I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 11, 2021, AND MAY 24, 2021, MEETINGS MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MRS. LANDO ABSENT FOR VOTE)

III. DEPARTMENT REQUESTS

A. Risk Manager

1. Approval to Add Wayland Joint Fire District to Workers’ Compensation Plan – Mr. Sprague explained with adding the Town of Wayland to the County’s Workers’ Compensation Plan, it opened the door to allow the Wayland Fire District to join. He requested authorization to add the Wayland Joint Fire District to the plan starting July 1, 2021. The savings to the fire district will be $2,000.

MOTION: AUTHORIZING THE ADDITION OF THE WAYLAND JOINT FIRE DISTRICT TO STEUBEN COUNTY’S WORKERS’ COMPENSATION PLAN EFFECTIVE JULY 1, 2021 MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Malter asked is this just for the Wayland Fire District? Mr. Sprague replied yes. We did start talking with Perkinsville, but because of the timing we could not make it happen. We may be able to add them next year. Mr. Van Etten asked because fire districts have a higher risk factor, is that built into the rates? Mr. Sprague explained we got all of their past loss history and sent that in to PERMA. Their rate will be based on the population served. PERMA is very comfortable with the numbers, as we are. We will look at this year to year. He noted our Workers’ Compensation plan has been doing great.

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

1. Administrative Code Amendment Re: Standard Contract Language – Ms. Prossick requested authorization to amend the Administrative Code as it pertains to the contract template. There is one paragraph in the template that does not comply with the requirements for receiving the American Recovery Plan funds.

MOTION: AMENDING THE ADMINISTRATIVE CODE RELATIVE TO THE STANDARD CONTRACT TEMPLATE LANGUAGE MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Personnel

1. Salary Adjustments – District Attorney’s Office – Mr. Baker requested authorization to set the salary for the new Senior Assistant District Attorney, Marty Anderson, at $89,376 which is Grade I, Step 11. Mr. Anderson has 15 years of experience as a prosecutor in Monroe County. Mr. Baker noted that Mr. Anderson will be a 100 percent employee with no outside employment and he will be moving to Steuben County.

Mr. Baker stated he would also like authorization to set the salary for Anna Ciesla, Assistant District Attorney who was hired two years ago prior to being admitted to the Bar. She is now a member of the Bar and is fully trained. She currently is covering Bath Town and Village Courts and is currently doing her first jury trial. He requested authorization to set her salary at $63,972 which is Grade H, Step 3. Ms. Ciesla will be a 100 percent employee and is living in Steuben County.

MOTION: SETTING THE SALARY FOR THE FOLLOWING INDIVIDUALS IN THE DISTRICT ATTORNEY’S OFFICE: MARTY ANDERSON, SENIOR ASSISTANT DISTRICT ATTORNEY, AT $89,376 (GRADE I, STEP 11) AND ANNA CIESLA, ASSISTANT DISTRICT ATTORNEY, AT $63,972 (GRADE H, STEP 3) MADE BY MS. FITZPATRICK. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Reclassification – Office of Emergency Services – Mr. Alderman requested authorization to reclassify one Senior Typist position, Grade VI to a Senior Account Clerk-Typist position, Grade X in the Office of Emergency Services. The current employee is a long-term employee and over the years the job has morphed and taken on greater duties and a higher level of work, including grant duties. Additionally, as part of the reorganization of 911, this position will be overseeing staff in the 911 Department as well.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE SENIOR TYPIST POSITION, GRADE VI TO A SENIOR ACCOUNT CLERK-TYPIST POSITION, GRADE X IN THE OFFICE OF EMERGENCY SERVICES MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. Reclassification – E-911 – Mr. Alderman requested authorization to reclassify one Supervising Dispatcher position, Grade XII to a new Operations Manager position, Grade XIII. As part of the reorganization of the 911 Department, we decided it would be a good idea to have a true supervisor over the department to do quality control. This is a grade above Supervising Dispatcher, which was the highest grade in the contract. He commented that he talked with the Union and he does have the authority to add a grade. A Supervising Dispatcher is a Grade XII with a salary range of $42,547 - $54,176. We would be adding a Grade XIII with a salary range of $43,832 - $55,840.

