

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, August 11, 2020

9:00 a.m.

*2nd Floor Conference Rooms, Annex Building
Bath, New York*

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Kelly H. Fitzpatrick	Robin K. Lattimer, Vice Chair Gary D. Swackhamer	Carol A. Ferratella
STAFF:	Jack K. Wheeler Rob Wolverton Nate Alderman Tim Marshall Tammy Hurd-Harvey Lisa Tracy Darlene Smith Kathy Muller	Christopher Brewer Matt Sousa Kelly Penziul Vicki Olin Jennifer DeMonstoy Karen Halles Vince Spagnoletti	Brenda Scotchmer Andy Morse Wendy Jordan David Hopkins Jennifer Prossick Laurie Kemp Amy Dlugos
LEGISLATORS:	Scott J. Van Etten Hilda T. Lando Frederick G. Potter	K. Michael Hanna John V. Malter Gary B. Roush	Jeffrey P. Horton Robert V. Nichols
OTHERS:	Mary Perham		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Ms. Fitzpatrick stated in last month's meeting regarding the discussion about Workers' Compensation, she had asked a question about the Village of Bath Fire Department, not the fire district.

MOTION: APPROVING THE MINUTES OF THE JULY 14, 2020, MEETING AS AMENDED MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Information Technology

1. **Contract with Municipalities for Tax Preparation** – Mr. Wolverton requested authorization to renew the inter-municipal agreement with multiple municipalities for the printing of the tax bills. These are three year contracts.

MOTION: AUTHORIZING THE RENEWAL OF INTER-MUNICIPAL AGREEMENT WITH MULTIPLE MUNICIPALITIES FOR PRINTING OF TAX BILLS MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Ms. Fitzpatrick asked what is the cost? Mr. Wolverton replied there is a \$250 minimum size, but it depends on the size. Ms. Fitzpatrick asked how many municipalities do we do this for? Mr. Wolverton replied about 21, but some of them may have dropped out.

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

2. **Contract with Toshiba for Printer Services** – Mr. Wolverton reviewed a brief PowerPoint outlining the costs for a proposal for managed print services which would include all toner, parts, service and reporting. The monthly cost would be \$2,439.71. With the reporting, we will get information that will allow us to be able to bill back those costs to the departments and this will simplify everything for the departments. Currently we are spending \$2,459 just on toner alone. If approved, this contract would represent a huge savings.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO ENTER INTO A MANAGED PRINT SERVICES INVESTMENT AGREEMENT WITH TOSHIBA FOR A MONTHLY COST OF \$2,439.71 MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER FOR DISCUSSION.

Mr. Van Etten asked what will be the length of the contract? Mr. Wolverton replied I would want to go with either a three year or five year contract. Mr. Schu asked is this a fixed cost? Mr. Wolverton replied the cost is per page. Mr. Wheeler asked is this state contract pricing? Mr. Wolverton replied yes. Ms. Fitzpatrick asked are the numbers based on each department? Mr. Wolverton replied you only pay for what you print. Mr. Wheeler explained we charge by department because there are certain larger departments that can leverage state funding. This would be a one-year contract with renewals. Mr. Wolverton commented Purchasing is already utilizing this for our copiers. Ms. Prossick commented there is a 30-day notice for either party to discontinue the contract.

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

B. Elections

1. **Cyber Security Grant** – Mrs. Olin informed the committee that they have received a cyber security grant in the amount of \$85,689.43 from the New York State Board of Elections. This is a non-matching grant and involves both our department and Information Technology. This will allow us to upgrade all of our cyber security. The State has been very vigilant in trying to make sure cyber security is up to snuff. Mr. Ryan has been working on the policies and procedures and the different things that need to be updated and fixed. The majority of this funding will go through Information Technology to update things and that will involve all of the county, not just our department.

