

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, July 11, 2023

9:00 a.m.

*Legislative Chambers, 3rd Floor, Annex Building
Bath, New York*

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Hilda T. Lando	Robert V. Nichols, Vice Chair Gary D. Swackhamer	Kelly H. Fitzpatrick
STAFF:	Jack K. Wheeler Brenda Scotchmer Lise Reynolds Jennifer Galvan Jennifer DeMonstoy Craig Patrick	Christopher Brewer Scott Sprague Rob Wolverton Wendy Jordan Kathy Muller	Jennifer Prossick Lynn Lewis Shawn Sauro Nate Alderman Tammy Hurd-Harvey
LEGISLATORS:	Scott J. Van Etten Jeffrey P. Horton John V. Malter	Carol A. Ferratella James Kuhl Nicholas D. Pelham	K. Michael Hanna Wendy Lozo Frederick G. Potter
OTHERS:	Mary Perham		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 13, 2023 AND JUNE 26, 2023, MEETINGS MADE BY MRS. LANDO. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Information Technology

1. **Zoom License Renewal** – Mr. Wolverton requested authorization to renew the Zoom license for one year. The annual cost for 112 licenses is \$16,800. This will be effective until next July and then we will be moving to Office 365 and Teams. Additionally, Ring Central has video conferencing.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO RENEW THE ZOOM LICENSE FOR ONE YEAR FOR AN ANNUAL COST OF \$16,800 FOR 112 LICENSES MADE BY MR. SWACKHAMER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Risk Manager

1. **2024 Workers' Compensation Budget and Apportionment Schedule** – Mr. Sprague reviewed the 2024 Workers' Compensation Budget and Apportionment Schedule. The budget for 2024 is \$2,017,000 which is \$183,600 less than last year. We have kept training in the budget and have had enhanced training from PERMA. We are trying to build in more employee engagement with safety training. The other item of note is the cancer benefit for fire departments. That was 15 percent and the prices remain the same. In 2019 our budget was \$3,310,000. For 2025 we anticipate the budget being between \$1.8 - \$1.9 million. We are well funded and have a \$10 million reserve. PERMA will do an actuarial study of the plan at the end of 2023.

Mr. Malter asked with the Table of Apportionment, is the reduction because there are less claims or fewer employees? Mr. Sprague replied it is a little of both. We are driving the budget down which drives the apportionment down for everyone. Claims are significantly lower and that is a testament to the employees. We are also bringing in new members and that helps the plan as the costs are spread across more members. We would like to see everyone in the County in our plan. Mr. Wheeler commented historically our plan has been more stable. Mr. Sprague stated we are trying to be 15 – 18 percent below the retail market. This year we are at 25 percent.

Mr. Potter stated two-thirds of the apportionments went down and one-third went up. Why is that? Mr. Sprague explained this year we took every plan participant and their participant history and figured out their relative share on the market. There are still a handful of towns that need to be increased more. We are trying to bring everyone in so that it is more even. We hope that by this time next year the plan budget and the apportionment will put everyone just about even. Mr. Wheeler commented claims could impact that. The other thing is we had some, when we did the market assessments, that were 40 percent lower than they should have been. We came to you about five years ago to phase in the costs over 7 – 8 years. A 20 percent increase will get them out of the plan and it will take time to readjust the costs. Mr. Potter commented a \$1,000 increase is not a small number. Mr. Wheeler stated we tried to manage that.

MOTION: APPROVING THE 2024 WORKERS' COMPENSATION BUDGET AND 2024 WORKERS' COMPENSATION APPORTIONMENT SCHEDULE AS PRESENTED MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO.

Mr. Van Etten stated he would like to thank Mr. Sprague for the work that he has done. Things are heading in the right direction every year. We also are settling old claims and everything is going in the right direction. Do we provide quotes to those municipalities who are not in the plan? Mr. Sprague replied every year he tries to reach out to those municipalities that are not in the plan and they say that they are set where they are. I would ask for your help to talk with your towns and we could save them money.

