUTHORIZING THE RECLASSIFICATION OF AN EXISTING TITLE TO A MANAGEMENT GRADE F, DEPUTY DIRECTOR OF INFORMATION TECHNOLOGY MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE ADJUSTMENT OF THE SALARY OF THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO ABOVE THE MID-POINT AT \$67,000.00 EFFECTIVE OCTOBER 1, 2013, 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 MR. VAN ETTEN. SECONDED BY MR. SCHU. 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, October 8, 2013
9:00 a.m.**

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

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, October 8, 2013

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Brian C. Schu	Lawrence P. Crossett Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger Shawn Corey Wendy Flaitz Jim Gallagher	Jack Wheeler Nancy Smith Judy Hunter Dick McCandless	Jim Gleason Ken Peaslee Jennifer Bailey Brenda Mori
LEGISLATORS:	Joseph J. Hauryski	K. Michael Hanna	Thomas J. Ryan
OTHERS:	Youth-In-Government Interns		

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:00 a.m. and asked Mr. Corey to lead the Pledge of Allegiance. Mr. McAllister welcomed the Youth-In-Government interns to today’s meeting.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 10, 2013, MEETING MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. GRIEVANCES

Ms. Smith reported that there are no grievances to report. She stated that last month the committee had requested a summary of grievances. Many times with a grievance we are able to sit down with the Union and the department and provide education and the grievance is dropped. Mr. Van Etten stated that he had asked for a report since it had been a while since we had heard anything. It is nice to get at least a quarterly report so we understand what is going on.

IV. DEPARTMENTAL REQUESTS

A. Real Property Tax Service Agency

1. **Agreement with NYS Department of Taxation and Finance** – Mrs. Flaitz requested authorization to enter into an agreement with the NYS Department of Taxation and Finance to oversee the filing of the RP-5217 form. This form will be filed with every deed transfer in the County Clerk’s Office. This is a one page form; the attorney fills the form out on the computer and there is an automatic barcode. The paper still has to be filed with the County Clerk and then is sent to our office. The State is giving us the equipment to be able to scan the barcode information. Once we scan the form, it is then filed with Albany. The intent of the State is to implement this new program by the end of the year. There will be no cost to the County.

MOTION: AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE GOVERNING THE SUBMISSION OF THE RP-5217 REAL PROPERTY TRANSFER FORM MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Purchasing

1. **Results of County Surplus Auction** – Mr. Van Etten asked how did we do compared to last year? Mr. Gleason replied the sale was bigger last year, however, the prices this year were good. Gross proceeds were \$165,228.00 and the County share was \$122,610.00. He stated that Public Works and Information Technology assisted with the sale. Mr. Alger stated that he would like to compliment the Purchasing Department for their work with this. With their work, we have been able to expand participation to other entities.

C. Personnel

1. **Local Law**– Ms. Smith informed the committee that as part of succession planning they have looked at those departments that could utilize a deputy. Many of our department heads are unclassified which means that they are able to appoint their own deputies. She requested the Legislature present a local law designating the position of Director of Information Technology as unclassified. We have already created a Deputy Director position and if we pass this local law, then we can request Albany to make that position exempt. Discussion followed.

MOTION: PRESENTING A LOCAL LAW DESIGNATING THE DIRECTOR OF INFORMATION TECHNOLOGY AS UNCLASSIFIED FOR CIVIL SERVICE PURPOSES MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. 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. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: SETTING THE SALARY FOR MIKE FLINT, DEPUTY DIRECTOR OF INFORMATION TECHNOLOGY ABOVE THE MID-POINT, AT \$69,000.00 MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING AN INCREASE TO THE COUNTY CLERK'S SALARY, BRINGING THE ANNUAL SALARY TO \$61,000.00 MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: ADJUSTING THE 2014 SALARIES FOR THE FOLLOWING INDIVIDUALS: JOHN BOWERS, COUNTY AUDITOR - \$48,743.00; AMY VINCHINSKY, ASSISTANT PUBLIC DEFENDER - \$59,784.00; JACK WHEELER, DEPUTY COUNTY ADMINISTRATOR - \$71,365.00; ALAN REED, COUNTY ATTORNEY - \$110,316.00; NICOLE WALKER, ASSISTANT HEALTH CARE FACILITY ADMINISTRATOR - \$58,552.00 AND KAREN MONROE, COMMUNITY SERVICES DIRECTOR OF ADMINISTRATIVE SERVICES - \$60,901.00 MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: DENYING MANAGEMENT SALARY INCREASES FOR ANY MANAGEMENT EMPLOYEES WHO HAVE NOT CURRENTLY, AND DO NOT IN THE FUTURE, COMPLY WITH REGULATION 315.4 OF THE NYS RETIREMENT SYSTEM BY SUBMITTING THE REQUIRED RETIREMENT REPORTING PAPERWORK; AND AMENDING PART XXIX THE ADMINISTRATIVE CODE TO INCORPORATE THIS CHANGE INTO THE COUNTY'S RETIREMENT REPORTING POLICY MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING MANAGEMENT SALARY INCREASES OF 1.5 PERCENT, 2 PERCENT AND 2.5 PERCENT BASED UPON PERFORMANCE EVALUATIONS, AS PRESENTED MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. 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 MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. 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 12, 2013
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, November 6, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, November 12, 2013

