

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, January 11, 2011

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Scott J. Van Etten	Carol A. Ferratella	Gary B. Roush
STAFF:	Mark R. Alger Ken Peaslee Nancy Smith	Jack Wheeler Wendy Flaitz Tammy Hurd-Harvey	Brenda Mori Ken Isaman Alan Reed
LEGISLATORS:	Joseph J. Hauryski John S. Walsh	Michael Hanna	Thomas J. Ryan
ABSENT:	Lawrence P. Crossett, Vice Chair		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 14, 2010, AND DECEMBER 20, 2010, MINUTES MADE BY MR. VAN ETEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REPORTS/REQUESTS

A. Clerk of the Legislature

1. **Retirement Reporting** – Mrs. Mori distributed a copy of the Retirement Reporting resolution that will be on the January Legislative Meeting agenda. We are required to do this by the State Comptroller’s Office. With the timing of the retirements, she picked up additional individuals that were not included on the resolution that was done in June. That first resolution we did, encompassed every appointed and elected official since August 2009. There are still some individuals that we are waiting to get information for. Mrs. Mori stated that appointed and elected officials must either send a statement that says they participate in the County’s timekeeping system or provide a three-month calendar which depicts a record of their activities so that we can determine how many hours they work.

Mr. McAllister asked when does the resolution have to be filed? Mrs. Mori replied within 150 days of their appointment. One problem is that we don’t always know when new attorneys are being hired. She stated that she is in the process of developing a database to track this information better and has also been working with Personnel.

Mr. Van Etten asked why is the County Attorney not included on this resolution? Mrs. Mori replied his appointment was effective January 1, 2011, and he will be included on the next resolution. The goal is to only do this resolution once or twice each year.

MOTION: APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS MADE BY MR. VAN ETEN. SECONDED BY MR. ROUSH FOR DISCUSSION.

Mr. Alger asked who determines the terms? Mrs. Mori replied in the first resolution, we indicated that competitive class department heads were appointed with no term. When she called the Comptroller's Office, they indicated that competitive class did not need to be included in the resolution. However, her State Association has indicated they would like that response in writing and some counties have been including every position. She stated that she is waiting for a response from the Comptroller's Office. In their annual update, the Comptroller's Office did clarify that if the position does not have a term, then the term should go with that of the appointing authority. Anyone without a term will have a term for the end of 2011 because there will be a turnover in the Legislature. Then the term for those employees will be every four years from that point.

Mr. Alger commented that most of these employees do not have terms; they are permanent employees unless removed from office for some reason. He stated that he did not want the Legislators thinking that some of these positions listed are term. That is really only for retirement reporting purposes. Mrs. Mori stated in the past we never had to report them, but now we have to keep track.

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

B. Information Technology

1. **USB Policy Review** – Mr. Peaslee asked if there were any questions regarding the USB Policy that he sent out for review. Mr. McAllister asked are employees given copies of all of the policies when they are hired and do they sign off as having received them; or are the policies just given to existing employees? Mrs. Smith replied when we did the Sexual Harassment Policy we sent it out and had the employees sign a form that they received it. Also, they had to sign a form when they attended the training.

Mr. Peaslee stated this policy will go in the Administrative Code. Mr. Alger commented the Administrative Code is also available electronically. The implication for this policy is that if they bring something in, such as a flash drive, it will not work. In many ways, this is more for management to understand how we are using devices going forward. The management group will receive a copy of the policy and it will be up to them to train their staff.

Mr. Roush commented this policy is fairly restrictive and it is important that everyone know that. Mr. Peaslee stated once the policy is approved and implemented, if an employee tries to use devices that are not approved, they will not be able to use the software. The new software will insure that if you plug in a device and download data, that it will be encrypted.

Mrs. Ferratella asked do you think that each employee needs to sign off as having received this policy? Mr. Peaslee replied no. Mrs. Ferratella asked how do you control it to make sure that the devices have anti-virus and spyware software? Mr. Peaslee replied we can't control that and that is one of the reasons why we have this policy. If the drive is not encrypted, the employee will not be able to pull the data off. We cannot enforce home computers. Mr. Van Etten commented you could eliminate access to home computers. Mr. Peaslee stated we only allow access to web email.

Mr. Roush commented that your policy interchanges the words "company" and "County", which is confusing. Mr. Peaslee stated that this was a generic policy and he will change "company" to "County".

Mr. McAllister commented it seems like this will be extra work for your department. Will you be able to handle that with the staff you have? Mr. Peaslee replied the software will take care of most of the work. He doesn't imagine it having a huge impact on staffing.

Mrs. Ferratella asked how will this policy affect agencies, such as Meals on Wheels, who are downloading information to the County? Mr. Peaslee replied right now Meals on Wheels is not downloading from the network. They will be accessing information through a web-based system.

MOTION: APPROVING THE USB POLICY AS PRESENTED AND AMENDING THE ADMINISTRATIVE CODE TO INCLUDE THIS NEW POLICY MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Administrator

1. **Workers' Comp Excess Insurance Renewal** – Mr. Isaman informed the committee that we have carried our Workers' Compensation Excess Insurance with Mid-West, however, they have increased the premium from \$116,000 per year to \$144,000 per year. New York Marine has given us a quote of \$115,694.00. They are an A-rated company. Mr. Van Etten asked did Mid-West give an explanation for the increase in premium? Mr. Isaman replied their company was experiencing some losses, although not from us.

MOTION: RATIFYING THE ACTIONS OF THE RISK MANAGER AND THE COUNTY ADMINISTRATOR TO RENEW THE WORKERS' COMPENSATION EXCESS INSURANCE WITH NEW YORK MARINE FOR A PREMIUM OF \$115,694.00 PER YEAR MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Insurance Coverage for Voting Machines** – Mr. Isaman stated that he was concerned about insuring the voting machines as each machine costs \$17,000 and we have 70 machines. He did get two options to specifically cover the voting machines. The first option is an equipment floater with a \$2,500 deductible for a cost of \$3,541. The second option is to add \$1.9 million in contents to the old Health Care Facility with a \$25,000 deductible. When we transport voting machines to the municipalities there are 16 machines on a truck.

Mr. Van Etten asked what happens if the voting machines are on site at a polling place and are damaged? Mr. Isaman replied there would be a \$25,000.00 deductible. Mrs. Ferratella asked are there instances when the voting machines wouldn't be covered? Mr. Isaman replied we have content coverage, as well as transit coverage, and we previously did not insure the machines before.

MOTION: AUTHORIZING THE RISK MANAGER TO ADD \$1.9 MILLION IN CONTENTS TO THE OLD HEALTH CARE FACILITY INSURANCE COVERAGE FOR THE VOTING MACHINES WITH A \$25,000.00 DEDUCTIBLE FOR AN ADDITIONAL \$714.00 PER YEAR MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Roush asked since the County budget is done mid-year, when is the Workers' Compensation charged to the villages? Mr. Isaman replied at the beginning of the year. Mr. Roush stated that amount is going on the town tax line on the tax bill and the village residents think the town is charging them more for taxes. Mr. Isaman stated we sent a letter to every village and town informing them of what their 2011 assessment would be.

Mr. Roush stated the problem is with how it shows up on the tax bill. This should be a separate line item on the tax bills. Ms. Flaitz commented the only charge is against the village portion of the town tax. There is not a separate line item. Mr. Roush stated that he has a copy of a village tax bill and it shows the town tax is \$1.35/1,000 and that includes almost \$40,000 in Workers' Compensation. It appears that the township is charging the village residents \$40,000 when in fact, the village tax is paid to the County. Mr. Roush stated in the Town of Erwin there was no tax increase, however, for 2010 the town tax was \$5.26/1,000 and in 2011 it is \$5.38/1,000. That shows there was a 2.4 percent increase. Why is that? Election charges were \$12,816, Real Property is \$1,500 and Consolidated Health District is \$11,424. People see the increase. Either the county has to give information to the towns to include in their budget so that it will show up correctly on the tax bill, or have a separate line on the tax bill.

Ms. Flaitz stated if anyone asks us to calculate the rate, we do an estimate. We do not get the final figures until late November. Mrs. Ferratella asked whose responsibility is it; the towns to check with the County or the County to inform the towns of the estimated chargeback? Mr. Roush replied in normal business, it would be both. Mrs. Ferratella stated we need to educate the towns. Mr. McAllister commented the towns should be contacting Real Property for information. Mr. Roush stated that he has been told that the County has not been forthcoming with information.

Mr. Alger stated we should be giving the towns estimates, however, he doesn't think it will ever be perfect as the figures come in late. With regard to the Elections chargeback, the figures come in after the election; usually late November at the earliest. We did increase what we were paying the inspectors and that had more of an impact.

Mr. Roush asked what about the Workers' Compensation figures for the villages? Mr. Isaman replied we sent them a letter in June. They will have their estimates for the 2012 budget in August. Ms. Flaitz commented the village tax year is March and their budget will already be passed and then it will be behind. Mrs. Ferratella commented you have to estimate everything.

Mr. Van Etten asked can we break Workers' Compensation out as a separate line and not bury it in the village town tax rate? Mr. Alger replied we can look at Workers' Compensation and see how that is estimated. The other issue is that the best we can do is give estimates. That portion will change annually. Mr. Roush asked who determines what is on the tax bill? Mr. Alger replied certain things are provided for in the law. Locally, we have the ability to vary some things by Local Law. Mrs. Ferratella asked can we set up a sub-committee to work on this? Mr. Alger stated the department heads can work together and bring something back to the committee. Mr. McAllister asked that the committee be updated in three months.

3. **Records Center** – Mr. Wheeler stated that with the retirement of the Records Manager, Ken Sherer, we no longer have a designated Records Management Officer, which for the purposes of the State Archives, we need to apply for grants. He recommended that the committee appoint him as the Records Management Officer for the purpose of applying for grants.

MOTION: DESIGNATING DEPUTY COUNTY ADMINISTRATOR, JACK WHEELER, AS THE RECORDS MANAGEMENT OFFICER FOR STEUBEN COUNTY MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. OTHER BUSINESS

A. *Contact Information for Elections* – Mrs. Ferratella stated the Elections Commissioners sent letters to the villages, schools and towns requesting contact information as well as a survey regarding ballots. The Villages of Riverside and South Corning either missed the communication or didn't understand what they were asking for. She asked that we make sure the Elections Commissioners contact each village whether they responded to the survey or not.

B. *Drop Box* – Mrs. Ferratella stated that at the Youth In Government Simulated Session, Michael Brennan of Avoca suggested installing drop boxes for papers. He used 4-H as an example and that way people wouldn't have to wait until 8:30 a.m. to get into the building. Is this something that would be feasible?

Mr. Roush commented the Town of Erwin has a metal slot with a basket. Mr. Van Etten stated that he would be concerned about what is being dropped off and who is assuming the responsibility. Mr. Alger commented that it couldn't really be for official purposes. Mr. Wheeler stated we could talk to Cooperative Extension with regard to having a drop box for 4-H. Mr. Alger commented individually for the departments they may be able to do something. We will look into it.

C. *Real Property Director* – Mr. Alger announced we received State approval for the appointment of Ms. Flaitz as Director. **CONGRATULATIONS!**

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

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
****PLEASE NOTE CHANGE** Tuesday, February 15, 2011 @ 9:30 a.m. **PLEASE NOTE CHANGE****

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, February 15, 2011

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

MINUTES

Committee: Patrick F. McAllister, Chair Lawrence P. Crossett, Vice Chair Carol Ferratella
Gary B. Roush Scott J. Van Etten

Legislators: Joseph J. Hauryski Michael Hanna John Walsh
Thomas J. Ryan Robin Lattimer Gary Swackhamer
Christopher Quinlan

Staff: Mark R. Alger Jack Wheeler Patrick F. Donnelly James Gleason
Kenneth Peaslee Nancy Smith Robert Anderson Jennifer Bailey
Wendy Flaitz Tammy Hurd-Harvey Alan Reed Vicki Olin
Joe Welch

Other: David Wallace Jack Zigenfus Mary Perham, *Leader*

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JANUARY 11, 2011, MEETING MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS

A. Purchasing Department

1. **Copy Paper Bid** – Mr. Gleason recommended awarding the copy paper bid to RIS Paper Co for \$27.47 per case.

MOTION: AWARDING THE COPY PAPER BID TO RIS PAPER CO. FOR \$27.47 PER CASE MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Printing** – Mr. Gleason stated in the past Steuben ARC handled some of our printing requests. At the end of last year they elected to get out of the printing business. We contacted GST BOCES and they appear to do quality work and will give us good pricing. He requested authorization to enter into an agreement with GST BOCES for printing services.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO ENTER INTO AN AGREEMENT WITH GST BOCES FOR PRINTING SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Auctioneering Services** – Mr. Gleason stated this is the last year they can renew this contract. He requested authorization to extend with Pirrung Auctioneers for auctioneering services.

MOTION: RENEWING THE CONTRACT WITH PIRRUNG AUCTIONEERS FOR AUCTIONEERING SERVICES MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Public Defender – Assigned Counsel

1. **Budget** – Mr. Wallace stated we have run out of funding for the balance of the 2010 budget. He stated \$79,100 would cover the cases that were assigned and are remaining to be billed. Discussion followed.

Mr. Alger stated we have assigned fewer cases than last year. We are actually \$50,000 less than what we have traditionally budgeted. We just never adjusted the budget when we began this program. The biggest share of the cases is in Family Court. Discussion followed.

Mr. Wallace stated everything goes through the public defender's office and if there is a conflict, the case gets assigned to the conflicts program. Considerable discussion followed. *Item referred to the Finance Committee.*

C. Personnel Officer

1. **Reclassification – Community Services** – Mrs. Smith stated Dr. Anderson is requesting authorization to reclassify a Staff Social Worker, Grade XV, to a Senior Account Clerk Typist, Grade X. Discussion followed.

MOTION: RECLASSIFYING A VACANT STAFF SOCIAL WORKER POSITION, GRADE XV, TO A SENIOR ACCOUNT CLERK TYPIST POSITION, GRADE X, WITHIN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Information Technology

1. **Spam Filter Software/Hardware** – Mr. Peaslee stated we currently use Sendio Spam Filter. He requested authorization to renew the contract with Sendio for \$30,102.00 for three years.

Mr. Van Etten asked did they check the marketplace to see if there was anything else out there to use? Mr. Peaslee stated this is the only type of filter like this. It currently blocks 10,000 spam emails a day.

MOTION: RENEWING THE CONTRACT WITH SENDIO FOR SPAM FILTER SOFTWARE/HARDWARE FOR THREE YEARS AT A TOTAL COST OF \$30,102 MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Van Etten asked what is the progress on the encryption project? Mr. Peaslee stated they are still reviewing the third vendor. We did purchase the USB port blocking.

E. County Administrator

1. **Sales Tax Extension** – Mr. Alger stated he met with both city mayors and they have requested an additional \$30,000 each. The sales tax has to be renewed every 2 years. Last time we did this, we entered into a 2 year agreement with the cities. This increase would take them to \$740,000 each. Discussion followed.

Mr. Roush asked what about the share that goes to the towns. Mr. Alger stated we haven't changed that in some time. Mr. Van Etten stated he is more comfortable with the share going to the county. Mr. Roush stated his concern is how it is distributed to the towns because it is based upon property value rather than sales tax generated. Mr. Crossett stated that is because some towns wouldn't get anything if it was based upon tax generated. Discussion followed.

MOTION: FORWARDING TO THE FULL LEGISLATURE THE REQUEST FOR STATE LEGISLATION TO EXTEND THE COUNTY'S ADDITIONAL ONE PERCENT SALES TAX MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Mortgage Tax Extension** – Mr. Alger stated every three years we have to extend the additional mortgage tax. The sales tax requires home rule legislation. With the mortgage tax, it is in statute and we request the State extend it for a 3 year period. We have about \$1.2 million in mortgage tax revenue included in the budget.

MOTION: FORWARDING TO THE FULL LEGISLATURE THE REQUEST FOR THE STATE TO EXTEND THE COUNTY'S ADDITIONAL MORTGAGE TAX FOR THREE YEARS MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-1. (VAN ETTEN OPPOSED) Resolution Required.

3. **Chargebacks/Tax Bills** – Jack Zigenfus, Cohocton Town Supervisor, stated when the tax bills come out to the towns, sometimes there are chargebacks included. So, when a town sets their budget without an increase, then these chargebacks are added and it results in an increase. Specifically, in Cohocton, the village participates in the County's Workers' Compensation program and the town does not. If the village doesn't pay their Workers' Compensation bill, it gets added to the Town/County portion of the tax bill. A process is needed so that towns are made aware of situations like that. Other chargeback include Elections and Real Property Tax services. He asked if the towns could be given prior knowledge of what those charges would be before they pass their budget. Discussion followed.

Mr. Roush stated Erwin has the same issue. We didn't raise taxes but when they got their tax bill it was a 2.4% increase. Mr. Zigenfus stated ours was a 4.4% increase. We just would like some clarification included on the tax bill. Discussion followed.

Mr. Alger stated what bothers him is the Workers' Compensation for the village. I'm of the opinion that should the town or village fail to pay the bill, we have the ability to levy it. However, it shouldn't be an "option" for them to pay the Workers' Compensation bill. Should they fail to pay it, we can tell the town or itemize it on the tax bill.

