CALL TO ORDER

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

APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 11, 2018, MEETING MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

DEPARTMENT REQUESTS

A. Risk Manager
   1. PERMA Contract – Mr. Sprague requested authorization to extend the contract with PERMA to act as the third-party administrator for Workers’ Compensation. This originally was a five year contract back in 2012. The history of premiums, along with the deductibles is that they have gone down year after year. We expect to be under $500,000 next year and this is reflective of the low claims.

MOTION: AUTHORIZING THE RISK MANAGER TO EXTEND THE CONTRACT WITH PERMA TO ACT AS THIRD-PARTY ADMINISTRATOR FOR WORKER’S COMPENSATION FOR ONE YEAR MADE BY MR. VAN ETEN. SECONDED BY MRS. LANDO FOR DISCUSSION.

Mr. Van Etten asked where are we headed next with this contract? Mr. Sprague replied bidding out the Workers’ Compensation will be tricky and difficult as there are only three comp carriers in the State. We will also be bidding unknowns. The performance of PERMA has been pretty fantastic. Mr. Van Etten asked weere the premiums bid for five years, or based on experience? Mr. Sprague replied the charge is based on loss experience, claims, etc. We also pay an assessment to the Workers’ Compensation Board which is based on claims. The premium for that goes into the pool and is spread across the members.

Mrs. Ferratella asked is PERMA still providing safety training? Mr. Sprague replied yes. They will be coming in next week to schedule the trainings for this year. Mrs. Lando asked how often do you do the extensions? Mr.
Sprague replied the original contract was for five years with a one-year extension. Mr. Reed explained we like to have this go out for RFP as it will ensure that we are getting the best product and service. We do have exceptions and you could suspend the RFP process if you elected.

Mr. Van Etten commented it is a good sign that the premiums are decreasing each year. Mr. Wheeler stated in the interest of full disclosure, he is appointed to their Board of Directors on your behalf. They are doing good things. The reason we changed to PERMA and have continued to stay with them is their customer service.

Mr. Reed commented we did have an internal issue with the third party operator getting questions from a claims analyst. Mr. Sprague had a discussion with PERMA to make sure that operations are complying with the rules.

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

B. Purchasing
1. Award Bid for Ricoh Copier Maintenance – Mr. Morse informed the committee they rebid the Ricoh Copier Maintenance and received two bids back. Ricoh out of Buffalo was the low bidder at $.0105 per image, for an approximate total contract amount of $20,000. He stated they have 67 total copiers and this contract will cover the maintenance of 47.

MOTION: AWARDS THE BID FOR RICOH COPIER MAINTENANCE TO THE LOW BIDDER, RICOH OF BUFFALO AT A RATE OF $.0105 PER IMAGE, FOR A TOTAL APPROXIMATE ANNUAL PRICE OF $20,000 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Purchase of Toshiba Copiers from Capital Account – Mr. Morse informed the committee that the goal is to replace the Ricoh copiers with Toshiba copiers. He requested authorization to replace 16 copiers at a cost not to exceed $52,000. He stated he does have money available in the Copier Capital Project. Within the next two years, all of the Ricoh copiers will be replaced. Many of the copiers are eight years old or older.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE 16 TOSHIBA COPIERS FROM THE COPIER CAPITAL PROJECT FOR A TOTAL NOT TO EXCEED $52,000 MADE BY MS. LATTIMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Personnel
1. Reclassifications & Transfers – Mr. Alderman presented his request to reclassify and transfer positions for the District Attorney’s Office, Conflict Defender and Law Department. These were all presented to the Public Safety & Corrections Committee and approved. Mr. Wheeler commented nearly all of these positions have been budgeted. These positions are a result of the State Mandate for Raise the Age and Counsel at Arraignment. The only position not budgeted for was one Assistant Public Defender.

MOTION: AUTHORIZING THE RECLASSIFICATION AND TRANSFER OF ONE ZERO-BASED ASSISTANT DIRECTOR OF PATIENT SERVICES POSITION, MANAGEMENT GRADE F FROM THE PUBLIC HEALTH DEPARTMENT TO AN ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE E TO THE DISTRICT ATTORNEY’S OFFICE; AND THE RECLASSIFICATION AND TRANSFER OF ONE ZERO-BASED SENIOR ACCOUNT CLERK-TYPIST POSITION, GRADE X FROM THE YOUTH PROGRAMS DEPARTMENT TO ONE PARALEGAL ASSISTANT POSITION, GRADE XI TO THE DISTRICT ATTORNEY’S OFFICE MADE BY MR. VAN ETTEN. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

MOTION: AUTHORIZING THE RECLASSIFICATION AND TRANSFER OF ONE ZERO-BASED SENIOR CLERK POSITION, GRADE VI FROM PUBLIC WORKS TO A GRADE IV TYPIST POSITION IN THE CONFLICT DEFENDER’S OFFICE MADE BY MR. VAN ETTEN. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
MOTION: AUTHORIZING THE TRANSFER OF ONE SENIOR TYPIST POSITION, GRADE VI FROM SPECIAL CHILDREN’S SERVICES TO THE LAW DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Request to Waive Rule 16B – Mr. Alderman presented requests to Waive Rule 16B to create two Assistant Public Defender positions in the Public Defender’s Office, one Probation Officer position and one Probation Officer Trainee position in the Probation Department and one Senior Assistant County Attorney position and one Assistant County Attorney position in the Law Department.

Mr. Wheeler explained we have not had to do a waiver of 16B since he has been here. The positions for the Law Department are a ratification as they had submitted their 16B request properly and the positions were created, however, we did not finalize the process by getting approval from the Finance Committee or the Legislature. The positions for the Public Defender are a result of the Hurrell-Harring reform. We did have additional revenue to cover a little of the cost for the additional Public Defender, but we can cover that cost in the overall salary line items.

Mr. Hanna asked what does it mean to waive 16B? Mr. Wheeler explained Rule 16B defines how you create positions. The process starts in the spring and goes through the budget process. One of the caveats to the rule is based upon State mandates. We are creating these positions to comply with the State mandates.

Mrs. Lando asked do we have room for these additional staff? Mr. Wheeler replied yes, we have room in Probation and in the Balcom House.


3. Request to Waive Rule 16B for the Sheriff’s Office – Mr. Alderman requested authorization to Waive Rule 16B to create five additional Deputy Sheriff positions. The plan is to phase in two positions now, two positions later and then one position next year.

Sheriff Allard stated there have been several discussions on this. We will be presenting the proposal to the Hornell City Council on January 21st. As this develops, we can start with two deputies and backfill with overtime to meet the needs to provide services to the cities to avoid them opting out of the CAP plan. It is difficult to put a finite number on this. We are estimating 250 – 350 transports per year. We would be adding one person every shift 24/7 to be available for transports. The added benefit is the ancillary law enforcement that they will be able to do. As we move forward, we will have a better idea, but for now we are going based on the information we currently have. We would like to phase in two positions now and two positions in six months. Next year, if necessary, we could talk about adding the fifth position. We will not add the additional positions until the Legislature is comfortable with that.

Mrs. Lando asked what will happen if Hornell decides not to do this? Sheriff Allard replied we would have to develop a plan that would have to be discussed with the Public Defender, District Attorney and myself. Mr. Wheeler stated he would suggest to you if Hornell opted out, they would have to come to the central CAP. We will have an inter-municipal agreement with Corning. Mrs. Lando asked would you change the amount that Corning is paying? Mr. Wheeler replied no. There is every indication that Hornell will join.
Mr. Ryan asked can a defendant refuse counsel? Mr. Reed replied yes. It is the right to counsel that is triggered at first appearance.

Mr. Hanna asked are there any concerns about the cities paying their fair share? Sheriff Allard replied for him, the benefit of having additional law enforcement on the road far outweighs what we will get in reimbursement from the cities. If other municipalities want to create an inter-municipal agreement for the same thing, he is not opposed to that.

Mr. Van Etten stated there is a concern that the cities pay their fair share. We are banking on the unknown. If there is a drug bust in the city, it is just as easy to send them to the city. Is there any flexibility in that? Sheriff Allard replied there is. That is why it is important for us to meet and plan. Mr. Sauro replied there is a provision in the CAP for emergency situations.

Mr. Malter asked what is the amount that’s agreed to for Corning? Mr. Wheeler replied $85.00 per transport with a maximum of $35,000 per year, per city. We will take that out of their sales tax revenues.

MOTION: WAIVING RULE 16B OF THE RULES OF PROCEDURE AND AUTHORIZING THE CREATION OF FIVE DEPUTY SHERIFF POSITIONS WITHIN THE SHERIFF’S OFFICE, WITH FUNDING ONLY BEING PROVIDED FOR TWO OF THOSE POSITIONS AT THIS TIME MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES. Resolution Required.

D. Commissioner of Finance
   1. Contract Approval – Worxtime, LLC – Mrs. Hurd-Harvey requested authorization to enter into a contract with Worxtime, LLC to prepare the annual ACA (Affordable Care Act) required 1095 forms. The cost is $3,500 plus $2.00 per form.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO A CONTRACT WITH WORXTIME, LLC FOR THE PREPARATION OF THE ANNUAL ACA REQUIRED 1095 FORMS AT A COST OF $3,500.00 PLUS $2.00 PER FORM MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. County Manager
   1. Contract Renewal – OpenGov – Mr. Wheeler explained OpenGov is the budget interface software and reporting. He sees a lot of value in this program. The interface is much easier and more user friendly and integrates into E-Finance. We are currently paying $40,000 annually. The proposal is for a two-year renewal. The first year would be $36,000 which would include integration of the workforce package. That is valued at $9,000 and is budgeting for personnel. This would provide a more streamlined way to integrate personnel into the budgeting system. All costs will automatically populate for differential, health insurance, etc. With the budget analysis, it is tough to quantify how many days per month will be saved. Allowing departments to enter information will save a couple of days per department. There is also an option to have a department monthly report which is called “Stories”. The second year of the extension is proposed at $43,000 to include “Stories” and that is valued at $3,000. If you choose not to use “Stories”, the second year cost would be $40,000.

Mr. Van Etten stated he sat in on a demo last week. The workforce portion is pretty impressive and would be very helpful. His concern about this has more to do with E-Finance. There is a definite end to that coming up in 2020-2021. Then we will be going to a cloud-based system. The bigger thing for the County is looking down the road at what do we do to replace that, if we do. In the interim you will have OpenGov while you do the larger study for what to use for the accounting system. He stated that he thinks we need to find that new system that would have all of these tools.

Mr. Wheeler stated he spoke with the Commissioner of Social Services and because this is their budgeting platform as well, we can leverage State funding and the actual cost would be 50 percent of what is currently budgeted under my department.

Administration Committee
Tuesday, January 8, 2019
Ms. Fitzpatrick commented when this was first purchased, the selling point was the accessibility for the Legislature, and we have not had any. She has been disappointed with that. If we are renewing, she would like to see a timetable to see some of these things. Mr. Wheeler stated during the budget process, we had provided a link to the budgeting platform and this will provide more and you would have access to that. With regard to the workforce piece, it will take a couple of months to actually integrate that.

Ms. Fitzpatrick asked if the other software is not server based, should we start looking? Mr. Van Etten stated that is what he was proposing. Mr. Wheeler stated we have talked about starting to look at the companies that are on State contract. Mr. Malter asked does OpenGov provide accounting software? Mr. Wheeler replied no, they only provide reports. Mr. Malter asked do we have the ability to transfer information to OpenGov without a big cost? Mr. Wheeler replied all of the information is in E-Finance and the reports are based on the data that is stored there.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE CONTRACT WITH OPENGOV FOR TWO YEARS AT A RATE OF $36,000 FOR YEAR ONE TO INCLUDE THE INTEGRATION OF THE WORKFORCE PACKAGE, AND $43,000 FOR YEAR TWO TO INCLUDE THE “STORIES” PACKAGE MADE BY MR. VAN ETLEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Contract Renewal – ArchiveSocial** – Mr. Wheeler requested authorization to renew the contract with ArchiveSocial to automatically archive our social media accounts. The cost is $2,459.64.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE CONTRACT WITH ARCHIVESOCIAL FOR THE AUTOMATIC ARCHIVE OF SOCIAL MEDIA ACCOUNTS FOR AN ANNUAL RATE OF $2,459.64 MADE BY MR. VAN ETLEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Promotional Initiative** – Mr. Wheeler informed the committee that he was approached by a company in Rochester. This company is in the process of working with counties to develop promotional videos of the counties, businesses and tourism and then host on a page with a YouTube video that you can link to your website. This would be free to us as they sell advertising on that landing page. We would have to send an approved letter welcoming people to the promotional page, but the company sends a letter to the businesses to drum up advertisers. We get to have editing approval of what the video has. There would be different tabs for government, parks, lakes, etc. This looks good, but he is nervous about putting our name on advertising letters.

Mr. Roush stated the Town of Erwin has done this and it part of their main website. The Town found that the company was easy to work with and we also have the right to veto anything. This was done very professionally.

Mrs. Lando commented the Conference & Visitors’ Bureau spent a lot of time and money doing that same thing. Couldn’t we incorporate more into what they are doing? Mr. Schu asked what is the downside? Mr. Wheeler replied putting your name on something for advertising on the site. Mr. Reed commented that he has not examined this. Mr. Wheeler stated the question is whether you want us to pursue this or drop it.

Mrs. Ferratella asked what other counties are doing this? Mr. Wheeler replied they are working with Monroe and Albany counties. Mr. Van Etten stated it sounds like a good idea, but he has concerns about the advertising. Mr. Wheeler stated they said it would be for larger businesses. Mr. Reed stated this is something that they will have to look at. Mrs. Lando stated we should also work with the Conference & Visitors’ Bureau on their website. Mr. Wheeler stated we have links to the Conference & Visitors’ Bureau website.

**Secretary’s Note:** The consensus of the committee was for the County Manager to work on this and bring it back to committee for further discussion.
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. VAN ETEN. 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. VAN ETEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MRS. FERRATELLA. 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, February 12, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, February 6, 2019
**MINUTES**

COMMITTEE: Brian C. Schu, Chair  Scott J. Van Etten, Vice Chair  Carol A. Ferratella

STAFF: Jack K. Wheeler  Amy Dlugos  Tina Goodwin
Vicki Olin  Kelly Penziul  Wendy Jordan
Brenda Mori  Jennifer Prossick  Craig Patrick
Nate Alderman  Jennifer DeMonstoy  Brooks Baker
Andy Morse  Shawn Sauro  James Allard

LEGISLATORS: Joseph J. Hauryski  Kelly H. Fitzpatrick  K. Michael Hanna
Robert V. Nichols  Frederick G. Potter

ABSENT: Hilda T. Lando  Robin K. Lattimer

OTHERS: Mary Perham

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 9, 2019, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENT REQUESTS

A. Purchasing

1. Quarterly Copy Paper Award – Mr. Morse stated he received two bids, however, one was received late. He recommended awarding W.B. Mason for $28.81 per case.

MOTION: AWARDING THE QUARTERLY COPY PAPER BID TO W.B. MASON FOR $28.81 PER CASE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. Real Property Tax Service Agency

1. Contract Renewal – Mrs. Jordan requested authorization to renew the contract with SDG for the ImageMate Online assessment and tax information software for three years. The annual rate is $5,800 and the cost is shared with the Finance Office.

MOTION: AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO RENEW FOR THE CONTRACT WITH SDG FOR THE IMAGEMATE ONLINE ASSESSMENT AND TAX INFORMATION SOFTWARE FOR THREE YEARS AT AN ANNUAL COST OF $5,800 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.
C. Personnel

1. Reclassification – Public Defender – Mr. Alderman requested authorization to reclassify a 1st Assistant Public Defender position, Grade E to a Senior Assistant Public Defender position, Grade G. Mr. Sauro explained that Attorney Stutzman took a job with Chemung County. He was in the 1st Assistant Public Defender position which entailed managing all of the felony cases in Steuben County as well as organizing and managing the other public defenders. He is requesting authorization to move Attorney Rogers into this position at the same pay while looking toward the future for retaining her. Mr. Wheeler commented they have a similar position on the Family Court side.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE 1ST ASSISTANT PUBLIC DEFENDER POSITION, GRADE E TO A SENIOR ASSISTANT PUBLIC DEFENDER POSITION, GRADE G IN THE PUBLIC DEFENDER’S OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

2. Stipends for District Attorney’s Office – Mr. Baker stated he is requesting stipends for eight attorneys and his Investigator who will be covering the needs of CAP. He is repurposing a new attorney position that was originally slated for the 370.15 mandate until we get a better idea of the CAP requirements. He is requesting a total of $45,000 which will be divided equally among the attorneys to cover off-hour arraignments.

Mr. Alderman clarified this is an increase in pay. Civil Service Law does not look well on bonuses or per diem. This is really a $5,000 raise. Mr. Schu asked what happens to the salaries if there is a change? Mr. Baker replied we can always come back and reconfigure the salaries. This request is budget neutral this year as we have not filled some positions. This amount of money is less than hiring an Assistant District Attorney.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO PAY STIPENDS, NOT TO EXCEED $45,000 TO PAY FOR NINE ATTORNEYS, INCLUDING THE DISTRICT ATTORNEY, WHO WILL BE ROTATING CAP COVERAGE, SAID AMOUNT TO BE PRORATED BASED UPON THE ACTUAL START OF CAP MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Van Etten asked if you hired attorneys to cover CAP, how many would you need? Mr. Baker replied that would require 1.6 attorneys; 1.4 to cover CAP and 1/5 to cover the preliminary hearing piece. It is better to do this with a stipend rather than trying to find a part-time Assistant District Attorney who would be willing to work nights, weekends and holidays to cover off-hour arraignments.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 3-0.

