**MINUTES**

COMMITTEE:  Brian C. Schu, Chair  Carol A. Ferratella  Kelly H. Fitzpatrick

STAFF:  Jack K. Wheeler  Christopher Brewer  Scott Sprague
        Noel Terwilliger  Jennifer DeMonstoy  Rob Wolverton
        Brenda Mori  Vicki Olin  Jennifer Prossick
        Andy Morse  Nate Alderman  Craig Patrick
        Wendy Jordan

LEGISLATORS:  Scott J. Van Etten  K. Michael Hanna  Jeffrey P. Horton
              John V. Malter  Robert V. Nichols  Frederick G. Potter

ABSENT:  Robin K. Lattimer, Vice Chair  Gary D. Swackhamer

OTHERS:  Mary Perham

I.  CALL TO ORDER

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

II.  APPROVAL OF MINUTES

    MOTION:  APPROVING THE MINUTES OF THE DECEMBER 10, 2019, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III.  DEPARTMENT REQUESTS

    A.  Risk Manager
        1.  Administrative Code Revision - Mr. Sprague explained there is a process for CDL holders relative to positive alcohol/drug test results and our process in the past has not been well detailed. During the past year we have worked hard to come up with a process to explain what a positive test result means and how that impacts the employee. He had sent out for review a draft revision of the Administrative Code relative to Rehabilitation/Employee Assistance/Reinstatement, along with the DOT SAP Process for Steuben County. This follows the New York State DOT policy.

    MOTION:  AUTHORIZING A REVISION TO THE ADMINISTRATIVE CODE RELATIVE TO REHABILITATION/EMPLOYEE ASSISTANCE/REINSTATEMENT TO INCLUDE THE DOT SAP PROCESS FOR STEUBEN COUNTY MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

    Mrs. Ferratella asked how is the Union with this? Ms. Prossick explained in our agreement we have reserved our rights to do this at any point in time and just need to inform them. We did send this to Roemer and they reviewed it. Mr. Wheeler stated we have made changes based on the Federal requirements.

    Ms. Fitzpatrick asked how many departments have employees with CDL’s? Mr. Sprague replied we have a total of 152 drivers, mostly in Public Works and a couple in Buildings & Grounds. We do administer pre-employment
and random drug testing for the municipalities in the County, but this has nothing to do with the municipalities. This is just our internal process.

Mr. Van Etten asked is the NYS DOT process new? Mr. Sprague replied no, this has been in place for quite a long time, however, we need to make improvements. We just put the SAP (Substance Abuse Professional) portion in place this past year and are now getting the process more streamlined. Mr. Van Etten commented that we should make sure that the municipalities at least have this information. Mr. Sprague stated Thursday, January 16, 2020, there is a meeting with the municipalities and Occustar to review the new drug testing clearinghouse. If there is a positive test, that individual’s name goes into a DOT database. We will be meeting with all of the municipalities and Occustar to take them through that process and what the County will be doing. We will also be holding an internal meeting with all of our CDL drivers as well. Mr. Sprague explained we will still do the drug program as we always have, but with the new clearinghouse, that will be up to each municipality to set up.

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

Ms. Fitzpatrick asked are there other areas that we should be concerned about involving non-CDL drivers? Mr. Sprague replied with any new hires we run the license and we also subscribe to NYS LENS and we get a daily activity report that we check. Ms. Prossick commented we have also cleaned up the policy relative to accidents. Mr. Van Etten stated previously with our alcohol and drug testing services we were not meeting the Federal standards and we have corrected that.

B. Elections
   1. Budget Transfer – Mrs. Olin requested authorization to transfer a total of $109,000 from various 2019 accounts into the Voting Machines Capital Project for the future purchase of voting machines. She explained they did not have a full primary last year and there was some extra money.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER A TOTAL OF $109,000 FROM VARIOUS 2019 BOARD OF ELECTIONS OPERATING ACCOUNTS INTO THE VOTING MACHINES CAPITAL PROJECT MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Ms. Fitzpatrick commented there was a significant amount left over in the budget. The printing line was in excess of $55,000. Is that all from not having a full primary? Mrs. Olin replied we never know what will happen in our budget. We have to plan for a complete, full roll out. We don’t know if we will end up with a special election and that is what we have to try to figure out. This year we had 209 offices up for re-election and we also had a couple of countywide offices up. Mr. Wheeler stated this is not typical. The Board of Elections has done a good job managing their finances. This is not a continual issue.

Mr. Van Etten asked have we done this in previous years? Mrs. Olin replied probably four or five years ago we had $50,000 that we had transferred over to the capital project. We know that the life expectancy of the voting machines is five years and we are now on year ten. Mr. Van Etten commented he does not know what the capital account currently has. You cannot do department budgeting by hedging funds; you need to put a line item in the budget for that purpose and know that’s what it is for. In your printing line, in 2018 you budgeted $50,000; in 2019 you budgeted $100,000. My concern is that for 2020 you budgeted $140,000 and is that amount legitimate? Mrs. Olin replied that amount is absolutely legitimate. We will have two Presidential and one Federal election. We have an idea that there will be 27 days of early voting. We have gotten eight or nine legislative bills that have already passed the Senate and the State is looking to change early voting and put it in as many places as they can. We do not know what is coming. What is budgeted for this year is based on the last Presidential election.

Mrs. Olin commented this also factors in that we increased the rate of pay for inspectors from $160 for a full day to $200 for a full day. The primary has gone from a half day to a full day and the inspectors are making approximately $12.50 per hour. Mr. Van Etten commented if we are building a capital account, then we should know that. To do that through department budgeting is not the correct way to do it. Mrs. Olin replied no, we
always look at the previous election and never look at our budget as a way to put money away. Mr. Van Etten commented your real dollar amount has not been spent yet in September when we are beginning to look at the budget. Mr. Malter stated the unexpended funds are calculated into the 2020 budget and you are short-changing the 2020 scenario.

Mrs. Ferratella commented one of the towns she represents is concerned about having WiFi available as their WiFi is so sporadic that they feel it will go in and out. Mr. Wolverton explained the electronic poll books are what require the WiFi. We can preload the electronic poll books prior to taking them to the voting site, however that is not the best way to do it. We are getting Verizon Hotspots and will take the electronic poll books to those locations. We went out and tested each site to make sure that the Hotspots will work. Mrs. Olin clarified by doing it this way we will not be using the towns WiFi.

Mr. Malter asked what did we put into this capital project last year? Mr. Wheeler replied last year we put in $100,000. The total amount in the project is $295,000. Ms. Fitzpatrick asked what is the estimated replacement cost of the machines? Mr. Van Etten replied $750,000. Mrs. Olin explained the cost will depend on the machine and what is certified by the State. We are looking at trying to consolidate districts to cut our costs. Ms. Fitzpatrick asked how many machines do we have? Mrs. Olin replied we have 70 machines. We have 54 poll sites and some of those sites get two machines. We also have to have a couple of machines available for early voting. This year we will have the school elections on top of the June primary.

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

C. District Attorney
   1. Contract Addendum – Part-Time Victims’ Advocate – Mr. Terwilliger informed the committee that they currently have a contract through the Department of Social Services and the Institute for Human Services for part-time Victims’ Advocate services. The VOCA Grant allowed for funding for two part-time advocate services. He requested authorization to amend the contract with the Institute for Human Services to include additional part-time Victims’ Advocate services.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO AMEND AND EXTEND THE CONTRACT THROUGH THE DEPARTMENT OF SOCIAL SERVICES AND THE INSTITUTE FOR HUMAN SERVICES FOR ADDITIONAL PART-TIME VICTIMS’ ADVOCATE SERVICES TO BE PAID FOR WITH VOCA GRANT FUNDS MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

D. Purchasing
   1. Request Authorization to Purchase Copiers from Copier Capital Project – Mr. Morse informed the committee that he is in the third year of a four year project to replace all of the Ricoh copiers with Toshiba copiers. He requested authorization to purchase 14 copiers for a total cost of $54,841. He stated there is $169,000 available in the Copier Capital Project. The final phase will be purchasing another 14 copiers next year.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO PURCHASE 14 TOSHIBA COPIERS OUT OF THE COPIER CAPITAL PROJECT FOR A TOTAL COST OF $54,841 MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

   2. Authorization to Issue Bid for Printing – Mr. Morse requested authorization to issue a bid for printing services. We have not done this in the past as we had utilized BOCES. Last year we spent $55,000 on printing.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO SOLICIT BIDS FOR PRINTING SERVICES MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.
Ms. Fitzpatrick asked what did we send out for printing? Mr. Morse replied the printing is for department needs for business cards, brochures. If we do a multiple award that will fit our needs better. Mr. Van Etten asked what changed with BOCES? Mr. Morse replied their priority has been to service the schools more.

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

E. County Manager

1. **Mortgage Tax Extension** – Mr. Wheeler informed the committee that we are required to request an extension of our Mortgage Tax. He is requesting approval to request the legislation.

