

STEBEN COUNTY ADMINISTRATION COMMITTEE
Tuesday, January 9, 2007
9:30 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.	Francis L. Gehl, Vice Chair John Walsh	L. Ronald Nielsen
<u>Legislators:</u>	Philip J. Roche	Thomas J. McIntyre	
<u>Staff:</u>	Mark R. Alger Carol Whitehead Robert Biehl	Allan Johnson Frederick H. Ahrens, Jr. William Partridge	Sharlene Thompson David English
<u>Other:</u>	Mary Perham, <i>Leader</i>	Tom Ryan	

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 DECEMBER 12 AND DECEMBER 18, 2006, MEETINGS MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Elections Office

1. **Polling Place Access Improvement Grant** – Mr. Johnson stated they were asked by the State Board of Elections to conduct a study regarding access to the polling places. They have done so and have begun to make improvements to various polling places. The total amount of both grants is \$35,852. He requested authorization to anticipate that revenue so they can pay the bills associated with the improvements they have already made. He noted that some of these improvements were made in 2006. Mrs. Whitehead stated they will appropriate an amount to 2006 and appropriate the balance to 2007.

MOTION: ACCEPTING AND APPROPRIATING THE HEALTH AND HUMAN SERVICES ACCESS IMPROVEMENT GRANT IN THE AMOUNT OF \$11,634 AND THE NEW YORK STATE ACCESS IMPROVEMENTS GRANT IN THE AMOUNT OF \$24,218 MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Poll Worker Training Grant** – Mr. Johnson stated they also received a 251 Federal Training Grant. He stated the grant is in the amount of \$48,436 and requires a 5 percent local match. He noted they won't begin training until they know which type of machine they are going to purchase. Discussion followed.

Mr. Roche asked is there a possibility the County can get reimbursed by the State for the 5 percent training cost? Mr. Alger stated that is an issue that is before the State Legislature. He noted the bigger problem is going to be coming up with the local share for the cost of the machines. Beyond that, they also have the issue of storage and delivery of the machines for the election. We have no idea how much money will be needed, making it virtually impossible to budget for that. Therefore, we'll have to deal with it when the decision on the machines is made. Considerable discussion followed.

Mr. McIntyre asked why couldn't the County go after the State for losing the funding when they didn't meet the Federal requirements? Mr. Ahrens stated he was going to request an executive session regarding litigation to discuss that issue.

MOTION: ACCEPTING THE 251 FEDERAL TRAINING GRANT IN THE AMOUNT OF \$48,436 WITH A 5 PERCENT COUNTY MATCH MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. County Administrator

1. **Liability Insurance Renewal** – Mr. Alger stated they received quotes for the County's liability insurance. The renewal quote from our current provider was a decrease in cost from last year. He noted he would like to include a terrorism policy for \$1,691. Discussion followed.

MOTION: RATIFYING THE RENEWAL OF THE COUNTY LIABILITY INSURANCE, INCLUDING A TERRORISM POLICY, WITH GRANITE STATE FOR A TOTAL COST OF \$170,801 MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Medical Malpractice** – Mr. Alger stated he is also researching the cost of medical malpractice insurance for the Health Care Facility and doctors employed by the County. When he has those figures, he'll bring them back to the Committee.

3. **Cleaning Bid** – Mr. Alger stated they received bids for cleaning the County Office Building and the Mental Health buildings. The low bid for the County Office Building was \$248 per week from SKJ Facilities Management. The low bid for the Mental Health buildings was \$502.50 per week from Global Industry Services.

Mr. Partridge described the services they requested be provided for the buildings. He stated the price seems very good to get all that work done. Mr. Alger stated Mr. Gleason checked their references and they are reputable companies. He noted that the cost for the Mental Health buildings is a good price considering the time and travel they have to get the work done. Discussion followed.

MOTION: AWARDING THE CLEANING SERVICES BID FOR THE COUNTY OFFICE BUILDING TO SKJ FACILITIES MANAGEMENT FOR \$248 PER WEEK AND THE CLEANING SERVICES BID FOR THE MENTAL HEALTH BUILDINGS TO GLOBAL INDUSTRY SERVICES FOR \$502.50 PER WEEK MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **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. GEHL. 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. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: ELIMINATING THE ADDITIONAL COPAYMENT FOR HEALTH INSURANCE FOR THOSE COUNTY OFFICERS WHO DID NOT RECEIVE A SALARY ADJUSTMENT MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY DR. BAKER. 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, February 13, 2007
9:30 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, February 13, 2007

9:30 a.m.

**3 East Pulteney Square
Bath, New York**

MINUTES

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

Legislators: Philip J. Roche

Staff: Mark R. Alger James Gleason Kenneth Peaslee
Robert F. Biehl Nancy Smith Frederick H. Ahrens
Carol Whitehead David English Kenneth Sherer
Tammy Hurd-Harvey Christine Kane Judy Hunter
Gregory P. Heffner

Other: Mary Perham, *Leader*

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 9, 2007, MEETING MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Information Technology Department

1. **Contract Renewal** – Mr. Peaslee requested authorization to renew the contract with Verizon for the 911 department's cell phones. They switched to Verizon because they couldn't get service in the Public Safety Building with Cellular One. The cost is \$1,800 per year. Discussion followed.

MOTION: RENEWING THE CONTRACT WITH VERIZON IN THE AMOUNT OF \$1,800 FOR THE E911 DEPARTMENT'S CELL PHONES MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Records Manager

1. **Contract Renewal** – Mr. Sherer requested authorization to renew the microfilming and supplies contract with Photo Micrographics Inc. for \$24,000.

MOTION: RENEWING THE MICROFILMING AND SUPPLIES CONTRACT WITH PHOTO MICROGRAPHICS INC. IN THE AMOUNT OF \$24,000 MADE BY MR. NIELSEN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Purchasing Department

1. **Copier** – Mr. Gleason stated the Public Defender's Office has requested a new copier for their office. They currently are using a used machine from another department. He can purchase a new network-capable copier for \$6,386 off of the State contract. He noted there is enough funding in the copier capital project.

MOTION: AUTHORIZING THE PURCHASE OF A NEW COPIER MACHINE FOR THE PUBLIC DEFENDER'S OFFICE OFF OF THE STATE CONTRACT FOR \$6,386 TO BE PAID FOR FROM THE COPIER CAPITAL PROJECT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Bids**

a. *Various Supplies* – Mr. Gleason reviewed the bids for toner, paper products, office furniture, garbage bags and office supplies. He recommended awarding the bids to the lowest bidder on a line item basis. He noted that on those items where there was a tie, they performed a coin toss to break the tie. Discussion followed.

a. *Printing of Legislative Proceedings* – Mr. Gleason stated they received three bids and he recommended awarding the bid to the lowest bidder, Two Brothers Printing of Moravia.

b. *Senior Citizen Emergency Response System* – Mr. Gleason stated this bid is for an electronic device that can be activated if an individual has a problem. Primarily, these devices are used by the Office for the Aging and Public Health Nursing Services. Discussion followed.

c. *Elevator Maintenance* – Mr. Gleason stated Mr. English was able to consolidate all of the elevator maintenance agreements under one contract through the State bid, held by Schindler. He requested authorization to contract with Schindler for elevator maintenance. Discussion followed.

MOTION: AWARDING THE TONER, PAPER PRODUCTS, OFFICE FURNITURE, GARBAGE BAGS AND OFFICE SUPPLIES BIDS ON A LINE ITEM BASIS TO THE LOWEST BIDDER; AWARDING THE PRINTING OF LEGISLATIVE PROCEEDINGS BID TO TWO BROTHERS PRINTING OF MORAVIA; AWARDING THE SENIOR CITIZEN EMERGENCY RESPONSE SYSTEM BID TO ST. JAMES MERCY HEALTH LIFELINE; AND APPROVING A CONTRACT WITH SCHINDLER FOR ELEVATOR MAINTENANCE MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. County Clerk

1. **DMV Update** – Mrs. Hunter stated on Thursday, December 14th, 2006, the NYS Association of County Clerks met with the Senate Counsel regarding a possible chapter amendment to legislation that would authorize service bureau's to collect sales tax for DMV transactions. We are looking at getting the bill repealed or having it amended to apply to only service bureaus or county's with a population over 1 million. Her State Association's DMV Committee is compiling data and will meet with the Senate Counsel in the next couple of weeks. Discussion followed.

2. **DMV Audit** – Mrs. Hunter stated she received the results of the DMV audit and the offices scored well. She stated out of a possible 100, the Bath Office scored 96, the Corning Office scored 91 and the Hornell Office scored 96. She attributed the improvement of the scores to the staff, as well as the Legislature for being supportive of the changes necessary to bring them into compliance.

E. Personnel Officer

1. **Reclassifications**

a. *County Treasurer* – Mr. Biehl stated Mrs. Whitehead is requesting authorization to reclassify a vacant Senior Tax Clerk position, Grade X, to a Senior Account Clerk-Typist position, also a Grade X. He stated she feels the position will give her more flexibility.

MOTION: RECLASSIFYING A VACANT GRADE X SENIOR TAX CLERK POSITION TO A GRADE X SENIOR ACCOUNT CLERK-TYPIST POSITION WITHIN THE COUNTY TREASURER'S OFFICE MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

b. *Information Technology* – Mr. Biehl stated Mr. Peaslee would like to create two Network Administrator positions. First, he'd like to reclassify a Personal Computer System Programmer position to a Network Administrator position, both Grade XVI. He noted the programmer position is currently filled

and the individual has passed the Network Administrator test. In addition, he'd like to reclassify a vacant Grade IX Computer Operator position to a Grade XVI Network Administrator position. He noted there are 4 individuals interested in the position and they would have to take the civil service exam.

Mr. Gehl asked what would this accomplish? Mr. Peaslee stated the first individual is actually doing Network Administration now. The job is very specific to networking within the County. With the second position, he is looking to increase coverage. It is a second shift position so this Network Administrator would work from 2:00pm to 10:00pm so we have more coverage. This would give them time to shut computers down, complete updates and modify security settings when employees aren't in the building accessing the network. Right now there is no backup for network administration. There is money in the budget for these positions.

Mr. Alger stated having somebody working other than the normal workday would give them time to do the maintenance when people aren't accessing the network. It makes a lot of sense. These positions need to be that flexible.

MOTION: RECLASSIFYING A GRADE XVI PERSONAL COMPUTER SYSTEM PROGRAMMER POSITION TO A GRADE XVI NETWORK ADMINISTRATOR POSITION WITHIN THE OFFICE OF INFORMATION TECHNOLOGY MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: RECLASSIFYING A VACANT GRADE IX COMPUTER OPERATOR POSITION TO A GRADE XVI NETWORK ADMINISTRATOR POSITION WITHIN THE OFFICE OF INFORMATION TECHNOLOGY MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Deferred Compensation Committee** – Mr. Biehl stated we have solicited Requests for Proposals for providers of the Deferred Compensation Program. The Deferred Compensation Committee reviews the proposals that we receive from the deferred compensation providers. The committee was appointed by resolution in 1998 and needs to be amended to include the President of the CSEA Corrections Officers Unit and the Deputy Sheriff's Unit. He noted that they also need to change his title in the resolution from Personnel Director to Personnel Officer. Discussion followed.

MOTION: APPROVING THE COMPOSITION TO THE DEFERRED COMPENSATION COMMITTEE AS RECOMMENDED AND FORWARDING TO THE FULL LEGISLATURE FOR APPROVAL MADE BY DR. BAKER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

F. County Administrator

1. **Administrative Code Revisions** – Mr. Alger stated we're in the process of reviewing the *Administrative Code*. They will be reviewing the entire code, piece by piece. The first section the reviewed is Part VI, Small Equipment; Major Equipment; Capital Projects. Most of the changes are to the process. The requests are submitted to the Planning Department, who puts them together in a list. The Budget Officer, County Treasurer and the Finance Committee review the list. Then it is submitted to the full Legislature. He requested approval to amend the *Administrative Code* so they can follow the process they are currently using.

Mr. Alger stated they've undertaken a general review to make sure that all of the situations they are currently dealing with are reflected accurately in the code. We're trying to do the best we can to find things that may have been missed and correct things that may be operating differently today. The code is 20 years old and while we've done revisions, there's never been a complete update. With the next couple of elections we'll be seeing a major turnover of the board, so we want to make sure it is accurate.

