

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, January 13, 2004

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Francis L. Gehl, Vice Chair L. Ronald Nielsen Thomas J. McIntyre
Donald B. Creath

Legislators: DeWitt T. Baker, D.V.M. Philip J. Roche John Walsh

Staff: Mark R. Alger Edward J. Castellana James Gleason
Michele O. Smith Betty L. Karchner Allan C. Johnson
Frederick H. Ahrens, Jr. Robert F. Biehl Judith Hunter

Other: Mary Perham, *The Leader*

Absent: David Stachnik, Chair

I. CALL TO ORDER

The meeting was called to order by Mr. Gehl at 9:30 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE DECEMBER 9 AND DECEMBER 22, 2003, MEETINGS MADE BY MR. NIELSEN. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **Copier Request** – Mr. Gleason stated Mental Health’s copy machine at the Hornell Office needs to be replaced. He requested authorization to purchase one for them for \$11,500 under the NYS contract. He noted the funds are in the Copier Capital Project.

MOTION: AUTHORIZING THE PURCHASE OF A COPIER MACHINE FOR THE MENTAL HEALTH OFFICE IN HORNELL FOR \$11,500 UNDER NYS CONTRACT, FUNDS TO BE ALLOCATED FROM THE COPIER CAPITAL PROJECT MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Risk Manager

1. **Insurance** – Mr. Castellana reported he renewed the liability insurance with the same limits as last year. He noted the liability premium increased \$6,200 or 3 percent. In addition, he was able to negotiate the property insurance resulting in a reduction of \$16,488 in the deductible and premium costs. He stated overall, he was able to obtain insurance with better coverage and a net cost savings of \$10,288. He noted he is splitting the business between Marsh USA of Syracuse and Brown and Brown of Rochester.

2. **Workers' Compensation Requirements** – Mr. Castellana distributed a copy of a letter he'd like to send to the Acting Chairman of the Workers' Compensation Board. What prompted this is we received a letter in November concern statutory compliance. Basically this goes back to a law that was enacted in 1922 that states that anyone who contracts with the County would have to submit forms to the Workers' Compensation Board for approval and then they would have to submit those forms to us in addition to the Certificate of Insurance we currently receive. Considerable discussion followed.

MOTION: AUTHORIZING THE RISK MANAGER TO SEND A LETTER TO THE ACTING CHAIRMAN OF THE WORKERS' COMPENSATION BOARD CONCERNING STEUBEN COUNTY'S DISSATISFACTION WITH THE CHANGE IN THE STATUTORY COMPLIANCE REQUIREMENTS MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Computer Purchase** – Mr. Castellana stated the Workers' Compensation Plan Budget included \$1,700 for the purchase of a computer and printer. He requested authorization to purchase this equipment.

MOTION: AUTHORIZING THE PURCHASE OF A COMPUTER AND PRINTER FOR THE WORKERS' COMPENSATION PLAN PROGRAM AS BUDGETED MADE BY MR. NIELSEN. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. County Administrator

1. **Elections Office** – Mr. Alger stated the Elections Office wanted to discuss an issue with the Committee. Mr. Johnson stated we have been working through the changes in the office staff, but we have a primary coming up March 2nd. He requested authorization to increase the part time clerks to full time from February 9th through March 5th to cover the additional work.

Mr. Alger stated this is basically an administrative item, but he wanted the Committee to know that there may be some budgetary issues regarding this. He stated there is enough money in the budget to cover this change. However, if this is something they decide to do for all three election cycles this year, there won't be enough money to cover all of them. There is the possibility that in November there may not be enough funding.

Mr. Johnson informed the Committee that at this point in time, they haven't received any additional information concerning the implementation of the Help America Vote Act. Considerable discussion followed.

2. **County Clerk** – Mrs. Hunter stated she wanted to update the Committee on the status of the issues they discussed last month. They were able to hire two temporary employees to assist us, but we're still experiencing overtime costs. She stated they are current with the mail but she doesn't know how long that will be for. Discussion followed.

Mrs. Hunter stated it is taking longer to process the transfers because they have to enter more information into the system. She stated the overtime costs just from 12/29/03 through 1/11/04 were \$2,883.07 including the temporary person. The other issues regarding the system are being worked through. Discussion followed.

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. NIELSEN. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: AUTHORIZING MICHELE SMITH TO RESIDE IN ONTARIO COUNTY MADE BY MR. CREATH. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: SETTING A TERM OF OFFICE OF FOUR YEARS FOR THE CLERK OF THE LEGISLATURE MADE BY MR. MCINTYRE. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, February 10, 2004
9:30 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, February 10, 2004

9:30 a.m.

Legislative Committee Conference Room
Steuben County Office Building
3 East Pulteney Square
Bath, New York

MINUTES

<u>Committee:</u>	Patrick Donnelly, Chair L. Ronald Nielsen	Patrick McAllister, Vice Chair Francis L. Gehl	DeWitt T. Baker, D.V.M.
<u>Legislators:</u>	Philip J. Roche, Esq.	Harley R. Mayo	John Walsh
<u>Staff:</u>	Gregory P. Heffner Michele O. Smith Judith Hunter Robert F. Biehl	Richard C. Tweddell James Gleason Randy Gwinn-Shirley	Helen Brutsman Frederick H. Ahrens, Jr. Lawrence Crossett
<u>Other:</u>	Lisa Chacon Mary Perham, <i>The Leader</i>	Frank Anastasio	Lee Hersh

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 9:30 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JANUARY 13, 2004, MEETING MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. COUNTY CLERK

A. Accounting & Indexing System Contract

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; AND 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. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. PRESENTATION

A. Help America Vote Act – Ms. Chacon stated the Help America Vote Act (HAVA) requires states to replace punch card and lever machines with voting systems that are accessible to the disabled prior to the 2004 election. HAVA mentions new computer touch-screen systems or Direct Recording Electronic (DRE) machines as an example of one technology that could meet these requirements. These computerized voting machines are prone to malfunctions as well as hacking or other computer problems.

Ms. Chacon stated a group of computer scientists led by Dr. David Dill of Stanford University has outlined serious issues with DRE voting machines, including their vulnerability to human or machine error and, in the worst case, fraud through manipulation of software codes.

Ms. Chacon stated Dr. Dill's predictions are coming to pass as dozens of news reports have exposed DRE machine software and/or hardware failure. Software failure includes extra or missing votes, or incidences reported by voters who saw their votes cast incorrectly. Hardware failure includes the failure of a machine to transmit its final totals and equipment crashes. The biggest worry is that even though obvious glitches aren't reported in every election, there is no way to be sure that votes were accurately counted without a paper record.

Ms. Chacon stated HAVA contains language that requires a paper record to be used for a manual audit, and a process that allows voters to review their votes in order to correct any errors before the permanent paper record is produced. However, some suggest that the requirement of a paper record can be met by printing the totals from a machine after the polls have been closed. The problem with this is that voters are not able to see and verify their results, and there is no paper record available for a recount.

Ms. Chacon stated another issue is the cost of the machines. They are very expensive, costing approximately \$7,000 each to replace the 89 current voting machines in Steuben County. They also require special storage conditions to maintain humidity, temperature and power. Should cost be the ultimate consideration, there are alternatives to DRE machines that still comply with HAVA requirements. These machines have an expected lifetime of 10 to 15 years. Beyond those expenses, it should be noted that the cost of absentee ballots would still be there. Through our research and through the work of Dr. Dill's group, there are other alternatives that comply with HAVA. These include optical scan machines, paper ballots or voting by mail. Dr. Dill's group has developed some recommendations to protect democracy now and in the future. To insure that each vote is accurately cast and fairly counted, they should require a voter-verifiable paper trail for DREs purchased by the County. The software code should be open to inspection by experts or members of the public. The vote is private, but the count is not. In addition, there should be random manual recounts in at least three districts to confirm the accuracy of the machine results. We urge the Steuben County Legislature pass a resolution requiring these standards for machines purchased in the County, and urging State and Federal legislators to follow suit. She noted that Schuyler County has already approved a similar resolution.

Mr. Gehl stated he attended a meeting concerning HAVA at the NYSAC Conference. They had a machine there made by Sequioa and we questioned them concerning these same issues you mentioned. They addressed these issues satisfactorily. He informed Ms. Chacon and company that this issue will be discussed at the InterCounty meeting next Friday and the State Commissioner of Elections will be at the meeting. He suggested they contact the association to see if they may attend. Discussion followed.

Dr. Baker stated the mechanical voting machines do have a paper trail but they are not handicapped accessible which is the major problem with them. Mr. Gehl stated the machines we have now can be cranked down for those who are wheelchair bound. Mr. Anastasio stated they aren't accessible for the blind, though. They have to have somebody accompany them when they vote. Discussion followed.

Mr. Ahrens stated in the materials you handed out, you referenced specific pieces of legislation. Would you like us to include that in the resolution? Ms. Chacon stated we would appreciate that.

Mr. Roche stated this machine Mr. Gehl is talking about does have the paper backup. He noted the Federal Government will be providing the funding to purchase the machines but we would have to pay for the storage, and maintenance so this definitely has some cost issues.

Mr. Anastasio stated we are assuming these resolutions find their way to the State level. We're hoping that we will have an impact on the State level and they may be a little more reasonable on what they impose on you. *Mr. Donnelly thanked Ms. Chacon, Mr. Anastasio and Mr. Hersh for their presentation.*

V. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **Custodial Paper Products Bid** – Mr. Gleason recommended awarding the custodial paper products bid to all bidders on a line item basis.

MOTION: AWARDING THE CUSTODIAL PAPER PRODUCTS BID ON A LINE ITEM BASIS TO EASTERN, SANICO AND HORWITZ MADE BY MR. NIELSEN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Garbage Bags Bid** – Mr. Gleason recommended awarding the garbage bags bid to both vendors on a line item basis as well as use the State contract when possible.

MOTION: AWARDING THE GARBAGE BAGS BID ON A LINE ITEM BASIS TO CENTRAL POLY AND HORWITZ, AND AUTHORIZING THE USE OF THE STATE CONTRACT WHEN POSSIBLE MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Office Furniture Bid** – Mr. Gleason recommended awarding the office furniture bid on a line item basis by manufacturer based upon the percentage discount.

MOTION: AWARDING THE OFFICE FURNITURE BID ON A LINE ITEM BASIS TO SENTRY, STAPLES AND SCHOLASTIC FURNITURE MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Stationery Supplies Bid** – Mr. Gleason recommended awarding the stationery supplies bid on a line item basis to both bidders.