Mr. Wolverton explained this dollar amount is the minimum that we would receive. This will allow us to secure our Elections infrastructure and expand that into the county infrastructure. This will help our network. Mrs. Olin stated they are guaranteeing the \$85,000. If other counties do not use what was allotted, the money will go back into the pot and will be reallocated.

Ms. Lattimer asked with the concerns about cyber security and the upcoming election, how quickly will these upgrades be done and will they be done in time for the election? Mrs. Olin replied there are a lot of things that we have already put into place. The State Board of Elections has done a lot of those things as well. We are getting weekly notices from the State. If we start getting strange email or our voters are, we need to contact a specific department and they will look into it. We are conducting training with our entire staff.

Mr. Swackhamer asked will there be a service contract that we will have to continue after these upgrades? Mr. Wolverton replied these are all one-time upgrades to different parts of the network.

Ms. Fitzpatrick asked with regard to mail in voting, is the real cyber risk with having someone hack into the system and getting personal information? Mrs. Olin replied it is not so much the hacking as it will be causing confusion and putting misinformation out there. When we talk about someone hacking into the system, it doesn't necessarily have to be our department. Any department could get hacked and take down the entire County. We have to make sure we can get to our backup and everything we have to make sure an election actually happens. Ms. Fitzpatrick asked if the system goes down do we have a backup? Mrs. Olin replied yes and there are a lot of moving pieces. If the law passes that would allow people to email their application to us and that will cause a huge problem for voting by mail. We sent out 14,000 for the Democratic primary and received 4,000 applications. We mailed out ballots and received over 3,000 absentee ballots back and we had to provide the return postage. Everything that is mailed is at our cost. We are looking at huge numbers for the upcoming

election. To be allowed to submit a ballot without an original signature is where we will have a problem. Ms. Penziul stated the voter does have to sign the envelope and we have to verify that signature.

Ms. Fitzpatrick asked will there be a continued cost to protect the network? Mr. Wheeler replied there will be operational and maintenance costs. Mrs. Olin stated we are better prepared than a lot of counties are.

Ms. Lattimer asked what happens if you get two competing requests for a ballot from the same person? Mrs. Olin replied we will reach out to the voter and if it comes down to it, if we have to do a home visit, we will. That has not happened and hopefully will not, but we have to be very vigilant and on top of things. If a signature does not match what we have on file, they would have to affirm their signature.

MOTION: AUTHORIZING THE ACCEPTANCE OF A STATE BOARD OF ELECTIONS GRANT IN THE AMOUNT OF \$85,689.43 MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Personnel

1. **Authorization of Designation of EAP Services** – Mr. Alderman stated we put out an RFP for EAP Services. We are currently with ENI and have been for the past three years and they have done a fantastic job. The addition of the DOT SAP (Substance Abuse Provider) is massive as finding a certified DOT SAP has proven to be very difficult and expensive. They also are giving employees eight free sessions. Overall, we received five RFP's with prices ranging from \$7,038 to \$14,250 annually. He requested authorization to contract with ENI to offer EAP services which includes unlimited training for employees and the additional unlimited DOT SAP.

MOTION: AWARDED THE RFP FOR EAP SERVICES TO ENI FOR AN ANNUAL COST OF \$8,160.00 MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Swackhamer asked do you think offering eight free sessions is feasible? Mr. Alderman replied yes I do. The utilization is not massive. With the things that are going on now, we have seen an uptick in use. Most people go for two or three sessions and then they continue on at their own cost. I do think this is a benefit. It will be well used and I would be surprised if it was not.

Mr. Wheeler commented we have had a great experience with ENI and I have been impressed by the services they provide. Mr. Alderman stated ENI has also been very responsive. He requested authorization for a one year contract with four, one-year renewals. Mr. Wheeler stated this will need to come back for annual reauthorization.

Mr. Van Etten stated I appreciate your detailed explanation in the email you sent. The entire program is necessary and not a huge expense for us. Mr. Wheeler stated avoiding co-pays for someone who is in a crisis situation is huge. Mr. Alderman stated ENI also provides on-site crisis counseling which is another added bonus.