D. Elections

1. Update on Early Voting – Mrs. Olin stated they wanted to provide an update to the committee on early voting, but we do not know a lot at this point. There was a State Board of Elections meeting in January and there was disagreement as to whether they need to provide the county Boards of Election with a policy. We have to provide to the State Board, by May 1, 2019, our entire plan for early voting. They have said if they do not like what we propose, they will tell us no. Hopefully we can get more clarification at our next State Board meeting.

Mrs. Olin stated early voting will be held 10 days before the election. This year we only have one election, but next year we will have the Presidential, State/Federal and Local elections. She stated they have invited the Legislators to a mock early voting at their office on March 25th following the Legislative Meeting. This will give us all an opportunity to see what it will look like and give us a better handle on the information we have now.

Mrs. Olin stated right now it looks like we will be using paper poll books, paper ballots and the machines we currently have. We will be able to put 20 districts on a machine. It takes about 1.5 – 2 hours to get the machine started up in order to download all 20 districts on it. We do not know what kind of turnout we will have for early voting or how much backlog to expect if we use one machine. Additionally, we do not know if they will require
separate poll books for early voting and then if we will have to reprint without those that participated in early voting.

Mr. Van Etten asked why not use the same poll book? Mrs. Olin replied that is our thought process, but right now every County is trying to figure it all out. She is praying that we can use the same books. Otherwise, we will be doing a voter history with less than 24 hours to do that. There will be a very short window as we will have from 2:30 p.m. Sunday to 7:30 a.m. Monday to have everything ready to go out Monday. There has been some discussion about using electronic poll books, but the State would have to certify them.

Mrs. Ferratella asked is your State Association working with the counties to come up with a plan? Mrs. Olin replied a lot of counties are working together by region. There are 40 counties that will need one poll site and that is huge for us as we only are required to have one site. Monroe County will be required to have seven sites and they have only been able to find one site so far. As part of this, you have to find a site that will allow you to come in for ten days.

Mr. Van Etten commented we have a conflict with the Land Bank meeting which will be held on the same day at 11:00 a.m. to review our audit. He does not know how long that will take, but wanted to be able to attend the mock early voting. Ms. Penziul stated we can push back the time if needed.

Mr. Van Etten stated he also saw an email that announced there is now a reduction in the required number of signatures on a petition. Is this a given, or just a proposal? Mrs. Olin replied she is pretty sure the Governor will sign it as it has passed both houses. Mr. Van Etten asked why are they doing this? Mrs. Olin replied she believes it is due to the fast turnaround. Typically when you are getting signatures it is in June when there are parades, BBQ’s and other events where you are able to circulate your petitions. With the changes with early voting, now you have to circulate your petitions in March and there are typically not as many public functions occurring. However, this reduction is only for this year. This will not be continued unless they decide to make it permanent.

Mrs. Olin stated another change is now you can transfer your registration through the State. So, if you move from Monroe County to Steuben County, you sign an affidavit at the time of voting. We have to figure out if you are registered somewhere else throughout the State. We will have to figure out how to make sure people are not double voting. She stated that she hopes you all can come to our office after the March Legislative Meeting.

E. County Manager

1. Continuity of Government Local Law – Mr. Wheeler commented this is something that Ms. Mori spearheaded in the course of doing her codification of local laws. This local law is codifying the order of succession for any purpose, but specifically for emergency purposes. This clears up and formalizes what we actually do.


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 MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.
MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

Tuesday, March 12, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, March 6, 2019
**MINUTES**

COMMITTEE: Brian C. Schu, Chair  
Scott J. Van Etten, Vice Chair  
Carol A. Ferratella  
Robin K. Lattimer

STAFF: Jack K. Wheeler  
Amy Dlugos  
Brenda Aston  
Tim Marshall  
Hank Chapman  
Scott Sprague  
Brenda Mori  
Andy Morse  
Jennifer DeMonstoy  
Jennifer Prossick  
Rob Wolverton  
Cody Ryan  
Nate Alderman  
Wendy Jordan  
Judy Hunter  
Sue Cranmer

LEGISLATORS: Kelly H. Fitzpatrick  
John V. Malter  
Robert V. Nichols  
Frederick G. Potter  
Gary B. Roush

ABSENT: Hilda T. Lando

OTHERS: Alison Hunt  
Mary Perham

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. DEPARTMENT REQUESTS

A. Risk Manager
   1. Renewal of Contract for Drug/Alcohol Testing Program – Mr. Sprague informed the committee they have a contract with Occustar/Occustar Workplace Compliance for the County’s drug/alcohol testing program. They administer the program for us and have for a number of years. Occustar provides random testing for our CDL holders as well as all of the municipalities, with the exception of two. This contract also includes pre-employment and post-accident testing. The annual amount is approximately $18,000 although less than $7,000 is for Steuben County. Mr. Sprague requested authorization to renew the contract for one year. After this renewal, he would like to do an RFP to see what other providers there are.

   MOTION: AUTHORIZING THE RISK MANAGER TO RENEW THE CONTRACT WITH OCCUSTAR/OCCUSTAR WORKPLACE COMPLIANCE FOR THE COUNTY’S DRUG/ALCOHOL TESTING PROGRAM MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER FOR DISCUSSION.

   Mr. Van Etten asked what will happen if the State legalizes marijuana? Mr. Sprague replied that could create some issues. Mr. Wheeler commented the requirements for CDL holders are regulated by the Federal Government. For drug testing for employees without a CDL, if they test positive, then that could be a gray area.

   VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.
2. **Insurance Waiver** – Mr. Sprague requested authorization to waive the insurance requirements for the Hornell Area Chamber of Commerce. Since their contract is over $10,000, this requires the committee’s approval.

**MOTION:** WAIVING THE INSURANCE REQUIREMENTS FOR THE HORNELL HORNELL AREA CHAMBER OF COMMERCE MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

*Secretary’s Note: During the meeting, Mr. Sprague misspoke and stated the insurance waiver was for the Hornell Area Concern for Youth. The waiver is actually for the Hornell Area Chamber of Commerce as they receive a room tax allocation in the amount of $15,000.*

B. **Purchasing**

1. **Authorization to Bid Polyethylene Bags and Custodial Paper Products** – Mr. Morse requested authorization to bid the polyethylene bags and custodial paper products.

**MOTION:** AUTHORIZING THE PURCHASING DIRECTOR TO SOLICIT BIDS FOR POLYETHYLENE BAGS AND CUSTODIAL PAPER PRODUCTS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Contract Renewal** – Mr. Morse requested authorization to renew the contract with GST BOCES for printing services. Last year we spent $12,000.

**MOTION:** AUTHORIZING THE PURCHASING DIRECTOR TO RENEW THE CONTRACT WITH GST BOCES FOR PRINTING SERVICES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. **Information Technology**

1. **Deputy Director** – Mr. Wolverton introduced the new Deputy Director, Cody Ryan.

2. **Approval to Issue RFP for Internet Services** – Mr. Wolverton requested authorization to issue an RFP for internet services for the County Office Building. We are in year two of a five year contract, but our bandwidth is 20 megabits x 20 megabits. He would like to get the bandwidth expanded to 100 megabits up to 1 gigabyte and would like to put out an RFP to see what comes back. We have been having problems with our current bandwidth with online trainings and now will need more with the new timekeeping system.

Mr. Wheeler stated we had talked about increasing the speed with the current contract through Empire, but we will need to bid this out. Mr. Wolverton stated we have a contract with Empire for the County Office Building and one with Finger Lakes Technology Group for 15 megabits at the Public Safety Building.

**MOTION:** AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR INTERNET SERVICES FOR THE COUNTY OFFICE BUILDING MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. **Personnel**

1. **Reclassification and Transfer** – Emergency Management Office – Mr. Alderman requested authorization to reclassify and transfer one zero-based Landfill Recycling Manager Position, Grade XIII from the Public Works Department, to one Radio Technician Position, Grade XII in the Emergency Management Office.

Mr. Marshall explained our Radio Technician, Fred Marvin, will be retiring at the end of the year and this is a critical position. Our intent is to get someone in to train prior to Mr. Marvin’s retirement and then we will not backfill that vacant position.
MOTION: AUTHORIZING THE RECLASSIFICATION AND TRANSFER OF ONE ZERO-BASED LANDFILL RECYCLING MANAGER POSITION, GRADE XIII FROM THE PUBLIC WORKS DEPARTMENT TO ONE RADIO TECHNICIAN POSITION, GRADE XII IN THE EMERGENCY MANAGEMENT OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. Reclassification – Public Defender – Mr. Alderman requested authorization to reclassify one Part-Time Assistant Conflict Defender Position, Management Grade E to one Full-Time Assistant Conflict Defender Position, Management Grade E. Mr. Wheeler explained we applied for an amendment to a grant that called for the hiring of an additional part-time conflict defender to create a full-time position which will actually be cheaper.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE PART-TIME ASSISTANT CONFLICT DEFENDER POSITION, MANAGEMENT GRADE E TO ONE FULL-TIME ASSISTANT CONFLICT DEFENDER POSITION, MANAGEMENT GRADE E MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. Reclassification – Office of Community Services – Mr. Alderman requested authorization to reclassify one zero-based Staff Social Worker Position, Grade XV to one Alcohol & Substance Abuse Counselor, Grade XIII. Dr. Chapman explained we originally had funded this position with local dollars, but they recently received notification that the State will be providing us with $60,000 to help fund this position.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE ZERO-BASED STAFF SOCIAL WORKER POSITION, GRADE XV TO ONE ALCOHOL & SUBSTANCE ABUSE COUNSELOR, GRADE XIII IN THE OFFICE OF COMMUNITY SERVICES MADE BY MS. LATTIMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Van Etten commented after last week’s meetings, a couple of Legislators said to him that it seems like we are adding a lot of people over time. He stated that he does not feel like we are adding positions that are not very well justified or explained. We have needed the positions to either meet State requirements or due to retirements. Could we get a summary list of the positions that we have added over the past couple of years? Mr. Wheeler asked do you want that break down per year? Mr. Van Etten replied yes.

Mr. Wheeler explained our vacancies are up right now. We track those by month and we are currently at 89. From that standpoint, we are always in flux. Mr. Van Etten stated it would just be helpful to see the numbers year over year and to look to see if we are incrementally up and the reasons why. There is the feeling with some Legislators that we are just back to adding jobs.

Mr. Wheeler stated 2019 is the first year in about ten that we actually added net positions. The actual number of bodies is always in flux. We have done a significant amount of reclassifications. Mr. Swackhamer stated he would also like to see the upgrade costs. Last year we were almost at $500,000. Mr. Wheeler explained a lot of that cost was due to adding the Sheriff’s positions; they were incremental positions. Mr. Swackhamer stated the cost of upgrading positions affects us as much as the number of people. Mr. Wheeler stated there have been a number of times when we upgraded positions but did not backfill. We will work on getting that report to you.

Mr. Malter asked for a statement of where we were two years ago versus today. Mrs. Ferratella stated she would also like to have the report show which positions were the result of a State mandate. Mr. Wheeler stated he would include that as well.

E. County Manager

1. Memorializing Resolution Re: AIM Funding – Mr. Wheeler requested the Legislature adopt a resolution memorializing the Governor and the State Legislature in opposition to the proposed and amended 2020 Executive State Budget impacting AIM funding. The proposal will result in a $250,000 cost to us. The Senate
and Assembly have both indicated they are not in favor. He commented most counties are adopting resolutions opposing this.

MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE IN OPPOSITION TO THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AIM FUNDING MADE BY MR. VAN ETTEEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

MOTION: ADJOURNING 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 MR. VAN ETTEEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: APPROVING A $10,000 STIPEND FOR AMY DLUGOS, PLANNING DIRECTOR, TO ACT AS DEPUTY COUNTY MANAGER MADE BY MS. LATTIMER. SECONDED BY MR. VAN ETTEEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 13, 2019, MEETING MADE BY MR. VAN ETTEEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Tuesday, April 9, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, April 3, 2019
**MINUTES**

**COMMITTEE:** Brian C. Schu, Chair  
Scott J. Van Etten, Vice Chair  
Carol A. Ferratella  
Hilda T. Lando  
Robin K. Lattimer

**STAFF:**  
Jack K. Wheeler  
Amy Dlugos  
Pat Donnelly  
Judy Hunter  
Sue Cranmer  
Jim Allard  
Wendy Jordan  
Cody Ryan  
Andy Morse  
Craig Patrick  
Jennifer Prossick  
Tammy Hurd-Harvey  
Tim Marshall

**LEGISLATORS:**  
Joseph J. Hauryski  
Kelly H. Fitzpatrick  
K. Michael Hanna  
John V. Malter  
Robert V. Nichols  
Frederick G. Potter

**OTHERS:**  
Alison Hunt

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 MARCH 12, 2019, MEETING MADE BY MRS. LANDO, SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. **DEPARTMENT REQUESTS**

A. **Purchasing**

1. **Award Polyethylene Bag Bid** – Mr. Morse recommended awarding the bid for polyethylene bags to the low bidder, Interboro for low-density bags, and Economy for high-density bags.

**MOTION:** AWARDED THE BID FOR POLYETHYLENE BAGS TO THE LOW BIDDERS AS FOLLOWS: LOW-DENSITY BAGS TO INTERBORO AND HIGH-DENSITY BAGS TO ECONOMY MADE BY MR. VAN ETTE, SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Award Custodial Paper Products Bid** – Mr. Morse stated that he will present the bids for custodial paper products at the May meeting. They requested samples from the bidders and are still awaiting some samples.

3. **Contract Renewal – Auctioneering Services** – Mr. Morse requested authorization to renew the contract with Pirrung Auctioneers for the Annual Surplus Auction. This the final year of a four-year contract. All of the terms and conditions remain the same; with a 10 percent buyer’s premium.

**MOTION:** AUTHORIZING THE PURCHASING DIRECTOR TO RENEW THE CONTRACT WITH PIRRUNG AUCTIONEERS FOR THE ANNUAL COUNTY SURPLUS AUCTION UNDER THE SAME TERMS AND CONDITIONS MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
B. Commissioner of Finance
   1. Property Tax Foreclosure Abstractor RFP – Mrs. Hurd-Harvey stated their Title Searcher, Cindy Smith, will be retiring at the end of the year and they put out a request for proposals for a property tax foreclosure abstractor. They received two proposals; Independent Title out of Syracuse and Corning Abstracts out of Horseheads. Both do county foreclosures and both contract with Phillips Lytle. Independent Title’s rate is $110.00 per search and Corning Abstract is $100 per search. She recommended awarding to both. The plan is to contract with each for one year and they will split the number of parcels between the two and see how it goes.

   MOTION: AWARDING THE RFP FOR PROPERTY TAX FORECLOSURE ABSTRACTOR TO THE FOLLOWING: INDEPENDENT TITLE FOR $110.00 PER SEARCH AND CORNING ABSTRACT FOR $100.00 PER SEARCH AND ENTERING INTO A CONTRACT WITH EACH FOR A TERM OF ONE YEAR MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Real Property Tax Service Agency
   1. County Assessing – Mr. Hauryski stated he had put this topic on his to-do list quite some time ago. Back when he first started on the Board, we paid $25,000 for a study, which was very informational. There was a presentation to the Full Board and then it sat on a shelf and nothing ever came of it. He stated he is not afraid to tackle this issue and it is long overdue to look at it. He has his own recommendation that he will propose, but he will leave the decision to the committee. He formed the Ad Hoc Municipal Coordination Committee, which is chaired by Mrs. Ferratella.

   Mrs. Ferratella stated the committee is made up of staff consisting of Mr. Wheeler, Ms. Jordan and Ms. Edwards. We also have assessors; Katherine Gabrielle, Laura Snow and Rhonda Darling, representing various areas of the County. In addition, we also have Rae Ann Engler who represents the NYS Office of Real Property Tax Services.

   Mr. Hauryski stated this ad hoc committee has had about four meetings and have really dug into this in great depth. In the materials you were emailed, one of the towns on the list has never even seen a reval and he questions why. All of the towns face this issue. He is asking this committee to take a look at this and move toward getting the County to a fair system and not having so much discrepancy. Mr. Hauryski commented his recommendation would be to do the referendum for countywide assessing. Under our Charter, a referendum now requires the majority of the two cities and the majority of the towns to carry. He will leave this to the committee to decide. His main concern is that he wants this done right.

   Mr. Malter asked if we do a referendum and it passes, does that obligate the County to install an assessing department? Mr. Hauryski replied he thinks that the referendum would be designed to give us an effective date down the road as we would not be able to do this in a matter of months. He is talking at least a year out. Mr. Malter stated so the only thing we could do is put in a timeframe? Mr. Wheeler replied yes.

   Ms. Jordan explained we did a lot of analysis of the pros and cons of both countywide assessing through a mandatory referendum and shared services with one or more municipalities using 1537 agreements. One of the issues we have is the inequity with assessing and the standardization of how assessing is done. One of the pros of countywide assessing is you would have uniformity in the way it is done. Additionally, an assessor would be available full-time during regular office hours and all of the towns would be at 100 percent equalization. Being at 100 percent equalization would provide a clearer understanding for the property owners. Ms. Jordan stated the cons of a referendum for countywide assessing would be that some of the towns would not buy into it and that could create some divisions. We currently have quite a few qualified assessors, but there would be the potential of losing them.