MOTION: APPROVING THE REVISIONS TO PART VI OF THE ADMINISTRATIVE CODE AS PRESENTED MADE BY DR. BAKER. 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.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 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. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO SECURE A TEMPORARY CONSULTANT FOR THE RISK MANAGER'S OFFICE TO ASSIST IN BUDGET PREPARATION MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. GEHL. 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, March 13, 2007
9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, March 13, 2007

9:30 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, Vice Chair DeWitt T. Baker, D.V.M.
John Walsh

Legislators: Philip J. Roche Thomas J. Ryan Thomas J. McIntyre

Staff: Mark R. Alger Donna Hatch Robert F. Biehl
Stanley Wraight Frederick H. Ahrens David English
David Cole Carol Whitehead Tammy Hurd-Harvey
Sharlene Thompson Allan Johnson Nancy Smith

Other: Mary Perham, *Leader*

Absent: L. Ronald Nielsen

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 FEBRUARY 13, 2007, MEETING MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Real Property Tax Service Agency

1. **2007 Annual Report** – Mrs. Hatch stated she has filed her 2007 Annual Report in the Clerk of Legislature’s Office and there are copies available for anyone who would like one.

2. **Review Income Limits for Exemptions**

a. **Veterans’ Exemption** – Mrs. Hatch stated Legislator Isaman received an inquiry from a veteran wondering why he wasn’t receiving the full value of the veterans’ exemption benefit. She reviewed the history of the veterans’ exemption. In 1986, the board opted to offer the veterans’ exemption. Currently, our value limit is at \$40,000 but the maximum amount allowable for residential value is \$240,000. At the time it was set, the average full value assessment was \$40,000. Today, the average is \$87,000 based on 2006 sales.

Mr. Gehl asked how many people are receiving this exemption? Mrs. Hatch stated we have 6,000 veterans receiving this exemption. If you raised the level, that number would increase, which would also increase our tax impact. Discussion followed.

b. **Senior Citizen Exemption** – Mrs. Hatch stated the current income limit for this exemption is \$22,500. The State Legislature continues to increase the maximum ceiling, which is currently at \$26,000. The exemption is 50 percent of the primary residence’s value. She noted there is no cap on the assessment, the cap is on the income. They are only eligible if they make less than the limit set by the taxing jurisdiction. She noted some of the schools allow a sliding scale so that as the income goes up, the percentage goes down. Discussion followed.

Mrs. Hatch reviewed the six options they could approve for this exemption, the first being to increase the limit to \$26,000. Option 2, offer a sliding scale so that as the income increases by \$1,000, up to a maximum of \$4,800, the exemption would decrease by 5%, beginning at 50%. Therefore, if they started at the current level of a 50% exemption for the \$22,500 in income, the income limit would increase progressively to \$41,800 with a 5% exemption. Option 3, the birthday option. If a senior were to be age 65 by December 31st of that same year, they would be eligible to file the application by March 1st and claim the exemption the entire year. Option 4, the emergency illness or death option stipulates that if they couldn't file due to the illness or death of spouse, child, sibling or parent, they could file an application with the Assessor by the Grievance Date. Option 5 eliminates the filing requirement so that if the person received the exemption the previous 5 years, they would only need to include an affidavit of the same when paying the tax statement with the tax collector. The final option would be to allow an applicant to file the application by the grievance date if they received the exemption on the previous roll.

c. **Disability Exemption** – Mrs. Hatch stated this works similar to the senior citizens' exemption except it isn't age driven. We've allowed this exemption since August of 2005 and we've kept the income limit the same as the senior citizens' exemption.

B. Personnel Officer

1. **Reclassification – HCF** – Mr. Biehl stated they are requesting authorization to reclassify a vacant Sr. Social Worker, Grade XVII, to a Staff Social Worker, Grade XV.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT GRADE XVII SR. SOCIAL WORKER POSITION TO A GRADE XV STAFF SOCIAL WORKER POSITION AT THE HEALTH CARE FACILITY MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Reclassification – Sheriff** – Mr. Biehl stated Sheriff Tweddell is requesting authorization to reclassify a Grade VI Cook position to a Grade V Cleaner position.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE VI COOK POSITION TO A GRADE V CLEANER POSITION AT THE STEUBEN COUNTY JAIL MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Reclassification – Personnel** – Mr. Biehl stated he has a Grade IV Typist position that he'd like to reclassify to a Grade VI Account Clerk Typist. With the retirement of Mary Learn, we only have one individual who is qualified and capable to run the payroll system. He would like a position that would serve as a backup for the system.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE IV TYPIST POSITION TO A GRADE VI ACCOUNT CLERK TYPIST POSITION IN THE PERSONNEL OFFICE MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. County Auditor

1. **Registration Fee** – Mr. Wraight stated we have three departments that employ attorneys. Attorneys pay a biannual registration fee of \$350, which is mandatory to participate in the court system. Two of the three departments submit vouchers to pay this fee. The one department, by policy, does not submit vouchers based upon an opinion by the Comptroller's office. Basically, the opinion states the dues would be payable by a municipality because it would allow an attorney to participate in classes and training that pertain to their duties. However, the registration fee is not automatically reimbursable because it would also be required in their private practice. That's where the problem is. We employ a lot of full-time attorneys and their only duties are with the County. So, I understand where the two departments felt it should be reimbursed. However, now I have a situation where all of the attorneys want to be reimbursed for this fee.

Mr. Donnelly stated first of all, everybody we employ full time should have it reimbursed. That only seems reasonable. The question is how do we handle the part-time attorneys? He suggested reimbursing them for half. Considerable discussion followed.

MOTION: AUTHORIZING THE COUNTY AUDITOR TO REIMBURSE THE BIENNIAL REGISTRATION FEE FOR ATTORNEYS EMPLOYED BY STEUBEN COUNTY FULL TIME MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: DISALLOWING REIMBURSEMENT OF THE BIENNIAL REGISTRATION FEE TO ATTORNEYS EMPLOYED BY STEUBEN COUNTY ON A PART TIME BASIS MADE BY DR. BAKER. SECONDED BY MR. WALSH. IN FAVOR: BAKER, WALSH AND GEHL. OPPOSED: DONNELLY 3-1. MOTION CARRIES

D. County Administrator

1. **Workers' Compensation Budget Issue** – Mr. Alger stated he's noticed that over the past couple of years an assessment we've been receiving in the Spring hasn't been paid until the beginning of the following year. He stated they need to get this caught up but at this point, we don't have a place to fund it from. He stated at some point, he would be bringing a proposal to fund this and they will have to amend the budget. He noted this assessment is what the Workers' Compensation Board uses to operate. Discussion followed.

Mr. Alger stated in June he will present the proposed budget for 2008 for this program. If we aren't able to figure out what to do with it now, we'll include it in the proposed budget.

E. Law Department

1. **Voting Machine Litigation** – Mr. Ahrens stated last month they discussed in Executive Session the proposed litigation regarding voting machines. He has learned that there isn't much interest in the Suffolk County case but there is interest in the Nassau County case. He'll be contacting NYSAC to see if they will take the lead. Discussion followed.

Mr. Ahrens stated our elected representatives in Steuben County need to place pressure on our state representatives to get this finalized. The Nassau case is an intervention on the federal case. It involves who is going to pay what and what penalties are going to be imposed because the State is not in compliance with HAVA. 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. GEHL. 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. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Friday, April 6, 2007
9:30 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Friday, April 6, 2007

9:30 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, Vice Chair L. Ronald Nielsen
John Walsh DeWitt T. Baker, D.V.M.

Legislators: Thomas J. McIntyre

Staff: Mark R. Alger Carol Whitehead Tammy Hurd-Harvey
Donna Hatch James Gleason Robert Anderson
Christine Kane Robert Biehl Frederick H. Ahrens
Allan Johnson Sharlene Thompson David English

Other: Mary Perham, *Leader*

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 MARCH 13, 2007, MEETING MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Real Property Tax Service Agency

1. **Veterans' Tax Exemption** – Mrs. Hatch stated she reviewed these exemptions at last month's meeting. She stated using the maximum full value of residential property, she calculated the exemption amount for 2006 and the estimated tax impact. Discussion followed.

MOTION: INCREASING THE ALTERNATIVE VETERANS' EXEMPTION TO THE BASIC MAXIMUM OF \$12,000/\$8,000/\$40,000 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Senior Citizens' Exemption** – Mrs. Hatch stated the County currently allows \$22,500 and the NYS Legislature has established a ceiling for the income level for July 2006 at \$26,000 and for July 2007 at \$27,000. Discussion followed.

Mr. Alger suggested they adopt a sliding scale so that it gives those individuals with a higher income some benefit. Right now it is an all or nothing situation. Discussion followed.

MOTION: CHANGING THE SENIOR CITIZEN EXEMPTION TO A SLIDING SCALE BEGINNING AT \$22,500 FOR A 50% EXEMPTION AND ENDING AT \$30,900 FOR A 5% EXEMPTION MADE BY MR. GEHL. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Disability Exemption** – Mrs. Hatch stated this is income and disability driven; it doesn't matter what age the individual is. Discussion followed.

MOTION: CHANGING THE DISABILITY EXEMPTION TO A SLIDING SCALE BEGINNING AT \$22,500 FOR A 50% EXEMPTION AND ENDING AT \$30,900 FOR A 5% EXEMPTION MADE BY MR. NIELSEN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Board of Elections

1. **Voting Machines** – Mr. Johnson stated they have nothing new to report on the voting machines. Mr. Gehl stated the presentation by the League of Women Voters' at the Legislative Meeting last month was interesting. What did you think about it? Mr. Johnson stated they've heard their presentation several times. The League of Women Voters is concerned about the type of machine the County will choose to use. Unfortunately, we cannot make a decision on the type of machine until the State certifies which machines they will allow. Considerable discussion followed.

C. Purchasing Department

1. **Election Supplies** – Mr. Gleason requested authorization to renew the agreement with Fort Orange Press for printed election materials for the Board of Elections. He noted they asked Fort Orange if they would honor our bid and they have agreed. He noted they requested a 2 percent increase, which will result in an additional \$121 for the primary election and \$253 for the general election.

MOTION: EXTENDING THE AGREEMENT WITH FORT ORANGE PRESS FOR ONE YEAR WITH A 2 PERCENT INCREASE MADE BY DR. BAKER. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Law Department

1. **Oil and Gas Lease** – Mr. English stated East Resources is offering the County an oil and gas lease in the Town of Caton. He stated it is a 3.37-acre property with improvements. They are offering us \$300 per acre for a 3-year oil and gas lease. The total amount is \$1,011 for the lease. Discussion followed.

MOTION: APPROVING AN OIL AND GAS LEASE WITH EAST RESOURCES IN THE AMOUNT OF \$300 PER ACRE FOR A THREE-YEAR OIL AND GAS LEASE MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. English stated there are some other properties that the oil and gas companies are interested in. They involve more acreage so he will be working on those over the next month and bring them back to the Committee for review in May.

E. Risk Manager

1. **Informational** – Mr. Alger stated Mr. Castellana has officially retired so we will be beginning the recruiting process to fill his position.

Mr. Alger stated he has met with the Workers' Compensation Board and he will be bringing a presentation to the Committee next month.

E. Personnel Officer

1. **VESID Program** – Mr. Biehl stated the New York State Education Department, through VESID, has a Work Tryout Program whereby the County can hire individuals to try out a job to see if they can be hired. He requested authorization to participate in the program.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO SIGN AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF EDUCATION FOR THE WORK TRYOUT PROGRAM MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. OTHER BUSINESS

Mr. McIntyre stated he's been speaking with the county attorney about possible changes in the County. He would like to establish a Commission to study and report on the desirability of a County charter and an alternate form of County government.

Mr. McIntyre presented the following information:

The sheer magnitude and sophistication of the issues facing Steuben County government has greatly expanded over the last quarter century. Table I demonstrates the growth of the fiscal impact of the County of Steuben.

TABLE I

YEAR	BUDGET	TAX LEVY
1980	\$36,121,762	\$6,033,437
1985	\$56,768,398	\$13,546,533
1990	\$77,277,634	\$23,040,204
1995	\$106,712,021	\$26,659,209
2000	\$122,995,885	\$26,392,617
2007	\$164,984,796	\$41,417,313

Despite the expansion of issues, the essence of County government, by and large, still functions as it did for time immemorial. That is, the true repository of legislative and executive authority rests exclusively with the County Legislature. There exists no executive branch to provide checks and balances.

A major improvement in the handling of County government was the establishment of the Office of County Administrator by Local Law No. Two for the Year 1984. However, as a non-charter county, that position can exercise only those duties delegated to that person on behalf of the County Legislature. As a result of exemplary performance, our County Administrator is deserving of true executive authority to completely carry out those duties. In a charter county, a county manager or executive can truly have executive authority independent of the Legislature.

