

Minutes

Administrative Services Committee

August 19, 2019, 5:00 pm, Room 331

Gerace Office Building, Mayville, NY

Members Present: Scudder, Starks, Proctor, Muldowney

Member Absent: Davis

Others: Ames, Tampio, Dennison, Abdella, Bentley, Caflisch, Sanderson, Sterns, Nazzaro, Hemmer, Wisniewski, Crow, Quattrone

Chairman Scudder called the meeting to order at 5:50 p.m.

Chairman Scudder: Before we get started, I want to apologize to everybody that was here at 5:00 o'clock to get started. This is becoming a monthly occurrence and I'm going to look into trying to remedy starting Administrative Services. Whether it's moving one or the other, I'm going to suggest we move it around. I mean, there are a lot of things in Public Facilities to discuss so we should allot the time accordingly.

Legislator Starks: Very appreciated for that (*cross talk*).

Chairman Scudder: Again, it was an apology. I think that I'm going to ask that that starts earlier rather than this starts later because 5:00 is kind of late enough for most people, I think. Now that I don't have anything to do on Monday's, I don't care if we start at 11:00 in the morning. Personally, I doesn't matter to me.

Approval of Minutes (07/15/19)

MOVED by Legislator Muldowney, SECONDED by Legislator Starks.

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Chairman Scudder: We're going to go a little bit out of order here and go to resolution number 8. Is that the only one you are here to speak on Jim?

Sheriff Quattrone: I will stay for number 7 also.

Chairman Scudder: Let's just do 7 and 8.

Proposed Resolution - Approving Labor Contract with CSEA Unit 6322 (Part-time Deputy Sheriff's)

Ms. Wisniewski: I've prepared a handout for everyone in regards to the most important financial pieces of the contract. There are four bullet points as you can see throughout there. So just to quickly go over, this is the part time Deputy Sheriff's agreements. They are all part time deputies. There is approximately 40. We put 44 but give or take any given time, those could be either less or more. So we'll say approximately 40 part time Deputy Sheriff's. In this tentative agreement we include a wage increase which for 2019 and this does include being retroactive to 1/1/19, a 2%; 2020 a 3% and 2021 a 2%. This was of course as you probably know, it started out higher on one side and then lower on one side and we negotiated these. The reason this was agreed to include the 2, 3, 2, is because the competitive wages expected to help with aggressively difficult recruitment and retention issues. Previous to this there were many years that the part time Deputies were not represented and they did not receive increases. Currently the Sheriff's Department and we do see this as an ongoing issue for recruitment and retention of these part time Deputy Sheriff's. We currently compete with the other municipalities throughout Chautauqua County, other counties, State positions, that either they get another part time or they receive full time employment. So we would like to stay competitive and again why we agreed to these increases. Another thing that we were able to agree upon is the salary step eligibility. Right now they start at Step 1 and that starting rate is the initial rate they come into. To receive a Step 2, right now, currently, they have to be here for 5 years to get the next increase, step increase. After that, the Step 3, so it's only Step 1, 2, and Step 3, they have to be here 10 years for Step 3 currently. What we agreed upon throughout negotiations is to get to Step 2, instead of 5 years, it will be 3 years and for Step 3, instead of 10 years, it will be 5 years. Overall the reason why we agreed to a less amount of time to get there is because ideally, for those who start in the part time Deputy Sheriff's positions, we're not looking for them to stay long term. This isn't a long term career but yet we did feel and we agreed upon that 5 to 10 years, to be able to receive a Step increment, seemed to be a long term career rather than a short term career and to potentially a full time Deputy Sheriff. That is where we would like to see them go once they get the experience. So that again, why we agreed to the less years to get to the different Steps.

Another item that we agreed upon was, all employees who work over 8 hour shifts shall be paid premium pay of \$1.00 per hour for the additional hours. So if they work their normal 8 hour shift, they are not receiving any additional pay. Also, they are part time employees who typically are not receiving, it's very infrequent, that they are reaching 40 hours and receiving overtime. But there are situations that only in the Transport Division, where they are transporting inmates to New York City for example and they are working long period of hours, over the 8 hours in a one shift and just in those situations, typically where we are going to find it, that they would be paid that additional \$1.00 per hour premium for over the 8 hours. Not for the total amount though. So it would be the 9th hour, 10th hour, not going back through the whole shift.