   Ms. Jordan stated the pro of shared services via 1537 agreements is that we do have some towns that would be agreeable to this and would sign on. Mr. Malter asked how many towns would be interested? Ms. Jordan replied we have quite a few. Ms. Lattimer commented when she was reading the minutes, she had a hard time summarizing the survey. She asked Ms. Jordan to give the committee a summary of that survey. Ms. Jordan
stated a lot of the hesitation is not knowing the cost and there are a lot of details that we cannot provide at this time. Mr. Wheeler stated some of the towns said they were not interested, but many indicated they would be interested depending upon the cost. The City of Corning, and Towns of Campbell and Thurston are more willing to discuss, as long as their costs are not increasing. If you opt to do this with shared services, we would have to find the right mix of municipalities and parcel counts so that the County does not absorb a tremendous amount of risk.

Ms. Jordan commented the appointed assessors terms are coming up at the end of September. Mr. Wheeler stated this is a good time to talk about this. If you opted to do a referendum, you could interrupt the terms. If you go with shared services, now is the time to do this with assessor appointments coming up and with a few retirements.

Mrs. Lando asked can you start out doing with shared services and then move toward countywide assessing? Mr. Wheeler replied two counties, Tompkins and Nassau, do full countywide assessing through a referendum. There are a number of other counties that are looking at it. Cattaraugus is doing a little at a time through shared services, however, to Chairman Hauryski’s point, this does not solve the revaluation issue. One of the cons of having 1537 agreements is that you cannot force revals, but you can incentivize the towns and make it easier for them to do revals. Without a countywide assessing referendum, you cannot force them to do the revals.

Ms. Lattimer stated with the 1537 agreements, she worries about how easy it would be for the municipalities to jump out after going through the process of adding staff. Mr. Wheeler replied there is risk on both sides as we could also jump out. The agreements are not set in stone and there is risk.

Mr. Malter commented the last time a reval was done countywide was in the 1980’s. Mr. Wheeler stated his understanding is that the towns did not have to accept the reval. Mr. Potter replied that is correct; some of the towns did not take the full 100 percent.

Ms. Fitzpatrick asked for those towns that answered no to the survey, did they indicate their reasons? Ms. Jordan replied they are either happy with how things are, or they have elected assessors. Mr. Van Etten commented there is a problem with the elected assessors and we fought that battle in Caton. Many of the towns with three-person assessing boards do not realize that when they cycle out, they will not be able to find anyone to fill the vacancy, and then it will be an issue. Mr. Wheeler stated that is what is happening in Cattaraugus.

Mr. Van Etten stated when he was looking through the presentation materials, he noticed the average cost was $15 - $18 per parcel. Why is the cost for Corning $20 per parcel? Mr. Wheeler replied their assessor is an employee and they also have a lot of commercial properties in Corning.

Mr. Malter asked with regard to the grievance board, there would be one for the entire County? Would that be centrally located or regional? Mrs. Ferratella replied the committee had talked about regional. Mr. Malter asked what would be the makeup of the grievance board? Mr. Wheeler replied assessors and people in the town hall. His concern is with the tax certioraris. Under this, we would be in charge of those and that is a lot of litigation. Mr. Van Etten asked would the towns pay the court costs? Mr. Wheeler replied you could set up a chargeback structure. Mr. Donnelly explained right now the towns pay their own defense costs. They can apply to the County to participate in that.

Ms. Lattimer stated with the initiation of a countywide assessing project and having one grievance board or regional grievance board, for those towns not doing a reval, it would be a real problem. She doesn’t know how one grievance board would handle the amount of feedback. Are some of the counties doing revals on a regular basis? Mr. Wheeler replied the objective is to encourage the ones who are very far off to conduct revals and get those towns not at full value up to 100 percent equalization.

Mr. Malter asked do we already have a database? Mr. Wheeler replied yes, all of the assessors are using the same software. Mr. Van Etten commented the issue from the beginning was that one town could stop a referendum. Now with the charter, it would be worth floating it as a referendum. If it doesn’t pass, then we could certainly do
the 1537 agreements. He stated he found it interesting that Erwin was a no. Ms. Jordan stated Erwin is happy with their assessor and she is in the office every day.

Mr. Malter asked would some of the current assessors be offered positions? Mr. Wheeler replied they would need to take a Civil Service test, but theoretically he would hope for that. Mrs. Lando asked do we really need upwards of eight staff for countywide assessing? Mr. Wheeler replied yes.

Mrs. Ferratella commented one of the challenges is we need to communicate the benefits of this to the residents and the municipalities. Mr. Van Etten stated he agrees, but he has sat through enough meetings where they have been trying to explain something like this and it is difficult.

Mr. Malter asked if we go with the 1537 agreements and start the process, how many staff would we need? Mr. Wheeler stated he modeled out some barebones figures. We would need to find the right municipalities to commit based on parcel counts in order to find a savings to all. Mr. Van Etten commented Option #2 seemed the most likely if we go with the 1537 agreements. Mr. Wheeler stated that is why if you opt to go this route, or the referendum, we need to start the education and start the legal work. With the 1537 agreements, we need to get firm commitments from the interested municipalities by an effective date.

Mr. Malter asked if we do this, do we have room for the additional staff and are we prepared for that? Mr. Wheeler replied we will find a way to make it work. We do not have a lot of space, so it would be an impediment but not insurmountable. Mr. Van Etten commented with the 1537 agreements, the majority of their time would be spent at the municipalities. Ms. Lattimer commented there will be a lot of data collection. Mr. Wheeler stated staff would be on the road a lot. Mr. Jordan stated with the other counties, they do have a presence at the town level.

Mr. Van Etten asked if we do countywide assessing. Does the State provide any funding? Mr. Wheeler replied he has put a little of this in the shared services plan. Ms. Engler has indicated that monetary support for revals is dwindling and he thinks that our expectation should be that there would be no funding. There is money available, but the Governor wants the villages to consolidate with the towns, not a consolidation of one service.

Chairman Hauryski stated that they would hold a Chairmen’s Meeting prior to the Legislative Meeting to continue discussion on Countywide assessing.

Secretary’s Note: Chairmen’s Meeting to be scheduled for Monday, April 22, 2019, at 8:30 a.m. for continued discussion of Countywide assessing.

D. Personnel

1. Sheriff’s Office – Reclassification – Mr. Wheeler stated they are requesting the reclassification of one (1) vacant Deputy Sheriff Sergeant position, Grade XIII to one (1) Senior Criminal Investigator, Grade XIV. This effectuates the settlement the Legislature agreed to.

MOTION: RECLASSIFYING ONE (1) VACANT DEPUTY SHERIFF SERGEANT POSITION, GRADE XIII TO ONE (1) SENIOR CRIMINAL INVESTIGATOR POSITION, GRADE XIV IN THE SHERIFF’S OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. County Manager

1. Position Reclassification – Mr. Wheeler reviewed the spreadsheet showing the position reclassifications that have been done since 2017. Mr. Van Etten commented this is very informative and helpful. Mr. Wheeler stated while we are adding positions and cost, he outlined on the spreadsheet those positions that have been mandated. Mr. Swackhamer asked what is your best guess on the amount of State reimbursement we are getting for positions? Mr. Wheeler replied we average about 55 percent reimbursement for the Social Services
positions. The positions for Raise the Age and Hurrell-Harring are 100 percent reimbursed and we will be billing for those.

2. **Promotional Video** – Mr. Wheeler stated a couple of months ago he had presented a proposal he had received from a company offering to do a free promotional video of the County. He has had a number of meetings with Mrs. Dlugos, Mr. Costello from the Conference & Visitors’ Bureau, and Mr. Johnson from the Industrial Development Agency. We are suggesting that if we split the cost, we could do our own video and host it for $3,000 per participant. We would then be able to control everything and have the content we want. Both Mr. Johnson and Mr. Costello were concerned about a company reaching out to our businesses and tourism partners on our behalf. The recommendation from our group is to pass on the free offer and explore us hosting and controlling our own video. We have a lot of drone footage of the County that we could use. There would be no advertising. Mr. Wheeler stated no action is needed by the committee.

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. VAN ETTERN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. VAN ET TEN. 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, May 14, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, May 1, 2019.
**MINUTES**

COMMITTEE: Brian C. Schu, Chair, Carol A. Ferratella, Joseph J. Haurski, Hilda T. Lando
Robin K. Lattimer, Joseph J. Haurski

STAFF: Jack K. Wheeler, Amy Dlugos, Tim Marshall
Scott Sprague, Kathy Muller, Brenda Mori
Vicki Olin, Jennifer Prossick, James Allard
Andy Morse, Sue Cranmer, Wendy Jordan
Jennifer DeMonstoy, Brooks Baker, Nate Alderman
Judy Hunter, Craig Patrick

ABSENT: Scott J. Van Etten, Vice Chair

LEGISLATORS: Kelly H. Fitzpatrick, John V. Malter, Frederick G. Potter
Gary D. Swackhamer

OTHERS: James Post, The Leader
Mary Perham

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 9, 2019, MEETING MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Risk Manager

1. Renewal of Drug and Alcohol Testing Program Agreements – Mr. Sprague requested authorization to renew the contracts with the municipalities for the drug and alcohol testing program. These are typically renewed every five years. The only change is that we more clearly spelled out the pricing for various tests. Drug and alcohol testing is mandatory for individuals holding CDL licenses as well as post-accident.

MOTION: AUTHORIZING THE RISK MANAGER TO RENEW, FOR FIVE YEARS, THE INTER-MUNICIPAL AGREEMENTS WITH THE MUNICIPALITIES FOR THE DRUG AND ALCOHOL TESTING PROGRAM MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

B. Law Department

1. Barclay Damon Retainer – Ms. Prossick informed the committee that Barclay Damon will be pulling out of Elmira, however, Attorney Brian Maggs will be continuing on his own with an associate. The question is what to do with all of the torts that we have with Barclay Damon. Mr. Maggs has indicated that he
will be able to handle those cases or we can continue to let Barclay Damon handle them out of their Syracuse office.

Mr. Schu asked did Mr. Maggs handle a lot of those cases? Ms. Prossick replied he handled some of them. She commented Barclay Damon does not traditionally do this type of work. Most of the matters we had were 1983 Federal actions that were handled in Rochester. An additional option would be to go with someone else that we already have on retainer. She commented that Underberg & Kessler is out of Rochester and has handled issues relative to the Jail for us. Ms. Prossick stated she thinks a mix of the above options would be most appropriate. Several of the torts are at a stage of monitoring and she would look to take those back. There are a number of cases that are further along and it would make sense to have Mr. Maggs retain those. We do also have one or two brand new Federal actions and it may make sense to send those up to the Underberg & Kessler firm in Rochester.

Mr. Schu commented this has always been done on an ad hoc basis and left to the discretion of the Law Department. Mr. Hauryaski commented he is not in favor of transferring all of the cases to Mr. Maggs. He asked how many cases are there? Ms. Prossick replied there are 11 total cases; she would propose that 5 remain with Mr. Maggs, 3 would be returned to the Law Department and the remaining 3 would be sent to Underberg & Kessler.

MOTION: AUTHORIZING THE LAW DEPARTMENT TO ASSIGN CERTAIN TORT CLAIMS FROM BARCLAY DAMON TO BRIAN MAGGS, ESQ. AND AUTHORIZING THE ASSIGNMENT OF THE REMAINING TORT CLAIMS WITH BARCLAY DAMON TO BE AT THE DISCRETION OF THE LAW DEPARTMENT MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

2. Ratification of Amicus Brief Regarding 2020 Census – Ms. Prossick explained that she, Mr. Hauryaski and Mr. Wheeler were included in a letter for a pro-bono matter; a friend of the court brief with the Supreme Court regarding one of the census questions for 2020. The question is “Are you a citizen?” Two lower courts have ruled that this question is inappropriate. The brief we were presented with focuses solely on what that question would do to the State’s federal funding. There is over $900 billion in federal funds distributed based on the census results. Studies have demonstrated that New York State would stand to lose hundreds of millions of dollars if that question was left in; in particular funding for education. Ms. Prossick stated she has read the brief and we agreed to sign on. There are 190 bipartisan counties, cities, etc. that have signed on. She is asking for ratification of the decision that she, Mr. Hauryaski and Mr. Wheeler made to join. Mr. Wheeler stated the concern is that people will just not answer that question and then we will lose federal funds.

MOTION: RATIFYING THE ACTION TAKEN BY THE COUNTY ATTORNEY, THE COUNTY MANAGER AND THE CHAIRMAN OF THE LEGISLATURE TO JOIN THE AMICUS BRIEF RELATIVE TO THE 2020 CENSUS MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE) Resolution Required.

C. Real Property Tax Service Agency

1. Tax Certiorari – Mrs. Jordan informed the committee that the County has been asked to participate in two tax certiorari’s in the Town of Erwin. She requested authorization to participate in both, at a combined cost not to exceed $4,300.

MOTION: AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO PARTICIPATE IN TWO TAX CERTIORARIS IN THE TOWN OF ERWIN, NOT TO EXCEED $4,300 MADE BY MR. HAURYSKI. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

2. County Assessing – Mrs. Jordan stated today she is looking for recommendation regarding county assessing options. Last month it seemed as though the general consensus was moving forward with 1537 agreements.
MOTION: AUTHORIZING THE COUNTY MANAGER AND REAL PROPERTY TAX DIRECTOR TO PROCEED WITH THE IMPLEMENTATION OF 1537 AGREEMENTS WITH MUNICIPALITIES INTERESTED IN SHARED COUNTY ASSESSING SERVICES MADE BY MR. HAURYSKI. SECONDED BY MRS. LANDO FOR DISCUSSION.

Mr. Wheeler stated since the last discussion, we have been working to try to model out which municipalities have expressed interest. Once we have direction, for next month we will be getting down the road of authorizing 1537 agreements with a list of municipalities for staffing and then authorizing the creation of one or two Assessor positions. Mrs. Ferratella commented there were two very viable scenarios presented.

Ms. Lattimer stated last evening she attended the Bath Town Board meeting and the Town is saying no at this point, but you never know what will happen in the future. She stated she tried to convey to the Bath Town Board that the County is trying to offer assistance for data collection, etc.

Mr. Haurykski asked what about Corning? Mr. Wheeler replied their assessor is retiring in October and they are going through the recruitment process. We are having active discussions with the City Manager. If we can show savings, we have a number of municipalities that are willing to look at this. Mrs. Jordan commented some of the municipalities have given feedback that the cost savings now are good, but what about the future? They are unwilling to commit. Ms. Lattimer stated the municipalities have the option to pull out. Mrs. Ferratella stated there are not a lot of assessors available and they are difficult to recruit. Discussion followed.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

Mrs. Ferratella asked has there been any feedback on the Data Collection position? Mrs. Jordan replied from the assessors, they are all very pleased. Mrs. Ferratella commented some towns did not sign on for the Data Collector and we could go back and provide them with this feedback.

Mrs. Lando asked what happens now? Mr. Wheeler replied next month we will firm up the list of municipalities that are willing to do 1537 agreement and start the process for creating the Assessor position. At the next meeting, we will ask you for authorization to enter into the 1537 agreements with municipalities.

Mr. Malter asked will this be effective immediately or in 2020? Mr. Wheeler replied it might be effective by the end of the year. Mrs. Jordan stated the appointed assessors will be up for reappointment at the end of September. Mr. Wheeler stated this would not go into effect immediately.

D. County Clerk
   1. Semi-Annual Mortgage Tax Distribution – Mrs. Hunter informed the committee that total collections for the period October – May are $505,902.96.

MOTION: APPROVING AND ACCEPTING THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION AS PRESENTED MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE) Resolution Required.

E. Purchasing
   1. Award Custodial Paper Products Bid – Mr. Morse recommended awarding the bid for Custodial Paper Products on a line item basis to Central Poly, Economy, Sanico and United.

MOTION: AWARDBING THE BID FOR CUSTODIAL PAPER PRODUCTS ON A LINE ITEM BASIS TO THE FOLLOWING BIDDERS: CENTRAL POLY, ECONOMY, SANICO AND UNITED MADE BY MS. LATTIMER, SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)
2. **Award Quarterly Copy Paper Bid** – Mr. Morse recommended awarding the quarterly copy paper bid to the low bidder, W.B. Mason for $29.17 per case.

   **MOTION:** AWARDING THE QUARTERLY COPY PAPER BID TO THE LOW BIDDER, W.B. MASON AT $29.17 PER CASE MADE BY MS. LATTIMER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

3. **Copy Paper Bid** – Mr. Morse requested authorization to issue a new bid for quarterly copy paper.

   **MOTION:** AUTHORIZING THE PURCHASING DIRECTOR TO SOLICIT BIDS FOR COPY PAPER MADE BY MS. LATTIMER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

4. **Annual Surplus Auction** – Mr. Morse requested authorization to set the date of the annual surplus auction for Thursday, September 26, 2019.

   **MOTION:** SETTING THE DATE OF THE ANNUAL SURPLUS AUCTION FOR THURSDAY, SEPTEMBER 26, 2019 MADE BY MR. HAURYSKI. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

**F. Information Technology**

1. **RFP for Internet Service Provider** – Mr. Wheeler requested authorization to reject and reissue the RFP for Internet Service Provider. In the original RFP we had only referenced a single provider and one site here, but we also have the redundancy at the Public Safety Building.