**MOTION: REQUESTING AN EXTENSION OF THE MORTGAGE TAX UNDER TAX LAW SECTION 253-S MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

2. **Broadband Expansion Study** – Mr. Wheeler explained a broadband expansion study would encompass the counties of Steuben, Schuyler, Yates and Tioga. He stated STN (Southern Tier Network) has done a good job for business to business connection. This has also allowed Empire and other carriers to expand their networks. The one area that still remains an issue is rural access and there is no easy way to solve that. All of the counties are having discussions on what options there are for rural broadband access. We really need to fund a study to show where the gaps are, where we can build, options to build, the costs and governance models. These types of discussions are going on throughout the nation. Fujitsu was evaluated and selected by STN as they can guarantee build costs within five percent. Schuyler County has adopted a resolution to fund a portion of this study. Yates and Tioga counties are in the process. Chemung County is doing their own study.

Mr. Wheeler requested authorization to enter into an inter-municipal agreement with Schuyler, Yates and Tioga counties for the broadband expansion study, contingent upon Law Department review and approval. This agreement is important because Fujitsu and STN want to see formal action that the municipalities are committing to the study.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER, YATES AND TIOGA COUNTIES FOR A BROADBAND EXPANSION STUDY MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.**

Mr. Schu asked is this due to the State’s inability to expand broadband? Mr. Wheeler replied yes. We will still face a challenge with State funding. There are significant Federal grants and loans. The Governor considers all of the residents served. Ms. Fitzpatrick stated she would like to see this move forward. It is a hindrance when you do not have internet and it is a shame that we do not have internet everywhere. Mrs. Ferratella commented she hears this complaint every month at one the town meetings she attends.

**VOTE ON PREVIOUS MOTION. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

Mr. Wheeler requested authorization to spend up to $75,000 out of the Southern Tier Fiber Capital Project. This project currently has $500,000. He explained our portion of the study is $54,743. Mr. Malter asked if the other counties do not participate, will the cost come down? Mr. Wheeler replied yes it would. Yates and Schuyler are in. Tioga has never really bought into STN. The eastern expansion goes through Tioga and they have not been an active participant so their share of the cost is higher.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO SPEND UP TO $75,000 ON THE BROADBAND EXPANSION STUDY, THE COST TO BE PAID OUT OF THE SOUTHERN TIER FIBER CAPITAL PROJECT MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. 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 MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: AMENDING THE MANAGEMENT SALARY GRID TO REFLECT THE FOLLOWING SALARY CORRECTIONS FOR 2020: JUDY HILLMAN (PARALEGAL ASSISTANT) - $51,074; JOSETTE MORSE (PERSONNEL CLERK) - $51,074; RYAN CARBONE (PERSONNEL TECHNICIAN TRAINEE) - $51,307; DANA STRATTON (SENIOR TYPIST - PERSONNEL) - $43,430; VICKI JONES (SENIOR TYPIST – RISK MANAGER) - $45,871; ANGELIA CORNISH (ASSISTANT TO ELECTION COMMISSIONER) - $46,647; COLEEN HAURYSKI (ASSISTANT TO ELECTION COMMISSIONER) - $48,123; SAMANTHA JAMISON (SENIOR CLERK) - $37,329; AND CHAD CLELAND (SENIOR CLERK – ELECTIONS) - $40,990 MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

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

MOTION: TO ADJOURN MADE BY MS. FITZPATRICK. 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, February 11, 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, February 5, 2020
STUEBEN COUNTY ADMINISTRATION COMMITTEE
Tuesday, February 11, 2020
9:00 a.m.
Legislative Committee Room
Steuben County Office Building
Bath, New York

**MINUTES**

COMMITTEE: Brian C. Schu, Chair Carol A. Ferratella Kelly H. Fitzpatrick

STAFF: Jack K. Wheeler Christopher Brewer Brenda Mori
Jennifer Prossick Nate Alderman Jennifer DeMonstoy
Craig Patrick Andy Morse Hank Chapman
James Allard Patty Baroody Tina Goodwin
Darlene Smith Vince Spagnoletti Steve Orcutt
Noel Terwilliger Kathy Muller Lise Reynolds

LEGISLATORS: Scott J. Van Etten K. Michael Hanna Jeffrey P. Horton
Steven P. Maio John V. Malter Gary B. Roush

ABSENT: Robin K. Lattimer, Vice Chair Gary D. Swackhamer

OTHERS: Mary Perham James Post, The Leader

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 14, 2020, MEETING MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. EXECUTIVE SESSION

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. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

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

IV. DEPARTMENT REQUESTS

A. Personnel

1. 16B Waiver – Conflict Defender – Mr. Alderman stated the Conflict Defender is requesting a 16B Waiver to create one, part-time Assistant Conflict Defender position, Management Grade H. The Conflict Defender has indicated that they currently have two Conflict Defenders. Their caseloads are increasing, they are
getting a lot of discovery materials and two people cannot cover 1,400 square miles. Mr. Alderman stated he would recommend approval of this position. Mr. Wheeler explained this position is covered under Hurrell-Harring and the cost will be offset by State revenues. This should also help to divert cases from having to go to Assigned Counsel.

MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT CONFLICT DEFENDER POSITION, MANAGEMENT GRADE H, IN THE CONFLICT DEFENDER’S OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

2. 16B Waiver – District Attorney – Mr. Alderman stated the District Attorney is requesting a 16B Waiver to create one part-time Assistant District Attorney position, Management Grade H. Mr. Baker explained he had a shared services contract with Schuyler County for a part-time ADA. Schuyler County can no longer fulfill this contract. He requested authorization to create one part-time ADA and the cost would be the same as what they were paying through the contract with Schuyler County.

Ms. Fitzpatrick asked Mr. Baker to define part-time? Mr. Baker replied part-time is 50 percent; they would be working 20 hours per week. This position would be covering the eastern half of the County.

MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE H, IN THE DISTRICT ATTORNEY’S OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

3. Request for District Attorney to Hire Above Mid-Point – Mr. Baker requested authorization to hire an Assistant District Attorney, Bruce Rosekrans above the mid-point of Grade H, which would be step 8. The salary would be $74,775 annually. Mr. Rosekrans has over 35 years of experience, 20 of which was as Assistant District Attorney in Wayne County. Currently, Mr. Rosekrans is handling the implementation of the new discovery requirements and that is going very smoothly. Ms. Fitzpatrick asked is this is a full-time or part-time position? Mr. Baker replied this is a full-time position at 100 percent in-house employee.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO HIRE A FULL-TIME ASSISTANT DISTRICT ATTORNEY, BRUCE ROSEKRANS, AND SETTING HIS SALARY ABOVE THE MID-POINT AT $74,775 MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

4. 16B Waiver – Public Defender – Mr. Alderman stated the Public Defender is requesting a 16B waiver to create one Typist, Grade IV position; one Senior Typist, Grade VI position; 1 Paralegal Assistant, Grade XI position; and one Senior Assistant Public Defender position, Management Grade I. Mr. Wheeler explained all of these positions are budgeted and covered under the Hurrell-Harring settlement. The Senior Typist position is the most critical as Hurrell-Harring requires the Public Defender to have a Data Control Officer. The other positions are to fill the needs and requirements of Hurrell-Harring.

MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE TYPIST POSITION, GRADE IV; ONE SENIOR TYPIST POSITION, GRADE VI; ONE PARALEGAL ASSISTANT POSITION, GRADE XI; AND ONE SENIOR ASSISTANT PUBLIC DEFENDER POSITION, MANAGEMENT GRADE I MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

5. Reclassification – Office of Community Services – Mr. Alderman stated Dr. Chapman is requesting the reclassification of one vacant Recreation Therapist position, Grade XII to a Social Work Assistant position, Grade XII. Dr. Chapman explained the Recreation Therapist position was created about 20 years ago and the individual who held that position retired in November. He no longer needs a Recreation Therapist, but
does need care management services and that is what a Social Work Assistant does. There is no difference in cost.

**MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE VACANT RECREATION THERAPIST POSITION, GRADE XII TO A SOCIAL WORK ASSISTANT POSITION, GRADE XII IN THE OFFICE OF COMMUNITY SERVICES MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

6. **Reclassification – Office of Community Services** – Mr. Alderman stated Dr. Chapman is requesting the reclassification of one zero-based Staff Psychologist position, grade XIX to an Assistant Director of Community Services position, Management Grade I. Dr. Chapman stated for the past eight years he has run the department without a deputy and he is at a point now with managed care that he needs to have an individual to help oversee the programs and make day to day decisions. This would also be the start of a succession plan. Dr. Chapman stated the individual he has in mind for this position is Lynn Lewis who is a Mental Health Coordinator. She has 30 plus years of experience in the field as she has worked for us for the past 24 years and prior to that worked at the St. James inpatient unit. He is asking to hire her above the mid-point of Grade I at $89,376 which is step 11 in the grade. He does have money available in the budget to cover this. She will continue to oversee the Children & Youth Program and he will delegate some of her duties to other staff to free up time to do deputy duties. Dr. Chapman stated at some point in the future he would envision filling her current position. Mr. Wheeler commented the reason for hiring her above the mid-point is her current salary in the union grade is higher as a clinical practitioner. Dr. Chapman stated her current salary is $82,757.

**MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE ZERO-BASED STAFF PSYCHOLOGIST POSITION, GRADE XIX TO AN ASSISTANT DIRECTOR OF COMMUNITY SERVICES POSITION, MANAGEMENT GRADE I MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

**MOTION:** AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO HIRE THE ASSISTANT DIRECTOR OF COMMUNITY SERVICES POSITION ABOVE THE MID-POINT AT $89,376, CONTINGENT UPON THE LEGISLATURE APPROVING THE RESOLUTION RECLASSIFYING THE POSITION MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. **Purchasing**
   1. **Quarterly Copy Paper Award** – Mr. Morse recommended awarding the quarterly copy paper bid to the low bidder, W.B. Mason for $25.17 per case.

**MOTION:** AWARDING THE QUARTERLY COPY PAPER BID TO THE LOW BIDDER, W.B. MASON FOR $25.17 PER CASE MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

C. **Information Technology**
   1. **Request for Inter-Municipal Agreements** – Mr. Wolverton requested authorization to enter into Inter-Municipal agreements with the municipalities and the school districts for the purpose of printing tax bills. He commented they also provide IT services to the City of Corning.

**MOTION:** AUTHORIZING INTER-MUNICIPAL AGREEMENTS WITH THE MUNICIPALITIES AND THE SCHOOL DISTRICTS FOR THE PRINTING OF TAX BILLS, AS WELL AS FOR PROVIDING INFORMATION TECHNOLOGY SERVICES TO THE CITY OF CORNING MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.
D. Department of Social Services

1. Personnel – Ms. Muller informed the committee that she has two attorney vacancies in the department. She would like to appoint the current Social Services Attorney to the Senior Social Services Attorney position and hire that individual above the midpoint. This individual has 28 years of experience and came from Chemung County. She requested authorization to hire at Management Grade I, Step 8 for an annual salary of $82,246. Mr. Van Etten asked is this a full-time position? Ms. Muller replied yes.

**MOTION: AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO HIRE A SENIOR SOCIAL SERVICES ATTORNEY ABOVE THE MID-POINT AT $82,246 MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Ms. Muller requested authorization to hire a Social Services Attorney above the mid-point at Management Grade H, Step 8 for an annual salary of $74,775. This individual has 18 years of experience and also comes from Chemung County. Ms. Fitzpatrick asked is this a full-time position? Ms. Muller replied yes.

**MOTION: AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO HIRE A SOCIAL SERVICES ATTORNEY ABOVE THE MID-POINT AT $74,775 MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

E. County Manager

1. Renew Vehicle Lease Agreement – Mr. Wheeler requested authorization to renew the vehicle lease agreement with Enterprise Fleet Management, Inc. We have 16 vehicles that we lease at a monthly rate of $5,800 per month. We have had a great experience. These vehicles are replaced every three to five years and our mechanics are doing just regular maintenance. Mrs. Ferratella asked has this amount increased since we initially started this? Mr. Wheeler replied we initially started with 5 vehicles and over the past two years have added vehicles. The entire motor pool is lease vehicles. We are encouraging the Department of Social Services, Probation and Office of Community Services to lease their vehicles as well.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE VEHICLE LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC. MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

2. Part-Time Court Security and 911 Dispatcher Pay – Mr. Wheeler stated we have part-time temporary Court Security Officers and 911 Dispatchers that have not had a rate increase since 2013. Currently they receive $16.00 per hour. With the changes to minimum wage and the fact they have not received an increase in many years, he is proposing to increase the rate to $17.00 per hour effective upon adoption. This will have an overall impact on the budget of approximately $14,000; $12,000 for the Court Security Officers and $2,000 for the 911 Dispatchers.

Ms. Fitzpatrick asked for an explanation of temporary part-time? Mr. Wheeler explained this is a civil service designation and individuals can be appointed for up to 18 months. They do not receive the benefits of a permanent part-time individual. Mr. Alderman explained these employees work as needed. We have been doing it this way for the past 20 years. The Sheriff can use these positions wherever and whenever needed. The difference is that permanent part-time employees work 20 hours per week every week.

Mr. Maio asked what do permanent part-time employees get paid? Sheriff Allard replied they are paid $18.36 per hour. Mr. Wheeler explained we have enough in the overall salaries budget to cover this increase in wages. Mr. Van Etten asked are a lot of these employees retired officers? Sheriff Allard replied almost all of them are retired corrections officers and they can also carry a weapon.
MOTION: AUTHORIZING AN INCREASE IN SALARY FOR TEMPORARY PART-TIME COURT SECURITY OFFICERS AND TEMPORARY PART-TIME 911 DISPATCHERS TO $17.00 PER HOUR MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Mrs. Ferratella asked how many vacancies do we have at 911? Mrs. Goodwin replied we have three vacant full-time positions. The dispatcher test was given a couple of weeks ago and we are waiting to see the results of that.

MOTION: TO ADJOURN MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. 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 10, 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, March 4, 2020
I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 11, 2020, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REQUESTS

A. Purchasing
   1. Request to Bid Polyethylene Bags and Custodial Paper Products – Mr. Morse requested authorization to issue bids for polyethylene bags and custodial paper products. He commented last year we spent $7,500 on the polyethylene bags and $23,000 on custodial paper products.

   MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO ISSUE BIDS FOR POLYETHYLENE BAGS AND CUSTODIAL PAPER PRODUCTS MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. County Clerk
   1. Amendment to RPL 291 – Mrs. Hunter informed the committee that the Governor signed an amendment to RPL 291 which requires County Clerks to send a notice to the owner/owners of record of residential real property when a conveyance is recorded affecting their property. The New York State County Clerks Association has determined that a $10 fee is reasonable for that document. In Steuben County, this fee will be applied to residential deed conveyance recording on and after March 11, 2020. Our vendor, IQS, is working on our software to accommodate this change. We also have notified the Steuben County Bar Association. The concept behind the amendment is to avoid deed fraud across the State. This amendment does not apply to commercial properties.
2. **Donate Life Month** – Mrs. Hunter stated April is designated as Donate Life Month. Our DMV offices will be promoting the organ donation program and the theme this year is Garden of Life. She asked for a resolution or proclamation designating April as Donate Life Month.

**MOTION:** DESIGNATING APRIL AS DONATE LIFE MONTH IN STEUBEN COUNTY MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. **Resolution Required.**

3. **Green Light Law Update** – Mrs. Hunter informed the committee that the New York State County Clerks Association supports the concerns raised by the Sheriff’s Association and the Police Chiefs Association regarding the data contained within the driver’s license. She stated the association sent a letter to the Governor and the Legislature urging immediate attention to restore access to the DMV database for all law enforcement agencies, including border patrol and customs. In addition to public safety, the Green Light Law creates a strain on New York’s economic health. This affects the vehicle industry as well as the trucking industry as border patrol and customs cannot clear vehicles with NYS titles.

C. **Personnel**

1. **Request for RFP for EAP Services** – Mr. Alderman informed the committee that they are in the last extension of their current contract for EAP services. He requested authorization to issue an RFP for EAP Services.

**MOTION:** AUTHORIZING THE PERSONNEL OFFICER, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR EAP SERVICES MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Request for RFP for Personnel/Civil Service Software System** – Mr. Alderman stated they are on the last extension of their current software contract. This is a specialized program that we use for the NYS Civil Service exams, employee lists, etc. He requested authorization to issue an RFP for a Personnel/Civil Service Software System.

**MOTION:** AUTHORIZING THE PERSONNEL OFFICER, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR PERSONNEL/CIVIL SERVICE SOFTWARE SYSTEM MADE BY MR. SWACKHAMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Reclassifications – Public Works Department**

   a. **Reclassify One Vacant Motor Equipment Operator Position, Grade VIII to an Automotive Mechanic Position, Grade X** – Mr. Alderman stated the Commissioner of Public Works is requesting the reclassification of a vacant Motor Equipment Operator position to an Automotive Mechanic Position which will be used at the Landfill. There has been an increased amount of garbage which has required more equipment and more maintenance. This position could also be used at the main shop.

   **MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE VACANT MOTOR EQUIPMENT OPERATION POSITION, GRADE VIII TO AN AUTOMOTIVE MECHANIC POSITION, GRADE X WITHIN THE PUBLIC WORKS DEPARTMENT MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. **Resolution Required.**

   b. **Reclassify One Vacant Motor Equipment Operator Position, Grade VIII to a District Supervisor, Grade XV** – Mr. Alderman stated many years ago the number of District Supervisors was cut down to one. The Commissioner of Public Works is requesting an additional District Supervisor which would allow for one District Supervisor for the northern portion of the County and one District Supervisor for the southern portion of the County.
MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT MOTOR EQUIPMENT OPERATOR POSITION, GRADE VIII TO A DISTRICT SUPERVISOR, GRADE XV WITHIN THE PUBLIC WORKS DEPARTMENT MADE BY MRS. FERRATELLA. SECONDED BY MR. SWACKHAMER FOR DISCUSSION.

Mr. Wheeler explained we have expanded the job duties of the District Supervisor to focus additionally upon safety. This will now be a formal responsibility under the job specifications.

