

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, May 8, 2018

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Hilda T. Lando	Scott J. Van Etten, Vice Chair Robin K. Lattimer	Carol A. Ferratella
STAFF:	Jack K. Wheeler Brenda Mori Jennifer DeMonstoy Tammy Hurd-Harvey	Mitchell Alger Wendy Jordan Judy Hunter Alan Reed	Vince Spagnoletti Nate Alderman Andy Morse
LEGISLATORS:	Joseph J. Hauryski John V. Malter Gary D. Swackhamer	Kelly H. Fitzpatrick Frederick G. Potter	K. Michael Hanna Gary B. Roush
OTHERS:	Mary Perham James Post, <i>The Leader</i>		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 10, 2018, AND APRIL 23, 2018, MEETINGS MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Commissioner of Finance

1. **Petty Cash** – Mrs. Hurd-Harvey informed the committee that they have been working for several years to get individual cash drawers for their office. In order to do so, they need to establish a separate case account for each drawer. Currently they have one cash drawer with \$150.00. She requested authorization to have three cash drawers totaling \$450.00. There will now be four cash drawers, with only three having cash.

MOTION: AUTHORIZING AN INCREASE IN THE PETTY CASH FOR THE COMMISSIONER OF FINANCE FROM \$150.00 FOR ONE CASH DRAWER, TO THREE CASH DRAWERS FOR A TOTAL OF \$450.00 MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. County Clerk

1. **Semi-Annual Mortgage Tax Distribution** – Mrs. Hunter informed the committee that collections are up about \$100,000 over the same period last year.

Mr. Van Etten asked can we change the law to allow first-time homebuyers an exemption? Mrs. Hunter replied that would have to be a change to State legislation. Ms. Lattimer commented we would need to ask for enabling legislation. Mr. Van Etten stated he understands that we get \$1 million in revenue, however, it seems to him that

it is a penalty, especially for a young couple purchasing a house for the first time. He requested that we look into this.

Ms. Lattimer commented you would need to be very specific with the qualifications for the exemption and it would have to be carefully crafted to make sure you are only getting the first time homebuyer. Mr. Van Etten stated first time homebuyers often are eligible for discount programs and have to meet a set of qualifications. Mr. Wheeler stated the federal government usually tracks that. We can look at how it would be done and if it is possible. Mr. Reed stated we can see if other counties have done something similar.

MOTION: APPROVING AND ACCEPTING THE SEMI-ANNUAL MORTGAGE DISTRIBUTION AS PRESENTED MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Organ Donor Month** – Mrs. Hunter stated April was Organ Donor Month and all three of our DMV offices participated and worked hard to promote this. Staff did a great job.

3. **Audit** – Mrs. Hunter informed the committee that U.S. Department of State came in yesterday to conduct an audit of our passport program. We do not have an official letter yet, but they indicated we received 100 percent compliance. Staff did a great job.

C. Purchasing

1. **Quarterly Copy Paper Bid Award** – Mr. Morse informed the committee they received four bids. He recommended awarding to the low bidder, Contract Paper Group for \$27.47 per case.

MOTION: AWARDING THE QUARTERLY COPY PAPER BID TO THE LOW BIDDER, CONTRACT PAPER GROUP FOR \$27.47 PER CASE MADE BY MR. VAN ETTEN. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Copier Purchase** – Mr. Morse requested authorization to purchase a multifunction copier for the Conflict Defender's Office. Mr. Wheeler explained they have been moved from the Corning Courthouse to the Balcom House and we need to outfit the office. Mr. Morse explained he has not yet gotten a price from Toshiba, but in the past the multifunction copiers have been \$1,986. He requested authorization to spend up to \$2,500 from the Copier Capital Project for this purchase.

MOTION: AUTHORIZING THE DIRECTOR OF PURCHASING TO SPEND UP TO \$2,500.00 FROM THE COPIER CAPITAL PROJECT TO PURCHASE A MULTIFUNCTION COPIER FOR THE CONFLICT DEFENDER'S OFFICE MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Personnel

1. **RFP – Employee Workplace Violence Prevention Training** – Mr. Alderman requested authorization to put out an RFP for the Annual Employee Workplace Violence Prevention Training. Mr. Wheeler commented the State Budget included language to expand the requirements for sexual harassment training and that will be included in this.

MOTION: AUTHORIZING THE PERSONNEL OFFICER, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSALS FOR THE PROVISION OF THE ANNUAL EMPLOYEE WORKPLACE VIOLENCE PREVENTION TRAINING MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **16B Request – Law Department** – Mr. Alderman explained under the Rules of the Legislature, a 16B is any new position that is created for the next budget year.

Mr. Reed stated his request is a result of the Raise the Age legislation. There is an exception under Rule 16B that speaks to the position being the result of changes in State or Federal law. Through the process of Mr. Treahy's examination of County costs involved with Raise the Age, he inquired as to impact in my office. We will have to see how it goes over the next year. We are already pressed on the JD implementation.