   **MOTION:** REJECTING THE RFP FOR INTERNET SERVICE PROVIDER AND AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A NEW RFP FOR INTERNET SERVICE PROVIDER MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

2. **FY2018 Cyber Security Grant Program** – Mr. Wheeler requested authorization to apply for the FY2018 Cyber Security Grant Program. This grant, if awarded, would provide up to $50,000 for cyber security for upgrading the County’s firewall.

   **MOTION:** AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO APPLY FOR A $50,000 FY2018 CYBER SECURITY GRANT MADE BY MR. HAURYSKI. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

**G. Elections**

1. **Early Voting Sites and State Reimbursement** – Mrs. Olin informed the committee that early voting is an unfunded State mandate. We are currently on year 10 or 11 of the voting machines which had a life expectancy of five years. One of the machines is certified and one is still in the process of certification. The NYS Board of Elections has two sources of funding available; the first is $14 million and the second is $10 million. Mrs. Olin explained how this funding would be distributed. There is $15,000 available for every early voting site, up to seven, that a county can use to cover the cost of poll books, on-demand printing, etc. We are required by law to have one early voting site. She stated one thing she was concerned with is that depending on what we decide to do this year will dictate how much money we get going forward. Next year we have three elections. She stated if you decide later to open two additional early voting sites, you will lose the opportunity for this funding. We already had to file the paperwork for one site by May 1st. Whatever we decide to do, this is it and
how it will get funded. We have until the end of May to decide on the number of early voting sites. Mrs. Olin stated the money that is left over is going to be disbursed based upon the number of registered votes in the county. It averages out to between $.50 - $.60 per voter, depending on what they have for registered poll sites.

Mr. Schu stated if we do three early voting sites, we will get $45,000. What does it cost to do this? Mrs. Olin replied it depends on whether we are looking at going with electronic poll books. Mr. Hauryski asked what is the cost for the electronic poll book? Mrs. Olin replied an estimate from one of the vendors came in at $130,000. Ms. Lattimer asked if we do just one early voting site then we would not need an electronic poll book? Mrs. Olin replied correct. Ms. Lattimer stated but if there is push back from the voters and then we decide to go to three early voting sites the following year, the cost for those would be on us.

Mrs. Lando commented she has never been a fan of early voting. Mr. Wheeler commented in the grand scheme of things, $15,000 is not a lot of funding, if you stick with one early voting site. Ms. Lattimer commented she thinks we should go with the one site. We do not know how much it is going to be used. This is a huge cost to the county if only a couple hundred voters come in.

Mrs. Olin explained early voting has to be done ten days before the election, but there is nine days of voting. If you are going with paper ballots we have to have all of the voter history for early voting in the system on Sunday and then pick everything up for use two days later for the regular voting. We will be using the same polling books and ballot books. At the end of every early voting day, we will have to do a ballot accounting. There will be a lot of additional hours for staff and overtime. We want to make sure that we still have good morale. Everything has to be ready to roll over at 7:30 a.m. on that Monday before Election Day.

Ms. Lattimer stated the bigger question is we really need to consolidate election districts. We have to be prepared to do it and come up with a plan. Mrs. Olin commented when we consolidate, it affects the parties and the committees.

**MOTION: AUTHORIZING THE DESIGNATION OF ONE EARLY VOTING SITE IN THE COUNTY MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (CHAIRMAN HAURSYKI VOTED AS MEMBER OF COMMITTEE)**

Ms. Lattimer asked how much are absentee ballots utilized? Mrs. Olin replied it depends on what is on the ballot. In a Presidential year, it is possible to have up to 3,000 absentee ballots on 60,000 voters. Right now you have to have a reason for an absentee ballot.

H. **Department of Social Services**
   1. **Salary Adjustment – Social Services Attorney** – Ms. Muller requested a salary adjustment for a Social Services Attorney. Currently they are paid at $66,027 and she would like to move them to $68,104, which is a difference of $2,077 over the midpoint. Mr. Wheeler explained this individual was offered a position in another department for midpoint salary and the Commissioner would like the employee to remain in Social Services. The Commissioner is allowed to hire up to the midpoint, but not adjust the salary midyear, without your approval.

**MOTION: AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO ADJUST THE SALARY OF A SOCIAL SERVICES ATTORNEY FROM $66,027 TO $68,104 MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)**

I. **Personnel**
   1. **Contract Renewal** – Mr. Alderman requested authorization to renew the contract, under the same terms and conditions, with Catalog & Commerce Solutions for their personnel software system.
MOTION: AUTHORIZING THE PERSONNEL OFFICER TO RENEW THE CONTRACT, UNDER THE SAME TERMS AND CONDITION, WITH CATALOG & COMMERCE SOLUTIONS FOR THEIR PERSONNEL SOFTWARE SYSTEM MADE BY MS. LATTIMER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

2. Amending the Management Salary Plan Relative to District Attorney’s Office – Mr. Alderman requested authorization to amend the Management Salary Plan relative to one Assistant District Attorney position, Grade E to one Senior Assistant District Attorney, Grade G.

Mr. Baker explained Amanda Chaffee has been in the office for eleven years and among other duties runs the Drug Court. He is in need of another Senior Assistant District Attorney to do more management tasks. He is requesting authorization to move Ms. Chaffee above midpoint as she has received a job offer from another county. He commented that she also receives a $5,000 stipend to do CAP (Counsel at Arraignment).

MOTION: AMENDING THE MANAGEMENT SALARY PLAN TO REFLECT A CHANGE OF ONE ASSISTANT DISTRICT ATTORNEY POSITION, GRADE E TO ONE SENIOR ASSISTANT DISTRICT ATTORNEY, GRADE G IN THE DISTRICT ATTORNEY’S OFFICE MADE BY MR. HAURYSKI. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE) Resolution Required.

3. Amending the Management Salary Plan Relative to Sheriff’s Office – Mr. Alderman requested authorization to amend the Management Salary Plan relative to the Nurse Practitioner in the Sheriff’s Office from a Grade F to a Grade G.

MOTION: AMENDING THE MANAGEMENT SALARY PLAN RELATIVE TO THE NURSE PRACTITIONER IN THE SHERIFF’S OFFICE FROM A GRADE F TO A GRADE G MADE BY MRS. FERRATELLA. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE) Resolution Required.

J. County Manager
   1. Deputy County Manager – Mr. Wheeler announced Christopher Brewer of Hornell has accepted the offer to serve as Deputy County Manager effective June 3, 2019. He requested a motion from the committee as recognition of this appointment.

MOTION: RECOGNIZING THE APPOINTMENT OF CHRISTOPHER BREWER AS DEPUTY COUNTY MANAGER EFFECTIVE JUNE 3, 2019 MADE BY MS. LATTIMER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mrs. Lando stated she would like to thank Mrs. Dlugos for the work she has done during this time.

Mr. Hauryski excused Mr. Wheeler, Ms. Mori, Ms. Prossick, Mr. Patrick and Mrs. Chapman from the 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 MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTED AS MEMBER OF COMMITTEE)
MOTION: DIRECTING THE PERSONNEL OFFICER TO MOVE FORWARD WITH NEGOTIATIONS TO ACCEPT THE PROPOSED AGREEMENT WITH STEUBEN COUNTY ATTORNEY, ALAN P. REED MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYKI VOTED AS MEMBER OF COMMITTEE)

MOTION: TO ADJOURN MADE BY MR. HAURYKI. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYKI VOTED AS MEMBER OF COMMITTEE)

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Tuesday, June 11, 2019
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 5, 2019.
I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Brewer to lead the Pledge of Allegiance. Mr. Schu stated that he would like to introduce and recognize the new Deputy County Manager, Christopher Brewer.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 14, 2019, MEETING MADE BY MRS. LANDO. SECONDED BY MR. VAN ET TEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Commissioner of Finance

1. Contract Renewal – Arthur J. Gallagher & Co. – Mrs. Hurd-Harvey requested authorization to renew their contract with Arthur J. Gallagher & Co. They are our benefits consultant. The original contract was for one year, with the option for four, one-year renewals. We are currently on the second year. Rather than continuing to do yearly renewals, she requested authorization to renew the contract for the remaining two years, expiring June 30, 2021. The annual rate is $50,000.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO RENEW THE CONTRACT WITH ARTHUR J. GALLAGHER & CO., BENEFITS CONSULTANT, FOR TWO YEARS, EXPIRING JUNE 30, 2021 AT AN ANNUAL RATE OF $50,000 MADE BY MR. VAN ET TEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Contract Renewal – Value Payment Services – Mrs. Hurd-Harvey informed the committee that they have a convenience fee payment processing service agreement with Value Payment Services, which also includes subcontracts with TTech for E-Checks and World Pay for credit card payments. There is no fee to the County, however, there is a charge to cardholders; 1 percent for personal debit cards, 2.45 percent for personal...
credit cards, 2.75 percent for business credit cards and $1.95 each for E-checks. She requested authorization to renew through July 31, 2022.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO RENEW THE CONTRACT WITH VALUE PAYMENT SERVICES, INCLUDING THE SUBCONTRACTS WITH TTECH AND WORLD PAY THROUGH JULY 31, 2022, WITH NO COST TO THE COUNTY MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. Budget Transfer – Mrs. Hurd-Harvey stated relative to the settlement of claim that the Legislature approved last month, she needs to do a couple of transfers. The first is to temporarily transfer $183,680 from the Salaries line item in the Law Department to Judgements and Claims. The second is to transfer a total of $283,680 from the Contingent Fund with $183,680 being appropriated into the Salaries line item in the Law Department and $100,000 being appropriated to Judgements and Claims to pay for a claim relative to the excavator accident.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER $183,680 FROM THE SALARIES LINE ITEM IN THE LAW DEPARTMENT BUDGET TO JUDGEMENTS AND CLAIMS; TO TRANSFER A TOTAL OF $283,680 FROM THE CONTINGENT FUND AND APPROPRIATE $183,680 TO THE SALARIES LINE ITEM WITHIN THE LAW DEPARTMENT BUDGET AND $100,000 TO JUDGEMENTS AND CLAIMS MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3.

B. Risk Manager

1. Approval to Add Village of Savona to County’s Workers’ Compensation Plan – Mr. Sprague informed the committee that he has been working with the Village of Savona as they would like to come into the County’s Workers’ Compensation Plan. This will be a win-win for both of us. The Village of Savona will come in paying $15,500 per year effective immediately. He commented they have been paying $26,000 per year to Comp Alliance. Mr. Sprague noted the $15,500 they will be paying the County is market rated.

MOTION: ADDING THE VILLAGE OF SAVONA TO THE COUNTY’S WORKERS’ COMPENSATION PLAN WITH THE VILLAGE OF SAVONA PAYING THE COUNTY $15,500 ANNUALLY MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Waive Procurement Process for Contract – Mr. Sprague requested authorization to waive the procurement process with regard to a contact with OneGroup to update an actuarial study. He explained in 2017 we made changes to the formula for our Workers’ Compensation Plan. At the time, PERMA had suggested we use an outside consultant to do the actuarial study and we had contracted with Bob Potrias of Signal Risk Management. Mr. Poitras did the study for the 2018 and 2019 plan years. Mr. Poitras now works for OneGroup and he would like to remain with him for the 2020 actuarial study. The charge for his service remains at $8,000. The County would save significant time and money since Mr. Poitras built the original market study and transition plan and this would just be an update to that plan.

MOTION: WAIVING THE PROCUREMENT PROCESS AND AUTHORIZING THE RISK MANAGER TO CONTRACT WITH BOB POITRAS OF ONEGROUP TO UPDATE THE ACTUARIAL STUDY FOR THE 2020 WORKERS’ COMPENSATION PLAN AT A COST OF $8,000 MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. Tail Claims – Mr. Sprague informed the committee that back in January they changed the administration of their tail claims from Corvel to PERMA. PERMA has actively been looking at cases to close. They went back to a claim from a number of years ago and by finding reinsurance coverage that was not previously applied, saved the County over $200,000.
C. Purchasing
   1. **Purchase of Copier from Capital Project Account** – Mr. Morse requested authorization to purchase a copier for the new Alcohol and Substance Abuse position at the Jail. The cost is $2,560. The Copier Capital Project has $125,000.

   **MOTION:** AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE OUT OF THE COPIER CAPITAL PROJECT, A COPY MACHINE FOR THE ALCOHOL AND SUBSTANCE ABUSE POSITION AT THE JAIL FOR A TOTAL COST OF $2,560 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Clerk of the Legislature
   1. **Retirement Reporting** - Ms. Mori stated there has been the addition of one new part-time Assistant Public Defender and the adoption of the standard workday retirement resolution is an annual requirement of the NYS Comptroller.

   **MOTION:** ADOPTING THE STANDARD WORK DAY AND RETIREMENT REPORTING RESOLUTION AS REQUIRED BY THE NEW YORK STATE COMPTROLLER MADE BY MRS. FERRATELLA. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

E. Law Department
   1. **Waiving RFP Process and Extending Retainer with Underberg & Kessler** – Ms. Prossick requested authorization to waive the RFP process and extend their retainer with Underberg & Kessler. They are the attorneys that handle our Jail claims. They are our insurance defense counsel and we also send some tort claims to them; about four or five claims that are not covered by insurance. She requested authorization to extend the retainer for one year at a rate of $235.00 per hour. In 2011, the rate was $200.00 per hour.

   **MOTION:** WAIVING THE RFP PROCESS AND AUTHORIZING THE LAW DEPARTMENT TO EXTEND THE RETAINER WITH UNDERBERG & KESSLER FOR ONE YEAR AT A RATE OF $235.00 PER HOUR MADE BY MR. VAN ETten. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Personnel
   1. **MOU’s with Bargaining Units** – Mr. Alderman requested authorization to enter into MOU’s (Memorandums of Understanding) with the bargaining units regarding leave accruals. Currently when employees accrue leave, they are classified in either the A group or B group, which corresponds to whether they earn leave during the first pay period or the second pay period. We have talked with the unions and we are looking to go to a bi-weekly accrual which means that employees would accrue half of their leave during the first pay period and half during the second pay period. He stated the response to this proposal has been mostly positive. Mr. Wheeler commented the other benefit to this is it will prevent employees from taking leave that they have not accrued yet. Mr. Alderman stated this will be actual real time leave.

   **MOTION:** AUTHORIZING THE PERSONNEL OFFICER TO ENTER INTO MOU’S (MEMORANDUM OF UNDERSTANDING) WITH THE BARGAINING UNITS RELATIVE TO LEAVE ACCRUAL MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

   2. **Assessor Position** – Mr. Alderman requested authorization to reclassify and transfer a zero-based Grade XIV Accountant position in Public Health to a Grade XIV Assessor position in the Real Property Tax Service Agency.
MOTION: AUTHORIZING THE PERSONNEL OFFICER TO RECLASSIFY AND TRANSFER A ZERO-BASED GRADE XIV ACCOUNTANT POSITION IN PUBLIC HEALTH TO A GRADE XIV ASSESSOR POSITION IN THE REAL PROPERTY TAX SERVICE AGENCY MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Van Etten asked what is the status of the 1537 agreements? Mr. Wheeler replied creating the Assessor position is the first real step in the process. We will start the interview process and if we can hire someone, then we will push the 1537 agreements and get those signed.

Mrs. Lando asked do you have any sense that the municipalities want to do this? Mr. Wheeler replied we have five or six municipalities that are on the cusp, if we can show savings. They include Corning, Campbell, Hornby and Thurston. Mr. Swackhamer asked what is the timeline? Mr. Wheeler replied we will see what kind of applications we get and then we will start the process. We will not hire an Assessor if there is no interest.

Mr. Malter asked what is the salary range for the Assessor? Mr. Alderman replied the salary range is $39,079 - $55,171. Mr. Wheeler stated we will be trying to recruit at $44,000. Mr. Swackhamer asked what will be the cutoff on the number of parcels before we hire an Assessor? Mr. Wheeler stated it depends. We are looking at between 7,500 – 10,000 parcels. Anything over 5,000 parcels would pay for itself.

G. County Manager
1. Generic Drug Price Litigation – Mr. Wheeler stated that NYSAC (New York State Association of Counties) sent out information to counties and other municipalities that about 40 generic drugs have alleged to have been price fixed by manufacturers. We have spent, over the last seven years, over $200,000 on those drugs alone. That is us purchasing them on behalf of our employees. There are a number of counties that are interested in joining the litigation. Do we want to participate? Mr. Van Etten asked what is the cost? Ms. Prossick replied there is no cost unless there is a settlement, and then it would be a percentage of the settlement.

MOTION: AUTHORIZING THE COUNTY MANAGER, ON BEHALF OF THE COUNTY, TO JOIN THE GENERIC DRUG PRICE LITIGATION MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Management Employee Evaluation Forms – Mr. Wheeler requested authorization to amend the Management Salary Plan to update the management employee evaluation forms. The current forms are 25 years old and their utility has waned a bit. With the current form he has found that the range of possible outcomes is small. With the proposed evaluation form he provided, it gives you another way. Currently no one does a self-evaluation form and he talked with Mr. Alderman about having a conversation to find out what challenges the employee faced and what we could do to help more.

Mrs. Lando asked does this include action steps? Mr. Wheeler replied no. We do goals in a different form, however, we could definitely add that. Mr. Van Etten commented at Corning, you would do a self-evaluation and if you identified weaknesses or issues, you had to provide an action plan. Mrs. Lando commented you also want to work on their strengths. Mr. Van Etten commented that he likes how Mr. Wheeler created a fifth category for Outstanding Performance, which he believes should not be overly used.