When the Legislature's Standing Committees meet each month, as well as when the Legislature meets as a whole, we are in fact exercising our inherent authority to set policy, adopt laws and appropriate money. Whether we have a charter with an executive branch or not, those duties can never be delegated away. At such meetings, we are also exercising the ultimate executive decisions on the day-to-day operations of County government. The County Administrator, even with the grant of additional responsibilities in 1994, cannot ultimately make those decisions. He can only make recommendations and then, only if asked.

There is limited time we, as legislators, can devote to a true study of the issues and fact finding. Executive decision making is truly limited. Decisions are often based on the discourse of a brief presentation by a department head rather than by the studied decision making of a full-time executive vested with decision-making authority.

My past 14 years has demonstrated to me, and I am sure many here would agree, that the scope and comprehensive nature of County government is beyond any of our expectations when we first took office. As term limits for County legislators start to make its impact felt, we can only expect that the expertise developed by the sitting Legislators will no longer be available as a resource to assist in executive decision making.

As constituted, our form of government is similar to the running of a corporation by a board of directors but without a CEO. While the Chairman of the Legislature can exercise certain ministerial duties as the chief elected officer, he cannot do so as the chief executive officer. The time has come to at least explore the formation of a commission for the study of a County charter and alternative executive forms of government.

My request is simple. I only ask that this matter be placed on your next month's Committee agenda for discussion. Any formal action would have to be approved by the Legislature as a whole, which needs the recommendation from this Committee to assist in the decision-making process. In the event such a commission is deemed worthy of exploration, its composition and charge of duties would in and of itself constitute a major endeavor. At this point, I request merely that you discuss the concept of a commission for exploratory purposes only.

Mr. McIntyre also distributed copies of information written by New York State regarding the development of a charter county form of government. He noted that he doesn't believe any elected officer should be a member of this commission.

Mr. Gehl stated he applauds Mr. McIntyre and Mr. Ahrens for their work on this. As a Committee, he believes they should study this and report back in June.

Mr. Donnelly asked for a list of the various forms of county government. Mr. Ahrens stated Ulster County is looking at a county charter and some counties have adopted county managers, but he's not sure if they are under an executive form or like our current form of government. Under a county charter, a county manager has the authority to hire and fire. Mr. Alger stated it is akin to a city manager, such as in the City of Corning. On the other side of that is the City of Hornell, where the mayor acts as an executive.

Mr. Ahrens stated this request asks for a commission to be formed to study a county charter and an alternate form of government. There are two statutes involved here. One is the structure of the county government through a charter. The other is the alternate form of government law. It doesn't mention an executive, but rather a county president or manager. The two concepts can be merged together. The commission should have a wide berth of authority. I can easily get you typical functions of the county manager or executive. Mr. Donnelly stated he'd like to see the statutes. Mr. Alger noted that each charter is very specific to each county.

Mr. McIntyre stated he was hoping they'd have a separate meeting to discuss this in May and then present it to the Legislature with your recommendations. Mr. Gehl stated he still believes June is a better time frame. Discussion followed.

MOTION: SETTING THE TIME FRAME OF JUNE FOR DISCUSSION ON THE CREATION OF A COMMISSION TO STUDY A COUNTY CHARTER AND AN ALTERNATE FORM OF GOVERNMENT MADE BY MR. GEHL. SECONDED BY DR. BAKER. IN FAVOR: GEHL, BAKER AND DONNELLY. OPPOSED: WALSH AND NIELSEN. MOTION CARRIES 3-2.

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. GEHL. 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. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: INCREASING THE HOURLY RATE FOR MICHELLE ROUGEUX, M.D., FROM \$72/HOUR TO \$80/HOUR IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. GEHL. 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, May 8, 2007
9:30a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, May 8, 2007

9:30 a.m.

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

MINUTES

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

Legislators: Philip J. Roche Thomas J. McIntyre

Staff: Mark R. Alger Gregory P. Heffner Carol Whitehead
Tammy Hurd-Harvey James Gleason Kenneth Peaslee
David English Robert F. Biehl Frederick H. Ahrens

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

Other: Mary Perham, *Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 9:34 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE APRIL 6, 2007, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Information Technology Department

1. **Cell Phone Provider Selection** – Mr. Peaslee stated we currently use Cellular One. We have continued to look to switch to Verizon but they were 3.5 times the cost. This year they have a new plan out that is very similar to Cellular One. We currently have 113 phones on the Cell One plan. If we stay with Cell One we'd charge departments \$20 per phone. If we switch, the cost would be \$25 per phone but the coverage is significantly better. In addition, Verizon is phase 2 compliant while Cell One is not. Considerable discussion followed.

Mr. Peaslee stated the contract with Verizon is a one-year contract but under the State contract, we can switch phones out every ten months and we can cancel the contract at any time.

MOTION: AUTHORIZING THE CONTRACT WITH VERIZON FOR CELLULAR PHONE SERVICE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Bulletin Board Classified Section** – Mr. Peaslee stated when employees start up their computers they get the county bulletin board on their screen. We've recently had some requests to have a classified section on the bulletin board for county employees to use to sell/advertise in-house.

Mr. Alger stated he has mixed feelings about this issue. My concern is if we allow them to sell items on the computer, is the County essentially endorsing the quality of the item? There are a number of issues involved with this. Mr. Ahrens noted that there is a "no solicitation on County property" rule. Mr. Gehl stated the idea is great but with all of the complications, I don't think we should allow it.

MOTION: DISALLOWING THE POSTING OF A CLASSIFIED SECTION ON THE COUNTY COMPUTER BULLETIN BOARD MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. County Treasurer

1. **Mortgage Tax Distribution** – Mrs. Whitehead distributed copies of the mortgage tax distribution. Mr. Alger distributed a similar report from the County Clerk. Mrs. Whitehead stated mortgage tax is distributed in May and November. The collections through May 2007 are higher than the same time frame last year. Mr. Alger noted that Mrs. Hunter is projecting the collections to decrease over the next six months. Discussion followed.

MOTION: ACCEPTING THE MORTGAGE TAX DISTRIBUTION REPORT AND APPROVING THE MORTGAGE TAX DISTRIBUTION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Purchasing Department

1. **Mail Machine** – Mr. Gleason requested approval to purchase additional software for the mail machine to continue to receive the best discounts possible with the new postal increases that are going into effect on May 14th. Discussion followed.

MOTION: AUTHORIZING THE PURCHASE OF NEW SOFTWARE FOR THE COUNTY MAIL MACHINE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Other** – Mr. Gleason announced that long-time employee Betty Orcutt will be retiring on the 24th of May. *Good Luck Betty!*

3. **Surplus Equipment Auction** – Mr. Gleason stated they typically conduct the surplus equipment auction on the 4th Thursday in September. He requested authorization to utilize the option to extend the contract with Pirrung Auctioneers to conduct that auction.

MOTION: AUTHORIZING THE PURCHASING AGENT TO UTILIZE THE OPTION TO EXTEND THE CONTRACT WITH PIRRUNG AUCTIONEERS TO CONDUCT THE COUNTY SURPLUS AUCTION ON THE 4TH THURSDAY IN SEPTEMBER MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. County Administrator

1. **Workers' Compensation Administration** – Mr. Alger presented copies of a draft local law relative to the administration and operation of the Steuben County Workers' Compensation Self-Insurance Plan. This draft would more closely and definitively spell out how the distribution is to be done for the annual budget. The current local law includes classes for the municipalities that participate in the program. The Risk Manager had used those classes to develop a formula to distribute the cost. The State Comptroller's Office is suggesting we specifically define the criteria we are using for those factors. The rates are based upon the full value of real property in each municipality, the full aggregate payroll of the participating municipality, and the three-year experience rating for each municipality. When we began working on this, we wanted each of the three factors to equal a third of the total cost. However, using a rate of 33% would cause some of the rates to rise considerably because their experience over the past three years is poor. Therefore, they decided to use 15% for the experience rating and 42.5% for the other two factors in order to keep their increased cost lower. Mr. Alger suggested they slowly phase in the increase to 33% for the experience rating. Considerable discussion followed.

MOTION: PRESENTING A LOCAL LAW RELATIVE TO THE ADMINISTRATION AND OPERATION OF THE STEUBEN COUNTY WORKERS' COMPENSATION PLAN TO THE FULL LEGISLATURE MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **Workers' Compensation Budget** – Mr. Alger stated we've discovered that the County still needs to pay the 2005/2006 Workers' Compensation Fund bill. It appears that the Risk Manager was budgeting

the previous year's bill in the current year's budget so, essentially, the bill is one full year behind. We've been trying to identify funds within the Workers' Compensation program to fund that shortfall. Once it is funded, they'll keep it in the budget for the following years. Discussion followed.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR AND COUNTY TREASURER TO BRING THE ISSUE TO THE FINANCE COMMITTEE TO DETERMINE HOW TO FUND THE SHORTFALL MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Personnel Officer

1. **Jail Physician** – Mr. Biehl stated last month they increased the salary of the physician position in the Office of Community Services from \$72/hour to \$80/hour. He requested they do the same for the Jail Physician.

MOTION: INCREASING THE SALARY FOR THE JAIL PHYSICIAN FROM \$72/HOUR TO \$80/HOUR EFFECTIVE APRIL 16, 2007, MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. 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, June 12, 2007
9:30 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE
STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Joint Meeting

Monday, May 29, 2007

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Patrick F. Donnelly, Chair Francis L. Gehl, Vice Chair DeWitt T. Baker, D.V.M.
L. Ronald Nielsen John Walsh

DeWitt T. Baker, D.V.M., Chair Francis L. Gehl, Vice Chair Dan C. Farrand
John Walsh

STAFF: Mark R. Alger James Gleason Frederick H. Ahrens, Jr.
David English

LEGISLATORS: Philip J. Roche, Esq. Donald B. Creath Kenneth E. Isaman
Robert V. Nichols Thomas J. Ryan

ABSENT: Patrick F. McAllister

I. CALL TO ORDER

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

II. DEPARTMENTAL REPORTS/REQUESTS

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 5-0 (ADMINISTRATION) 4-0 (PUBLIC SAFETY & CORRECTIONS).

Motion by Public Safety & Corrections Committee:

MOTION: RECOMMENDING TO THE ADMINISTRATION COMMITTEE THAT IT DECLARE ALL SEASON TIRE AS NOT A RESPONSIBLE VENDOR FOR ALL MAINTENANCE WORK FOR THE SHERIFF'S DEPARTMENT FLEET MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Motion by Administration Committee:

MOTION: DECLARING ALL SEASON TIRE AS NOT A RESPONSIBLE VENDOR FOR ALL MAINTENANCE WORK FOR THE COUNTY FLEET MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Motion by Public Safety & Corrections Committee:

MOTION: AUTHORIZING AND DIRECTING THE PURCHASING DIRECTOR TO AWARD THE BIDS FOR THE MAINTENANCE OF COUNTY VEHICLES IN THE BATH AREA TO THE SECOND LOWEST BIDDER, AFFORDABLE AUTO OF BATH, NY MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Motion by Administration Committee:

MOTION: AUTHORIZING AND DIRECTING THE PURCHASING DIRECTOR TO AWARD THE BIDS FOR THE MAINTENANCE OF COUNTY VEHICLES IN THE BATH AREA TO THE SECOND LOWEST BIDDER, AFFORDABLE AUTO OF BATH, NY MADE BY MR. GEHL. 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. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 9-0.

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 9-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, June 12, 2007

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

MINUTES

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

Legislators: Philip J. Roche Thomas J. Ryan Thomas J. McIntyre

Staff: Mark R. Alger Kathryn Biehl James Gleason
Stanley Wraight Gregory P. Heffner Robert Anderson
David English Frederick H. Ahrens John Leyden
Tammy Hurd-Harvey Judy Hunter Robert Biehl
Nancy Smith

Other: Jeffrey Baker, JT Student Justin Bauter, JT Student Andrew Robie, Law Intern
Mary Perham, *Leader*

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

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 MAY 8, 2007, MEETING MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Gehl not present for the vote.

III. DEPARTMENTAL REPORTS/REQUESTS

A. County Clerk

1. **DMV Update** – Mrs. Hunter stated her State Association met with the new DMV Commissioner in May and during that meeting, they went into some detail about the Real ID that is being proposed on the Federal level. The Division of Homeland Security is looking at having a nationally recognized DMV ID. The target date for completion is May 2008. She stated this could be a nightmare. It means that everyone who comes in to renew their license would have to bring in all of the required information as if they were getting a license for the first time. It also will involve updating equipment and the scanning of all of the documents. One thing they didn't take into account is the time and labor involved in this. In addition, they don't know where the funding would come from for this. She stated it will be labor intensive.

