MINUTES OF MEETING
Personnel Committee
April 25, 2022
7:00 PM

I. COMMUNICATIONS

Minutes of a meeting of the Personnel Committee of the Chemung County Legislature held in the Hazlett Building, 5th Floor, 203 Lake Street, Elmira, New York on Monday, April 25, 2022.

Members and officials present: John Pastrick, David Manchester, L. Thomas Sweet, Joseph Brennan, Mark Margeson, Christina Sonsire, Martin Chalk, Robert Briggs, William McCarthy, Scott Drake, Michael Smith, Rodney Strange, Bryan Maggs, Tom Freeman, Brian Hart, John Brennan

Legislator excused: Brian Hyland, Peggy Woodard, John Burin

The meeting was called to order by the Chairman of the committee, Martin Chalk.

II. RESOLUTIONS, MOTIONS, AND NOTICES

1. Resolution confirming appointments to the Southern Tier Central Regional Planning & Development Board (Roman, Rowe, Meindl)

   Motion made by Michael Smith, seconded by John Pastrick, and Passed with a vote of 6-0, confirming appointments to the Southern Tier Central Regional Planning & Development Board (Roman, Rowe, Meindl).

2. Resolution confirming appointment to the Chemung County Civil Service Commission (Tranter)

   Motion made by Michael Smith, seconded by John Pastrick, and Passed with a vote of 6-0, confirming appointment to the Chemung County Civil Service Commission (Tranter).

3. Resolution re-creating full-time Principal Clerk position on behalf of the Chemung County Department of Youth and Recreational Services

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating full-time Principal Clerk position on behalf of the Chemung County Department of Youth and Recreational Service.

4. Resolution re-creating Deputy Sheriff Lieutenant position on behalf of the Chemung County Sheriff

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Deputy Sheriff Lieutenant position on behalf of the Chemung County Sheriff.

5. Resolution re-creating Deputy Sheriff Sergeant position on behalf of the Chemung County Sheriff

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Deputy Sheriff Sergeant position on behalf of the Chemung County Sheriff.

6. Resolution re-creating Deputy Sheriff position on behalf of the Chemung County Sheriff

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Deputy Sheriff position on behalf of the Chemung County Sheriff.

7. Resolution re-creating Garage Mechanic position on behalf of the Elmira Corning Regional Airport

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Garage Mechanic position on behalf of the Elmira Corning Regional Airport.

8. Resolution re-creating Executive Assistant District Attorney position on behalf of the Chemung County District Attorney

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Executive Assistant District Attorney position on behalf of the Chemung County District Attorney.

9. Resolution re-creating Assistant Public Advocate position on behalf of the Chemung County Public Advocate

   Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Assistant Public Advocate position on behalf of the Chemung County Public Advocate.

10. Resolution re-creating IT Specialist I position on behalf of the Chemung County Department of Information Technology

    Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating IT Specialist I position on behalf of the Chemung County Department of Information Technology.

11. Resolution re-creating Aging Services Assistant position on behalf of the Chemung County Department of Aging and Long Term Care

    Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating Aging Services Assistant position on behalf of the Chemung County Department of Aging and Long Term Care.

12. Resolution re-creating positions as contained in the Staffing Plan for the Chemung County Department of Social Services

    Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating positions as contained in the Staffing Plan for the Chemung County Department of Social Services.

13. Resolution re-creating positions as contained in the Staffing Plan for the Chemung County Nursing Facility

    Motion made by Scott Drake, seconded by John Pastrick, and Passed with a vote of 6-0, re-creating positions as contained in the Staffing Plan for the Chemung County Nursing Facility.

14. Resolution creating Deputy Director position on behalf of the Chemung County Sewer Districts

    Motion made by Michael Smith, seconded by John Pastrick, and Passed with a vote of 6-

0, creating Deputy Director position on behalf of the Chemung County Sewer Districts.

15. Resolution creating full-time Assistant Public Advocate position on behalf of the Chemung County Public Advocate

    Motion made by Michael Smith, seconded by John Pastrick, and Passed with a vote of 6-0, creating full-time Assistant Public Advocate position on behalf of the Chemung County Public Advocate.