MOTION: AMENDING THE MANAGEMENT SALARY PLAN TO INCLUDE AN UPDATED MANAGEMENT EMPLOYEE EVALUATION FORM MADE BY MRS. LANDO. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. Request for Quotes – Management Salary Study – Mr. Wheeler requested authorization to put out a request for quotes for a management salary study. He and Mr. Alderman have spent time collecting data from comparable counties. We have piecemealed management salaries and changed grades, but have not taken a comprehensive look at salaries and where they are graded. He has done a lot of work on this, but he is not an expert. Mr. Wheeler stated he would not advise doing a full management salary study, but other counties have
had market rate studies done for less than $5,000. He stated he can send the Legislators what he has come up with. Do you want him to look at getting an affordable market rate study? There would be no commitment.

Mr. Van Etten stated he thinks we should do it. Mr. Wheeler stated we have a good transition plan. Mr. Hanna asked where do we currently stand? Mr. Wheeler replied we have two titles that we are high on. The majority are in the ballpark. There are a good dozen that are pretty significantly low in comparison to comparable counties. Overall, you are low. Mrs. Ferratella commented she thought Mr. Wheeler had a good analysis, but it would be a good idea to get quotes.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO SPEND UP TO $10,000 ON A MARKET RATE SALARY STUDY, SAID COST TO BE PAID FOR OUT OF THE PERSONNEL TRAINING LINE ITEM MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Haurski commented we have some serious disparities and it is time that we start doing something with this.

**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§ 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. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: REMOVING THE $5,000 STIPEND FOR AMY DLUGOS TO ACT AS INTERIM DEPUTY COUNTY MANAGER AND LEAVING THE $5,000 STIPEND TO ACT AS EXECUTIVE DIRECTOR FOR THE STEUBEN COUNTY LAND BANK CORPORATION MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

**MOTION: APPOINTING JENNIFER PROSSICK AS COUNTY ATTORNEY AND SETTING THE SALARY AT THE MIDPOINT OF MANAGEMENT GRADE L AT $130,731.00 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, July 9, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, July 3, 2019
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 JUNE 11, 2019, MEETING MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Risk Manager

1. 2020 Workers’ Compensation Budget – Mr. Sprague presented the 2020 Workers’ Compensation Budget for review. He noted they were able to reduce the budget $160,000 from last year. We are working hard on our end to only charge the municipalities the costs that we need to.

Mr. Van Etten asked how do you determine the addition to the Fund Balance? Is there a set goal? Ms. Hurd-Harvey replied the WC Fund Balance is $9.1 million. Mr. Sprague stated we are in good shape. He stated PERMA will be bringing in someone to look over our plan and he feels that we will find that we are headed in a really good direction. Mr. Van Etten commented an analysis will tell us what the fund balance should be.

Mr. Sprague stated PERMA will be taking over the tail claims process next year. Mrs. Ferratella asked have you seen a decrease in the number of claims with the new safety programs? Mr. Sprague replied yes. Mr. Wheeler stated over three years; we only had a couple of claims that reached the $50,000 mark. Mr. Sprague stated we have been looking at our older claims and trying to settle those. We also have brought the Village of Bath and the Village of Savona into our plan. Mr. Wheeler commented we are still significantly less expensive for the municipalities that participate.
MOTION: ADOPTING THE 2020 WORKERS’ COMPENSATION BUDGET AS PRESENTED MADE BY MR. VAN ETten. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. 2020 Workers’ Compensation Apportionment Schedule – Mr. Sprague presented the 2020 Workers’ Compensation Apportionment Schedule for review. There was a 2 percent increase for everyone, with the County seeing a decrease, as we have heavily subsidized the program for decades, and are still well above market ourselves. We have also included the Village of Bath and the Village of Savona. Mr. Wheeler commented this stays just a little below the market rate. We are still pushing the municipalities toward the market rate.

Mr. Van Etten stated that the Village of Bath is added in and shows they are at $160,000. What were they paying before? Mr. Sprague replied when they were in the plan two years ago, they paid $240,000 total. The $160,000 they are at now represents them being almost at the market rate. The Village of Savona previously paid a little over $25,000 and now they are at $15,500.

MOTION: ADOPTING THE 2020 WORKERS COMPENSATION TABLE OF APPORTIONMENT AS PRESENTED MADE BY MR. VAN ETten. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Law Department
   1. Retainer Agreement for Generic Drug Litigation – Ms. Prossick stated this is a follow-up to the discussion we had last month regarding joining the generic drug litigation. She has obtained the retainer agreement from Napoli Shkolnik, PLLC, which is the same firm handling the opioid litigation. She requested authorization to waive the procurement process and to enter into a retainer agreement with Napoli Shkolnik, PLLC. If any amount is recovered, we would pay the firm 25 percent. If no monies are recovered, then nothing would be owed by the County.

MOTION: WAIVING THE PROCUREMENT PROCESS AND AUTHORIZING THE COUNTY ATTORNEY TO ENTER INTO A RETAINER AGREEMENT WITH NAPOLI SHKOLNIK, PLLC FOR REPRESENTATION IN THE GENERIC DRUG LITIGATION MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Personnel
   1. Reclassification – Department of Social Services – Mr. Alderman stated that Ms. Muller has asked for the reclassification of a Computer Systems Analyst to a Network Administrator. He stated there is currently an individual in the Computer Systems Analyst position. Ms. Muller explained historically our computers were managed under the Staff Development Coordinator. When that individual retired, we used a Computer Systems Analyst position to manage our computers. Since that time, we have had numerous staff changes as the title was not appropriately titled given the job duties. We have 250 computers and multiple State and county applications.

MOTION: RECLASSIFYING ONE COMPUTER SYSTEMS ANALYSIST POSITION, GRADE XV TO A NETWORK ADMINISTRATOR, GRADE XVI WITHIN THE DEPARTMENT OF SOCIAL SERVICES MADE BY MR. VAN ETten. SECONDED BY MRS. LANDO FOR DISCUSSION.

Mr. Van Etten stated last week when this was presented, the question was asked why we would need this position when we have IT, but the difference is due to the work on the State software. Ms. Muller commented we have over 40 State applications.

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

1. **Internet Service Provider RFP** – Mr. Wolverton informed the committee they solicited requests for proposals for internet service at the County Office Building and at the Public Safety Building. We currently pay $2,165 per month to have Spectrum and Empire at the County Office Building and First Light at the Public Safety Building. He is proposing contracting with Empire for 1000 Mbps at the County Office Building for $1,250 per month and with First Light for 100 Mbps at the Public Safety Building for $510 per month. This would result in a savings of $405 per month or $4,860 per year.

**MOTION:** AWARDING THE RFP FOR INTERNET SERVICE PROVIDER TO EMPIRE FOR 1000 Mbps AT THE COUNTY OFFICE BUILDING FOR $1,250 PER MONTH AND TO FIRST LIGHT FOR 100 Mbps AT THE PUBLIC SAFETY BUILDING FOR $510 PER MONTH MADE BY MR. VAN ETten. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Potter asked is 100Mbps at the Public Safety Building adequate? Mr. Wolverton replied the connection at the Public Safety Building is redundant to the County Office Building and that is paid for mostly by Public Health as they were required to have redundant internet. The CAP (Counsel at Arraignment Part) court has their own independent internet connection.

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

E. County Manager

1. **Shared Services** – Mr. Wheeler informed the committee that yesterday he sent out an email to the municipalities establishing the first shared services meeting for 2019. This has been scheduled for July 25, 2019 at 6:00 p.m. at the Steuben County Annex Building. Under State law, for the next three years, we are required to have a minimum of two shared services panel meetings and three public hearings each year. This is an exercise in duplication in a lot of ways, but it does bring everyone together. By the end of this year, we have to apply for the potential reimbursement of the match of the savings from the prior shared services plan. The State has a process for doing this and none of the other counties have gone through that process yet. At the July 25th meeting we will discuss how those funds will be disbursed. Mr. Wheeler stated he will send the panel the 2017 plan to review as well as have a discussion regarding code enforcement. Anyone is welcome to attend this meeting. He stated that following the meeting he will be reporting back to the committee. Whether the panel updates the plan or not, the plan has to come back to the Legislature for your feedback.

2. **Assessor Position** – Mr. Van Etten asked if there was an update on the Assessor position? Mr. Wheeler replied no. We are trying to get that process going. The City of Corning is also advertising for an assessor and their salary is quite a bit more. He noted the city’s assessor position is exempt from Civil Service as it is a department head position. We are trying to see what the interest in the position is and hopefully will get candidates to interview. Once that happens, then we will go to the municipalities to see who is interested in participating.

Mr. Malter asked what is the difference in salary between what we are offering and what the City of Corning is offering? Mr. Wheeler replied it is at least $20,000. The other distinguishing factor is that the city has a lot of commercial properties which will require a different skill set and level of expertise. The pool for assessors is not deep to begin with.
MOTION:  TO ADJOURN MADE BY MS. LATTIMER.  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, August 13, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, August 7, 2019
I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 9, 2019, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REQUESTS

A. Real Property Tax Service Agency
   1. RPSV4 Annual License Fee – Mrs. Jordan stated this is the program that the assessors use. The amount of the license fee has remained the same and is based on parcel count.

MOTION: APPROVING THE ANNUAL RPS 45 CHARGEBACK TO THE TOWNS AND CITIES FOR LICENSE AND SUPPORT FEES MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Purchasing
   1. Award Quarterly Copy Paper Bid – Mr. Morse stated they received four bids. He recommended awarding to the second lowest bidder, W.B. Mason for $28.77 per case. He noted the low bidder has not bid in the past and their product is recycled and the color degenerates over time and does not stay white.

MOTION: AWARDING THE QUARTERLY COPY PAPER BID TO W.B. MASON FOR $28.77 PER CASE MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
C. **Personnel**

1. **Contract Renewal** – Mr. Alderman requested authorization to renew the contract with Employee Network, Inc. for the Employee Assistance Program. The renewal is for one year at the same price, which was just over $10,000.

**MOTION:** AUTHORIZING THE PERSONNEL OFFICER TO RENEW THE CONTRACT WITH EMPLOYEE NETWORK, INC. FOR THE EMPLOYEE ASSISTANCE PROGRAM FOR ONE YEAR UNDER THE SAME TERMS AND CONDITIONS MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Van Etten asked is the Employee Assistance Program used much? Mr. Alderman replied it is something that we have to have and the program is used more than you may think. Employee Network, Inc. does more than just counseling; they also provide legal and financial services.

2. **Reclassification** – Sheriff’s Office - Mr. Alderman requested the reclassification of three vacant, part-time Security Officer positions, Grade X, to three part-time Special Patrol Officer positions within the Sheriff’s Office. He noted there is no grade for the Special Patrol Officer positions as they are actually considered temporary positions. Mr. Van Etten asked will this affect your ability to fill these positions? Sheriff Allard replied no. We are filling with retired State Corrections Officers.

**MOTION:** AUTHORIZING THE RECLASSIFICATION OF THREE VACANT PART-TIME SECURITY OFFICER POSITIONS, GRADE X, TO THREE PART-TIME SPECIAL PATROL OFFICER POSITIONS WITHIN THE SHERIFF’S OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. **Risk Manager**

1. **CDL Drug Testing** – Mr. Sprague informed the committee that a couple of months ago we discovered that we were out of compliance with respect to the fact that the County’s CDL holders had not had the proper pre-employment drug and alcohol test as required by federal DOT. We have 104 employees that we need to get into compliance. He noted his office handles the pre-employment and random drug testing for all of the municipalities, but only the random drug testing for County CDL holders. This testing should occur within the next month for all of our current CDL holders, no matter how long they have worked for the County. The cost will be $50.00 per CDL holder and Occustar will do the testing. We found money in the Public Works budget to do this.

Mr. Wheeler clarified we are asking for authorization to contract with Occustar to perform these pre-employment drug tests and to authorize a transfer from the Public Works Highway Administration Consultants and Professional line items to cover the cost.

**MOTION:** AUTHORIZING THE RISK MANAGER TO CONTRACT WITH OCCUSTAR TO PERFORM PRE-EMPLOYMENT DRUG TESTS ON ALL CDL HOLDERS CURRENTLY EMPLOYED BY STEUBEN COUNTY AT A COST OF $50.00 PER CDL HOLDER, AND AUTHORIZING A TRANSFER OF $6,000 FROM THE PUBLIC WORKS HIGHWAY ADMINISTRATION CONSULTANTS AND PROFESSIONALS LINE ITEM TO COVER THE COST MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER FOR DISCUSSION.

Mr. Van Etten asked so after we do these 104 tests and change the process, any new hires from this point forward will be tested correctly? Mr. Sprague replied yes. We are moving the pre-employment drug testing for CDL holders to his office. All pre-employment testing for non-CDL holders will remain in Personnel.

Mr. Potter asked will this affect the towns? Mr. Sprague replied no, as the testing for the municipalities has been in compliance. The only tests that were not in compliance were the pre-employment drug/alcohol tests for
Steuben County employees that hold CDL’s. Mr. Malter asked will this be done annually? Mr. Sprague replied no, pre-employment testing is just one-time at the time of hire. Our plan is to do this testing on one day and set up testing in the four quadrants.

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

E. Elections

1. Accept and Appropriate NYS Grant for Early Voting – Ms. Olin informed the committee that the State budget set aside two pots of funding; one for $14 million and one for $10 million. We have just received paperwork for one of the grants. She requested authorization to accept and appropriate $64,017.01 in State grant funds for the purchase of electronic poll books and ballot on demand printers. This funding has to be spent by next year if we accept the funding.

Ms. Lattimer asked will the next grant be for a different purpose? Ms. Olin replied she thinks so, but has not been given any information on it yet. Ms. Penziul stated she believes it will tie into this grant and allow a little more flexibility for what it can be used for. That will be the aid to localities grant.

Mrs. Ferratella asked how much will this grant go toward the total cost of the electronic poll books? Ms. Olin replied OGS has not come out with specifications for the poll books. There are three companies that were certified and all have given us quotes which range between $110,000 to $130,000. There are some different features and we have involved IT with this to get their opinion. She thinks we will be able to cover the cost of the books with this grant and the remaining Shoebox funds.

MOTION: AUTHORIZING THE COMMISSIONERS OF ELECTIONS TO ACCEPT AND APPROPRIATE $64,017.01 NYS GRANT FUNDS FOR EARLY VOTING MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Van Etten asked how many poll books and printers would we be purchasing? Ms. Olin replied 85; one for each district and then probably about 5 extra. Ms. Penziul stated with the printers, we would expect two to three tops and those will only be used for early voting. Mr. Van Etten asked are the electronic poll books for signatures? Ms. Olin replied yes.

Mr. Malter asked are there any personnel costs associated with these grants because of early voting? Ms. Olin replied this funding is pretty much just for equipment. It will cover training for staff and election inspectors. Mr. Malter asked do you have a cost for staffing for early voting? Ms. Olin replied no. This year we are hoping to use our staff and see how busy we are. We also will train a couple of our inspectors. We are hoping to minimize costs for personnel as much as possible. Next year will be more difficult as it will be the presidential election. Ms. Penziul commented down the road we don’t know what it will look like; it may become busier as more people become aware of early voting and utilize it more.

Mr. Van Etten asked is there any data transfer between the polling sites and your office? Ms. Olin replied there can be. We can hook the poll books up with wireless. Mr. Potter commented if they can talk to each other, there is a potential for hackers. Ms. Olin replied our understanding is it is all secure and encrypted. The only information that will be on the electronic polling books will be whether individuals voted.

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

2. Elections Inspector Compensation – Ms. Olin stated one of the bills that was passed has changed primary day to a full day which means that the compensation for election inspectors will go from $100 for the day to $160. Right now election inspectors are making $10.00 per hour. She would like to think about giving them a raise as they put in 16 long hours and we are losing people. We may need to look at increasing the compensation to $200 per inspector in order to recruit people.
Mrs. Ferratella asked have you had any luck in recruiting people from the schools? Ms. Olin replied no. Mr. Van Etten commented that is a 25 percent increase. How many inspectors do we have? Ms. Olin replied we need 340. Mr. Van Etten asked do you think that will improve retention? Ms. Olin replied yes; with the increase to $200 per day, they would be making $12.50 per hour.

Mr. Potter asked is that cost passed on to the local municipalities? Ms. Olin replied yes. We would let them know that ahead of time so they could budget for it. Mr. Malter asked are they paid as contractors? Ms. Olin replied they are considered vendors.

Mr. Wheeler stated his recommendation would be to do this for 2020 and do it during the budget process. Ms. Lattimer commented this speaks to the number of voting districts within the County. Ms. Olin stated we are working on that and are looking at where we could reduce districts.

F. County Manager

1. Request to Waive Partial Mortgage Tax Re: Purchase of Property from Yunis Realty – Mr. Brewer requested authorization to waive a portion of the required mortgage tax relative to the purchase of property from Yunis Realty. There is a mortgage tax of $1.25 per $100 on mortgages which is split with 50¢ going to the State, 50¢ going to the County and 25¢ to the town/city. The County has the ability to waive the County and town/city share of this tax, which would equate to $26,250.

MOTION: AUTHORIZING A WAIVER OF THE COUNTY AND TOWN/CITY SHARE OF THE MORTGAGE TAX RELATIVE TO THE PURCHASE OF PROPERTY FROM YUNIS REALTY WHICH EQUATES TO $26,250.00 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

Mr. Brewer explained Yunis Realty is essentially the bank and is loaning us the money on the three properties. Ms. Fitzpatrick asked is the $26,250 the buyer’s responsibility or shared with the seller? Mr. Brewer replied it is 100 percent by the County.