Mr. Alger stated in concept we talked about whether or not we could lag the other chargebacks. It would cost us a little, but it wouldn't be substantial. Mr. Roush suggested they do a direct payment for Workers' Compensation and, if there is an adjustment, it would go onto next year's budget. Considerable discussion followed.

The Committee agreed that the Real Property Tax Service Agency could send the towns the estimated chargebacks as soon as they are known so that they can include them in their tax rate. In addition, possibly remove the Workers' Compensation line for the village from the towns' tax bill or break it out. Discussion followed.

4. **911 Regional Shared Services Grant** – Mr. Wheeler requested approval to appropriate the County's share of the 911 Regional Shared Services Grant. The split is as follows: Schuyler \$3,300, Allegany \$3,300 and Steuben \$1,700. The balance of \$45,000 is State funded.

MOTION: APPROPRIATING \$1,700 IN COUNTY FUNDS FROM THE 911 BUDGET TO THE 911 REGIONAL SHARED SERVICES GRANT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. OLD BUSINESS

A. **Legislator Salary/Benefits** – Mr. Roush stated the issue is, he believes, that we technically are paying the Legislators who take health insurance over \$25,000. He stated eight legislators take the health insurance, and 12 take the dental and vision insurance. A Legislator's annual salary is \$11,500. I think that over \$25,000 for Legislator pay is too high. I think part-time elected people shouldn't receive benefits. Some of the towns did away with that several years ago. Basically it is a hidden salary. He recommended they provide health coverage, but Legislators should pay 100 percent of the premium as it shouldn't be part of their compensation.

Mr. Alger stated former County Attorney English indicated that in order to change it, they would have to change it for the upcoming Legislature. Mr. Reed stated at this point he doesn't have a legal opinion on that, but he will

discuss it with Mr. English to see where he got his opinion from. His last opinion was we had to wait 4 years to implement this but he'll follow up with him on that.

Mr. Roush stated for full disclosure, he avails himself to the vision and dental insurance. Mrs. Ferratella asked if they've done a comparison with other counties. Mr. Alger stated he has that information and can forward it to the Legislature.

Mr. Van Etten stated Mr. English's opinion ties our hands to do anything; even if we were in agreement to change something we couldn't do it. He thinks the disparity should be addressed. Some don't take the insurance and others become Legislators just to receive the insurance.

The Committee agreed to discuss this at a future date once they've received the data from the surrounding counties and an opinion from County Attorney Reed.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW MADE BY MR. VAN ETEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully submitted by,

Brenda K. Mori
Clerk of the Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, March 8, 2011
9:30 a.m.**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, March 8, 2011

9:30 a.m.

Legislative Committee Conference Room

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Bath, New York

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Brenda Mori
Ken Peaslee David Hopkins James Gleason
Ken Isaman Patrick Donnelly Shawn Corey
Nancy Smith Amy Dlugos Wendy Flaitz
Alan Reed Judy Hunter Jennifer Bailey
Tammy Hurd-Harvey

LEGISLATORS: Joseph J. Hauryski Michael Hanna Thomas J. Ryan
John S. Walsh

OTHER: Mary Perham, *The Leader*

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 15, 2011 MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Risk Manager

1. **Workers' Compensation Audit** – Mr. Isaman informed the committee that for the Workers' Compensation Program we have been using the Third Party Administrator (TPA), Eagle Claims. They were recently sold to Corvell. There have been questions about services that have occurred and billings. Eagle has been the TPA for about five years and an audit has never been done. Last year our bill for service was \$61,000.00 and this year we have received an emailed proposal to reduce our bill for 2011 to \$55,000.00. There are a number of different accounts and certainly those areas need attention. We did receive three quotes which would entail the company taking 30 percent of the outstanding claims and reviewing them. The proposals ranged in price from \$12,000.00 - \$3,600.00. The two lowest quotes were \$3,600.00 and \$6,000.00. Mr. Isaman asked that he be given authorization not to exceed \$6,000.00, which would give him more options for interviewing.

Mr. Roush commented there are companies that do audits on consignment. This could be an ongoing thing year after year. Is that service available? Mr. Isaman replied he asked for a solid figure. Two of the companies that responded to our proposal would work on an hourly basis or otherwise. The qualifications for these companies are good. We need to do the audit first and then look at prolonging that relationship in order to do reviews periodically.

Mr. Roush stated that in healthcare, there are audit companies that review all claims and then take a percentage of any savings that would be realized. Mr. Isaman stated that it is important to get a baseline with the hourly rate. Mr. McAllister asked would they offer a contract similar to what Mr. Roush is talking about? Mr. Isaman stated

he has not investigated that. When you look at a commission, if the TPA wanted to charge a percentage of the savings, how would you know what that be? Mrs. Ferratella asked if someone is working on a percentage of savings, there must be a flat base fee that they start with? Mr. Roush replied, not necessarily.

Mr. Van Etten commented that he was thinking the same thing; having ongoing maintenance rather than a one-time shot. They may propose going for doing spot audits. Mr. Isaman stated that he would be glad to look at those types of companies as well. He stated that he will investigate that and report back to the committee.

Mr. Van Etten asked based on the number of municipalities, have you seen an overall decrease in the number of claims? Mr. Isaman replied last year we had 113 claims. This year we are running about the same amount, however, the severity of the claims has decreased. Mr. Van Etten asked if the TPA was willing to drop the cost from the \$61,000 to \$55,000 per year, would there be an opportunity to quote that out? Mr. Isaman replied that he had anticipated doing an audit and then in a year issue an RFP for TPA services.

Mr. Crossett asked have you accepted the new rate with the TPA? Mr. Isaman replied that he has not signed anything yet. Mr. Crossett asked when does the current contract expire? Mr. Isaman replied it already has expired.

Mr. Roush asked do you notify villages of mid-year changes for Workers' Compensation so they can include that in their budgets? Mr. Isaman replied we approve the Workers' Compensation budget in August. Mr. Alger explained they have what the bill is for this year. Next year's bill is due the following fiscal year. The villages should have the information in sufficient time. Mr. Roush asked do they get a bill? Mr. Isaman replied they will get a letter and then we bill them. Mr. Roush asked how do they pay? Mr. McAllister replied they can pay with a check or through the levy.

Mr. Roush stated it should not be in the levy. Tax amounts are showing up that the taxpayers do not know about and we have to stop doing that. It should be billed and paid like any other service. Mr. McAllister commented that is being investigated by the Law Department. Mr. Reed stated that Workers' Compensation Law, Section 67 indicates that it is not an option for municipalities to get a bill or to have a levy on the tax. However, if the municipality does not pay the bill, then the County is authorized to levy the bill on the next tax. It is a bill and we are the vendor for Workers' Compensation services. If they do not pay, then the County recourse is to levy that amount on the next tax.

Mr. Roush stated if the village forgets to pay the County, the levy is on the town tax, not the village tax. The village tax does not change, but the town tax does. Mr. McAllister stated if this is the way it is, then can we separate it out? Mr. Crossett replied that shouldn't be a problem.

Mr. Alger stated he asked Mr. Reed to look at the law to determine if the County has the authority to levy that as a default provision as opposed to the option for how they pay. Mr. Reed has confirmed that it is an option for failure to pay. We intend to notify the municipalities that the expectation is they will budget and pay us when we bill them. If for some reason they forget, then we have no alternative but to levy that amount on the taxes.

Mr. Crossett commented they could go a year without paying any Workers' Compensation. Mr. Alger stated if they fail to pay they should no longer be a member and that would stop this practice. If they fail to pay, we collect, but the next year they would be on their own. Mr. Crossett commented some of the towns don't budget for Workers' Compensation and it just goes on the tax levy payable to the County. Mr. Reed stated the only other option would be to commence action against the municipality. Discussion followed.

B. Purchasing

1. **Contract Extension** – Mr. Gleason requested authorization to extend their contract with Pirrung Auctioneers for 2011 auctioneering services. This will be the first of four renewals and will be for the same term and conditions with a 10 percent buyer's premium.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO EXTEND THEIR CONTRACT WITH PIRRUNG AUCTIONEERS FOR 2011 FOR AUCTIONEERING SERVICES FOR THE SAME TERM AND CONDITIONS WITH A 10 PERCENT BUYERS PREMIUM MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Setting the Date for Annual Surplus Equipment Auction** – Mr. Gleason requested authorization to set the date for the Annual Surplus Equipment Auction for Thursday, September 29, 2011.

MOTION: SETTING THE DATE FOR THE ANNUAL SURPLUS EQUIPMENT AUCTION FOR THURSDAY, SEPTEMBER 29, 2011, MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Copier Capital Project** – Mr. Gleason requested authorization to activate the Copier Capital Project and spend up to \$30,000.00 to replace obsolete equipment. The money is in the budget.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO SPEND UP TO \$30,000.00 FROM THE COPIER CAPITAL PROJECT TO REPLACE OBSOLETE EQUIPMENT MADE BY MR. ROUSH. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Clerk of the Legislature

1. **Retirement Reporting Policy** – Mrs. Mori distributed copies of the proposed Retirement Reporting Policy for inclusion in the *Administrative Code*. This policy states who is required to comply with this regulation.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCORPORATE THE RETIREMENT REPORTING POLICY MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Netbook Demo** – Mrs. Mori stated at the request of Chairman Hauryski, she has prepared a demo of what would occur if we provided all Legislators with a netbook/tablet in an effort to go paperless and improve communications between Legislators and Department Heads. We will start putting everything online in a place where Legislators can access at any time. Mrs. Mori distributed an annual cost breakdown showing the various options and associated costs.

Mr. McAllister asked if we do this are we saving money? Mrs. Mori replied there will be a savings over time. The savings of our staff time would be significant. Chairman Hauryski commented you cannot put a dollar amount on that. The Clerk of the Legislature's Office had three people and now is down to two people. They do more than just work for the Legislature. Mrs. Mori commented that Mrs. Chapman provides secretarial support to Weights & Measures, the County Historian, Risk Manager and Planning. Chairman Hauryski stated you are saving the cost of a staff person. One of the overriding problems is for the Administrator and Department Heads to be able to communicate with all of the Legislators. He commented that he is fortunate enough to be able to attend all of the meetings, however, there are some Legislators that don't get to hear what has taken place in the committees until they are in the Board Meeting.

The committee agreed to review this proposal at next month's meeting after the Legislature has viewed a demo of the various devices.

D. Administrator

1. **IT Shared Services Web Bid** – Mr. Wheeler informed the committee that this bid was to provide web services to the County, City of Corning and Town and Village of Bath which consists of looking at the websites and contracting with a vendor to update them. He worked with Mr. Gleason and Mr. Peaslee on the bid and they received seven responses. The prices ranged from \$16,000 to \$100,000. He recommended awarding to the low bidder, Institute for Human Services for \$16,000. They have experience locally and have worked with us

before. They will take a look at our website and work with Mr. Peaslee and Mrs. Gleason to make it easier to update. The City of Corning has already updated their website and will not be participating.

MOTION: AWARDING THE BID FOR IT SHARED SERVICES TO THE INSTITUTE FOR HUMAN SERVICES FOR \$16,000.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Legislator Salary/Benefits** – Mr. Alger distributed a handout showing the Salary and Benefits for Legislators in adjoining counties as well as though with Boards of similar size. This is updated information that was collected through the Clerks of the Legislature of the various counties. Mr. McAllister asked that the committee have some time to study this. Mr. Alger commented this is good information and if you have other counties that you wish to look at, we can provide that information as well.

Mr. Reed stated there was a question as to if a delay was required if the Legislature wished to change their salary and/or benefits. It was the opinion of the previous County Attorney that a delay was required. If in fact a delay is required, the next question will be how long. In reviewing the previous opinion, he has some questions as to whether we actually would have to delay that. Discussion followed. Mr. McAllister asked that this be reviewed at next month's meeting.

3. **Livingston County Weights & Measures Contract** – Mr. Alger stated that over the past several months we have discussed the option of contracting with Livingston County to provide them with Weights & Measures services. The AIP Committee approved entering into an Inter-Municipal Agreement with Livingston County to do that. Mr. Alger requested authorization to enter into this agreement and present it to the Full Board. They will pay us \$40,000 plus any miscellaneous fees associated with certifying weights, providing a vehicle and routine costs of operation. The fee is about 75 percent of the cost of a position. We are not sending someone there full-time.

Mr. Van Etten asked if the committee could get a status report from Weights & Measures on their workload. Have we been keeping up, or are we falling behind? What is the status in Livingston County? Mr. Alger replied he believes Livingston County was behind. They have one person and we will be doing the function for them. Mr. McAllister commented it sounds like we won't be able to keep up with the work in both counties. Mr. Alger stated his understanding is they have been keeping up. Are they stacked up? Yes. He stated that he thinks we can keep up. You don't have to pursue this if you don't want to.

Mr. Alger replied the requirements are changing all the time. We are required to physically test various devices every year. The other part of Weights & Measures is consumer protection; specifically, price accuracy of scanning devices. There is no standard requirement for that and this is a program that we enforce mostly as the result of complaints. As we go forward, if we are not required to do that, then we may not do it. Discussion followed.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH LIVINGSTON COUNTY TO PROVIDE THEM WITH WEIGHTS & MEASURES SERVICES AT A COST OF \$40,000.00 PER YEAR PLUS NECESSARY EXPENSES RELATED TO THE POSITION MADE BY MR. ROUSH. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

4. **2012 Budget** – Mr. Alger stated we have discussed next year's budget and talked about the impact of various State functions. One consideration is if the committee wants to do anything with staff. If we offer an early retirement option we would get a handful of participants. The question is if that is worth doing. If we decide to , we need to pursue some kind of program similar to the last, which would be a local program. Given the fiscal outlook, he is looking at trying to reduce expenses and we are forced to look at staff again.

Mr. Crossett asked what departments would have individuals eligible at this point? Some of the departments were hard hit last year. Mrs. Smith replied we are running reports to see who would be eligible. Mr. Alger stated that

he is not asking for a decision today. Depending upon the number eligible and where the people are, we may want to it differently and have it be more targeted.

Mrs. Ferratella suggested asking the Department Heads to tell us where they could reduce and not affect staff or both. Maybe look at reducing services. Mr. Alger stated that he has asked the departments to look at core services. As we have squeezed staff, they aren't doing things they don't have the time to do.

Mr. Van Etten commented the early retirement option gives people who are at the end of their careers the option of leaving rather than cutting staff that are early in their career. We should look at that. Mr. Alger commented if we get to the point where we are reducing staff and laying them off, there are additional costs beyond the obvious.

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

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, April 12, 2011
9:30 a.m.**

STEUBEN COUNTY AGRICULTURE, INDUSTRY & PLANNING COMMITTEE
STEUBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Monday, March 28, 2011

9:45 a.m.

Legislative Committee Room
Steuben County Office Building
Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Dan C. Farrand Michael Hanna
Robin Lattimer

Patrick F. McAllister, Chair Carol A. Ferratella Gary B. Roush
Scott J. Van Etten

STAFF: Mark R. Alger Jack Wheeler Nancy Smith

LEGISLATORS: Joseph J. Hauryski Christopher G. Quinlan Thomas J. Ryan
Brian C. Schu Gary D. Swackhamer John S. Walsh
Randolph J. Weaver

ABSENT: Robert V. Nichols, Vice Chair (AIP) Lawrence P. Crossett, Vice Chair (Admin)

I. CALL TO ORDER

Mr. Creath called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

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. ROUSH. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 8-0 (4-0 AIP, 4-0 ADMINISTRATION).

MOTION: APPOINTING STEVEN BATES OF BATH, NY, AS DIRECTOR OF WEIGHTS AND MEASURES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 8-0 (4-0 AIP, 4-0 ADMINISTRATION).

MOTION: AUTHORIZING THE CREATION OF A DEPUTY POSITION WITHIN THE DEPARTMENT OF WEIGHTS AND MEASURES MADE BY MR. VAN ETTEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 8-0 (4-0 AIP, 4-0 ADMINISTRATION).

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. FARRAND. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 8-0 (4-0 AIP, 4-0 ADMINISTRATION).

MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 8-0 (4-0 AIP, 4-0 ADMINISTRATION).

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, April 12, 2011

9:30 a.m.

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

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Ken Isaman
Jim Gleason Ken Peaslee Brenda Mori
Pat Donnelly Sally MacDougal Alan Reed
Shawn Corey Chris Congdon Judy Hunter
Jennifer Bailey Nancy Smith David McCarroll

LEGISLATORS: Joseph J. Hauryski Michael Hanna Christopher G. Quinlan
John S. Walsh

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 8, 2011, AND MARCH 28, 2011, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

- A. Personnel
1. **Grievance**

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

MOTION: DENYING THE 2ND STAGE GRIEVANCE RELATIVE TO THE HEALTH CARE FACILITY DUE TO THE FACT THAT THE ISSUE IS NOT GRIEVEABLE MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

- B. Risk Manager
1. **Worker's Compensation Audit Proposal** – Mr. Isaman stated last month he had come to the committee with a request to pursue proposals for an audit of the Workmen's Compensation Program. At that

time, the committee had asked him to see if the companies could include quotes for doing audits and then taking a percentage of any savings that would be realized to the County. He did look into that and basically if the Third Party Administrator (TPA) isn't doing their job, they won't be paid. We received four quotes which range in price between \$3,600.00 - \$12,000.00.