Mr. Alger stated what's important to realize is if this system is implemented, the requirements for this would include an extensive amount of documentation for everyone renewing their license. The lines at the DMV would be significant and people will not be real thrilled with this. Discussion followed.

Mr. Alger stated the key point is every registered driver is going to have to produce the same type of identification as a teenager obtaining a permit would, so it is going to be a hassle. When you currently renew, it is a two-minute process. This is going to be a much longer process for every single licensed driver. Mr. Gehl stated the public should be educated on this.

Mr. Walsh asked is this already in effect for the commercial driver licenses? Mrs. Hunter stated she can't answer that but she will look into it.

2. **Contract** – Mrs. Hunter requested approval to contract with ACS to provide microfilm storage for \$1,631.50. She noted there is funding in the budget.

MOTION: APPROVING A CONTRACT WITH ACS TO PROVIDE MICROFILM STORAGE FOR \$1,631.50 MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Planning Department

1. **Transit System** – Mr. Heffner stated we've been asked to enlarge the transit system by Steuben ARC. They have been approved as a public system for several years now but they weren't able to take advantage of it. They would like to open up their system to the public. They already run the routes, they just want to start allowing the public to pay a fare and get on their bus. Their route runs to Addison, Lindley, Bath and Prattsburgh. He noted that they only make the trip once in the morning and once in the evening so it is nothing like our system where the buses run continually. The Department of Transportation is willing to make them part of our transit system that would allow them to receive State Operating Assistance. Normally the County would need to solicit an RFP for this type of agreement. He requested a waiver of the County's procurement policy to allow them to sign an agreement with Steuben ARC for this specialized service. Discussion followed.

MOTION: WAIVING THE COUNTY PROCUREMENT POLICY AND AUTHORIZING THE DIRECTOR OF PLANNING TO SIGN AN AGREEMENT WITH STEUBEN ARC FOR INCLUSION IN THE COUNTY'S TRANSIT SYSTEM MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Personnel Office

1. **Reclassification – Law Department** – Mr. Biehl yielded the floor to the County Attorney. Mr. Ahrens stated we have 8 attorneys on staff and 6 of them are devoted to DSS Family Court work. In charge of that unit is John Leyden, Deputy County Attorney, and our client is the Commissioner of Social Services. There appears to be a pressing need for elevating one of our Assistant County Attorney positions to a Sr. Assistant County Attorney. As things have evolved over the last several years, there's been an emphasis on the need to have training for the Assistant County Attorneys and staff in the Department of Social Services. This is not a duty of an Assistant County Attorney but, rather, a duty of a Sr. Assistant County Attorney.

Mr. Leyden stated when he became Deputy, he wanted to have a better working relationship with the Department of Social Services. There are 6 dedicated attorneys dealing with 50 to 60 caseworkers. It is a constant parade in court and we are reinventing the wheel in each court depending on the Judge. It is an inconsistent approach. He proposed implementing a training system but, due to the unusual turnover in the office, we weren't able to do that. The Judges are concerned; they want a more consistent approach. This is not a one-time training approach; it would be an ongoing training system. This would provide much better service delivery to the Commissioner. Discussion followed.

Mrs. Biehl noted she included the funding in the budget this year to facilitate the training program.

Mr. Nielsen stated his only concern is that they'll be coming back to request another attorney because this individual cannot handle the training as well as the caseload. Mr. Ahrens stated they have a new attorney that will be slowly taking over a portion of this position's caseload. It shouldn't be a problem.

MOTION: RECLASSIFYING FROM AN ASSISTANT COUNTY ATTORNEY, MANAGEMENT GRADE E, TO A SR. ASSISTANT COUNTY ATTORNEY, MANAGEMENT GRADE G, IN THE COUNTY LAW DEPARTMENT MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **Reclassification – Community Services** – Mr. Biehl yielded the floor to the Director of Community Services. Dr. Anderson requested authorization to reclassify a Grade 13 Sr. Social Work Assistant to a Grade 15 Staff Social Worker and a Grade 14 Principal Social Work Assistant to Grade 15 Staff Social Worker.

These positions are for a project they are doing in conjunction with the Department of Social Services and the Hornell City School District. It is a way for them to utilize State funding to provide Social Workers in the School District. He noted the cost of these positions are covered by the school district and the State.

MOTION: RECLASSIFYING A GRADE XIII SR. SOCIAL WORK ASSISTANT POSITION TO A GRADE XV STAFF SOCIAL WORKER POSITION AND RECLASSIFYING A GRADE XIV PRINCIPAL SOCIAL WORK ASSISTANT POSITION TO A GRADE XV STAFF SOCIAL WORKER POSITION IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

D. Treasurer's Office

1. **Monthly Report** – Ms. Hurd-Harvey distributed copies of the Treasurer's Monthly Progress Report for the Committee's review.

E. County Administrator

1. **Administrative Code Changes** – Mr. Alger distributed copies of proposed changes to three different sections of the *Administrative Code*. Discussion followed.

MOTION: AMENDING THE ADMINISTRATIVE CODE RELATIVE TO THE PROPOSED CHANGES TO THE STEUBEN COUNTY CELLULAR PHONE POLICY MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AMENDING THE ADMINISTRATIVE CODE, PART IV, FINANCES; ACCOUNTING PROCEDURES; AUDITING PROCEDURES; PROGRAM AUDITS, EXIT AUDITS OR EXIT CONFERENCES, AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TABLING THE PROPOSED CHANGES TO THE PURCHASING POLICY UNTIL THE JULY MEETING MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Request for Proposals** – Mr. Alger stated we would like authorization to request proposals for a Purchase Card (p-card) program. P-card systems simplify the procurement to disbursement process improving efficiency especially for small-dollar purchases. He stated they'd like to solicit RFP's from the financial community to see what's out there and how we might proceed with this type of system. He noted they may find out that it isn't appropriate for the County.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO SOLICIT REQUESTS FOR PROPOSALS FOR A PURCHASE CARD PROGRAM MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **2008 Workers' Compensation Budget** – Mr. Alger distributed copies of the proposed 2008 Workers' Compensation Budget and the new Workers' Compensation assessment breakdown based upon the proposed 2008 budget. He stated they are increasing the budget to cover increases in the compensation awards and the medical payments line items. We've felt it has been under budgeted. He anticipates doing likewise over the next couple of years as they've been using the surplus to cover those expenses.

Mr. Alger stated the assessment table shows the impact of the increase in that budget. With the new proposed local law regarding Workers' Compensation, the County's share increased. He noted that with the Workers' Compensation budget increasing, the County's share is increasing more than the Workers' Compensation budget is increasing. Discussion followed.

MOTION: APPROVING THE PROPOSED 2008 WORKERS' COMPENSATION BUDGET AND THE PROPOSED 2008 WORKERS' COMPENSATION ASSESSMENT AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. 4-0. Resolution Required.

4. **Property Insurance Renewal** – Mr. Alger informed the Committee that the County's property insurance policy expires at the end of the month. He stated he doesn't have the figures yet, but he should have them by the June Legislative Meeting. He requested a special Administration Committee meeting be held prior to the Legislative Meeting to approve the new policy. *Special Administration Committee Meeting: Monday, June 25th at 9:30 a.m.*

F. Law Department

1. **Article 78 Proceedings** – Mr. Ahrens stated the Office of Court Administration (OCA) has caused to be introduced before the State Legislature, an amendment to the Statute of Limitations regarding Article 78 Proceedings. This deals with how people review what municipalities do as far as siting landfills, SEQR requirements, eligibility for jobs, and disciplinary proceedings. It is a procedure by which government lawyers must abide. Bill No. S.3560/A.8191 would, in effect, hold the County in abeyance until such time as we tell individuals that they have a right to sue us.

Mr. Ahrens stated we've always had the need in the public sector for finality of acts. This bill would require us to notify people of the length of time they have for those individuals to challenge a determination and/or sue the County. Considerable discussion followed.

MOTION: MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE IN OPPOSITION OF S.3560 AND A.8191 MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

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

MOTION: DESIGNATING ICMA AS THE DEFERRED COMPENSATION PROGRAM FOR STEUBEN COUNTY MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING THE ONE-TIME INCENTIVE BONUS BREAKDOWN FOR ASSISTANT DISTRICT ATTORNEY'S WHO HAVE BEEN EMPLOYED IN THE DISTRICT ATTORNEY'S OFFICE FOR FIVE (5) OR MORE YEARS AS FOLLOWS: \$2,500 EACH TO MICHAEL MCCARTNEY, BROOKS BAKER AND TRAVIS BARRY; \$697 EACH TO RONALD YORIO AND TIMOTHY ROSELL; FOR A TOTAL INCENTIVE GRANT AMOUNT OF \$8,894 MADE BY MR. GEHL. 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. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

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

**NEXT MEETING SCHEDULED FOR
Tuesday, July 10, 2007 @ 9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Tuesday, June 19, 2007

2:30 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

MINUTES

<u>Committee:</u>	Patrick F. Donnelly, Chair John Walsh	Francis L. Gehl, Vice Chair	L. Ronald Nielsen
<u>Legislators:</u>	Philip J. Roche	Donald B. Creath	Thomas J. McIntyre
<u>Staff:</u>	Mark R. Alger David English	Christine Kane Carol Whitehead	Frederick H. Ahrens Tammy Hurd-Harvey
<u>Other:</u>	Andrew Robie, Law Intern	Mary Perham, <i>Leader</i>	
<u>Absent:</u>	DeWitt T. Baker, D.V.M.		

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 2:30 p.m.

II. REQUEST TO REVIEW ALTERNATE FORMS OF GOVERNMENT

Mr. Donnelly explained the purpose of today's meeting is to discuss the request from Legislator McIntyre to develop a commission to study changes to the current type of County government. He asked if there were any members of the public wishing to speak. There being none, he asked Mr. Alger to provide the Committee with background on the current form of County government.

Mr. Alger stated historically, the County had a Board of Supervisors until 1984. Then they created the Legislature and reduced the size of the Board from 34 to 17. They also authorized the creation of a County Administrator position. There have been, in terms of ties between the towns and the Legislature, various Town Supervisors who have also served on the County board. Mr. Donnelly asked were Town Supervisors automatically on the County board? Mr. Alger stated there were a few of those. Up until the 1960's, when the newspaper challenged the propriety of having a Board of Supervisors, there were 38 members; one for each town and then 2 for the cities. After the lawsuit, only a few of the supervisors automatically served, the rest had to run for the board. That transitioned in 1984 to what we have now.

Mr. Walsh asked what were their terms? Mr. Alger stated they were 2-year terms. Discussion followed.

Mr. Creath stated when I first joined the Legislature in 1993, we passed a rule that the County Administrator was the boss of all of the Department Heads and they were to report to him. That was reinforced by also making the County Administrator the Budget Officer. The Administrator form of government has been going very well. Discussion followed.

Mr. Walsh asked how did they go from 34 members to 17 members? Mr. Alger stated they created an Alternate Forms of Government Committee, who made that recommendation and it was approved by the Board of Supervisors.

Mr. Donnelly stated so they did that on their own initiative? Mr. Ahrens stated yes and it was a gutsy move because they knew that they were voting themselves out of a job; at least 17 of them were.

Mr. Donnelly stated there are two forms of law that deal with the various forms of government. They are Municipal Home Rule law and Alternative Forms of Government law. Mr. Ahrens stated it is the same procedure, just under 2 different laws. He stated they could put anything they want into a charter. An important component of the administrator position is they didn't remove any of the executive or legislative functions from the Legislature. For example, the administrator doesn't have the ability to hire or fire department heads. That is the Legislature's job. I don't know what it is you want to approach or what issues you want to iron out, but it isn't inconceivable that rules changes could take care of what you want to do. If you don't delegate true executive functions to the Administrator then you don't need to put it up for public referendum. When counties decide to go with a charter and County Executive, they need to develop a whole new law.

Mr. Gehl asked how much change would we have to do to go with a County Manager? Mr. Ahrens stated you'd have to go to a public vote. Mr. Gehl stated he'd like to see that form of government.

Mr. Creath stated he's concerned they're strangling the taxpayers by having so many levels of government. North Carolina regionalized everything by County; even the school districts. The cities in Virginia are considered the same level as counties. The countywide school districts operate very well. I think we should parallel with Governor Spitzer's Local Government Commission to develop suggestions to make changes to State law and look at how to consolidate.