Lastly, we did agree upon that all bargaining unit members after they completed the probationary period, are eligible to participate in the physical fitness bonus and receive a \$300 bonus. With the Deputy Sheriff's, the full time Deputy Sheriff's in their contract, they are able to participate and they have to pass what they call PT bonus, a PT test and receive \$300. We agreed to this with the part time because one; just being healthier, we do want to see the

employees strive to take this and to be healthy and also to become a full time Deputy Sheriff, they do have to pass this physical fitness bonus. So we do see that as a retention possible tool as well.

Legislator Starks: Is this an annual thing, the physical fitness?

Ms. Wisniewski: It is. It's annual one time, annually.

Chairman Scudder: So each year they can get this bonus?

Ms. Wisniewski: Yes. Just for clarification, yes. Each year, one time each year they can participate but they do have to pass. If they don't pass, they do not receive the bonus.

Chairman Scudder: We should have that for the Legislature. You wouldn't be paying anything out. Speaking for myself, we wouldn't be paying anything out.

Ms. Wisniewski: Just for correction, I apologize. The full time receive \$500 bonus, the full time Deputy Sheriff's and we agreed \$300 for the part time Deputy Sheriff's.

Chairman Scudder: Any questions?

Legislator Muldowney: It goes back to January 1, right?

Ms. Wisniewski: It does, right.

Legislator Muldowney: I think it's budget neutral, is that right?

Ms. Wisniewski: No, I would have said that in the beginning.

Ms. Crow: The financial impact for this group because it is a smaller group, they are part time is less significant than others so certainly it would represent a cost increase. The wage increase for 2019 is projected to be \$14,000, \$35,000 for 2020 and \$50,000 for 2021. Some of the members of this bargaining group work in positions that are reimbursed for court security. So, that number would not be the net number to the County as some reimbursements would apply.

Legislator Proctor: So the \$14,000 you are saying is not net?

Ms. Crow: No. It's just what the wage increase would be for the 2%.

Legislator Proctor: I would anticipate that question in Audit & Control.

Legislator Starks: Is this comparable to other municipalities? Like, does this bring our part timers more in line with who and where we might lose them to, to help retain them?

Ms. Wisniewski: The Sheriff actually did a survey throughout the other counties as well as the – he can speak more to that.

Sheriff Quattrone: Between the other counties but more importantly the other agencies within Chautauqua County, like Ellicott, Town of Busti is where we would lose them to. It keeps us more comparable. The other thing is, again, the majority of those part timers work in the courts so those are reimbursed fees.

Legislator Starks: So you are confident that this will help us keep them rather than going part time to another place?

Sheriff Quattrone: I think it will help us keep them. As confident as I can be.

Legislator Starks: Because you can't control what other people do.

Sheriff Quattrone: Right.

Ms. Wisniewski: It's getting us there.

Legislator Proctor: What is the average time that someone is part time? You said that you don't want to them to go 10 years to be a long term (*inaudible*)...

Sheriff Quattrone: The part timers that are working patrol, that is generally a couple of years. The part timers that are working in the courts and working over in this building, a long time but most of them are retirees so they are coming in here, as I say, they will work a few years and then they may step out and just be retired.

Legislator Starks: So they intend to be part time if they're (*cross talk*)..

Sheriff Quattrone: Correct.

Legislator Proctor: Do a lot of them move to full time?

Sheriff Quattrone: As there are openings, yes. We're having trouble now filling our full time positions also.

Chairman Scudder: Is there a priority to go to the pool of part timers?

Sheriff Quattrone: As long as they are on the civil service list and reachable we prefer to use because we've had that time evaluate them to see what kind of work they are doing.

Chairman Scudder: They already have a uniform.

Sheriff Quattrone: That is another advantage.

Chairman Scudder: When does the contract come up for the rest of the Sheriff's?

Sheriff Quattrone: DSAC, I think it's 2021.

Ms. Wisniewski: And then corrections is currently in negotiations. They have been expired since 2018.

Chairman Scudder: I just know in the past what happens today can affect what happens for the next bargaining units.

Ms. Crow: This one is kind of little bit on its own because it's a small group and it's a very specific.

Chairman Scudder: Unless it can be used, sorry.

Ms. Crow: There are minimal items that are part of this agreement overall compared to the other contract that has bigger documents associated with them.