Mr. Isaman stated that to his knowledge, an audit of the TPA has not been done in five or six years. This is a healthy thing to do. The Worker's Compensation Board sets what the amount of any payments will be. He stated that what he is looking for is to see that we are timely with the payments and that the County is getting their bang for the buck. The TPA we currently have did reduce their capital fee from \$61,000.00 down to \$55,000.00 for the next five years. That decrease will help pay for the cost of this audit.

Mr. Isaman requested authorization to spend up to \$6,000.00 for the audit. If this is approved, he will, in conjunction with Mr. Gleason and a third party, conduct interviews and make a selection.

MOTION: AUTHORIZING THE RISK MANAGER TO SPEND UP TO \$6,000.00 FOR A WORKER'S COMPENSATION AUDIT AND TO CONDUCT INTERVIEWS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Information Technology

1. **Collection of Money for Personal Phone Calls** – Mr. Peaslee informed the committee that the County has always charged employees for any personal calls they make during the month. As cell phones have become more popular, the amount of money collected for personal calls has decreased. In 2010, the amount collected for personal calls was \$3,000.00. The total cost for collecting the money is \$7,668.09. This results in a loss of \$4,668.0 per year for collecting \$3,000.00. He proposed eliminating this process of collecting money for personal phone calls. Discussion followed.

MOTION: AUTHORIZING THE ELIMINATION OF THE PROCESS FOR THE COLLECTION OF MONEY FOR PERSONAL PHONE CALLS MADE BY EMPLOYEES MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Clerk of the Legislature

1. **Netbooks** – Mrs. Mori commented most of the Legislators had an opportunity to see the various devices that were available. A survey of the Legislators found that 14 Netbooks would be needed, with 3 opting to use their own laptops. She recommended going with the Netbook as they utilize Microsoft Works, which is compatible with Word and Excel, which all County Departments use. In addition, the Netbooks have USB ports, enabling use with printers and home internet access, if cell service is unavailable. Mrs. Mori recommended purchasing 14 Netbooks and 3 USB Port 3G Modems for a total start-up cost of \$6,679.86.

Mrs. Mori stated that with regard to paying for this, it will be a little tight with this year's budget, but we could find the \$6,679.86 to fund the start-up costs. Mr. Roush asked what is the timing for this? Mrs. Mori replied she would like everything to be in full swing starting with the committees, June 1st. There are internal changes that will need to be made and she is working with Mr. Alger on that. Attachments and Monthly Reports would need to be sent to us earlier, with the agenda items. Mr. Roush asked will this save you time? Mrs. Mori replied yes, it will save our office time, although will take up more time of an individual in Information Technology.

Mr. Van Etten asked are you still eliminating the printing of the annual Proceedings? Mrs. Mori replied that she has received approval from Information Technology to do our Proceedings for us. We will still send out to have a bound copy for our records. At most, if we purchased a minimum of 10 books, the cost would be \$500.00. This is \$3,000.00 cheaper than what we are currently paying.

MOTION: AUTHORIZING THE PURCHASE OF 14 NETBOOKS AND 3 USB PORT 3G MODEMS FOR THE LEGISLATURE FOR A TOTAL START UP COST OF \$6,679.86 MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. County Clerk

1. **Pistol Permit Maintenance Agreement** – Mrs. Hunter informed the committee that the maintenance period for the PlastiCard system is up for renewal on May 1, 2011. She requested authorization to renew the maintenance agreement for a total cost of \$1,306.18. The cost breaks down to \$674.25 for the printer with cards and \$631.93 for the software. This will be valid for one year, commencing May 1, 2011.

Mr. Van Etten asked will there be an increase to this agreement over the years? Mrs. Hunter replied that she doesn't have that information. The company did not offer a multiple-year agreement. Mr. Quinlan asked will the software be updated annually with the maintenance? Mrs. Bailey replied the service has been very poor, and we knew that going into it. The system is still functioning well and is working as good as it can. Mrs. Hunter commented the public still likes the cards. Mr. McAllister commented maybe it is worth checking to see if the company will offer a multiple-year contract.

MOTION: AUTHORIZING THE COUNTY CLERK TO RENEW THE MAINTENANCE AGREEMENT FOR THE PLASTICARD SYSTEM FOR A TOTAL COST OF \$1,306.18 FOR ONE YEAR COMMENCING MAY 1, 2011, AND TO ATTEMPT TO NEGOTIATE FOR A MULTIPLE-YEAR MAINTENANCE AGREEMENT GOING FORWARD MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN FOR DISCUSSION. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Electronic Transfer of Vehicles** – Mrs. Hunter informed the committee that the Senate has introduced a bill, S.4069, Amending the Vehicle and Traffic Law in Relation to Allowing the Commissioner of Motor Vehicles to Require An Electronic Transfer of Vehicles. This proposed legislation would impact dealers. If they were to require dealers to transfer vehicles electronically, that could impact County revenue. She commented that their State Association, if this proceeds, will be objecting to this.

Mrs. Ferratella asked how would this impact the County? Mrs. Hunter replied she doesn't know the dollar amount of impact, but it would be very significant. Mr. Alger asked would this also include the electronic transfer of titles? Mrs. Hunter replied the registration and title are areas that we will need clarification on. This proposal may only have an impact with regard to the licensing of the dealers. At this point, no Assembly bill has been introduced. She will keep the committee updated.

F. Administrator

1. **Water Main Extension** – Mr. Corey informed the committee that two years ago the Legislature authorized an easement to the Village of Bath for their water main line on CR 113. The Village of Bath is requesting an additional 106 feet to extend their water main line.

MOTION: AUTHORIZING A 106 FOOT EXTENSION OF THE EASEMENT TO THE VILLAGE OF BATH FOR THEIR WATER MAIN LINE LOCATED ON COUNTY ROUTE 113 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **NYSEG Easement** – Mr. Corey stated there are two power poles located on the boundary line between the Civil Defense Center and the Bath VFW. The Bath VFW has requested NYSEG to replace one of the poles to include a light, however, this pole is located on County property. Mrs. Ferratella asked will the Bath VFW be paying the light bill? Mr. Corey replied yes. Mr. Roush asked that there be something in writing to make sure that the Bath VFW pays the light bill.

MOTION: AUTHORIZING AN EASEMENT TO NEW YORK STATE ELECTRIC & GAS FOR THE REPLACEMENT OF A LIGHT POLE LOCATED ON THE PROPERTY OF THE CIVIL DEFENSE CENTER MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Administrative Code Revisions**

a. *Computer Policy and Breach Notification* – Mr. Peaslee informed the committee that Bonadio has been looking at our computer policy and have changed the wording in the policy. There is also a

modification with regard to the issuance of passwords. Currently, when a new employee is hired, we give them a password and it stays with them. According to Bonadio, we need to modify that procedure so that we issue a password for the initial sign-on, and then the employee will change the password to something that only they will have access to. We will also do this with all current employees as well. This modification is so that we don't have access to employee passwords. It will make our work a little more difficult. Mr. Peaslee stated in addition, there is also a requirement for a Breach Notification Policy. It was recommended that the Business Agreement be modified to include high-tech language.

Mr. McAllister asked will these changes bring us into compliance? Mr. Peaslee replied it will keep us in compliance for a couple of months. We will be up-to-date at this point. Mr. Van Etten asked what about encryption? Mr. Peaslee replied we probably will do that at the end of the year. We will be implementing the USB software by June 2011. We have found some alternatives to encryption and we may not have to endure any costs with that.

Mr. Van Etten commented that he will be abstaining from this vote as he did not receive the information in time to review.

MOTION: APPROVING REVISIONS TO THE COMPUTER POLICY AND THE BREACH NOTIFICATION POLICY IN THE ADMINISTRATIVE CODE AS PRESENTED, MADE BY MR. CROSSETT. SECONDED BY MR. ROUSH. MOTION CARRIES 4-0-1. (MR. VAN ETTEN ABSTAINED).

b. *Bidding Threshold Policy*– Mr. Alger stated the Purchasing Director had discussed the need to have an intermediate step in order to procure formal quotes. The revision puts the bidding threshold for purchase contracts from \$10,000.00 to \$20,000.00, and for public works contracts from \$20,000.00 to \$35,000.00.

Mr. McAllister commented that he will be abstaining from this vote as he did not have a chance to review this.

MOTION: APPROVING THE REVISIONS TO THE BIDDING THRESHOLD POLICY IN THE ADMINISTRATIVE CODE AS PRESENTED, MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. MOTION CARRIES 4-0-1. (MR. McALLISTER ABSTAINED).

c. *Appendix A (Insurance Requirements)* – Mr. Corey informed the committee the change on this was to include that proof of Worker's Compensation coverage is to be provided on NYS Worker's Compensation Board Approved Forms. The old way was that companies were including that on the standard ACCORD form and that has not been acceptable for the past five years.

MOTION: APPROVING THE REVISIONS TO APPENDIX A – INSURANCE REQUIREMENTS IN THE ADMINISTRATIVE CODE AS PRESENTED, MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

d. *Appendix B (Corporate Compliance Acknowledgement), Standard Agreement, Business Agreement* – Mr. Corey informed the committee that with regard to the standard agreement, they updated the language under Insurance, and removed Appendix B and replaced that with the Business Agreement. They also updated the hold harmless clause. Paragraphs 16 – 19 are all new. With regard to Corporate Compliance, this is the new Appendix B. Originally this was developed by the Health Care Facility and we made some changes.

MOTION: APPROVING THE REVISIONS TO APPENDIX B (CORPORATE COMPLIANCE ACKNOWLEDGEMENT), STANDARD AGREEMENT AND BUSINESS AGREEMENT IN THE ADMINISTRATIVE CODE, AS PRESENTED MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT FOR DISCUSSION.

Mr. Van Etten stated that he would feel more comfortable having documents that show what the changes are. He doesn't know if there is any rush to get this done, but he would feel better if he were able to see where the changes were made. Mr. Corey stated that he can provide those changes to the committee.

MOTION: TABLING THE PREVIOUS MOTION FOR DISCUSSION AT NEXT MONTH'S MEETING MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Town and Village Job Postings on the County Website** – Mr. Alger stated that during a conversation with Mrs. Ferratella, she made a suggestion to include the Town and Village job postings on our website. We can put those notices in with what we already post. Mr. Van Etten asked if a letter could be sent to all of the Town Clerks and Town Supervisors to let them know this is available? Mr. Alger replied yes.

5. **Legislator Salary/Benefits** – Mr. Alger commented he has no new information. He asked if there was any further action or requests for information? Mr. Van Etten stated that he would still like to have the written opinion of the County Attorney.

Mr. Reed stated that we have gone through extensive research. Initially, David English had given the opinion that ultimately, any resolution affecting the compensation, including benefits, would take effect after the existing Board was out of term. That would be four years out. Mr. Reed stated that when he looked at this, he had some questions. He did reach the same conclusion, based on the fact that the Legislature needs to look at how it sets compensation. If compensation is set by resolution, then any adjustments would be done by resolution. If compensation is set by Local Law, it would need to be adjusted by Local Law. The Attorney General has an opinion concerning this debate. We did find a 1978 opinion and historically confirmed that opinion is controlling. The other item deals with ethical considerations in the Law and our own code, and *Rules of Procedure* involving personal interest. Mr. Reed stated that his conclusion is that the most compelling aspect is the ethics and having a personal interest in any resolution before the Legislature. The end impact, if you have a personal interest, you cannot vote; and essentially, with this particular issue, that would pertain to the entire Legislature.

Mr. McAllister asked except for those terming out? Mr. Reed replied it would have to be effective after the current term of everyone on the Board is completed. Mr. Quinlan asked if we wanted to reduce our salary and/or benefit immediately, we are prohibited from doing that? Mr. Reed replied yes.

Mr. Alger stated assuming you wanted to make a change, it would be effective when the longest term of the currently seated Legislature would end. Mr. Quinlan asked are you writing an opinion only on the reduction of salary and/or benefits or the increase? Mr. Van Etten stated that he would like a written opinion on both. If we are all in favor, he cannot think we couldn't make that decision. The State Legislature votes their pay. Mr. Alger replied that is always for a future term. They do vote, for the upcoming term. It is effective with the starting of the next seated Legislature.

Mr. Roush asked there cannot be a salary change until the term is completed? Mr. Alger replied we have changed the salaries by Local Law. The critical issue is the reduction more than the increase. The ability to increase is with the Local Law subject to permissive referendum. The crux of the issue is the reduction during the term of office of a public official.

Mr. McAllister asked can a decision be made now? Mr. Alger replied it will be effective with the next fully elected/re-elected Legislature, which would be four years from now. It would become effective January 1, 2014. Mr. Reed commented this protects minority members from being impacted negatively. He stated he will provide a written opinion regarding this.

Mr. Van Etten stated that he would still like the committee to discuss this. Mr. Roush commented the future potential liability is if all 17 Legislators decided to take the benefit. That would be a big bill. There will be tough times the next couple of years and one way to lock that in is to have a fixed amount, so you will know what that part of the budget will be. Mr. Crossett stated you cannot change that until 2014. Mr. Roush stated Legislators can opt in or out of the benefits at any time. Mr. Crossett stated you might have new Legislators this coming January.

Mr. McAllister asked what is the history with regard to the average number of Legislators that take advantage of the benefits? Mr. Crossett replied that he has seen as many as 15 or 16 of the 17 take the benefits. It looks as

though other counties have good participation as well. Mr. McAllister stated we need to add a buyout. The people that don't take the benefits should be compensated.

Mr. Roush stated a buyout affects the expense. He stated he would be opposed to that as it is increasing the amount of money. Paying Legislators \$25,000.00 per year is outrageous. Mrs. Ferratella commented you are in a catch-22 no matter what you do. She stated that she thinks we need to think about this more. With regard to a resolution or Local Law, which way do we do it? Mr. Reed replied you do it with a Local Law. Mr. Roush asked is it subject to permissive referendum? Mr. Reed replied no. Mr. Crossett stated this is not a public referendum. If you reduce the benefits, he doesn't think you'll get any petitions saying not to do that.

Mr. Hanna asked have you discussed any other options? Mr. Alger replied no, not at this point. The issue was how and can we do this? Now we know how and when it becomes effective.

Mr. Crossett asked is the co-pay tied to the Union Contract? Mr. Alger replied yes. Mr. McAllister asked what portion do the Legislators currently pay? Mr. Alger replied 10 percent. Mr. McAllister asked with regard to the monthly premium, do we have one of the lowest costs compared to the other counties? Mr. Alger replied we are about in the middle. We have a good program. With regard to this survey, it is not the best or the worst program.

Mr. Hanna asked how much does it cost now? Mr. Alger replied single coverage is \$386.00 per month and family coverage is \$1,156 per month, County cost. Since we are self-insured, the cost depends upon the health of the group. The premiums are based on the usage.

Mr. Van Etten commented we need to have a separate group work on this or continue to discuss at these meetings. We need to hash something out, make a change, and make it effective when we can. Mr. McAllister commented this does need to be hashed out. Mrs. Ferratella suggested each committee member think of a proposal for more detailed discussion.

Secretary's Note: Discussion on Legislator Salary and Benefits was tabled until the May meeting.

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

MOTION: SETTING THE DEPUTY DIRECTOR OF WEIGHTS AND MEASURES AT A GRADE D MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

MOTION: PROPOSING A RETIREMENT INCENTIVE TO THE LEGISLATURE FOR CONSIDERATION MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

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

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

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

NEXT MEETING SCHEDULED FOR

Tuesday, May 10, 2011

9:30 a.m.

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, May 10, 2011

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Jim Gleason
Joseph Welch Ken Peaslee Judy Hunter
Jennifer Bailey Shawn Corey Alan Reed
Brenda Mori Wendy Flaitz

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna Robin K. Lattimer
Christopher G. Quinlan

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 12, 2011, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

- A. Purchasing
1. **Bid Awards**
- a. *Desk Top Supplies* – Mr. Gleason recommended awarding this bid on a line item basis to the low bidder.

MOTION: AWARDING THE BID FOR DESK TOP SUPPLIES ON A LINE ITEM BASIS TO THE FOLLOWING LOW BIDDERS: SENTRY BUSINESS PRODUCTS AND WAREHOUSE DIRECT MADE BY MRS. FERRATELLA. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

- b. *Office Furniture* – Mr. Gleason recommended awarding the bid to the low bidder, based on the highest percent of discount offered.

MOTION: AWARDING THE BID FOR OFFICE FURNITURE BASED ON THE HIGHEST PERCENT OF DISCOUNT OFFERED TO THE FOLLOWING LOW BIDDERS: WAREHOUSE DIRECT, CAITLIN OFFICE INTERNATIONAL AND SENTRY BUSINESS PRODUCTS MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

- c. *Paper Products* – Mr. Gleason recommended awarding the bid for custodial paper products to the low bidder on a line item basis.

