

STEBEN COUNTY ADMINISTRATION COMMITTEE

Tuesday, September 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 Shawn Sauro Brooks Baker	Christopher Brewer Nate Alderman Mitch Alger Lindsay Rice	Jennifer Prossick Patty Barody Rob Wolverton Jennifer DeMonstoy
LEGISLATORS:	Scott J. Van Etten Wendy Lozo	Carol A. Ferratella John V. Malter	Jeffrey P. Horton Frederick G. Potter
OTHERS:	Mary Perham Brian O’Neil, WLEA Joe Tobia		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 8, 2023, AND AUGUST 28, 2023, MEETINGS MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Personnel

1. **Public Defender** – Mr. Alderman requested authorization to create one Senior Typist position, CSEA Grade F.

MOTION: AUTHORIZING THE CREATION OF ONE SENIOR TYPIST POSITION, CSEA GRADE F IN THE PUBLIC DEFENDER’S OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **District Attorney** – Mr. Alderman stated the District Attorney is requesting authorization to hire a part-time Investigator above the mid-point of Management Grade F, Step 12 with a salary of \$35,504. Ms. Fitzpatrick asked will this position be paid benefits? Mr. Alderman replied no.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO HIRE A PART-TIME INVESTIGATOR ABOVE THE MID-POINT OF MANAGEMENT GRADE F, STEP 12 WITH A SALARY OF \$35,504.00 MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Office for the Aging** – Mr. Alderman requested authorization to create one Account Clerk-Typist position, CSEA Grade D. He noted that they have a vacancy in one of the contracted positions and will be using

those funds towards this new position. Mr. Swackhamer asked what is the difference in pay? Mr. Wheeler replied he would guess around \$2,000.

MOTION: AUTHORIZING THE CREATION OF ONE ACCOUNT CLERK-TYPIST POSITION, CSEA GRADE D IN THE OFFICE FOR THE AGING MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

4. **Information Technology** – Mr. Alderman requested authorization to reclassify a currently filled Computer Programmer, CSEA Grade K to a Computer Systems Analyst, CSEA Grade N.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A CURRENTLY FILLED COMPUTER PROGRAMMER, CSEA GRADE K TO A COMPUTER SYSTEMS ANALYST, CSEA GRADE N IN THE INFORMATION TECHNOLOGY DEPARTMENT MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

V. OTHER BUSINESS

A. *Pistol Permits* – Mr. Van Etten stated that he had sent an email to Mr. Wheeler, Mrs. Hunter and Ms. Prossick, asking if we could send an informational letter to all of the pistol permit holders in the County. The State changed the law a year ago regarding the timeframe for recertifying and August 31, 2023, was the deadline to do that. There are a lot of people that have not heard about this yet. He had asked if we could send out a letter and then we would not be in violation for not informing them of the change.

Mr. Nichols commented this was purposefully done so the State would not notify anyone. Mr. Van Etten stated all of the recertifications are managed by the State Police and they have to be done online. Mrs. Lando asked what happens if they do not recertify? Mr. Van Etten stated that is the unknown. According to Mrs. Hunter or Ms. Prossick, the only ones that can take a pistol permit away from you are the judges.

Ms. Prossick explained this is a State function. Mrs. Hunter is appointed through the State and the judges are the licensing department. They appoint the licensing agent and Mrs. Hunter is fulfilling that State function. This is not a County function; it is all State. You can have your pistol permit out of Steuben County and not live here. The rumbling is that the State is holding those changes and there was a press release yesterday. The recertification is done through the State Police and they have a link on their website. Mrs. Hunter will need to talk to the three judges and get a consensus in order to put out a brief explanation of this along with the link to the State Police.

Mr. Van Etten stated his understanding was that the recertifications had to be done by August 23, 2023, if you acquired your permit prior to 2020. Ms. Prossick stated only a judge can revoke a pistol permit and there would have to be a due process hearing.

Mr. Horton asked if the judges agree to this, could we put this information on Facebook? Ms. Prossick replied yes and then we could do a press release. Mr. Schu asked do we need to have a motion to do a public awareness notice? Ms. Prossick replied our advice is not to do that as that is not our function. Mr. Schu asked how will the public be notified? Ms. Prossick replied you could do that with a press release. A mailing would probably cost around \$16,000 and we could still do that if we need to. Mr. Van Etten stated if we have the ability to help notify our residents, I think we should.

Mrs. Lando asked should we first find out what happens if they don't recertify? Ms. Prossick explained when someone applies for their pistol permit, the Sheriff Investigator completes a background check. The Sheriff and the County Clerk just finished reviewing and processing the pre-2022 applications. There is about a year lag. Mrs. Ferratella asked are we recommending people recertify now? Ms. Prossick replied yes and we send them to the State Police link. Mr. Van Etten stated he has the link and he will email that to the Legislators so they can share that information.

VI. DEPARTMENT REQUESTS (CONT.)

A. County Manager

1. **Elections** – Mrs. Hauryski stated we received an amendment to the TIER Grant contract, increasing our allocation to \$176,321.80. She requested authorization to transfer \$55,490 from the TIER grant to Major Equipment to purchase electronic poll books and on-demand printers and to amend the Major Equipment list to reflect this purchase.

MOTION: AUTHORIZING THE COMMISSIONERS OF ELECTIONS TO ADD ELECTRONIC POLL BOOKS AND ON-DEMAND PRINTERS TO THE MAJOR EQUIPMENT LIST AND TO TRANSFER \$55,490 FROM THE TIER GRANT TO MAJOR EQUIPMENT TO PURCHASE SAID ITEMS MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Voting Machines** – Mrs. Lando asked what is the status of the new voting machines? Ms. Hauryski stated we will have to dispose of the old machines and we will move forward with the purchase of the new machines either after the November election or in 2024. We are looking forward to moving forward with the new machines which are coming from Clear Ballot.

3. **TIER Grant** – Mr. Wheeler stated we accepted the TIER Grant in June and the paperwork came in with a different number. He requested authorization to amend the contract to reflect the correct amount of \$176,321.80.

MOTION: AUTHORIZING THE AMENDMENT TO THE TIER GRANT CONTRACT TO REFLECT THE CORRECT AMOUNT OF \$176,321.80 MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICER'S 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 MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: SETTING THE UNDERTAKING FOR INDEMNIFICATION PURPOSES FOR THE SHERIFF FOR A MINIMUM OF \$1 MILLION LIABILITY COVERAGE WITH \$3 MILLION EXCESS LIABILITY COVERAGE MADE BY MR. SWACKHAMER. 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, October 10, 2023 at 9:00 a.m.**

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