Chairman Scudder: Anybody else have anything? I'm going to vote in favor of this but I just want to say publically, retroactive drives me crazy. I'm not a fan of retroactive pay but it's a minimal amount and I guess I'll vote in favor of it. With that being said, all in favor?

Unanimously Carried

Proposed Resolution – Setting Salary for Special Patrol Officer

Sheriff Quattrone: So special Patrol Officer would be a new title for us and the primary duties of that officer will be to be a School Resource Officer. Now the salary at \$27.00 an hour is designed to encourage people to come in. It's still going to be saving the school systems anywhere between, depending on the school system, but between \$15,000 and \$30,000 a year and yet, helping the Sheriff's office so we're not losing money in our School Resource Officer contracts.

Chairman Scudder: Where is this officer coming from?

Sheriff Quattrone: This officer, the first one –

Chairman Scudder: I mean, un-officer, where they would be coming from?

Sheriff Quattrone: An officer would be someone who is retired from, it can be from any police department, Sheriff's Department, Police Department, Probation, Corrections. I think parole, but not 100%.

Ms. Wisniewski: Parole, yes.

Sheriff Quattrone: So it could be anybody that's retired from there and they are Peace Officer status with the capability of being armed.

Chairman Scudder: So they would be a uniformed Sheriff?

Sheriff Quattrone: Correct. So they would have law enforcement authority on the school grounds and on the school grounds only.

Ms. Wisniewski: This position is currently looked at to be in 6300. It's something that we can't establish necessarily unless all bargaining agreements and we've already tentatively talked to them and there is an agreement that they would go into 6300. Very similar to our court officers. There is different positions. There is a part time Deputy Sheriff's but there are Court Officer positions that are in 6300. Typically, those positions, even though it sounds like it should be in the Sheriff's unions that because they don't have certain capabilities, but is more of a security guard, that would go into 6300. And with that 6300, does have seasonal positions and the seasonal position would be throughout the school year. So unlike the SRO's, the School Resource Officer, they are full time positions that would offer benefits. They would also, during the and correct me if I'm wrong Sheriff, but in the summer, they would be Deputy Sheriff's on the patrol rather than in the schools. This positions would be considered seasonal or you would also maybe term as part time. It's only during the school year, for the schools use and it would not be eligible for benefits. So it would solely be the pay and typically for someone who is retired, you are not going to have to pay into their retirement benefit so less, again, there. I believe that was another reason we were, the HR Department, was in agreement with the higher starting rate. One because of no benefits, two; it's strictly part time position, and also, this position does have individuals who have been retired, have been in the positions for a long period of time. They are not newbies coming out of schools or newbies come out of the academy. These are individuals who have maintained a work relationship with the Sheriff or with a police department. And to be able to recruit those to come back in out of retirement, we felt like we needed to have a competitive wage.

Legislator Muldowney: So they would follow the school schedule basically?

Sheriff Quattrone: Correct.

Legislator Muldowney: So when holidays and things like that, they are just paid when they work?

Sheriff Quattrone: Correct. It's hourly rate, whenever their working. So they would have the same days off as the school. Whatever school district that they are in.

Legislator Starks: You mentioned the authority is only on school grounds. Does that include transportation, whatever bus company the school might contract with or a field trip if they were, you know, is it anything school sponsored and sanctioned or only on that particular campus?

Sheriff Quattrone: School sanctions, they should be able to cover. Now, they wouldn't be able to do anything out of State, any long trips or things like that.

Legislator Starks: I know some schools contract for companies and don't have their own transportation or they'll take several grade levels to a park, something like that.

Sheriff Quattrone: And that could be under the – you have the Special Patrol Officer, in a situation like that, we can also make them Special Deputies.

Legislator Starks: O.k., but if the school sanctioned?

Sheriff Quattrone: Correct.

Chairman Scudder: So then this is all in agreement with the school system they are going into?

Sheriff Quattrone: Correct.

Chairman Scudder: So I'm assuming they are willing to pay \$27.00 a hour?

Sheriff Quattrone: Yes because –

Chairman Scudder: Or what happens there?

Sheriff Quattrone: They are going to be saving on the average and you might be able to correct it, but I think there are 190 days generally that are scheduled –

Legislator Starks: A 180 student days.

Sheriff Quattrone: A 180 student days and just using Jamestown as an example, they schedule 190 but then they have 180 –

Legislator Starks: Because you have snow days.

