

Legislative Committee

February 7, 2024

11:00 a.m.

Attendees

Committee: Allen Hinkley, Art Merrill, Lisa Driscoll, Eric Wilson, Timothy Kelso, Tina Molé

Staff: Deb Goodrich, Maria Kelso, Judith Garrison, Joe Ermeti, Shawn Smith, Amy Merklen,
Penny Bishop

Mr. Hinkley called the meeting to order at 11:00 a.m. Upon a motion by Mrs. Driscoll, seconded by Mr. Kelso, the draft minutes of the December 6 committee meeting were approved.

County Clerk Deb Goodrich reported on a New York State requirement that all DMV offices be staffed with two employees. The requirement stems from the state's Random Audit process where if a transaction is selected for audit, a supervisor must be present to review paperwork and sign off on a transaction before it can be completed. Mrs. Goodrich relayed three options for Delaware County to achieve compliance: 1) close both Deposit and Margaretville offices and reassign the staff to other offices; 2) hire two clerks in order to add one to each of these offices; 3) have these offices open only 2 days a week shifting employees to meet staffing requirements. She was advised that the county would need to add workstations to each office either by moving a station from Sidney and one from Delhi or purchasing new stations; the state would move the equipment but not pay for it. Currently, employees who cover other DMV offices are reimbursed mileage to do so. She also noted the state warned that covering the office this way does not allow for any employee time off. She confirmed that the state is making more and more DMV business available online so people don't need to visit local DMV offices as much. In reply to Mrs. Driscoll, Mrs. Goodrich said approximately 10.7% of online revenue for Delaware County business is paid to the county. Mr. Merrill said the consensus of this discussion is to determine whether both offices could remain open five days a week.

Elections Commissioner Maria Kelso announced they have been approved for an absentee ballot postage grant of \$18,159. She stated that only one of the staff attended the January conference because of sickness or family emergency. She reported that of 346 bills introduced in the legislature last year, 20 were signed into law; 2 were vetoed. She explained that because this year is the presidential election, all poll sites in the county are required to hold 2 days of voter registration—those days are scheduled for September 28 and October 10. She said because of the new law, a lot of local schools have been contacting them. Ms. Garrison explained that is because of the outreach mandate that schools are required to educate students about voter registration. Ms. Kelso said her office has been working with IT on more cybersecurity. She said the state has announced two grants would be available at a later time, one for early vote by mail postage and one for new e-poll pads. There will be new software for the current e-poll pads but the hardware they use would no longer be compatible. The state did not mention any grants for voting machines. The even year election bill will go into effect in 2025. Ms. Kelso will forward information to Supervisors about this new law. Elections Commissioner Judith Garrison announced they have a new link to the NYS Board of Elections website. She reviewed local offices that are up for election this year and noted the list is posted on the County BOE webpage.

District Attorney Shawn Smith reported all positions are filled in his office. He noted that four attorneys are working part-time to fill two full-time positions. He proposed moving one attorney to full time from 24 hours a week. He has contacted the Personnel Office about his request and did some research from the past 10 years to compare the same time period in order to justify this change. He found that in 2013 and 2014, there were no indictments or SCI cases; in 2015 and 2016 there was 1 case each

year; 2017 and 2018 there were 6 and 7 cases respectfully, and in 2019 there were 9 cases by February 7. This year they have 26 cases to date. DA Smith said there is plenty of work to do and he believes there is enough funding in the salary budget to cover the additional hours. In reply to Ms. Molé, DA Smith said the increase in hours would not allow for any overtime. In response to Mr. Merrill, Mr. Smith said the employee does not want benefits.

Mr. Merrill made a motion to approve additional hours for Attorney Northrup to make him full-time. The motion was seconded by Mrs. Driscoll and unanimously carried.

Clerk of the Board Penny Bishop reported two interviews have been scheduled for assistant medical examiners. Ms. Molé noted we are still actively seeking a physician to work as Medical Examiner. For other COB business, Mrs. Bishop said they are replacing their 15+ year old copier. Funds for a new copier were approved in the 2023 Budget. She presented an equipment purchase authorization request for the new copier.

Public Defender Joe Ermeti reported an uptick in crime and he urged the committee to keep in mind that the more firepower given to the DA's office to present felony cases, the more help his office will need on the other side. When more police are hired, and more prosecutors are hired, it is only natural to need more defense attorneys. He shared that he has hired two part-time attorneys, one for family court and one for criminal court. He still needs a full-time chief assistant. To cover the vacancy, he explained that his senior paralegal is in her third year of law school and they were able to obtain limited letters for her to practice law under the supervision of a qualified attorney. She has been reviewing discovery for the uncovered courts and working to negotiate pleas with the District Attorney's Office. He has been stepping in for hard cases that may need a technical motion or if there is a client who is hard to deal with. She deals with the assistant district attorney in court with either himself or Attorney George Collins supervising her. Mr. Ermeti stated that currently, Mr. Collins is 25% over the maximum suggested caseload. He said his office is doing the best they can to get the job done so assigned attorneys do not have to be called. He expressed that one of the major problems the courts are seeing is that there are no attorneys to be assigned. And he is asking everyone in his office to do more for the same rate of pay. In response to County Attorney Merklen, Mr. Ermeti said he must report caseload numbers every year to Indigent Legal Services (ILS). He said he is concerned that the state is not reimbursing his office in a timely manner. It took a long time to get signed contracts back to submit vouchers for payment. He has approximately \$450,000 in vouchers ready to send for reimbursement, but he cannot send them until he receives a preprinted pay document issued from ILS.

County Attorney Amy Merklen reported that her office is looking to fill their legal secretary position.

Upon a motion by Mr. Merrill, seconded by Mrs. Driscoll, and unanimously carried, the Committee entered into an executive session to discuss employment matters of particular staff members.

Committee reconvened in regular session.

Ms. Merklen said her office would be looking at how departments are procuring services in relation to the County Procurement Policy.

A motion was made by Supervisor Wilson to approve an increase of PDO on-call CAP pay to \$2,000 per week. The motion was seconded by Supervisor Driscoll and unanimously carried.

Upon a motion, the meeting adjourned at 12:40 p.m.