Mr. Swackhamer asked will there be an increase year to year? Mr. Wheeler replied they did not specify, but this would come back to you each year for approval.

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

2. **Reclassification – Department of Social Services** - Ms. Muller requested approval of a reclassification which is needed in order to run the Child Advocacy Center. We lost the coordinator at the onset of the pandemic. This has been a challenge to manage and we need someone who has the expertise in child protection. She requested authorization to reclassify a Supervising Clerk, Grade XI to a Case Supervisor Grade B, Grade XVI. There is a lot that goes into running the Child Advocacy Center as we need to get certified and need to apply for funding and the center is starting to get very busy. Ms. Muller stated I have someone with child protective experience who is coming up through the ranks. This supervisor comes with the knowledge and would have the dedication to the county and to the mission of the Child Advocacy Center.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE XI SUPERVISING CLERK TO GRADE XVI GRADE B CASE SUPERVISOR IN THE DEPARTMENT OF SOCIAL SERVICES MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER FOR DISCUSSION.

Mr. Wheeler commented one of the things we discussed at HSH&E is we are holding almost all vacancies at this point and this was one of the priorities. Mr. Malter asked what were we paying the contractor? Ms. Muller replied we were paying \$35,000 annually. Mr. Malter asked is the upgrade less? Mr. Wheeler replied no, the upgrade is more but the duties will also be more. Ms. Muller clarified the contractor was not full-time. Mr. Wheeler stated there will be more responsibility and more costs for services, but the individual will be doing significantly more. Mr. Swackhamer asked is this reimbursable? Ms. Muller replied yes, it is 100 percent reimbursed through the VOCA grant.

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

D. Real Property Tax Service Agency

1. **RPSV4 Annual License Fee** – Mr. Wheeler explained we charge back the cost for the RPSV4 license fee. The fee has remained the same and is based on parcel count.

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

Secretary's Note: Mrs. Jordan was in attendance via Zoom, however, was experiencing some technical difficulties.

E. Purchasing

1. **Bids** – Mr. Morse presented the results for the quarterly copy paper bid, the custodial paper products bid and the polyethylene bag bid. He recommended awarding to the lowest for all three bids.

MOTION: AWARDING THE QUARTERLY COPY PAPER BID TO THE LOW BIDDER, W.B. MASON FOR \$25.67 PER CASE MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AWARDING THE CUSTODIAL PAPER PRODUCTS BID TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: CENTRAL POLY BAG CORPORATION; ECONOMY PRODUCTS & SERVICES; PYRAMID SCHOOL PRODUCTS; REGIONAL DISTRIBUTORS, INC.; AND SANICO, INC. MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AWARDING THE POLYETHYLENE BAGS BID TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: CENTRAL POLY BAG CORPORATION AND REGIONAL DISTRIBUTORS, INC. MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Auctioneering Services RFP** – Mr. Morse informed the committee that the surplus auction had been scheduled for Thursday, September 24, 2020. At this time, due to COVID, we will not be able to do it live. He requested authorization to postpone the surplus auction and possibly do it online, although traditionally it has always been a live, in-person auction.

Mr. Swackhamer asked how much equipment do we have in the auction? Mr. Morse replied we do not have as much as in previous years. We have four, 10-wheelers and one pickup truck. We do have an abundance of shelving.

Mr. Schu asked can we set up an auction online? Mr. Morse replied yes. The committee had authorized a RFP for auctioneering services and that was geared more toward live auctions. My recommendation would be to reject

all proposals relative to the Auctioneering Services RFP and then look at our options. We do have a vendor that we used a couple of years ago to sell a piece of equipment.

Ms. Fitzpatrick asked are we precluded from doing the live auction even though it is outside? Mr. Wheeler replied gatherings have to be 50 people or less.