Sheriff Quattrone: Right, so, calculating that at 8 hour days, 190, the school system is going to cost them around \$60,000 versus most of our contracts are around \$78,000, depending on the school, up to \$130,000. This is really to help schools that just can't afford to have that SRO.

Chairman Scudder: Any other comments, questions or concerns?

Legislator Muldowney: Could a bigger school, let's just say Jamestown and Dunkirk, who pays their local city to do it, could they bring in another SRO for like an elementary building or a no school building under this program?

Sheriff Quattrone: Yes they could. I think Jamestown does something similar to this currently. Bring in retired officers. I don't know if it's under this program or not but they do have some retired officers that are working in some of the school buildings. I'm not sure which ones.

Legislator Muldowney: So they have more than one?

Sheriff Quattrone: Correct.

Chairman Scudder: Are there other ways for schools to get resource or whatever their title is –

Sheriff Quattrone: Special patrol officer.

Chairman Scudder: Will this open it up for schools to give them a better avenue to get somebody in there or are there other – I mean, can they –

Sheriff Quattrone: They could still do the School Resource Officer as we have it, where we would hire, backfill with a full time and they would get a full time officer. The problem with that is, we're also having trouble getting officers who want to be School Resource Officers. So you get these new guys, personally don't have a lot of experience, and they are not ready to go into the schools. I don't feel comfortable sending them into the schools so this gives us that option. With an experienced officer we have – right now I have 3 or 4 that are interested (*cross talk*).

Chairman Scudder: That was my next question. Do we have –

Sheriff Quattrone: We do have 3 or 4 that are interested with some great qualifications that some of them have already been trained as SRO's, have gone through the training.

Legislator Starks: I think that's a great way to be proactive and preventive. Thank you for all your research on that.

Chairman Scudder: Anything else? All in favor?

Unanimously Carried

Proposed Resolution - Authorize Electronic Poll Books Capital Grant Award from the New York State Board of Elections

Ms. Sanderson: The Board of Elections had received a contract for a reimbursement grant which we will use to implement for our early voting. That will cover the cost of a lot of our electronic poll books, software, and/or the on-demand ballot printers and any cost associated to the early voting. We hope that you will accept that and authorize the County Executive to sign off. The contract is due to the State by September 9th.

Chairman Scudder: This isn't money – I mean, we're applying for it but it's there for us?

Ms. Sanderson: It's there, right. This would be just accepting it.

Chairman Scudder: O.k.

Ms. Sanderson: We believe that this will be part one of actually two. So we're actually hoping for more funds to come through.

Chairman Scudder: Any questions, concerns, or comments? All in favor?

Unanimously Carried

Proposed Resolution - Authorize Retention of Property at 29 ½ North Erie Street in Mayville, New York for County Purposes

Mr. Abdella: It's really almost by coincidence but this property ended up in the County's tax foreclosure and meanwhile, the County had been able to acquire the adjoining parcel also over there. So having the County retain this parcel would complete the square or the rectangle and allow the County to have the full flexibility to design additional parking and green space on this campus area. It's being recommended by the County Executive and the County Director of Public Facilities that rather than sell this property that the County go ahead and retain it for its own municipal purposes.

Chairman Scudder: Everybody good? All in favor?

Unanimously Carried

Proposed Resolution – Amend 2019 Budget for Liability Insurance Accounts

Ms. Crow: So far this year we've had incurred more claims, payouts, than what we had planned for. Part of that is due to a change that we made in how we do our internal investigations for things that could potentially become an issue. That is now coming out of the CS fund budget which when we present the 2020 budget, it will be included in there. But, this will be to amend the budget for this year based on what claims have come in so far. Just an estimate of what might come before the end of the year. We are proposing the use of – the other thing with the CS fund, that is where we have all our liability insurance premiums and other expenses and the total cost of the liability insurance is allocated out to all County departments based on different allocation methodologies for each individual premium and the administration. So at the end of the year, the loss will be a year-end adjustment to departments. Right now we're showing it as a use of fund balance but we might not use that much fund balance by the end of the year because there will be some allocation back to the departments if the final budget is – based on the final budget numbers, actual costs I mean. The CS fund or the insurance reserve is reported as part of our general fund on our financial statement balance is about \$3.2 million dollars right now. So there is a healthy insurance reserve. I don't see that this puts us in any financial jeopardy by using that fund balance.