MOTION: AWARDING THE BID FOR CUSTODIAL PAPER PRODUCTS ON A LINE ITEM BASIS TO THE FOLLOWING LOW BIDDERS: SANICO, HORWITZ, EASTERN MAINTENANCE, CENTRAL POLY AND SENTRY BUSINESS PRODUCTS MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

d. *Garbage Bags* – Mr. Gleason explained there are two categories, low density and high density. He recommended awarding the low density bags to Interboro Packaging and the high density bags to Calico Industries.

MOTION: AWARDING THE BID FOR GARBAGE BAGS TO INTERBORO PACKAGING FOR LOW DENSITY BAGS AND TO CALICO INDUSTRIES FOR HIGH DENSITY BAGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

e. *Xerographic Copy Paper* – Mr. Gleason informed the committee that they bid the copy paper every 90 days. He received two bids and recommended awarding the bid to Contract Paper Company for \$27.17 per case. He commented the price was \$.20 less than what they are currently paying.

MOTION: AWARDING THE BID FOR XEROGRAPHIC COPY PAPER TO CONTRACT PAPER COMPANY FOR \$27.17 PER CASE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Elections

1. **Polling Place Improvement Grant** – Mr. Welch requested authorization to accept a grant in the amount of \$3,647.00. This is a non-matching grant and is reimbursable. The County would up-front the money and then be reimbursed by the State. We will use this money to help bring polling places into compliance with ADA requirements.

MOTION: AUTHORIZING THE BOARD OF ELECTIONS TO ACCEPT A GRANT IN THE AMOUNT OF \$3,647.00 TO BE USED FOR POLLING PLACE IMPROVEMENTS MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Van Etten stated previously you had talked about the consolidation of polling places. Are you still working on that? Mr. Welch replied if the State Legislature increases the capacity of the voting machines, we would then look into consolidation. Right now we are allowed 1,000 voters per machine. With the new machines, we believe they could handle more voters. If we are able to consolidate, that would save us money on inspectors and training.

Mrs. Ferratella asked what was the change in polling place for the Town of Erwin? Mr. Welch replied there was a polling place at the Coopers Fire Hall and we moved that to the Coopers Methodist Church, which is right across the street.

Mr. Quinlan stated with this grant you will be making physical improvements to the polling places. Are the municipalities or building owners chipping in anything? Mr. Welsh replied these improvements are all on us. There are some incentives that are available at the local level.

2. **Informational** – Mr. Welch informed the committee that they have already begun training on the voting machines at the Health Care Facility. The improvements that were made to the storage room at the Health Care Facility are excellent.

C. Information Technology

1. **Network/HIPAA Security Audit** – Mr. Peaslee informed the committee that because of the language in the HI TECH ACT of 2009, we are now required to have a yearly security audit. He solicited quotes and received four responses. The low quote was Dox Electronics, Inc. for \$8,200.00. He recommended

contracting with them to perform the yearly security audit. We have done business with them in the past. Mr. Van Etten asked when they do the audit, will they tell us we need encryption? Mr. Peaslee replied he does not know. Mr. Van Etten asked wasn't that the result of the last audit? Mr. Peaslee replied yes. We are working on that. The State now has a Cryptology Policy. We now have to make sure that what we are looking at meets the State requirements under their new policy.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO ENTER INTO A CONTRACT WITH DOX ELECTRONICS, INC. TO PERFORM A YEARLY NETWORK/HIPAA SECURITY AUDIT FOR A COST OF \$8,200.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Law Department

1. **Right of Entry Agreement** – Mr. Corey informed the committee that they received a request from the Army Corps of Engineers asking for a right entry onto the property that was formerly the Hornell Rifle Range. According to the map, we believe the expressway went through the middle of that property. The Army Corps of Engineers would like to take soil samples to determine if there is any lead contamination. After that, they will determine if the area will need to be cleaned up. This is County property. Mr. Alger stated this property is located near Kanakadea Park, near the overlook on the expressway. The actual area they used for the rifle range is now part of the expressway. Mr. McAllister asked is this a prelude to a cleanup of the area? Mr. Corey replied because this was the Army rifle range, they would do any cleanup if it was determined to be necessary.

MOTION: AUTHORIZING A RIGHT OF ENTRY AGREEMENT WITH THE ARMY CORPS OF ENGINEERS TO ACCESS PROPERTY THAT WAS FORMERLY THE HORNELL RIFLE RANGE IN ORDER TO TAKE SOIL SAMPLES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Quinlan asked is there any liability on the County? Mr. McAllister replied usually the liability would fall back on the owner. Mr. Reed replied there are some considerations. First, we cannot avoid the issue by keeping them out. Second, if there is contamination, the origin of that appears to be from the Federal government and lastly, there is an exemption for municipal owners. Mr. Alger commented in the document, they do talk about the next steps and they have suggested they would participate in any cleanup. He stated that he doesn't believe they are going to find anything.

E. County Clerk

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

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

2. **Informational** – Mrs. Hunter informed the committee that she will be meeting with the Commissioner of Motor Vehicles regarding the electronic transfer of vehicles. For the time being, this proposed bill is on hold. In addition, another bill, regarding e-filing is coming. She has some questions regarding this; in particular as they will be changing the filing fee from \$5.00 per page back to \$3.00 per page.

Mr. Alger asked does this proposed bill address any concerns related to privacy and data? Mrs. Hunter replied that is not addressed in this bill, however, it is addressed in other State statutes that would be tagged along with this bill. She believes that any information that is knowingly released is a violation.

F. Administrator

1. **Revisions to Administrative Code** – Mr. Corey presented the revisions to the Standard Agreement and Business Agreement as found in the Administrative Code. Mr. McAllister asked is this attached

to every contract? Mr. Corey replied the Business Agreement is. Mr. McAllister asked is the Business Agreement completely new? Mr. Corey replied they did a complete rewrite of the Business Agreement.

MOTION: APPROVING THE REVISIONS TO THE STANDARD AGREEMENT AND THE BUSINESS AGREEMENT IN THE ADMINISTRATIVE CODE AS PRESENTED MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Legislator Salary/Benefits** – Mr. Alger stated that he does not have any new information. Mr. Reed commented that the Committee was looking for his opinion regarding this issue. In researching this, he has found more issues that need to be addressed. He has prepared a draft which is close to being completed. The salary issue is covered under County Law, however, Municipal Home Rule Law authorizes benefits. There are two caveats to the Home Rule Law. The first is that you are abiding by General Municipal Law and that this would apply to any constitutional person. The second caveat is that there would be no impact on any other similarly situated individuals.

Mr. Crossett asked there haven't been any previous opinions on this by the Comptroller? Mr. Reed replied no. We have done an exhaustive search. Mr. Van Etten asked could NYSAC offer any help or assistance with this? Mr. Reed replied we did discuss this with NYSAC and this is not an issue they have addressed. They had recommended we contact the State Comptroller.

Mr. Van Etten asked what are other similarly situated individuals? Mr. Reed replied in our classification there is an exempt class which includes other individuals in addition to the Legislators. There is a list of those positions. Mr. McAllister asked if you affect one aspect, it has to apply to the rest? Mr. Reed replied we want to make sure we don't impact the other individuals. There is a rational basis for limiting this to just the Legislators. We want to accomplish what you want, but nothing more than that.

Mr. McAllister asked the committee if they would like to table this issue or continue discussion. Mr. Van Etten commented that he thinks we need to wait for Mr. Reed's written opinion. Mrs. Ferratella stated last month she suggested that all of the committee members think about this and put together numbers and ideas. She distributed copies of a proposal for the committee to review and discuss next month.

Mr. Roush stated that his main thing is that there is a 100 percent co-pay for benefits for Legislators and that the salary be increased to \$15,000. The logic is that the \$15,000 salary would be sufficient to cover the cost of benefits that a Legislator may want to purchase. Mrs. Ferratella commented if Mr. Roush could present something in a format that we could follow, that would be helpful. Mr. McAllister asked the committee to put any recommendations they have on paper so the committee can review it.

Mr. Reed stated with a change in salary, there is a change in the necessity of a referendum. He stated that with his opinion, he will also include a salary component. Mr. Roush asked is a change in salary subject to a permissive referendum? Mr. Reed replied yes, a change in salary would require a permissive referendum. Mr. McAllister commented this issue will continue to be discussed at the June meeting.

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

MOTION: AUTHORIZING THE ASSIGNMENT OF THE COFFEE CART AGREEMENT FROM CAROL MOZES TO CHERYL HARKNESS AND EXTENDING THE CONTRACT THROUGH DECEMBER 31, 2012, MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, June 14, 2011
9:30 a.m.**

STEUBEN COUNTY ADMINISTRATION COMMITTEE
STEUBEN COUNTY FINANCE COMMITTEE

Joint Special Meeting

Monday, May 23, 2011

9:45 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Gary B. Roush	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
	Lawrence P. Crossett, Chair Gary B. Roush	Gary D. Swackhamer, Vice Chair Scott J. Van Etten	Donald B. Creath
STAFF:	Mark R. Alger Joel Ordway	Jack Wheeler Shawn Corey	Nancy Smith
LEGISLATORS:	Joseph J. Hauryski Robin K. Lattimer Thomas J. Ryan Randolph J. Weaver	Dan C. Farrand Robert V. Nichols Brian C. Schu	K. Michael Hanna Christopher G. Quinlan John S. Walsh

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

A. Records Center

1. **Budget Transfer** – Mr. Wheeler informed the committee that the individual working at the Records Center will be going on medical leave for a couple of weeks. They would like to bring in Julie Cummings, who previously worked there, to fill in for a couple of hours each day. Had we hired staff for the Youth Bureau, we were going to cross-train someone this year to backfill this position. Mr. Wheeler proposed transferring \$2,500.00 from Youth Bureau salaries line item to the Records Center Management salary line item to temporarily hire Julie Cummings to fill-in during the medical leave.

MOTION: AUTHORIZING THE TRANSFER OF \$2,500.00 FROM THE YOUTH BUREAU SALARY LINE ITEM TO THE RECORDS CENTER MANAGEMENT SALARY LINE ITEM TO TEMPORARILY HIRE JULIE CUMMINGS TO FILL IN DURING A MEDICAL LEAVE MADE BY MR. ROUSH. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 5-0 ADMINISTRATION; 5-0 FINANCE.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW MADE BY MR. ROUSH. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0 ADMINISTRATION; 5-0 FINANCE.

MOTION: AUTHORIZING THE EXECUTION OF AN AGREEMENT REGARDING THE TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT BETWEEN THE COUNTY OF STEUBEN AND THE STEUBEN COUNTY LOCAL #851 OF THE CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC., FOR THE YEARS 2011, 2012 and 2013 MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0 ADMINISTRATION; 5-0 FINANCE.

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

MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0 ADMINISTRATION; 5-0 FINANCE.

Respectfully submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEUBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, June 14, 2011

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

MINUTES

Committee: Patrick F. McAllister, Chair Lawrence P. Crossett, Vice Chair Gary B. Roush
Carol Ferratella Scott J. Van Etten

Legislators: Joseph J. Hauryski Thomas J. Ryan Robin K. Lattimer John S. Walsh
Christopher G. Quinlan K. Michael Hanna

Staff: Mark R. Alger Jack K. Wheeler James Gleason Kenneth Peaslee
Tina Goodwin Patrick F. Donnelly Alan Reed Shawn Corey
Amy Dlugos Judy Hunter Jennifer Bailey Wendy Flaitz

Other: Mary Perham, *Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. McAllister at 9:30 a.m. Mr. Reed led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE MAY 10 AND MAY 23, 2011, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Clerk of the Legislature

1. **Retirement Reporting** – Mrs. Mori requested approval to forward the standard workday and retirement reporting resolution to the full Legislature. She noted this resolution contains those elected and appointed officials who were appointed within the past 180 days. Discussion followed.

MOTION: APPROVING AND FORWARDING THE STANDARD WORKDAY AND RETIREMENT REPORTING RESOLUTION TO THE FULL LEGISLATURE MADE BY MRS. FERRATELLA. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Law Department

1. **Gas Lease** – Mr. Corey stated in response to former Governor Patterson and Governor Cuomo’s Executive Orders for environmental reviews before the Marcellus Shale drilling can begin in New York, the gas companies we currently hold leases with sent us a letter claiming that the Governors’ order is a case of force majeure, so the leases should be extended. After reviewing the issue, he responded with a return letter stating that the Executive Orders do not constitute an event of force majeure. The reason being the Orders are not preventing drilling in the Marcellus Shale from ever occurring, they are only requiring environmental review before it can occur. So, the leases will end according to the existing terms. He noted Chesapeake Gas has not responded to the letter at this point in time. He noted one of the leases expires in the Spring of 2012. Discussion followed.

C. County Clerk

1. **Recording System RFP** – Mrs. Hunter stated Assembly Bill 6870 requiring e-recording has been referred to committee and the Senate Bill is moving forward as well. The Office of Court Administration (OCA) is promoting e-filing as well. There’s a big push to get the legislation passed before the end of session and our

State Association is not happy with some of the wording in the Bill. Currently there are five counties outside of New York City who are e-filing with the courts.

Mr. McAllister asked what exactly are they talking about with the e-recording? Mrs. Hunter stated the e-recording relates to land transactions and would be between the Clerk's Office and the attorneys. The e-filing part involves court records coming into the County Clerk's office before going to OCA. State CPLR Law states the records must go through the County Clerk first and that's one of the issues they have with the language in the current Bill. We're hoping they include in the language that the records would go through either/or instead of one or the other.

Mr. Van Etten stated so why should we be looking at purchasing a new software system? Mrs. Hunter stated because of the service we've been receiving from the existing vendor and the possible new requirement. Mr. Van Etten stated don't you think your current vendor would include this in their updates? Otherwise, they will put themselves out of business. Mrs. Hunter stated she believes they will but their latest software version, currently being used in Jefferson and Chenango Counties has raised several issues. Ms. Bailey stated the biggest issue is when we have problems with the system; we aren't receiving good resolution to our problems. Mrs. Hunter stated our problems aren't being solved in a timely manner. The Clerk in Jefferson County indicated that the updated version has resulted in more of the same problems as far as the service. Mrs. Hunter stated she would just like to request proposals to see what else is out there; if there's something better. Discussion followed.

Mr. Van Etten stated he's fine with soliciting RFPs but in this economic environment, he's not fine with spending a significant amount of money just because you aren't getting fast enough service. We're going to be facing difficult decisions with the upcoming budget. Mrs. Hunter stated she understands his point but can we afford having a system that doesn't process the documents that her office is required by law to file?

Mr. McAllister stated he'd like to know what is going to be required by the new Bill before we update a system that might be outdated before it's even running. Mrs. Hunter stated it is her understanding that the e-recording/land title piece of the Bill would be optional. That's not to say that we wouldn't have to have the availability to do it, but we wouldn't require everyone to file electronically. Ms. Bailey stated the software we have is called Resolutions 2 and, unless the vendor changes their tune, we will be forced to move to Resolutions 3 and we don't know how much that update would cost. Mr. Van Etten suggested they find out how much it would cost for that conversion. Discussion followed.

Mr. Alger stated the concern he has with doing the RFP now is we don't know what is going to be included in the law. We need to make sure the RFP is related to what the requirements are. If they pass the law this week, they will have to give you time to put it into place. Discussion followed.

Mrs. Hunter stated we pretty much know what needs to be included in the RFP as they are doing pilot programs in some of the Counties; particularly, Monroe County. We have enough information available to draft an RFP to include the appropriate requirements. Mr. Van Etten asked what system the pilot programs were using. Mrs. Hunter stated various ones; most vendors can adapt. She believes the vendors are just going to massage their existing programs.

MOTION: AUTHORIZING RFPs FOR NEW RECORDING SYSTEM SOFTWARE IF BILL A6870/S2373-A IS APPROVED BY THE STATE LEGISLATURE MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D County Administrator

1. **Energy Project** – Mr. Wheeler stated the New York Power Authority conducted a comprehensive energy audit of our facilities and have recommended some projects to help save money. Of the measures they recommended, we'd like to move forward with replacing the lighting and chillers in the County Office Building, which were our main priorities. He noted we also were successful in receiving \$76,000 in grant funding towards the replacement of the lights in this building. The grant and energy cost savings will cover the cost of these projects.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO CONTRACT WITH THE NEW YORK POWER AUTHORITY TO PROCEED WITH THE LIGHTING PROJECT AND CHILLER PROJECT TO BE PAID FOR THROUGH THE ENERGY CONSERVATION CAPITAL PROJECT MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Transfer** – Mr. Wheeler stated along those same lines, a few months ago we contracted with Energy Curtailment Specialists, who test our systems twice each year. They conducted the winter test and, as a result, we received a check for \$742 for powering down. He requested authorization to appropriate those and future energy conservation funds back into the Energy Conservation Capital Project.

