

STEBEN COUNTY FINANCE COMMITTEE

Tuesday, September 12, 2023

10:05 a.m.

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

****MINUTES****

COMMITTEE:	Gary D. Swackhamer, Chair John V. Malter	Kelly H. Fitzpatrick, Vice Chair Brian C. Schu	Jeffrey P. Horton
STAFF:	Jack K. Wheeler Brenda Scotchmer Colleen Hauryski Mitch Alger	Christopher Brewer Patty Baroody James Allard Kathy Muller	Jennifer Prossick Lynn Lewis Eric Rose Tammy Hurd-Harvey
LEGISLATORS:	Scott J. Van Etten Wendy Lozo	Carol A. Ferratella Robert V. Nichols	Hilda T. Lando Frederick G. Potter
OTHERS:	Mary Perham Joe Tobia		

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:05 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 8, 2023, AND AUGUST 28, 2023, MEETINGS MADE BY MR. SCHU. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Office for the Aging

1. **Budget Transfer** – Mrs. Baroody requested authorization to transfer \$15,600 from the contracted services line item to salaries and wages.

MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO TRANSFER \$15,600 FROM THE CONTRACTED SERVICES LINE TO THE SALARIES AND WAGES LINE MADE BY MR. MALTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Social Services

1. **Budget Appropriation – Day Care Funding** – Ms. Muller requested authorization to accept and appropriate \$2.5 million in NYS Day Care Funding into the 2023 budget.

MOTION: ACCEPTING AND APPROPRIATING DAY CARE FUNDING FROM THE STATE IN THE AMOUNT OF \$2.5 MILLION INTO THE DEPARTMENT OF SOCIAL SERVICES 2023 BUDGET MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Community Services

1. **Accepting Allegany ACASA Outreach and Engagement Grant Funding** – Ms. Lewis requested authorization to accept \$8,270 from the Allegany Council on Alcoholism and Substance Abuse. Steuben and Allegany Counties are partnering to implement the Outreach and Engagement Services Grant.

MOTION: AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT \$8,270.00 FROM THE ALLEGANY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE FOR ADMINISTRATIVE FEES FOR THE IMPLEMENTATION OF THE OUTREACH AND ENGAGEMENT SERVICES GRANT MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

2. **Budget Adjustment – OASAS COLA** – Ms. Lewis requested authorization to accept \$40,617 in State OASAS COLA funding that will be allocated to provider contracts.

MOTION: AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT \$40,617 IN STATE OASAS COLA FUNDING AND ALLOCATING TO THE FOLLOWING AGENCIES: FAMILY SERVICES (\$2,210.00); HORNELL AREA CONCERN FOR YOUTH (\$3,437.00); CATHOLIC CHARITIES (\$21,816.00); OASAS BATH (\$7,701.00); OASAS HORNELL (\$2,491.00); AND OASAS CORNING (\$2,962.00) MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Public Works

1. **Budget Transfer** – Mr. Rose requested authorization to transfer \$3,000 from the Striping Pavement account and \$1,000 from the Consultants-Professionals account and appropriate to Minor Equipment.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$3,000 FROM THE STRIPING PAVEMENT ACCOUNT AND \$1,000 FROM THE CONSULTANTS-PROFESSIONALS ACCOUNT AND APPROPRIATE THE TOTAL OF \$4,000 TO MINOR EQUIPMENT MADE BY MR. MALTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Plows** – Mr. Rose requested authorization to amend Highway’s Major Equipment to include the addition of three Western Star plows for supervisor pickup trucks for a total amount of \$21,836.28.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THE HIGHWAY MAJOR EQUIPMENT LIST TO INCLUDE THE ADDITION OF THREE WESTERN STAR PLOWS FOR SUPERVISOR PICKUP TRUCKS FOR A TOTAL AMOUNT OF \$21,836.28 MADE BY MR. HORTON. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Purchase of Plows** – Mr. Rose requested authorization to transfer \$21,836.28 from the Vehicle Lease Chargeback line to Highway Major Equipment for the purchase of three Western Star plows.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$21,836.28 FROM THE VEHICLE LEASE CHARGEBACK LINE TO HIGHWAY MAJOR EQUIPMENT FOR THE PURCHASE OF THREE WESTERN STAR PLOWS MADE BY MS. FITZPATRICK. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Sheriff’s Office