Mr. Ahrens stated you couldn't do that with a County charter. Changing to countywide school districts would have to come from Albany. Mr. Creath stated he is aware of that.

Mr. Donnelly stated if the County wanted to pick up some of the jobs that have duplication, such as going to countywide tax assessment, any of the affected municipalities would have to sign off on it.

Mr. Ahrens noted that another County utilized intergovernmental cooperation agreements with the towns to handle the assessments and all but 2 signed them so they basically have countywide assessment.

Mr. Nielsen stated if we try to consolidate, we'll have a hard time getting them to work together. They can't do it now.

Mr. Walsh stated we need to simplify the system. We don't need to overlap more departments and bureaucracy.

Mr. Gehl stated when the City of Corning went with a City Manager, it was a hard pill for the aldermen to swallow at first.

Mr. Gehl stated he'd like to see a County Manager that serves at the pleasure of the County Legislature.

Mr. Ahrens stated the County Manager would still need a contract for employment. You would have a hard time hiring somebody who had no guarantee as to how long they would be employed.

Mr. Nielsen asked so we can change this through an amendment to the Rules of Procedure? Mr. Ahrens stated if you gave the Administrator the authority to present to you those people he deemed appropriate for a Department Head position, that could be done with a rules change. Mr. Alger stated some counties do handle it that way. They have the administrator do the interviewing and then bring a recommendation forward to the Legislature for approval. The Legislature still makes the appointment based upon the Administrator's recommendation.

Mr. Ahrens stated they could also have the Administrator control the calendar for the committees. Mr. Alger noted that would result in more information on resolutions that comes before the Legislature.

Mr. Gehl asked these changes wouldn't have to go before the public? Mr. Ahrens stated it depends on what authority you want to give to the Administrator.

Mr. Donnelly stated he sees four options: 1) Study this on our own and make recommendations for changes to the Rules of Procedure; 2) Authorize a Commission to study and draft a charter; 3) Look at alternate forms of government; 4) Do nothing.

Mr. McIntyre stated the whole purview of this was to let independent folks tell us what direction they think the County should be going. Let them look at it. That's the reason why we came here today. You need somebody in charge - to hire and fire.

Mr. Creath stated he agrees. We need to have an outside look/see.

Mr. Gehl requested Mr. Ahrens and Mr. Alger develop a list of how to strengthen the County Administrator position without having to develop a Commission. He'd like to see what we could do before going that direction. He noted that he's not crazy about having a commission.

Mr. Donnelly stated they can't ask people to give up their personal time to study something without telling them exactly what we want.

Mr. Nielsen stated he doesn't think the current system is operating badly. We just need the Administrator to make more of these decisions with Legislative approval to make sure things progress more quickly when it is needed.

Mr. Donnelly asked Mr. Ahrens and Mr. Alger how much time is needed to come up with some suggestions?

Mr. Alger stated probably a month or so. There's a lot of information out there. Various counties have done things with the current forms of government and others have come up with other forms.

Mr. Donnelly requested they include options and what process would be needed for that option to be implemented.

Mr. Walsh stated if we set up a Commission, we would definitely need to give them a direction. Mr. Donnelly stated he thinks they need to look at things internally first.

Mr. Gehl stated if we could strengthen the County Administrator's authority, we might not need to go further.

Mr. Roche stated he thinks this is a good first step. Look internally and if this group feels rules changes are the way to go, great. If not, then we can go on to the next step. If you do decide to set up a Commission, it shouldn't be comprised of all non-legislators. If you are going to take this to a public referendum, we'll need a good mix of people to support it. Mr. Alger stated the requirement for any Charter is that it be passed not just countywide, but in the 2 cities. Whatever we do, it needs to be supported by the two cities. Discussion followed.

IV. OTHER BUSINESS

Mr. Walsh stated he's been out visiting his constituents door to door and has had some voters, who also work for the County, tell him they cannot speak with him. Apparently they were directed by their Department Head not to talk to any of the Legislators. Is there any County rule to that affect?

Mr. Alger stated no, there is not. He noted that there's a difference between you talking to your constituents about general issues versus a Legislator asking a subordinate employee to do something specific. Specific requests should be funneled through the employee's direct supervisor or Department Head. He stated he'd send a memo to the Department Heads regarding this issue.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

SPECIAL MEETING

Tuesday, June 25, 2007

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Patrick F. Donnelly, Chair Francis L. Gehl, Vice Chair DeWitt T. Baker, D.V.M.
L. Ronald Nielsen John Walsh

STAFF: Mark R. Alger Frederick H. Ahrens, Jr. David English
Carol Whitehead

LEGISLATORS: Philip J. Roche, Esq. Donald B. Creath Dan C. Farrand
Kenneth E. Isaman Robert V. Nichols Thomas J. Ryan

OTHERS: Andrew Robie, Law Intern

I. CALL TO ORDER

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

II. GENERAL BUSINESS

A. *Property Insurance* – Mr. Alger informed the committee that they have received quotes for general property insurance, which covers buildings, cars, boilers, etc. The premiums are going down and last year we paid \$105,000. We received a quote from Lloyd and Zurich for \$86,011 and from Hartford for \$91,643. He recommended awarding the property insurance to Lloyd and Zurich.

MOTION: AWARDING THE PROPERTY INSURANCE COVERAGE FOR THE COUNTY TO LLOYD AND ZURICH FOR \$86,011 MADE BY MR. GEHL. SECONDED BY MR. WALSH.

Mr. Alger commented this premium also includes the builder's risk through the end of June 2008 for both of our projects, but those projects will be done prior to that. The coverage limit for the buildings is \$64 million. If you lost all of the buildings, that would be the value. You would have to lose several buildings all at one time to hit that limit. Mr. Creath asked what is the deductible? Mr. Alger replied that he believes it is \$1million.

VOTE ON PREVIOUS MOTION: 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:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, July 10, 2007

9:30 a.m.

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

MINUTES

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

Legislators: Philip J. Roche Thomas J. Ryan Thomas J. McIntyre

Staff: Mark R. Alger Robert F. Biehl Kenneth Peaslee
Carol Whitehead Tammy Hurd-Harvey James Gleason
Henry Chapman David English Frederick Ahrens

Other: Andrew Robie, Law Intern

Absent: DeWitt T. Baker, DVM

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 JUNE 12, 2007, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel Officer

1. **Reclassification – Community Services** – Mr. Biehl stated the Office of Community Services is requesting authorization to reclassify a Grade X Medical Records Clerk Typist to a Grade V Receptionist. He noted that this request is contingent upon approval of the Health and Education Committee, which meets tomorrow.

MOTION: RECLASSIFYING A VACANT GRADE X MEDICAL RECORDS CLERK TYPIST POSITION TO A GRADE V RECEPTIONIST POSITION CONTINGENT UPON APPROVAL OF THE HEALTH AND EDUCATION COMMITTEE MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Reclassification – Special Children’s Services** – Mr. Biehl stated Special Children's Services is requesting authorization to reclassify a Grade XII Registered Professional Nurse to a Grade XIII Special Children’s Services Service Coordinator. He noted that this request is contingent upon approval of the Health and Education Committee, which meets tomorrow.

MOTION: RECLASSIFYING A GRADE XII REGISTERED PROFESSIONAL NURSE TO A GRADE XIII SPECIAL CHILDREN'S SERVICES SERVICE COORDINATOR POSITION CONTINGENT UPON APPROVAL OF THE HEALTH AND EDUCATION COMMITTEE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

B. Information Technology

1. **Used Cell Phones** – Mr. Peaslee stated that last month the County switched the cell phones from Cellular One to Verizon. Subsequently, we have 108 phones from Cellular One that we need to dispose of. He requested authorization to solicit bids for the sale of those phones. He noted that there is a market for them.

MOTION: AUTHORIZING THE INFORMATION TECHNOLOGY DIRECTOR TO SOLICIT BIDS FOR THE SALE OF 108 USED CELL PHONES MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. County Treasurer

1. **Monthly Report** – Mrs. Whitehead distributed copies of her monthly progress report for the Committee's review. She noted the delinquent tax sale is scheduled for next Wednesday. She noted that they started with 71 deeds and they are now down to 64.

MOTION: ACCEPTING THE COUNTY TREASURER'S MONTHLY PROGRESS REPORT MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. County Administrator

1. **Insurance Deductible** – Mr. Alger stated that last month he was asked what the deductibles were for the property insurance. The property insurance deductible is \$25,000 and the boiler and machinery insurance deductible is \$25,000.

2. **Administrative Code Changes** – Mr. Alger stated that last month he distributed proposed changes to the purchasing policy for inclusion in the Administrative Code. Discussion followed.

MOTION: APPROVING THE PROPOSED CHANGES TO THE PURCHASING POLICY FOR INCLUSION IN THE ADMINISTRATIVE CODE MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION TO ADJOURN MADE BY MR. WALSH. 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, August 14, 2007
9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Monday, July 16, 2007

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

MINUTES

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

Legislators: Thomas J. Ryan Thomas J. McIntyre

Staff: Mark R. Alger Nancy Smith

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

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 1:00 p.m.

Mr. Donnelly stated the purpose of today's meeting is to conduct interviews for the position of Steuben County Risk Manager.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, August 14, 2007

9:30 a.m.

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

MINUTES

<u>Committee:</u>	Patrick F. Donnelly, Chair	L. Ronald Nielsen	John Walsh
<u>Legislators:</u>	Philip J. Roche Donald B. Creath	Thomas J. McIntyre	Thomas Ryan
<u>Staff:</u>	Mark R. Alger Robert F. Biehl Kathryn Biehl Judy Hunter	Nancy Smith James Gleason Stanley Wraight Gregory P. Heffner	Carol Whitehead Richard Tweddell Michael Sprague David English
<u>Absent:</u>	Francis L. Gehl, Vice Chair	DeWitt T. Baker, D.V.M.	

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 JULY 10 AND JULY 16, 2007, MEETINGS MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel

1. **Reclassification – Sheriff** – Mrs. Smith stated Sheriff Tweddell is requesting authorization to reclassify a vacant Dispatcher position to a Receptionist position. Discussion followed.

MOTION: RECLASSIFYING A VACANT GRADE X DISPATCHER POSITION TO A GRADE V RECEPTIONIST POSITION WITHIN THE SHERIFF'S DEPARTMENT MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Reclassification – DSS** – Mrs. Smith stated Commissioner Biehl is requesting a Grade IV Case Management Aide position be reclassified to a Grade XIV Sr. Caseworker position. She is also requesting a Grade V Account Clerk position be reclassified to a Grade VI Account Clerk Typist position.

MOTION: RECLASSIFYING A GRADE IV CASE MANAGEMENT AIDE POSITION TO A GRADE XIV SR. CASEWORKER POSITION; AND A GRADE V ACCOUNT CLERK POSITION TO A GRADE VI ACCOUNT CLERK TYPIST POSITION WITHIN THE DEPARTMENT OF SOCIAL SERVICES MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

3. **16B Requests**

a. **Budget Analyst Position** – Mrs. Smith stated they have received a request from the County Administrator for a new position of Budget Analyst. We think it would be a cost-effective position, but believe it should be an Assistant Administrator position. This is an important piece of county government. The County Administrator oversees 34 department heads and, 5 years down the road, many of those department heads will be retiring. Therefore, we believe they should consider making the position an assistant.

Mr. Alger stated the request was made with the idea that an analyst position would be less expensive than an assistant position. With talking to Personnel, the thought is we should be asking for an assistant. An assistant can do the analyst work but an analyst can't do the assistant work. The concept I have is there are a number of things that we should be doing that we just aren't able to do such as looking at efficiencies and comparisons of departments to other counties. I simply don't have the time to do these types of things. We need somebody to provide the background analysis to the Legislature so they can make an informed decision.

Mr. Nielsen asked how would this affect the current deputy position? Mr. Alger stated Mr. Heffner is a part-time deputy and he fills in when I'm not here. I don't believe I'd eliminate that designation. If we had the assistant, I don't think they'd have the experience we have with the deputy. Therefore, I'd rather keep that position for the time being.

Mr. McIntyre asked with the completion of the Jail and Health Care Facility projects, won't a lot of what's on your plate be scaled down? Mr. Alger stated it seems we've always had one or another of these types of things going on. We simply have some work that is pushed aside because we don't have the time to do it. I believe there are more things we should be doing. There is no good time to ask for a new position but I believe, organizationally, that it is a time that we would truly benefit from it. Discussion followed.