Mr. Wheeler stated the good news is we have grown by 16 participants over the last ten years. He stated he is the Chair of the PERMA board and the budget has decreased by \$1.5 million and the reserve has increased by \$4 million. We are in great shape and a lot of credit for that goes to Mr. Sprague. Ms. Fitzpatrick asked who manages the reserve? Mr. Sprague replied we manage our reserve. Mr. Wheeler stated those are County funds. Ms. Fitzpatrick asked is that included in the contract with 3+1? Mr. Wheeler replied yes.

Mr. Malter asked how many towns and villages are in the plan? Mr. Sprague replied there are 32 towns and 17 villages in the plan along with a few fire departments/districts. This year we added the Town of Cohocton. Some of the towns saw an increase and looking at next year's budget, they will see a leveling off or a decrease for most. The County's cost is \$931,000. The retail market is \$800,000 or a little less. We will get our share down overall. Mr. Wheeler stated the fire districts are listed separately. We have the vast majority, but there are still a couple of towns, a few villages and one city that are not in the plan.

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

C. Commissioner of Finance

1. **Contract Extensions**

a. *Gallagher Benefits Consultants* – Mrs. Hurd-Harvey requested authorization to extend the contract with Gallagher Benefits Consultants for two years. She noted the contract expired June 30, 2022, and she neglected to get the extension approved. The contract will be effective through July 1, 2024. She also requested authorization to issue an RFP this fall.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO EXTEND THE CONTRACT WITH GALLAGHER BENEFITS CONSULTANTS THROUGH JULY 1, 2024 AND AUTHORIZING THE ISSUANCE OF AN RFP IN THE FALL FOR BENEFITS CONSULTANT SERVICES MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO.

Mr. Van Etten asked what is the cost? Mrs. Hurd-Harvey replied the cost is \$12,500 per quarter. There is no change in price.

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

b. *MissionSquare Retirement* – Mrs. Hurd-Harvey requested authorization to extend this contract for one year through March 31, 2024.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO EXTEND THE CONTRACT WITH MISSIONSQUARE RETIREMENT FOR ONE YEAR THROUGH MARCH 31, 2024 MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK.

Ms. Fitzpatrick asked what is the cost? Mrs. Hurd-Harvey replied there is no cost to the County. This just permits employees to enroll in the deferred compensation plan if they choose.

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

2. **Audit Services** – Mrs. Hurd-Harvey requested authorization to enter into a five-year agreement with Bonadio for audit services. The total cost is \$129,350 through 2027. The breakdown is \$102,050 over five years to conduct the County audit and \$27,300 over five years to conduct the audits for other entities (TASC, Deferred Compensation, Land Bank). Over five years the cost increase is 10 percent for year one, 5 percent for years two, three and four and 4 percent for year five. Mr. Nichols asked does this include an audit of Soil and Water? Mrs. Hurd-Harvey replied no. Mr. Nichols asked could they be included? Ms. Prossick replied no, they need to be done separately.

MOTION: WAIVING THE RFP PROCESS AND AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO A FIVE-YEAR AGREEMENT WITH BONADIO & CO. FOR AUDIT SERVICES FOR A TOTAL FIVE YEAR AMOUNT OF \$129,350 MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Increase Finance Office Petty Cash** – Mrs. Hurd-Harvey informed the committee that with the restructuring of the office, they will need an additional cash drawer to allow a fourth person to accept cash payments. She requested authorization to increase the petty cash allowance for the Finance Office from \$450 to \$600.

MOTION: AUTHORIZING AN INCREASE IN THE PETTY CASH ALLOWANCE FOR THE FINANCE OFFICE FROM \$450 TO \$600 MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. Personnel

1. **Community Services – Reclassification** – Mr. Alderman requested authorization to reclassify a vacant Assistant Director of Community Services, Management Grade I to a Deputy Director of Community Services, Management Grade J.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT ASSISTANT DIRECTOR OF COMMUNITY SERVICES, MANAGEMENT GRADE I TO A DEPUTY DIRECTOR OF COMMUNITY SERVICES, MANAGEMENT GRADE J, IN THE DEPARTMENT OF COMMUNITY SERVICES MADE BY MRS. LANDO. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Department of Social Services – Transfer of Positions** – Mr. Alderman requested authorization to transfer four positions from the Department of Community Services to the Department of Social Services to create efficiencies. This is an administrative change and no change in cost or operations. The positions are Social Services Clinic Coordinator, BILT Coordinator, Alcohol & Substance Abuse Coordinator and Senior Social Worker.