16. Resolution creating Maintenance Worker III position on behalf of the Chemung County Sewer Districts

    Motion made by Michael Smith, seconded by John Pastrick, and Passed with a vote of 6-0, creating Maintenance Worker III position on behalf of the Chemung County Sewer Districts.

17. Resolution Introducing Local Law No. 3 for the Year 2022 a Local Law entitled "A Local Law superseding Public Officer's Law Section 3(1) as to the residency of certain public officers in Chemung County"

    Motion made by Mr. Sweet, seconded by Mr. Pastrick, and Passed with a vote of 0-6, to amend Resolution Introducing Local Law No. 3 for the Year 2022 a Local Law entitled "A Local Law superseding Public Officer's Law Section 3(1) as to the residency of certain public officers in Chemung County" to read as follows, The provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Assistant County Attorney of the County of Chemung, provided that such person resides in Chemung, Allegany, Broome, Cayuga, Chenango, Cortland, Livingston, Madison, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Yates, and Monroe Counties.

III. OLD BUSINESS

IV. NEW BUSINESS

V. ADJOURNMENT

This meeting was adjourned on the motion made by Mr. Sweet, seconded by Mr. Pastrick. Motion Carried.

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution confirming appointments to the Southern Tier Central Regional Planning & Development Board (Roman, Rowe, Meindl)

Resolution #:

Slip Type: OTHER

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Resolution confirming the following appointments to the Southern Tier Central Regional Planning & Development Board pursuant to Article 27, Section 2704 of the Chemung County Charter and Section 239-h of the General Municipal Law.

Joseph Roman - (Industrial Representative) (reappointment)

2 Year Term expiring on 12/31/2023

Judith A. Rowe - Small Business/MWBE Representative

2 Year Term expiring on 12/31/2023

Kevin Meindl - Planning Representative

2 Year Term expiring on 12/31/2023

Judith A. Rowe is a former employee of Corning Incorporated and has expertise in strategic planning. She currently is a small business owner (Judith A. Rowe Consulting). Ms. Rowe will be filling a vacancy created by the resignation of Randy Reid.

Joseph Roman, Executive Director of the Chemung County Industrial Development Agency, is being reappointed as the Industrial Representative

Kevin Meindl, the Chemung County Planning Commissioner, will serve as the Planning representative on the Board.

CREATION:

Date/Time:	Department:
4/8/2022 3:37:28 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/8/2022 3:40 PM	Approved	County Executive	
4/13/2022 11:08 AM	Approved	Budget and Research	
4/14/2022 12:07 PM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution confirming appointment to the Chemung County Civil Service Commission (Tranter)

Resolution #:

Slip Type: OTHER

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Resolution confirming the reappointment of G. Thomas Tranter, Jr. to the Chemung County Civil Service Commission, pursuant to Article 27, Section 2704 of the County Charter; Civil Service Law, Section 15a; and, Local Law No. 1 for the year 1993.

Said term is for a period of six years, commencing on June 1, 2022 and expiring on May 31, 2028.

G. Thomas Tranter, Jr.

116 Kennedy Drive

Horseheads, NY 14845

CREATION:

Date/Time:	Department:
4/8/2022 3:46:04 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/8/2022 3:48 PM	Approved	County Executive	
4/13/2022 11:11 AM	Approved	Budget and Research	
4/14/2022 12:48 PM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating full-time Principal Clerk position on behalf of the Chemung County Department of Youth and Recreational Services

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Please consider this correspondence as the Chemung County Youth Bureau respectfully requests permission to recreate one full time Principal Clerk position due to the promotion of the previous Principal Clerk (J.V.) at the Chemung County Youth Bureau.

This position will be a full time, 35 hours per week; Grade 7 position. This position will maintain an 18.9% local share for salary and fringe benefits. There are currently funds in the Youth Bureau budget for this position.