1. **Accept Additional STOP DWI Funding** – Sheriff Allard requested authorization to accept additional STOP DWI grant funds in the amount of \$16,500.00.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT ADDITIONAL STOP DWI GRANT FUNDS IN THE AMOUNT OF \$16,500.00 MADE BY MR. HORTON. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Hunt Engineers** – Sheriff Allard requested authorization to enter into a contract with Hunt Engineers for \$7,800.00 to evaluate and provide design recommendations for plumbing upgrades and upgrades to the secured ceilings in the Jail.

MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO A CONTRACT WITH HUNT ENGINEERS FOR \$7,800.00 TO EVALUATE AND PROVIDE DESIGN RECOMMENDATIONS FOR PLUMBING UPGRADES AND UPGRADES TO THE SECURED CEILINGS IN THE JAIL MADE BY MR. HORTON. SECONDED BY MR. MALTER.

Ms. Fitzpatrick asked since we are hiring Hunt Engineers to look at these upgrades, are there other upgrades that we should be considering at this time? Mr. Wheeler stated that is a question for the Sheriff. They had initially done the HVAC and upgrades to that over the past five to ten years. We could take a look at what the next three to five years would look like. This, outside of the Black Creek upgrades, is the remaining piece. Sheriff Allard stated we are finishing the plumbing project that we started four years ago. We have identified three areas of the Jail that do not have secured ceiling tiles and will do that along with the plumbing work. He stated he is happy to meet with whoever Mr. Wheeler wants to look at the facility. Ms. Fitzpatrick stated I think it is prudent to look at this as we move into budget season. Sheriff Allard asked when would you like that done? Mr. Wheeler replied we would want to have that information during the budget process. Mr. Van Etten stated you used to do a five year plan. Why has that not continued? Sheriff Allard replied we have had personnel changes. Mr. Wheeler stated we should have been more mindful of that.

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

3. **Emergency Purchase** - Sheriff Allard informed the committee that it was necessary to do an emergency purchase of a server for the chiller at the Jail. They purchased the server from Johnson Controls for \$35,592. This was paid for using funds out of the Jail Air Handler Project.

MOTION: RATIFYING THE EMERGENCY PURCHASE OF A SERVER FOR THE CHILLER FROM JOHNSON CONTROLS IN THE AMOUNT OF \$35,592.00 PAID FOR OUT OF THE JAIL AIR HANDLER PROJECT MADE BY MR. HORTON. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **2024 STOP DWI Plan** – Sheriff Allard presented the 2024 STOP DWI Plan for approval.

MOTION: APPROVING THE 2024 STOP DWI PLAN AS PRESENTED AND FORWARDING TO THE LEGISLATURE FOR APPROVAL MADE BY MR. MALTER. SECONDED BY MR. HORTON.

Mr. Swackhamer asked does this have a reserve? Sheriff Allard replied yes. Mr. Wheeler stated there is \$40,000 in the reserve right now. Anything that is not expended will go into that reserve. Sheriff Allard commented historically we do not spend all of the budgeted monies for the agencies.

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

5. **Upgrade to Security Management System in the Jail** – Sheriff Allard requested an appropriation of \$1,287,213.00 from the General Fund Balance to pay for upgrades to the Black Creek Security System at the Jail.

MOTION: AUTHORIZING THE APPROPRIATION OF \$1,287,213.00 FROM THE GENERAL FUND BALANCE TO PAY FOR THE UPGRADES TO THE BLACK CREEK SECURITY SYSTEM AT THE JAIL MADE BY MR. MALTER. SECONDED BY MR. HORTON.

