

GENERAL SERVICES COMMITTEE MEETING
January 21, 2020

Present: Legislators Jerry King, Andrea Moroughan, Ian Gilbert, Richard Chartrand, and Ron Burns.

Others: Legislators Larry Dolhof, Greg Kulzer, Phil Hathway, Randy LaChausse; County Manager Ryan Piche; Treasurer Eric Virkler; County Attorney Joan McNichol; and reporter Nick Altmire.

Committee Chairman Legislator King called the meeting at 1:01 p.m.

District Attorney Leanne Moser was asked to come forward to discuss additional funding for two positions. Legislator Gilbert excused himself from the room due to a conflict of interest. Leanne explained that the never ending Discovery Reform has swamped her office. She thanked the Legislators for moving a part-time ADA to full-time, which now gives her two full-time ADA's and both are working well in her office. In addition to the Discovery Reform a staff member had a death in their family and Leanne has been dealing with illness in her family. It took the current part-time ADA 4 weeks to revise documents from Madison County in order to have a "checklist" to use for the electronic discovery beginning in January to make sure nothing is missed, on top of her already heavy workload.

Legislator Dolhof stated that Leanne knew she was out of funding and out of contract but continued anyway. Leanne agreed that she should take the blame for it but feels her two employees who came in and worked should get paid for the time they worked. She stated that she thought the Intern position was still under contract and pointed out further that she had asked for another administrative clerk in the 2020 budget but was denied. She went on to explain that it is hard to find the time to get in front of the Legislators to ask for things as they only meet once a month at the committee level. She felt the work had to be done and she had no choice.

Legislator King asked if Leanne was told that this was not budgeted by the Treasurer's office prior to today and Leanne responded that she had been informed. Legislator King asked how she thought it could be funded if she was already informed that it wasn't funded, Leanne stated that she didn't realize how much time had been spent by each of the two employees to help get things ready for Discovery Reform. It was pointed out that by changing the part-time ADA to a full time that gave Leanne 20 more hours a week by an ADA. Leanne said that they are still not caught up to where they need to be. She asked that the two employees be paid for the time they worked and because she still needs further help to get caught up that they be allowed to work up to the amounts specified in the dockets, which is still less than an administrative clerk.

County Attorney Joan McNichol stated that the docket for the Intern position indicates it goes through December 31, 2020 which will allow this person to work on any college breaks, summer breaks, etc. without having to come back to the Board for permission, alleviating some of the misunderstanding from the prior contract. Legislator Kulzer asked about the current part-time ADA's restrictions and Leanne confirmed that they received a waiver for her to be able to work in Lewis County and a waiver of compensation so she can earn up to \$35,000. Legislator Chartrand pointed out that some of the money owed is for time worked in 2019 and can come out

of 2019 funds. Legislator Moroughan stated that this is not a good example to set for other departments who might feel they need additional help as well. Legislator Chartrand responded by saying that a directive from the State, such as Discovery Reform is not a Department Heads fault. Legislator Kulzer felt that the administrative Clerk position should have been considered more thoroughly.

Legislator King explained that out of the \$8,000 maximum for the Intern position almost half of it has already been spent to date and out of the \$20,000 maximum for the part-time ADA position almost \$6,400 has been spent to date. Legislator King asked the committee what they would like to do. There was concern that this might come up later in the year again. Leanne assured the committee that she is just trying to get caught up and then will move forward with her regular staff. Her office tried to clean things up in December but with such a massive backlog it took longer than anticipated.

Legislator Chartrand asked about the revenue from the Traffic Diversion program but Ryan explained that it was already counted in the 2020 budget. Legislators Moroughan, Chartrand, Burns, and King reluctantly agreed that they will pay for work that has been completed and allow for further work to be done in 2020 up to the maximum for each position but that this will not be addressed again for additional funding. The lack of communication by Leanne was addressed as well.

Ryan suggested waiting until later in the year to appropriate the money from contingency citing that maybe Leanne would be able to come up with extra in her 2020 budget and not need the full amounts. Legislator Dolhof exclaimed that no other Department Head would be allowed to get away with this.

Legislator Burns made a motion to amend the docket so that it states there will be absolutely no additional funding, for these two positions, authorized in 2020, seconded by Legislator Chartrand and carried. Legislator Gilbert returned to the meeting.

Legislator Burns made a motion to approve the 12/17/19 committee meeting minutes, seconded by Legislator Moroughan and carried. Legislators Chartrand and Gilbert abstained.

The following dockets were reviewed:

1. Local Law (Intro. No. 2 – 2020) Regulating and Permitting Special Events on County Roads, Trails or other County Property and Resolution to set the public hearing for March 3, 2020 at 5:00 p.m. *Legislator Kulzer wanted to know who came up with the fee schedule, in which Joan responded that it was Jackie Mahoney and herself. It was explained that the fee schedule was not to make money but to gain more control and help with communication on events. There are no current requirements to let the county know what events are being held on county property. There was further discussion about insurance and making sure that they insurance carried covers for damages to county property.*

YEA: 5 NAY: 0

2. Resolution authorizing renewal lease agreement by and between the County of Lewis and Cornell Cooperative Extension of Lewis County, to provide 2,000 square feet of exclusive

office space and approximately 380 square feet of storage space, and with access to classroom, conference and laboratory space through coordination with the primary lessor of the building, i.e., Jefferson Community College, as described in the Memorandum of Understanding entered into between the parties, in the newly constructed building located at 7395 East Road, Lowville, NY 13367, for a term commencing February 1, 2020 through January 31, 2021, with annual renewals, at a monthly rental of \$2,450.00.