MOTION: AWARDING THE STATIONERY SUPPLIES BID ON A LINE ITEM BASIS TO SENTRY AND STAPLES MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **Copy Machine/Printer Toners Bid** – Mr. Gleason recommended awarding the copy machine/printer toners and developers bid on a line item basis.

MOTION: AWARDING THE COPY MACHINE/PRINTER TONERS BID ON A LINE ITEM BASIS TO STAPLES, IKON, SENTRY AND COMPU-CORP MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Personnel Officer

1. **ADA Budget Adjustment Request** – Mr. Biehl stated Mrs. Smith is our ADA Compliance Officer for the County. The ADA Budget has always been \$300 as the manual we need to print has always cost \$299. This year, however, the cost to print the manual is \$329. He requested authorization to transfer \$100 from the Contingent fund to cover the additional cost. Mr. Crossett stated he doesn't want to have to do a resolution for \$100. Mr. Crossett stated he will find the funds in the 2004 Budget.

2. **Reclassifications**

a. **Special Children's Services** – Mrs. Brutsman stated she would like to increase the vacant part-time RN position to full time. The position is funded in our budget as a part-time position without benefits. She noted revenue generated by this position exceeds the cost of the position. The position carries out the duties of initial and on-going Early Intervention Service Coordination. When we tried to fill the position part-time, we had very few applicants.

Mrs. Brutsman stated the State requires that service coordinators carry a caseload of no more than 60, which is very high. At the present time our service coordinators carry 89 caseloads. The previous part-time person carried a caseload of 30. When the caseloads are so high, the service coordinators cannot keep up with the documentation and we miss out on revenue. She noted there is no question that the position is essential in carrying out the State's Early Intervention Mandate.

Mrs. Brutsman stated another State mandate is the County's role in Preschool Special Education, which is basically to pay for it with no control. The decision-making is completely done at the school district level. However, the school districts have no fiscal responsibility. The Education Law gives counties the option to send a person to the school district Committees on Preschool Special Education meetings. It is determined at these meetings if a preschool child meets special education eligibility criteria and what services the child will receive. In the past we have had very effective volunteers. It has become impossible to find qualified people who have the time or desire to volunteer. It is a position that requires a strong person with knowledge of child development and educational services. The county needs a person with the ability to question and confront a committee of professionals who may have predetermined the services prior to a meeting. We have not had a County representative on the Bath School District in two years. Decisions on what services and how many services are being made with absolutely no voice from the County who is obligated to pay for it. She noted she believes we are the only County who has ever had volunteers on these committees. Other counties have paid representatives. Discussion followed.

MOTION: INCREASING THE PART TIME RN POSITION IN THE DEPARTMENT OF SPECIAL CHILDREN'S SERVICES TO FULL TIME MADE BY DR. BAKER. SECONDED BY MR. GEHL. (For discussion.)

Mr. Roche asked what is the salary of this position? Mrs. Smith stated it is a Grade XII which is just under \$28,000 starting pay. Mr. McAllister stated this person would take over the part-time caseload plus attend these committees on Preschool Special Education? Mrs. Brutsman stated yes. Mr. McAllister asked could we keep it part-time this year and make it full-time next year and have the volunteers still attend the Preschool Committee Meetings? Mrs. Brutsman stated the problem is we don't have the volunteers now. We need people who are knowledgeable in the preschool education field. Discussion followed.

Mr. Donnelly asked where is the money going to come from? Mrs. Brutsman stated we have the funding for part of the position and the position does generate revenue. However, we would be lacking basically the benefits. She stated she has enough to cover almost the entire salary except the fringe benefits.

MOTION VOTE: IN FAVOR: BAKER, GEHL, DONNELLY, NIELSEN. OPPOSED: MCALLISTER. MOTION CARRIES 4-1. Resolution Required.

b. **Sheriff's Department** – Mr. Biehl stated Sheriff Tweddell is requesting authorization to reclassify 3 Deputy Sheriff positions to Corporal Deputy Sheriff. The total cost is \$4,500. Sheriff Tweddell stated this is a position that the former sheriff created to give them the authority they need. A step for this position was negotiated into the contract this year but he still needs the Legislature's approval. He noted the funding is in the budget and it is a tested position.

MOTION: RECLASSIFYING THREE DEPUTY SHERIFF POSITIONS TO CORPORAL DEPUTY SHERIFF IN THE SHERIFF'S DEPARTMENT MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

MOTION: AUTHORIZING THE COUNTY ATTORNEY TO ENTER INTO AN OIL AND GAS LEASE WITH FORTUNA ENERGY MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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 AND 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

The Committee agreed to meet the 2nd Tuesday of each month at **10:00 a.m.**

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, March 9, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, March 9, 2004

10:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

<u>Committee:</u>	Patrick F. Donnelly, Chair DeWitt T. Baker, D.V.M.	Patrick McAllister, Esq., Vice Chair L. Ronald Nielsen	Francis L. Gehl
<u>Legislators:</u>	Philip J. Roche, Esq.	John Walsh	Thomas J. McIntyre
<u>Staff:</u>	Mark R. Alger Frederick H. Ahrens, Jr.	Kenneth Peaslee Judy Hunter	James Gleason
<u>Other:</u>	Mary Perham, <i>The Leader</i>	Lisa Chacon	Frank Anastasio

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. HELP AMERICA VOTE ACT (HAVA)

Ms. Chacon stated there has been some movement regarding HAVA at the State level. Both the Assembly and the Senate have passed Bills but with different language, so they are trying to come to an agreement. The Bills don't include that the paper ballot is the official record of the election so there is some confusion as to what this really means relative to our concerns. Also, they don't require the software to be open to inspection by any citizen. The casting of the vote is a private, anonymous act but the counting of the vote should be an open function. If it isn't an open function, it would leave the vote open to mistakes and/or fraud.

Mr. Gehl stated last month at the Western InterCounty Association meeting, Peter Kosinski, Deputy Executive Director of the NYS Board of Elections was there and he was taken to task by several people. What I'm unclear about regarding your request is the software being open to inspection. Ms. Chacon stated it should be open to testing by an independent team of experts hired by a citizens group. She noted the software companies are opposed to this as the software is proprietary. Mr. Donnelly stated he's sure that issue could be addressed in regards to the proprietary issues for the software.

Mr. Gehl stated Mr. Kosinski also allayed some of the fallacies regarding this. Basically the funding issue regarding the purchase of the machines will be the Federal government will pay 95 percent and the remaining 5 percent will be paid by the State and/or County. He noted they're pretty sure the State will make the Counties pay the 5 percent.

Mr. Alger noted that the largest cost is the maintenance and storage of these machines. As we move forward, we're going to want to partner with the towns and cities to make sure these machines can be stored and used in some fashion rather than storing them in one central location. If we can, we should continue to leave them in the towns, villages and cities and have the maintenance done in those locations. The other issue is it is a fundamental right to vote and make sure the election is fair. We can't risk our entire governmental structure by individuals having the ability to hack into the system. He believes the support is there to have a paper record of the vote so that the vote can be verified. He knows from the InterCounty meeting that the majority of the people there shared the concerns expressed by Ms. Chacon and Mr. Anastasio. Discussion followed.

Mr. Nielsen stated he questioned Mr. Kosinski about the temperature-controlled storage and he told us that it wasn't true and that it wouldn't be a requirement.

Ms. Chacon stated there are some alternatives to the electronic machines. There is an optical scan machine and it can also be used by the blind. The State hasn't specified which machines haven't been used and we are requesting you pass a memorializing resolution asking them to look at the optical scan machines as well as these other issues of having the machines being open to inspection and requiring the paper trail. Mr. Gehl noted the State is considering using the optical scan machines. Discussion followed.

III. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE FEBRUARY 10, 2004 MEETING MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **Copier Purchase** – Mr. Gleason stated there are a number of machines that were purchased between 1993 and 1997 and Ikon has told us that the maintenance on those machines is not going to be available because of their age and parts availability. They have offered to replace these machines under NYS contract for approximately \$48,551.00. He noted this is for the purchase of 23 machines. It would result in a \$9,400 savings in operating cost for the first year. He requested authorization to make this purchase under NYS Contract out of the Copier Capital Project. Discussion followed.

MOTION: AUTHORIZING THE PURCHASE OF 23 COPY MACHINES FROM THE NYS CONTRACT FOR \$48,551.00 TO BE PAID FROM THE COPIER CAPITAL PROJECT MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Information Technology Department

1. **Telephone Audit Results** – Mr. Peaslee stated last September he received permission to have the phone bills audited by an independent company to make sure the charges were correct. As a result of the audit, they found that we were paying \$2.50 more per line than what was quoted on the NYS contract and we have 313 phone lines. Therefore, we will be receiving a \$3,130 credit on our phone bill covering the last 4 months. This will also result in a future savings of \$782 per month for the remainder of our 2 year contract. The contract with the audit company reflects that they would receive 25 percent of the total savings the County realizes over the 2 year contract period. Since we will receive \$18,780 over 2 years, the auditor will be paid \$4,695 for the service.

Mr. Peaslee stated this same audit company also works for other County and City governments negotiating better rates for telephone service. They are now trying to negotiate a better rate for us with Verizon than what is on the State contract. He hopes to come back next month or the following month with a better rate from Verizon.

C. Law Department

1. **Payment Extension for Deployed Military** – Mr. Ahrens stated the State passed the Patriot Plan that provides special options for deployed military. The one on the table before you today would authorize an extension of the deadline for the payment of real property tax by members of the deployed military. He noted this only applies to County taxes as the towns, villages, cities and school districts would have to approve this separately. Discussion followed.

MOTION: APPROVING A PAYMENT EXTENSION ON THE DEADLINE FOR THE PAYMENT OF REAL PROPERTY TAX BY MEMBERS OF THE DEPLOYED MILITARY MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Pending Litigation** – Mr. Ahrens requested this issue be discussed in Executive Session.

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; AND 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. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, April 13, 2004
10:00 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, April 13, 2004

10:00 a.m.

Legislative Committee Conference Room
Steuben County Office Building
3 East Pulteney Square
Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick McAllister, Esq., Vice Chair DeWitt Baker, D.V.M.
L. Ronald Nielsen

Legislators: Philip J. Roche, Esq. Harley R. Mayo John Walsh Thomas J. McIntyre

Staff: Mark R. Alger James Gleason Judy Hunter Allan Johnson
Betty Karchner Michele Smith Nancy Smith Sandy Eckhoff
Frederick H. Ahrens

Other: Mary Perham, *The Leader*

Absent: Francis L. Gehl

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE MARCH 9, 2004, MEETING MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **Milk Products Bid** – Mr. Gleason recommended awarding the milk products bid for the Jail and the Health Care Facility to Byrne Dairy.