Chairman Scudder: Could you tell us again why it's higher?

Ms. Crow: We have premiums that we pay for various insurance policies but then we might have deductibles, we might settled claims and have a payout on a settlement, so those costs have been greater than what we projected in the budget for paying out claims and

deductibles. Additionally, we changed where we brought down a firm now that handles the investigation of like sexual harassment and things like that, bullying, things that could potentially become a claim against the County so the cost for that work by the outside agency is also part of this.

Chairman Scudder: A cost for their service.

Ms. Crow: Yes.

Chairman Scudder: O.k., that's the part that I – I was wondering why we did something that cost us more money. That makes sense.

Ms. Crow: Some of it used be done internally. We would assign people internally to do investigation so it was becoming a little problematic and we just wanted to make sure it was done by a third party to do those investigations when they are necessary.

Chairman Scudder: Any questions, comments, concerns? All those in favor?

Unanimously Carried

Proposed Resolution - Amend 2019 Budget for Organizational Changes for Purchasing and Insurance

Ms. Crow: The responsibility for purchasing function is – we have been working for a while now to develop a revised structure to centralize some of that function. We will be presenting more to that plan in the 2020 budget but currently between – like last year, we moved Tracy France, who is the Purchasing Manager, she was originally budgeted in Finance then moved to DPF and then came back to Finance in last year's plan and now we're further centralizing that so one other staff member from the DPF, whose main role was in DPF as for purchasing, as a purchasing agent. That title is going to be absorbed under the Finance organization now. So this resolution – it looks like a lot of changes but, I'm sorry, her position is just moving from DPF to the general fund into the Finance Department. So DPF's budget is being reduced, Finance is increasing. So it's really just an organizational change there for her. Additionally, we are centralizing the - so it looks like a lot of amendments because her time at DPF was allocated among all the different divisions of DPF so that is why you see additional adjustments for the landfill accounts and the airport and CARTS because her time at DPF was allocated to all multiple different departments. So, in total, DPF is going down, Finance is going up. The other component of this is also related, again, to the CS fund because another function in the overall purchasing scheme is that, as we let out new contracts, our vendors are required to meet certain insurance requirements so there is an internal process we go out to obtain insurance certificates from the vendors. Right now we have all the departments as they are bringing on new contracts, connect with the vendors to get those insurance certificates and a lot of times maybe something is wrong so, the Insurance Office will send it back and it might go back to the department, to the vendor, to the department, to the Insurance office so we're trying cut out that middle person and we're going to centralize that process as well. So the Insurance Office will just be handling insurance certificates so the people within the departments won't have to deal

with that with the vendor. We hope to improve efficiencies through that process. We are planning to increase a part time staff person in the Insurance office to full time and then that additional administrative cost will ultimately be allocated out to all the County departments as part of the administrative cost of administering the liability program.

Legislator Muldowney: Will there be a savings?

Ms. Crow: That position, eventually it will. It's not going to be an immediate savings but it will allow for more efficient – less time to obtain the certificates because there will be less going back of questions and iterations. Those department people can spend more time doing their real job, so to speak, than chasing down insurance certificates.

Legislator Starks: (*Cross talk*)... having so many hands in the pot.

Ms. Crow: Yes, so overall our plan for – the justification for centralizing Purchasing and the related function of the insurance certificate, is yes, we believe that by having a central Purchasing unit that knows what all the - what are the cooperative agreements we should purchase from, knows all the purchasing policy rules and are expert on it rather than right now, we have departments that are kind of all trying to be experts but it's really not their main job to do bids, and RFP's and that sort of thing. So we do feel, or believe over time we should see cost savings associated with getting better pricing. Again, it's not something that we can quantify today but also will improve efficiencies internally in terms of procurement and better adherence to our policies which we sometimes struggle with trying to make sure everyone is always trained and knows what the policies are and not chasing things around after the fact.

Legislator Proctor: So currently you have the Insurance person reviewing those from the different departments.

Ms. Crow: What happens is, say a department does an RFP and they have selected a vendor, the next step is the department reaches out to the vendor and says, here is our piece of paper that says what our insurance requirements are and then the vendor sends them in. Then the department sends it to the Insurance office and the Insurance office has to review, do those certificates meet our requirements and then they will mark it up where it doesn't. Send it back to the department, the department sends it to the vendor, the vendor sends it back to the department, so we're trying to eliminate all of that and make it just directly from our Insurance office to the vendor can deal with the insurance certificates. Just taking that burden off.