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 Peaslee
Mike Flint Shawn Corey Jennifer Bailey
Jim Gleason Wendy Flaitz Kathy Muller
Alan Reed Nancy Smith Ken Isaman
Tammy Hurd-Harvey

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna Hilda T. Lando
Gary B. Roush

ABSENT: Carol A. Ferratella

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.

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. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 8, 2013, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Information Technology

1. **Deputy Director** – Mr. Peaslee introduced Mike Flint, Deputy IT Director and thanked the committee for their support of this position.

2. **Network Security/HIPAA Audit** – Mr. Peaslee informed the committee two years ago we scored 2 out of 10. This year we scored 9 out of 10, which is very good. There were no major issues. There were a couple of minor issues that we are currently addressing.

3. **Award Phone Replacement RFP** – Mr. Peaslee stated three years ago he had talked with the committee about replacing the phone system. At that time, it was estimated that the replacement would cost \$1.5

million. We did put out an RFP and received 11 proposals. He would recommend awarding to Ronco Communications for the Cisco System. The total cost to do the County Office Building, Public Safety Building and the 911 Center is \$345,100.45. Mr. Peaslee stated that he would like the contract to read that costs will not exceed \$580,000. The reason for this is that the Department of Social Services is willing to put in \$150,000 for this as they are one of the biggest users. He stated that he has \$350,000 in his budget and in the 2014 budget they will be rolling over \$80,000 in profits from Telephone Communications into this project. Mr. Peaslee explained that they have had some extra costs that were not included, such as needing to put in UPS in all of the wiring closets. That alone is an additional \$15,000. There is also extra equipment that will need to be purchased. Cisco is giving us a huge discount on their equipment. With that discount, and the monetary support of Social Services, we would be able to purchase equipment for the Corning Courthouse and the Probation building in Hornell. If we do those with this initial contract, we will save a lot of money.

Mr. Van Etten asked what other remote sites are there? Mr. Peaslee replied there are the Corning and Hornell mental health offices, however he does not want to spend money on those offices until a decision has been made about those buildings.

Mr. Crossett commented your request for a maximum amount is \$250,000 more than what the proposal calls for. Mr. Reed commented this is something that we will need to review to make sure that there are no procurement issues. Mr. Peaslee stated additional money is part of the original project for engineering services. Now that we have actually picked a vendor, we will look at the re-engineering. In addition, we will be looking at consolidation of the phone switches, which was not part of the original proposal. Mr. Crossett asked can you change that without doing another RFP? Mr. Reed replied that is the issue that he was talking about needing to review. Mr. Peaslee stated that they are also looking at additional software that we did not include in the RFP.

Mr. Alger recommended that if the committee authorizes the RFP, that the authorization be up to the maximum specified in the RFP. Anything over that amount will come back to the committee and then be reviewed by the Law Department and Purchasing to make sure that we are in compliance with our purchasing policy.

Mr. Van Etten asked why Mr. Peaslee did not pick IP Logic as they were the lowest? Mr. Peaslee explained they did not pick that vendor because they were unable to perform Nortel maintenance. Mr. Van Etten asked was that requirement part of the bid? Mr. Peaslee replied yes.

MOTION: AUTHORIZING THE AWARD OF THE REQUEST FOR PROPOSALS FOR THE PHONE SYSTEM REPLACEMENT AT THE COUNTY OFFICE BUILDING, PUBLIC SAFETY BUILDING AND 911 CENTER TO RONCO COMMUNICATIONS FOR THE CISCO SYSTEM FOR A COST NOT TO EXCEED \$345,100.45 MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger commented that once we bring the vendor in and re-evaluate the proposal, we will come back to the committee for approval to go forward with the additional items.