MOTION: ACCEPTING AND APPROPRIATING \$742 IN REVENUE TO THE ENERGY CONSERVATION CAPITAL PROJECT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Secure Document Disposal** – Mr. Wheeler stated he's been discussing options for secure document disposal with Jennifer Orcutt in Records Management. We're exploring the option of using secure bins for confidential document disposal and we could do that for the County Office Building and the Health Care Facility for a couple thousand dollars a year. This would provide enough secure bins and the company would take custody of the documents upon pick up. He stated he's not ready at this point to ask for anything specific, he's just looking to see if this committee is interested in pursuing this avenue. Mr. Roush asked would it be more cost effective to use an outside company as opposed to doing it in-house. Mr. Wheeler stated they could look into the cost for handling it in-house for comparison. Discussion followed.

Mr. Van Etten stated he thinks this is a necessary cost of doing business; especially in the days of HIPAA. Mr. Alger stated the concern we have longer term is, with the availability of that type of shredding device, it might lead to us shredding documents that don't really need to be shredded.

4. **ProAct Update** – Mr. Wheeler reported that County taxpayers have saved \$1.5 million since they implemented the ProAct Prescription Discount card in 2008.

5. **Legislators Salaries and Benefits** – Mr. McAllister stated we've received various proposals from some of the Committee members. Mr. Van Etten stated he used assumptions from Mrs. Ferratella and Mr. Roush's proposals. He is proposing a 3 percent reduction in salary, offering a single policy with a 10 percent co-pay and a family policy with a 100 percent co-pay of differential to single. He stated he knows that Mr. Roush has suggested increasing salaries to offset the additional cost of insurance, but he can't imagine the public being in favor of increasing legislators' salaries. If you are in this for the health insurance, then you are doing it for the wrong reason. And if you need family coverage, you should pay for it, not the taxpayers.

Mrs. Ferratella stated after she thought about it, her proposal would be a huge hit for people currently utilizing the family coverage. Therefore, she adjusted her original proposal to suggest they simply continue increasing the contribution to eventually cover the premium. She also focused on a buyout, as it would maybe appease those who aren't taking the insurance.

Mr. Roush stated he is proposing they increase legislators' salaries to \$15,000 and provide health insurance at a 100 percent co-pay. The increase in salary is sufficient to pay for all of the insurance premiums.

Mr. McAllister stated going back to the comparison with other counties; we are in line with what others are offering. It looks like a great majority of them offer insurance. The salaries were in line as well. On the other hand, he feels that with the cost reductions going on throughout the County, we should share in that. However, to eliminate the benefit all together is too much. One of the reasons is because it isn't applied evenly across the board. The ones blessed enough to have insurance from other sources don't feel it as much as those who participate in the County insurance. If you want to share in the cost cutting, you do it with the salary. He has no issue with legislators paying more towards their insurance, but he suggests they reduce the salaries ten or fifteen percent.

Mr. Quinlan stated reducing the salary would be penalizing those who don't take the insurance. Mr. Roush stated he's worried about the potential liability.

Mr. McAllister stated he couldn't vote for a 30 percent increase in salaries, either. He believes Mrs. Ferratella is on the right track, but he would also tweak the salaries.

Mr. Crossett stated he could support Mrs. Ferratella's proposal; he thinks the others are just too drastic of a change. It needs to be more gradual than just slamming the door shut. He also cannot support a pay increase.

Mr. Ryan stated there are some individuals out there who may switch back to another insurance available to them in order to receive the increase in salary as well. They may be forced to say they'll use their spouses insurance just to receive additional pay.

Mr. Van Etten stated he's against the buyout; if you think of it from the taxpayers' standpoint, why should they pay us a bonus if we don't take a benefit? Mrs. Ferratella stated she thinks they are encouraging people to take the insurance by not compensating them if they don't take it.

Mr. Walsh stated he thinks the taxpayers in the county would be very upset if we proposed an increase in salary. It just wouldn't be acceptable.

Mr. Roush stated he'd be okay without a salary increase and just the 100 percent co-pay change. The bottom line for him is that the County shouldn't be paying health insurance for part time employees, especially legislators.

Ms. Lattimer stated the initial reason for counties offering health insurance to legislators/supervisors long ago was because it was a little extra bone for getting involved in public service. Now it has become a very costly item.

Mr. Quinlan stated he's not sure if we should be looking at this now or with reapportionment because the composition of the Legislature may be changing. Mr. McAllister stated we do need to discuss reapportionment, but we have a lot on our plate right now and he doesn't think people want to wait on this issue.

Mr. Van Etten stated he's fine with Mrs. Ferratella's kinder, gentler approach. Discussion followed.

Mrs. Ferratella asked could we look at the premium cost for a couple plan versus a family plan. Mr. Alger stated we are self-insured so if you take the insurance and you have no claims, there is no cost to the County. We haven't ever calculated a premium for two people but we could probably ask them to.

Mr. Hauryski stated he's sensing now that they are looking at Mrs. Ferratella's proposal from the point of increasing the premium a certain percentage over a period of time. Mr. Van Etten has proposed to reach an eventual 80 to 100 percent benchmark. He believes that may be where the rubbing point is. Now you're at the point where you need to make a decision on what benchmark you want to reach. He noted that he's in favor of the percentage increases in co-pay, but he questions whether or not we want to go to 100 percent.

Mr. Alger stated you could adopt the proposal that goes through your term and make a decision on what to do with the next group. Apply this proposal through the next term and have it reviewed for the following term. That way a process is in place for the next group. Chances are reapportionment will require a change in the composition of the Legislature.

Mr. Reed noted there is an issue with offering a buyout to legislators, because it would be considered cash in hand and part of the salary. You cannot pay some legislators a different salary than others. Discussion followed.

MOTION: ADOPTING A GRADUATED INCREASE IN HEALTH INSURANCE CO-PAY PROPOSAL UTILITIZING A 10 PERCENT INCREASE EACH YEAR FOR THE NEXT FOUR YEARS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES. 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. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TRANSFERRING THE MANAGEMENT DENTAL AND VISION HEALTH COVERAGE TO EXCELLUS/SUPERIOR PLAN EFFECTIVE AUGUST 1, 2011, MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Mr. Reed informed the committee that the mortgage recording tax extension was passed by the State Legislature and has been signed by the Governor.

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

Respectfully submitted by,



Brenda K. Mori

Clerk of the Legislature

NEXT MEETING SCHEDULED FOR

Tuesday, July 12, 2011

9:30 a.m.

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

NO LATER THAN NOON

Tuesday, July 5, 2011

STEBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Monday, June 27, 2011

9:45 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Gary B. Roush	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger Shawn Corey	Jack Wheeler	Nancy Smith
LEGISLATORS:	Joseph J. Hauryski Robert V. Nichols Randolph J. Weaver	K. Michael Hanna Thomas J. Ryan	Robin K. Lattimer John S. Walsh

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

A. Administrator

1. **Extending the Date of the Early Retirement Incentive** – Mr. Alger informed the committee that they ran a list to see how many more employees would be impacted if we were to extend the date of the early retirement incentive and we have identified four potential employees. One of the requirements for eligibility for our incentive is that the employee is able to retire without penalty from the State system. If we were to extend the date of the early retirement incentive to the end of October, those four individuals would be able to retire without penalty.

MOTION: EXTENDING THE DATE FOR THE EARLY RETIREMENT INCENTIVE FROM SEPTEMBER 15, 2011, TO OCTOBER 31, 2011 MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

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

Respectfully submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, July 12, 2011

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Gary B. Roush	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger Ken Isaman Tammy Hurd-Harvey Shawn Corey	Jack Wheeler Patrick Donnelly Alan Reed Judy Hunter	James Gleason Nancy Smith Wendy Flaitz Jennifer Bailey
LEGISLATORS:	Joseph J. Hauryski John S. Walsh	Christopher G. Quinlan	Thomas J. Ryan
OTHERS:	Mary Perham, <i>The Leader</i>		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 14, 2011, AND JUNE 27, 2011, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REPORTS/REQUESTS

A. Risk Manager

1. **Worker's Compensation Budget/Table of Apportionment** – Mr. Isaman reviewed the Worker's Compensation Budget and Table of Apportionment with the committee. He commented that he has tried to build in a reserve and that currently they are operating in the black. Effective July 1, 2011, anyone who goes out on compensation will receive a maximum of \$700.00 per week. Previously that amount was \$400.00 per week. This is something that we have to consider going forward. Mr. Isaman explained that he has been working with their third party administrator, Eagle Claims, and are doing better on getting their questions answered. We are also looking at PERMA as a possible carrier.

Mr. McAllister stated that some of the towns that left us were promised better rates and now their rates have skyrocketed and they are paying more than they would have if they stayed with the County.

Mr. Van Etten stated on your 2011 budget your revenues matched your budget exactly. For 2012 there is a \$126,000 difference. Is that because you are trying to build a surplus? Mr. Isaman replied yes. We anticipated \$50,000 more in our payments line item. Ms. Hurd-Harvey stated with the increase in the weekly payments, that amount will probably be higher in 2012. This year, only half of the year will be at the higher rate and next year will be a full year at the higher rate.

Mr. Van Etten asked what is your goal for the reserve? Mr. Isaman replied he would like to have between \$500,000 and \$1,000,000 in the reserve.

Mr. Alger stated one point to make is that in evaluating our options for Worker's Compensation, we are looking at PERMA as an option. We have met with RMSCO and talked with them. We are trying to figure out what the best approach will be going forward. Whether we switch third party administrators or go to an actual policy is something that we will look at going forward.

Mr. Isaman stated with regard to the apportionment, the Towns of Hartsville and Wheeler both saw significant increases and those were claim driven. Our formula is 60 percent payroll, 20 percent claims and 20 percent assessed value. Steuben County makes up 70 percent of the plan. We did have some municipalities that opted out of the plan last year; however, they do have the option to come back in. Mr. Alger commented one of the issues with our current formula is that it takes a five-year average.

Mr. Van Etten asked are we going to provide an explanation to each municipality as to why their apportionment is changing? Mr. Isaman replied we certainly can. Last year we gave them the loss run, which shows the claims, and we will do that again this year.

Mr. McAllister asked what did we decide to do with regard to giving notice to the towns? Mr. Isaman stated that towns were okay, the issue was with the villages. Mr. Crossett stated we need to make the villages pay the bill. If you send them the bill now they have time to incorporate that into their budget. Mr. Alger stated in our previous discussion, if we end up putting it on the tax rolls, then the municipalities will no longer be allowed to participate. Discussion followed.

MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE WORKER'S COMPENSATION 2012 BUDGET AND TABLE OF APPORTIONMENT MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Treasurer

1. **Operational Efficiencies from EFT Payments** – Mr. Donnelly stated we issue hundreds of checks every week in our department. He plans to make an effort to move to Electronic Funds Transfer (EFT). Gradually, we will cut back on the number of times we issue checks. Our plan is to issue checks once a month and EFT's every week.

Mr. Roush asked will the EFT transaction be free? Mr. Donnelly replied it will be free to receive it. The County will pay a nominal fee of \$.01 or \$.02 per transaction. This will eliminate a lot of the back end work that is done for reconciling the checks. Mr. Roush asked will the County have access to online bill paying? For a one time vendor it would not be practical to set up an EFT. Mr. Donnelly stated that it is easier to send a check for one time vendors. Ms. Hurd-Harvey commented the letter that we will send is targeting our high-volume vendors. We are still working on how to send the stub information for those vendors.

Mr. Donnelly stated that employee mileage and reimbursement expenses will also move through the payroll via direct deposit. This will be similar to how we do payroll and this will not be considered compensation.

C. Personnel

1. **Reclassification – Buildings & Grounds** – Mrs. Smith requested authorization to reclassify a vacant Grade X Carpenter position to a Grade IX Building Maintenance Mechanic.

Mr. Van Etten asked do you plan to fill this? Mr. Alger replied we anticipate a retirement in another year or so and would fill this position for cross training. That current position is critical in terms of operations.

MOTION: APPROVING THE RECLASSIFICATION OF A VACANT GRADE X CARPENTER TO A GRADE IX BUILDING MAINTENANCE MECHANIC IN THE DEPARTMENT OF BUILDINGS & GROUNDS MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Cook Position - Jail** – Mr. Alger stated that last month the Legislature approved a resolution to allow cooks at the Jail to take over the food operation. One of those positions originally was part-time and needs to be a full-time position to make that process work. Mr. Alger stated that he wanted to let the committee know about that change and that it did not affect the projected costs.

D. Administrator

1. **Shredding Proposal** – Mr. Wheeler informed the committee that they received four quotes for the shredding proposal. Initially we had looked at doing this internally, however, that has proved to be difficult at this time. He recommended awarding the proposal to the low bidder, Iron Mountain for \$8.00 per 64-gallon container plus a 10 percent fuel chargeback which changes monthly. We will start with 10 containers in Social Services, 10 on the remaining two floors in the County Office Building and a few at the Records Center. We'll start with 26 bins and then work on getting the Mental Health Offices in Corning and Hornell to change from Cintas over to this. Mr. Wheeler stated along with this we are planning to increase the document destruction chargeback to the departments and increase anticipated revenue to the Records Center. He requested approval of a budget transfer of \$2,500 in anticipated revenue and increasing the Records Management line item for Document Destruction.

MOTION: AWARDING THE PROPOSAL FOR SHREDDING TO IRON MOUNTAIN AT A RATE OF \$8.00 PER CONTAINER PLUS A 10 PERCENT FUEL CHARGEBACK, FOR A TOTAL COST OF \$2,735.62 AND ANTICIPATING REVENUE IN THE RECORDS MANAGEMENT BUDGET IN THE AMOUNT OF \$2,500.00 AND INCREASING THE RECORDS MANAGEMENT DOCUMENT DESTRUCTION LINE ITEM BY \$2,500.00 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Van Etten commented that something to look at is having Iron Mountain to do our records management. Mr. Alger stated that half of the records are active. The bulk of what the Records Center has is very active and exchanged routinely. Some of that we could put off-site, but some we would still need to keep. Mr. Wheeler commented that Social Services, Probation and the District Attorney access their records daily.

Mr. Van Etten stated having this as an option provides more flexibility if we need to move the Records Center. Mr. Alger stated if you tear down the Old Health Care Facility, you could probably store permanent records and only house active records. A study could be done to define what storage space you would need based on the current volume and how many actively accessed boxes we have.

Mr. Wheeler stated they are also looking at scanning options and the process of scanning things is already out there. Mr. Alger stated the County Clerk scans documents and the Department of Social Services is in an active scanning project with the State. We also have other options and several departments have been asking about scanning their own records. That will be a much better option long-term.

VOTE ON PREVIOUS MOTION: 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. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING THE MID-YEAR SALARY ADJUSTMENTS FOR THE FOLLOWING INDIVIDUALS IN ACCORDANCE WITH THE MANAGEMENT SALARY PLAN: AMANDA CHAFEE, ASSISTANT DISTRICT ATTORNEY; AMANDA CHAPMAN, DEPUTY CLERK OF LEGISLATURE; AMY DLUGOS, PLANNING DIRECTOR; JESSICA DRAKE, DEPUTY COUNTY ATTORNEY, EUGENE GREELEY, PROBATION DIRECTOR II; MICHAEL KEANE, DIRECTOR OF OFA; AND MARILYN PEOPLES, ASSISTANT DIRECTOR OF PHNS, MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, August 9, 2011
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, August 2, 2011**

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, August 9, 2011

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Ken Peaslee
Bryce Foster David McCarroll Alan Reed
Ken Isaman Nancy Smith Wendy Flaitz
Robert Anderson, Ph.D. Brenda Mori Judy Hunter
Shawn Corey

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna Robin K. Lattimer
Christopher G. Quinlan John S. Walsh

ABSENT: Gary B. Roush

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Mrs. Ferratella stated that in the July minutes, page 2, last paragraph, there was a discussion that if the municipalities did not end up putting the WC on the tax rolls, then the municipalities will no longer participate. She asked if it should instead be worded to say that the municipalities will no longer be allowed to participate?

Mr. Alger replied that in that discussion we had indicated that letting that go to the tax roll was not acceptable and if they do, then it would be viewed as a default. He stated that he would agree with Mrs. Ferratella's change to the minutes.

MOTION: APPROVING THE MINUTES OF THE JULY 12, 2011, MEETING AS AMENDED MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Real Property Tax Service Agency

1. **Tax Resolutions for 2012 County/Town Tax Levy** – Mrs. Flaitz stated that she sent out the schedule for the tax resolutions that will be coming to the Legislature for approval this fall. Mr. Van Etten asked are we going to be breaking out various items on the tax bills? Mrs. Flaitz replied that we haven't made a decision on that yet. If we decide to go forward with that, we will need a Local Law.

Mr. Alger stated we had been talking about breaking out the WC charges for the villages; however, we are not going to do that. The other thing is that we agreed that the towns will be notified in advance of the chargebacks and we will hold them for a year. This will create some issues for us because with the 2012 election cycle there will be more expenses. Mr. Van Etten asked will those expenses be billed into the estimated chargeback? Mr. Alger replied we will wait until the following year to bill it.

Mr. McAllister asked there is no need to break out anything? Mr. Alger replied these are predominantly election and village charges. We will notify the towns that we will hold the charges for a year and we will not allow the villages to use the levy. Mr. Van Etten commented it will be up to them to include that information on the bills.

2. **STAR Exemption Cap Impact** – Mrs. Flaitz stated that she would like to make a presentation at the Legislative Meeting to let the Board know what is happening with the school tax bills. Mr. Alger commented we will have her presentation under the County Officers portion of the meeting.