VOTE ON PREVIOUS MOTION: 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 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 MS. LATTIMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: SETTING THE SALARY FOR THE DEPUTY SUPERINTENDENT OF BUILDINGS AND GROUNDS AT $61,392.00 EFFECTIVE JULY 1, 2019 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: SETTING THE SALARY FOR THE DEPUTY PROBATION DIRECTOR II AT $70,213.00 EFFECTIVE JULY 1, 2019 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: SETTING THE SALARY FOR THE SOCIAL SERVICES DIRECTOR OF FINANCE AT $65,600.00 EFFECTIVE JULY 1, 2019 MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
MOTION: TO ADJOURN MADE BY MS. LATTIMER. 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 10, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, September 4, 2019
I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 13, 2019, MEETING MADE BY MS. LATTIMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REQUESTS

A. Risk Manager

   1. Update Workplace Drug & Alcohol Policy – Mr. Sprague requested changes to the Workplace Drug & Alcohol policy relative to non-CDL testing. He would like to add the word ‘incident’ along with accident and remove the $4,500 as a threshold to reporting an accident/incident; the wording will state ‘property damage or loss to the County or a 3rd party due to the accident’.

   MOTION: ACCEPTING THE PROPOSED REVISIONS TO THE WORKPLACE DRUG & ALCOHOL POLICY AS PRESENTED AND AUTHORIZING AN AMENDMENT TO THE ADMINISTRATIVE CODE TO REFLECT THOSE CHANGES MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER FOR DISCUSSION.

   Mr. Van Etten asked will this require any approval by the bargaining unit? Mr. Wheeler replied no. Mr. Sprague stated once the changes are approved, we will distribute them and develop a handout for the Supervisors which will have easy step-by-step directions.

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

1. Addition of Sexual Harassment Clause to Contract Template – Ms. Prossick stated the NYS Department of Labor has made changes to the sexual harassment law and in order to comply with the law, we need to add the new sexual harassment clause to our contract template. Mr. Van Ettten asked do we have to add this clause to current contracts? Ms. Prossick replied no, just going forward. We also need to include it in our bid documents.

MOTION: AMENDING THE ADMINISTRATIVE CODE TO INCLUDE THE ADDITION OF A SEXUAL HARASSMENT CLAUSE TO THE CONTRACT TEMPLATE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Personnel

1. Annual Training Contract – Mr. Alderman last year we contracted with Romer, Wallens, Gold & Mineuax to provide our annual employee training and they did a fantastic job. He requested authorization to contract with them to provide this year’s training. Mrs. Ferratella asked what is the cost? Mr. Alderman replied this year we are required to have our annual trainings be more interactive and in groups smaller than 100. They are requiring 30 – 40 people per session and we would need to do more sessions to accommodate that requirement. He is estimating the total cost to be between $20,000 - $25,000. Mr. Van Etten asked is that in addition to what we normally pay or is this the new total? Mr. Alderman replied this is the total. Last year we paid around $15,000.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO CONTRACT WITH ROMERS, WALLENS, GOLD & MINEUAX TO PROVIDE THE ANNUAL EMPLOYEE TRAINING IN AN AMOUNT NOT TO EXCEED $25,000 MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Contingent Fund Transfer – Mr. Alderman requested authorization to transfer $30,000 from the Contingent Fund to his training line item to cover the cost of the annual training. Mr. Wheeler commented we also had a number of hearings that we did not anticipate this year and that cost was paid for out of Personnel’s training line item.

MOTION: AUTHORIZING A TRANSFER OF $30,000 FROM THE CONTINGENT FUND TO THE PERSONNEL DEPARTMENT’S TRAINING LINE ITEM MADE BY MS. LATTIMER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. Reclassification – Sheriff’s Office – Mr. Alderman requested authorization to reclassify two zero-based part-time Building Security Deputy positions, Grade XI to two part-time Special Patrol Officer positions that will be paid $16.00 per hour. This is in response to the State’s requirement for another court security officer.

MOTION: AUTHORIZING THE RECLASSIFICATION OF TWO (2) ZERO-BASED BUILDING SECURITY DEPUTY POSITIONS, PART-TIME, GRADE XI TO TWO (2) PART-TIME SPECIAL PATROL OFFICER POSITIONS WITHIN THE SHERIFF’S OFFICE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. Reclassification – Probation Department – Mr. Alderman requested authorization to reclassify one Account Clerk-Stenographer position, Grade VIII to one Senior Typist position, Grade VI within the Probation Department. This is the result of a retirement.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE (1) ACCOUNT CLERK-STENOGRAPHER POSITIONS, GRADE VIII TO ONE (1) SENIOR TYPIST POSITION, GRADE VI IN THE PROBATION DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
D. District Attorney’s Office

1. Request to Waive 16B – Mr. Wheeler stated this was presented to Public Safety & Correction to review a 16B waiver request. According to your Rules of Procedure, you may waive the 16B process if the positions are a result of a State or Federal requirement. He is recommending waiving 16B to create one Assistant District Attorney position and one Paralegal Assistant position in the District Attorney’s Office. These positions are necessary for Mr. Baker to comply with the new Discovery Reform requirements and will enable him to get staff on board prior to the end of the year so they can be trained and ready to go in January.

MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE (1) ASSISTANT DISTRICT ATTORNEY POSITION AND ONE (1) PARALEGAL ASSISTANT POSITION IN THE DISTRICT ATTORNEY’S OFFICE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

E. County Manager

1. Reappointment of Real Property Director – Mr. Wheeler stated Ms. Jordan is currently filling an unexpired term. He would recommend reappointing her as Real Property Director for a six-year term.

MOTION: CONFIRMING THE REAPPOINTMENT OF WENDY JORDAN AS REAL PROPERTY TAX SERVICE AGENCY DIRECTOR FOR A SIX-YEAR TERM EFFECTIVE OCTOBER 1, 2019 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. 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 MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION MADE BY MS. LATTIMER. 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, October 8, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, October 2, 2019
I. CALL TO ORDER

Mr. Van Etten called the meeting to order at 8:30 a.m. and asked Mrs. Lando to lead the Pledge of Allegiance.

II. GENERAL BUSINESS

A. County Manager

1. Management Salary Plan – Mr. Wheeler informed the committee that they engaged the services of the Burke Group to review our management salary grid and compensation. He is not looking for any action today; this is just a presentation and we should have solid financial information for the October meeting.

Steve Deperrior stated the Burke Group is a compensation consulting firm and we also do retirement plan consulting and administration as well as provide actuarial services. We have been hired to review Steuben County’s current compensation structure and pay that is provided to approximately 70 non-civil service positions, including department heads and management positions. The objective of this review is to provide a comparison of how current compensation compares to published survey and peer county data; the development of a new compensation structure that is market and industry competitive; a review of current benefits provided and to provide recommendations relative to compensation adjustments, the implementation of a new compensation structure and maintaining that structure moving forward.

Mr. Deperrior reviewed the proposed base salary analysis. He commented the midpoint salary would reflect an individual having been in the position for 8 – 10 years. He would recommend reviewing your salary plan once every three to four years with the philosophy being that you want the pay at the market rate. Mr. Deperrior reviewed the County’s current benefits. Benefit categories are Health Insurance, Insurance Buyout, Retirement, Vacation, Sick Leave, Personal Leave and Holidays. For all categories with the exception of vacation, the County is at or above the market rate. Mr. Van Etten commented with regard to Vacation, Sick, Personal and Holiday leave, after one year an employee gets 41 days which represents 16 percent of the work year. Mr. Deperrior
stated you are right, however, from a market rate standpoint, other counties are providing better benefits for
vacation time after 10 years.

Mr. Deperrior explained with the salary structure, you have 11 grades with a minimum, midpoint and maximum
salary. The current distance between the midpoints is 10 percent and then 22 percent above midpoint and 22
percent below midpoint to get that spread is appropriate. We determine if the midpoint is consistent with market
data. You currently have five levels of performance evaluations. Many organizations have moved to three levels
in an attempt to simplify the evaluation process. He stated that based on the peer group and market data, we are
recommending having a new structure for management and confidential employees; increase the structure from 11
to 14 grades (proposing Grades B through O); keep the current range spread of 44 percent (22 percent below
midpoint/22 percent above midpoint) and keep the existing incremental increases in grade midpoints of 10
percent. In order to reflect incumbents experience and years in positions, we are proposing two options. The first
option would be to divide the grades into quartiles, with each quartile representing an individual’s years of
experience and/or years in the position. He explained many organizations moved to this option to set an
individual at an appropriate level when they are hired and look internally to bring them up to market rate.

Mr. Deperrior stated the second option would be a 15 step program. Each grade is broken down into steps, with
each step representing an individuals’ experience and/or years in the position. This option targets a specific point
in the range to slot an individual in. Many organizations are moving away from this to go to a more performance
based system, however, a lot of counties and municipalities have used a structure like this.

Mr. Wheeler stated one of the things we should note is with regard to the confidentials; we treat them like we treat
the CSEA and they are not currently in the management salary grid. At the outset of this, we talked about putting
those positions into the management system and that is what you see in this presentation. Mr. Deperrior
commented one of the steps after this meeting is to look at this and see if it makes sense to you. Mr. Wheeler
stated that he, Mr. Brewer and Mr. Alderman have met a number of times to proof this.

Mr. Deperrior stated that overall your base salaries appear to be consistent with peer and market data and he
would recommend adjusting the structure. Your benefits are at or above market; although sometimes for mid-
career individuals, they tend, in a system like that, to be on the lower end and it is sometimes reflected in the
hiring process. Mr. Wheeler commented we are talking about every position with regard to grading and nothing
will show an increase to his salary if you opt to change the grading system.

Mr. Swackhamer asked how do you come up with the costs? Mr. Deperrior replied we are looking at most of the
positions in a very localized market and are looking at this specific Finger Lakes area. With more senior level
positions, we are using New York State, outside of New York City. The peer group that we used includes
Allegany, Cattaraugus, Chemung, Clinton, Jefferson, Livingston, Schuyler, Seneca, St. Lawrence, Wayne and
Yates counties. There is some Buffalo data included as people are driving more for work.

Mr. Malter asked if we adopted this, what would the bottom line be? Mr. Wheeler replied it depends on the
option and we do not have that data today. There are a number of positions that were considerably low graded.
The cost will not be astronomical.

Mr. Van Etten commented the reason we got into looking at this is that we know we have compression with
current salaries we are paying and trying to pull people in from the outside. We wanted to see what level we
needed to be at to attract good talent. We have 11 grades now and there is a proposal to increase that to 14 grades.
Why are we adding three additional grades? Mr. Deperrior replied that was done to accommodate some minor
changes and to maintain the 10 percent spread. Mr. Wheeler explained those first three grades contain
individuals, with the exception of the County Historian, who were treated outside the system, such as the
confidentialsand we carved those out. There will be a couple of changes that still need to be made.

Mr. Swackhamer asked with the benefits, have you added that as a dollar value? Mr. Deperrior replied we have
not done anything with that. You could change the cost sharing for things such as the insurance. Mr. Wheeler
explained historically management has followed the CSEA in terms of insurance copays. Mr. Swackhamer asked what is the recommendation for benefits? Mr. Deperrior replied with benefits, we see other counties gradually, over time, looking at benefits and considering modifications. Retiree health insurance has the largest price tag. Mr. Van Etten stated benefit days are hard to take away, but the costs are easier to increment.

Mr. Malter stated in the past, in the 1980’s and 1990’s rather than increase pay, we increased the benefits and that is part of the reason why they are as high as they are. Ms. Fitzpatrick commented people know that working for government the salaries are going to be lower, but the benefits are higher than in the private sector. Mr. Van Etten stated people who are currently employed value that, however, if you are attracting talent, they are looking for a number.

Mr. Wheeler commented comparing against peer groups is important as we are competing with them. He stated at least with this data we are seeing, if you adopt a new system, the midpoints will be higher. Where the complication comes in, is you are reducing the subjectivity of where to start them. The easier transition is the grade system and the ability of setting parameters; it looks like it gives you a little more flexibility, but you do still lose some flexibility. Mr. Deperrior stated capturing a person’s experience is critical.

Mr. Maio stated he understands why we have the peer group, however, we are not just competing with counties of similar size, we are competing with Broome and Monroe. Mr. Deperrior stated the column for published survey data captures data from Broome and Monroe counties, as well as the private sector. Mr. Maio stated if we are getting to the average of the public sector, that is fine. However, if we are comparing only to counties of similar size, we are limiting ourselves. Mr. Wheeler commented when we transitioned the Sheriff’s Deputies to market rate; we pulled in the numbers for Broome, Monroe and Ontario counties and it skewed the numbers. Mr. Deperrior commented when we use the peer group and public survey data together, it is probably a good assessment of what is the market rate. We have identified the midpoint and there was a good philosophical discussion around that. That is the foundation of what we are trying to do.

Mr. Baker commented with regard to the District Attorney’s Office, the salaries for the Assistant District Attorneys (ADA) all include a stipend amount that was divided up among those positions to pay for nights and weekends spent working due to CAP (Counsel at Arraignment). Mr. Wheeler stated in the transition plans that we will show you, we would like to get away from stipends and put those amounts into their base salary. If the responsibility goes away, then we can have a discussion about that. Mr. Deperrior commented that would be his recommendation. Mr. Swackhamer stated a stipend is easier to take away rather than reducing salary. Mrs. Lando stated if they are doing the job, the stipend should be in their base pay.

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

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

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

APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 10, 2019, AND SEPTEMBER 23, 2019, MEETINGS MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

DEPARTMENT REQUESTS

A. Elections
   1. Aid to Localities Grant – Ms. Penziul informed the committee they were awarded the Aid to Localities Grant in the amount of $45,027.37. She requested authorization to accept this funding and execute the contract with the State for the purchase of electronic poll books and on-demand ballot printers. This contract will go through December 31, 2020.

MOTION: AUTHORIZING THE COMMISSIONERS OF ELECTIONS TO ACCEPT AN AID TO LOCALITIES GRANT IN THE AMOUNT OF $45,027.37 AND TO EXECUTE THE CONTRACT WITH NYS BOARD OF ELECTIONS TO USE THIS FUNDING FOR THE PURCHASE OF ELECTRONIC POLL BOOKS AND ON-DEMAND PRINTERS MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
B. Personnel
   1. Reclassification – Buildings & Grounds – Mr. Alderman requested authorization to reclassify a Building Maintenance Mechanic position, Grade IX to a Head Building Maintenance Mechanic, Grade X. Mr. Van Etten asked did we have this position in the past? Mr. Alderman replied yes, many years ago. This person is doing a higher level of work and is leading more crews.

   MOTION: AUTHORIZING THE RECLASSIFICATION OF A BUILDING MAINTENANCE MECHANIC POSITION, GRADE IX TO A HEAD BUILDING MAINTENANCE MECHANIC POSITION, GRADE X IN THE BUILDINGS AND GROUNDS DEPARTMENT MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

   C. County Manager
   1. Management Salary Study – Mr. Wheeler reviewed the proposed management salary schedule. There are some changes based on things that have happened over the past twenty years. This plan brings the confidential employees into the management group; right now they are management employees, but are treated like the union.

   Mr. Van Etten asked why are the confidential employees in a separate group? Mr. Alderman replied the majority of those positions, at some point, were in the union and we removed them from the union, but kept their salary and benefits consistent with the union. With this new proposal, it makes more sense to have them in a management grade.

   Mr. Van Etten stated this new proposal adds more grades. Mr. Wheeler explained we did add a grade “B” to incorporate the confidential staff and then spread a couple of the other grades out.

   MOTION: AMENDING THE MANAGEMENT SALARY PLAN TO INCLUDE NEW GRADES AND THE INCORPORATION OF CONFIDENTIAL EMPLOYEES INTO THE MANAGEMENT GROUP AS PRESENTED BY THE COUNTY MANAGER MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

   D. Purchasing
   1. Copier Capital Project – Mr. Morse requested authorization to purchase a replacement copier for the Finance Office out of the copier capital project. The total cost of the copier is anticipated to be about $4,000.

   MOTION: AUTHORIZING THE DIRECTOR PURCHASING TO SPEND $4,000 OUT OF THE COPIER CAPITAL PROJECT TO PURCHASE A REPLACEMENT COPIER FOR THE FINANCE OFFICE MADE BY MR. VAN ETTEN. SECONDED BY MRS. FERRATELLA. 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.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION 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. 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 MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
MOTION: AUTHORIZING THE PAYMENT OF $35,959.06 OUT OF ACCOUNT A-1342000 – ALLOWANCE FOR UNCOLLECTED TAXES, TO THE VILLAGE OF BATH AS REPAYMENT FOR AN INCORRECT TAX CERTIORARI ISSUE MADE BY MR. VAN ETEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AMENDING THE MANAGEMENT SALARY PLAN AND ADOPTING A NEW STEP STRUCTURE AS PROPOSED BY THE COUNTY MANAGER MADE BY MR. VAN ETEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Mr. Van Etten commended Mr. Wheeler, Mr. Brewer, Mr. Alderman and Ms. Demonstoy for all of their work on the Management Salary Plan.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Tuesday, November 12, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, November 6, 2019
**MINUTES**

**COMMITTEE:**
- Brian C. Schu, Chair
- Scott J. Van Etten, Vice Chair
- Carol A. Ferratella
- Hilda T. Lando
- Robin K. Lattimer

**STAFF:**
- Jack K. Wheeler
- Christopher Brewer
- Nate Alderman
- Jennifer DeMonstoy
- Brenda Mori
- Rob Wolverton
- Cody Ryan
- Jennifer Prossick
- Craig Patrick
- Tammy Hurd-Harvey

**LEGISLATORS:**
- Joseph J. Hauryiski
- Kelly H. Fitzpatrick
- Steven P. Maio
- John V. Malter
- Aaron I. Mullen
- Robert V. Nichols
- Frederick G. Potter
- Gary B. Roush
- Thomas J. Ryan
- Gary D. Swackhamer
- Randolph J. Weaver

I. **CALL TO ORDER**

Mr. Schu called the meeting to order at 9:30 a.m.