MOTION: AWARDING THE MILK PRODUCTS BID FOR THE JAIL AND HEALTH CARE FACILITY TO BYRNE DAIRY MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Bakery Products Bid** – Mr. Gleason recommended awarding the bakery products bid to Butterkrust Bakery for the Jail and the Health Care Facility.

MOTION: AWARDING THE BAKERY PRODUCTS BID FOR THE JAIL AND HEALTH CARE FACILITY TO BUTTERKRUST BAKERY MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Eggs Bid** – Mr. Gleason recommended awarding the eggs bid to Valley View Farms.

MOTION: AWARDING THE EGGS BID TO VALLEY VIEW FARMS MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Copier Capital Project** – Mr. Gleason stated he left an item out of the copier purchase request last month. He requested authorization to purchase a \$985 document feeder for one of the County Clerk’s copier machine. He noted there is money in the capital project for this purchase.

MOTION: AUTHORIZING THE PURCHASE OF A DOCUMENT FEEDER FOR \$985 FROM THE COPIER CAPITAL PROJECT MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. County Clerk

1. **DMV Audit** – Mrs. Hunter distributed copies of the scores from the State’s audit of the Department of Motor Vehicles. She noted the highest attainable score is 100 and they received a score of 95 at the Bath Office, 92 at the Corning Office and 91 at the Hornell Office. She noted there was a significant improvement over the past 10 years and she attributes that to the willingness of the staff and Legislature to implement procedures she felt were necessary based on previous findings. Discussion followed.

2. **Resolution of Support** – Mrs. Hunter distributed copies of a resolution she is requesting the Committee support that would eliminate the sunset provision for the Local Government Records Management Improvement Fund and the Cultural Education Fund. She stated these funds provide technical assistance and grants to establish, improve or enhance records management programs for local governments. The sunset date for the LGRMIF and CEF is set to expire December 31, 2005. Discussion followed.

MOTION: SUPPORTING A RESOLUTION FOR THE ELIMINATION OF THE SUNSET PROVISION OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND AND THE CULTURAL EDUCATION FUND MADE BY MR. NIELSEN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution required.

3. **Request to Waive 16B** – Mrs. Hunter stated the County Clerk’s office is operating short three positions. She stated one Desk Clerk position is still needed in order to provide necessary accountability and checks and balances. The new cashiering, indexing and imaging system requires more data entry at the fee entry stage. The implementation of fees by the Office of Court Administration to court documents, which previously were filed with no fee, now requires fee entry processing as well.

Mr. Alger stated there is the likelihood we will need to appropriate additional funds for the temporary hire and overtime line items which they have been expending. They budgeted \$30,000 for those items and they have already spent most of that. He noted that they are not short three staff, they are short one. The positions are on the books, but they haven’t been filled. Considerable discussion followed. *Mr. Donnelly recommended holding this item for one month pending discussion of a contract issue in Executive Session. The Committee concurred.*

Mr. Alger recommended they appropriate funding to the temporary hire line item and the overtime line item to cover expenses for the short-term. He suggested a transfer of \$35,000 from the contingency fund.

MOTION: APPROVING THE TRANSFER OF \$35,000 FROM THE CONTINGENCY FUND TO THE TEMPORARY HIRE LINE ITEM AND OVERTIME LINE ITEM FOR THE COUNTY CLERK’S OFFICE MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution required.

C. County Administrator

1. **HAVA Resolution** – Mr. Alger requested approval of a resolution urging the Governor and the New York State Legislature to establish standards for the Help America Vote Act (HAVA). He noted they’d like to keep the municipalities involved in the system. In addition, they need an ability to audit the vote at the machine and keep a paper record. They just need a verifiable record of the votes cast at a particular location with a particular machine. Mr. Johnson noted that the paper record has become a

big issue across the country. The Senate and the Assembly both have a verifiable audit trail included in the text of their Bills.

Mr. Alger stated he's a proponent of partnering with the towns, villages and cities to make this work as they have been the backbone of the election system since the beginning. The other part of this process is it is going to entail additional responsibility on the part of the Commissioners to make sure they have knowledgeable inspectors at the polling places and computer-literate machine custodians. Discussion followed.

Mr. Donnelly recognized the efforts of Lisa Chacon and Frank Anastasio for their input in assisting the County with the development of this resolution.

MOTION: URGING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO ESTABLISH STANDARDS FOR THE HELP AMERICA VOTE ACT (HAVA) MADE BY MR. NIELSEN. SECONDED BY DR. BAKER.

Mr. McAllister requested an amendment to the resolution to add a resolved requesting the State not impose the burden of maintaining the machines on the County. Mr. Roche suggested they ask them for funding for the additional storage, upkeep and maintenance of the machines. *Mr. Nielsen and Dr. Baker accepted the amendment.*

ALL BEING IN FAVOR. MOTION CARRIES AS AMENDED 4-0.

Mr. Johnson noted they can chargeback the cost of the election to the towns, villages and cities. He stated they are tracking the cost of setting up the Elections Database for connection to the State's system. It has cost IT a considerable amount of time so they will try to submit the cost to the State for reimbursement.

2. **Public Defender** – Mr. Alger requested authorization to transfer a vacant Grade IV Key Entry Operator position from Public Health Nursing Services to the Public Defender's Office and reclassify said position to a Grade IV Typist.

MOTION: TRANSFERRING A VACANT GRADE IV KEY ENTRY OPERATOR POSITION FROM PUBLIC HEALTH NURSING SERVICES TO THE PUBLIC DEFENDER'S OFFICE AND RECLASSIFYING SAID POSITION TO A GRADE IV TYPIST MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Informational** – Mr. Alger stated there is a great deal of discussion at the State level regarding the retirement incentive. They may pass a retirement incentive and we need to collectively be thinking whether or not we want to do anything with it. The Governor's proposal was more specific about positions being targeted for layoff stating they would be allowed to go forward with the early retirement. The last time we did this we were tighter on filling vacancies. The way you save money is by not refilling the positions. He noted this will probably come up fairly quickly and typically, they give us a short window to act upon it. The intent is to assist in budgeting so they need to know before the budget is finalized.

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 AND 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 DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by Brenda K. Mori, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, May 11, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, May 11, 2004

10:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick McAllister, Esq., Vice Chair DeWitt Baker, D.V.M.
L. Ronald Nielsen Francis L. Gehl

Legislators: Philip J. Roche, Esq. Harley R. Mayo Thomas J. McIntyre
John Walsh

Staff: Mark R. Alger Gregory P. Heffner Lawrence P. Crossett
Allan C. Johnson Kenneth Peaslee Robert F. Biehl
Edward J. Castellana Frederick H. Ahrens, Jr. Michele Smith
Judy Hunter Sandy Eckhoff Mike Flint

Other: Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE APRIL 13, 2004 MEETING MADE BY DR. BAKER, SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for vote.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Elections Office

1. **Update on HAVA** – Mr. Johnson stated a major event happened yesterday afternoon. The Senate/Assembly Conference Committee reached an agreement. One of the main issues was the type of identification to be presented by the public at the polls so they can vote. They have reached an agreement on that. They also agreed on a statewide database. They still have to work out what type of voting machine is going to be used but these other two issues were a major stumbling block. By the end of the summer the State will receive a total of \$218 million from the Federal Government to be spent on this program. This doesn't include the 5 percent contribution and we're still not sure who is going to be responsible for that 5 percent.

Mr. Johnson stated they think things will begin moving rapidly and they also think they are going to compromise on the centralization. This means the Counties will own the machines, but they aren't sure how the municipalities will be charged back. He noted both the Senate and the Assembly favor centralization. He stated they are hoping to have everything finalized next week so the money can be distributed. He believes they will probably have one or two machines to choose.

Mr. Johnson stated as far as incorporating a verifiable paper trail, both the Senate and Assembly is supporting it, but he's not sure how that will work. It will cost an extra \$500 per machine to include the verifiable paper trail. The machines will cost \$7,500 each and they will need 90 machines, for a total cost of \$675,000. The 5 percent share will amount to \$33,750. Discussion followed.

Mr. Alger asked has there been discussion regarding who will be responsible for the replacement of the machines? Mr. Johnson stated there has been no discussion regarding that but the County will own the machines. Mr. Alger stated these machines won't last like our current machines; they will need to be replaced in three to five years. Mr. Johnson agreed, stating they are computers so their life expectancy is short. In addition, they will need computer programmers to serve as machine custodians and inspectors. This will cost considerably more than what the County currently pays for that service. Mr. Alger asked isn't there discussion about a standard pay rate for machine custodians? Mr. Johnson stated New Jersey pays their machine custodians \$200 per day. Discussion followed.

Mr. Alger asked was there any discussion regarding the failure rate? Mr. Johnson stated there have been some situations of machine failure in other States. They usually have to call out a computer programmer to fix the problem. He noted there has been no indication as to what the failure rate will be. Discussion followed.

B. County Treasurer

1. **Mortgage Tax Distribution** – Mr. Crossett stated he'd like this item withdrawn at this time.

C. Information Technology Department

1. **Request to Purchase PCs** – Mr. Peaslee requested authorization to purchase 20 computers for his Department. He stated their computers are in need of being upgrade to accommodate utilizing an Intranet and moving to VisualBasic.net. The cost to purchase these computers is \$22,713 and there is funding in the mainframe replacement project.

MOTION: AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE 20 COMPUTERS FOR \$22,713 TO BE PAID FOR FROM THE MAINFRAME REPLACEMENT PROJECT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Personnel Officer

1. **Management Issues** – Mr. Biehl requested an Executive Session.

E. County Administrator

1. **Risk Manager Travel Request** – Mr. Alger stated the Risk Manager is requesting authorization to attend the Public Risk Manager's Conference. He noted Mr. Castellana received a scholarship to pay for the conference registration fee, but he needs \$700 to pay for the transportation and housing.

MOTION: AUTHORIZING THE RISK MANAGER TO ATTEND THE PUBLIC RISK MANAGERS' CONFERENCE IN FT. LAUDERDALE, FL., FROM JUNE 13TH THROUGH JUNE 16TH FOR A TOTAL COST OF \$700 MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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; 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. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION

CARRIES 5-0.

THE FOLLOWING MOTION WAS MADE BY MR. GEHL, SECONDED BY MR. MCALLISTER, AND CARRIED UNANIMOUSLY 5-0:

DIRECTING THE COUNTY CLERK TO DISTRIBUTE MORTGAGE TAX PROCEEDS.