B. Information Technology

1. **Countywide Phone Maintenance Agreement** – Mr. Peaslee informed the committee that their current maintenance agreement expires September 1, 2011. They sent out a request for proposals and received three back. The second lowest proposal was from Ronco for \$3,519.65 per month which, for the year, would be \$42,235.80. This is \$1,000 per month less than the last contract we held with Ronco. Mr. Peaslee recommended awarding the RFP to Ronco Communications for \$3,519.65 per month. The contract would be one year, renewable for three years.

MOTION: AWARDING THE RFP FOR A COUNTYWIDE PHONE MAINTENANCE AGREEMENT TO RONCO COMMUNICATIONS FOR ONE YEAR, RENEWABLE FOR THREE YEARS AT A COST OF \$3,519.65 PER MONTH, TOTALING \$42,235.80 PER YEAR MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Review Replacement of Countywide Phone System** – Mr. Peaslee stated our countywide phone system was supported by Nortel, who went bankrupt a couple of years ago. They were then purchased by Avia and we are at a point where most of the sites are fairly up to date. He stated that he looked at what the cost would be if we replaced our phone system.

Mr. Peaslee stated that Sysco has a 0 percent lease for a five-year installed system. The cost to do all of the sites and improve the system with redundancy back to the County Office Building would be \$1.3 million or \$260,000 per year. That is a lot of money. There are other systems out there and he stated that he can do more research. Mr. Peaslee stated that he wanted the committee to know that the system we currently have is obsolete. He stated that he currently has \$227,000 in a capital account. One of the ways we fund that account is to use the phone chargebacks to the departments.

Mr. Crossett explained they take the excess over the actual cost and put that into the capital account. That is one way for them to generate revenue. Mr. Alger stated you would generate a reimbursement from the departments. You have to be able to justify the expense. Mr. Peaslee stated we charge the departments \$21.00 per phone. Previously our monthly phone bill for the County was \$25,000 and now we have decreased it down to \$12,000 - \$13,000 per month. The actual cost for the phone system has decreased and our revenue has increased.

Mr. McAllister asked is the phone system working now? Mr. Peaslee replied yes. We can get parts that we need and the parts are actually much cheaper now. We can maintain our current system. The problem is that if a problem occurred with our system, and Ronco couldn't figure it out, they would not be able to call Avia for help. The cost to upgrade our system would be \$400,000 - \$500,000 and rather than upgrade, he would like to replace the system. Mr. Peaslee stated that he is not expecting an answer today. This is informational only and is something that we need to look at and need to fund. He has asked for additional funding in his 2012 budget for this.

Mr. Van Etten commented this type of thing is the cost of doing business and he would hate it to get to the point of an emergency and spend money unnecessarily. If the system is good for one or two years it helps to know that so we can plan for it. Mr. Peaslee commented that he doesn't expect any problems for the next two or three years, but we do need to be conscious of this.

C. Personnel

1. **Reclassifications – Public Works**

a. (3) *Motor Equipment Operator Positions to (3) Junior Bridge Worker Positions* – Ms. Smith stated that Public Works had three Motor Equipment Operators who were moved to the bridge shop and started doing more bridge work. We looked at the position and determined that the work they do really is that of a Junior Bridge Worker, which is a grade higher. She recommended reclassifying three Motor Equipment Operator positions, Grade VIII, to three Jr. Bridge Workers, Grade IX.

MOTION: AUTHORIZING THE RECLASSIFICATION OF THREE MOTOR EQUIPMENT OPERATORS, GRADE VIII TO THREE JUNIOR BRIDGE WORKERS, GRADE IX IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

b. *Highway Engineer, Management Grade G to GIS Technician, Grade XIII* – Ms. Smith informed the committee that Public Works has a vacant Highway Engineer, Management Grade G that they would like to reclassify that to a GIS Technician, Grade XIII, which would be more beneficial to their department.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT MANAGEMENT GRADE G HIGHWAY ENGINEER TO A GRADE XIII GEOGRAPHIC INFORMATION SYSTEM TECHNICIAN IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **RFP for Mandatory Training for the Prevention of Workplace Violence** – Ms. Smith requested authorization to do an RFP for the mandatory training for the Prevention of Workplace Violence. Mrs. Ferratella asked is this something you could do in-house? Ms. Smith replied that we did do it in-house last year. We do have some training money available this year and we wanted to try something different. When people think of workplace violence, they typically think of violence such as shootings. We have gossiping, bullying and she stated that she wants to focus on that and believes that a professional could do a much better job.

Mr. Van Etten asked is that your interpretation of workplace violence or is that the new and improved definition? He stated that he thought workplace violence were actions that were much more aggressive and physical. Mr. Alger replied there are certain areas we have to cover every year. The issues that you are relating to are more important in the big picture. We would like to incorporate these other things into that presentation. We are required to provide this training annually and would like to change it up a little. Ms. Smith stated this will contain all the training we need, but would include these pieces.

Mr. Van Etten how could gossiping possibly offend? Ms. Smith replied it is a domino effect. Mr. Alger stated it could lead into the harassment arena. It has been two years since we did harassment training. We need to do that again either this year or next year. We could do both at the same time. He stated they are trying to cover a number of topics that are related, but are not the primary issue.

Mrs. Ferratella asked will the department heads be involved with this? Ms. Smith replied there will be a separate training for department heads and supervisors.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO PUT OUT AN RFP FOR MANDATORY TRAINING FOR THE PREVENTION OF WORKPLACE VIOLENCE MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Administrator

1. **Xerographic Copy Paper Bid** – Mr. Wheeler distributed the results of the quarterly bid for copy paper. He recommended awarding the bid to the low bidder, Contract Paper Group for a price of \$27.32 per case.

MOTION: AWARDING THE QUARTERLY XEROGRAPHIC COPY PAPER BID TO THE LOW BIDDER, CONTRACT PAPER GROUP FOR A PRICE OF \$27.32 PER CASE MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. 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 MRS. FERRATELLA. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AUTHORIZING THE PAYMENT OF RETROACTIVE LONGEVITY IN THE AMOUNT OF \$900.00 PLUS 9 DAYS OF ANNUAL LEAVE TO WENDY KESEL IN THE OFFICE OF COMMUNITY SERVICES MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: INCREASING THE SALARY OF JOEL VANSLYKE, DIRECTOR OF REHABILITATION SERVICES AT THE HEALTH CARE FACILITY BY \$5,000.00 MADE BY MRS. FERRATELLA. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, September 13, 2011
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, September 6, 2011**

STEBEN COUNTY ADMINISTRATION COMMITTEE

*Tuesday, September 13, 2011
9:30 a.m.
Legislative Conference Room
Steuben County Office Building
Bath, New York*

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Ken Peaslee
Vicki Olin Joe Welch Pat Donnelly
Brenda Mori Joel Ordway Alan Reed
Shawn Corey Wendy Flaitz Nancy Smith
Tammy Hurd-Harvey Judy Hunter Jennifer Bailey

LEGISLATORS: Joseph J. Hauryski Christopher G. Quinlan John S. Walsh

OTHERS: Terrence O'Neill, Communications Specialist, ProAct

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 9, 2011, MEETING MADE BY MR. VAN ETTEN, SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0-1. (MR. ROUSH ABSTAINED)

III. PRESENTATIONS

A. ProAct

1. **Program Update** – Mr. O'Neill informed the committee that there are 47 counties in New York State who participate in ProAct. At the end of August we surpassed \$60 million in total savings and over the past six years there have been 2.2 million prescriptions filled. The card program is doing what it was intended to do. In 2008, Steuben County saved \$1.6 million and filled 49,000 prescriptions. Mr. O'Neill stated that they have revamped their program with regard to how we let people know about the program. Thank you for your support.

Mrs. Ferratella asked is this program something that can be promoted with the towns and villages? Mr. O'Neill replied we generally go through the counties, but if you feel it would be beneficial, then we could work with the towns and villages.

IV. DEPARTMENT REPORTS/REQUESTS

A. Sheriff's Department

1. **Personnel Reclassification** – Sheriff Ordway requested authorization to downgrade a vacant Captain position in the Jail to a Sergeant position in the Jail. This is due to a retirement. With this reclassification, we would have six Sergeants, which is more in line with what the Commission of Corrections would like. Both the Commission of Corrections and our Personnel Officer have approved this.

Mr. McAllister asked why did we have two Captain positions in the Jail? Sheriff Ordway replied during the construction project, one of them acted as the Clerk of the Works. Mr. Alger explained the Commission of Corrections requested the additional Captain position to help with the opening of the new pods.

MOTION: AUTHORIZING THE SHERIFF TO RECLASSIFY ONE VACANT CAPTAIN POSITION IN THE JAIL TO A SERGEANT POSITION IN THE JAIL MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Elections

1. **Budget Transfer** – Ms. Olin informed the committee that they have \$9,000 left in their Electrical Upgrade project. She requested authorization to use some of those funds to purchase drapes for the windows at the Health Care Facility where they store the elections machines. The drapes would help to cut our electricity costs. In addition, the State was recently out to do an audit and they requested that we put coverings on the windows as they didn't like the idea of people being able to see in. The cost of the drapes is \$1,390.

Mrs. Ferratella asked are these drapes top of the line? Ms. Olin replied no. These are a very minimal type of drape and we will be able to roll them up and down if we need to have more light in the room when we are working. Mr. Alger explained the expense is due to the size of the windows.

MOTION: AUTHORIZING THE PURCHASE OF DRAPES FOR THE ELECTION MACHINE STORAGE ROOM AT THE OLD HEALTH CARE FACILITY IN AN AMOUNT NOT TO EXCEED \$1,390.00 MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Elections Chargebacks** – Mr. Roush asked how are you going to do the chargeback to the towns? Ms. Olin replied we have been looking into that. We are trying to figure out how to charge them back for the costs incurred. We have done a preliminary proposal to send to the towns, which is just the basic cost. In addition, we are trying to get some laws passed through our State association to allow us to increase the number of voters in each district. Our proposal is to increase the number of voters per district to 2,500 and, if we can do that, it would eliminate the number of districts in the towns and eliminate the number of inspectors. She stated they are also looking to change the requirement for inspectors to be at each poll site instead of each district. For today's primary election, we are short inspectors. We are trying to come up with solutions to save money for the towns with their budgets by reducing the number of ballots, inspectors, etc.

Mr. McAllister asked is everything running smoothly for today's primary? Ms. Olin replied if we did not have the help of Buildings & Grounds, Purchasing and Jack Wheeler, we would not be able to get this done. The bags will be picked up by Sheriff's deputies at the end of the night. There is a lot of work that goes into this. Mr. Roush asked do you have a contingency plan if the Sheriff's Department is not available? Ms. Olin replied not yet. If need be, she and Mr. Welch would collect the bags.

Mr. McAllister commented the increase in the chargeback last year was significant because of the changes. Will it be as bad this year? Ms. Olin replied that is dependent upon the cost of the ballots. That cost depends on the election and the number needed. Usually we look at the previous year to determine the amount. It is a guessing game and we try to keep the costs down. Mr. Alger commented another factor was last year we increased the pay for both the inspectors and custodians. Ms. Olin stated additionally, we used grant funding the first year to pay for the ballots. We also had three countywide primaries last year. Every year is different. Mr. Alger stated in the 2012 budget you will also have a presidential primary. Mr. Olin stated we will have three elections and then we have to do two open voter registration days.

Mr. Crossett stated we had talked about using the same number from the previous year so that the towns would know what to expect. Mr. Alger stated we use the prior year's expense as the number we charge back. That means we are behind a year. The expenses vary significantly and it depends on the type of primaries you have.

Mrs. Ferratella asked do we have primaries in every district this year? Ms. Olin replied yes. Mrs. Ferratella asked how will you get more workers? Ms. Olin replied they would like to get a law passed to lower the age of inspectors to 17 and we would also like to give high school seniors credit for participating. Mr. Alger explained that is the biggest challenge we have. He stated what he expects is you will end up requiring other employees to work and send them out. Ms. Olin stated we have picked up a lot of employees to come out and work. That has been a big help to us.

C. Real Property Tax Service Agency

1. **RPS V4 Chargeback Fees** – Ms. Flaitz distributed a report showing the chargebacks for the 2012 tax levy. Early this year you had requested that we notify the towns earlier and we sent out a letter in August. The towns all have these estimates.

MOTION: APPROVING THE ANNUAL RPS V4 CHARGEBACK TO THE TOWNS AND CITIES FOR LICENSE AND SUPPORT FEES MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Roush commented with the tax cap we can no longer add this to the tax bill as we may put the towns over their tax limit. Mr. Alger stated we have three items that we chargeback on our tax bill; workers' compensation, elections and the RPS V4. He distributed a copy of a Statement of Taxes due. This form shows that there will always be some kind of correction or chargeback on the town bill. We really don't control that. Generally those chargebacks are not that large. One of the areas are the tax certs. Mr. Donnelly commented we have six in the City of Hornell and another six or seven in the Town of Wayland. Mr. Alger stated there is also one in Caton and one in Campbell. These go on the tax bill as a correction. Mr. Crossett commented with the large tax certs, that amount is charged back over a number of years. These are not expenses to the town. We paid the town for the tax we collected and we are getting the money back for the refund.

Mr. Roush stated the issue is that the towns should be able to control the tax amount on the tax bill. In the case of a cert, the town or village may decide to take that out of the fund balance. Mr. Crossett stated that is not how it works. Those are settled by the County. It involves all taxing jurisdictions. Mr. Roush asked if the town owes money, why can't the County send a bill and let the town decide how to pay for it? Mr. Crossett replied for this you cannot send a bill as some of the chargebacks involve \$.02 to a district. If you are using last year's numbers, you will know how to calculate that into your rate. He stated he can see sending a bill out for the elections chargeback.

Mr. Alger stated part of the issue is that historically the State anticipated corrections being made through this process. We can bill for the elections expenses and the RPS V4 chargeback. The corrections would be an exclusion as the tax cert is a process of legal action. Some of the others, such as the elections and the RPS V4 are not and we should probably bill for those.

Mr. McAllister asked will there be a collection issue if you bill? Mr. Donnelly replied someone has to send out the bills and track them. Mr. Alger stated if they fail to pay, you have the right to levy it. If you bill, anticipate payment, and don't get paid, you have the recourse of putting it on the tax bill for failure to pay.

Mr. Roush stated the reason for him wanting to do this is that the State and Federal governments have created a bad environment. Taxpayers think all politicians lie. When the tax bills come out and they are different than what I have been telling them, then I'm a liar. He stated if we can make the tax bill match what the towns and villages say it will be, then we should try to do that. Mr. Alger stated the fundamental problem you have is in the end, Real Property Tax Service comes out with a chart of equalization rates and that will not match what we do with the levy. Mr. Roush stated that is a different discussion. Mr. Alger stated it is and it isn't. He would argue this year as a good example. Everyone anticipates the tax bill will go up two percent and he will guarantee that it will not. There are a number of reasons why it does not, but people don't want to hear that. Inevitably this will be a problem. You will still have that problem when you actually get the bill. Mr. Alger stated that he agrees that we need to make it as simple as we can, but it will not be perfect.

Mr. Roush stated that he would like to take another step and keep working on it and keep this discussion on the agenda. Mr. Alger stated if everyone were at 100 percent, then it is not a big issue. Because everyone is different, some towns' rates change and others do not. We can make incremental steps certainly and we can have Elections and Real Property bill the towns for the chargebacks.

Mr. Crossett commented with regard to the consolidated health districts on the Statement of Taxes Due, there are now only two towns that are affected, Erwin and Rathbone. Do you budget for that? In his opinion the towns should collect that. Ms. Flaitz replied by law that has to be included. Mr. Alger stated if we decide to bill the

towns for Elections and RPS V4, we will do it for all towns. Mr. Van Etten stated we can try it for a year and if it is not working, then switch it back.

Mr. Donnelly asked who will send the letters to the towns? Mr. Alger replied that he would look to Elections and Real Property to inform the municipalities of those expenses and bill them. He stated that he could send a letter to the towns telling them what their numbers are and the budget for 2012. Mr. Van Etten asked what will be the due date for the bills? Mr. Donnelly replied payment would be due by March 31st.

MOTION: AUTHORIZING THE REAL PROPERTY TAX SERVICE AGENCY AND ELECTIONS TO BILL THE MUNICIPALITIES FOR RPS V4 CHARGEBACKS AND ELECTIONS CHARGEBACKS AND DIRECTING THE COUNTY ADMINISTRATOR TO SEND A LETTER TO ALL MUNICIPALITIES INFORMING THEM OF THE CHANGE AND OF THEIR RESPECTIVE CHARGES MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Treasurer

1. **Budget Transfer – Nichol Inn Capital Project** – Mr. Donnelly informed the committee that as part of the Nichol Inn remediation, we need to continue to monitor the wells for three years going forward as well as conduct a survey and do an environmental easement. He requested authorization to transfer \$1,755 from the excess revenues from the real property tax foreclosure to the Nichol Inn Capital Project.