MOTION: POSTPONING THE IN-PERSON SURPLUS AUCTION SCHEDULED FOR THURSDAY, SEPTEMBER 24, 2020; REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO THE RFP FOR AUCTIONEERING SERVICES AND DIRECTING THE PURCHASING DIRECTOR TO LOOK INTO ONLINE AUCTION OPTIONS MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Ms. Lattimer asked will you be moving the date of the auction? Mr. Morse replied he anticipates that an online auction would be held sometime in October.

F. County Manager

1. **Accepting NY Census Outreach Grant Funds** – Mr. Sousa stated back in March the Legislature had approved this grant and then everything shut down due to COVID. Last week we were notified that funding would be available at 50 percent of the original grant allocation. The new grant amount is \$90,455.00 and we are contracting with four not-for-profit agencies to help with census education. Ms. Prossick commented we had adopted a resolution in March, so we will be rescinding that resolution and replacing with a new resolution.

MOTION: RESCINDING RESOLUTION NO. 063-20 ACCEPTING CENSUS OUTREACH GRANT FUNDS IN THE AMOUNT OF \$180,910.00 AND AUTHORIZING ACCEPTANCE OF CENSUS OUTREACH GRANT FUNDS IN THE AMOUNT OF \$90,455.00 MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Early Retirement Incentive** – Mr. Wheeler stated the Ad Hoc Reopening and Recovery Committee met in Executive Session on August 6, 2020 and reviewed a targeted early retirement incentive. In short, the discussion was based on the shutdown and they also discussed the sales tax losses and operating costs. We were very much looking to Washington for leadership, but they could not get there for the State and local funding. We are still facing a multi-million dollar deficit due to sales tax and potential cuts in state funding. All options are on the table. In looking at the NYSAC News and press releases, layoffs are on the table for all municipalities, and I don't say that lightly. We are talking about a multi-million dollar budget hit and the State is looking at a multi-billion dollar hit.

Mr. Wheeler stated we wanted to look at reducing headcount without layoffs, hopefully. Chairman Van Etten and I talked a few months ago and it has been ten years since we offered the last retirement incentive and we determined it was time to offer another one. We have talked with the department heads and our goal is to reduce personnel costs, which is our highest cost. We have reduced staff over a number of years. Ten years ago we had 1,200 full time equivalents and we are down to around 900 full time equivalents. This is a way to reduce headcount without, hopefully, a significant reduction in services. In our discussions, Chairman Van Etten brought up the early retirement incentive.

Mr. Wheeler stated today I am passing along the Ad Hoc Reopening and Recovery Committee's recommendation. We are modeling based on what we did ten years ago. The model is based on years of service. Those individuals 55 or older with 20 or more years of service would be eligible. Individuals with 20 – 24 years of service and age 55 - 65 would get an additional 25 percent of a single health insurance plan in retirement. Individuals with 25 or more years of service and age 55 – 65 would get an additional 50 percent of a single health insurance plan in retirement. The other option, which would be for those that don't need or want the medical insurance or are 65 or older, is they can opt to receive a one-time payment of \$20,000 if they have 25 or more years of service. If they have 20 – 24 years of service they can opt to receive a one-time payment of \$10,000.

Mr. Wheeler stated we really want to fragment this enrollment window as we need to know the numbers for the budget. Our model shows there are 120 staff that would be eligible, however, there is no way you will get near that number as individuals are right on the fringe. The hope is to be able to shed staff and do it in a way that we can hopefully avoid layoffs. If there is action at the Federal level then all bets are off. This retirement incentive was successful ten years ago. Mr. Wheeler stated the Ad Hoc Reopening and Recovery Committee is an advisory committee and no motion came from them. This is being presented to you for your consideration for adoption. If you adopt this, then open enrollment would begin at the end of this month through the end of September. Individuals will need to separate from service 45 days after acceptance.

