

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, June 9, 2020

9:00 a.m.

Via Teleconference

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Robin K. Lattimer, Vice Chair Carol A. Ferratella
Kelly H. Fitzpatrick Gary D. Swackhamer

STAFF: Jack K. Wheeler Christopher Brewer Brenda Mori
Tammy Hurd-Harvey Jennifer Prossick Brooks Baker
David Hopkins Nate Alderman Andy Morse
Jennifer DeMonstoy Wendy Jordan Amy Dlugos
Veronica Olin

LEGISLATORS: Scott J. Van Etten Gary Roush Jeffrey P. Horton
Hilda T. Lando John V. Malter Robert V. Nichols
Frederick G. Potter

OTHERS: Mary Perham

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 12, 2020, MEETING MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Purchasing

1. **Issue RFP for Auctioneering Services** – Mr. Morse requested authorization to issue an RFP for auctioneering services for the county surplus auction. This is typically a one year contract with the option for four, one year renewals.

MOTION: AUTHORIZING THE DIRECTOR OF THE PURCHASING DEPARTMENT TO ISSUE AN RFP FOR AUCTIONEERING SERVICES FOR THE COUNTY SURPLUS AUCTION MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Authorize County Surplus Auction** – Mr. Morse requested authorization to set the date for the County surplus auction for Thursday, September 24, 2020.

MOTION: SETTING THE DATE FOR THE COUNTY SURPLUS AUCTION ON THURSDAY, SEPTEMBER 24, 2020 MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Personnel

1. **Extending Contract with Catalog and Commerce Solutions** – Mr. Alderman explained this is the program we use for all of the civil service exams, roster cards, employee history, etc. We purchased Catalog and Commerce in 2016 and it will expire at the end of July. He requested authorization to waive the RFP process and extend the contract under the current RFP and pay the annual maintenance fee of \$5,700.

MOTION: WAIVING THE RFP REQUIREMENT AND AUTHORIZING THE PERSONNEL OFFICER TO EXTEND THE CONTRACT WITH CATALOG AND COMMERCE UNDER THE CURRENT RFP UNDER THE SAME TERMS AND CONDITIONS AND PAYING A \$5,700 ANNUAL MAINTENANCE FEE MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Schu asked what kind of prices did we get from other companies? Mr. Alderman replied this is pretty much the only game in town and he would say 60 – 70 percent of agencies use this product. Ms. Fitzpatrick asked is this the reason why you are requesting waiving the RFP? Mr. Alderman replied yes. This program was designed specifically for NYS Civil Service. Other providers would need to build a program. This program cost around \$30,000 when we first purchased it. The annual \$5,700 is a maintenance fee and the program has been working pretty well.

Mrs. Ferratella asked is this on State contract? Mr. Alderman replied no, this is a private company. They were one out of three or four that originally bid, but this is the only company authorized for this sort of work.

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

2. **Requesting Authorization to Increase Salary of District Attorney Investigator** – Mr. Alderman requested authorization to increase the salary of the District Attorney Investigator, Walt Mackney, from \$30,000 to \$35,000 retroactive to January 1, 2020. The reason for this is that the NYS Section 211 Waiver changed the salary threshold for retired individuals. Mr. Baker explained Mr. Mackney has worked for us for the last six years with no raise and is doing a phenomenal job. I would like to make his salary equivalent to the new part-time investigator that was recently hired. This will not have any impact on our budget

Ms. Fitzpatrick asked how many hours does Mr. Mackney work? Mr. Baker replied he records 19.5 hours per week, but he works a lot more than that as he is on call 24/7. He is working closer to 30 hours per week. In addition to his work for us he also provides training to law enforcement and businesses. He is very experienced.

MOTION: INCREASING DISTRICT ATTORNEY INVESTIGATOR WALT MACKNEY'S ANNUAL SALARY TO \$35,000 RETROACTIVE TO JANUARY 1, 2020, PURSUANT TO THE CHANGES MADE TO THE NYS SECTION 211 WAIVER MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Clerk of the Legislature

1. **Retirement Reporting** – Ms. Mori requested authorization to put forth the annual retirement reporting resolution for the June Legislative meeting. It is not yet completely together as she is lacking records of activity from part-time attorneys. She is hoping to have this ready for the June Legislative meeting. Mrs. Ferratella asked how many are you lacking? Ms. Mori replied she has not received any reports of activities from any of the part-time attorneys in the District Attorney's Office and the Public Defender's Office.

Mr. Van Etten asked did we institute a penalty? Ms. Mori replied pursuant to the *Administrative Code*, if they do not submit their record of activity they will not receive a raise the following year, if raises are given. Mr. Baker commented his ADA's will get a reminder today. Ms. Mori stated any of the individuals who have submitted their record of activity will be included on the resolution.

MOTION: APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING RESOLUTION AS REQUIRED BY THE NEW YORK STATE COMPTROLLER MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. County Manager

1. **CHIPs Funding** – Mr. Wheeler reported that last night they received word from NYSAC that the NYS Department of Transportation has released the CHIPs funding. It appears from everything we have seen that the State is preparing to grant 80 percent of what was budgeted with the other 20 percent pending any Federal

stimulus package. We are awarded \$4.4 million so 80 percent is \$3.5 million. In talking with Mr. Spagnoletti and Mr. Rapalee, we will proceed as Mr. Spagnoletti had discussed with the Public Works Committee; allocating funds for the road projects up to \$3.5 million. This looks to be positive news.