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

c. Reclassify One Typist Position, Grade IV to an Account Clerk-Typist Position, Grade VI – Mr. Alderman stated his office reviewed the duties and this position has morphed into additional duties, particularly financial, and that is consistent with an Account Clerk-Typist position.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE TYPIST POSITION, GRADE IV TO AN ACCOUNT CLERK-TYPIST POSITION, GRADE VI WITHIN THE PUBLIC WORKS DEPARTMENT MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

4. 16B Waiver – District Attorney - Mr. Alderman stated the District Attorney is requesting a 16B Waiver to hire one part-time Assistant District Attorney, Management Grade H. He previously had a part-time position that was shared with Schuyler County and Schuyler County is no longer sharing that position. The District Attorney would not be adding people over what he already had.

Mr. Baker explained this is a budgeted position and we have had it since 2012. He is requesting filling this position due to Discovery Reform and CAP Court. As part of this process, he has spoken with Mr. Wheeler and one of the concerns that was raised was excess capacity. Mr. Baker stated he has been unable to find a paralegal and his intent is to zero-base that paralegal position. In order to keep our head above water with 245, we are utilizing a law student until she passes her bar exam. If we fill this part-time position and zero-base the paralegal position and not fill it until we have the need, we are saving money in our budget. This part-time position is a 50 percent position.

MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE H, IN THE DISTRICT ATTORNEY’S OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Swackhamer asked what will this position do the other half of the time? Mr. Baker explained this is a half-time position. We pay for 50 percent of their time. This is the part-time position we have always used. Mr. Swackhamer asked do they have set hours? Mr. Baker replied no, just their court hours. As far as knowing exactly the number of hours, no, they do not have set hours. Mr. Schu commented the time you spend varies from court to court.

Mr. Swackhamer asked how are we keeping track of the part-time positions? Mr. Baker replied they are being kept track of based upon their job responsibilities. They do not punch in and out. If the job does not get done, we find out and then they are let go. Mr. Wheeler explained they are exempt employees like management and they only punch in once a day. They do not have start and stop times.

Mr. Baker stated as part of the retirement reporting, they report each hour they work which includes phone calls and setting up trials. They do have those court responsibilities. Mr. Swackhamer asked we have more part-time people; how are we controlling that? Mr. Baker replied they have assigned jobs. Mr. Swackhamer stated some of these positions are more than part-time and how do we take care of that? How is your office supposed to make
them accountable for their hours? Mr. Baker replied we know how long it takes to do the jobs they need to do. If the tasks are getting done, they are doing what they are supposed to do.

Ms. Fitzpatrick asked is it true that you are not able to fulfill the duties that need to be done? Mr. Baker stated we cannot get everything done right now. What is suffering is CAP court and we have reassigned how we do that. I have discussed this with the employees in the office and we are shifting one of our clerical positions to a morning shift. Right now we cannot get everything done. We cover 62 local court appearances every month along with County Court.

Mr. Swackhamer stated he just wants to know how everyone is getting checked. Mr. Baker stated he checks with the local courts to make sure the attorney are there. There is a report he runs monthly and he also gets regular input from the local court judges. In the past, if people fail to show up to court, they get fired. They are at-will employees. There is no other way that he can do it.

Mr. Van Etten stated as important as your concern about doing the work, my concern is how we know what they are doing the other half of the time and making sure there is no conflict with the County. We need to make sure that the part-time attorneys are not doing work that is against the County’s interest. Mr. Baker stated attorneys have multiple codes of professional responsibility. District Attorneys have strict codes regarding conflicts. We have to determine who the client is when considering a conflict. We are employees of the County, but the County is not our client; the State of New York is. He is working with Ms. Prossick to create a code for people in our office that outlines the general code as outlined in the Administrative Code, the District Attorney’s code and that for any and all conflicts, we would treat the County as a client. We will put all of this information into one document and that will be impressed upon all of the attorney’s in the office.

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

**D. County Manager**

1. **Request Insurance Waiver for Three Rivers Development Corporation** – Mr. Wheeler requested an insurance waiver for Three Rivers Development Corporation. He explained we have a contract with them, in conjunction with Chemung and Schuyler for the I-86 Workforce Study Coordinator, Fred Arcuri. Our share of the contract is $50,000.

**MOTION: AUTHORIZING AN INSURANCE WAIVER FOR THREE RIVERS DEVELOPMENT CORPORATION RELATIVE TO THE CONTRACT FOR THE I-86 WORKFORCE STUDY COORDINATOR MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Request Adoption of Senate Bill S7816 and Assembly Bill A9796** – Mr. Wheeler informed the committee that we have received the bill numbers for extending Steuben County’s Mortgage Recording Tax. He requested adoption of the Senate and Assembly bills.

**MOTION: REQUESTING ADOPTION OF SENATE BILL S7816 AND ASSEMBLY BILL A9796 RELATIVE TO EXTENDING STEUBEN COUNTY’S MORTGAGE RECORDING TAX MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

3. **Census Grant** – Mr. Sousa stated in December the County had submitted a letter of interest for a grant to target the hard to count population. There was $180,000 available for the County and as part of the process we had to put out an RFP for a not-for-profit to conduct that count. Mr. Sousa stated four not-for-profits responded; Cornell Cooperative Extension, ProAction, Institute for Human Services and STLS. The funding will be distributed among the four agencies. We submitted our grant application in February and we are waiting on a final award amount and the date for the grant disbursement. He requested authorization to accept this grant funding. There is no match and this is just pass through funding. The census starts in April and runs through July.
MOTION: AUTHORIZING THE ACCEPTANCE OF A CENSUS GRANT IN AN AMOUNT UP TO $180,000 TO BE DISBURSED TO CORNELL COOPERATIVE EXTENSION, PROACTION, INSTITUTE FOR HUMAN SERVICES AND STLS FOR THE PURPOSE OF TARGETING THE HARD TO COUNT POPULATIONS IN STEUBEN COUNTY MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

4. Broadband Expansion – Mr. Wheeler stated you authorized additional funding to STN (Southern Tier Network) for the Rural Broadband Initiative. This originally was going to be for the four counties of Steuben, Schuyler, Yates and Tioga, but Chemung is now back in. In the meantime, the USDA has come out with reconnect grants which require a 25 percent match. They will award up to $25 million and the grant is due next Monday. STN, on behalf of the five counties, is applying for the reconnect grant. They made the decision that they would pay for the consultant to submit the application. If, for some reason, we all cannot determine a way to come up with the local match, we could always say that we are not interested in the grant. STN felt it was important enough to apply. The other four counties are in a similar situation with regard to whether they can come up with the match. The consultants are Fujitsu and Hunt. Mr. Wheeler stated they will be looking at the underserved areas, particularly those areas they would target first. He will email a map to the Legislators showing the underserved areas. We will be working with you to make sure you are informed as this grant process moves along. This is just informational for now and these efforts will be integrated into Fujitsu’s study.

Mr. Malter asked how would the funds be distributed? Mr. Wheeler stated STN is working on that. Our area is the largest geographic area that has gaps. We would have a significant portion. Ms. Fitzpatrick commented it is really important to get this access and this needs to be a top priority.

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 MATTER LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SWACKHAMER. 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. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MS. FITZPATRICK. 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, April 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, April 1, 2020
**MINUTES**

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

**STAFF:**  
Jack K. Wheeler  
Christopher Brewer  
Nate Alderman  
Jennifer DeMonstoy  
Tammy Hurd-Harvey  
Brenda Mori  
Nate Alderman  

**LEGISLATORS:**  
Scott J. Van Etten  
K. Michael Hanna  
Jeffrey P. Horton  
Hilda T. Lando  
Steven P. Maio  
John V. Malter  
Aaron I. Mullen  
Robert V. Nichols  
Frederick G. Potter  
Gary B. Roush  
Thomas J. Ryan  
Paul E. Van Caeseele  

I. CALL TO ORDER

Ms. Lattimer called the meeting to order at 10:05 a.m. as Mr. Schu was not yet on the call.

**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§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT STATUS OF A PARTICULAR INDIVIDUAL 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 MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SCHU ABSENT FOR VOTE)**

**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.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature
STEUBEN COUNTY ADMINISTRATION COMMITTEE
Tuesday, April 14, 2020
9:00 a.m.
Via Teleconference

**MINUTES**

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

STAFF: Jack K. Wheeler  Christopher Brewer  Brenda Mori
Scott Sprague  Wendy Jordan  Jennifer Prossick
Rob Wolverton  Kelly Penziul  Tammy Hurd-Harvey
Andy Morse  James Allard  Nate Alderman
Vicki Olin  Jennifer DeMonstoy  Judy Hunter
Sue Cranmer  Pat Donnelly  Craig Patrick

LEGISLATORS: Scott J. Van Etten  K. Michael Hanna  Jeffrey P. Horton
Hilda T. Lando  John V. Malter  Steven P. Maio
Aaron I. Mullen  Robert V. Nichols  Frederick G. Potter
Gary B. Roush

OTHERS: Mary Perham
Media

I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 10, 2020, AND APRIL 1, 2020, MEETINGS MADE
BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION
CARRIES 4-0. (MR. SWACKHAMER ABSENT FOR VOTE)

III. GRIEVANCES

1. Clarifying the Legislature’s Designee for the Filing of Grievances by All Bargaining Units – Mr.
Alderman explained with two of the bargaining units, when a grievance is filed it comes to my office and we bring it to
you when it comes to the second stage. For some reason, the Deputies Association Unit has it set up that the first stage is
a verbal grievance to the Sheriff. If he answers in the negative and it goes to a second stage that is delivered directly to
you, the Legislature, and completely bypasses my office, and my office generally does the background work for you. He
requested, in an effort to make the process the same across the units, that the Legislature designate the Personnel Officer
to receive second stage grievances.

