REGULAR MEETING

Morning Session


The Board of Supervisors of the County of Steuben convened in regular monthly meeting in the Supervisors' Chambers, Bath, New York, Monday, November 20, 1978, at 10:00 A.M. and was called to order by Chairman of the Board, Elroy H. Young.

Roll call and all members present except Supervisors Ellison, Hendricks, McKinley, Mueggenroth, Tobin, and Warner.

The invocation was offered by Mr. Lewis and the Pledge of Allegiance to the Flag was led by Mr. Davis.

It was moved by Mr. Swackhamer, seconded by Mr. Stover and duly carried, the minutes of the sessions held October 15, 1978 be approved as written.

It was moved by Mr. Bauter, seconded by Mr. Gehl and duly carried, the Board adjourn to hold a public hearing on Local Law No. 1 of 1979, establishing the annual salaries of certain elected and appointed officials.

The Clerk read the Official Notice of Public Hearing and submitted for filing the Affidavits of Publication in the two official newspapers and Affidavits of posting in the three County courthouses.

The Chairman declared the public hearing open and asked if anyone present wished to be heard.

Mr. Lewis recommended that in the future the public hearings be held in the evening so the general public would be able to attend.

There being no one present wishing to be heard, it was moved by Mr. Halm, seconded by Mr. Drake and duly carried, the public hearing be closed and the Board go back into regular session.

It was moved by Mr. Atherton, seconded by Mr. Bauter and duly carried, the Board adjourn to hold a public hearing on the proposed use of Federal Revenue Sharing Funds for the year 1979.

The Chairman declared the public hearing open and asked if anyone present wished to be heard.

The Clerk read the Official Notice of Public Hearing.

There being no one present wishing to be heard, it was moved by Mr. Stover, seconded by Mr. Kase and duly carried, the Public Hearing be closed and the Board go back into regular session.

RESOLUTION NO. 416

Introduced by Foster.

Seconded by Drake.

Vote — Roll Call: Ayes 20 Nays 7 Abstained 1 Absent 5.


Pursuant to Sections 201 and 214 of the County Law and Article 2 of the Municipal Home Rule Law of the State of New York.
WHEREAS, in accordance with the Municipal Home Rule Law of the State of New York there had been duly mailed to each member of the Board of Supervisors of the County of Steuben copies of County of Steuben Local Law No. One of the Year 1979 establishing the annual salaries of certain elected, appointed and departmental officials of the County of Steuben for the fiscal year 1979, and thereafter said local law was duly presented to said Board at its regular meeting held on October 16, 1978, and

WHEREAS, by resolution duly adopted by said Board on October 16, 1978, said Local Law was preliminarily adopted in its final form and its final adoption made subject to the holding of a public hearing on November 20, 1978 at 10:00 A.M. in the Supervisors' Chambers at Bath, New York and also subject to a permissive referendum, and

WHEREAS, the required public hearing was duly held on said local law as above mentioned and all persons appearing were given the opportunity to be heard and the Clerk of this Board having filed proof of the publication and posting of the notice of public hearing and requirement for a permissive referendum, and

WHEREAS, said local law in its final form was thereafter duly presented and read to this Board of Supervisors.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law No. One of the Year 1979 as hereinafter set forth be, and the same hereby is, finally adopted as follows, to wit: —

County of STEUBEN
Local Law No. ONE of the year 1979

A local law establishing the annual salaries of certain elected, appointed and departmental officials of the County of Steuben for the fiscal year 1979.

Be it enacted by the BOARD OF SUPERVISORS of the County of STEUBEN as follows:

SECTION 1. That commencing with the first county payroll for the county fiscal year 1979 the annual salaries, which do not include earned longevity increments, of the elected, appointed and departmental officials of the County of Steuben, are hereby established for the fiscal year 1979 as follows, to wit: —