WHEREAS, Cott Systems has been retained for the implementation of an electronic integrated lands records management system for the Steuben County Clerk; and

WHEREAS, a semi-annual report accounting for the distribution of mortgage tax proceeds has been generated by use of the electronic system installed and maintained by Cott Systems.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Clerk be and the same hereby is directed to distribute the mortgage tax proceeds received as set forth in the generated report utilizing the Cott Systems, on time, said report to be adjusted manually for known outstanding issues and to certify said report "as based on the data generated by the system designed and installed by Cott Systems"; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk and the County Treasurer.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, June 8, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, June 8, 2004

10:00 a.m.

**Legislative Committee Conference Room
Steuben County Office Building
3 East Pulteney Square
Bath, NY 14810**

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick McAllister, Esq., Vice Chair DeWitt Baker, D.V.M.
L. Ronald Nielsen Francis L. Gehl

Legislators: Philip J. Roche, Esq. John Walsh Thomas J. McIntyre

Staff: Mark R. Alger Lawrence P. Crossett Frederick H. Ahrens, Jr.
Allan C. Johnson Betty Karchner Penny Ruest
Kelly Austin Kenneth Peaslee James Gleason
Bill Partridge Christine Kane Kathryn Biehl
Robert Biehl Michele Smith Nancy Smith
Judy Hunter

Other: Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE APRIL 13, 2004 MEETING MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Elections Office

1. **Staffing** – Mr. Johnson stated in January we requested increasing our Sr. Clerk positions to full time beginning in March. We're now into the height of the political season. We are now asking again to place them on full time from August 2nd through December 3rd. The Deputy Commissioners are here and they would be happy to answer any questions the Committee may have. He noted they're in the situation where they have to have 4 full time people working or else the work just won't get done. Discussion followed.

Mr. Alger stated part of the issue they are discussing is they aren't going to have enough money budgeted for that period of time. They've estimated the cost at \$9,000 to fund that 18 week period. They had some overtime in the budget but they used that during the primary. Discussion followed.

MOTION: INCREASING TWO PART-TIME SR. CLERK POSITIONS IN THE ELECTIONS OFFICE TO FULL TIME FROM AUGUST 2, 2004 THROUGH DECEMBER 3, 2004, AND AUTHORIZING THE TRANSFER OF \$9,000 FROM THE CONTINGENCY FUND TO THEIR PERSONAL SERVICES LINE ITEM TO COVER THE COST MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution required.

2. **Disclosure Policy** – Mr. Johnson stated he's discussed this issue with Mr. Alger and Mrs. Kane and have agreed to put together a policy regarding disclosure of information contained in the voter

registration files. Under the new Federal Law, there is additional information being collected on the voter registration cards. This includes drivers' license numbers, the last four digits of social security numbers and birthdates. He's recommending a policy that will limit access to that portion of an individual's identification. Discussion followed.

Mr. Alger stated they are finding themselves in a position today where identity theft is prevalent and much of this information could be used for that purpose. In the interest of protecting people's privacy, he recommends approving this policy. Discussion followed.

MOTION: APPROVING THE RECOMMENDED DISCLOSURE POLICY RELATIVE TO VOTER REGISTRATION FILES BY LIMITING ACCESS TO INDIVIDUAL'S DRIVERS' LICENSE NUMBERS, SOCIAL SECURITY NUMBERS AND BIRTHDATES MADE BY DR. BAKER. SECONDED BY MR. GEHL. Discussion followed.

Mr. Roche stated there may be use for having the year of birth. Would they be able to sort that particular information out? Ms. Ruest stated Information Technology informed them they could filter that out. Discussion followed. Mr. Donnelly asked if anyone would like to amend the motion to include the birth year. There being no amendment, a vote on the original motion was taken.

ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Help America Vote Act Update** – Mr. Johnson noted the State's Help America Vote Task Force still hasn't resolved their issues regarding implementation of HAVA.

B. County Clerk

1. **Computer Request** – Mrs. Hunter requested authorization to purchase three additional computers for \$4,500. She stated when they began the implementation of the imaging system, they initially agreed to begin the process with the minimum number of computers and then add additional computers at a later date. She noted the funding for these computers is part of the \$180,000 project budget.

MOTION: AMENDING THE COUNTY CLERK'S MAJOR EQUIPMENT LIST TO INCLUDE 3 PERSONAL COMPUTERS FOR \$4,500 AND AUTHORIZING THE PURCHASE OF SAID COMPUTERS FROM THE IMAGING CAPITAL PROJECT MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Purchasing Department

1. **Copy Machine** – Mr. Gleason stated the Veterans' Service Agency has requested a new fax machine. Their fax machine is broken and isn't worth the money it would cost to repair it. They have a copy machine in their office with fax capabilities. He requested authorization to purchase a fax module for their copy machine for \$697 installed and delivered under the NYS contract. There is money in the Copier Capital Project to pay for the cost.

MOTION: AUTHORIZING THE PURCHASE OF A FAX MODULE FOR THE VETERANS' SERVICE AGENCY COPY MACHINE FOR \$697 OFF OF THE NYS CONTRACT, TO BE PAID FOR FROM THE COPIER CAPITAL PROJECT MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Law Department

1. **Oil and Gas Lease** – Mrs. Smith stated they have been approached by Fortuna Energy regarding an oil and gas lease. They are willing to pay the County \$100 per acre for 50 acres in Lindley under the same terms they've had in previous leases with them.

MOTION: APPROVING AN OIL AND GAS LEASE WITH FORTUNA ENERGY FOR \$100 PER ACRE FOR 50 ACRES IN LINDLEY MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Information Technology

1. **Budget Transfer** – Mr. Peaslee stated they need new billing software for Mental Health to make them HIPAA compliant. Initially he was going to request a transfer from the Mainframe Replacement Project to pay for the software. However, Dr. Anderson received permission from the Health and Education Committee last week to solicit Requests for Proposals for the software. Therefore, he'd like to postpone this item until they receive the RFP's so they know how much money they are going to need. He noted there is a balance of \$158,000 in the Mainframe Replacement Project. This would fund approximately three-quarters of the cost. Discussion followed.

F. Personnel

1. **Reclassification - DSS** – Mr. Biehl stated the Commissioner is requesting authorization to reclassify a Coordinator of Child Protective Services, Management Grade F, to Director of Social Services, Management Grade F. The new position would oversee the divisions of Foster Care and Child Protective. He noted this is the same pay grade and would require no additional funding. The current Coordinator of Child Protective Services is retiring effective June 14th.

MOTION: RECLASSIFYING A COORDINATOR OF CHILD PROTECTIVE SERVICES, MANAGEMENT GRADE F TO DIRECTOR OF SOCIAL SERVICES, MANAGEMENT GRADE F, IN THE DEPARTMENT OF SOCIAL SERVICES MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Reclassification - Buildings & Grounds** – Mr. Biehl stated Mr. Partridge is requesting authorization to reclassify a Building Maintenance Mechanic position, Grade 9, to a Head Building Maintenance Mechanic position, Grade 10. He has an individual in mind for this position and it would result in \$1,500 pay increase.

MOTION: RECLASSIFYING A BUILDING MAINTENANCE MECHANIC POSITION, GRADE 9, TO A HEAD BUILDING MAINTENANCE MECHANIC POSITION, GRADE 10, IN THE BUILDINGS & GROUNDS DEPARTMENT MADE BY MR. GEHL. SECONDED BY DR. BAKER. Discussion followed.

Mr. Nielsen requested an Executive Session relative to Public Officers' Law 105.1.F.

PREVIOUS MOTION AND SECOND WITHDRAWN.

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; 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; 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES. 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MCALLISTER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: RECLASSIFYING A BUILDING MAINTENANCE MECHANIC POSITION, GRADE 9, TO A HEAD BUILDING MAINTENANCE MECHANIC POSITION, GRADE 10, IN THE BUILDINGS & GROUNDS DEPARTMENT MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution required.

MOTION: AUTHORIZING THE COUNTY ATTORNEY TO HIRE JOHN LEYDEN AS DEPUTY COUNTY ATTORNEY FOR FAMILY COURT/DSS ON A PART TIME BASIS (4-5 DAYS/WEEK) INCLUDING ENTITLEMENT TO CONDUCT A LIMITED PRIVATE PRACTICE CONFINED TO ATTORNEY FOR THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY, ATTORNEY FOR VARIOUS MUNICIPALITIES AND REAL ESTATE TRANSACTIONS (NEITHER FAMILY COURT OR GENERAL LITIGATION PRACTICE WILL BE ALLOWED) FOR A SALARY OF \$70,000 PER ANNUM; AND RECLASSIFYING THE ASSISTANT COUNTY ATTORNEY POSITION FROM PART TIME TO FULL TIME AND EXCLUDING THE AUTHORIZATION TO MAINTAIN A PRIVATE PRACTICE MADE BY MR. NIELSEN. SECONDED BY MR. DONNELLY. IN FAVOR: NIELSEN, DONNELLY, GEHL, BAKER. OPPOSED: MCALLISTER. MOTION CARRIES 4-1.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, July 13, 2004
10:00 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, July 13, 2004

10:00 a.m.

Legislative Committee Conference Room
Steuben County Office Building
3 East Pulteney Square
Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick F. McAllister, Esq., Vice Chair DeWitt Baker, D.V.M.
L. Ronald Nielsen Francis L. Gehl

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre Harley R. Mayo
John Walsh

Staff: Mark R. Alger Frederick H. Ahrens, Jr. James Gleason
Allan C. Johnson Nancy Smith Robert F. Biehl
Michele O. Smith Edward J. Castellana Judith M. Hunter
Lawrence P. Crossett

Other: Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JUNE 8, 2004, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **2004 County Surplus Auction** – Mr. Gleason stated it's time to consider the auction. We've been debating whether or not to have one, as there haven't been many equipment purchases the past few years. He sent out an inquiry letter to the municipalities as to whether or not they wanted to participate and has received some responses back. At this point, he believes it best to hold the auction. He requested permission to hire Pirrung Auctioneers to conduct the auction under the same terms and conditions as in the past. The auction is scheduled for Thursday, September 16th.

MOTION: SETTING THE DATE OF THE COUNTY SURPLUS AUCTION AS THURSDAY, SEPTEMBER 16, 2004, AND AUTHORIZING THE HIRING OF PIRRUNG AUCTIONEERS TO CONDUCT THE AUCTION MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Tax Maps Sale** – Mr. Gleason stated the Real Property Tax Service generates the tax maps and they are selling the 2003 maps. They received two bids for each of the three geographic areas. He recommended awarding the bid to the highest bidder for each group. Discussion followed.