II. **GENERAL BUSINESS**

A. **Management Salary Plan** — Mr. Wheeler explained there have been some changes in the proposed management salary plan since the last Administration Committee. In the Sheriff’s Office we moved the Jail Superintendent to Grade I and kept the Undersheriff in Grade J. We also moved the Senior County Attorney and the Senior DSS Attorney into Grade I. Neither of these changes resulted in a monetary impact. Mr. Wheeler stated they also moved the Assistant District Attorneys into Grade H and again there was no monetary difference.

B. **Legislators Salaries** — Mr. Wheeler stated it is good for the Legislature to review their salaries periodically. Mr. Hauryiski stated he is proposing a $2,000 increase for each legislator. He will leave the decision as to salaries for the Chair and Vice Chair up to this committee to decide. When he looks at our Legislature, we are very fortunate to have the group we have now. This job requires time and there are a fair number of Legislators who are professionals that are losing time from their practices. If you want quality legislators that want to spend time attending meetings, it is appropriate to increase the salary.

Mrs. Lando stated she agrees, but you know coming into this what to expect. There will be meetings and you are making that decision knowing that you have other conflicts; you know ahead of time the time that will be required.

Mr. Van Etten stated he agrees with Mrs. Lando. However, he does not think money would drive whether you are attending or not, at least with this group. You should know what it takes with regard to the time commitment. We have some people that don’t attend the majority of meetings and only come to the monthly meeting. Is $2,000 going to make a difference? Not at all.

Mrs. Lando commented her feeling is that it is not just coming to meetings; you have to be active in the community. Quite honestly, only she and Mrs. Ferratella attend a lot of the outside meetings. This job is about more than just attending committee meetings.
Mr. Swackhamer stated you have no idea the commitment or the amount of time that needs to be put in until you get in. The new legislator does not know how many hours are required or the number of phone calls, etc. Mrs. Lando stated once you are here though, you know.

Ms. Fitzpatrick stated you make a choice once you get here. Because she wants to really understand everything, she has made the choice to get to every meeting that she can. You may understand the commitment, but you don’t know until you are here and then you have to decide what level of commitment you are willing to put in. For me, the access to health insurance is a huge benefit.

Mr. Malter stated one of the problems is the inequality of the benefits that are provided to different people on the board. That should be addressed but he doesn’t have a specific proposal

Mrs. Ferratella commented one way to address that would be to add a stipend. She felt it was unfair to take the County insurance and she opted to stay with her company’s insurance. She also feels that a $2,000 increase would be justified, but she thinks a $1,500 increase would be easier for the residents to accept. We certainly deserve an increase.

Mr. Van Etten commented any employer has inequality based on individuals' status relative to health insurance.

Mr. Wheeler explained since we are self-funded, if you don’t use the insurance, there is just a small cost to Excellus. Our insurance costs are based on actual claims of the member.

Mrs. Lando stated she thinks the Vice Chair should get more because they would do a lot of work if the Chair was unable to attend meetings or functions.

Mr. Malter stated Livingston County sets a salary for the Legislators, the Chair and Vice Chair and they also compensate the committee chairs; he has always liked that system.

Mr. Mullen commented he does not think we need to increase the regular salary, but he thinks there should be a stipend of $2,000 for those Legislators who opt not to take the insurance. The salary for the Chair and Vice Chair should increase and if anything, drop the health insurance contribution down to what everyone else is paying. If a legislator is on the insurance, they do not need an increase in salary.

Mr. Schu stated he likes Mr. Mullen’s thoughts. A cut in the premium is saving you money, but is not taxable. He also agrees that the salary for the Chair and Vice Chair should increase.

Ms. Lattimer stated she would agree. The salary for the Chair is woefully lacking for what they are expected to do. She would recommend raising the salary for the Chair to $24,000 or $25,000. The Vice Chair should also get something more. Additionally, she feels it is fair for legislators who do not take the insurance to get a stipend.

Mr. Wheeler stated he would recommend setting the health insurance contribution at the management rate with a $1,500 buyout. Mr. Van Etten commented the reason we increased the legislator’s contribution was in recognition that we are doing a part-time job and getting a full-time benefit and that we should pay more than the normal employee would pay.

Mrs. Hurd-Harvey clarified the insurance buy back for CSEA employees is $500. Mrs. Ferratella stated she thinks the $500 is fair.

**MOTION:** SETTING THE SALARY FOR THE CHAIR OF THE LEGISLATURE AT $24,500; SETTING THE SALARY FOR THE VICE CHAIR OF THE LEGISLATURE AT $15,000; AUTHORIZING A FLAT $1,500 INSURANCE BUYOUT AND SETTING THE INSURANCE CO-PAY FOR LEGISLATORS OPTING INTO THE COUNTY’S HEALTH INSURANCE AT THE SAME RATE AS MANAGEMENT EMPLOYEES MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO FOR DISCUSSION.
Mr. Van Etten commented he would agree to all of this except for the reduction of the health insurance co-pay for legislators opting in to the County’s health insurance.

Mr. Malter asked can you do that; setting the salary at a different rate for each legislator? Mr. Wheeler explained you are not setting the salary at different rates, you are instituting an insurance opt-out.

Mr. Roush stated there is a big increase in comparison to the change in the co-pay. The problem he has is that the benefit, which is a full-time equivalent, is hidden from being transparent. The salary is transparent, but the benefit is not. The potential benefit is $25,000 and for those not taking the benefit, the cost is half that. If we reduce the co-pay by 10 percent, it is similar to a 10 percent salary increase. Mr. Schu stated a 10 percent reduction is $1,200. Mr. Roush stated to be transparent, we should pay 100 percent of the insurance co-pay and increase the salaries; then it would be transparent.

VOTE ON PREVIOUS MOTION: MOTION CARRIES 4-1. (MR. VAN ETTEN OPPOSED)

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
I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:55 a.m.

II. GENERAL BUSINESS

A. Real Property Tax Service Agency

1. Bath Village Tax Bill Correction – Mr. Wheeler informed the committee there is a small difference in what was approved by committee early this month relative to the repayment of an incorrect tax certiorari issue and what Ms. Jordan calculated after the meeting in terms of what is owed. The amount of the difference is less than $1,000. Ms. Jordan explained originally the correction was for three parcels owned by Cavalier Development Corporation. However when the Village of Bath sent out the corrections, they also sent a corrected bill to Spencer Conklin for $326.00. She requested $36,285.61 be the authorized amount to reimburse the Village of Bath.

MOTION: AUTHORIZING A CORRECTION TO THE PAYMENT OUT OF ACCOUNT A-1342000 – ALLOWANCE FOR UNCOLLECTED TAXES, IN THE AMOUNT OF $36,285.61, TO THE VILLAGE OF BATH AS REPAYMENT FOR AN INCORRECT TAX CERTIORARI ISSUE MADE BY MR. SWACKHAMER, SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (ADMINISTRATION) AND 5-0 (FINANCE).

MOTION: TO ADJOURN MADE BY MR. SWACKHAMER, SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (ADMINISTRATION) AND 5-0 (FINANCE).

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature
I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:00 a.m. and welcomed the Youth In Government student interns.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 8, 2019, AND OCTOBER 28, 2019, MEETINGS MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS
A. County Clerk
   1. Semi-Annual Mortgage Tax Distribution – Mrs. Hunter informed the committee they have collected $619,096.27 for the period April 1, 2019 – September 30, 2019.

   MOTION: ACCEPTING AND FORWARDING TO THE FULL LEGISLATURE THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.

   Mr. Van Etten asked Mrs. Hunter to explain why someone would pay tax to borrow money from the bank. Mrs. Hunter explained State legislation requires that a mortgage tax be paid and she is a designated agent of the NYS Commission of Taxation and Finance to collect this tax and distribute it to the municipalities.

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

B. Risk Manager
   1. Approval to Add Town of Urbana to Workers’ Compensation Plan – Mr. Sprague requested approval to bring the Town of Urbana into the County’s Workers’ Compensation Plan effective January 1, 2020. Currently they are with Comp Alliance and by coming into our plan, they will save $20,000. He stated the Town
only has one loss and that will remain with Comp Alliance. Mr. Van Etten asked does this include the volunteer fire department? Mr. Sprague replied no, the volunteer fire department is covered separately. The Town will pay us $29,500 to come into the plan. This is a win-win for both. Mr. Van Etten asked were they in our plan previously? Mr. Sprague replied no; they have been with PERMA and Comp Alliance.

MOTION: AUTHORIZING THE TOWN OF URBANA TO JOIN STEUBEN COUNTY’S WORKERS’ COMPENSATION PLAN EFFECTIVE JANUARY 1, 2020 MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Tail Claims – Mr. Sprague stated one year ago we transitioned our tail claims to PERMA. In the year that they have been doing this, they have found us $458,000 in refunds by going after the excess carrier.

C. Purchasing
1. Quarterly Copy Paper Award – Mr. Morse stated they received three bids for the quarterly copy paper bid. He requested authorization to award to the low bidder, W.B. Mason for $25.31 per case. This represents a decrease of $3.46 from the last quarter.

MOTION: AWARDING THE QUARTERLY COPY PAPER BID TO THE LOW BIDDER, W.B. MASON FOR $25.31 PER CASE MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Real Property Tax Service Agency
1. Adopting Table of Equalization Rates and Report of County Equalization – Mrs. Jordan reviewed the Table of Equalization Rates and the Report of County Equalization. She noted the rates are set by the NYS Office of Real Property Services after a review of assessments versus market value in the towns. There were changes in the City of Corning, City of Hornell, Town of Bradford, Town of Campbell and Town of Canisteo. She noted a reval or update was completed in the towns of Cameron, Hartsville, Lindley, Rathbone, West Union, Troupsburg and Woodhull. She commented the Town of Lindley went from a 2.33 percent to 100 percent and Troupsburg went from 38 percent to 100 percent.

Ms. Lattimer asked has there been any movement on getting those towns with really low equalization rates to do a reval? Mr. Nichols commented he presented an option to the Tuscarora Town Board to do a reval for $54,000 and they said no. Mrs. Jordan commented the City of Hornell is scheduled for a reval next year.

MOTION: APPROVING THE TABLE OF EQUALIZATION AND THE REPORT OF COUNTY EQUALIZATION AND FORWARDING TO THE FULL LEGISLATURE MADE BY MR. VAN ETTEN. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. Exemption Report and Percent Change Due to Equalization Rate and Valuation Change – Mrs. Jordan reviewed the Exemption Impact Report and the Report of Percent Change Due to Equalization Rate and Valuation Change. She commented there were large shifts in Hornellsville, Lindley and Troupsburg and those were due to revals. The Town of West Union did a reval, but their share is going down.

MOTION: APPROVING THE EXEMPTION IMPACT REPORT AND THE REPORT OF PERCENT CHANGE DUE TO EQUALIZATION RATE AND VALUE CHANGE AND FORWARDING TO THE FULL LEGISLATURE MADE BY MR. VAN ETTEN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

E. Personnel
1. 16-B Waiver for District Attorney’s Office – Mr. Alderman requested authorization for a 16-B Waiver to create one Paralegal Assistant, one Assistant District Attorney and one part-time Investigator position in the District Attorney’s Office. A waiver of Rule 16-B can be approved when the positions are required by a State mandate.
Mr. Baker explained this request is in response to the Criminal Justice Reform Act which was passed in April. As a result of the new legislation, there will be more demands upon my office, specific to Discovery requirements. Under the new Discovery requirements, we will now have 15 days to provide all discovery material to the defense, and that will be very time consuming. Our caseload work will now go from a few hundred to several thousand per year. He explained after we have upgraded our computer system and processes, we will need positions to get the information into and out of the system. In all, we are asking for two Assistant District Attorneys, two Paralegal Assistants and 1 part-time Investigator. This is the bare minimum of staffing that we will need to comply with the new Discovery requirements. As requested at the Public Safety & Corrections Committee, we will do a review in four months and see where we are. If it looks like it will not take as much time as we are anticipating, then we will not require the extra staff, however, he would not predict that it will take less time.

Mr. Schu asked what about probationary terms? Mr. Baker explained the attorneys always are at will. With the Paralegal Assistants, there currently is no list and they would be provisional until they take the test.

Mr. Wheeler stated for clarification, at the Public Safety & Corrections Committee meeting we had indicated that the part-time Investigator position had not been included in the 2020 budget, but that was incorrect. All of the positions the District Attorney is requesting are included in the budget.

Mrs. Lando asked where will you put these extra staff? Mr. Baker replied we do have extra space in our annex office and our Investigator can work without an office. With the transition going on we have discussed some ideas with Mr. Wheeler and Mr. Rose. There may be some excess space off the break room by the South Conference Room. Mr. Schu asked what about a work trailer? Mr. Wheeler replied we could, but he thinks there are other viable options. Whatever we come up with may not be the most convenient solution, but we will make it work.

Mr. Baker stated we are definitely stretched for space, however, he does not have these staff yet. He has been interviewing with very little success. To add to this, we lost our part-time Assistant District Attorney position that we were sharing with Schuyler County. Mr. Baker stated we will need to be up and running by January 1, 2020.

Mr. Van Etten asked will the investigator be provided with a vehicle? Mr. Baker replied yes. We have a couple of forfeiture vehicles that are available and we will not be requesting a new vehicle.

Mrs. Ferratella asked Mr. Baker to explain this new requirement for the benefit of the interns. Mr. Baker explained there is a process that the District Attorney has to share information with the defense about a case. With the new law, everything has to be turned over, including witness names, location of crime scenes, etc. and all of that has to happen within fifteen days. Previously the defendant would ask for those specific items and then we would turn them over; now they don’t have to ask. This is an unfunded State mandate.

Mr. Swackhamer asked what is the cost for this? Mr. Baker replied it is about $500,000 just in manpower. He has already moved money around to get the new computer system in place. There will also be added costs to Law Enforcement; similar to what we are looking at. So, the total cost is $1 million to the taxpayers and that is just for Steuben County. Every county across the State is seeing the same types of increases ranging from 20 – 40 percent.

**MOTION:** WAIVING THE 16-B PROCESS AND AUTHORIZING THE CREATION OF ONE ASSISTANT DISTRICT ATTORNEY, ONE PARALEGAL ASSISTANT AND ONE PART-TIME INVESTIGATOR IN THE DISTRICT ATTORNEY’S OFFICE TO COMPLY WITH THE NEW DISCOVERY REQUIREMENTS MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Resolution Required.
F. County Manager

1. **Setback Agreement** – Ms. Prossick requested authorization for the County Manager to sign a property line setback agreement relative to the Canisteo Wind Project. There is a two-acre parcel in Canisteo and they are looking to decrease what the law allows as a setback to a minimum of 150 feet. The Canisteo Wind Project would pay $500 per year while the project is in the stage of getting up and running. If the project is up and running, they will pay the County $2,500 per year as long as the project stays in operation.

**MOTION:** AUTHORIZING THE COUNTY MANAGER TO SIGN A SETBACK AGREEMENT WITH THE CANISTEO WIND ENERGY PROJECT RELATIVE A TWO-ACRE PARCEL OF LAND SITUATE IN THE TOWN OF CANISTEO MADE BY MR. VAN ETREN. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

**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 MRS. FERRATELLA. SECONDED BY MR. VAN ETREN. 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 MR. VAN ETREN. SECONDED BY MRS. LANDO. 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 10, 2019
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, December 4, 2019
I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:40 a.m.

II. GENERAL BUSINESS

1. Add Penalty Taxes to Converted Forest Land Parcels – Mrs. Jordan stated they need to add penalty taxes to a converted forest land parcel in the Town of Canisteo. The County’s portion is $316.90. Mr. Malter asked for an explanation of the penalty taxes. Mrs. Jordan explained the property owners entered into a ten-year forestry plan, and in this instance, converted a portion of the acreage within the plan for a nonconforming use. As a result of that, they have to pay a penalty back for the exemption they had.

MOTION: ADDING PENALTY TAXES TO CONVERTED FOREST LAND PARCELS MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. Setback Agreement Resolution – Mr. Ryan asked for an explanation on the resolution that will be presented authorizing a setback agreement. What do you do with those two acres? Ms. Prossick explained this is relative to two acres of property that we are not doing anything with that is situate on the road. With a setback, the law requires that it be a certain distance and the wind company cannot meet that distance. With approval of this setback, the wind company will have to pay us for the setback. Mr. Ryan commented once the windmills go up, the property will be useless. Ms. Prossick explained if we were to sell the parcel, it would just be subject to this agreement, which essentially is an easement.

Mr. Maio commented perhaps there would be interest in an adjacent landowner to purchase. Mr. Wheeler stated we can look into that. Mr. Malter asked will this generate any revenue? Ms. Prossick replied the wind company will pay $500 when they sign and then will pay the County $1,500 per year.