MOTION: DESIGNATING THE PERSONNEL OFFICER TO RECEIVE SECOND STAGE GRIEVANCES
FROM ALL BARGAINING UNITS ON BEHALF OF THE LEGISLATURE MADE BY MS. FITZPATRICK,
SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR.
SWACKHAMER ABSENT FOR VOTE). Resolution Required.

IV. DEPARTMENTAL REQUESTS

A. Risk Manager

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Administration Committee
Tuesday, April 14, 2020
1. **Approval to Add Village of Hammondsport to Workers’ Compensation Plan** – Mr. Sprague explained the Village of Hammondsport has been directly with PERMA for five or six years and they would like to come on our plan. The premium for them to join our plan would be $10,900 with no losses. They would like to join our plan effective with their renewal which would be July 1, 2020.

**MOTION:** AUTHORIZING THE VILLAGE OF HAMMONDSPORT TO JOIN THE COUNTY’S WORKERS’ COMPENSATION PLAN FOR A PREMIUM AMOUNT OF $10,900, EFFECTIVE JULY 1, 2020 MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Cyber Security Insurance** – Mr. Sprague stated the conversation regarding cyber security insurance was started several months ago by Mr. Brewer. Currently we have a cyber security policy through Chubb Insurance. This policy has a $1 million liability limit with a $25,000 deductible for an annual cost of $11,854. We looked at increasing the coverage to $3 million, which will cost an additional $14,605 bringing the annual total to $26,459. Lastly, we looked at increasing the coverage to $5 million which will cost an additional $23,993 bringing the annual total to $35,847.

Mr. Sprague stated this conversation started back when we were talking about the Sheriff’s Department and their laptops, but was brought up again given the current circumstances and the number of employees working from home. Mr. Wolverton explained we have 200 laptops and one of the Sheriff’s MDT’s got encrypted. That laptop is not connected in any way to the County’s network, but is connected to the Sheriff’s network and we had to reimage the laptop. That’s what started this conversation. During 2019 there were numerous crytoware attacks in Upstate New York. These occurred in the Syracuse City School District, the Onondaga Library, City of Albany government, Hamilton County and in 2017, Schuyler County.

Mr. Schu asked what are your thoughts? Mr. Sprague replied I think the $3 million would give us a level of coverage that would be sufficient. With what is going on in the country, you will see a lot more of this. The $5 million is way more than what we need.

Ms. Fitzpatrick would the deductible be at the $25,000? Mr. Sprague replied there would be the same deductible option. He stated he can look to see if there is a higher deductible available. Ms. Fitzpatrick stated her main concern is with budgeting extra money. She would like to see what the price would be with a higher deductible. Mr. Sprague stated he will reach out and find out the prices for higher deductibles.

Mrs. Ferratella asked do you have money in the budget for this? Mr. Wolverton replied no, we were only budgeting for the $1 million coverage.

Mr. Van Etten stated his opinion is that we need to go to the $3 million. Given the fact that we have ordered 100 new laptops, we definitely have increased exposure. Whether we ask for different deductibles or not, we need this insurance because the risk is out there.

Mr. Schu asked would you like a special meeting before the Board meeting? Ms. Fitzpatrick stated she would be in favor of that.

Mrs. Lando asked what does that insurance buy us? Mr. Sprague replied it buys you protection from ransomware. It would cover your costs for everything that we would need to do to get back up and running. The $1 million will not go very far.

Ms. Lattimer asked can you restate the cost for the $3 million coverage? Mr. Sprague replied the $1 million coverage would have an annual cost of $11,854. The $3 million coverage would cost an additional $14,605 bringing the total annual cost to $26,459.

Ms. Fitzpatrick asked are there other things being put into place to protect us? Mr. Wolverton replied there are other tools to monitor the network. We are in pretty good shape now. We purchased DarkTrace to monitor the
internet and FireEye to monitor all traffic in and out. There are a few additional things that we could purchase such as logging software. Ms. Fitzpatrick asked have you investigated that option and is there a process on every laptop while working remotely? Mr. Wolverton replied we have the firewall. Every laptop is connected back through the VPN. We have installed anti-virus and malware on each laptop. What we can’t stop is people using the county device for things that are not county related. If they do get a laptop infected, then our network is infected. Mr. Wheeler stated we do have a computer use policy and we did send out another communication to employees on that. Mr. Wolverton commented this is not a new issue, it is just bigger because we have more laptops out there.

**MOTION:** TABLE FURTHER DISCUSSION UNTIL A SPECIAL MEETING TO BE HELD PRIOR TO THE APRIL 27, 2020 LEGISLATIVE MEETING TO ALLOW THE RISK MANAGER ADDITIONAL TIME TO PROCURE QUOTES AT A HIGHER DEDUCTIBLE AND TO ALLOW THE DIRECTOR OF INFORMATION TECHNOLOGY TO PURSUE ADDITIONAL SOFTWARE TO TRACK LOGGING ACTIVITY MADE BY MS. FITZPATRICK. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SWACKHAMER ABSENT FOR VOTE)

C. Personnel
1. **Reclassifications – Sheriff’s Office** - Mr. Alderman stated he has three reclassifications for the Sheriff’s Office and he believes that everyone received the Sheriff’s narrative.

   a. **Reclassify One (1) Vacant Senior Criminal Investigator Position, Grade XIV ($71,101) to One (1) Criminal Investigator Position Grade XIII ($67,917)** – Mr. Alderman stated this is a downgrade.

   **MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE (1) VACANT SENIOR CRIMINAL INVESTIGATOR POSITION, GRADE XIV TO ONE (1) CRIMINAL INVESTIGATOR POSITION, GRADE XIII IN THE SHERIFF’S OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   b. **Reclassify One (1) Deputy Sheriff Position, Grade XI ($38,825 - $61,384) to One (1) Deputy Sheriff Corporal Position, Grade XII ($64,726)** – Mr. Alderman explained this reclassification will allow for a Supervisor that is lacking on one of the shifts.

   **MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE (1) DEPUTY SHERIFF POSITION, GRADE XI TO ONE (1) DEPUTY SHERIFF CORPORAL POSITION, GRADE XII IN THE SHERIFF’S OFFICE MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

   c. **Reclassify One (1) Vacant Full-Time Corrections Officer Position, Grade X ($38,813 - $49,368) to Two (2) Part-Time Criminal Investigator Positions, Grade XIII ($23.00/hour)**

   **MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE (1) VACANT FULL-TIME CORRECTIONS OFFICER POSITION, GRADE X TO TWO (2) PART-TIME CRIMINAL INVESTIGATOR POSITIONS, GRADE XIII MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. County Manager
1. **Rural Broadband IMA** – Mr. Wheeler stated since we last met, Chemung County has formally joined the coalition. The original IMA specifically identified all counties in the coalition, with the exception of Chemung. He requested authorization to amend the IMA to include Chemung County. With Chemung joining, this will reduce our contribution $7,000 - $10,000.

   **MOTION:** AUTHORIZING THE COUNTY MANAGER TO AMEND THE RURAL BROADBAND IMA TO INCLUDE THE ADDITION OF CHEMUNG COUNTY IN THE COALITION, AND ADJUSTING THE
SUBSEQUENT COUNTY SHARE TO REFLECT THIS ADDITION MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION, AND ARTICLE 7§ 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: APPROVING A MEMORANDUM OF AGREEMENT WITH THE THREE BARGAINING UNITS FOR ADDITIONAL LEAVE COMPENSATION RELATIVE TO THE COVID-19 PANDEMIC RESPONSE MADE BY MRS. FERRATELLA. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

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, May 12, 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, May 6, 2020
I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 14, 2020, AND APRIL 27, 2020, MEETINGS MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Risk Manager

1. Approval to Add City of Hornell to the Worker’s Compensation Plan – Mr. Sprague stated he would like to add the City of Hornell to the County’s Worker’s Compensation Plan and that requires committee approval. If approved, the annual premium would be $160,000 and that will save the City about $60,000 annually.

MOTION: ADDING THE CITY OF HORNELL TO THE WORKER’S COMPENSATION PLAN MADE BY MR. SWACKHAMER. SECONDED BY MRS. FERRATELLA FOR DISCUSSION

Ms. Fitzpatrick asked does this include the fire department? Mr. Sprague replied yes this includes both the fire and police department. Mr. Van Etten asked was the city part of our fund before? Mr. Sprague replied they were not part of our fund, but they were with PERMA until 2014 and then moved to Comp Alliance. This will be a huge win for the City and for us.

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

1. **Charging for Village Poll Books** – Mrs. Olin stated we normally provide services for the village elections and print out the poll books. We had already done the printing, sent the books out and billed the villages. Now the village elections are not happening until September and they will require new poll books to be printed. Do you want us to do the printing for the villages again and not charge or do we charge them when we reprint? When we did the printing in March we spent $497.75. That cost will be more as we get closer to the Presidential Primary as the voter registrations will go up.