B. Purchasing

1. **Security Services RFP/Vehicle Maintenance Bid** – Mr. Gleason informed the committee that he is withdrawing these two items until next month.

2. **Copy Paper Bid** – Mr. Gleason stated that this year we have used 1,120 cases of paper, with each case having 5,000 sheets of paper. That equates to over 5 million sheets of paper. He recommended awarding the paper bid to the low bidder, Contract Paper at \$25.24 per box for the next 90 days. This price is \$.24 lower than the last time.

MOTION: AWARDING THE COPY PAPER BID TO THE LOW BIDDER, CONTRACT PAPER AT A RATE OF \$25.24 PER BOX MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Real Property Tax Service Agency

1. **Annual Resolutions** – Ms. Flaitz reviewed the Table of County Equalization Rates, County Equalization Report, 2013 Tax Impact Report Due to Changes in Equalization Rates and Valuation and Exemption Impact Reports. Discussion followed.

Ms. Flaitz commented that gas production has gone down and we lost \$25 million from last year. We have lost a total of \$100 million in the last three years. She stated that this year they also will be putting a resolution on the agenda for forest penalties. We have two this year that need to be added, which amounts to less than \$200.00 for the two of them.

MOTION: APPROVING THE TABLE OF COUNTY EQUALIZATION RATES, THE COUNTY EQUALIZATION REPORT, THE 2014 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. Resolution Required.

2. **Contract** – Ms. Flaitz requested authorization to enter into a contract with Systems Development Group, Inc. (SDG) for the online assessment/tax data program. They are changing the online assessment system. We have had issues with the current program as many individuals cannot access the program. SDG services 26 counties throughout the State. The program provides information on tax assessment comparable information for property owners. The other part of the contract is with the Treasurer's Office so that we can make tax information available. We would share the cost of the contract, which is a total of \$29,000.00.

Mr. McAllister asked this did not need an RFP? Ms. Flaitz replied that they did not do an RFP. The total cost is \$29,000 which is payable over the course of 5 years. Mr. Alger stated that he believes the \$5,800 per year is below the threshold. Mr. Gleason stated that \$5,000 is the threshold.

Mr. Peaslee stated that he would like to challenge this request. First, this contract would provide access to financial data which we do not give out as it is a security issue. Second, that information is not owned by Real Property Tax, and is in fact, owned by the County Treasurer and they should be a signatory to the contract. Third, we already provide this free of charge to the County. We previously were asked to do the comparables, and then that request was withdrawn. He cannot see spending money on something that his department already provides.

Ms. Flaitz replied we had asked for three years for Information Technology to provide comparables and then withdrew the request. This is only a draft contract. There are some changes for the dates and this will be reviewed by the Law Department. This is not a final contract.

Mr. Alger stated we need to talk about what we want to do. He stated that he was not aware of the connection of the financials and we are not doing that. They will not have access to our network. This also had not been discussed with the Treasurer. Additionally, this amount of the contract puts it over the threshold for requiring an RFP. He requested the committee postpone action on this request until the December 10th meeting.

MOTION: POSTPONING DISCUSSION AND ACTION ON THE SYSTEM DEVELOPMENT GROUP, INC. PROPOSED CONTRACT WITH THE REAL PROPERTY TAX SERVICE AGENCY UNTIL THE DECEMBER 10, 2013, MEETING MADE BY MR. SCHU. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Risk Manager

1. **Budget Transfer** – Mr. Isaman informed the committee that they have received a total of \$77,000 in reimbursement from the towns and villages that opted out of the Workers' Compensation plan. He requested authorization to accept that revenue and transfer it to various line items within the Workers' Compensation budget.

MOTION: AUTHORIZING THE RISK MANAGER TO ACCEPT \$77,000 IN REIMBURSEMENT FROM THE TOWNS AND VILLAGES THAT OPTED OUT OF THE COUNTY'S WORKERS' COMPENSATION PLAN INTO THE REIMBURSEMENT OF EXPENSES REVENUE LINE ITEM AND APPROPRIATING \$35,000.00 TO THE INDEMNITY LINE ITEM, \$35,000.00 TO THE MEDICAL LINE ITEM, \$3,500.00 TO THE LEGAL LINE ITEM AND \$3,500.00 TO THE MEDICAL OTHER LINE ITEM; ALL WITHIN THE WORKERS' COMPENSATION BUDGET, MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. County Clerk

1. **Mortgage Tax Distribution** – Ms. Bailey informed the committee that a total of \$619,384.21 has been distributed to the 33 municipalities. This represents an increase over May of this year and a decrease from November of last year.

MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION MADE BY MR. CROSSETT. SECONDED BY MR. SCHU. MOTION CARRIES 3-1. (MR. VAN ETTEN OPPOSED). Resolution Required.

F. Treasurer

1. **RFP for Deferred Compensation Plan** – Mrs. Hurd-Harvey requested authorization to put out a Request for Proposals for the 457 Deferred Compensation Plan. Our current contract will expired in 2014.

MOTION: AUTHORIZING THE STEUBEN COUNTY TREASURER TO ISSUE A REQUEST FOR PROPOSALS FOR THE 457 DEFERRED COMPENSATION PLAN MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Personnel

1. **Reclassification – Mental Health** – Ms. Smith requested authorization to reclassify a Grade XVIII Assistant Psychologist to a Grade XIX Staff Psychologist. There is currently an individual in this position. Mr. Alger explained we currently have someone who is a licensed psychologist in the Assistant Psychology position. We would move this individual to a Staff Psychologist. The Department of Social Services has indicated a desire to work directly with that individual and would like to enter into a contract with Mental Health to pay for that position. Mental Health has indicated that they would be able to backfill this function with a Staff Social Worker. The end result is a savings of \$10,000.00 to the County and he would recommend this.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE XVIII ASSISTANT PSYCHOLOGIST TO A GRADE XIX STAFF PSYCHOLOGIST IN THE OFFICE OF COMMUNITY SERVICES AND AUTHORIZING A CONTRACT BETWEEN THE OFFICE OF COMMUNITY SERVICES AND THE DEAPRTMENT OF SOCIAL SERVICES FOR THIS POSITION MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required

G. Administrator

1. **Contract** – Mr. Alger informed the committee that the Office of Court Administration contracts with us for the cleaning and maintenance of the courts. They have proposed a new five-year agreement. Typically this contract pays us about \$200,000 per year. He requested authorization to move ahead with the renewal process subject to review and approval by the Law Department.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO RENEW THE CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION FOR FACILITY CLEANING/MAINTENANCE MADE BY MR. SCHU. SECODNED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Implementation of Charter** – Mr. Alger stated that he has discussed with Chairman Hauryski the steps necessary for the implementation of the Charter. There are a couple of things that this committee will

need to do, and other items, that by virtue of the implementation of the Charter, will be taken care of. The Treasurer, by virtue of the implementation of the charter, will become the Commissioner of Finance effective January 1, 2014 and will serve until the end of his current term. From a civil service standpoint, there are things that will need to be done with the State for changing the titles of the Administrator and Treasurer to County Manager and Commissioner of Finance and changing the functions of those titles to comply with the Charter.

Mr. Alger stated previously we had passed a Local Law relative to the Deputy County Administrator and we may need to do something similar for the County Manager and Deputy County Manager. With regard to the timeline for doing this, there is no urgent need, but you will want to do this prior to the Charter becoming effective. The other department heads will continue as before. The elected officials will continue within the constructs of their current term. Those individuals who are not appointed for a fixed term will continue. Those individuals in fixed terms will remain until their term expires and then the Charter will kick in with the County Manager appointing those individuals and recommending them to the Legislature for confirmation. Your biggest decision will be with the County Manager.

Mr. Alger stated that there are other housekeeping issues, such as reviewing the *Administrative Code* and the *Rules of Procedure* as to consistency and to see if there are things that need to be changed. That is something that you can take your time with and review.

Mr. Hauryski stated that he would like to thank the Administration Committee for the work you put in toward the development of the Charter for Steuben County. From listening to his constituents, a lot of the issues you made sure were covered in the Charter, especially with regard to the County Treasurer, were worth the effort and time spent. Thank you also to all of the Legislators for the work they put forth to get this passed.

Mr. Alger commented if it were not for the efforts of the Legislators getting out and talking with people, the Charter would not have passed. The work you did in educating your constituents and various groups made a difference.

MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETEN. 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 10, 2013
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, December 4, 2013.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Monday, November 25, 2013

3:00 p.m.

Legislative Committee Room
Steuben County Office Building
Bath, New York

****MINUTES****

COMMITTEE:	Lawrence P. Crossett, Vice Chair	Carol A. Ferratella	Scott J. Van Etten
STAFF:	Mark R. Alger Tammy Hurd-Harvey	Jack Wheeler Shawn Corey	Pat Donnelly
LEGISLATORS:	Joseph J. Hauryski Thomas J. Ryan	Aaron I. Mullen Gary D. Swackhamer	William A. Peoples
ABSENT:	Patrick F. McAllister, Chair	Gary B. Roush	

I. CALL TO ORDER

Mr. Crossett called the meeting to order at 3:00 p.m.