MOTION: AUTHORIZING THE TRANSFER OF THE FOLLOWING POSITIONS FROM THE DEPARTMENT OF COMMUNITY SERVICES TO THE DEPARTMENT OF SOCIAL SERVICES: SOCIAL SERVICES CLINIC COORDINATOR, BILT COORDINATOR, ALCOHOL & SUBSTANCE ABUSE COORDINATOR AND SENIOR SOCIAL WORKER MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Personnel – Management Salary Changes** – Mr. Alderman requested changes to the Management Salary Plan. He is recommending adding Typist to Management Grade B, adding Account Clerk-Typist to Management Grade C, and moving **Senior Clerk and Senior Typist** from Management Grade B to Management Grade C.

MOTION: AMENDING THE MANAGEMENT SALARY PLAN TO ADD TYPIST TO MANAGEMENT GRADE B, ADD ACCOUNT CLERK-TYPIST TO MANAGEMENT GRADE C, AND **MOVING SENIOR CLERK AND SENIOR TYPIST FROM MANAGEMENT GRADE B TO MANAGEMENT GRADE C MADE BY MR. SWACKHAMER. SECONDED BY MRS. LANDO.**

Mr. Malter asked what is the overall cost increase/decrease for these changes? Mr. Alderman replied this affects four employees and the overall cost is approximately \$11,000. Ms. Fitzpatrick asked will the affected employees get immediate pay raises? Mr. Wheeler replied yes.

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

4. **Personnel – Reclassification** – Mr. Alderman requested authorization to reclassify a vacant Senior Typist position, Management Grade C to a Typist position, Management Grade B.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT SENIOR TYPIST POSITION, MANAGEMENT GRADE C TO A TYPIST POSITION, MANAGEMENT GRADE B IN THE PERSONNEL OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **Civil Service Fees** – Mr. Alderman informed the committee that the State has waived their civil service examination fees. He would like to suspend the County's civil service exam fees for a period of time. The State suspended their fees through the end of 2025. Mrs. Lando stated when you first brought this up last month I disagreed as I don't think it will increase recruitment, but she would suggest suspending the fees through the end of 2024. Ms. Fitzpatrick commented we could also extend the suspension again to match the State.

MOTION: WAIVING THE CIVIL SERVICE EXAM FEES THROUGH DECEMBER 31, 2024, MADE BY MRS. LANDO. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

6. **Office of Community Services – Management Salary Plan Changes** – Mr. Alderman recommended deleting the Assistant Director of Community Services position from Management Grade I and adding Deputy Director of Community Services to Management Grade J at a range of \$71,642 - \$112,048).

MOTION: AMENDING THE MANAGEMENT SALARY PLAN TO DELETE THE ASSISTANT DIRECTOR OF COMMUNITY SERVICES FROM MANAGEMENT GRADE I AND ADD DEPUTY DIRECTOR OF COMMUNITY SERVICES TO MANAGEMENT GRADE J MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

7. **Public Defender’s Office** – Mr. Alderman requested authorization to waive Rule 16B and create two Case Manager positions, CSEA Grade L with a salary range of \$47,890 - \$70,839.

MOTION: WAIVING RULE 16B AND AUTHORIZING THE CREATION OF TWO CASE MANAGER POSITIONS, CSEA GRADE L (\$47,890 - \$70,839) IN THE PUBLIC DEFENDER’S OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS.

Mr. Sauro took the opportunity to introduce the three interns that are working with him this summer; Sarah Cabrerra, Ami Jaiteh, Daralis Rodriguez Peralta and Victoria Kelly.