MOTION: AWARDING THE TAX MAPS SALE BID AS FOLLOWS: GROUP ONE TO JAMES D. EVANS, L.S. FOR \$50.00; GROUP TWO TO LANG AGENCY FOR \$217.00; AND GROUP THREE TO JAMES D. EVANS, L.S. FOR \$75.00 MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Election Supplies** – Mr. Gleason stated this award is based upon the lowest bid for written materials for the primary and general elections. They received two bids and he recommended awarding the bid to the low bidder, Fort Orange Press for \$12,689.50. Discussion followed.

MOTION: AWARDING THE ELECTION SUPPLIES BID TO FORT ORANGE PRESS FOR \$12,689.50 MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Major Equipment List** – Mr. Gleason requested authorization to amend Purchasing's 2003 Major Equipment List to include an electric pallet jack. The current jack is 17 years old and it's becoming a safety issue. It operates on a battery pack, which they've replaced once. Because of the age of the machine, they can no longer get replacement battery packs. He requested authorization to purchase the jack for \$4,500 from the copier capital project. He stated this equipment is an integral part of the copier capital project as they use it to move the copier paper boxes.

MOTION: AMENDING THE PURCHASING DEPARTMENT'S 2003 MAJOR EQUIPMENT LIST TO INCLUDE AN ELECTRIC PALLET JACK FOR \$4,500 AND AUTHORIZING THE PURCHASE OF SAID EQUIPMENT WITH FUNDS FROM THE COPIER CAPITAL PROJECT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Risk Manager

1. **2005 Workers' Compensation Budget** – Mr. Castellana stated he sent everyone copies of the proposed 2005 Workers' Compensation Budget last month. He requested approval of the proposed budget. He noted that the Town of Corning withdrew from the plan this year. Discussion followed.

Mr. McAllister asked are you seeing a trend of municipalities pulling out of our program and going to a different one and, if so, is there anything you are doing to encourage them to stay? Mr. Castellana stated he spoke with the Town of Corning Supervisor quite frequently about what to look for and be aware of with their new program. He also told him that if he's not happy, they are more than welcome to come back to the County's program. Discussion followed.

MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE 2005 WORKERS' COMPENSATION BUDGET MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Table of Apportionment** – Mr. Castellana distributed copies of the Table of Apportionment showing the distribution of the Workers' Compensation costs to each of the municipalities. He requested the Committee accept and forward the table to the full Legislature.

MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE TABLE OF APPORTIONMENT FOR THE 2005 WORKERS' COMPENSATION BUDGET MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Personnel

1. **911 Department – Position Upgrade** – Mr. Biehl withdrew this item.

2. **County Clerk – 16B Request** – Mrs. Smith stated under Rule 16B of the *Rules of Procedure* the County Clerk is requesting a clerical position and, based upon the duties of the position, it would be classified as a Grade 9 Desk Clerk. She noted that the request needs to be approved by this Committee twice, once as the Standing Committee and then again as the Committee which reviews all 16B requests. Then it must be approved by the Finance Committee before approval by the full Legislature. Mr. Alger stated we need to look at how much they are continuing to spend in the overtime and temporary hire line items. Now that the new system is up and running, they need to determine how

the staff is handling the workload. He can review that over the next month for the Committee. *The Committee agreed to have Mr. Alger review the request and report back to them next month.*

D. Law Department

1. **Staffing Issue** – Mr. Ahrens stated he recently sent the Committee a memo regarding the motion approved last month making the part-time position John Leyden currently holds a full-time position. He stated Mr. Biehl attempted to review the history of this position, to no avail. Mr. Biehl stated according to the card on the position, it was created April 1, 1962, and filled by Robert Cole, Sr., but it doesn't say what created the position. Therefore, he doesn't know under what authority that position was created. However, he found a resolution from 1986 creating the Law Department that transfers that position from the Department of Social Services to the Law Department. Mr. Ahrens stated basically this means the approval is going to have to go to the full Legislature and will require a waiver of the 16B rules. He just wanted to inform the Committee that it will be presented to the Legislature this month. Discussion followed.

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 AND 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 DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, August 10, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, August 10, 2004

10:00 a.m.

**Legislative Committee Conference Room
Steuben County Office Building
3 East Pulteney Square
Bath, New York**

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick F. McAllister, Vice Chair L. Ronald Nielsen
Francis L. Gehl

Legislators: Philip J. Roche, Esq. Harley R. Mayo John Walsh

Staff: Mark R. Alger Robert F. Biehl Donna Hatch
John Zehr Kenneth Peaslee Kenneth Sherer
Judy Hunter Nancy Smith Frederick H. Ahrens

Other: Mary Perham, *The Leader*

Absent: DeWitt T. Baker, D.V.M.

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JULY 13TH AND AUGUST 2ND, 2004, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. McAllister not present for vote.

III. DEPARTMENTAL REPORTS/REQUEST

- A. Records Manager
1. **SARA Grant Update** – Mr. Sherer reported that in February he applied for a SARA grant and he just received notice that they received the full amount requested of \$45,750 to be used to repair carriages on mobile shelving system.
- B. Real Property Tax Service Agency
1. **Chargeback Approval** – Mrs. Hatch requested authorization to include a chargeback in the 2005 town tax rate for the towns and county tax rate for the cities to cover the state licensing charges associated with the Real Property System V4. She stated the County coordinates the system with the towns and the State bills the County directly for the licensing fee so we need to recoup the money from the municipalities. The fee is based upon the parcel count. Last year they included an additional fee for County support in the amount of \$200 per assessing unit as County employees go to the municipalities to assist and train them on the system and software. Discussion followed.

MOTION: APPROVING THE CHARGEBACK OF THE ORPS LICENSE FEE AND COUNTY SUPPORT FEE TO THE TOWNS THROUGH THE 2005 TOWN TAX RATE AND TO THE CITIES THROUGH THE COUNTY TAX RATE MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

- C. Personnel Officer

1. **Reclassification – Health Care Facility** – Mr. Biehl stated the Health Care Facility is requesting authorization to reclassify a Grade 6 Account Clerk Typist to a Grade 8 Sr. Account Clerk and reclassify a Grade 4 Utility Worker to a Grade 5 Cleaner. He noted the Health and Education Committee approved the reclassifications.

MOTION: RECLASSIFYING A VACANT GRADE 6 ACCOUNT CLERK TYPIST POSITION TO A GRADE 8 SR. ACCOUNT CLERK AND RECLASSIFYING A VACANT GRADE 4 UTILITY WORKER POSITION TO A GRADE 5 CLEANER MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **16B Requests**

a. **County Clerk** – Mrs. Smith stated last month the Committee reviewed the County Clerk's request for an additional Desk Clerk position and they directed Mr. Alger to review the overtime and temporary hire costs for the department. Mr. Alger stated the County Clerk has expended \$26,300 in overtime and temporary hire funding through July so she's definitely using the additional help. Generally she has somebody working overtime for an hour in the morning everyday. He noted the temporary hire will be done in the next month or two.

Mr. Nielsen asked won't the need for additional help be decreased once the computer system is running smoothly? Mrs. Hunter stated they're still down one staff member due to the retirement of Ellen Jacobs last year. She noted the position has not been refilled. Mr. Alger noted the reason the position was not refilled is because she retired under the County's retirement incentive plan, which included the stipulation that the position be eliminated. Discussion followed.

Mrs. Hunter stated she expended \$1,225 in payroll for the 7/26 through 8/8 payperiod just in overtime and temporary hire. Mr. Donnelly asked how much does the Desk Clerk position cost? Mrs. Smith stated the starting salary is \$24,240. Mr. Donnelly asked would it eliminate the need for temporary hire and overtime? Mrs. Hunter stated it will reduce the need but she can't say it would eliminate it. Discussion followed.

Mr. Alger stated at this point they should probably include it in the budget and see how it goes. If they don't include it, they'll probably have to put additional money into those line items over and above what they budgeted for them in 2004.

MOTION: APPROVING THE 16B REQUEST FOR ONE GRADE IX DESK CLERK POSITION IN THE COUNTY CLERK'S OFFICE MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

b. **Sheriff's Department** – Mrs. Smith stated the Sheriff's Department has submitted a 16B request for three Building Security Deputy Sheriff positions. She noted the positions would be fully funded by the Office of Court Administration.

MOTION: APPROVING THE FOLLOWING 16B REQUESTS AND FORWARDING THEM TO THE FINANCE COMMITTEE: THREE GRADE 11 BUILDING SECURITY DEPUTIES FOR THE SHERIFF'S DEPARTMENT AND ONE GRADE IX DESK CLERK POSITION FOR THE COUNTY CLERK'S OFFICE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Information Technology

1. **Vehicle Transfer** – Mr. Peaslee stated Telephonic Communications has a 1999 Jeep with transmission problems and high mileage. The Sheriff has a Ford Explorer that he is taking out of his fleet. While it has high mileage, it is in good condition. He requested permission to transfer the Sheriff's Explorer to the Telephonic Communications Department and place the Jeep in the County Auction. Discussion followed.

MOTION: AUTHORIZING THE TRANSFER OF A FORD EXPLORER FROM THE SHERIFF DEPARTMENT'S FLEET TO THE TELEPHONIC COMMUNICATIONS DEPARTMENT AND PLACING THE TELEPHONIC COMMUNICATIONS DEPARTMENT'S 1999 JEEP IN THE COUNTY SURPLUS AUCTION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. County Administrator

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. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, September 14, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Monday, August 2, 2004

12:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick F. McAllister, Esq., Vice Chair L. Ronald Nielsen
DeWitt T. Baker, D.V.M.

Legislators: Philip J. Roche, Esq. Harley R. Mayo

Staff: Mark R. Alger Frederick H. Ahrens, Jr. John Zehr
Sally MacDougal

Absent: Francis L. Gehl

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 12:01 p.m.

II. EXECUTIVE SESSION

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 DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger stated Mr. Zehr approached him after the Legislature's decision on Monday, July 23, 2004, stating he would like to continue working for the County. It was the agreement of the members of the Health and Education Committee to retain his services and give him a salary increase to remain. Mr. Zehr will be preparing a strategic plan for the Health Care Facility within the month focused on the fiscal health of the facility.