Mrs. Smith recommended they move forward with creating an Assistant Administrator position rather than a Budget Analyst position. Mr. Biehl estimated the salary would be in the \$50,000 range.

MOTION: APPROVING AND FORWARDING TO THE ADMINISTRATION AND FINANCE COMMITTEES THE 16B REQUEST FOR AN ASSISTANT ADMINISTRATOR POSITION, MANAGEMENT GRADE TO BE DETERMINED, IN THE COUNTY ADMINISTRATOR'S OFFICE MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. County Clerk

1. **RFP for Grant Award** – Mrs. Hunter stated she applied for a grant for the digitization of land records. She recently received a notice of tentative award. She requested authorization to solicit RFP's for the digitization of land records. Discussion followed.

MOTION: AUTHORIZING THE PURCHASING AGENT TO SOLICIT REQUESTS FOR PROPOSALS FOR THE DIGITIZATION OF LAND RECORDS FOR THE COUNTY CLERK'S OFFICE MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

C. County Treasurer

1. **Monthly Report** – Mrs. Whitehead distributed copies of her monthly report for the Committee's review. Discussion followed.

2. **RFP for Remote Bank Deposit Services** – Mrs. Whitehead requested authorization to solicit RFP's for remote bank deposit services. There are several departments that spend time going to the bank. This would provide an opportunity to scan checks for the deposit. She noted that she is anticipating that it is a service issue so there shouldn't be any cost to the county.

MOTION: AUTHORIZING THE PURCHASING AGENT TO SOLICIT REQUESTS FOR PROPOSALS FOR REMOTE BANK DEPOSIT SERVICES FOR THE COUNTY TREASURER'S OFFICE MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

3. **Community College Residency Certificates**

a. **Deadline Policy** – Mrs. Whitehead stated she located a memo from 1994 that contained the deadline dates for community college residency certificates. She would like to put a limit on how long we will authorize certificates following the end of each semester.

MOTION: APPROVING THE FOLLOWING DEADLINES FOR RESIDENCY CERTIFICATES: FALL SEMESTER - NO APPROVALS AFTER MARCH 1ST; SPRING SEMESTER - NO APPROVALS AFTER AUGUST 1ST; SUMMER SESSIONS - NO APPROVALS AFTER NOVEMBER 1ST MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

b. ***Town Clerk Signature Requirement*** – Mrs. Whitehead stated in addition, she would like to eliminate the requirement of having the town clerk's signature on the residency certificate. She stated there is no statement on the form that the clerks are certifying and several colleges do not require a town clerk's signature. According to Corning Community College, only Steuben, Chemung and Tompkins require the town clerk's signature.

MOTION: ELIMINATING THE REQUIREMENT OF HAVING THE TOWN CLERK CERTIFICATION ON RESIDENCY CERTIFICATES MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

D. Purchasing Department

1. **Regional SAMPO** – Mr. Gleason stated he belongs to the State Association of Municipal Purchasing Officers. They have been conducting regional meetings and they have requested he host one of those meetings. He noted there is no cost to the County. He requested authorization to host the meeting on September 21, 2007.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO HOST THE SAMPO MEETING IN STEUBEN COUNTY ON SEPTEMBER 21, 2007 MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Surplus Auction** – Mr. Gleason stated Pirrung Auctioneers has been requested by the Penn Yan School District to sell several of their school buses in the surplus auction. Typically we do not charge municipalities for this service but the auctioneer proposed that we charge a 10 percent fee because they aren't an agency of Steuben County. The fee would be split with the auctioneer receiving 8 percent and the County receiving 2 percent.

Mr. Walsh asked would there be any liability on the part of the County if something happens to the buses while on County property? Discussion followed. *Mr. Gleason will check with the Risk Manager to see if the County needs an insurance rider.*

MOTION: AUTHORIZING THE PENN YAN SCHOOL DISTRICT TO PLACE SCHOOL BUSES IN THE STEUBEN COUNTY SURPLUS PROPERTY AUCTION FOR A FEE OF 10% OF THE SALE, 8% BEING PAID TO PIRRUNG AUCTIONEERS AND 2% BEING PAID TO STEUBEN COUNTY MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

3. **Cell Phone Bid** – Mr. Gleason stated he solicited bids for the sale of our used cell phones and he didn't receive any responses. The Committee agreed to place them in the surplus property auction.

E. County Administrator

1. **Reappointment** – Mr. Alger recommended the reappointment of Donna Hatch, Real Property Tax Service Agency Director, for another 6-year term. He stated Mrs. Hatch does a great job.

MOTION: RECOMMENDING THE REAPPOINTMENT OF DONNA HATCH AS REAL PROPERTY TAX SERVICE AGENCY DIRECTOR FOR A TERM OF 6 YEARS EFFECTIVE OCTOBER 1, 2007 MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Administrative Code**

a. ***Whistle Blowers Policy*** – Mr. Alger stated the first proposed change is to include a Whistle Blowers Policy, which would provide protection to employees who report a violation or suspected violation in good faith. If someone were to retaliate against an individual who reported a violation, they would be subject to discipline up to and including termination of employment. Discussion followed.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE THE WHISTLE BLOWERS POLICY MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

b. *Part IV, Accounting Procedures Section* – Mr. Alger stated changes to this section would streamline the process of the auditing procedure by allowing the Treasurer and Auditor flexibility on the issuance of vendor payments. Discussion followed.

MOTION: APPROVING THE PROPOSED AMENDMENTS TO THE ADMINISTRATIVE CODE RELATIVE TO PART IV. FINANCES; ACCOUNTING PROCEDURES; AUDITING PROCEDURES; PROGRAM AUDITS, EXIT AUDITS OR EXIT CONFERENCES MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

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

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, September 11, 2007
9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, September 11, 2007

9:30 a.m.

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

MINUTES

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

Legislators: Philip J. Roche Thomas J. Ryan

Staff: Mark R. Alger Gregory P. Heffner Carol Whitehead Robert F. Biehl
Nancy Smith Frank Justice Kenneth Peaslee Donna Hatch
Vicki Fuerst Henry Chapman Kathryn Biehl James Gleason
Frederick Ahrens David English Judy Hunter Tammy Hurd-Harvey
Lewis Eason

Other: Mary Perham, *Leader*

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

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 AUGUST 14, 2007, MEETING MADE BY MR. NIELSEN, SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel

1. **16B Positions** – Mrs. Smith distributed copies of the list of 16B requests. She stated 9 out of 10 requested positions were recommended by the Personnel Office and the Standing Committees followed Personnel’s recommendations.

a. **County Administrator – Assistant Administrator Position** – Mrs. Smith stated Mr. Alger originally requested a Budget Analyst position. When the Personnel Office reviewed the duties, they felt the position required the ability to handle more of the administration work.

MOTION: ACCEPTING AND FORWARDING TO THE FINANCE COMMITTEE THE CREATION OF AN ASSISTANT COUNTY ADMINISTRATOR POSITION, MANAGEMENT GRADE TO BE DETERMINED, MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

b. **Community Services – (3) Staff Social Worker Positions; (1) Account Clerk Typist** – Mrs. Smith stated these positions are for the schools program. The Department of Social Services is helping to provide the State funding and school districts are picking up the balance. Mr. Donnelly asked that these positions be flagged so that when the funding stops, the positions are eliminated.

MOTION: ACCEPTING AND FORWARDING TO THE FINANCE COMMITTEE THE 16B REQUEST FROM THE OFFICE OF COMMUNITY SERVICES FOR THREE (3) GRADE XV STAFF SOCIAL WORKER POSITIONS AND (1) GRADE VI ACCOUNT CLERK-TYPIST POSITION WITH THE STIPULATION THAT WHEN THE FUNDING IS ELIMINATED, SO ARE THE POSITIONS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

c. *Emergency Services – Administrative Assistant; EMS Coordinator* – Mrs. Smith stated the Administrative Assistant position was abolished after an employee retired. The Personnel Office is not recommending this position and the Public Safety & Corrections Committee has agreed so no action is required by this Committee.

Mrs. Smith stated the Personnel Office would like to study the EMS Coordinator position for a year, but the Public Safety and Corrections Committee has approved and forwarded the request. Mr. Gehl asked how are you going to study the position if there's nobody in the position? Mrs. Smith stated by sending out surveys and developing a list of priorities for the position so they can determine a job description. Mr. Sprague noted that he distributed copies of sample job descriptions to the Committee.

Mr. Walsh asked Mr. Alger, what is your opinion regarding this issue? Mr. Alger stated he had previously distributed information regarding a review of a project that the Rural Health Network has for EMS services. Since then, the Rural Health Network has somewhat recanted what they were saying initially, and they support the position as well. There isn't a good answer for this. One of the problems we have is ambulance services in the rural areas. It is really a reflection of volunteers generally and it comes to a head with ambulances because of the training needed. The problem is, a coordinator would only be able to assist the ambulance services so what are they going to gain with this position? He stated Mr. Sprague has tried to make the case that if the position is effective for coordinating and documenting the training, they might be able to keep more people in the business but I honestly don't know if that would be the case. Discussion followed.

MOTION: ACCEPTING AND FORWARDING TO THE FINANCE COMMITTEE THE CREATION OF ONE GRADE VIII EMS COORDINATOR POSITION MADE BY MR. GEHL. SECONDED BY MR. WALSH. IN FAVOR: GEHL AND WALSH. OPPOSED: NIELSEN AND DONNELLY. MOTION FAILS 2-2.

d. *Probation Office – Probation Supervisor Upgrade* – Mrs. Smith stated the Personnel Office is not recommending this and the Public Safety and Corrections Committee did not take action. Therefore, this Committee does not to address this request.

e. *Public Health Nursing – Health Care Fiscal Specialist* – Mrs. Smith stated the Personnel Office is not recommending this and the Health and Education Committee did not take action. Therefore, this Committee does not to address this request.

f. *Public Works – MEO Supervisor Upgrade* – Mrs. Smith stated the Personnel Office is not recommending this and the Public Works Committee did not take action. Therefore, this Committee does not to address this request.

g. *Department of Social Services – Sr. Caseworker; Grade B Supervisor; Accountant* – Mrs. Smith stated the Personnel Office is recommending approval of these positions. The total local cost for these positions is \$31,176 including the benefits.

MOTION: ACCEPTING AND FORWARDING TO THE FINANCE COMMITTEE ONE GRADE XIV SENIOR CASEWORKER POSITION; ONE GRADE XVI GRADE B SUPERVISOR POSITION AND ONE GRADE XIV ACCOUNTANT POSITION IN THE DEPARTMENT OF SOCIAL SERVICES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Reclassifications**

a. *Public Health Nursing Services* – Mr. Biehl stated they had a retirement of a long-standing employee and when the position went vacant, we suggested they look at the duties of the position. Based

upon that evaluation, they are requesting to reclassify a Grade VIII Principal Clerk position to a Grade X Sr. Account Clerk Typist position.

MOTION: RECLASSIFYING A VACANT GRADE VIII PRINCIPAL CLERK POSITION TO A GRADE X SR. ACCOUNT CLERK TYPIST POSITION IN PUBLIC HEALTH NURSING SERVICES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

b. *Office of Community Services* – Mr. Biehl stated they currently have two Alcohol Substance Abuse Counselor positions that they would like to promote to Senior Alcohol Substance Abuse Counselors. He noted that this was at the recommendation of the State and was approved by the Health and Education Committee. He noted that the two individuals in these positions have already taken the test for the promotional position.

MOTION: RECLASSIFYING TWO GRADE XIII ALCOHOL AND SUBSTANCE ABUSE COUNSELOR POSITIONS TO GRADE XIV SENIOR ALOCHOL AND SUBSTANCE ABUSE COUNSELORS IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

c. *Personnel Office* – Mr. Biehl stated if you'll remember, two years ago we traded a Grade XV Sr. Personnel Technician position for a Grade XIV Personnel Technician. They currently have a Grade X Sr. Account Clerk-Typist position vacant and he requested authorization to reclassify it to a Grade XV Sr. Personnel Technician. He noted they have sufficient funds in the budget. Discussion followed.

MOTION: RECLASSIFYING A VACANT GRADE X SR. ACCOUNT CLERK-TYPIST POSITION TO A GRADE XV SR. PERSONNEL TECHNICIAN POSITION IN THE PERSONNEL OFFICE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **New Position Request**

a. *Probation Department* – Mr. Justice stated this position falls outside of the 16B process. We were notified by New York State this past May that funding was available for enhanced supervision. We conducted a study to determine if they could handle the enhanced supervision caseload in addition to their current caseload, and the result is the caseloads would be too high for each Probation Officer. The regulations for enhanced supervision require that the caseloads cannot be more than 55. If we do enhanced supervision with current staff, the other Probation Officers' caseloads would increase to 72 and that is unmanageable. Discussion followed.