Mr. Schu asked does this require an amendment to the Union contract? Mr. Alderman replied no, actually when we went into negotiations with the Union, they knew that it was my intent to do this.
MOTION: AUTHORIZING THE PERSONNEL OFFICER TO CREATE A NEW GRADE XIII, OPERATIONS MANAGER WITHIN THE CORRECTIONS & DIPATCHERS UNIT CONTRACT, AND AUTHORIZING THE RECLASSIFICATION OF ONE SUPERVISING DISPATCHER POSITION, GRADE XII TO AN OPERATIONS MANAGER POSITION, GRADE XIII IN THE E-911 DEPARTMENT MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Malter asked what salary will this new position start at? Mr. Alderman replied the position will be filled by a current employee, who has been an employee for a long time, and will depend on their current salary. The salary range is $54,000 to just shy of $56,000.

Mr. Van Etten asked do we need to make more room in that range, or is it already senior enough? Mr. Alderman replied I don’t think so at this point. We may need to do that during negotiations. Mr. Wheeler commented this gets us started and during contract negotiations we could widen it.

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

4. Reclassification – OFA - Mr. Alderman requested authorization to reclassify one Aging Services Aide position, Grade V to a Social Welfare Examiner position, Grade VIII. The current position duties are not applicable to the current title, but they fit the Social Welfare Examiner title.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE AGING SERVICES AIDE POSITION, GRADE V TO A SOCIAL WELFARE EXAMINER POSITION, GRADE VIII IN THE OFFICE FOR THE AGING MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

5. Reclassification – Public Health – Mr. Alderman requested authorization to fund and reclassify one zero-based Account Clerk-Typist position, Grade VI to a Senior Typist position, Grade VI. The grade remains the same, but the duties fit much better with the title of Senior Typist.

MOTION: AUTHORIZING THE FUNDING AND RECLASSIFICATION OF ONE ZERO-BASED ACCOUNT CLERK-TYPIST POSITION, GRADE VI TO A SENIOR TYPIST POSITION, GRADE VI IN PUBLIC HEALTH AND NURSING SERVICES MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mrs. Ferratella asked are all of these reclassifications a result of a desk audit or requests from department heads? Mr. Alderman replied we have not had the time to do desk audits, but the majority of these are department head requests. The reclassification for the E-911 department was the result of the reorganization of the department.

6. Request to Modify Management Salary Plan – Mr. Alderman explained the position in the Risk Manager’s Office has traditionally been a confidential management position and when we did the grade increments in the plan the position in the Risk Manager’s Office was added. However, when we reclassified the position to Senior Account Clerk-Typist, that position is not in the Management Salary Plan. He requested authorization to add the new title for the Risk Manager’s Office into Grade D of the Management Salary Plan.

MOTION: AMENDING THE MANAGEMENT SALARY PLAN TO ADD THE SENIOR ACCOUNT CLERK-TYPIST POSITION IN THE RISK MANAGER’S OFFICE INTO GRADE D MADE BY MS. LATTIMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

7. Contract Renewal – Mr. Alderman requested authorization to renew the contract with Catalog & Commerce Solutions, LLC for the Personnel/Civil Service software system. This system has done well for us and we have had them for six years. He requested authorization to renew the contract for one year in the amount of $6,100.
MOTION: AUTHORIZING THE PERSONNEL OFFICER TO RENEW THE CONTRACT WITH CATALOG & COMMERCE SOLUTIONS, LLC FOR THE PERSONNEL/CIVIL SERVICE SOFTWARE SYSTEM FOR ONE YEAR AT A RATE OF $6,100 MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

8. Residency Requirement for Steuben County Peace Officers – Mr. Alderman explained this is a local law that would allow peace officers to reside in contiguous counties to Steuben. There has been a lot of discussion. We support it; since Corrections Officers became peace officers it does require them to live in the County absent a local law. We do have six that have been hired over the years that do not live in the County. Mr. Malter commented this was approved at the Public Safety & Corrections Committee.

