

Minutes

Administrative Services Committee

April 16, 2018, 5:00 pm, Room 331

Gerace Office Building, Mayville, NY

Members Present: Scudder, Himelein, Starks, Muldowney, Davis

Others: Tampio, Ames, Hemmer, Abdella, Dennison, Sanderson, Wendel, Amiron, Caflisch, Harvey

Chairman Scudder called the meeting to order at 5:12 p.m.

Approval of Minutes (3/19/18)

MOVED by Legislator Starks, SECONDED by Legislator Davis

*Unanimously Carried*

Privilege of the Floor

Dr. Amiron: I just wanted to say that I hope you will regard the recommendation of the Charter Revision Commission favorably when you come to it on the agenda and if you have questions at that time about the process by which the Commission arrived with the recommendation or about what other states do, I have some information with me and I would be happy to try to answer questions.

Chairman Scudder: Thank you.

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Proposed Resolution- Accept New York Voting Access for Individuals with Disabilities,  
Polling Place Access Improvement Grant Funds to Enhance Voting  
Opportunities To persons with Disabilities

Mrs. Sanderson: Good afternoon.

Chairman Scudder: This is different than the one we did before, yes?

Mrs. Sanderson: It is, yes. This is a separate grant that the Board of Elections had received to improve their poll sites and make them disability accessible and the equipment to help with the voting for those with disabilities. The original grant was \$40,543. Of that, we have a remaining balance of \$10,057. It has come to our attention and it is our hope this year that we will be able to spend that remaining balance- (*inaudible*) would be that we could pay our

inspectors for the training that they take. Last year we had 407 inspectors and that was for a total amount of \$10,200. We could reimburse ourselves for that expense.

Chairman Scudder: So that's the plan? You will use that money for your training this year.

Mrs. Sanderson: Yes, that's the plan.

Legislator Starks: When did you receive the original grant?

Mrs. Sanderson: I believe- I'm going to say 2008, but I can verify that for you.

Legislator Starks: So in 2008 it was \$40,000 and it has just taken that long to spend it down?

Mrs. Sanderson: Correct. I do believe they initially spent the majority of it on grants for certain poll sites, certain door knobs if it was needed for access, and different equipment.

Chairman Scudder: Alright. Anybody else? Thank you.

Mrs. Sanderson: Thank you.

Chairman Scudder: All in favor? Aye? Opposed?

*Unanimously Carried*

Proposed Resolution- Quit Claim Deeds

Mr. Caflisch: Thank you, Mr. Chairman. There are six properties here which are all vacant. The offer received was more than the taxes owing so it would be my recommendation to accept the offer.

Chairman Scudder: Are these all adjoining properties?

Mr. Caflisch: Yes.

Chairman Scudder: Is there anything interesting about the forecloser who owned them all and the purchaser who is buying them all?

Mr. Caflisch: I didn't see anything interesting.

Chairman Scudder: OK, it just stood out. I figured if there was something peculiar you would have given us a heads up. It's for more than what's owed so that's great. That's always good. Anybody have any questions? All in favor? Aye? Opposed?

*Unanimously Carried*

Other- A Local Law Amending the Chautauqua County Charter-Coroners

Legislator Wendel: Thank you everybody. I have the County Attorney here to explain some of the things. The Local Law, as you have seen it and we discussed it prior to coming before you, what we would like to do is to place the day to day operations of the Coroners under Health and Human Services. It's been there before and the last several weeks I have been working closely with Christine Schuyler because of some situations that have arisen in regards to the Coroners offices. I worked in conjunction with her to get some of these things done. Some policies that we didn't have, we've put in place and I feel that the right direction to go is placing this under somebody that can deal with the day to day operations, the legal laws that we should be following, etc. When they have a call it's not fair that they would call me, then I would call Christine and then she would have to get back to me. I feel like that is just sort of a delay. So what we are doing is putting that under Christine. She is aware of this, she is on board, and realistically it comes down to the Legislatures liability and how far do we want to extend our liability. The discussion has been, in drafting this Local Law, was we wanted to maintain the control of appointment through the Legislature. Mr. Abdella could explain a little more why it is worded the way it is, but in the Local Law that you received, it says that the County Executive will appoint. The reason that is, is because the changes we are going to make would place this under Christine Schuyler and a majority of it would fall under the Administrative Code as its stated. Being said, if A is correct and B is correct, therefore is a matter of putting the- setting up the domino so it works the way it's supposed to. It's more verbiage, but the County Executive will appoint and the Legislature will approve the appointments, much like we do with our other recommendations. I'm sure that- I can't speak for the County Executive or whoever that may be, but I'm sure that in the future that position will be recommended as we have in the past. I would only hope that the Legislators are part of the hiring committee as we have done so far. Again, it was a little concerning, some Legislators have responded back to me that it wasn't the direction that we had discussed, that we had now entered the County Executive and we didn't discuss that but that's why- if you want to touch on this Steve and explain it a little more clearly.