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

8. **Law Department** – Mr. Alderman requested authorization to reclassify a full-time Senior Assistant County Attorney to a part-time Senior Assistant County Attorney. Ms. Prossick stated our Senior Assistant County Attorney would like to be on the Assigned Counsel list to have the ability to make \$158.00 per hour. This reclassification will save our department \$50,000.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE SENIOR ASSISTANT COUNTY ATTORNEY TO A PART-TIME SENIOR ASSISTANT COUNTY ATTORNEY IN THE LAW DEPARTMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. County Manager

1. **Contract Authorization – Employee Engagement Survey** – Mr. Wheeler stated he is pleased with how the employee engagement survey went and he did budget for a resurvey. He requested authorization to waive the RFP process and utilize the same company that did the first survey, CPS HR Consulting. The cost for the resurvey will be \$13,180, however, he would like to request the amount not to exceed \$16,000 as we could utilize action planning and meetings with department heads following the resurvey.

MOTION: WAIVING THE RFP PROCESS AND AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH CPS HR CONSULTING TO DO AN EMPLOYEE ENGAGEMENT RESURVEY FOR A TOTAL COST NOT TO EXCEED \$16,000 MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK.

Mr. Malter asked will there be different questions, or the same as before? Mr. Wheeler replied I think a lot of the questions will be the same. There were some COVID related questions that we will not include this time. There are also some opened-ended narrative opportunities and those questions will largely remain the same. Mr. Malter asked from the previous survey did that show there needed to be follow-up questions in any areas? Mr. Wheeler stated if we wanted to dive deeper, the consultant proposed having a focus group. We did not opt for that. We have taken specific actions to address items of concern. Two of the biggest items that were identified after the first survey were communication and pay. We do have the ability to do a focus group after this resurvey.

Ms. Fitzpatrick commented the purpose of this second survey is to see if the areas of concern have improved. The employees could also be asked if the County took action based on certain things that were not appropriate. It is

nice to have that perception from employees. Mr. Wheeler commented the same questions may be worded differently on the resurvey.

Mr. Van Etten stated I think this is good money spent. Mr. Wheeler stated I was very pleased and happy and the department heads were able to see the results.

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

2. **Local Law Creating Deputy Director of Real Property Tax Service Agency** – Mr. Wheeler requested approval of a local law creating the position of Deputy Director of Real Property Tax Service Agency. Because this is a policy making position and acts in place of the Director, we have to adopt a Local Law for the Civil Service process and then they will have to approve the creation of the position.

MOTION: PRESENTING LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2023, CREATING THE POSITION OF DEPUTY DIRECTOR OF REAL PROPERTY TAX SERVICE AGENCY MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Potter asked are you short-handed in the department? Mrs. Jordan replied yes. Mr. Potter asked will creating this position cause the department to become more short-handed? Mr. Wheeler replied we have been working with the department on recruitment. They have a specialized title and they are feeling the recruitment sting a little more than most.

Mr. Van Etten stated with regard to staffing shortages, the County Clerk in her monthly report has noted they have shortages in DMV. Mr. Wheeler stated we have communicated to the Clerk and Deputy Clerk that we will support whatever they need to make that happen. The problem is the list and the test. Some staff are fine with a provisional appointment, however, if they do not score in the right range, they could be out of a job. We have indicated to them to hire as many provisionally as they can. Mrs. Lando commented the new Corning DMV office is very nice and the staff are wonderful. Mr. Wheeler stated they are doing a good job and thank you for the space.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION AND ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: SETTING THE SALARY FOR LISE REYNOLDS, DEPUTY COMMISSIONER OF SOCIAL SERVICES, AT MANAGEMENT GRADE I, STEP 15 (\$101,849) MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: SETTING THE SALARY FOR COLLEEN EASON, ASSISTANT DIRECTOR OF SOCIAL SERVICES, AT MANAGEMENT GRADE G, STEP 13 (\$80,145) MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: SETTING THE SALARY FOR YVONNE ERWAY, CONFIDENTIAL SECRETARY TO THE COUNTY MANAGER, AT MANAGEMENT GRADE E, STEP 12 (\$64,563) MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: RESCINDING LOCAL LAW NO. FOUR OF 2017, PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF THE SHERIFF MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. MOTION CARRIES 4-1. (MRS. LANDO OPPOSED)

MOTION: AUTHORIZING AN INVESTIGATION PURSUANT TO COUNTY LAW SECTION 209 MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. 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, August 8, 2023 at 9:00 a.m.**

**Agenda items due to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, August 2, 2023**