Ms. Fitzpatrick asked are there any funds in any other capital projects that we could appropriate, and is this amount enough? Sheriff Allard replied this quote that we received from Black Creek is good until the end of March 2024. Mr. Wheeler stated the Black Creek Capital Project was created a number of years ago and there is \$4,000 left in it. You might be able pull a few thousand from other projects. He stated Mrs. Hurd-Harvey did a good job of consolidating all of the projects. Mr. Malter commented we should not deplete that project and we should look at adding to next year's budget.

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

F. Commissioner of Finance

1. **Monthly Reports** – Mr. Alger asked if there were any questions on the monthly reports? Ms. Fitzpatrick asked Social Services has a purchase order to purchase two flatbed trailers? Mr. Wheeler stated he believes that is for the Mobile Work Program, but he will check with Ms. Muller. Ms. Fitzpatrick asked when the mobile work crew goes out, are they covered by Workers' Compensation? Ms. Prossick replied they are covered under Workers' Compensation as volunteers. That does not count under Department of Labor for pension.

Mr. Malter stated the financial summary statement shows the Landfill revenue going down. Why is that? Mr. Alger stated they talked with Mr. Orcutt about that and part of it is they have stopped accepting garbage while new cells 7 and 8 are under construction. Mr. Wheeler stated we have also been receiving waste from Corning, Inc. as they are doing cleanup on a large project and there has been significant waste from that remediation, however, that amount started decreasing in 2023. Most of the decrease in revenue has to do with that. Mr. Malter stated with costs continuing to increase we need to take in more garbage to increase our revenue. How will we do that? Mr. Wheeler stated the Enterprise Fund Balance is not as healthy as we would like. They have been talking to Mr. Orcutt about this and my thought is he anticipates they will be asking to look at increasing the tip fees.

Mrs. Hurd-Harvey stated we had to stop accepting large loads from outside carriers because the DEC (Department of Environmental Conservation) took extra time on approving the construction of the new cells. That will resume once the new cell is open. Additionally, the amount of waste Corning, Inc. is bringing is gradually decreasing. Once the outside haulers start bring in loads that will help with our revenue. Mr. Malter asked when will the new cell be available? Mrs. Hurd-Harvey stated she is not sure. Mr. Wheeler stated he thinks it will be open in about a month. Mr. Horton stated they will have to bring in eight feet of select garbage first and they will be starting that soon.

Mr. Swackhamer asked what about the height variance? Mr. Van Etten stated we had to take out a large piece of rock which delayed the project and that cost us additional money to remove the rock. Mr. Wheeler stated once we get to a certain point, then we will start to fill in between the cells. That will be an area of concern as we go forward. Mr. Malter commented an adjustment to the fee schedule needs to be done sooner rather than later. Mr. Wheeler stated he anticipates that will be coming to the Legislature for consideration in the not too distant future.

Mr. Malter asked did revenue for Public Health decrease due to staffing issues? Mrs. Hurd-Harvey replied last year Public Health had received about \$1 million for COVID mitigation for the school and that funding did not reoccur in 2023.

Mr. Potter stated speaking of COVID funds, are we monitoring what funds were given to the different agencies and are we getting financial reports on how they spent those funds? Mr. Wheeler replied we have received some reports from last year. We can ask for those that we did not receive. The funding that was allocated to the Steuben County Agricultural Society was going to be spent over a couple of years. We have to report that information to the Treasury quarterly and then provide an annual report. Mr. Malter asked what was the allocation to the Agricultural Society for? Ms. Fitzpatrick stated for electrical upgrades. Mr. Malter asked were those completed? Mr. Wheeler replied we allocated \$250,000 to them and they did provide us with an interim report. We can get the 2023 update.