Mr. Abdella: This would place the Coroner function in the Executive Branch. The appointments would still be subject to County Legislature approval and there are a few other County Executive appointments that have that same character. Some by State law, some by our Charter. The Real Property Tax Director, the Human Resources Director, I don't know if the position Special Assistant for Medicaid exists still and the Director of Finance and the Coroners would be Legislative confirmations. The Coroners would now join that group. The appointing authority would be the County Executive and the function would be lodged in the department of Health and Human Services and be subject to that day to day operation and supervision by the commissioner. Now that's a Charter change, this shift would be a Local Law that would be subject to a 60 day permissive referendum period. Even if adopted this month, it would take- there would have to be a public hearing and then it would take, at the earliest, two and a half months to three months to actually take effect. If this were passed, what we would be doing is drafting code provisions that would flush out the details of DHHS supervision of this function and of the Coroners.

Legislator Starks: I have a question. With this taking a time period to take effect, what does that do to candidates that we interviewed for Coroners? Are they not going to be in place for a period of time?

Mr. Abdella: No, they will still be able to be in place and that won't- you took separate action on that piece to add the two coroners.

Legislator Starks: OK. So that was two different things.

*(Crosstalk)*

Legislator Wendel: That was one of the things that I was going to give you as a follow up as well. We have offered that position to two people and they have both accepted. That will be in front of our Public Safety Committee on Wednesday. Dan Tyler and Desiree Sundquist both came highly recommended and-

Legislator Starks: I was on that committee and I'm very satisfied with both candidates.

Legislator Wendel: Another piece tomorrow afternoon, we have a meeting with Mrs. Schuyler and our two physicians that are in charge of our County EMS Services. There are two medical directors. Those two medical directors have shown an interest, I have spoken personally with both of them, and they are both on board with becoming coroner physicians for the County. That would give us a little more continuity. Right now we contract with Erie County to do that, the Erie County Medical Examiner's Office, but right now we have two people that are already employed by the County. We are going to sit down and discuss things with them and they are both excited, they are both on board and they really are bringing a lot to what we are going to be looking at as far as the coroners program. Ironically, what is good is that they are already working with our local EMS providers. There is going to be a continuity of understanding with the EMT's who are on location, etc. It's really- the pieces are all falling in place a lot better than we could have ever hoped. So along with that, numbers wise, from January to August of last year, we ran 574 cases, roughly in the neighborhood of 90 and 100 calls per month. Since the memo change of the deaths we have responded to, it has dropped to fourteen and four of those cases were picking up and finishing up some cases from an existing coroner. I think the direction we were trying to go in reducing the number of cases and extending that liability has greatly diminished and its working the way we have intended it to.

Legislator Davis: I have a question. Would this falling under DHHS, is there an added expense in that department having that supervision or is that not something that we need to be-

Legislator Wendel: Well right now, our budget would just transfer to their budget, correct?

Clerk Tampio: The supervision and *(inaudible)* of that budget will be *(crosstalk)* because it is separate from the Legislature.

Legislator Wendel: OK. So that budget would just follow under DHHS. We have looked at this from a budgetary standpoint when some of these questions first came up. We are really right on track of what we wanted to do budgetary wise.

Mr. Abdella: If this were to pass, we would also- there would be a budget resolution to make those adjustments.

Legislator Himelein: How come we don't just throw the whole works under DSS? I mean, George is going to appoint them and we are going to eliminate our liability.

Legislator Wendel: That's what we are intending to do.

Legislator Himelein: No. No you're not, because you're going to approve them so you have got a liability there. Why don't you just throw it all to DSS?

Legislator Wendel: As we have discussed in the discussions we have had, the Legislature wants to retain the control of appointing those positions. So that's the reason why. We have looked at it both ways. A lot of the discussion we have had is- I can't speak for both caucuses but I know that Christine has expressed it on her side, and the republicans have expressed it that we still wanted to retain that ability to appoint the coroners, even if it is just ratifying the appointments. I don't want to say power, but the Legislature still wants to keep that under their belt. That's why we are doing it the way we are.

Legislator Himelein: What rate are we doing that at? Are we still doing it at \$150?

Legislator Wendel: We are at \$150 and that will expire at the end of June and that will come up again June 27<sup>th</sup>. That will just take a simple resolution with a simple majority to continue that or not.

Legislator Himelein: I was just curious how that was going to be.

Legislator Wendel: I would feel that that's adequate to finish off the budget year and if that rate was to change under DHHS that would be under the commissioners prerogative to change that rate.

Mr. Abdella: As far as the appointments, under this as drafted they are County Executive appointments. They are subject to confirmation by the Legislature similar to those other officers. In recent times, it has been the pattern for the County Executive to consult with the Legislature on the selection. It is not legally required, but of course there is a little give and take there as far as if there is a desire for confirmations, then you have to do what you need to do to get those votes. It would be a County Executive appointment subject to Legislative confirmations similar to all other County officers and departments, the Legislature would still have to approve the budget for this program. You also have to approve the compensation of all County officers and employees. You would still be approving the compensation structure and any benefits given to coroners as you do for all County officers and employees.

Legislator Wendel: Any other questions?

Chairman Scudder: Makes sense to me.

Legislator Wendel: I appreciate it, thank you very much.

Chairman Scudder: Let's vote on this at this time. All in favor? Aye? Opposed?

*Unanimously Carried*

Discussion- A Local Law Amending the Chautauqua County Charter-Charter Commission Final Draft 6/24/15 regarding redistricting- discussed by Chairman Scudder.

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

*Unanimously Carried (5:50 p.m.)*

Respectfully submitted and transcribed,  
Olivia L. Ames, Committee Secretary