II. DEPARTMENT REQUESTS

A. Law Department

1. **Workers' Compensation** – Mr. Corey informed the committee that there are two resolutions on today's Legislative Meeting agenda relative to Workers' Compensation and the Town of Corning. The Town of Corning, along with a few other municipalities, opted out of the County's Workers' Compensation Plan in 2004. The first resolution calls for the town to pay \$21,000 back to our plan. This payment represents their eligible share of outstanding liability at the time of their withdrawal. In addition, the town will pay for all future claims. The second resolution authorizes us to transfer one outstanding claim that we currently pay for, back to the town and that any dormant claims that are reopened will go to the town.

MOTION: AUTHORIZING AN AGREEMENT WITH THE TOWN OF CORNING FOR WITHDRAWAL FROM THE STEUBEN COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN AND AUTHORIZING THE TRANSFER OF A WORKERS' COMPENSATION CLAIM TO THE TOWN OF CORNING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, December 10, 2013

9:00 a.m.

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

MINUTES

Committee: Patrick F. McAllister, Chair Scott J. Van Etten Carol Ferratella
 Brian Schu

Legislators: Joseph J. Hauryski Michael Hanna William A. Peoples
 Hilda Lando Gary Roush Gary Swackhamer

Staff: Mark R. Alger Jack K. Wheeler Nancy Smith Alan Reed
 Shawn Corey James Gleason Wendy Flaitz

Absent: Lawrence P. Crossett, Vice Chair

I. CALL TO ORDER

The meeting was called to order by Mr. McAllister at 9:05 a.m. and Ms. Mori led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE NOVEMBER 12 AND NOVEMBER 25, 2013, MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **Bids – Automobile Maintenance** – Mr. Gleason presented the bid for vehicle maintenance. He noted the bid was split into all departments as one item and the Sheriff’s Department as a separate item as they like to purchase their own parts, so it is only for the labor. He recommended awarding to Dave’s Colonial Motors for the general maintenance; Bath Express Lube for drive thru oil change guaranteed within 30 minutes of arrival with no appointment; Dave’s Colonial Motors for the Sheriff’s Department - Bath area; Saltsman’s Repair for the Sheriff’s Department - Avoca area and B & W Towing for Sheriff’s Department - Corning, Painted Post, Addison area.

MOTION: AWARDING THE BID FOR GENERAL VEHICLE MAINTENANCE TO DAVE’S COLONIAL MOTORS; FOR DRIVE-THRU OIL CHANGE TO BATH EXPRESS LUBE; AND FOR THE SHERIFF’S VEHICLE MAINTENANCE (LABOR ONLY) TO DAVE’S COLONIAL MOTORS FOR THE BATH AREA, SALTSMAN’S REPAIR FOR AVOCA AREA AND B&W TOWING FOR CORNING, PAINTED POST AND ADDISON AREA MADE BY MR. SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Security Services** – Mr. Gleason presented the RFP for Security Guard Services. He recommended awarding to Securitas for \$196,418.40. Discussion followed.

MOTION: AWARDING THE RFP FOR SECURITY GUARD SERVICES TO SECURITAS FOR \$196,418.40 ANNUALLY MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Copier Purchase** – Mr. Gleason requested authorization to purchase new copiers through the Suffolk County Purchasing Department’s bid, not to exceed \$36,000 to update our Canon copiers within the County. Discussion followed.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO SPEND UP TO \$36,000 ON NEW COPIERS FOR VARIOUS COUNTY DEPARTMENTS UTILIZING THE SUFFOLK COUNTY PURCHASING DEPARTMENT’S BID MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger noted we need to amend our Administrative Code Purchasing Policy to reflect changes being made at the State level as far as bids go. Counties are now able to piggyback on bids with towns, villages and cities. Discussion followed.

B. Real Property Tax Service Agency

1. **Final County Equalization for 2014** – Mrs. Flaitz distributed copies of the final county equalization table based upon the adoption of the 2014 budget. She noted big increases are in the areas where there have been drops in equalization rates, which causes their full value to increase, which causes their share of the levy to increase. Discussion followed.