Ms. Lattimer stated my first reaction is that the cost will be a little over $500, but the election date changed through no fault of their own. We are not talking $4,000. I don’t think we should charge back. Ms. Fitzpatrick, Mr. Swackhamer and Mrs. Ferratella stated they agree.

**MOTION: DIRECTING THE COMMISSIONERS OF THE BOARD OF ELECTIONS TO NOT CHARGE BACK THE COST FOR REPRINTING POLL BOOKS FOR THE VILLAGE ELECTIONS TO BE HELD IN SEPTEMBER MADE BY MR. SWACKHAMER, SECONDED BY MS. FITZPATRICK, ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Election Chargebacks for Ballots Ordered for Presidential Primary** – Mrs. Olin stated this is still in the air. Last week they were looking at not having an election. We had already purchased the ballots and we did not know if we should chargeback to the towns or if they end up not having the election, if we just eat the cost.

Ms. Lattimer asked what is the cost? Ms. Penziul replied the cost is a little over $4,000. Ms. Lattimer asked how will this affect your budget overall? Mrs. Olin replied the ballot cost was about $3,400. We were able to contact the truck in April and there will be no impact. That will be a $10,000 savings. Now we don’t know what we are going to do. We are in the process of mailing applications to every voter, which is about 15,500. That will be a huge cost for postage, ad, and then we have to pay the postage for everything that comes back. We will need to pre-postage the self-addressed stamped return envelopes and if we do end up having to send the ballots out, those will also require postage paid envelopes and we will have to pay to have all of those printed along with the 15,500 absentee applications.

Mr. Schu asked will the grant cover these expenses? Mrs. Olin replied the grant will cover the envelopes and the absentee applications and additional postage. It will not cover the expense for the ballots. Ms. Lattimer asked is this just for the Presidential Primary? Ms. Lattimer replied it will cover the Presidential Primary for printing and mailing the applications and the postage. Whatever is left over in the grant will go toward costs for the general election as well.

Ms. Lattimer asked is it likely that the general election will be done by absentee ballots? Mrs. Olin replied we don’t know yet; there is a big debate about that. She would not be surprised if there was an Executive Order that we would have to offer that possibility to everyone and if that is the case, then it will cost a lot of money to get all of this done. Mr. Swackhamer asked how much money? Mrs. Olin replied it would be close to $10,000 in printing fees to get mailings done for 16,000. Ms. Fitzpatrick asked that would not be covered by the grant? Mrs. Olin replied the grant will not cover the cost for the ballots that were already printed. Mr. Wheeler clarified that is not because there is not enough money, but it is about eligible costs and what they allow you to spend it on.

Mr. Van Etten asked what is wrong with the ballots? Mrs. Olin replied the ballots are fine if we have an election. They will not be good if they decided not to hold the election. We hope to hear something by the end of the week. At this time, we don’t know if an election will happen.

Mr. Schu stated assuming it does happen, with the chargeback it is premature to make a decision.

Mrs. Lando stated so there will be no election poll books and no inspectors? Mrs. Olin replied no. If we have a primary, we have to do early voting and we have to open the poll sites. Mrs. Lando asked even with the absentee

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Administration Committee
Tuesday, May 12, 2020
ballots? Mrs. Olin replied correct. She stated she just wanted to make the committee aware and it is okay if they wanted to table this for now.

**MOTION: TABLING ACTION ON ELECTION CHARGEBACKS FOR BALLOTS ORDERED FOR PRESIDENTIAL ELECTION UNTIL THE JUNE MEETING MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **CARES Covid-19 Grant** – Mrs. Olin requested authorization to accept the CARES Covid-19 Grant in the amount of $116,778. The State is going to cover the 20 percent match on this. This grant will be used to cover any expenses required because of the pandemic and only for the federal election.

**MOTION: AUTHORIZING THE COMMISSIONERS OF THE BOARD OF ELECTIONS TO ACCEPT THE CARES COVID-19 GRANT IN THE AMOUNT OF $116,778 MADE BY MS. LATTIMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Ms. Lattimer asked Mrs. Olin if she could work up some numbers on the projections for the fall election. That would give her a better sense as to whether we will have the money to cover it. Mrs. Olin stated she can do that and she should know more information today. Ms. Lattimer stated this will be good information for all of us to know.

Ms. Fitzpatrick stated I think that all of the municipalities will be in a tight budget spot and if the County is in a better position to absorb the costs, then we should. She stated that when she has been doing tax returns, some of the elections inspectors have been told that if they receive a payment from Elections that is $500 or less, then it is not taxable. Mrs. Olin stated we do not provide the inspectors with a 1099 form. Ms. Fitzpatrick stated that amount is taxable but you do not have to issue a 1099 if the amount is below $600.

C. **Information Technology**

1. **Approval to Purchase Video Conferencing Subscription** – Mr. Wolverton requested approval to purchase a video conferencing subscription for use by the County. He stated he received three quotes and all are on State contract. The two major players were Webex and Zoom. Zoom was the low quote at $23,667 annually which works out to $1,900 per month for 150 licenses. Webex came in at $39,021 annually for 150 licenses. He stated that he did reach out to all of the departments and he received requests for 170 licenses. We have room to work with the departments and possibly share licenses between departments.

Mrs. Ferratella stated your handout showed that Zoom is HIPAA compliant. Is Webex? Mr. Wolverton replied both have encryption. With Webex we would have to jump through some hoops to say that they are compliant. Zoom will actually do a Business Associate Agreement with us and that is already set up. They will also allow us to keep any of our communications within the United States. They also have a waiting room for callers; an example would be that an employee in Mental Health can set up a meeting for one day and the client can check into the waiting room but they will not get on the call until the Mental Health workers lets them in. Webex does not have that capability.

Ms. Lattimer asked can you summarize what you get with Webex for the additional $15,000? Mr. Wolverton replied I can tell you what you don’t get. With Zoom you get unlimited cloud storage and with Webex you get 10 gig. Both have branding which would allow us to put our logo on and that will show clients that it is a legitimate video conference. In reality both are pretty similar except that Zoom will sign a Business Associate Agreement for HIPAA and they have unlimited cloud storage. Those are the big things and in addition we get a dedicated customer service manager. With Zoom they have automatic cloud recording and they have auto transcription which generates a written transcript. The downside to the transcription is that it picks up everything, including a rustle of paper, but it is better than nothing.

Mr. Wheeler stated one of the reasons for the high count of users is Mental Health will be using it for telehealth services. This is a valuable service and they need the ability to run sessions at the same time.
Mr. Swackhamer asked is the security better with one over the other? Mr. Wolverton replied they both have the same encryption capabilities. When he polled the departments, the total came to 170 and the majority of those, 139, are between Mental Health and the Department of Social Services.

Mr. Schu stated from what you are telling us, Zoom is a superior product and it is significantly cheaper. Mr. Wolverton replied yes.

Mr. Van Etten stated we use Zoom for the IDA meeting and it works fine. Mr. Wolverton commented it is basically the same as what you have been using, it is easier on the client side as you just attend the meeting.

**MOTION:**  **AUTHORIZING THE DIRECTOR OF THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE A SUBSCRIPTION FOR 150 LICENSES FOR ZOOM VIDEO CONFERENCING AT AN ANNUAL COST OF $23,667 MADE BY MR. SWACKHAMER. SECONDED BY MRS. FERRATELLA FOR DISCUSSION.**

Mr. Malter asked what has been our cost for using Webex? Mr. Wolverton replied with Webex we have not had any costs as they had put out a free trial which was equal to basically their enterprise version. This is free for 90 days and ends June 12th. Once we reach the end of the trial, the limit on the free version will be 40 minutes per conference. That is not enough time for DSS or Mental Health as they have to meet for one hour.

Mrs. Ferratella asked is there a cancellation clause for this? Mrs. Wolverton replied with Zoom we would be purchasing licenses for one year. It would cost more money per year if we went to a monthly subscription.

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

D.  **County Clerk**

She stated that she would also like to inform the committee that their goal has been to e-record. Because of Covid and the building closure, we were able to meet with our vendor and we were up and running and able to begin e-records on April 6th. This has worked out quite well.

Mr. Schu asked is there a possibility that the Clerk’s Office could make arrangements to send individuals in on a limited period of time. We are unable to do searches before 1970. Mrs. Cranmer stated I have been working on an email address devoted to that and having abstractors putting in requests for old documents. We have been able to provide that. I don’t know how we will handle the abstractors coming in. We will certainly do everything we can to accommodate.

Mr. Wheeler stated we will have more to come this week. We are waiting for clarification from the Governor. Starting next week we will do appointments only for the majority of these things. He stated he needs to do a little more coordination on the prepping plan.

Mr. Mullen stated with the abstract companies, it has been sort of workable with what is going on but for the staff that is not going to the Clerk’s Office, it is so much more cumbersome and it would be better if someone could get an appointment. It turns into a chain of follow-up questions. The Clerk’s Office is doing a nice job with that process, but it is limited by the process itself. Mrs. Cranmer stated as soon as we hear from Mr. Wheeler, we will work as hard as we can to get these abstractors in. We will do things so that they are only in there for a limited time period. Mr. Mullen stated that will work and the remote access provided has been a good way to go to take care of things.
MOTION: APPROVING AND ACCEPTING THE SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION AS PRESENTED MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Van Etten commented from the public’s standpoint, the DMV and Pistol Permits are as important as the Title Clerk and he hopes that is included in the first phase of reopening. Mr. Wheeler stated we are working with the County Clerk but the one caveat is the DMV is closed by Executive Order. As soon as we can do it by appointment we will.

