I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

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

III. DEPARTMENT REQUESTS

A. Commissioner of Finance

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

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

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

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

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

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

**B. Risk Manager**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

G. County Manager

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

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

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

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

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

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

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

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

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

**MOTION:** TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW AND ARTICLE 7§ THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

**MOTION:** APPOINTING JENNIFER PROSSICK AS COUNTY ATTORNEY AND SETTING THE SALARY AT THE MIDPOINT OF MANAGEMENT GRADE L AT $130,731.00 MADE BY MRS. LANDO. SECONDED BY MS. LATTIMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

**MOTION:** TO ADJOURN MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

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

Administration Committee
Tuesday, June 11, 2019