Mr. McAllister asked would a countywide assessing unit would provide more uniformity? Mrs. Flaitz stated in order to do that, you would have to have every town, village and city in the County agree to it. You could also do a 1537 contract where you could hire an assessor to assess for towns who wish to contract for that service. However, unless you have several municipalities willing to participate, it wouldn’t be cost effective. It is something we can look into.

Mr. Van Etten stated the equalization rate is so subjective and the margin of error is significant. Mr. Alger stated the towns that have never done anything have slid by for years. Mr. Hauryski stated the Town of Campbell is realizing what their failure to conduct a revaluation has cost them as they have located several homes that aren’t even on the tax rolls; so the owner have never been taxed for those structures. Mr. Alger stated the Change Finder software that we will have next year through Pictometry will really help the assessors locate those issues.

2. **Contract** – Mrs. Flaitz stated she met with Mr. Donnelly and we have made changes to the proposed contract with Systems Development Group. Mr. Alger stated we would set this up on a separate server so it is not actively part of our system; it will be a backup system. Discussion followed.

Mrs. Flaitz stated there are 35 other counties using this software. There is only one other company that has this type of product and that system only brings in assessment and tax map information. There is only one county in the state that is currently using that other software. Therefore, she would like authorization to waive our procurement policy and authorization to contract with SDG, Inc., for \$29,000 for 5 years (\$5,800 per year). Discussion followed.

MOTION: WAIVING THE COUNTY’S PROCUREMENT POLICY AND AUTHORIZING THE DIRECTOR OF REAL PROPERTY TAX SERVICE AGENCY TO CONTRACT WITH SDG, INC., FOR WEB-BASED DELIVERY OF THE COUNTY’S REAL PROPERTY INFORMATION VIA IMAGEMATE ONLINE SOFTWARE FOR \$29,000 FOR A FIVE YEAR CONTRACT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Law Department

1. **Business Associate Agreement** – Mr. Corey stated Federal HHS has finally issued its final ruling for HIPPA. It had to do with updates to Business Associate Agreements. We updated our agreement and it addresses all of the concerns relative to the new ruling. This is the final proposed draft. Discussion followed.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCORPORATE THE UPDATED BUSINESS ASSOCIATE AGREEMENT AS PRESENTED MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Personnel Officer

1. **Reclassification – Public Defender** – Mrs. Smith stated there is a pending retirement in the position of Stenographer and the State no longer gives that test. The closest match to that title is Typist.

MOTION: RECLASSIFYING A VACANT GRADE V STENOGRAPHER POSITION TO A GRADE IV TYPIST POSITION WITHIN THE PUBLIC DEFENDER’S OFFICE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Reclassification – Sheriff’s Department** – Mrs. Smith stated the Commission of Corrections wants us to have nurses on staff 24/7. Therefore, they need two part time RN positions and Public Health Nursing Services still has a vacant RN full time position on the books. She requested authorization to reclassify the one full time RN position in PHNS to two part time RN positions in the Jail. Discussion followed.

MOTION: RECLASSIFYING ONE FULL TIME RN POSITION IN PUBLIC HEALTH NURSING SERVICES TO TWO PART TIME RN POSITIONS AND TRANSFERRING THE POSITIONS TO THE JAIL MADE BY MR.SCHU. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. **Lieutenant Position – Jail** – Mr. Alger stated you will recall we just created a Lieutenant Position at the Jail and we are having a hard time recruiting. The salary is close to the Sergeant position so it appears that we are not competitive with the union Sergeant position. Mrs. Smith is recommending we move the position to Grade C and fill it near the midpoint. Discussion followed.

MOTION: ADJUSTING THE CORRECTION LIEUTENANT POSITION FROM MANAGEMENT GRADE B TO MANAGEMENT GRADE C MADE BY MR. SCHU. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. 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 MRS. FERRATELLA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: RECOMMENDING MARK R. ALGER FOR APPOINTMENT AS STEUBEN COUNTY MANAGER AND AUTHORIZING THE CHAIRMAN TO EXECUTE A 3 YEAR CONTRACT WITH MR. ALGER; SAID CONTRACT SHALL INCLUDE A REMOVAL FROM OFFICE CLAUSE MADE BY MR. VAN ETTEN. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

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

IV. NEW BUSINESS

Mrs. Ferratella stated she has gotten a lot of feedback regarding individuals not being able to hear in the Legislative Chambers. Are there any plans to improve that? Mr. Alger stated we can certainly look into it.

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

Respectfully submitted by,
Brenda K. Mori
Clerk of the Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, January 14, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, January 7, 2014**