Mr. Nichols asked does this include Enhanced Winter Recovery and Marchiselli? Mr. Wheeler replied they only released CHIPS, PAVE NY and the other pod. We are still waiting on the Enhanced Winter Recovery and bridge funds. Mr. Van Etten asked is the Marchiselli funding at risk? Mr. Wheeler replied those are federal funds, but 20 percent does come from the State. We are moving forward with the projects, but we will certainly be delayed in getting the reimbursement.

IV. OTHER BUSINESS

A. *Future Committee Meeting* – Ms. Fitzpatrick stated I would like to put forth a motion that from this point forward we have our committee meetings in person. I would rather see us get together in person to have better conversations, as long as it doesn't violate the Governor's Executive Order, and I would also like to have the Legislative meeting in June in person as well.

Mr. Schu stated we would need to limit it to just members of the committee. Mr. Wheeler stated with early voting, we will need to check to see when the annex conference room is being used. He stated he knows they will be using those rooms for the July meetings, but he will check to see if it is available for the June Legislative meeting. We may be able to use part of it.

MOTION: DIRECTING THAT FROM THIS POINT FORWARD, ALL STANDING COMMITTEES OF THE LEGISLATURE, ALONG WITH THE JUNE LEGISLATIVE MEETING, SHALL BE HELD IN PERSON IN LINE WITH THE GOVERNOR'S EXECUTIVE ORDER RELATIVE TO PUBLIC GATHERINGS MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER FOR DISCUSSION.

Ms. Mori stated we are still under the Executive Order relative to gatherings until June 27th. Ms. Fitzpatrick stated I understand and I spoke with Mr. Wheeler last night and there was a thought that it may expire. Ms. Mori stated for the June Legislative meeting, I'm not sure if we could do that. Mr. Wheeler stated from what we are hearing, July is certainly doable, pending any strange thing happening. The question will be the Legislative Meeting this month.

Mr. Schu stated so this will be subject to the Executive Order and we will do what we can as soon as we can. Ms. Mori stated we will have to make that decision for when we publish the agenda. If the Executive Order expires after the agenda is out, I don't know if we will be able to make the change.

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

B. *Videoconferencing* – Ms. Mori stated we will be transitioning from Webex to Zoom. If the Legislators are unable to download Zoom on their tablets, they will need to bring those in to Information Technology and it will be a quick fix. Today will be our last Webex meeting.

C. *Onsite Staffing* – Mr. Wheeler stated yesterday he received an email stating the Governor had amended the Executive Order and removed the 50 percent onsite staffing requirement. He has talked with Mr. Van Etten, Mrs. Smith and the Sheriff. We will activate our 75 percent onsite plan and bring back most of the employees that cannot telework and that will put us very close to normal operations. We will implement that Monday. We are still going to try to do client and citizen services by appointment. DMV will be opening during Phase III and only by appointment. We will try the 75 percent onsite for one week, reassess and go from there.

Mr. Swackhamer asked how will people make appointments for DMV? Will they do that by calling the local office? Mr. Wheeler replied yes, people will call the local office. We will do a press release later on in the week. Mr. Van Etten suggested doing the press release and posting the number on the website along with posting on signs at the offices. Mr. Swackhamer asked are we only permitting one person at a time, or one person at each window? Mr. Wheeler replied we

will have the same number of people as windows and do social distancing. Mr. Van Etten asked with DMV, what will be the interval for the appointments? Mr. Wheeler stated we will need to work through that.

D. *Phase III* – Mr. Wheeler stated one other thing to mention is we are hearing that Phase III guidance was posted last night at midnight and includes indoor dining at 50 percent occupancy as well as personal care services. We are anticipating the Governor will look Friday and review the data. Mr. Van Etten commented it will be interesting to see if the Corning City Council votes to shut down Market Street.

Ms. Fitzpatrick asked have there been any improvements in getting test results? Mr. Wheeler replied no. The 4 – 7 day window is not good. *The Post* did a story on that. Now in Phase III workers in personal care, massage therapist and tattoo artists will be required to be tested. Insurance companies are fighting this and saying that these tests are not medically necessary. Ms. Fitzpatrick commented my nursing home clients are being told that the labs are twelve weeks behind. Mr. Wheeler stated in a best case scenario people are getting tested twice before they are getting results back.

Ms. Lattimer stated this is counter to everything we are trying to accomplish. This is hard to hear as government officials and people are trying to comply with the guidelines and it is not productive. Mr. Wheeler stated we have had calls with Congressman Reed, the Steuben County Industrial Development Agency and private testing labs. Even the large labs have increased capacity and are having difficulty in processing the tests in a quick fashion.

Ms. Fitzpatrick commented a test is great if you get the results. Mr. Malter asked what about the five minute tests? Mr. Wheeler replied the liquid medium used in the labs for the rapid testing is in very short supply. One of our local hospitals, as of last week, is no longer able to do the rapid testing

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR**
Tuesday, July 14, 2020
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, July 8, 2020**