MOTION: INCREASING JOHN ZEHR'S SALARY TO \$73,654, THE MAXIMUM SALARY FOR MANAGEMENT GRADE H MADE BY MR. NIELSEN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION TO ADJOURN MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by Brenda K. Mori, Deputy Clerk, Steuben County Legislature

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, September 14, 2004

10:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Francis L. Gehl L. Ronald Nielsen
Legislators: Philip J. Roche, Esq. Harley R. Mayo Thomas J. McIntyre
John Walsh
Staff: Mark R. Alger Robert F. Biehl Michele O. Smith
Kenneth Peaslee Nancy Smith Gregory P. Heffner
Lawrence P. Crossett Frederick H. Ahrens
Absent: Patrick F. McAllister, Esq., Vice Chair DeWitt T. Baker, D.V.M.

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE AUGUST 10, 2004, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel

1. **Reclassification – Special Children's' Services** – Mr. Biehl stated after conducting a desk audit, they are recommending 2 Grade 5 Account Clerk positions be reclassified to Grade 6 Account Clerk Typist positions.

MOTION: RECLASSIFYING TWO GRADE 5 ACCOUNT CLERK POSITIONS TO GRADE 6 ACCOUNT CLERK TYPIST POSITIONS IN THE DEPARTMENT OF SPECIAL CHILDREN'S SERVICES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution required.

2. **Reclassification – Department of Social Services** – Mr. Biehl stated the Department of Social Services is requesting the reclassification of a vacant Grade 4 Typist position to a Grade 4 Case Management Aide position.

MOTION: RECLASSIFYING A VACANT GRADE 4 TYPIST POSITION TO A GRADE 4 CASE MANAGEMENT AID POSITION IN THE DEPARTMENT OF SOCIAL SERVICES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. County Administrator

1. **Administrative Code Amendment** – Mr. Alger stated they need an amendment to County policy on software to put Information Technology in control of the management/maintenance of software systems in the County. The only exception would be the Department of Social Services.

Mr. Alger stated there are various agencies that have sign on authorization to get into systems and they need to restrict and centralize that control so a novice can't get into it and change something that could crash the system. This policy would mean any changes would have to be done by Information Technology. Mr. Peaslee stated in addition, his department will distribute the responsibility of logon and password changes. Discussion followed.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE APPENDIX B - PASSWORD MANAGEMENT POLICY UNDER THE COMPUTER POLICY ON PAGE 22-7 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Budget** – Mr. Alger distributed for the Committee's review a summary of the proposed 2005 budgets for departments under the jurisdiction of the Administration Committee. Discussion followed.

3. **Other** – Mr. Alger stated there was an article in the newspaper recently about people smoking in front of the County Office Building. One of the issues that arise with this is that we have no authority to require people to move out from under the canopy area. It isn't an enclosed area and, therefore, doesn't meet the requirements of State law. We may want to look at passing a Local Law limiting the areas where people can smoke and giving the Sheriff's Department the authority to move smokers out of the area.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW; AND 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. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: REAPPOINTING MARK R. ALGER AS STEUBEN COUNTY ADMINISTRATOR FOR A FOUR-YEAR TERM EFFECTIVE JANUARY 1, 2005, MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution required.

MOTION: AUTHORIZING THE COUNTY ATTORNEY TO HIRE JAMES B. DOYLE, III, ESQ., ABOVE THE MIDPOINT AT A STARTING SALARY OF \$52,000 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, October 12, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, October 12, 2004

10:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick F. McAllister, Esq., Vice Chair L. Ronald Nielsen
DeWitt T. Baker, D.V.M. Francis L. Gehl

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

Staff: Mark R. Alger Michele O. Smith James Gleason
Kenneth Peaslee Donna Hatch Judy Hunter

Other: Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 14, 2004, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for vote.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Purchasing Department

1. **2004 Surplus Auction Results** – Mr. Gleason stated he would like to thank the Department of Public Works, Buildings and Grounds and the Mobile Work Crew for their assistance at the auction. The auction took in \$91,699.50 in gross proceeds with the County's share being \$73,791.50 and other municipalities taking in \$17,908.00.

B. Information Technology

1. **Fax Numbers** – Mr. Peaslee stated they have been looking for ways to save money. One way to do this would be by changing the fax machines from the plain old telephone service to direct inward dial. The current telephone service phone bill is \$22.00/month and we have 27 fax machines. This costs the County \$594/month and \$7,128/year. If they changed the fax machines to direct inward dial, they could charge \$14.50/month and the proceeds would go to the Central Communications budget. It would result in a savings to the County of \$202.50/month or \$2,430/year. However, this would require departments to change their fax numbers. Discussion followed.

MOTION: AUTHORIZING THE INFORMATION TECHNOLOGY DIRECTOR TO SWITCH 27 FAX MACHINES TO DIRECT INWARD DIAL PHONE NUMBERS MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for vote.

2. **Cell Phone Provider** – Mr. Peaslee stated the contract with Cellular One expires next month and he would like to show a comparison of the proposals received from Cellular One and Verizon. He noted Cellular One is now on State contract so they won't have to solicit RFP's anymore. Cellular One has changed their technology so they would have to upgrade the phones at a cost of \$1/phone. They

would also have to change phones if they went with Verizon, but there would be no charge. Cellular One has seven new towers installed in Steuben County and has teamed up with other providers. Verizon has not installed new towers and have not teamed up with other providers. Cellular One will give us 13,800 pooled minutes, up from 12,000 minutes in 2003/2004. Verizon still won't give us pooled minutes. There is no cost for roaming with Cellular One and Verizon charges \$0.69 outside of NY area. The overage per minute rate for Cellular One is \$0.20/minute and Verizon charges \$0.50/minute. Service availability is a big thing. Cellular One will do on-site service while Verizon would require us to go to Big Flats Consumer Square. Most importantly is the cost. The monthly cost for 129 phones with Cellular One is \$1,739.17 including fees and with Verizon it would be \$2,709 plus fees of \$21/phone. The total annual cost is \$20,870/year with Cellular One and \$32,508 plus fees/year with Verizon. He recommended staying with Cellular One for another year. Discussion followed.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO CONTRACT WITH CELLULAR ONE FOR CELLULAR PHONE SERVICE FOR A TERM OF ONE YEAR MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Gehl not present for vote.

C. Real Property Tax Service Agency

1. **Annual Tax Resolutions for 2004** – Mrs. Hatch presented and reviewed the list of annual tax resolutions that will be presented to the Legislature in the coming months. Discussion followed.

D. County Administrator

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. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: PRESENTING A MANAGEMENT SALARY INCREASE OF TWO PERCENT FOR 2004 (NOT RETROACTIVE) AND TWO PERCENT FOR 2005, PURSUANT TO THE MANAGEMENT SALARY PLAN AND RULES OF PROCEDURE MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, November 9, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, November 9, 2004

10:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick F. McAllister, Esq., Vice Chair L. Ronald Nielsen
DeWitt T. Baker, D.V.M. Francis L. Gehl

Legislators: Philip J. Roche, Esq. Harley R. Mayo John Walsh

Staff: Mark R. Alger Frederick H. Ahrens, Jr. Lawrence P. Crossett
Kenneth Peaslee Allan C. Johnson Betty Karchner
Donna Hatch Penny Ruest Robert F. Biehl
Kathryn Biehl Judy Hunter Kelly Austin

Other: Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE OCTOBER 12, 2004, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Elections Office

1. **Election Results** – Mr. Johnson stated we had a record turnout with the election this year. Approximately 67 or 68 percent of those registered voted in the election. There were roughly 5,000 new voters this year bringing the total number of registered voters in Steuben County to 61,800.

Mr. Johnson stated Election Day went well this year. However, they did have a problem with the ballots, which resulted in them printing four different sets of ballots. The first set of ballots they received was missing the Senate race. They had already mailed the absentee ballots before they noticed this so they had to overnight a new set of absentee ballots to voters. The other changes were due to judicial rulings regarding various candidates. Discussion followed.

Mr. McAllister stated he received a couple of calls on the absentee ballots. Was that something we had right but the printer did wrong? Mr. Johnson stated the printer and State Board of Elections take care of all the national elections. We send all the local offices to the printer. He stated they did receive a proof sheet but they only looked at the local offices, not the State or National races. He noted they learned their lesson on that. Discussion followed.

2. **Staffing Issues** – Mr. Johnson stated the two part-time Sr. Clerks are scheduled to work full-time until December 2nd. He requested authorization to keep them on full time through the end of the year. They have enough funding in the personal services line item. He distributed copies of a list of the things that need to be done in the office by the end of the year. Discussion followed.

MOTION: ALLOWING THE TWO PART-TIME SR. CLERK POSITIONS TO REMAIN AT FULL TIME THROUGH THE END OF 2004 MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. County Treasurer

1. **Mortgage Tax Distribution** – Mr. Crossett distributed copies of the semi-annual mortgage tax distribution table. He noted collections are down from last year, probably due to the interest rates on mortgages increasing. Hopefully it will be fairly consistent over the next few years.

MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Information Technology

1. **Permission for Web Access to County Data** – Mr. Peaslee requested permission to allow web access to County data. He stated this would allow access to information in the County Clerk's, real property tax and delinquent taxes via the web. In order to place it on the web, there are charges involved. They would have to apply charges to cover hardware, software, monitoring and the help desk. He proposed charging a fee of \$2,250 per year for access. This would provide an IP address and access by two users. If they want additional users it would cost another \$250 per year. He noted this would alleviate some of the congestion at the County Clerk's Office. Discussion followed.

Mr. Peaslee stated this is just the first step. We're not offering this to the public, just a few of the abstract companies. They've created a contract for these companies to sign to allow them this access for one year. Discussion followed.

MOTION: AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO OFFER WEB ACCESS TO COUNTY DATA TO CERTAIN COMPANIES THROUGH A ONE YEAR CONTRACT AT AN ANNUAL CHARGE OF \$2,250 FOR TWO USERS AND AN ADDITIONAL CHARGE OF \$250 PER USER MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Real Property Tax Service Agency

1. **Report of County Equalization** – Mrs. Hatch distributed copies of the Report of County Equalization for the Year 2005 and the Table of Equalization Rates. She noted these will be presented to the full Legislature for approval. She reviewed the report and the table with the Committee. Discussion followed.

E. County Administration

1. **Request** – Mr. Alger stated he received a request from the Steuben County Bar Association to designate Courtroom A as a place to display the portraits of former County Court Justices. The Bar Association will pay for the costs associated with this.