Mr. Alger noted that the Public Safety and Corrections Committee centered on the fact that if we don't add the position, we'll be in the same position as last year when we hired additional Probation Officers to reduce caseloads. At least this time they are helping to pay for the position. Mr. Justice noted that we have no assurances that State funding would continue for this purpose, but it is probable.

MOTION: CREATING ONE GRADE XIII PROBATION OFFICER POSITION WITHIN THE DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Real Property Tax Service Agency

1. **Tax Resolutions** – Mrs. Hatch presented the tax resolutions that need to be approved by the Legislature in the coming months. She noted this month they will need to approve the RPS V4 annual license fee charge to be charged back to the towns and cities. Discussion followed.

MOTION: APPROVING THE RPS V4 ANNUAL LICENSE FEE AND CHARGEBACK FEE AND APPROVING AND FORWARDING THE ANNUAL TAX RESOLUTIONS FOR 2007 TO THE FULL LEGISLATURE FOR APPROVAL MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolutions Required.

C. County Treasurer

1. **Monthly Report** – Mrs. Whitehead distributed copies of the monthly progress report for the Committee’s review.

D. County Clerk

1. **Grant** – Mrs. Hunter stated last month the Committee approved soliciting RFP’s for the digitization of land records. Mr. Alger stated we apparently never accepted and approved the grant. Mrs. Hunter stated she never received final approval from the State, but she received the money. The grant amount is \$70,962 and she requested authorization to accept and appropriate those funds. Discussion followed.

MOTION: ACCEPTING AND APPROPRIATING \$70,962 IN STATE GRANT FUNDING FOR THE PURPOSE OF DIGITIZING LAND RECORDS MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. County Administrator

1. **Administrative Code Changes** – Mr. Alger distributed copies of the recommended changes to the Administrative Code for the Committee’s review. Discussion followed.

MOTION: AMENDING PART I OF THE ADMINISTRATIVE CODE AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES. 4-0.

MOTION: AMENDING PART III OF THE ADMINISTRATIVE CODE AS PRESENTED MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AMENDING PART VII OF THE ADMINISTRATIVE CODE AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **County Administrator Position** – Mr. Alger stated a couple of months ago the Committee requested he and the County Attorney look at various ways to strengthen the County Administrator’s position. There are a couple of things you could do that wouldn’t alter the Legislature’s authority. You could have the Administrator bring a recommendation for the hiring of a department head, rather than submitting a group of 2 or 3 candidates. You could also have the Administrator have more of a hand in what is placed on the agendas. It boils down to the Legislature’s choice on how they want to operate. Discussion followed.

Mr. Ahrens stated he thinks the department heads need to understand that the Administrator is the one who recommends them to the Legislature. You could have a rule that you shall take a vote on the firing of a department head at the recommendation of the County Administrator. Mr. Alger stated he and Mr. Ahrens will get a list of these types of items together and bring it to the Committee next month.

F. Information Technology

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

MOTION: AUTHORIZING THE EXECUTION OF A BOUNDARY LINE AGREEMENT RELATIVE TO PROPERTY REMAINING UNUSED AFTER THE COMPLETION OF STATE HIGHWAY CONSTRUCTION ON NEW YORK STATE ROUTE 54 IN THE TOWN OF URBANA MADE BY MR. WALSH. 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: AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO CONTRACT WITH MERCURY NETWORKS OF PENFIELD, NY, FOR THE PURPOSE OF PROVIDING A HIPAA SECURITY AUDIT FOR 2007 FOR A TOTAL COST OF \$22,500 MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, October 2, 2007**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, October 9, 2007

9:30 a.m.

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

MINUTES

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

Legislators: Philip J. Roche Thomas J. McIntyre Thomas Ryan

Staff: Mark R. Alger Robert F. Biehl Lewis Eason
Frederick H. Ahrens David English James Gleason
Carol Whitehead Tammy Hurd-Harvey Judy Hunter
Gail Tomb

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

Other: Mary Perham, *Leader* Lawrence Crossett

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 9:50 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE SEPTEMBER 11, 2007, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel Office

1. **Reclassification – Law Department** – Mr. Biehl stated the County Attorney is requesting authorization to reclassify a Grade VIII Principal Typist position to a Grade VI Senior Typist position. He stated that the County Attorney’s Confidential Secretary, Carole Rought, is retiring at the end of the month. They are filling the position from within the department, which will leave a vacancy in the Principal Typist position.

Mr. Biehl stated they currently do not have a Principal Typist list, but they do have a Senior Typist list. It is possible that once the vacancy is filled and that individual is trained, the County Attorney may come back and request the position be reclassified back to a Principal Typist.

MOTION: RECLASSIFYING A VACANT PRINCIPAL TYPIST POSITION, GRADE VIII, TO A SENIOR TYPIST POSITION, GRADE VI, WITHIN THE LAW DEPARTMENT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Purchasing Department

1. **Surplus Equipment Auction** – Mr. Gleason distributed copies of the summary sheet from the County Surplus Auction. He thanked all of the departments that assisted with the auction, particularly the Public Works Department. The gross proceeds from the auction were \$143,665.50 with the County’s share being \$81,885.50.

MOTION: ACCEPTING THE PURCHASING AGENT'S REPORT ON THE COUNTY SURPLUS AUCTION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. County Treasurer

1. **Monthly Report** – Mrs. Whitehead distributed copies of her monthly report for the Committee's review.

MOTION: ACCEPTING THE COUNTY TREASURER'S MONTHLY REPORT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. County Clerk

1. **DMV Update** – Mrs. Hunter stated Governor Spitzer issued an executive order removing the requirement of a social security card when applying for a driver's license or non driver ID card. This will also involve a new procedure to implement this policy.

Mrs. Hunter stated the new policy is to be implemented in two phases. The first phase involves individuals who previously had been issued NYS driver's licenses or non-driver ID cards. Based upon their current card status, they've been broken out into three groups. The first group involves those applicants that are already in the system who were blocked from receiving an ID because they couldn't provide a valid social security card. These are individuals whose ID card has been expired for less than two years. The second group involves applicants whose cards have been expired for more than two years. Applicants seeking license renewal will be required to take a written and road test before license renewal can be granted. The third group involves applicants who currently hold a valid license but have been prohibited from any future transaction processing. These individuals will be required to visit their local DMV office to present acceptable proof of identification and obtain their renewal. She noted that Steuben County has 16 individuals under group one, 161 individuals under group two and 201 individuals under group three.

Mrs. Hunter stated Phase 2 will be opened up to new applicants and that phase will begin approximately 6 to 8 months after phase 1 begins.

Mrs. Hunter stated the New York State Association of County Clerks held another meeting last Thursday where they passed a resolution opposing this new policy. She stated they seriously question the Commissioner of Motor Vehicle's authority to license illegal aliens. She noted that 13 County Clerks across the State have taken the position that they will not issue licenses to illegal aliens. She distributed copies of the resolution passed by the County Clerks' Association and requested the Committee's support of this resolution. Discussion followed.

Mrs. Hunter stated the Federal Government is still moving forward with the Real ID program so they will need to begin implementing that as soon as they receive the program information. Mr. Ahrens stated the counties that refuse to issue those licenses will probably be sued by the Governor in an Article 78 proceeding, and that will work its way through the courts. My advice to Mrs. Hunter was to follow the directive because if she doesn't, she'll be infringing on somebody's entitlement. Considerable discussion followed.

MOTION: SUPPORTING THE NEW YORK STATE ASSOCIATION OF COUNTY CLERK'S OBJECTION TO THE DEPARTMENT OF MOTOR VEHICLE'S POLICY OF ALLOWING ILLEGAL ALIENS TO OBTAIN A VALID NEW YORK STATE DRIVER'S LICENSE AND NEW YORK STATE NON-DRIVER IDENTIFICATION CARD MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

E. County Administrator

1. **Administrative Code Changes** – Mr. Alger presented changes to two sections of the Administrative Code for the Committee's approval. Discussion followed.

MOTION: APPROVING THE PROPOSED CHANGES TO PART VIII AND PART X OF THE ADMINISTRATIVE CODE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Other** – Mr. Alger stated based upon the Committee’s request from last month, he and Mr. Ahrens have developed possible changes to the *Rules of Procedure* in order to strengthen the position of County Administrator. He distributed copies of the possible changes to the Committee.

Mr. McIntyre stated he made a proposal in April about reviewing a possible change in the form of government. What is the status of that proposal? Mr. Donnelly stated this is our procedure for that proposal. The Committee decided to look at strengthening the Administrator’s position internally. Mr. McIntyre stated he’s disappointed it didn’t go further than this Committee and at least make it to the floor of the Legislature.

Mr. Ahrens stated this is a fundamental change on how you are going to do business. If you agree with the direction of this proposal, he can work up a final draft to be presented in November. He noted that this would be a two step process so final approval wouldn’t occur until December. Mr. Alger stated this would also need to be approved by the Rules Committee.

MOTION: AUTHORIZING THE COUNTY ATTORNEY TO PROCEED WITH THE DEVELOPMENT OF A FINAL DRAFT TO AMEND THE RULES OF PROCEDURE TO INCORPORATE CHANGES TO STRENGTHEN THE COUNTY ADMINISTRATOR’S POSITION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, November 13, 2007
9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE
Friday, November 9, 2007
Legislative Committee Conference Room
Steuben County Office Building
Bath, New York

MINUTES

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

Legislators: Philip J. Roche Thomas J. McIntyre

Staff: Mark R. Alger Donna Hatch Nancy Smith
Vincent Spagnoletti Lewis Eason Allan Johnson
Carol Whitehead James Gleason David English
Tammy Hurd-Harvey Judy Hunter Gregory P. Heffner
Robert Biehl

Other: Mary Perham, *Leader* Lawrence P. Crossett, Legislator-Elect

I. CALL TO ORDER

The meeting was called to order by Mr. Donnelly at 1:00 p.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE OCTOBER 9, 2007 MEETING MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Gehl not present for the vote.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel Office

1. **Reclassification – Purchasing Department** – Mrs. Smith stated they have a vacant Sr. Clerk position, Grade 6, in the Purchasing Department. They've reviewed the duties of the position and have decided to reclassify it to a Mail Clerk position, Grade V.

MOTION: RECLASSIFYING A VACANT GRADE VI SENIOR CLERK POSITION TO A GRADE V MAIL CLERK POSITION IN THE PURCHASING DEPARTMENT MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Gehl not present for the vote.

2. **Reclassification – Public Works Department** – Mrs. Smith stated the Public Works Department has two vacant Junior Bridgeworker positions, Grade IX, and they would like to reclassify the positions to Motor Equipment Operators, Grade VIII. Mr. Spagnoletti stated the striping truck is coming in and they need somebody to operate it. Mrs. Smith noted this reclassification was approved by the Public Works Committee.

MOTION: RECLASSIFYING TWO VACANT JUNIOR BRIDGEWORKER POSITIONS, GRADE IX, TO MOTOR EQUIPMENT OPERATORS, GRADE VIII, IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Gehl not present for the vote.

3. **Reclassification – Public Works Department** – Mrs. Smith stated they are also requesting authorization to reclassify a vacant Heavy Motor Equipment Operator position, Grade X, to an Assistant Landfill

Supervisor position, Grade XIV. Mr. Spagnoletti stated they've learned that the environmental and safety regulations associated with the landfill seem to be skyrocketing. There are so many of them and they are so detailed, we need somebody specifically assigned to keep track of these. Mrs. Smith noted it is a title we already have and the duties were close enough to assign the position this title. She noted it was approved by the Public Works Committee.

MOTION: RECLASSIFYING A VACANT HEAVY MOTOR EQUIPMENT OPERATOR POSITION, GRADE X, TO AN ASSISTANT LANDFILL SUPERVISOR POSITION, GRADE XIV, WITHIN THE PUBLIC WORKS DEPARTMENT MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Gehl not present for the vote. Resolution Required.

4. **Reclassification – Public Works Department** – Mr. Spagnoletti stated the garage laborer in the Parks Department does a lot of cabinetry, plumbing and electrical work. It isn't just laborer work. He requested authorization to reclassify the Garage Laborer position, Grade VIII, to Building Maintenance Mechanic, Grade IX.

MOTION: RECLASSIFYING ONE GARAGE LABORER POSITION, GRADE VIII, TO BUILDING MAINTENANCE MECHANIC POSITION, GRADE IX, WITHIN THE PUBLIC WORKS DEPARTMENT MADE BY MR. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Gehl not present for the vote. Resolution Required.