Chairman Scudder: All set? All in favor?

Unanimously Carried

Proposed Resolution – Authorizing Contract for 2020 Administration of Chautauqua County Self-Insurance Plan

Ms. Crow: To refresh the memory of some and maybe update others that might not have heard it before, the County administers the municipal Worker's Comp plan so all the

municipalities, towns, cities, villages, fire departments, participate in one municipal Worker's Comp plan and the County is the administrator of that plan. We process all the claims, hire a third party administrator to assist us with that. This first of two resolutions related to the Worker's Comp plan, first, number 4 is to set the cost for administration of the Worker's Comp plan. Then that administrative cost is included in the budget for the proposed Worker's Comp budget which is resolution number 5. I'll talk about 5 too if that is o.k., with the committee. So, considering the cost of the administration in resolution number 4, the Worker's Comp plan, so, the administration cost went up about \$14,600 from the prior year and then aside from that, overall the Comp participant assessments are going up \$80,000 from the prior year. Our Comp budget to the municipalities including the County because we pay part of the total budget so from the years 2015 through 17', we had our budget pretty flat at \$5.2 million. The last two years we were able to reduce it to \$5 million per year for 18' and 19' and now we're seeing a little bit of a trend up so we are proposing an increase Worker's Comp plan budget increase of \$80,000. The Comp plan costs are allocated to municipalities by two methodologies. One is 40% of it is based on their valuation and the other 60% is based on their five year average experience. So this will set the rate of administration in number 4 and number 5 just gives you the amount per municipality, what would be billed to the municipalities for their participation in the plan.

Chairman Scudder: Any questions about number four?

Unanimously Carried

Proposed Resolution - Authorizing 2020 Levy of Participant's Share of Chautauqua County Self-Insurance Plan (Workers' Compensation) Costs

Chairman Scudder: So resolution number 5 shows the cost to the municipalities, correct?

Ms. Crow: Yes.

Chairman Scudder: Pretty straight forward. Any questions?

Unanimously Carried

Proposed Resolution – Quit Claim Deeds

Mr. Caflisch: This is the last installment, I believe, of the auction properties, foreclosure auction in June. We had a slight gain on those which was good. So, I would recommend all of these purchases.

Chairman Scudder: Everybody good?

Unanimously Carried

Chairman Scudder: How did we do on the last list? Are we up or down?

Mr. Caflisch: I can't remember. I'd have to look back at the last resolution. I think we were down a little bit if I remember right. Too many school bills are going through my head right now.

Other

Proposed Resolution - Cleanup and Sale of Tax Foreclosure Property

Mr. Caflisch: We had a property that went into last year's auction and we did not realize it had environmental issues. So, the buyer essentially backed out of the purchase at that point and time. We went to the DEC to negotiate a clean-up. We have an agreement with the DEC from their Environmental Protection and Spill Compensation fund to clean this property up. Part of that agreement is that we have an identified buyer, who was the buyer at the auction and they have agreed to hold with their bid price and as part of this whole process, the County's participation will be limited to half of the bid price. So we will pay half of that to the DEC for the clean-up.

Chairman Scudder: Half of the \$14,500?

Mr. Caflisch: Yes.

Chairman Scudder: And that would be better than holding it for another year. They won't clean it up unless we have a buyer.

Mr. Caflisch: Right. Nobody is going to buy it with environmental issues.

Chairman Scudder: And they are not going to clean it up without a buyer or they are not going to participate.

Mr. Caflisch: No.

Legislator Muldowney: They are basically pulling tanks, right?

Mr. Caflisch: Right. I think that it's a good deal for everybody. We get out from under it and we'll make sure to try and watch those in the future.

Legislator Muldowney: Does the future owner plans to revive the place?

Mr. Caflisch: Yes they do.

Chairman Scudder: Revive it as a business?

Mr. Caflisch: Yes. It is on Route 5 by the White Village Inn.

Chairman Scudder: Oh, isn't there another one down toward Westfield that used to be a store?

Mr. Caflisch: Well, we have another gas station down by the thruway on Rt. 394.

Chairman Scudder: O.k., all in favor?