MOTION: ALLOWING THE STEUBEN COUNTY BAR ASSOCIATION TO HONOR FORMER COUNTY COURT JUSTICES BY DISPLAYING THEIR PORTRAITS IN COURTROOM A AT NO COST TO THE COUNTY MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Law Department

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 AND 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 DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPOINTING DAVID ENGLISH AS DEPUTY COUNTY ATTORNEY, MUNICIPAL AFFAIRS, SAID POSITION TO BE ¾ PART TIME WITH A SALARY OF \$70,000 INCLUDING ENTITLEMENT TO CONDUCT A LIMITED PRIVATE PRACTICE MADE BY DR. BAKER. SECONDED BY MR. GEHL (FOR DISCUSSION). IN FAVOR: NIELSEN, BAKER, DONNELLY. OPPOSED: MCALLISTER, GEHL. MOTION CARRIES 3-2.

MOTION: AUTHORIZING THE COUNTY ATTORNEY TO RETAIN THE SERVICES OF MICHELE SMITH, ESQ., TO CONCLUDE AN ADMINISTRATIVE TRIAL MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, December 14, 2004
10:00 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Friday, December 10, 2004

10:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Patrick F. Donnelly, Chair Patrick McAllister, Esq., Vice Chair L. Ronald Nielsen
DeWitt T. Baker, D.V.M. Francis L. Gehl

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh
Ildon E. Jamison Kenneth E. Isaman

Staff: Mark R. Alger Byrum Cooper, Esq. Judith Hunter
Allan C. Johnson Betty Karchner James Gleason
Carol Whitehead Robert F. Biehl Edward J. Castellana
Robert Anderson, Ph.D. Gregory P. Heffner Nancy Smith
Sandy Eckhoff Timothy Wixom Gregory Heffner

Other: Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE NOVEMBER 9, 2004, MEETING MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PUBLIC DEFENDER PROPOSAL

Mr. Cooper stated this proposal is directed at trying to save money while handling the D and E felony load of Steuben County. The situation today is all of the D and E felonies are assigned to counsel outside the Public Defender's Office. If we do that for 12 months, the total cost will be \$265,000. We expect about 275+ cases in a calendar year. The D and E felonies have been assigned out as a matter of course for years. The old rate for assigned counsel was \$25/hr outside of court and \$40/hr inside court. But now the rate is \$75/hour. If we do nothing, it will cost \$265,000 next year. If we hire one full-time attorney, it would save \$77,000 and if we hire two full-time attorneys and a full-time secretary, it would save us about \$130,000. I've included in the savings \$5,000 in savings due to mileage. There will be some travel, but not what we've experienced in the past. Discussion followed.

Dr. Baker asked how long do you think it will take before these two attorneys come back and ask for additional help? Mr. Cooper stated he predicts it would be a long time. Hiring these attorneys would streamline the caseload.

Mr. Gehl asked how many part-time Public Defenders do we have now? Mr. Cooper stated 6, including those that handle the A and B felonies. Mr. Gehl asked will this plan allow us to reduce the number of part-time attorneys? Mr. Cooper stated no, because none of the D and E felonies have ever been handled by the part-time Public Defenders. They have always been assigned out. If we continue to do so, it will cost us at least \$265,000 next year.

Mr. Cooper stated my goal is to have my office only assign out cases due to a conflict of interest. Those would have to be assigned out. Those are the only cases I want to assign. I want to handle every other case in our office. Discussion followed.

Mr. Roche stated the original idea behind this is because of the change in the rate. Unfortunately, it is a very expensive program but I'm not sure we have a choice. I think there will be economies if this is approved.

MOTION: CREATING AND FUNDING TWO FULL TIME PUBLIC DEFENDER POSITIONS AND ONE FULL-TIME TYPIST POSITION IN THE PUBLIC DEFENDER'S OFFICE MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. OPPOSED: BAKER. 4-1. Resolution required.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Community Services

1. **Reclassification** – Dr. Anderson stated we have the opportunity to utilize additional funding from OASAS. He requested authorization to reclassify a **Staff Psychiatrist** to a Grade XIV Senior Alcohol & Substance Abuse Counselor. He noted this has not been approved by the Health and Education Committee, but he has spoken with members of his Committee. They all agree and would like to schedule a special Health and Education Committee Meeting the day of the Legislative meeting.

MOTION: RECLASSIFYING A **STAFF PSYCHIATRIST POSITION TO A GRADE XIV SENIOR ALCOHOL & SUBSTANCE ABUSE COUNSELOR POSITION MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. County Clerk

1. **Equipment and Office Reconfiguration** – Mrs. Hunter stated for some time now she has been looking at the need to address the office issues at the Corning DMV; the long lines and information needs mainly. She met with the NYS DMV District Director and the Deputy Commissioner. They have indicated they will replace the DMV equipment we currently have, but it hinges on the State budget.

Mrs. Hunter stated she would like to add an additional workspace. She met with Bill Partridge, who received quotes for \$10,000 and \$11,000. She would need to purchase additional workstations and would like to install drop boxes at each location to make it easier for people to register their vehicles after hours. Discussion followed.

Mr. Alger stated the County Clerk has an \$18,000 grant that can be used for this purpose. Also, she is going to be working with Mr. Partridge to obtain harder numbers. They have received quotes, but haven't gone forward with the process to obtain the exact numbers. They will need to solicit requests for proposals for the project and, at some point, we will need to appropriate the funding to a project so they can complete it.

Mrs. Hunter stated they could have the preliminary work done in early spring so that when they receive the equipment, they can just drop it in.

MOTION: AUTHORIZING THE COUNTY CLERK TO SOLICIT REQUESTS FOR PROPOSALS FOR THE OFFICE RECONFIGURATION OF THE CORNING DMV MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Elections Office

1. **Printing Costs for General Election** – Mr. Johnson stated they are under budget in every line item except the printing. Certain things happened during the election to make the costs higher. There were two court cases that came through right before the election. Because of the Court's decision, we had to order new ballots and cards for the machine. The cost incurred on the reprinting of the ballot

for Vice President on the Independent line was \$13,754. The cost incurred for the reprinting of the ballot on the Supreme Court Judge on the Independent line was \$7,568. The total of \$21,322 was incurred. Fort Orange didn't charge the County for the error by the State Board of Elections on the candidate for State Senator. The total printing bill was \$53,971.64 and the budget was \$35,000. So, they are over budget by \$18,971.64. However, there should be enough funding in the remainder of the budget to cover the difference.

Mr. Alger noted if the rest of the budget doesn't cover the overage, they'll have to address it next month.

D. Purchasing

1. **Copier Request** – Mr. Heffner stated Mr. Gleason asked him to handle this request. They need to purchase a new central copier. The one in the Department of Social Services is off of the maintenance agreement and it has over 3 million copies on it. They would like to move the central copier located in the Purchasing Department to the Department of Social Services and replace the central copier with a new one.

MOTION: APPROVING THE PURCHASE OF A NEW CENTRAL COPIER OFF OF STATE CONTRACT FOR \$24,349 MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Treasurer

1. **Budget Transfer** – Mrs. Whitehead stated they need to reclassify bank fees for investment counseling. They had previously been charged as a reduction in revenues and they need to be classified as an expense.

MOTION: INCREASING THE INTEREST EARNINGS REVENUE (#A.99900.4.240.1000) BY \$28,400 TO PAY FOR THE RECLASSIFICATION FROM INTEREST EARNINGS TO PROFESSIONAL CONSULTANTS EXPENSE (#A.1325.5.421.100) MADE BY DR. BAKER. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Transfer** – Mrs. Whitehead requested authorization to transfer \$150,000 from the Contingent fund and appropriate \$140,000 to the Corning Community College line item and \$10,000 to the Community Colleges line item.

MOTION: AUTHORIZING THE TRANSFER OF \$150,000 FROM THE CONTINGENT FUND AND APPROPRIATING \$140,000 TO THE CORNING COMMUNITY COLLEGE LINE ITEM AND \$10,000 TO THE COMMUNITY COLLEGES LINE ITEM MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution required.

F. Personnel Officer

1. **E911 Reclassification** – Mr. Biehl stated Mr. Wixom would like authorization to reclassify two vacant Grade 4 Clerk positions to 1 Grade 13 GIS Technician position. He noted approval would result in a \$20,000 savings.

MOTION: RECLASSIFYING TWO VACANT GRADE 4 CLERK POSITIONS TO ONE GRADE 13 GIS TECHNICIAN POSITION WITHIN THE E911 DEPARTMENT MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **16B Requests** – Mr. Biehl stated the 16B positions were approved with the 2005 Budget but they still need approval by resolution in order to create the positions. These are one Desk Clerk in the County Clerk's Office and three Deputy Court Security positions, which are funded by the State, for the Sheriff's Department.

MOTION: FORWARDING THE APPROVAL OF THE 16B REQUESTS FOR ONE DESK CLERK IN THE COUNTY CLERK'S OFFICE AND THREE DEPUTY COURT SECURITY POSITIONS IN THE SHERIFF'S DEPARTMENT TO THE FULL LEGISLATURE MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES. 5-0. Resolution required.

G. Risk Manager

1. **Third Party Administrator** –Mr. Castellana stated he solicited Requests for Proposals for a change in the administration of the County's Workers' Compensation program. The current administrator, RMSCO was recently bought out by Excellus (Blue Cross/Blue Shield). Since then, the quality of service has decreased. Mr. Castellana stated there is a new group, Eagle Claims Service of Syracuse, with pricing that is comparable to what we are currently paying. He noted they are more aggressive because they are new.

MOTION: AWARDING THE PROPOSAL FOR THIRD PARTY ADMINISTRATION OF THE WORKERS COMPENSATION CLAIMS TO EAGLE CLAIMS SERVICE OF SYRACUSE FOR \$62,000 PER YEAR MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Renewal of Excess Workers' Compensation Insurance** – Mr. Castellana stated this policy has a \$500,000 self-insured retention on it. He noted there are 2,300 volunteer fire fighters in the County. One major accident and their injuries could bankrupt our program. The cost has increased since 9/11. Last year it was \$91,000 and this year the renewal quote was approximately \$101,000. He noted this is paid out of the fees we assess back to the municipalities. There is sufficient money in the budget.

MOTION: RENEWING THE CONTRACT WITH SAFETY NATIONAL FOR EXCESS WORKERS' COMPENSATION INSURANCE FOR UP TO \$105,000 MADE BY MR. MCALLISTER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Renewal of Property and Casualty Insurance** – Mr. Castellana stated there is no increase in the premium for the coming year.

MOTION: RENEWING THE PROPERTY AND CASUALTY INSURANCE FOR \$290,000 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Drug and Alcohol Testing Contract** – Mr. Castellana stated they have a 3 year contract with Newport Alliance. However, OccuMed has offered the same services for less money. They are currently paying \$50 per test and it would be \$42 per test with OccuMed. He requested authorization to contract with OccuMed for the Drug and Alcohol Testing Program.