E. Purchasing
   1. Authorization to Issue Copy Paper Bid – Mr. Morse requested authorization to reissue the copy paper bid. We award it quarterly, but it is a one year bid.

MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO ISSUE BIDS FOR COPY PAPER MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Real Property Tax Service Agency
   1. Tax Certiorari – Mrs. Jordan stated they received a request to participate in a review of the appraisal documents the City of Corning received from the petitioner. This is just a review of the appraisal submitted. The total cost of the appraisal was $800 and the County share would be $340.64.

MOTION: AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE CITY OF CORNING MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

IV. OTHER BUSINESS

Ms. Fitzpatrick stated she is seeing a lot of people still having trouble with their unemployment claims. She is curious as we plan to reopen and there are staff on administrative leave, could we use those staff to make phone calls to help speed up the process for our constituents? Mr. Wheeler stated that is a good question. A couple of weeks ago he had a conversation with Dan Porter from CSS Workforce. Their career center has been closed and Mr. Porter put in a request to the State to allow his staff to help process unemployment claims and his request was denied by the Department of Labor. Mr. Wheeler stated he can escalate it and forward the request to Senator O’Mara and Assemblyman Palmesano to see if they would get a different answer. They may have some leverage as they know the system. He will work on that.

Ms. Fitzpatrick stated I understand that there are certain things that the State is pushing down on us and I understand that vocalizing against that doesn’t get us anywhere, but our constituents would like us to sometimes put it out there that we don’t agree. She stated that she also doesn’t understand why Chris Moss has been put in charge of our region when Mr. Wheeler has been here longer and why it can’t be county by county. People don’t understand why they can go to Walmart, but they can’t go to their favorite running store with one other person in the store (staff). I think we should put something out there. Sometimes it is good to fight battles that cannot be won.

Mr. Wheeler stated we do that. When callers have questions or comments we are pushing those up to the State to get clarification. Posts about putting information out there have been helpful. In terms of those sorts of things, I am happy to put out there whatever you direct. I am walking a fine line trying to speak for the whole Board and I don’t want to say something the entire group doesn’t agree with. We are doing this behind the scenes and pushing for a common sense for small businesses to do things safely but to do it publicly I need direction from the Board. I don’t want to speak for you if I am not approved to.

Ms. Fitzpatrick asked how do we get you the authority to do that? Mr. Wheeler replied if you wanted to formalize, it would be a memorializing resolution.
Mr. Swackhamer stated he got a question yesterday from the radio station about why we are not fighting against the Governor more. Mr. Wheeler stated on many fronts we are working with Albany, but we are fighting them on the fronts you know of. I am happy to communicate anything you folks want to.

Mr. Swackhamer stated we understand, but through email we need to take a poll so you can speak out.

Ms. Fitzpatrick stated I think it is really important for residents to see that we are fighting. I have full faith in you and Mrs. Smith, but what is going on behind the scenes is not being seen on the outside. I want everyone to understand that we all feel their pain.

Mr. Swackhamer stated we are the closest representatives that they know. They don’t know we are fighting behind the scenes and it is time to get public.

Mrs. Ferratella stated the newsletter is good and it goes to a lot of municipalities and then filters down to the residents. Mr. Wheeler stated we can definitely do that. It is just a matter of policy setting for the Legislature. There are many things I feel comfortable saying, but when we get into how aggressive against the Governor or the region, I need you to tell me collectively what you want. The other action is to do that through Chairman Van Etten as the chief elected.

Ms. Lattimer stated I think the more perfect vehicle to get the word out is through Mr. Van Etten as Chairman; even more so than Mr. Wheeler. With regard to unemployment insurance, having professional experience in that arena, when we went through the recession, unemployment claims were backed up and our representatives didn’t have any magic numbers to call and we could not fix it. Granted, they can push really hard on the Governor, but the system is the system. She stated she is not saying to not go question our representatives, but as far as publishing a magic number for claimants to use, that will not happen. When we were calling, we had to use the same numbers.

Mrs. Lando stated Mr. Wheeler is doing great blurbs on television and she is wondering if Mr. Van Etten should start doing that. A lot of people watch television and the more we can be on the television, the better.

Mr. Van Etten stated this is a good conversation. Mr. Wheeler and Mrs. Smith are as frustrated as all of us with the misinformation and the changed information that comes down from the State through the whole process. We were talking yesterday about the details of the phased reopening and in the retail section it lists 20 types of businesses that can open, however all must be curbside. It’s interesting that in Phase 1 you have to buy shoes curbside from a shoe store, but during this entire time you can walk into Walmart and buy a pair of shoes; there is no logic. I don’t mind being the voice of the Legislature. One concern is that I don’t want to give a bad impression of Mr. Wheeler or Mrs. Smith that they are not working for us. I think it has to be balanced.

Mr. Wheeler stated the workers out here are doing an awesome job with messaging and Ms. Perham is helping as well. They are giving out as much information as they can. We would be happy to draft things that come from you. I have no problem speaking out in areas that are not policy related; but when we get into the policy realm, that is you folks. Our press releases get picked up immediately and we can start doing releases under Mr. Van Etten on your behalf with his contact information.

Ms. Lattimer stated that is an excellent suggestion and it doesn’t have to be all negative. It can be a very positive message in recognizing the actions that the County has taken. Ms. Fitzpatrick stated it is a good idea. We need to be more vocal about the positives. It is important for the constituents to see that we are doing this.

Mr. Wheeler stated we can share the tense conversations that we have behind the scenes. We can document those experiences.

Mr. Malter stated I have no problem with Mr. Wheeler and Mr. Van Etten putting something together, but it should be sent to all Legislators in case someone has an opposition to the wording.
Mrs. Ferratella asked whether it makes sense to use Ms. Perham to go to the businesses for their perspective? Mr. Wheeler stated that is a good question. I will talk to Ms. Perham. She has helped a ton. The question would be how to do that. He stated we have had calls with the School Superintendents about graduation. We also have a call next week with the Conference and Visitors Bureau about best practices, but we could put that out in a more vocal way.

Ms. Fitzpatrick stated she has received letters from the business community in towns from when I wrote the resolution last month and I can forward those to you.

Mr. Swackhamer stated as long as we mention all the names and all the Legislators behind the statements, then I don’t see a problem.

Mrs. Lando stated Mr. Johnson has been doing a great job with the IDA newsletter and if we can follow a positive format like that, the positive feedback about what we are doing and the details behind that, that will go a long way.

Mr. Potter stated our board assessment reviews are coming up. These are face to face meetings to speak about grievances and we are doing that with social distancing and face masks. If we have the face masks and require them to wear them, can we deny admission into the building? Mr. Wheeler stated I don’t know, that would be a question for Ms. Prossick.

Ms. Prossick stated this is a good question. There is not really a law, but I think you can set a policy. She knows that one town will be doing it by appointment and everyone will be six feet apart. The concern is with masses of people coming in and not wearing masks. Mr. Potter stated even so, a lot of us are at the age of high risk and would prefer they wear a mask. Ms. Prossick stated it is an enforcement issue. Mr. Wheeler stated there are no formal guidelines coming on actually enforcing face masks. Like Ms. Prossick said, it becomes about enforcement. We will be doing something when we open the building more.

Ms. Prossick stated the best advice would be if you can limit the number of people, then you can spread the people out. Then you have mitigated the risk. Mr. Potter stated we were planning on limiting to one person at a time anyway.

Mr. Horton stated in the Town of Campbell, the town attorney said there is nothing we can do to make them wear a mask because it is a HIPAA violation. Ms. Prossick stated we work in a public building. That is where the issue lies and we cannot deny people to come in and do the things they have a right to do.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, June 3, 2020
CALL TO ORDER

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

APPROVAL OF MINUTES

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

DEPARTMENT REQUESTS

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

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

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

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

B. Personnel
   1. Extending Contract with Catalog and Commerce Solutions – Mr. Alderman explained this is the program we use for all of the civil service exams, roster cards, employee history, etc. We purchased Catalog and Commerce in 2016 and it will expire at the end of July. He requested authorization to waive the RFP process and extend the contract under the current RFP and pay the annual maintenance fee of $5,700.
MOTION: WAIVING THE RFP REQUIREMENT AND AUTHORIZING THE PERSONNEL OFFICER TO EXTEND THE CONTRACT WITH CATALOG AND COMMERCE UNDER THE CURRENT RFP UNDER THE SAME TERMS AND CONDITIONS AND PAYING A $5,700 ANNUAL MAINTENANCE FEE MADE BY MRS. FERRATELLA. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

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

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

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

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

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

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

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

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

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

D. County Manager
   1. CHIPS Funding – Mr. Wheeler reported that last night they received word from NYSAC that the NYS Department of Transportation has released the CHIPS funding. It appears from everything we have seen that the State is preparing to grant 80 percent of what was budgeted with the other 20 percent pending any Federal
stimulus package. We are awarded $4.4 million so 80 percent is $3.5 million. In talking with Mr. Spagnoletti and Mr. Rapalee, we will proceed as Mr. Spagnoletti had discussed with the Public Works Committee; allocating funds for the road projects up to $3.5 million. This looks to be positive news.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, July 8, 2020
I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 9, 2020, MEETING MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS
A. Risk Manager
1. 2021 Workers’ Compensation Budget and Apportionment Schedule – Mr. Sprague informed the committee that this year PERMA put together an actuarial report for us and this is the first time it has been done in four or five years. Our plan is in fantastic shape and is well funded. Our reserve should be in the $6 million to $7 million range and we are at $10 million. Our budget should be in the $2.3 million to $2.4 million range and for 2020 we were at $3.3 million. This will be reduced as our main goal is to get closer to where we really need to be. For 2021 our budget is $2.7 million which is a significant drop over last year. Looking ahead to 2022, we could see an additional decrease as well.