MOTION: PRESENTING LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2021, WAIVING THE RESIDENCY REQUIREMENT FOR STEUBEN COUNTY PEACE OFFICERS MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

9. Residency Requirement for Steuben County Deputy Sheriffs – Mr. Wheeler stated this item did not pass the Public Safety & Corrections Committee, however, the Administration Committee has jurisdiction over any local laws and we did go through the Rules of Procedure to verify the process.

Mr. Schu stated this was discussed last month and then again in detail at the Public Safety & Corrections Committee meeting. Ms. Prossick stated I had said last month that I would look into a suggestion Mr. Mullen had made regarding a sunset clause as no one else had done it previously. It would be difficult to work administratively if you have a period of time that they can live outside the County and then grandfather that in; I could see that as an issue. There was also a question about title and who is included in the department. The School Resource Officers are included according to the Civil Service description. Boat Patrol are special deputies and are allowed to live outside the County as long as it is an adjoining County and they are only seasonal. We are talking mainly the hierarchy of the Jail; not the Sheriff or the Undersheriff.

Mr. Alderman stated SRO’s are considered a special patrol officer. They are retired police officers that have been reinstated to their previous position and are permanently appointed. Ms. Prossick stated they would fall under special deputies. She stated I take back what I said; they are allowed to live in an adjoining County because by law they have been police officers, they retired and then came back. We are only talking about deputies, investigators and sergeants. We are not talking about SRO’s or special boat patrol officers. This would apply to both full-time and part-time.

Ms. Fitzpatrick asked are there other departments that have Investigators? Ms. Prossick replied that is different as they do not work for a law enforcement entity of the County. They work for the District Attorney’s Office and that is different. Mr. Wheeler stated this would cover the Investigators that work in Social Services as they work for the Sheriff’s Office. Ms. Prossick asked are they retired police officers? Sheriff Allard replied yes. Ms. Prossick stated I think they fall under special deputies and they would be excepted. Mr. Wheeler stated in the future they could be, but as of right now they would be okay.

Mrs. Lando commented this gets more complicated as we go. Ms. Prossick stated I have a summer intern in our office who is looking at the statute and making an Excel spreadsheet. Special deputies have their own section of law. Mrs. Lando stated we had talked about mileage and not contiguous counties. Ms. Prossick stated that would be in the MOU of the Deputy Sheriffs Association. Mr. Wheeler stated we can take whatever direction you prefer. It seemed as through the members would be open to a mileage or drive time requirement. Ms. Prossick clarified we cannot do that in the local law as State Law says they have to live in the County.

Mr. Schu stated you will not see deputies move to Bolivar and commute to Bath for work. They most likely will be on the peripheral edges of the County.
Mr. Van Etten stated I prefer miles versus time it takes to get to Bath or within the County. I think a five mile border around our border should be the limit. Mr. Alderman commented most of the individuals this affects are just shy of three miles from the border. We could set the limit where you want it.

Mr. Malter asked this just covers deputies? Mr. Wheeler replied correct. Ms. Prossick stated it would cover part-time and full-time deputies. Mr. Wheeler stated it will cover all of your officer ranks and Investigators too.

Mr. Horton stated I think setting the limit of miles is good, and having them take the vehicle to their residence is safer than leaving it at a highway shop. I wouldn’t want them driving the vehicle 30 miles across an adjoining County. Mr. Wheeler stated we will make it clear that work time starts when you get to the County’s border. Sheriff Allard commented we have used the Wayland Police Department as a location to park a vehicle as they have cameras. Mr. Horton stated I think a police department would be more secure than a highway shop.

Sheriff Allard stated I just want to reiterate this is an ultra-competitive group that we are recruiting. These officers can go anywhere in the State. If we don’t have this discussion now, we will have it in the near future anyway. It is imperative that we keep ourselves as competitive as possible.

Mr. Malter commented even though this did not come out of the Public Safety & Corrections Committee, I am in favor of this.

Ms. Fitzpatrick stated we are saying they could live in a contiguous county and the MOU will establish the distance. I think we have a very highly dedicated crew of deputies and we should do for them all we can to make them feel secure in their job and that we have their backs as far as their safety is concerned.