B. Board of Elections

1. **HAVA Update** – Mr. Johnson stated the US Justice Department is requesting that we have in place handicapped-accessible machines by September 2008. There have been none approved by the State as of yet. They may allow us to put new machines in every district that meet federal guidelines instead of the state guidelines. Mr. Alger stated if their suit goes through, will that override the state law? Mr. Johnson stated he does not know. The Election Commissioners are very much opposed to this. Everybody thinks this will be a disaster. In addition, they have asked that we have some additional handicapped machines in place by the February 5th Presidential Primary, but that shouldn't be a problem. This is a very expensive issue and anything the County Legislature and NYSAC can do to speak out against this would be appreciated. Discussion followed.

Mr. Johnson stated the US Justice Department has filed papers with the federal courts asking that New York State comply with HAVA. He noted we're the last state in the union that hasn't complied. Mr. Nielsen asked how would we pay for these machines? Mr. Johnson stated it would be paid with our HAVA funds that the State is holding. It will also require training and transportation. By law, we have to have handicapped accessible machines in all voting locations. Probably if we did end up putting handicapped machines in all locations, we might be able to use the lever machines. Mr. Alger stated the Automark machines will cost about \$350,000 for all locations and you have \$900,000 to spend. So, by the way time we're finished, we should just go with the optical scanners. The optical machine may be the one the US Justice Department directs us to use. Mr. Johnson stated the handicapped machines will use up almost half of our funds and the optical scanners are less expensive and are handicapped accessible. Right now it is up in the air. Discussion followed.

2. **Democratic Election Commissioner** – Mr. Johnson stated he has decided to retire at the end of the year. Our Democratic Chairman has submitted a certification with the Clerk of the Legislature's Office recommending Sandra Dennison be appointed to fulfill the remainder of the term effective January 1, 2008.

MOTION: RECOMMENDING THE FULL LEGISLATURE APPROVE THE APPOINTMENT OF SANDRA DENNISON TO FULFILL THE UNEXPIRED TERM OF ALLAN JOHNSON AS DEMOCRATIC ELECTIONS COMMISSIONER EFFECTIVE JANUARY 1, 2008, MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. County Treasurer

1. **Monthly Report** – Mrs. Whitehead distributed copies of her monthly report for the Committee's review.

MOTION ACCEPTING THE COUNTY TREASURER'S MONTHLY REPORT AS SUBMITTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Investment Policy** – Mrs. Whitehead distributed copies of the proposed revisions to the County's Investment Policy. She asked the Committee to review the policy and she'll bring it back next month for final approval. *For next month's agenda: Approval of Revised Investment Policy.*

D. County Clerk

1. **Mortgage Tax Distribution** – Mrs. Hunter and Mrs. Whitehead distributed copies of the semi-annual Mortgage Tax Distribution. Mrs. Hunter stated the amount has increased from March, but is down for the same period last year.

MOTION: ACCEPTING THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION AND FORWARDING TO THE FULL LEGISLATURE MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **DMV Update** – Mrs. Hunter stated she spoke at the Assembly Public Hearing in Rochester regarding this Governor's new policy. At that hearing, the Monroe County Sheriff announced that the NYS Sheriff's Association voted to oppose the change. She noted those individuals in the U.S. temporarily can be issued a driver's license under temporary visitor status. That temporary visitor status was suspended by the Governor on September 24th and then placed back into effect on November 2nd. While the temporary visitor status was suspended, approximately 16,000 licenses were issued without the temporary status wording being indicated on the license. So now all of these individuals have been issued 8 year licenses.

Mrs. Hunter stated she received notification from the Yates County Clerk that her Board of Legislators will be entertaining a resolution at their next meeting directing her not to issue licenses to individuals in this country illegally. She stated the resolution also includes indemnifying the County Clerk from legal actions against her. That brings to date 21 Counties statewide who are not going to issue licenses to illegal immigrants. Discussion followed.

Mr. Alger noted that when the Federal Government's Real ID program begins every individual will be required to bring in the 6 forms of ID currently required by new drivers. Discussion followed.

E. Real Property Tax Service Agency

1. **Table of Equalization** – Mrs. Hatch distributed copies of the Table of Equalization Rates for the 2008 Tax Levy for the Committee's review. Discussion followed.

MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE TABLE OF COUNTY EQUALIZATION RATES AND REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2008 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

F. Risk Manager

1. **Contract Renewal** – Mr. Eason requested approval to renew the contract with the County's Third Party Administrator, Eagle Claim Services, for an additional 3 years. He noted the annual fee is fixed at \$55,000 and they've offered to provide us with that as a flat fee for each of the ensuing years. He stated their performance is spectacular.

MOTION: RENEWING THE THIRD PARTY ADMINISTRATOR CONTRACT WITH EAGLE CLAIM SERVICES FOR THREE YEARS AT \$55,000 PER YEAR MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

G. County Administrator

1. Administrative Code Changes – Mr. Alger presented changes to two sections of the *Administrative Code* for the committee's review and approval. Discussion followed.

MOTION: APPROVING THE AMENDMENTS TO PART XII OF THE ADMINISTRATIVE CODE, RELATIVE TO EMPLOYEE INCOMPETENCE/MISCONDUCT, COUNSELING AND DISCIPLINARY PROCEDURES MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING THE AMENDMENTS TO PART XIV OF THE ADMINISTRATIVE CODE, RELATIVE TO OFFICE SPACE ALLOCATION MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Personnel Issues

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

MOTION: RECOMMENDING THE REAPPOINTMENT OF CHRISTINE KANE AS CLERK OF THE LEGISLATURE FOR A TERM OF 4 YEARS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.*

MOTION: RECOMMENDING THE REAPPOINTMENT OF FREDERICK AHRENS AS COUNTY ATTORNEY FOR A TERM OF 4 YEARS MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. IN FAVOR: NIELSEN, WALSH, DONNELLY. OPPOSED: GEHL. MOTION CARRIES 3-1. *Resolution Required.*

MOTION: RECOMMENDING THE REAPPOINTMENT OF STANLEY WRAIGHT AS COUNTY AUDITOR FOR A TERM OF 4 YEARS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.*

MOTION: RECOMMENDING THE REAPPOINTMENT OF BYRUM COOPER AS PUBLIC DEFENDER FOR A TERM OF 4 YEARS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.*

MOTION: APPROVING A SALARY INCREASE OF 4 PERCENT FOR ELECTED OFFICIALS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: MOVING THE SALARY OF THE COUNTY AUDITOR TO THE 2007 MIDPOINT RANGE OF MANAGEMENT GRADE C (\$42,527) MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING MANAGEMENT SALARY INCREASES OF 4.5%, 4% AND 3.5% BASED UPON MANAGEMENT EVALUATIONS MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING SALARY INCREASES OF 4.5%, 4% AND 3.5% FOR MISCELLANEOUS AND PART-TIME EMPLOYEES BASED UPON THEIR EVALUATIONS MADE BY MR. NIELSEN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING A 3.5% SALARY INCREASE FOR CONFIDENTIAL EMPLOYEES AND MOVING THE SALARY OF THE CONFIDENTIAL SECRETARY TO THE COUNTY ADMINISTRATOR TO GRADE X, STEP 3 (\$38,500) MADE BY MR. GEHL. 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.

Discussion was had regarding increasing the Legislators' salaries by 3 percent or \$350. Considerable discussion followed.

MOTION: RECOMMENDING THE FULL LEGISLATURE INCREASE LEGISLATORS' SALARIES BY \$500 ACROSS THE BOARD FOR 2008 MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, December 11, 2007
9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, December 11, 2007

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

MINUTES

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

Legislators: Philip J. Roche Thomas J. Ryan Thomas J. McIntyre

Staff: Mark R. Alger James Gleason Lewis Eason
Robert F. Biehl Frederick H. Ahrens, Jr. Kenneth Peaslee
Carol Whitehead Tammy Hurd-Harvey David English
Kenneth Sherer

Other: Lawrence Crossett, Legislator-Elect Larry Meister, Mercury Networks
Chris Hannan, Optimal Technologies Steve Stasiukonis, Secure Network
Bob Clary, Secure Network

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

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 NOVEMBER 9, 2007, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel Office

1. **Reclassification – Treasurer** – Mr. Biehl stated the Treasurer's Office is requesting reclassification of a vacant Tax Clerk position, Grade 8, to a Senior Account Clerk/Typist position, Grade 10.

MOTION: RECLASSIFYING A VACANT GRADE VIII TAX CLERK POSITION TO A GRADE X SENIOR ACCOUNT CLERK/TYPIST POSITION IN THE COUNTY TREASURER'S OFFICE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

B. County Treasurer

1. **Monthly Report** – Mrs. Whitehead distributed copies of her monthly report for the Committee's review. Discussion followed.

2. **Investment Policy** – Mrs. Whitehead stated she distributed copies of the proposed policy changes at last month's meeting. Mr. Donnelly stated when you cite references to the General Municipal Code, the references are different than the code I use. Mr. Ahrens stated we use McKinney's Law Books. Mrs. Whitehead stated much of this policy came from the model policy suggested by the State Comptroller's Office. Discussion followed.

MOTION: ACCEPTING THE PROPOSED CHANGES TO THE INVESTMENT POLICY AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Records Manager

1. **Contract Amendment** – Mr. Sherer requested authorization to extend the contract with Photo Micrographics through 2008 for \$33,700. Discussion followed.

MOTION: EXTENDING THE RECORDS MANAGER'S CONTRACT WITH PHOTO MICROGRAPHICS THROUGH 2008 FOR \$33,700 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Purchasing Department

1. **Copier Machines** – Mr. Gleason requested authorization to purchase 5 copier machines for the following offices: County Treasurer, County Clerk, Public Defender, Mental Health and DSS Support Collection Unit. The total cost of these copiers is \$40,000 off of the NYS contract. He noted the funding is available in the Copier Capital Project.

MOTION: AUTHORIZING THE PURCHASING AGENT TO PURCHASE 5 COPIERS FOR \$40,000 OFF THE NYS STATE CONTRACT, TO BE PAID FOR FROM THE COPIER CAPITAL PROJECT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. County Clerk

1. **Contract** – Mr. Alger stated the County Clerk is requesting authorization to extend her agreement with Cott Systems for the resolution software system user license, software assurance and hardware maintenance. He noted there is a slight increase in the per month fee beginning April 1st. Discussion followed.

MOTION: EXTENDING THE COUNTY CLERK'S CONTRACT WITH COTT SYSTEMS THROUGH DECEMBER 31, 2008, AT \$1,683/MONTH WITH AN INCREASE TO \$1,793/MONTH EFFECTIVE APRIL 1, 2008, SUBJECT TO THE REVIEW AND APPROVAL OF THE LAW DEPARTMENT MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. County Administrator

1. **Administrative Code Amendments** – Mr. Alger reviewed the recommended changes to the *Administrative Code* Part XV/Management Fringe Benefits and Part XVI/Work Place Health Policies. Discussion followed.

MOTION: APPROVING THE AMENDMENTS TO THE ADMINISTRATIVE CODE, PART XV/MANAGEMENT FRINGE BENEFITS AND PART XVI/WORKPLACE HEALTH POLICIES, AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

G. Risk Manager

1. **Excess Workers' Compensation/Excess General Liability Insurance** – Mr. Eason stated he only received a quote from our current carrier for Excess Workers' Compensation insurance as nobody else in the market can beat their price. In addition, he's been told the premium for the Excess General Liability insurance will be approximately 5 percent less than last year. Mr. Alger stated since the premium will be lower and the market is soft, he has asked Mr. Eason to attempt to get them to reduce the \$1 million SIR. Discussion followed.

Mr. Alger requested the Committee authorize Mr. Eason to renew both insurances at or below the current quote and then bring it back to the Committee if we receive an attractive quote for the SIR.

MOTION: AUTHORIZING THE RENEWAL OF THE EXCESS WORKERS' COMPENSATION INSURANCE AND THE EXCESS GENERAL LIABILITY INSURANCE AT OR BELOW THE CURRENT QUOTE MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.A. MATTERS WHICH WILL IMPERIL THE PUBLIC SAFETY IF DISCLOSED; 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. WALSH. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION ACCEPTING THE REPORT ON HIPPA COMPLIANCE AS PRESENTED MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, January 8, 2008
9:30 a.m.**

**Please send agenda items to the County Administrator's Office
NO LATER THAN NOON
Wednesday, January 2, 2008**