Unanimously Carried

Proposed Local Law Intro. 4-19 – A Local Law Amending the Chautauqua County Charter –
Re: Vacancy in the Office of the County Executive

Mr. Abdella: This local law would change what currently occurs in the event of a vacancy with the County Executive. Where as things stand right now, the individual who is the acting County Executive serves in the event of a vacancy until the next general election that's available to fill that spot. What this would do is, change it to be a County Legislature appointment to fill that vacancy but it would be the same from the standpoint that the person filling the office would serve only until the next general election at which an election would be held for the unexpired term. So, if you take the hypothetical that we're in right now, if the County Executive's office becomes vacant in November this year or early December, depending, then the County Legislature would need to appoint someone within 30 days to fill that position and they would serve until the next general election was held in 2020 at which point the election would be to fill the unexpired remaining term which would be just one year at that point. Then the office would be up for a 4 year term in 2021. As it is now, whoever is designated as Acting County Executive would be filling that role until that election in 2020 and then whoever was elected at that point would then serve that one year term, the unexpired term until there was an election in 2021. What there was added at the end of this, if the vacancy occurs in the final year of a County Executive's term, the Legislature's power to fill it would only be up and through August 1st and so if you had - what the sponsors were identifying, if it's a relatively short amount of time left, then they would just let the Acting County Executive serve and bridge it over to that general election in the fall if it was August 1st or later. They wouldn't have a legislative appointment to fill it for just a few months.

Chairman Scudder: Would he still be put into office the first of the year?

Mr. Abdella: Yes.

Chairman Scudder: Not at the time of the election?

Mr. Abdella: That's right. I think as far as that last piece, the reasoning behind it was, if it was in the last year of a County Executive's term, you would be in the midst of an election campaign. The desire was not to have, after August 1st, the position being filled by potentially someone running for the office at that point.

Chairman Scudder: They wouldn't realize political gain, or could.

Mr. Abdella: It might be deemed an advantage.

Chairman Scudder: That's good.

Mr. Abdella: So one thing to note is the position of Acting County Executive remains under this system from the standpoint that the Acting County Executive, the minute the vacancy happens, would be serving until the Legislature appoints someone to fill the vacancy. Likewise, once the vacancy is filled, even for that temporary period by the Legislature, then that new County Executive, as all County Executive's do, would need to designate someone as Acting County Executive to act in their place when they are not available or if they leave the office for whatever reason too. So you still have the Acting position out there. It's just that when you have a vacancy, it's the Legislature that fills that position as opposed to the Acting continuing on. I think I can safely say, part of the reasoning there is, is that, especially if it could potentially be several months, that, it would be difficult in not maybe getting all of the attention you would desire to have someone within County government being asked to both handle the duties of their regular duties of their office, whatever they might hold and then also be attempting to be County Executive as the same time.

Chairman Scudder: Any comments? I think it's a good idea that we put this through. Fortunately we haven't needed this in what, 45 years or however long the Legislature has been here.

Mr. Abdella: Well, it's happened twice but for shorter period than might what happened.

Chairman Scudder: All in favor?

Unanimously Carried

Chairman Scudder: That looks like that finishes our list. Does anybody have any other, other?

Clerk Tampio: Just that the budget review schedule coming up in the first week in October, starting September 30th actually. Administrative Services and Audit & Control are due to meet with their department heads on Tuesday, October 1st. Hopefully you will put that on your calendar to attend.

Legislator Starks: That's the all day one, right?

Clerk Tampio: Yes.

Legislator Starks: Thank you for that.

Clerk Tampio: We'll be sending this draft out to everyone again and to the departments to make sure there is no changes.

Legislator Muldowney: Is there a Monday meeting?

Clerk Tampio: Monday is going to be Human Services and Planning.

Legislator Starks: Planning is what day?

Clerk Tampio: Monday.

Legislator Starks: Is that all day or just a half day?

Clerk Tampio: That will begin at 2:30.

Legislator Starks: Monday afternoon?

Clerk Tampio: Yes.

Legislator Starks: Thank you, very appreciated. Also appreciated Mr. Scudder is your (*inaudible*) of the scheduling.

Chairman Scudder: I would like your input on that. O.k., anybody want to make a motion to adjourn.

MOVED by Legislator Starks, SECONDED by Legislator Muldowney to adjourn.

Unanimously Carried (6:45 p.m.)

Respectfully submitted and transcribed,
Olivia Ames/Deputy Clerk, Lori J. Foster/Sr. Stenographer