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

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

**COMMITTEE:** Scott J. Van Etten, Vice Chair
Robin K. Lattimer
Carol A. Ferratella
Hilda T. Lando

**STAFF:**
Jack K. Wheeler
Christopher Brewer
Brenda Mori
Scott Sprague
Andy Morse
Nate Alderman
Tammy Hurd-Harvey
Wendy Jordan
Pat Donnelly
Jennifer DeMonstoy
Ryan Cody
Rob Wolverton
Matt Sousa
John McNelis
Judy Hunter
Jennifer Prossick
Craig Patrick

**LEGISLATORS:**
Joseph J. Hauryski
Kelly H. Fitzpatrick
K. Michael Hanna
John V. Malter
Robert V. Nichols
Frederick G. Potter
Gary B. Roush

**ABSENT:**
Brian C. Schu, Chair

**OTHERS:**
Jeffrey P. Horton, Legislator-Elect
James Post, The Leader
Mary Perham

I. **CALL TO ORDER**

Mr. Van Etten called the meeting to order at 9:00 a.m. and asked Mrs. Hunter to lead the Pledge of Allegiance.

II. **APPROVAL OF MINUTES**

**MOTION:** APPROVING THE MINUTES OF THE NOVEMBER 12, 2019, AND NOVEMBER 25, 2019, MEETINGS MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MS. LATTIMER ABSENT FOR VOTE)

III. **DEPARTMENT REQUESTS**

A. **Information Technology**

1. **RFP – Replacement UPS for Server Room** – Mr. Wolverton requested authorization to issue an RFP for the replacement UPS for the server room. This is a backup for all of our servers. Last year we were quoted a price of $23,000.

**MOTION:** AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR THE REPLACEMENT UPS FOR THE SERVER ROOM MADE BY MRS. FERRATELLA. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MS. LATTIMER ABSENT FOR VOTE)

2. **RFP – CISCO Phone System Support and Maintenance** – Mr. Wolverton requested authorization to issue an RFP for the CISCO phone system support and maintenance. He stated they are at the
end of their term with Ronco. We are currently paying $3,500 per month for maintenance and support and he believes that is high.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR THE CISCO PHONE SYSTEM SUPPORT AND MAINTENANCE MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. RFP – HIPAA HiTech Audit – Mr. Wolverton requested authorization to issue an RFP for a HIPAA HiTech Audit. He explained we have not done this in the last two years and this should be done every other year. We do have money budgeted. Mr. Wolverton explained this audit will make sure that we are in compliance with HIPAA requirements.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR A HIPAA HITECH AUDIT MADE BY MRS. FERRATELLA. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. RFP – NY SHIELD Act Audit – Mr. Wolverton requested authorization to issue an RFP for the NY SHIELD Act Audit. He explained this is new State Legislation to ensure that all personal information is compliant with HIPAA. We should have no problem with this, but he would like to do the audit to see where we stand. Ms. Lattimer asked if this is budgeted for? Mr. Wolverton replied yes, he has a line item for audits.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR TO ISSUE AN RFP FOR THE NY SHIELD ACT AUDIT MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

5. Approval to Purchase New Firewalls – Mr. Wolverton requested authorization to purchase new firewalls for the County Office Building, Public Safety Building and all branch offices. Our current firewall is at end of life as it is licensed through July 2020. We received quotes from Sophos - $52,966; Fortigate - $68,725 and Palo Alto - $76,321.90. He recommended awarding to the low bidder, Sophos for $52,966 for three years. This cost represents the total three year cost for hardware, maintenance and support. This system will also integrate without antivirus software.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO PURCHASE NEW FIREWALLS FOR THE COUNTY OFFICE BUILDING, PUBLIC SAFETY BUILDING AND ALL BRANCH OFFICES FROM SOPHOS FOR A TOTAL THREE YEAR COST OF $52,966 WHICH INCLUDES HARDWARE, MAINTENANCE AND SUPPORT MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Real Property Tax Service Agency

1. Tax Certiorari – Mrs. Jordan informed the committee she has received a request from the Town of Campbell to participate in a tax certiorari for Kraft General Foods. She stated they have not yet received an estimate on the cost. Mr. Donnelly commented last time we had to do a trial-ready appraisal, the total cost was $38,000 and then we portioned that out by the tax rate. He explained the County takes the appraisal fee and the school takes the attorney fees.

Mr. Haursky asked how does this tax certiorari differ from the previous one? Mr. Donnelly explained there were seven years at issue and they went to trial on three years and prevailed. This is something that can happen every year in order for them to preserve their rights to challenge in court and they filed another tax certiorari to preserve their rights.

Mr. Malter asked who bears the cost of the $38,000? Mr. Donnelly replied the County is charged and we have money budgeted for tax certioraris. Mr. Malter asked how many of these do we typically do in a year? Ms.
Prossick replied we usually do about six per year. We are not the taxing entity so we do not have a definite cost. We get involved when we need to.

**MOTION:** AUTHORIZING THE COUNTY’S PARTICIPATION IN A TAX CERTIORI RELATIVE TO KRAFT GENERAL FOODS, IN AN AMOUNT UP TO $10,000 MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Commissioner of Finance

1. **Sun Life & Health Insurance Company Stop Loss Policy Renewal** – Mrs. Hurd-Harvey informed the committee last year our self-insurance retainage for stop loss coverage for health insurance was $750,000. That was approved for one year. Our premium for this year will increase $20,000 to $128,000 for the same retainage amount of $750,000. If we increased our retainage to $775,000 our premium would be $124,000 and if we increase the retainage to $800,000 our premium would be $120,000. The increase in the premium is based on industry trends and the increased cost of health care. We are also in a pool and the rates are based on the pool and experience and that is shared with everyone in the pool. Mrs. Hurd-Harvey stated Gallagher has recommended that we stay at a retainage of $750,000 with a premium rate of $128,000.

Ms. Fitzpatrick asked is there a savings yield on the health insurance premium side? Mrs. Hurd-Harvey replied no. Mr. Van Etten commented he would increase the retainage to $800,000 and take the premium savings. Given we had no experiences last year, he would take the additional risk at no additional cost.

**MOTION:** AUTHORIZING THE COMMISSIONER OF FINANCE TO RENEW THE STOP LOSS POLICY WITH SUN LIFE & HEALTH INSURANCE COMPANY FOR AN $800,000 RETAINAGE WITH A PREMIUM OF $120,000 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Risk Manager

1. **Contract Renewals**

   - **PERMA – Workers’ Compensation Plan** – Mr. Sprague stated in 2017 the committee approved a contract with PERMA with the option of five, one-year renewals. PERMA has come to us with a proposal to extend that contract to 2025. This five year option will allow the County to project our costs over the next five years and will result in a premium savings of $10,000 per year. Mr. Sprague noted our contribution costs for 2020 will be $620,098. Included in this five year option, we will no longer be charged for the allocated loss adjustment expenses, attorney fees, investigation expenses, etc. This equates to an annual savings of $50,000 in additional costs. Additionally, if the Plan meets the claims criteria in years four and five, we will receive a 3 percent decrease in the PERMA contribution.

**MOTION:** AUTHORIZING THE RISK MANAGER TO EXTEND THE CONTRACT WITH PERMA FOR THE WORKERS’ COMPENSATION PLAN THROUGH DECEMBER 31, 2025 MADE BY MRS. LANDO. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

   - **PERMA – Tail Claims** – Mr. Sprague requested authorization to renew the contract with PERMA for the administration of the tails claims. We paid $40,000 last year and the cost for 2020 will be $35,000. He anticipates the annual cost will continue to decrease as we go through these. Mrs. Ferratella asked how many open tail claims do we have? Mr. Sprague replied we have about 50.

**MOTION:** AUTHORIZING THE RISK MANAGER TO RENEW THE CONTRACT WITH PERMA FOR THE ADMINISTRATION OF THE TAILclaims FOR AN ANNUAL COST OF $35,000 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
E. Purchasing

1. Ricoh Maintenance Contract Renewal – Mr. Morse informed the committee that with our copier maintenance, half of our copiers are Toshiba and half are Ricoh. He is on a four-year plan to replace the Ricoh copiers and as of January we will have replaced about three-quarters of the fleet. Next year we will be able to replace the remaining Ricoh machines. He requested authorization to renew the contract with Ricoh for copier maintenance for the remaining Ricoh copiers. Last year the contract was $16,000 and for 2020 it will be $8,000. He commented the Toshiba machines are very good, have better technology and the maintenance costs are substantially less.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO RENEW THE CONTRACT WITH RICOH FOR COPIER MAINTENANCE FOR AN ANNUAL COST OF $8,000 MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO FOR DISCUSSION.**

Mr. Swackhamer asked what is the contract term? Mr. Morse replied it is a one year contract and the cost is based on the number of images we make. Mr. Swackhamer asked are the new copiers on contract? Mr. Morse replied the new copiers are on State contract and the maintenance costs have been locked in for five years.

Mrs. Lando asked are we getting rid of the copiers that we do not need anymore? Mr. Morse replied yes. We are also trying to get rid of the printers and use the multi-function copiers instead. The image cost is less using a multi-function copier compared to using a printer.

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

F. Personnel

1. Contract - Roemer Wallens Gold & Mineaux, LLP – Mr. Alderman stated traditionally this contract was through the Law Department. It seemed to be more logical to have the contract through our departments as they are our labor attorney and we do have a line item in our budget for this purpose. He requested authorization to waive the RFP process and enter into a three-year contract. Ms. Prossick commented she has looked at this and almost every time this contract was utilized, it was used by Personnel, so it makes sense to shift the contract to Personnel.

**MOTION: WAIVING THE RFP PROCESS AND AUTHORIZING THE PERSONNEL OFFICER TO ENTER INTO A THREE-YEAR CONTRACT WITH ROEMER WALLENS GOLD & MINEAUX, LLP FOR LEGAL COUNSEL SERVICES MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER FOR DISCUSSION.**

Mrs. Lando asked why are we waiving the RFP? Ms. Prossick explained we can waive the RFP for professional services to provide for continuity of service.

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

2. **Administrative Code Amendment – Outside Employment Policy** – Mr. Alderman presented the recommended changes to the Outside Employment Policy. The previous language was sparse and while we have had the policy for twenty years, if someone wanted to engage in outside employment, there was no true approval process. What we have done is change the language for approval or disapproval; where the employee and department head will get something to retain. We have had issues with employees taking leave time to work elsewhere, and that is prohibited by the Administrative Code. If an employee has any changes with regard to outside employment, they are required to notify Personnel. Ms. Prossick commented the Ethics Board will also review these applications. Ms. Mori suggested a copy of the applications be filed with the Ethics Board. Mr. Alderman agreed to make that change.
Mrs. Ferratella asked does this apply to everyone, including management? Mr. Alderman replied yes. Mr. Malter asked if we are changing this, does the contract with the Union need to be changed? Mr. Wheeler replied no. Mr. Van Etten suggested adding public or private business rather than just private.

Mr. Swackhamer asked what about our part-time employees and attorneys? Mr. Alderman replied we will still have them fill this out as we still have to be able to schedule people. Mr. Swackhamer asked if someone already has outside employment, would you review that at the first of the year? Mr. Alderman replied he would defer to the committee. Do you want us to review the current list? Ms. Mori commented with regard to attorneys, ultimately the Legislature is going to need to make a decision. A previous Legislature determined that if an attorney was full-time they could not operate a private practice as well. That is no longer being adhered to. Ms. Prossick stated this is showing up as new issues have come up. This is a global view of what has been missed in this process.

MOTION: AMENDING THE ADMINISTRATIVE CODE RELATIVE TO THE OUTSIDE EMPLOYEE POLICY AS PRESENTED BY THE PERSONNEL OFFICER AND INCLUDING PUBLIC AND PRIVATE BUSINESS MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER FOR DISCUSSION.

Mr. Van Etten asked is this retroactive? He thinks it is. Mr. Wheeler replied this is a new policy with a new form. Mr. Alderman stated we will end up doing a mass communication to all employees. Ms. Prossick commented this policy is just enforcing what the law already is.

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

G. County Manager
   1. Contract Renewals
      • Public Relations – Mr. Wheeler requested authorization to renew the public relations contract with Perham Communications for an annual cost of $22,000.

MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE PUBLIC RELATIONS CONTRACT WITH PERHAM COMMUNICATIONS FOR AN ANNUAL COST OF $22,000 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

   • Securitas Security Services USA, Inc. – Mr. Wheeler explained Securitas provides us with off-hours coverage and staffing to supplement court security. We are mandated to have security as we are court located and we are reimbursed half of the cost through the Department of Social Services. The contract has increased 7 percent as prevailing wage is increasing. The contract is $27.00 per hour. This is a one-year contract with the option for four, one-year renewals.

MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE CONTRACT WITH SECURITAS SECURITY SERVICES USA, INC. TO PROVIDE OFF-HOURS COVERAGE AND STAFFING TO SUPPLEMENT COURT SECURITY AT AN HOURLY RATE OF $27.00 MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

   • Archive Social – Mr. Wheeler requested authorization to renew the contract with SHI for the backup of our social media accounts for records retention and FOIL purposes. The annual cost is $2,507.40.

MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE CONTRACT WITH SHI FOR THE BACKUP OF SOCIAL MEDIA ACCOUNTS FOR AN ANNUAL COST OF $2,507.40 MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
2. **ProAction Lease** – Mr. Wheeler informed the committee that ProAction leases the old hospital building from us for $1.00 per year. They pay utility costs and if there is a major maintenance issue, we share the cost. He requested authorization to renew the lease for five years.

**MOTION:** AUTHORIZING THE COUNTY MANAGER TO RENEW THE LEASE OF THE OLD HOSPITAL BUILDING TO PROACTION FOR AN ANNUAL COST OF $1.00 PER YEAR FOR FIVE YEARS MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Census Grant** – Mr. Wheeler informed the committee that last Wednesday, his office and Planning were notified by New York State of the availability of funding for the 2020 census. There is $15 million available to counties to assist with the census process. Our share is potentially $180,910. In order to receive this funding the County has to provide additional services via contracts. He stated that some agencies have already approached the Planning Department. One of the additional services is promoting the census on social media and having people go out to promote this is in our favor as federal funding is dictated by population. By Friday, December 13th, we will need to submit a letter of interest. If the committee is interested in this, he can do this on the committee’s behalf. He would also suggest that we do an RFP to see what vendors would be interested so that we can distribute the funds. There is no County cost involved.

Mr. Van Etten asked have we done this previously? Mr. Wheeler replied he knows that funding has been provided in the past. Mrs. Lando asked is this just pass through money? Mr. Wheeler replied yes, that would be his recommendation.

**MOTION:** AUTHORIZING THE COUNTY MANAGER TO SEND A LETTER OF INTEREST TO NEW YORK STATE AFFIRMING STEUBEN COUNTY’S INTEREST IN RECEIVING UP TO $180,910 IN GRANT FUNDS TO ASSIST WITH THE 2020 CENSUS AND AUTHORIZING THE COUNTY MANAGER, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR AGENCIES THAT WOULD BE WILLING TO ASSIST WITH CENSUS PROMOTION MADE BY MS. LATTIMER. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Appointment of Commissioner of Finance** – Mr. Hauryski stated he is pleased to present Tammy Hurd-Harvey as his recommendation to the Legislature for appointment as Commissioner of Finance. The question has come up regarding her meeting the residency requirement and Mrs. Hurd-Harvey has informed me that she has met that requirement.

**MOTION:** APPOINTING TAMMY HURD-HARVEY AS COMMISSIONER OF FINANCE FOR A FIVE-YEAR TERM COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2024 MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

H. **County Clerk**

1. **Green Light Legislation** – Mrs. Hunter informed the committee that the Green Light Legislation that was adopted by the Legislature and signed by the Governor takes effect December 16, 2019. She sent a letter in June to President Trump requesting the Justice Department review the legislation to see if there is a conflict. She received notification from the Justice Department and they have indicated that there is a conflict.

Ms. Prossick commented the State is saying we are not permitted to not enforce the legislation and the federal brief said yes you are. The case was heard Friday and we do not know if the County Clerk should enforce the State or Federal law. The governor is making threats that County Clerks that do not meet the requirements will be removed from office.

Mrs. Lando asked so what will happen on Monday, December 16, 2019? Mrs. Hunter replied she has had one hour of training last week and she also watched a video session. She also has a PowerPoint presentation of over 20 pages that covers the 100 regulation changes. The training has been inadequate.
Ms. Lattimer asked do you expect a run on these licenses in this County? Mrs. Hunter replied she is not expecting it, but it could happen. She stated her thought all along has been that there would be a stay.

Ms. Prossick stated this case was heard in the U.S. Northern District. One thing we are thinking if no decision is made this week, is to maybe set an internal policy that these types of matters will only be addressed between 10 am and noon and just work through it. The other option is to send them to a State office where they can get it done. If the court rules in favor of the County Clerk’s and the State appeals and gets a stay, we will still have to enforce it.

Mr. Van Etten commented he would send these individuals to the State to get their licenses processed. Ms. Lattimer stated if we have the ability to send them to Binghamton, that is what we should do. Mrs. Hunter commented according to the Governor, we do not have the ability to do that.

Mr. Van Etten asked what are other counties doing? Mrs. Hunter replied some counties; Erie, Niagara and Genesee, are refusing to do it. At this point we cannot help these individuals because we do not have the forms and we have not had adequate training.

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 MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: SETTING THE SALARY FOR THE COMMISSIONER OF FINANCE AT $99,999 AT GRADE L, STEP 5 MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: TO ADJOURN MADE BY MRS. LANDO. 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, January 14, 2020
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, January 8, 2020