<table>
<thead>
<tr>
<th>Position</th>
<th>1978 Salary</th>
<th>1979 Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk of the Board of Supervisors (Grade 15-5)</td>
<td>$13,856.00</td>
<td>$14,689.00</td>
</tr>
<tr>
<td>District Attorney</td>
<td>36,500.00</td>
<td>36,500.00</td>
</tr>
<tr>
<td>County Attorney (1979 Salary — Base of Grade 21)</td>
<td>38,556.00</td>
<td>38,556.00</td>
</tr>
<tr>
<td>Chairman, Board of Supervisors (6%)</td>
<td>9,927.00</td>
<td>10,533.00</td>
</tr>
<tr>
<td>Supervisors (6%)</td>
<td>2,385.00</td>
<td>2,528.00</td>
</tr>
<tr>
<td>Assistant County Attorney (6%)</td>
<td>12,920.00</td>
<td>13,585.00</td>
</tr>
<tr>
<td>Administrator of Indigent Defender Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1979 Salary — 6%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coroner (4) (6%)</td>
<td>9,131.00</td>
<td>9,679.00</td>
</tr>
<tr>
<td>Sheriff (1979 Salary — Base of Grade 19)</td>
<td>4,773.00</td>
<td>5,059.00</td>
</tr>
<tr>
<td>County Clerk (1979 Salary — Grade 17-3)</td>
<td>19,906.00</td>
<td>21,146.00</td>
</tr>
<tr>
<td>Social Services Attorney (6%)</td>
<td>12,920.00</td>
<td>13,585.00</td>
</tr>
<tr>
<td>Superintendent of Buildings and Grounds (1979 Salary — Grade 15-4)</td>
<td>13,394.00</td>
<td>14,199.00</td>
</tr>
<tr>
<td>Medical Director of Physically Handicapped</td>
<td>7,620.00</td>
<td>8,077.00</td>
</tr>
<tr>
<td>Children's Program (6%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Director of Veteran's Service (1979 Salary — Grade 12-1)</td>
<td>10,431.00</td>
<td>11,057.00</td>
</tr>
</tbody>
</table>
SECTION 2. This local law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, that within ten (10) days after such Local Law is adopted the Clerk of this Board of Supervisors of the County of Steuben shall cause a copy of the Local Law to be published once a week for two (2) successive weeks in the two officially designated county newspapers, the Corning Leader and the Evening Tribune, together with notice that said Local Law is subject to a permissive referendum of the qualified electors of Steuben County by the filing of a petition within forty-five (45) days from the date of the final adoption of the Local Law with the Clerk of this Board demanding such referendum, which petition must be signed by qualified electors of the County registered to vote therein at the last preceding election, in number equal to at least ten percent (10%) of the total number cast for Governor at the last gubernatorial election in the County, and

BE IT FURTHER RESOLVED, that within five (5) days after the expiration of the time for the filing of petitions for a permissive referendum on said Local Law, the Clerk of this Board shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, one certified copy in the Office of the New York State Comptroller, and four certified copies in the Office of the Secretary of State of the State of New York, and the said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by him for such records, and be it further

RESOLVED, that the Clerk of this Board shall forward certified copies of this resolution to the Steuben County Treasurer, the Executive Secretary of the County Civil Service Commission, and the county offices listed in the schedule of salaries.

Mrs. Littelre moved to amend the Local Law by deleting the Planning Director position and including it on the schedule of those not listed on Local Law, Miscellaneous Titles, or GSEA Contract as the position is in a competitive class. Seconded by Mr. Toth.
Mr. Foster, Civil Service & Salaries Committee Chairman, stated the matter was before his committee and it was their recommendation it be left as it was.

Following discussion, the amendment was LOST BY ROLL CALL VOTE of 16 no, 11 yes, 6 absent.


Mr. Ball questioned the salaries of the Director of Drug Abuse and County Clerk.

Mr. Halm answered the Director of Drug Abuse is receiving $500 additional, but is serving part-time and was told he would be paid maximum salary without penalty under Social Security.

In regard to the County Clerk, Mr. Foster stated the salary had been thoroughly discussed and had been over-looked for several years. The County Clerk is a constitutional officer and may not receive a raise during his term of office. He can only receive a raise every three years and this is an attempt to bring the salary in line with what others have received over the last three years.

Mr. Drake, Sheriff Committee Chairman, stated he felt the Sheriff should be given a raise for if one constitutional officer receives a raise, the other should also.

Mr. Gehl moved to amend the Local Law by deleting the raises of the Supervisors and Board Chairman. Seconded by Mr. Mallison and Mr. Hauryiski.

The Chairman stated some supervisors are putting in considerable time and are not properly paid, while others who do not appear too often, receive the same pay.

Mr. Stover asked if thinking along that line, shouldn't the matter be referred to the Rules Committee for a per diem?

Mr. H. Clark stated Shreve County has the lowest supervisors' salary in this part of the state and the Board hasn't had an increase in several years.

Mr. Glambrone asked Mr. Gehl if he would consider withdrawing his amendment based on what the Chairman said and Mr. Gehl replied no.

Mr. Gehl's amendment to delete the Supervisors' and Chairman's salary increases, was LOST BY ROLL CALL VOTE of 12 yes, 15 no, 5 absent, 1 abstaining.


Absent — Ellison, Hendricks, McKinley, Muccigrosso, Warner — 5.

Abstained — Tobin — 1.

Mr. Tobin stated he abstained because he had just arrived and hadn't heard the issue.

Mr. Drake stated inasmuch as the Sheriff may only receive a salary increase between terms, he believed one should be granted at this time and the Sheriff Committee was in favor of it.
Mr. Foster, Civil Service & Salaries Committee Chairman, stated his committee felt the salary should be as in the Local Law. He further stated the salary had been compared with that of other counties and was found to be not far off.

Mr. Drake moved to amend the Local Law by increasing the Sheriff’s salary by $2,000. Seconded by Mr. Gehl.

Mr. H. Clark stated if changes are made, the 1979 budget will have to be changed.

Mr. Foster stated he felt the Board should have a little more consideration for the Salaries Committee that has worked on and put a lot of time in on these.

Mr. Drake: “I am still not satisfied. The Committee came to you and we asked for this increase and you said it couldn’t be done until after election. Why wasn’t it included in here?”