G. County Manager

1. **Elections Major Equipment Purchase** – Mr. Wheeler requested authorization for the Commissioners of Elections to add electronic poll books and on-demand printers for \$55,490 to the major equipment list.

MOTION: APPROVING THE ADDITION OF ELECTRONIC POLL BOOKS AND ON-DEMAND PRINTERS TOTALING \$55,490 TO THE BOARD OF ELECTIONS MAJOR EQUIPMENT LIST MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Probation Contracts** – Mr. Wheeler requested authorization for Probation to enter into new contracts with Mental Health Integration Systems to provide sex offender treatment services at a rate of \$350.00 per evaluation and \$25.00 per weekly therapy/group session.

MOTION: AUTHORIZING THE DIRECTOR OF PROBATION TO ENTER INTO A CONTRACT WITH MENTAL HEALTH INTEGRATION SYSTEMS TO PROVIDE SEX OFFENDER TREATMENT SERVICES AT A RATE OF \$350.00 PER EVALUATION AND \$25.00 PER WEEKLY THERAPY/GROUP SESSION MADE BY MR. HORTON. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Ms. Prossick stated Ms. Crocker is also requesting authorization to contract with Eric Hurd to provide polygraph services to sex offenders in treatment.

MOTION: AUTHORIZING THE DIRECTOR OF PROBATION TO ENTER INTO A CONTRACT WITH ERIC HURD TO PROVIDE POLYGRAPH SERVICES TO SEX OFFENDERS IN TREATMENT MADE BY MS. FITZPATRICK. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Vehicle Lease Agreement** – Mr. Brewer requested authorization to sign lease agreements for five 2024 Dodge Durango Pursuits with Enterprise for the Sheriff’s Road Patrol. These vehicles will be requested in the 2024 budget as no funds are needed to be spent until after the vehicles are received by the County and all of the up fitting is complete.

MOTION: AUTHORIZING THE COUNTY MANAGER TO SIGN LEASE AGREEMENTS WITH ENTERPRISE FOR FIVE DODGE DURANGO PURSUITS FOR THE SHERIFF’S ROAD PATROL FOR THE 2024 BUDGET YEAR MADE BY MR. HORTON. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. OTHER BUSINESS

A. *EMS Coordinator Vehicle* – Mr. Potter asked will the new EMS Coordinator need a vehicle? Mr. Wheeler replied they are budgeting for that in the 2024 budget. Mr. Potter asked will that be a purchase or lease? Mr. Wheeler replied they would recommend that it be a purchase.

B. *Civil Service* - Mr. Van Etten stated the Governor signed legislation relative to Civil Service and one of the items requires that time spent as a provisional employee count toward their permanent appointment in a similar title. Mr. Alderman explained that is a direct result of COVID as during that time no exams were given. The State continues to only be putting out about 25 percent of the exams that they used to. The problem that caused is that people were provisional forever. The rate for the number of provisional employees in the State prior to COVID was 1.8 – 1.9 percent. Now, that rate is 10 percent. The county’s number of provisional employees prior to COVID was well below 1 percent and now we are at 2 – 3 percent. Mr. Alderman explained under the old law, you worked as provisional until you took the test and you had to place in the top three to be appointed permanent. The time that was served as a provisional employee did not count as time served for the purposes of probation. This has just changed the record keeping.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MS. FITZPATRICK. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO SELL PARCEL #151.72-02-040.200, SITUATE IN THE CITY OF HORNELL, TO THE ADJACENT LANDOWNER, MEGAN & EDWARD COLLIER, IN THE AMOUNT OF \$1.00 MADE BY MR. MALTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. HORTON. 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, October 10, 2023 at 9:30 a.m.**

**Agenda items due to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, October 4, 2023**

**BUDGET WORKSHOP SCHEDULED FOR
TUESDAY, OCTOBER 10, 2023 AT 10AM OR IMMEDIATELY FOLLOWING FINANCE COMMITTEE**