MOTION: AUTHORIZING THE IMPLEMENTATION OF A VOLUNTARY RETIREMENT INCENTIVE WITH AN EXCLUSION FOR THOSE INDIVIDUALS WHO HAVE PREVIOUSLY RETIRED AND SUSPENDED THEIR STATE RETIREMENT; THEY WILL BE INELIGIBLE TO PARTICIPATE MADE BY MR. SWACKHAMER. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Swackhamer commented this is a much easier way to go then to start laying off people. When you look, there are other counties and businesses that are laying off up to 25 percent of their workforce. This is a better way, but we may still need to look at that in the future. Mr. Wheeler stated without additional State help, if the Federal government doesn't come through, we are facing a 20 percent cut in State aid, which is equivalent to \$4 million. We are actually doing better than some with our sales tax losses, but still the decrease of \$1.5 million is very concerning.

Mr. Van Etten stated this is a very fair offering for people who can take advantage. Even if we get 30 – 50 people, that would be good for us and actually possibly allow us not to furlough or layoff, but we don't know. The concern is that when you do this, sometimes you lose your best people or those with more depth and breadth of experience. Ms. Lattimer stated you lose the institutional knowledge. Mr. Van Etten stated I raised the question a number of times and asked where we think we might have concerns, but we are confident that we can fill that with learning time. This will not cripple us, but it is a concern that we will have to deal with.

Mr. Wheeler stated losing that amount of experience in any staff member hurts. The larger departments have done a very good job with succession planning. If department heads go, we are in, for the most part, pretty good shape. I would like to commend you folks a lot as you have done everything you can possibly do to avoid layoffs. That is the absolute last resort. When we did this in the past we were hit by both the State and local retirement option and we got hit pretty hard. If we fragment this to close by the end of September, I don't know if Albany can get something together, but we shouldn't have that double payment on our part.

Mrs. Ferratella commented most departments are doing cross training and that will help us get through the initial hit. We have great staff from management to the union and we will get by. This is a way to significantly impact your personnel costs in a way we can control a little bit more.

Ms. Fitzpatrick stated with the current situation you may be surprised at how many people take this. I don't want to see upper level staff leaving, but this will give people down the line a chance to shine and step up. It is really important for us to do that and we certainly want to avoid layoffs at all costs and we want employees to be confident and comfortable, but we need to be mindful of our taxpayers.

Mr. Hanna asked is there a way to bridge the gap if people are short on time or age? Mr. Wheeler replied no. The State typically gives an extra month of credit for every year in the system when they do an early retirement incentive. This incentive is the number of years of service in the County. The State incentives include time at other employers. Those individuals that are a little short may not be eligible. Mr. Hanna asked is there a monetary incentive? Mr. Wheeler replied that is part of the incentive; to take the boost to the health insurance coverage or take the one-time cash payout.

Mr. Van Etten commented one other aspect is when you do this and have to start backfilling supervisor positions, there will be a limit on the number of requests for upgrading certain people. You will have to fill supervisor

positions or other positions that are doing duties that they are not being paid for. Mr. Wheeler stated especially in the union contract, you cannot have them working out of title. What we have done in the past is upgrade a position, but you will still be down in headcount. We have had good experience in taking a hybrid approach and finding titles to upgrade to.

Mr. Wheeler clarified this incentive is for first-time retirees from the County or State retirement system. We do have a couple of individuals that have retired and have come back and suspended their State retirement. If someone has suspended their State retirement, they would not be eligible. Mr. Van Etten stated he would agree. Ms. Lattimer suggested that exclusion be part of the motion.

Mr. Van Etten stated that he would like to thank Mr. Brewer for all of the detailed work he did; it was very thorough and complete. Mr. Wheeler stated yes Mr. Brewer did a great job and Mr. Alderman and his staff did as well.

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

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

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: SETTING THE SALARY OF THE DEPUTY COMMISSIONER OF FINANCE AT \$91,753.00, MANAGEMENT GRADE XII MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR**
Tuesday, September 8, 2020
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
September 2, 2020**