YEA: 5 NAY: 0

3. Resolution amending the Compensation Plan of the County of Lewis with reference to the District Attorney's office to create a temporary Intern position, effective and retroactive to December 1, 2019 through December 31, 2020 with compensation not to exceed \$8,000.00.

This will include the motion made earlier in the meeting.

YEA: 4 NAY: 0 Legislator Gilbert abstained.

4. Resolution amending the Compensation Plan of the County of Lewis with reference to the District Attorney's office to create a temporary Part-time Assistant District Attorney position, effective and retroactive to January 1, 2020 through December 31, 2020 with compensation not to exceed \$20,000.00. *This will include the motion made earlier in the meeting.*

YEA: 4 NAY: 0 Legislator Gilbert abstained.

5. Resolution to transfer \$3,459.39 from Capital Equipment to District Attorney accounts for computer equipment related to the new discovery legislation.

YEA: 4 NAY: 0 Legislator Gilbert abstained.

6. Resolution authorizing Supplemental Agreement No. 1 between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice to provide additional professional engineering and design services required in the amount of \$166,000.00 for the Preliminary Engineering/Design and Construction Phases for the bridge replacement project identified as Highmarket Road over North Branch Sugar River. The term of this agreement will be from December 23, 2019 through December 31, 2021, with a revised maximum amount not to exceed \$345,000.00 (80% eligible for federal funds, 15% state funds and 5% local share cost).

YEA: 5 NAY: 0

7. Resolution to appropriate \$10,000.00 of payback funds from the CDBG account in the Planning Department accounts for various community projects. *Ryan explained that in order to be eligible for future funding we needed to appropriate the remaining funds.*

YEA: 5 NAY: 0

8. Resolution to authorize an agreement between the County of Lewis, by and through the Lewis County Probation Department, and Capital District Youth Center, Inc. to utilize their services for the provision of secured detention of juvenile delinquents, juvenile offenders and adolescent offenders if needed, pursuant to and in accordance with County Law § 218-1. The term is from January 1, 2020 through December 31, 2020 at a rate determined by OCFS based upon actual costs of care at the Facility. Probation will receive 49% reimbursement from the Department of Criminal Justice Services ("DCJS") if this service is required.

YEA: 5 NAY: 0

9. Resolution to transfer \$1,951.80 from Capital Equipment into Recreation, Forestry and Parks Department accounts for a computer for the Recreational Trails office.

YEA: 5 NAY: 0

10. Resolution to appropriate \$170,830.00 of additional Radio Grant funds in E911 accounts for operation costs.

YEA: 5 NAY: 0

11. Resolution to transfer \$45,000.00 between E911 accounts to correct a budget line error.

YEA: 5 NAY: 0

12. Resolution to appropriate \$350,000.00 in the Solid Waste accounts for 2020 Capital Plan equipment purchases. *This is for the purchase of equipment needed and for 2 trailers that we are purchasing off the DANC contract for a better price. This amount will be taken out of the \$700,000 balance in the Solid Waste Enterprise Fund.*

YEA: 5 NAY: 0

13. Resolution authorizing an Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and Barton & Loguidice to provide professional engineering, planning, and architectural services with respect to proposed changes to the Lowville Transfer Station located at 7652 State Route 26, Lowville, New York, at a cost not to exceed \$105,500.00, as set forth in their proposal. *Legislator Chartrand asked if we knew the project estimate as the cost for this piece is usually 8 – 10%. Ryan explained that Barton & Loguidice are giving us several different options to move forward on so once we chose an option the pricing should line up.*

YEA: 5 NAY: 0

Legislator Moroughan made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for asbestos removal and window replacement project at the Highway Garage, seconded by Legislator Burns and carried.

Legislator Moroughan made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for siding project at Highway Garage, seconded by Legislator Burns and carried.

Legislator King asked that the motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for impound yard project at the Public Safety Building be tabled until the Undersheriff can come make a presentation to the committee about this.

Ryan gave a brief update on the Stantec contract. They have brought their fee down to 13% which equates to a \$13,000 increase overall. Ryan recommends accepting the contract to move forward. Legislator King and he General Services Committee all agree to move forward with the contract. Legislator Moroughan asked if there would be a special committee set up to be

involved in this project as it moves forward, Legislator King stated that it will continue to be the General Services committee.

Ryan asked Kip Turck to have Barton & Loguidice start the borings and then sent up a meeting with them and the General Services Committee to go over the information.

At 2:25 p.m. Legislator Burns made a motion to enter into executive session for discussion on personnel after a 5 minute recess, seconded by Legislator Chartrand and carried.

At 3:00 p.m. Legislator Burns made a motion to enter back into regular session, seconded by Legislator Gilbert and carried.

Legislator Gilbert made a motion to fill a full-time Probation Director position due to an impending retirement and any associated back-fill, seconded by Legislator Moroughan and carried.

Legislator Gilbert made a motion to adjourn at 3:02 p.m., seconded by Legislator King and carried.

Respectfully submitted,
Cassandra Moser, Clerk of the Board