Ms. Lattimer commented I am concerned about the liability issue about cars being over the County line. I am being convinced. I was adamantly opposed to passing the local law a few weeks ago as I felt they should live in the communities in which they patrol. I do understand the concerns about recruitment and retention, and we are a much more mobile society. Has there been any discussion about priority hire for Steuben County residents? Mr. Wheeler replied yes, the local law allows us to give priority to Steuben County residents. Mr. Alderman explained part of Civil Service Law allows us the option to give priority to Steuben County residents and then go to the entire list once we have exhausted the County resident list.

Ms. Prossick commented with regard to liability, we would need to discuss that with our insurance carrier to see what they will and will not cover as far as car insurance. Sheriff Allard commented when the courts are in session we have cars out of the County every day. Ms. Prossick stated it is different when you are performing your job. There are parameters regarding imminent risk.

Mr. Malter asked with the MOU when will we be discussing the features of that? Mr. Wheeler replied we have been working on it. Based on your feedback from yesterday and today, we can go back to Sergeant Sorge and say that we prefer a mileage limit and talk about those parameters. Mrs. Lando commented those deputies are on call. No matter where they are, they are on call. Mr. Alderman stated for certain duties we could specify a set 45 minute response time.

**MOTION: PRESENTING LOCAL LAW NUMBER THREE OF 2021; WAIVING THE RESIDENCY REQUIREMENT FOR STEUBEN COUNTY SHERIFF DEPUTIES MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.**

Ms. Fitzpatrick asked when someone starts their shift, they start in their car if they live in the County? Sheriff Allard replied yes; they call into service to 911 and log onto their MDT. Mr. Wheeler stated with this, they would do that at the County border.

Mrs. Ferratella stated I am happy to see this go through. I am concerned about the atmosphere about how this started. There needs to more communication with the department heads. Sometimes I feel there is chaos and I
would like to see if we can avoid that in the future. Mr. Van Etten stated I made a point that I am in favor of this, but I am not in favor of how it got to us. Mrs. Ferratella stated I understand, but I think communication is key, and that it not be so adversarial.

Ms. Lattimer stated I am suggesting that once the local law goes before the Legislature, I would prefer that our MOU be clearly defined so we know exactly what the parameters are. Mr. Alderman stated we can do that. Mr. Wheeler stated with regard to the specialty units which the Sheriff assigns, we would take into account where they start their day. Mr. Van Etten stated I think we are making too much of when a person gets called in. People get up and clock in. An emergency is not the norm.

Sheriff Allard stated we had 11 SWAT calls last year and two dive team calls. We get more calls out for the arson team and everyone on the arson team lives in the County. We can do a report on those calls as we move forward.

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

D. County Manager
   1. RFP Award – Employee Engagement – Mr. Wheeler stated we solicited an RFP for an employee management survey and six companies responded. We did demos with two companies. He is recommending awarding the RFP to CPS HR Consulting for a base price of $14,080. We do like the option they have of doing open-ended questions. He recommended awarding for a price not to exceed $18,000. If we identified specific areas for additional study, this company could do a smaller focus group.

MOTION: AWARDING THE RFP FOR EMPLOYEE ENGAGEMENT TO CPS HR CONSULTING, LLC FOR ONE YEAR AT A COST NOT TO EXCEED $18,000 MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Van Etten asked what would be the timing of this? Mr. Wheeler replied one thing we want to do is divorce this from the annual evaluation of management staff, which is coming up. There will be some work on our end in terms of getting the roster and hierarchy for coding. By September we could get the survey out. Mrs. Ferratella asked will everyone get the same survey? Mr. Wheeler replied we can customize if we choose, but generally everyone gets the same survey.

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

2. Contingent Fund Transfer – Mr. Wheeler stated with regard to the contract with CPS HR Consulting, we do not have enough money in our budget. He requested a Contingent Fund transfer in the amount of $18,000.

MOTION: AUTHORIZING A CONTINGENT FUND TRANSFER IN THE AMOUNT OF $18,000 TO COVER THE COST OF THE CONTRACT WITH CPS HR CONSULTING FOR THE EMPLOYEE ENGAGEMENT SURVEY MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.
MOTION: TO ADJOURN MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

Tuesday, July 13, 2021
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, July 7, 2021