Mr. Schu asked is that because of the safety training? Mr. Sprague replied we have seen a real low number of claims this year and that is due to safety trainings. PERMA does a great job with the claims that we do see. The other thing that has helped our budget is that we have added the Village of Bath, Town of Urbana, Village of Hammondsport and the City of Hornell to the plan and that helps.

Mr. Malter commented in your breakout of the apportionment schedule, several communities have the same appropriation for 2020 and 2021. Are those the new participants? Mr. Sprague replied no. Now when the budget goes out we do the apportionment breakdown by participant. We initially started the conversation when we did the allocation change that we needed to be 8 – 10 percent below market value and now we need to be at 15 percent below market value. With the allocation report it shows a number of the municipalities went down.
Those that went down are due to a combination of the budget decreasing, rate of claims, etc. and they are seeing a good rate of decrease. The Village of Wayland went down because the fire district had originally been included with the village, and they are separate and have their own insurance so we pulled them out. When we looked at the remaining municipalities and, given the world situation, we kept things flat. There are six or seven that will need to come up and that will get them closer to being 15 percent below market; that will be a project for next year.

Mr. Sprague noted the County’s cost for premiums decreased to $540,000. We do typically pay $2.1 to $2.2 million and this year we are paying $1.5 million. We are trying to get that number down.

Mr. Sprague explained we put all types of programs together and all of the municipalities have attended and participated. PERMA does a great job of getting out on the street with this information. Our claims are very, very low and we are in great shape. Mr. Swackhamer commented Public Works puts on a lot of training sessions for their staff. Mr. Sprague stated we are always trying to add more training.

Ms. Fitzpatrick asked does the Village of Bath include the fire district? Mr. Sprague replied yes.

Mr. Van Etten asked is there any way to communicate what the position of the plan is with the non-participating municipalities so they understand they would be below market? Mr. Sprague replied right now we are working with the Town of Wayland and the Town of Caton to have that conversation. It makes sense for them to cap their premium level.

**MOTION: APPROVING THE 2021 WORKERS’ COMPENSATION BUDGET AND THE 2021 WORKERS’ COMPENSATION TABLE OF APPORTIONMENT MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

B. Clerk of the Legislature

1. Ethics Local Law – Mrs. Scotchmer stated she, Ms. Prossick and the Ethics Board have been working on a revision of the Ethics Local Law. She asked if there were any questions or comments.

Ms. Lattimer stated the Local Law (codified version) states that members of the Ethics Board shall not serve more than two, three-year terms. On my copy that is lined out. Is that because of Article 18 of the General Municipal Law? Mrs. Scotchmer explained each member serves a three-year term and may be reappointed without term limitations. Ms. Lattimer asked what is the reasoning for that? Mrs. Scotchmer replied the original Local Law removed the term limits because we were having issues finding people to serve. We used Sullivan County as a template as they are a Charter county with a County Manager and they included a term limit and they have five members which are politically appointed. She commented she does not believe they are supposed to be political appointments if they are a Charter county. Ms. Lattimer asked so the alternative is to serve in perpetuity? Mrs. Scotchmer replied yes.

Ms. Lattimer suggested once this is put into action, if approved, that you have the financial disclosure in this. Mrs. Scotchmer stated the new law allows the Ethics Board to promulgate the financial disclosure to suit the County’s needs.

Ms. Fitzpatrick asked for an explanation of the ability to investigate without a formal request and link to employee discipline. Mrs. Scotchmer referenced Section 5, b, in the new law. While the board could always recommend an employee be reprimanded, suspended or removed from office/employment, they couldn’t investigate without a formal complaint being filed. Now the ability to recommend reprimand, suspension or removal is subject to the provisions of the Civil Service Law or collective bargaining agreement and if the Ethics Board becomes aware of a potential violation, they can start an immediate investigation versus having to wait until someone reports it.
Mr. Malter asked who is on the Ethics Board? Mrs. Scotchmer replied me, Mitch Alger and Joe Rumsey. Mr. Malter asked why do we only have three? Mrs. Scotchmer replied it is hard to find people to serve.

MOTION: PRESENTING LOCAL LAW NO. 1 OF 2020, AMENDING THE STEUBEN COUNTY ETHICS AND DISCLOSURE LAW IN COMPLIANCE WITH ARTICLE 18 OF THE GENERAL MUNICIPAL LAW MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. Charter – Mrs. Scotchmer stated another project that she has been working on with Ms. Prossick is the codification of our local laws and a review of the charter. In the course of doing the codification, which is required by the State, I went through all the local laws to make sure they were included in the Charter. Once the codification is all put together, it will be 120 pages. She stated Ms. Prossick is in the process of reviewing the changes to the Charter; however, we learned that we need the Legislature’s permission. She requested a resolution authorizing her, the County Manager and the County Attorney to conduct a complete review of any potential changes to the Charter. Once that is done, the changes to the Charter will require a mandatory referendum and would go on the ballot next year. The codification will become an appendix to the Administrative Code and will also require an annual local law. She explained that when a Local Law needs to be added to the codified local laws, we will amend the appendix and at the end of the year adopt another local law amending the entire codification and file it with the State.

MOTION: AUTHORIZING THE CLERK OF THE LEGISLATURE, THE COUNTY ATTORNEY AND THE COUNTY MANAGER TO CONDUCT A REVIEW OF THE CHARTER AND RECOMMEND ANY CHANGES MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER FOR DISCUSSION.

Mr. Malter asked so we are authorizing a review of the Charter and then you will come back to the Legislature for approval of any changes? Mr. Wheeler replied yes. Mrs. Scotchmer stated that will be in the form of a local law which will be subject to mandatory referendum. Mr. Swackhamer suggested that the Legislature be given a couple of months to review any recommended changes.

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

C. County Manager

1. County Clerk’s Office/DMV - Mr. Wheeler stated he has been working with Chairman Van Etten on the DMV appointments schedule. He gives a lot of credit to Mrs. Cranmer who has been able to reduce appointment times down to 15-minute intervals for non-real ID transactions. That was not an easy task as she and a couple of other staff had to manually change the appointments. Mr. Swackhamer commented that should make things a little quicker.

Mr. Van Etten stated Mrs. Cranmer has done a great in being flexible. With Mrs. Hunter out on medical leave, Mrs. Cranmer has done a great job stepping up and making changes. I also pushed for drop boxes at the Corning and Hornell DMV offices and I wanted to see us increase the frequency in which people could come in. Mr. Wheeler commented this will also help our staff too and the drop boxes continue to be heavily used.

Mr. Malter asked will this be our new “normal” for this operation? Mr. Wheeler replied we keep pushing the State on when we can have walk-in’s. We don’t want to open the building for walk-in’s and have the crush of people coming in and being turned away from DMV.

2. Phased Reopening – Ms. Fitzpatrick asked has there been any word on the changes to the phases and will we ever get to a higher capacity for indoor dining other than 50 percent? Mr. Wheeler replied these are being individually decided. He would not expect to see an increase in the 50 percent capacity for indoor dining any time soon. We keep pushing daily on gyms/fitness center, bowling alleys, etc.
Mr. Swackhamer asked what about our workforce? Mr. Wheeler replied we are allowing telework, otherwise everyone is back on-site. We have about 15 percent that are teleworking and that is actually probably less. It is not a significant amount, but enough to help reduce our capacity. The majority of the teleworking is being done by staff in Mental Health and Social Services. Ms. Prossick commented attorneys are also teleworking as courts are still not being held in-person.

3. **Broadband** – Ms. Fitzpatrick asked has there been any mention of speeding up the process for high speed internet? Mr. Wheeler replied we applied for the USDA grant and the Fujitsu study is still ongoing. We are reviewing potential business models. We are hoping there will be another round of federal stimulus and State funding. Everyone is recognizing that rural broadband is super important. Mr. Swackhamer asked is there a State or Federal law that mandates that companies speed things up? Mr. Wheeler replied there is no Federal law, however, the State Regulatory Authority (Public Service Commission) could strongly encourage. Mr. Malter asked which companies are expanding? In my area they are running cable and putting it in place. Mr. Wheeler replied both Charter and Armstrong have been doing a lot of work.

**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. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

**MOTION:** TO ADJOURN MADE BY MS. FITZPATRICK. 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, August 11, 2020
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, August 5, 2020