MOTION: AUTHORIZING THE RISK MANAGER TO CANCEL THE CONTRACT WITH NEWPORT ALLIANCE AND APPROVING A CONTRACT WITH OCCUMED FOR THE COUNTY'S DRUG AND ALCOHOL TESTING PROGRAM MADE BY MR. MCALLISTER. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **Budget Transfer** – Mr. Castellana requested authorization to transfer \$160,000 from the Refund/Revenue line to the Medical and Indemnity line items within the Workers' Compensation Budget. He stated they have received \$230,000 in refunds for payments made in 2003. He noted these are refunds from New York State.

MOTION: AUTHORIZING THE TRANSFER OF \$160,000 IN REVENUE TO THE MEDICAL AND INDEMNITY LINE ITEMS WITHIN THE WORKERS' COMPENSATION BUDGET MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. County Administrator

1. **Risk Manager's Office** – Mr. Alger stated a referral came to the Committee from the Legislature for a review of the Risk Manager's operation. Mr. Castellana distributed copies of a report that lists all of the areas handled by the Risk Manager's Office. He reviewed and explained every item listed in the following report:

Accident investigation:

Review all motor vehicle accident reports reported to Sheriff's department. 2003 = 1,307 and as of August 02 = 685. Review all incident reports from all other Departments.

Property Insurance:

Keep property values updated (127)
New Property to add and old taken off
Fixed assets under \$500 and over \$500

Claims Settlement:

Glass Claims: County Vehicles 36
Auto Property Damage 5
Auto Physical Damage 10
Damage to County property 4
Greenwood fire
Landfill vandalism
Mental Health Theft
Mt. Washington fire

Casualty Insurance (Liability)

Certificates of Insurance: Match with contracts and coverage requirements. (759)

Claims: Property Damage 23

Insurance Recoveries for damage to county property:

2004	Hwy \$3,868	2003	\$4,562
	Other \$1,998		\$6,893
	Bodily Injury 9		

2004 Insurance Recoveries for Tort Claims: \$35,052.56

Maintain Vehicle Inventory (278)

Maintain Driver Roster (490)

Annual license check

Defensive Driver Course

For policy year 3/1/89 to 3/1/90 for \$33,218,086 Building & Contents Coverage = \$ 61,598.00

1/1/04 to 1/1/05 for \$ 74,416,646 Building & Contents Coverage = \$101,432.00

3/1/89 to 3/1/90 for Liability Ins \$ 1,000,000 = \$626,545.00

1/1/04 to 1/1/05 for Liability Ins \$10,000,000 = \$182,700.00

Insurance Reserve 12/31/90 \$711,972 / 12/31/03 \$2,576,889

Workers' Compensation

Monitor all new (160) and old (190) claims.

1991 Budget	Indemnity	\$ 550,000.00	adjusted for inflation	\$770,880
	Medical	\$ 195,000.00		\$273,314
	Salaries	\$ 8,000.00		\$ 11,213
	Reserve	\$ 385,753.00		
	Liabilities	\$4,278,654.00		
2003 Budget	Indemnity	\$ 780,000.00		
	Medical	\$ 375,000.00		
	Salaries	\$ 40,500.00		
	Reserve	\$2,737,750.00		
	Liabilities	\$1,506,000.00		

Drug & Alcohol Testing

400 employees. Now \$50 per /New \$42 per.

County 140

Others 260

Motor Pool

3 vehicles.

Mr. Castellana reviews all of the motor vehicle accident reports that are investigated by the Sheriff's Department. Last year there were 1,307 reports. He reviews them and if there is a personal injury accident that he thinks may result in a future claim, he goes to the scene to take notes and pictures. In addition, he reviews all of the incident reports involving County vehicles received from all of the Departments. Mr. Alger stated this gives us an independent review of every incident in the County so if there are issues within a department, we can address them. Mr. Castellana stated some of the accidents involve recoveries. He stated being able to look at the accident scene and gather information is helpful when the State only wants to pay a certain percentage of the claim. Discussion followed.

Mr. Castellana stated he keeps the insurance updated on 127 properties. He stated they keep track of them and keep their values updated. If you didn't have somebody doing it, something might not be on the books. For example, he noticed a new salt storage building near the Curtis shop. It wasn't covered by the insurance and it's a building worth \$90,000.

Mr. Castellana stated he handles the fixed assets under \$500 and over \$500. This year he handled claim settlements on 36 County vehicles, 5 auto property damage accidents, 10 auto physical damage accidents, and 4 damage to County property claims. Discussion followed.

Mr. Castellana stated as recently as yesterday, the County has 759 contracts in Mrs. Mori's database. We make sure the contracts match the vendors' Certificate of Insurance and coverage requirements. The advantage to this is they name Steuben County as an additional insured. If we get sued as a result of an action of a vendor, their insurance company has to represent the County.

Mr. Castellana stated we've had 23 property damage claims against the County, such as potholes, stones, etc. After he investigated the claims, 95 percent of those were found that there was no liability on the part of the County. In 1987 or 1988, the County reconstructed a road in the Hornell area. They had so many broken windshield claims that they were paying all of them. The insurance company increased the County's rate due to claims frequency. He solved that problem the first year by handling the claims inhouse. In 1990 there were 140 glass claims. They are now down to 23 claims, probably because the public knows we are investigating them. So far we have had 9 bodily injury claims. They are submitted as court claims through the Law Department, but his office receives a copy of them and he investigates the claims. This past year he was able to recover \$35,052.56 in expenses under tort claims. The County vehicle inventory is at 278 and we have a driver roster of 490 people. We run annual drivers license checks to make sure people renew their drivers licenses and to check for infractions. We make sure all vehicles are insured and he schedules drivers for the defensive driving course. Considerable discussion followed.

Mr. Gehl stated this department is such an intricate part of the County, I don't see how you can get rid of it.

Mr. Isaman stated having a full time Risk Manager on duty provides a service to the towns and villages too. He calls Mr. Castellana to talk about certain issues in the town. Also, the drug and alcohol testing program is big. If they save one accident, it pays for their salaries. Discussion followed.

Mr. Donnelly stated you cannot get control of safety and insurance management with part time people. You need everyday monitoring of it.

Dr. Baker asked don't you also handle safety training for the municipalities? Mr. Castellana stated yes, every spring he holds 6 safety-training sessions all over the County to cover the towns.

MOTION: RETAINING THE OFFICE OF THE STEUBEN COUNTY RISK MANAGER MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Elections Staffing Issue – Mr. Alger recommended the Committee request that he gather information about the current year and come back next month with a full report. He noted they would need to act next month to use the funding in the 2005 budget.

Dr. Baker stated Mr. Swackhamer said it would be bad precedent to use the Contingent fund for paying the cost. Mr. Alger stated he was referring to the decreasing of the Contingent fund and adding it back into the Elections budget. The decision will be whether to request funding from the Contingent fund to provide it for the office to continue through the year. His point was it shouldn't be done before adopting the budget. It should be addressed as part of the budget rather than hit it before the beginning of the year.

MOTION: DIRECTING THE COUNTY ADMINISTRATOR AND ELECTIONS COMMISSIONERS TO REVIEW THE OPERATION OF THE BOARD OF ELECTIONS AND MAKE A PRESENTATION TO THE COMMITTEE AT ITS JANUARY MEETING MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. APPOINTMENT OF ELECTIONS COMMISSIONERS

Mr. Donnelly stated both parties have an election during the year for a Commissioner of Elections and then file a Certificate with the Clerk of the Legislature. The Democrat's have elected Allan C. Johnson. Our option here is to accept this nomination and forward it to the Legislature.

MOTION: ACCEPTING AND FORWARDING THE NOMINATION OF ALLAN C. JOHNSON AS THE DEMOCRATIC COMMISSIONER OF ELECTIONS TO THE FULL LEGISLATURE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution required.

Mr. Donnelly stated the Republican's have elected Sharlene Dennis.

MOTION: OPPOSING THE NOMINATION OF SHARLENE DENNIS AS THE REPUBLICAN COMMISSIONER OF ELECTIONS MADE BY DR. BAKER. SECONDED BY MR. NIELSEN.
Discussion followed.

Mr. Gehl stated he can't see having the Republicans tell the Democrats who they do or don't want, nor should the Democrats do the same for the Republicans. Mr. Roche stated because of the way the law is written and the timing of the filing, when it comes before the Legislature only the Republicans will be voting on the nomination for Republican Commissioner. This has always gone through the Administration Committee and then to the full Legislature. Since the filing for the Democratic Commissioner was not more than 30 days from filing, everyone will vote on that.

McAllister stated he knows this revolves around Mrs. Karchner, whom he has respect for. Anybody has the right to challenge for this position. He was there at the meeting for the Republican Committee and they are given the right to decide who this person should be. Those people are elected and it is a much more represented body than the Legislature. A vote was taken and each party had a representative there to count the votes. Absent some kind of indication of fraud at the County committee level, he doesn't think the Legislature should upset their recommendation.

Mr. Isaman stated I also have respect for Mrs. Karchner. However, we would be setting a dangerous precedent going against the Republican Party Election Committee. The vote was overwhelmingly in favor of the other candidate. Considerable discussion followed.

Dr. Baker stated Mrs. Karchner has done an excellent job here and he sees no reason to make a change all of a sudden. Mr. Nielsen asked does it have to come out of this Committee? Mr. Roche stated the recommendation must come to the Legislature. Mr. Alger stated you could refer the recommendation to the Legislature.

PREVIOUS MOTION AND SECOND WITHDRAWN.

MOTION: REFERRING THE NOMINATION FOR THE REPUBLICAN COMMISSIONER OF THE BOARD OF ELECTIONS TO THE FULL LEGISLATURE WITHOUT RECOMMENDATION MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. 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. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: CHANGING THE BLUE CROSS/BLUE SHIELD INSURANCE TO A SELF-INSURED PROGRAM WITH BLUE CROSS/BLUE SHIELD ACTING AS THE THIRD-PARTY ADMINISTRATOR MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: INCREASING THE ELECTION COMMISSIONERS' SALARIES BY 4 PERCENT EFFECTIVE JANUARY 1, 2005, MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. IN FAVOR: NIELSEN, GEHL, DONNELLY, BAKER. OPPOSED: MCALLISTER. MOTION CARRIES 4-1.

MOTION: SETTING THE COUNTY ADMINISTRATORS' SALARY FOR THE YEAR 2005 AT \$86,000.00 MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. IN FAVOR: NIELSEN, GEHL, BAKER, DONNELLY. OPPOSED: MCALLISTER. MOTION CARRIES 4-1.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, January 11, 2005
10:00 a.m.**