Mr. Foster replied the Committee felt the salary should be as proposed.

Mr. Drake withdrew his amendment and Mr. Gehl withdrew his second.

The Local Law was LOST BY A ROLL CALL VOTE of 16 yes, 11 no, 5 absent. 1 abstention.


Abstained — Tobin — 1.

Absent — Ellison, Hendricks, McKinley, Mucigrosso, Warner — 5.

Mr. Tobin stated he abstained because he was not in favor of the Local Law in its entirety.

County Attorney Kuhl stated that in order to pay the managerial people the first of the year, now that the Local Law has been defeated, it will be necessary to go through the whole procedure of adopting a Local Law again.

Mr. Lewis stated maybe it would be necessary to hold a special board meeting and discuss the whole matter in executive session. He stated he felt the Supervisors are saying they don’t like to be handed a whole package to approve and are indicating they don’t like the system. He also stated it might be necessary to take more time and vote on each position individually.

Mr. Bauer stated the committee had very mixed feelings but all the people were entitled to the same type of treatment.

Mr. H. Clark stated the Board has put itself in a precarious position. There is an agreement with the department heads that they be treated as county employees. The management people have the right to join a union, too.

Mr. Solinas suggested a vote on each individually.

County Attorney Kuhl stated in order to vote on each one separately, it would be necessary to present each as a local law, with 35 publications; 35 public hearings, and 35 notices.

Mr. H. Clark asked the County Attorney if it could be re-submitted.

In answer to Mr. Clark, the question, it was stated there would have to be a recall vote at the present time.
Mr. Gehl moved that a recall vote be taken. Seconded by Mr. Swackhammer and ADOPTED BY ROLL CALL VOTE of 21 yes, 6 no, 5 absent, 1 abstaining.

Absent — Ellison, Hendricks, McKinley, Muccigrosso, Warner — 5.
Abstained — Tobin — 1.

Mr. Tobin stated he abstained for the same reason as before.

Local Law No. 1 of 1979 was ADOPTED BY ROLL CALL VOTE OF 20 yes, 7 no, 5 absent and 1 abstaining.

Abstained — Tobin — 1.
Absent — Ellison, Hendricks, McKinley, Muccigrosso, Warner — 5.

RESOLUTION NO. 417

Introduced by Foster.
Seconded by Stewart.

Vote — Roll Call: Ayes 21 Noes 7 Abstained — Absent 5.

Noes — Argentieri, Ball, Blackwell, Haursky, Kasch, Lewis, Solinas — 7
Absent — Ellison, Hendricks, McKinley, Muccigrosso, Warner — 5.

ESTABLISHING THE SCHEDULE OF ANNUAL SALARIES FOR CERTAIN STEUBEN COUNTY DEPARTMENT HEADS AND OFFICERS AND EMPLOYEES OF THE COUNTY OF STEUBEN FOR THE FISCAL YEAR 1979 WHICH WERE NOT LISTED UNDER MISCELLANEOUS TITLES OR COVERED UNDER LOCAL LAW #1 FOR 1979 OR THE CSEA CONTRACT.

Pursuant to Sections 201 and 205 of the County Law of the State of New York.

WHEREAS, certain employment positions within the County are not covered by the contract between the County of Steuben and the Civil Service Employees' Association, Inc. nor by a miscellaneous titles resolution of this Board of Supervisors nor by proposed Local Law #1 for the year 1979 and consequently a compensations schedule for various titles of management included on Addendum #1 of the aforesaid contract with employees must be set forth in a separate schedule.

NOW THEREFORE, BE IT

RESOLVED, that commencing with the first county payroll for the fiscal year 1979 the annual salaries and rates of compensation attached to the several positions of county employment hereinafter designated are here- by established for the county fiscal year January 1, 1979 through December 31, 1979 as follows, wit: —

<table>
<thead>
<tr>
<th>Position</th>
<th>1978</th>
<th>1979</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrator of the Infirmary</td>
<td>$20,217.00</td>
<td>$21,428.00</td>
</tr>
<tr>
<td>Assistant County Highway Superintendent</td>
<td>20,217.00</td>
<td>21,428.00</td>
</tr>
<tr>
<td>Assistant to the Director of Physically</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Handicapped Children's Program</td>
<td>14,847.00</td>
<td>15,739.00</td>
</tr>
<tr>
<td>Assistant Director of Veterans’ Service</td>
<td>8,517.00</td>
<td>9,028.00</td>
</tr>
<tr>
<td>Clerk of Board of Elections</td>
<td>12,470.00</td>
<td>13,709.00</td>
</tr>
<tr>
<td>Confidential Secretary to County Attorney</td>
<td>10,758.00</td>
<td>11,448.00</td>
</tr>
<tr>
<td>Confidential Secretary to District Attorney</td>
<td>10,978.00</td>
<td>10,684.00</td>
</tr>
<tr>
<td>Coordinator, Alcohol Abuse Program</td>
<td>18,869.00</td>
<td>20,714.00</td>
</tr>
</tbody>
</table>