MOTION: AUTHORIZING THE TREASURER TO TRANSFER \$1,755 FROM THE EXCESS REVENUES FROM THE REAL PROPERTY TAX FORECLOSURE AUCTION TO THE NICHOL INN CAPITAL PROJECT FOR ADDITIONAL COSTS FOR THE CLEAN-UP MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

E. County Clerk

1. **Pistol Permit PowerPoint Comparison Presentation** – Ms. Bailey presented a PowerPoint comparison between their current pistol permit software through GunKeeper II by PlastiCard and new software, Pistol Manager by IQS. Regardless of which system we continue with, we will need to spend \$5,000 to purchase a new server.

Mr. Crossett asked has Ken Peaslee done a comparison between these two programs? Mr. Peaslee replied that he hasn't gotten any information. Mr. McAllister commented that is something that may need to be looked at. Mr. Crossett stated that he would prefer that Mr. Peaslee look at these programs.

Mr. Van Etten stated that the County Clerk had asked him to come over and sit through this presentation. We knew going in that the GunKeeper software had a bad reputation with regard to their service, however, at the time, they were the only game in town. Other counties have converted to the Pistol Manager software and they have heard nothing but good things. We have a system that is an Access database and there is a data integrity issue. It only has 60 percent of the capacity that it was supposed to be able to handle. We have to make a change. Mr. Van Etten commented that he likes the idea of the lease versus purchase and you will be able to stay current for five years. This system pays for itself as they are generating \$30,000 per year in revenue from pistol permits.

Mr. Crossett stated that he would like Mr. Peaslee to look at this to make sure there is nothing else that will be needed. Mr. Van Etten stated that he agrees with that. Mr. Crossett asked is IQS the only other vendor? Mrs. Hunter replied as far as they know. Mr. Crossett asked do other County Clerks have GunKeeper? Mrs. Hunter replied several have had it and are converting. Mr. McAllister asked have you tried the new system? Mrs. Hunter replied they have gone to other counties and have tried the IQS. Mr. Van Etten stated that he is not excited to spend more money after two years. The system is full and we have to do something. We need to look at options to improve it.

Mr. Peaslee stated that Access 97 can only handle 2 gig of memory. The information the County Clerk has been putting into the system has already exceeded 1 gig. The database cannot handle more records so you either need

to convert or upgrade to SQL. Mrs. Hunter stated that they did budget this as a line item and they would be able to come up with funding for the remainder of the year.

Mr. Alger commented one of the issues we have to face is whether we need to do an RFP and he suspects we will. There are two vendors for the software and this is not a bid, it would be a proposal. The next step is to put out an RFP for a pistol permit system and if there are any other vendors, we will get the opportunity to see that. In the meantime, Mr. Peaslee can review these two vendors.

MOTION: AUTHORIZING THE COUNTY CLERK TO SOLICIT REQUESTS FOR PROPOSALS FOR A PISTOL PERMIT SYSTEM MADE BY MR. CROSSETT. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Administrator

1. **Tax Cap Calculation Process** – Mr. Alger informed the committee that he, Mr. Donnelly and Ms. Flaitz sat through a webinar regarding the tax cap. Frankly, the State does not have their act together on this. There are a lot of issues that will come back later on. Despite efforts we make to comply, we probably will have trouble in the future. There was discussion in the webinar that if you make a mistake in year one and they don't tell you until year ten, you have to go back and fix it. There are real issues going forward. Mr. Alger stated they are in the process of sorting through that. For the towns and other municipalities, this will be a real problem. He stated he is concerned that no matter what you do, when they come in to audit you, it will be wrong. The chargebacks will be an issue. He believes that they will make the municipalities responsible for levying funds included, but he is not sure. They haven't figured out how they will manage the special districts. Will they be included in your cap or be separate? We really don't have good guidance. There are issues that relate to what we should do. There will be lawsuits for different reasons because of this cap. 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. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

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

NEXT MEETING SCHEDULED FOR

Tuesday, October 11, 2011

9:30 a.m.

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

NO LATER THAN NOON

Tuesday, October 4, 2011.

STEBEN COUNTY ADMINISTRATION COMMITTEE

*Monday, September 26, 2011
9:45 a.m.
Legislative Conference Room
Steuben County Office Building
Bath, New York*

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Nancy Smith
Jim Gleason Alan Reed Shawn Corey

LEGISLATORS: Joseph J. Hauryski Dan C. Farrand K. Michael Hanna
Robin K. Lattimer Robert V. Nichols Thomas J. Ryan
Gary D. Swackhamer John S. Walsh Randolph J. Weaver

ABSENT: Gary B. Roush

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:45 a.m.

II. DEPARTMENTAL REQUESTS

A. Personnel

1. **RFP Award for Prevention of Workplace Violence Training** – Ms. Smith requested authorization to award the RFP to Public Sector HR Consultants for a total price of \$11,900.00 for 14 sessions. Discussion followed.

MOTION: AWARDING THE RFP FOR THE PREVENTION OF WORKPLACE VIOLENCE TRAINING TO PUBLIC SECTOR HR CONSULTANTS FOR A TOTAL PRICE OF \$11,900 FOR 14 SESSIONS MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, October 11, 2011

9:30 a.m.

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

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler Nancy Smith
James Gleason Ken Peaslee Alan Reed
Shawn Corey Wendy Flaitz Judy Hunter
Jennifer Bailey

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna Christopher G. Quinlan

ABSENT: Gary B. Roush

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:30 a.m. He asked Mrs. Chapman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 13, 2011, AND SEPTEMBER 26, 2011, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel

1. **Contract** – Ms. Smith requested authorization to pay \$11,000 to the Family Service Society for EAP services for 2011.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO PAY \$11,000 TO THE FAMILY SERVICE SOCIETY FOR EAP SERVICES FOR 2011 MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Purchasing

1. **Review of 2011 Surplus Auction Results** – Mr. Gleason informed the committee that this year they made about half of what they did last year. They did not have as much to sell this year, but we did have more participation from other agencies. We did have one sale expense as the Public Works Department purchased a door from the Jasper-Troupsburg School District for \$247.50. Gross proceeds from the auction were \$117,976.

2. **Approval to Purchase New Copiers from Capital Projects Account** – Mr. Gleason informed the committee that there are four areas where he would like to replace the copy machines. He stated that there is money available in the Copy Machine Capital Project and he requested authorization to spend \$19,306 for four new copy machines. All four machines will be full-featured.

Mr. Van Etten asked what are the four areas? Mr. Gleason replied Veterans, Sheriff's Department, Hornell Mental Health and DSS Administration. The copiers will be purchased off from New York State contract.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO SPEND \$19,306 FROM THE COPIER CAPITAL PROJECT ACCOUNT TO PURCHASE FOUR NEW COPIERS FOR THE VETERANS SERVICE AGENCY, SHERIFF'S DEPARTMENT, HORNELL MENTAL HEALTH AND DSS ADMINISTRATION MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Administrator

1. **Corporate Compliance** – Mr. Wheeler informed the committee that in 2009 the Legislature passed the Regulatory Compliance Plan. We have updated that plan to include more detailed information regarding the role of the Corporate Compliance Committee as well as the role of the Corporate Compliance Officer. This revised plan has been presented to the Human Services, Health & Education Committee and will also be presented to the Full Legislature for their approval.

D. County Clerk

1. **Vision Testing for NYS Driver License Renewals** – Mrs. Hunter informed the committee that on September 26, 2011, DMV Commissioner Barbara Fiala announced that vision testing would no longer be required for renewal of driver licenses. On September 28, 2011, she attended a press conference in Rochester with several other County Clerks, as well as ophthalmologists in our region to voice our opposition. On September 30, 2011, the DMV Commissioner announced that effective immediately they were placing a hold on the new policy until further notice. Mrs. Hunter stated it is important that we stand strong on this and require the vision tests as this is a safety issue.

Mr. McAllister asked does the County make any money giving the vision tests? Mrs. Hunter replied when individuals come in and do their renewal, they are paying \$65 to renew their license. Of that, \$8 is **retained by the County and the balance goes** to the State. Mr. Quinlan asked if we test all renewals, how much money would that equate to? Mrs. Hunter replied she doesn't have those figures, but the State is projecting that Steuben County would **lose** \$60,000 in revenue. The State will still require vision tests for new licensees and for CDL license renewals. Mr. Alger asked can people renew through the mail if they have a certificate from an optometrist? Mrs. Hunter replied yes. Discussion followed.

MOTION: SUPPORTING THE REINSTATEMENT OF VISION TESTING FOR NEW YORK STATE DRIVER LICENSE RENEWALS MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **Pistol Permit Software** – Mr. Van Etten asked do you have any updates on the Gun Keeper software? Mr. Gleason replied we should have the proposals back to be discussed at next month's meeting.

IV. OTHER BUSINESS

A. *Youth In Government Program* – Mrs. Ferratella asked with Mr. McCandless retiring, will we continue with this program? Mr. Alger replied we intend to continue the program. At this point, there are a couple of individuals who are interested in providing this service. Mr. Wheeler commented we do receive funding through the New York State Office of Children and Families.

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

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
****PLEASE NOTE CHANGE**Wednesday, November 9, 2011**PLEASE NOTE CHANGE****
9:30 a.m.
Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, November 1, 2011.

STEBEN COUNTY ADMINISTRATION COMMITTEE

Special Meeting

Monday, October 24, 2011

9:45 a.m.

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

****MINUTES****

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

STAFF: Mark R. Alger Jack Wheeler

LEGISLATORS: Donald B. Creath K. Michael Hanna Robert V. Nichols
Christopher G. Quinlan Thomas J. Ryan Gary D. Swackhamer
John S. Walsh Randolph J. Weaver

ABSENT: Gary B. Roush

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

A. County Clerk

1. **Resolution Opposing Proposed Road Test Site Closures** – Mr. Alger informed the committee the County Clerk received a letter from the Deputy Commissioner of Motor Vehicles stating that they had determined that any site with fewer than 900 tests given in a year would be cut. There are between ten and twelve sites proposed to be cut and two of them are in Steuben County; in Hornell and Bath. If this proposal goes through, Corning would be the only road test site in the County.

Mr. Weaver asked the State arbitrarily made this decision? Mr. Alger replied yes. Mr. Ryan asked will this affect the amount of revenue we bring in? Mr. Alger replied the testing site operations are done by State employees and the revenue goes directly to the State. This is more of a convenience issue for your residents. Discussion followed.

MOTION: OPPOSING THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES' PROPOSED CLOSING OF TWO OF THE THREE ROAD TEST SITES WITHIN STEUBEN COUNTY MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY ADMINISTRATION COMMITTEE

Wednesday, November 9, 2011

9:30 a.m.

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

****MINUTES****

COMMITTEE:	Patrick F. McAllister, Chair Gary B. Roush	Lawrence P. Crossett, Vice Chair Scott J. Van Etten	Carol A. Ferratella
STAFF:	Mark R. Alger Wendy Flaitz Brenda Mori Judy Hunter	Nancy Smith Pat Donnelly Tammy Hurd-Harvey Alan Reed	Joel Ordway Jennifer Bailey Shawn Corey
LEGISLATORS:	Joseph J. Hauryski	K. Michael Hanna	

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 13, 2011, AND OCTOBER 24, 2011, MEETINGS MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Personnel

1. **Sheriff's Department** – Ms. Smith requested authorization to extend the hours of three (3) vacant 32-hour Correction Officer positions to three (3) 40-hour Correction Officer positions.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO EXTEND THREE (3) VACANT 32-HOUR CORRECTION OFFICER POSITIONS TO THREE (3) 40-HOUR CORRECTION OFFICER POSITIONS AND ZERO BASE THE FOURTH 32 HOUR POSITION IN THE SHERIFF'S DEPARTMENT MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Public Works** – Ms. Smith requested authorization to reclassify a vacant, Grade XI Office Manager position to a Grade VI Account Clerk-Typist position.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT, GRADE XI, OFFICE MANAGER POSITION TO A GRADE VI, ACCOUNT CLERK-TYPIST POSITION IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. CROSSETT. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Purchasing

1. **Copy Paper Bid** – Mr. Alger stated they received four bids for copy paper. He recommended awarding to the low bidder, Contract Paper Co. for \$26.62 per case.

MOTION: AWARDING THE COPY PAPER BID TO CONTRACT PAPER CO. FOR \$26.62 PER CASE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Real Property Tax Service Agency

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

MOTION: APPROVING THE TABLE OF COUNTY EQUALIZATIONS RATES, THE COUNTY EQUALIZATION REPORT, THE 2012 TAX IMPACT REPORT DUE TO CHANGES IN EQUALIZATION RATES AND VALUATION AND THE EXEMPTION IMPACT REPORT FOR THE COUNTY AND FORWARDING TO THE FULL LEGISLATURE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. County Clerk

1. **Semi-Annual Mortgage Tax** – Mrs. Hunter stated a total of \$519,124.74 has been distributed among the thirty-three (33) municipalities. We have seen an increase compared to November 2010.

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

2. **Pistol Permit Update** – Mrs. Hunter informed the committee that they put out an RFP for pistol permit software and received one response from IQS (Info Quick Solution). Interestingly, the current vendor, Gunkeeper, did not submit a quote. They can purchase the equipment and software from IQS for a total of \$37,200 or lease the equipment for five years for a total of \$36,000. Maintenance is included in the full lease. Mr. Van Etten asked is any of the equipment that we purchased from Gunkeeper usable? Mrs. Hunter replied IQS will bring in their own equipment. Mr. Alger stated that Information Technology will take the equipment. Mr. McAllister asked do you anticipate that this system will still be paid for by the revenues from the pistol permits? Mrs. Hunter replied yes.

MOTION: AUTHORIZING THE COUNTY CLERK TO AWARD THE RFP FOR THE LEASE OF PISTOL PERMIT SOFTWARE AND EQUIPMENT TO THE SOLE BIDDER, IQS FOR A TOTAL OF \$36,000.00 FOR FIVE YEARS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **County Directory** – Mr. Van Etten asked what is the cost to print the County Directories? Mrs. Hunter stated it is under \$3,000. Mr. Van Etten asked is it available on the website? Mrs. Hunter replied yes. We were considering eliminating the printing of the booklet, but we continue to get requests for hard copies. Mr. Crossett asked can you cut back on the number you print? Mrs. Hunter replied yes, but in order to get a better price, you have to be at a certain level. Mrs. Ferratella commented that the municipalities use these booklets frequently.

E. County Administrator

1. **Contract Renewal** – Mr. Alger requested authorization to renew their contract for security services with Securitas for an additional year, commencing December 1, 2011, under the same terms and conditions.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO RENEW THE CONTRACT WITH SECURITAS FOR SECURITY SERVICES FOR ONE YEAR COMMENCING DECEMBER 1, 2011, UNDER THE SAME TERMS AND CONDITIONS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Energy Efficiency Program** – Mr. Alger requested authorization for the Public Works Department to enter into an agreement with EnerPath for lighting retrofits at the Bath Machinery Shop and the Bath Maintenance Shop. He stated that NYSEG will pay 75 percent of the cost of the infrastructure. We would pay the remaining 30 percent and prevailing wages. The initial cost for the Machinery Shop will be \$6,100 and

the Maintenance Shop will be \$1,800. This will generate a 21 percent savings in electric costs. Public Works has the money in their budget to do this. We did seek other quotes and one quote for the same work was for \$24,500 from GO Wick Inc..

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO ENTER INTO A CONTRACT WITH ENERPATH – PROVIDER OF NYSEG/RG&E SMALL BUSINESS ENERGY EFFICIENCY PROGRAM, FOR LIGHTING RETROFITS AT THE BATH MACHINERY AND MAINTENANCE SHOPS AT A COST OF \$6,100.00 FOR THE BATH MACHINERY SHOP AND \$1,800.00 FOR THE BATH MAINTENANCE SHOP MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. NEW BUSINESS

A. *Smoking on County Property* – Mrs. Ferratella stated there is a smoking area in front of the County Building. Is there any place we can move that so it is not as offensive to people coming in? It is not very welcoming. Mr. Alger replied we did do the initial ban of smoking within the facilities by resolution. Other counties have been discussing this and passing Local Laws banning smoking on premises. That is probably the option you have to take. Discussion followed.

MOTION: DIRECTING THE COUNTY ADMINISTRATOR TO RESEARCH LOCAL LAWS BANNING SMOKING ON COUNTY PROPERTY AND REVIEW THEM WITH THE COUNTY ATTORNEY FOR FURTHER DISCUSSION WITH THE ADMINISTRATION COMMITTEE MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-1. (MR. VAN ETTEN OPPOSED)

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

MOTION BY MR. CROSSETT SECONDED BY MRS. FERRATELLA TO AUTHORIZE THE YOUTH COORDINATOR BE HIRED AT UP TO \$55,000 ALL BEING IN FAVOR MOTION CARRIED 5-0.

MOTION BY MR. CROSSETT SECONDED BY MR. VAN ETTEN TO APPROVE THE SALARY FOR THE DIRECTOR OF COMMUNITY SERVICES DR. HENRY CHAPMAN AT \$95,000 ALL IN FAVOR MOTION CARRIED 5-0.

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

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

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

NEXT MEETING SCHEDULED FOR

Tuesday, December 13, 2011

9:30 a.m.