Mr. Reed stated we cannot utilize the local jail facility to secure defendants that may be a public safety risk. He stated his thought for next year is to look at getting a Senior Assistant County Attorney, primarily to perform the functions of the JD work. Additionally, Mr. McCartney who was part-time in our office, is now working for the District Attorney's Office. This request is for the next budget cycle. With the new paralegal handling the Assigned Counsel program, we anticipate assigning some JD work to that position. Mr. Reed explained with the JD's, if there is an incident, a determination is made if they will immediately go to Probation. In a public safety risk case, we will let law enforcement know not to go to Probation first and will likely ask for detention from the court. Law enforcement has the discretion to take the child to a detention center without a petition, but the detention centers are hesitant to take a child without a court order. With the Raise the Age legislation, there is a presumption against detention.

Mr. Reed stated for the upcoming year, he is requesting one Senior Assistant County Attorney. For the second year, he is anticipating needing another professional staff and paralegal. He would suggest having the position established so it can be budgeted for if we need it.

MOTION: AUTHORIZING THE CREATION OF A ZERO-BASED SENIOR ASSISTANT COUNTY ATTORNEY POSITION WITHIN THE LAW DEPARTMENT UNDER RULE 16B MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mrs. Lando commented I thought we were only going to see a slight increase in caseloads of 5 or 6 kids. Mr. Wheeler replied that number refers to specialized secure detention cases; the Law Department's caseload will increase no matter what. More of those will be considered JD's and will go through Family Court, which is under the auspices of the Law Department. They will not be able to handle that increase with their current staffing. Mr. Reed explained that 5 – 6 subset are those cases that the District Attorney will prosecute as adolescent offenders. The impact on the Law Department will be far greater than for the District Attorney. We expect to be tripling the number of cases we have from 30 cases per year to 100 – 120 cases per year. Mr. Wheeler stated we do anticipate the cost of this position being reimbursed by the State.

Ms. Lattimer asked what is the salary range for the position? Mr. Alderman replied the salary range for a Senior Assistant County Attorney is \$62,411.00 - \$96,752.00. The mid-range would be around \$70,000.00. Mr. Wheeler stated from his perspective, we do not like adding positions, but the reality with the Raise the Age legislation is we will be adding positions to the Law Department and Probation.

Mr. Van Etten asked didn't we create new positions in the Public Defender's Office without going through 16B? Mr. Wheeler replied we created those positions with reclassifications. This is an entirely new position that is being added to the roster. Our reclassification pool is limited because we eliminated a number of positions when we sold the Health Care Facility. We only fund positions that are within the budget. This position would be considered for funding in the 2019 budget.

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

E. County Manager

1. **Contract Renewal – Enterprise** – Mr. Alger stated we have been with Enterprise for the past year and replaced 9 vehicles in the motor pool, 3 vehicles combined for Probation and Mental Health and 1 vehicle for Social Services. We have had a pretty good experience overall. He requested authorization to renew the contract under the first of four renewal options.

MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE VEHICLE LEASE AGREEMENT WITH ENTERPRISE FOR ONE YEAR UNDER THE SAME TERMS AND CONDITIONS MADE BY MRS. FERRATELLA. SECONDED BY MRS. LANDO FOR DISCUSSION.

Mrs. Ferratella asked did you find any downsides to doing this? Mr. Alger replied not really; we did have some growing pains, but the Risk Manager's Office has done a good job administering the motor pool vehicles.

Mr. Van Etten stated we financially justified this with numbers a year ago. He stated that he is used to seeing post-audits and he asked that we see what the numbers were. Mr. Alger replied we did have an annual follow-up with Enterprise. For the year 2016/2017 we saw a decrease of \$7,000 in our maintenance and repair costs. We also saw a decrease in our fuel costs as we have more fuel efficient vehicles. The big thing about the whole concept is previously we were looking at replacing a couple of cars per year in the motor pool for a cost of \$50,000 and now we have 9 new vehicles at a cost of \$42,000. That does not take into consideration what we get for trade-ins. Financially, this is a pretty good program.

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

2. *Administrative Code Revisions* –

- *Cancer Screening Leave* – Mr. Wheeler informed the committee that the State Civil Service Law broadened the scope of cancer leave from breast and prostate to all cancer screenings. We are amending the *Administrative Code* to reflect that change.

- *Purchasing Policy Revisions for Best Value* – Mr. Wheeler stated we are codifying the changes in the *Administrative Code* so that we can utilize Best Value. Mr. Morse explained part of the legislation that allows this action requires us to make sure it is outlined in our procurement policy. Mr. Reed commented the *Administrative Code* should reflect what is stated in the Local Law.

Mr. Wheeler commented one of the other changes to the Purchasing Policy is we expanded the dollar amount for phone and written quotes from \$6,000 to \$10,000. This will provide us with more flexibility. Mr. Swackhamer asked is that really needed? Mr. Morse replied this change put it more in accordance with the State Association and also reflects today's buying power.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO REFLECT CHANGES TO THE CANCER SCREENING LEAVE POLICY AND THE PURCHASING POLICY MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJUORN MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Hauryski requested an Executive Session to discuss personnel matters.

MOTION: TO RECONVENE REGULAR SESSION MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. 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§ 105.1F. 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 MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MRS. FERRATELLA. 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 12, 2018
Legislative Committee Room
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, June 6, 2018**