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

NO LATER THAN NOON

Tuesday, December 6, 2011.

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, December 13, 2011

9:30 a.m.

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

****MINUTES****

COMMITTEE: Patrick F. McAllister, Chair Carol A. Ferratella Gary B. Roush
Scott J. Van Etten

STAFF: Mark R. Alger Jack Wheeler Jim Gleason
Alan Reed Shawn Corey Ken Isaman
Vicki Olin Joe Welch Ken Peaslee
Wendy Flaitz Jennifer Bailey Nancy Smith
Judy Hunter Tammy Hurd-Harvey

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna

ABSENT: Lawrence P. Crossett, Vice Chair

I. CALL TO ORDER

Mr. McAllister called the meeting to order at 9:30 a.m. He asked Mrs. Hunter to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE NOVEMBER 9, 2011, MEETING MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REPORTS/REQUESTS

A. Board of Elections

1. **Contract Approval for Elections Database** – Mr. Welch informed the committee that their contract with NTS Data Service, is up for renewal. They handle our database of election records for the entire County. This is a five-year renewal and will cover both software and maintenance. The total cost for five years is \$160,000. Ms. Olin stated we did add full document imaging to our database which allows us to scan in registration information so that everything is online. This renewal is comparative to last year's price. Mr. Welch explained in 2006, the price was \$84,000 for five years, but at that time it did not include full document imaging.

Mr. Gleason explained that in 2006 there were no other providers of this service and the committee had declared them a sole source. We are also requesting a renewal of the sole source declaration.

Mrs. Ferratella asked will this be part of the chargeback to the towns? Ms. Olin replied no.

Mr. Peaslee commented this software is the only one approved by the State Board of Elections. Unfortunately, we don't have a lot of options for this.

MOTION: AUTHORIZING THE BOARD OF ELECTIONS TO RENEW THEIR CONTRACT WITH NTS DATA SERVICES, INC., FOR A FIVE-YEAR TERM TOTALING \$160,000 AND RENEWING THE SOLE SOURCE DECLARATION MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Van Etten asked what do you get for \$80,000 of full document imaging? Mr. Welch replied any voter record can be scanned and we are then able to keep a virtual copy of it. Mr. Van Etten asked are you doing scanning in order to eliminate the paper document? Ms. Olin replied we have to keep a paper document for two years and then it is destroyed. We are currently scanning the new voter registrations as they come in. When the staff has time, they are scanning other documents in. We started the scanning in May 2010 and are up to the letter "C". This is a very time consuming process. Mr. Van Etten asked over the last two years, what percentage of those are new voters? Mr. Welch replied that information is not readily available and is not something we are concerned with. Mr. Van Etten stated that he has \$80,000 of concern. Ms. Olin stated we can get the information. Any new documents that we have received since we have had the full document imaging have been scanned into the system.

VOTE ON PREVIOUS MOTION: MOTION CARRIED 3-1. (MR. VAN ETTEN OPPOSED)

2. **Requesting Resolution** – Ms. Olin stated that we are in an unusual position at this point. With the current Federal law, we have 45 days from the primaries to mail out ballots to the military prior to the general election. With the dates of the September primary and the November election, there is not that 45-day window. Last year New York State requested a waiver. Part of the condition of the waiver was that New York State would move the primary date, which they did not, and were found not to be in compliance with the waiver. Some counties did not mail out the military ballots in the timeframe required and were also found not to be in compliance.

Ms. Olin stated that next year there is a Federal election and New York State has done nothing to move the primary date. Our Association would like to move the primary to June or August. When we move the primary date back, that affects other dates and laws. At this point, the State has not done anything. Our Association has voted to have a June primary and has sent that recommendation to the State. We also sent our request to Judge Sharp in the Federal Department of Justice. The Federal Department of Justice has in turn filed a lawsuit because the State has not done anything.

Ms. Olin explained at this point if they move the Federal primary to August, we will have that in addition to an April primary for the presidential election, a September primary for local elections and the November general election. We will have four elections this coming year instead of three and our budget is very tight. She stated that she would request the Legislature to support a resolution asking the State to move the September primary to the same date as the Federal primary.

MOTION: REQUESTING THAT THE STATE SENATE AND ASSEMBLY MOVE NEW YORK STATE'S 2012 SEPTEMBER PRIMARY TO THE SAME DATE AS THE 2012 FEDERAL PRIMARY MADE BY MR. ROUSH. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Van Etten asked will you have a budget shortfall if there are four elections? Mr. Welch replied if we have the additional primary, we will have the same expenses as any other primary. Ms. Olin stated it would be an additional \$60,000 - \$80,000 and that is charged back locally to the towns.

Mrs. Ferratella asked what has been the response from our representatives? Mr. Welch replied our Association has suggested that there be a June primary. The upstate Senate wants an August primary and the downstate Assembly wants a June primary. Ms. Olin stated that she has spoken to both Senator O'Mara and Assemblyman Palmesano and informed them of the cost and the effect that will have on us. Mr. Alger asked has there been any indication when the Federal primary will be? Ms. Olin replied no. Next year we also have to deal with redistricting. Mr. Alger asked will redistricting impact the primary districts for the State? Mr. Welch replied it could, but we don't know.

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

Mr. McAllister asked Elections to do a tally of how many registered voters there are and how many new voters there have been over the past couple of years and come back to the committee with that information.

Mr. Roush asked is there any chance of requiring identification for voting? Mr. Welch replied that is not something that is being discussed. We have an exhaustive process to verify identification. *Secretary's Note: This discussion will be pursued at a future meeting.*

B. Real Property Tax Service Agency

1. **Final County Equalization Rates for 2012** – Ms. Flaitz distributed a report showing the final equalization rates for 2012. Mr. Alger commented the most important column is “O”, which shows the percent change year to year in the amount collected. Because of the equalization rates, there is a variation from the tax levy. So, even though the levy is 1.7 percent, depending on the equalization in the towns, you will see a change. Mr. Roush commented that this percent, in theory, should be relatively small across the board. Mr. Alger replied assuming they are at 100 percent equalization. Discussion followed.

C. County Clerk

1. **SARA Grant** – Mrs. Hunter informed the committee that they have received tentative approval of a SARA grant in the amount of \$68,234. We cannot start the project until we receive the final notice of approval. This is the continuation of the project that we started with scanning the grantor and grantee indexes. Multiple users will be able to access the same index book at the same time. We are hoping to get this project completed before Marcellus Shale comes to the area. Once we receive the final notification, we hope to have the project completed by the end of June. This will allow us to go back to the indexes from 1796; currently we are at 1971. After that, we can start the second phase, which is the scanning of the actual books to these indexes.

Mrs. Hunter stated that she discussed with Mr. Alger and Mr. Gleason what they should do with regard to the time element involved. We currently have one vendor who set up the initial program. We would like to continue with the same vendor. In the past, we have put out an RFP. As much as she would like to continue with the same vendor, it may be best to pursue the RFP process.

Mr. Alger commented the question is do you want to do an RFP and get a third vendor? Right now we have two vendors, IQS and Cott. Mr. Gleason stated that we have done several RFP's and the current vendor has continually been the proposal we have accepted. We run the risk of having someone different getting involved with the two systems. Mr. Alger stated because it is an RFP, you don't have to accept the low proposal. There is no harm in doing it, other than time. It may be that we should do an RFP.

Mr. Van Etten commented if you reserve the right to accept or reject, you should open it up. Mr. Alger stated that he agrees with Mr. Van Etten, there is no harm in doing an RFP and he would suggest we do that. Mr. Peaslee recommended that when you do the RFP, reference one of the two systems that the County Clerk already has.

MOTION: AUTHORIZING THE COUNTY CLERK TO ACCEPT A SARA GRANT IN THE AMOUNT OF \$68,234 FOR THE DIGITIZATION OF LAND RECORDS, PENDING FINAL NOTIFICATION MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AUTHORIZING THE COUNTY CLERK TO SOLICIT RFP'S FOR THE DIGITIZATION OF LAND RECORDS MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Department of Motor Vehicles** – Mrs. Hunter stated that after the issue with vision testing came up and was opposed by the State County Clerk's Association, the State DMV approached our association to get our share of internet services. We retain 12.7 percent of in-office transactions and if other work continued as is, we would receive 4 percent of new internet transaction. Our association is still negotiating with the State. Originally they wanted the Clerks' to not oppose future endeavors to expand internet services. Now they are preparing a list of all the plans of action over the next five years. The State did agree that we could oppose anything with regard to health and safety issues. If we don't do anything, this may become part of the Governor's budget.

Mr. Alger stated they will do something with the budget as the state's are looking for money. If the Clerks' are not successful in negotiating something, you will get nothing. The State will promote internet services greatly. Mr. Van Etten asked what percentage of transactions are done online? Mrs. Hunter replied that she doesn't have that number but her projection is that with this proposal, over the next three or four years, it would be up to 33 percent. Mr. Alger commented, the problem for DMV is even with internet transactions, you still don't get the documents. You may be past your deadline and still not have your documents. That will be a problem for them. Inevitably, they will go in that direction. With regard to the vision requirement, if you have corrective lenses, you can certify that yourself. The people who do not have corrective lenses will have to go in and have an eye test.

Mr. Van Etten commented we need to have less people at the counter if they are going online. Mr. Alger stated the other option is to tell the State you are not doing DMV work. There is no requirement for the county to do that. The State would be forced to open their own offices. They want the counties to handle the more difficult transactions. Mrs. Hunter stated she thought we were required to have at least one office. Mr. Alger replied there are several counties that do not have DMV offices.

3. **Road Test Sites** – Mr. Van Etten asked has there been any update on the status of the testing sites? Mrs. Hunter replied they have no new information; however, they did schedule testing dates at all three sites.

D. Administrator

1. **Employer's Liability Coverage** – Mr. Isaman stated that Employer's Liability is connected to Worker's Compensation coverage. By statute, employees cannot sue their employer, however, there is a loophole. Claims under this tend to be very expensive. This is tied with our Worker's Compensation and we have a deductible of \$750,000. That also puts a \$750,000 deductible on the employer's liability. This hurts our towns and villages as they could have a claim and, without that gap being filled, they would be responsible for \$750,000. Our new agent recommended we purchase employer's liability coverage and the quote is reasonable. We did receive two quotes. This will take care of any of the municipalities that participate in our plan.

Mr. Reed explained employer's liability is not covered under standard Worker's Compensation. The greater impact is more likely where you have shared services between two municipalities. The other point that should be made is that employer's liability is exempted out of the municipality's general liability coverage.

Mr. Roush asked do we have a blanket, written agreement with the municipalities? Mr. Reed replied we have general terms and those apply to specific situations. We are working on developing that. Mr. Alger stated we are in the process of trying to put together blanket agreements as that protects everybody.

Ms. Isaman stated we received two proposals from Capital Indemnity Corporation. The first proposal has an annual premium of \$17,430 and our deductible would be \$50,000. The second proposal has an annual premium of \$21,741 and our deductible would be \$25,000. He recommended the second proposal and commented that we do have money in our budget to do this.

MOTION: AUTHORIZING THE RISK MANAGER TO PROCURE EMPLOYER'S LIABILITY COVERAGE FROM CAPITAL INDEMNITY CORPORATION FOR A YEARLY PREMIUM OF \$21,741 WITH A DEDUCTIBLE OF \$25,000 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mrs. Ferratella commented if you are in the WC program you are covered by this. Would this not be an incentive to the other municipalities to get into our WC program? Mr. Isaman replied it should be. Mr. Reed commented it does make our plan more attractive. Mr. Isaman stated that he would notify the municipalities of the potential benefit of this. Mr. Roush asked what is the deductible for general liability? Mr. Isaman replied \$250,000. Mr. Alger commented that only covers us and does not cover the towns.

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

2. **Youth In Government Program** – Mr. Alger informed the committee that Mr. McCandless is retiring. We did post and advertise the position and he did interview two candidates. He requested authorization to enter into a contract with James Gallagher to administer the Youth In Government Program for an annual cost of up to \$15,000.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH JAMES GALLAGHER TO ADMINISTER THE YOUTH IN GOVERNMENT PROGRAM FOR AN ANNUAL COST OF UP TO \$15,000 MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Local Law Banning Smoking** – Mr. Alger stated that Mrs. Fuerst is working on collecting a group of local laws that have been passed by other counties. We will look at those and bring something back to the committee.

IV. OLD BUSINESS

A. *Billing Villages for Worker's Compensation and Election Expenses* – Mrs. Ferratella stated that she is looking for a better explanation regarding the chargebacks for WC and Election expenses. Any letters that are sent to municipalities should be copied to the Legislature. Mr. Alger stated that he agrees. Mrs. Ferratella stated that her point is specifically related to chargebacks for the demolition of buildings. She asked are we no longer going to reimburse the towns up front and make them whole?

Mr. Alger replied the chargeback is for maintenance issues. There are several different kinds of additions to the tax levy. Maintenance fees, such as mowing and shoveling, are set. There are also fees for water, sewer and solid waste. These are specifically authorized to be added to the levy and we would reimburse those expenses. With regard to the maintenance issues, we are debating whether the county would reimburse those or not. Mr. Reed explained as a matter of law, we don't and there is nothing that prevents the County from passing a local law.

Mr. McAllister stated the towns pass local laws authorizing the expenses to be collected on the tax bills. Mr. Alger stated when the bill is not paid or is delinquent, the question is, do we reimburse that and the County Attorney is saying we don't have to. Mrs. Ferratella stated the letter that went out stated we would no longer reimburse.

Mr. Alger stated that gap is relatively small and is not a large dollar amount. The biggest concern is about demolition. The issue becomes that we have, up until this point, reimbursed municipalities for demolishing buildings. This is a fee that we are not required to reimburse for. The primary purpose of the letter that was sent out is that we are not inclined to continue to do that. The towns have other options. It can be added to the tax bill, but we not reimbursing it. The County Treasurer had brought it to our attention that there were 15 – 17 different properties that municipalities are intending to remove. This is what brought the issue to a head. That becomes a problem for us as the expense is borne by us. There needs to be an equitable way to fund these from the taxpayer's perspective. The suggestion is we would not reimburse for those unless we are required to by law.

Mr. McAllister asked are they made whole when you reimburse? Mr. Alger replied we eat the cost due to the nature of the properties. The municipalities have the buildings demolished and clear the lot. We take title and we sell the property at auction. Mr. Donnelly stated that in Prattsburgh we had one property that cost \$8,100 to demolish. We sold the property, which was a vacant lot, for \$500 - \$600 and lost approximately \$10,000. In the Town of Wayne, they had a demolition that cost \$20,000 and after the sale of the property, we lost \$17,300 on that.

Mrs. Ferratella stated that she doesn't have a problem with the process, but communication is lacking. We need to restate this somehow. She stated her other complaint is that this letter came too late for the towns to include it in their budgets.

Mr. Van Etten commented the towns can force the sale on properties themselves. Mr. Reed stated we can create a policy. That would create competition with the municipalities. Mr. Alger stated perhaps we can look at what are the taxes owed without the demolition and suggest to the town that if they demolish, we will give them the property for sale. That gives the town the opportunity to sell the property and recoup some of their cost. If they don't want to sell, we will sell the

property and give them the proceeds from that sale. This gives the town back something for taking the initiative and we don't get stuck with the entire cost. This is something we need to look at.

Mr. Roush stated it is important not to take away the municipalities incentive to get rid of blighted properties. Mr. Reed stated this brings everyone to the table for discussion. We have a policy from 2009, which is not used, because it doesn't call the parties to the table. Mr. Alger stated we encourage the towns to contact us prior to demolition. We have in the past had Public Works assist them so we could minimize the cost. This is a cost issue for us. Mr. Roush stated there is no incentive for the County to participate in demolition. Mr. Alger stated the incentive is the cost. We don't know if Public Works has the time to deal with all 17 demolitions that are coming up. We need to be a little more selective. Mr. Roush stated we need to improve communication. Mr. Alger replied he would suggest letting us draft an outline of how it would work with regard to the sales of properties and then we will have the committee review it.

Mr. Hauryski commented that he had some concerns with regard to the communication to the towns. Communication has always been a problem. He has asked Mr. Alger and Mr. Reed to look this over and make it clear so that everyone understands how this is going to work. Mrs. Ferratella asked will this include the maintenance chargebacks and water and sewer? Mr. Reed replied we can make a comprehensive statement. Mr. Van Etten asked that the Legislators be copied.

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

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO DO AN RFP FOR EMAIL SECURITY SCANNING MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: RECOMMENDING THE REAPPOINTMENTS OF ALAN REED, ESQ., AS COUNTY ATTORNEY, BRENDA K. MORI, AS CLERK OF THE LEGISLATURE AND JOHN BOWERS AS COUNTY AUDITOR MADE BY MR. ROUSH. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: ACCEPTING THE SALARY SURVEY REVIEW FOR THE COUNTY CLERK AND MAINTAINING HER SALARY AT THE CURRENT LEVEL MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING THE INCREMENTS FOR CONFIDENTIALS MADE BY MR. VAN ETTEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

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

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

**NEXT MEETING SCHEDULED FOR
Tuesday, January 10, 2012
9:30 a.m.
Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, January 3, 2012.**