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade: $16.32/hour		Range:	$18.31/hour
Budget Account Number:	10-7310-7310-50100-01	Funds Available?	Yes
Reinbursment / Federal:	62%	Due to:	Promotion
Reinbursment / State:	38%	Due to (Other):	

CREATION:

Date/Time:	Department:
3/28/2022 1:42:48 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 1:46 PM	Approved	County Executive	
3/29/2022 8:54 AM	Approved	Budget and Research	
4/11/2022 11:55 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
Principal_Clerk_Memo_2022.pdf	Principal Clerk - Memo	Cover Memo

Chemung County
Youth Bureau & Recreational Services

David Ellis
Executive Director

599 Harris Hill Road • Elmira, NY 14903 • 607-737-2907 • Fax: 607-737-0435

ChemungYouth.com

MEMO

To: Christopher J. Moss, County Executive / David Sheen, Deputy County Executive / Jocelyn Bermingham, Human Resources Director/ Brian Hart, Commissioner of Human Services / Steve Hoover, Budget Director / County Legislature

From: David Ellis
Executive Director, Youth Bureau and Recreational Services

Date: March 17, 2022

Re: Request Permission to recreate one full time Principal Clerk position.

Please consider this correspondence as the Chemung County Youth Bureau respectfully requests permission to recreate one full time Principal Clerk position due to the promotion of the previous Principal Clerk (J.V.) at the Chemung County Youth Bureau.

This position will be a full time, 35 hours per week; Grade 7 position. **This position will maintain an 18.9% local share for salary and fringe benefits.** There are currently funds in the Youth Bureau budget for this position.

If you should require any additional information or have any questions, please feel free to contact me at your earliest convenience. Thank you in advance for your consideration of this request.

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Deputy Sheriff Lieutenant position on behalf of the Chemung County Sheriff

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Re-create (1) Full-Time Deputy Sheriff Lieutenant position due to the voluntary relinquishment of rank by P.P.

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade: 4B		Range:	$35,7505-$44,4936/hour
Budget Account Number:	10-3210-3110 50100	Funds Available?	Yes
Reinbursment / Federal:	N/A	Due to:	Other
Reinbursment / State:	N/A	Due to (Other):	

CREATION:

Date/Time:	Department:
3/28/2022 1:51:49 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 1:56 PM	Approved	County Executive	
3/29/2022 8:53 AM	Approved	Budget and Research	
4/11/2022 11:53 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Deputy Sheriff Sergeant position on behalf of the Chemung County Sheriff

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Re-creation one (1) Full-Time Deputy Sheriff Sergeant position due to promotion of MS.

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade: 4A		Range:	$33.6801-$42.8937/hour
Budget Account Number:	10-3120-3110 50100	Funds Available?	Yes
Reinbursment / Federal:	N/A	Due to:	Promotion
Reinbursment / State:	N/A	Due to (Other):	

CREATION:

Date/Time:	Department:
3/28/2022 2:15:46 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 2:21 PM	Approved	County Executive	
3/29/2022 8:54 AM	Approved	Budget and Research	
4/11/2022 11:53 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Deputy Sheriff position on behalf of the Chemung County Sheriff

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Re-create a Deputy Sheriff position for the Chemung County Sheriff's Office due to the resignation Z.H.

Re-creation	Full-time		
Civil Service approval required:	No		
Salary/Grade: 4		Range:	$27/hr-$39.81/hr
Budget Account Number:	10-3120-3110-50100	Funds Available?	Yes
Reinbursment / Federal:		Due to:	Resignation
Reinbursment / State:		Due to (Other):	

CREATION:

Date/Time:	Department:
4/12/2022 11:57:02 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/12/2022 11:58 AM	Approved	County Executive	
4/13/2022 11:12 AM	Approved	Budget and Research	
4/14/2022 12:47 PM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Garage Mechanic position on behalf of the Elmira Corning Regional Airport

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

The Director of Aviation, on behalf of the Elmira Corning Regional Airport is requesting authorization to backfill a Garage Mechanic position due to the the promotion of the current one to an Airport Maintenance Worker III.

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade:	CSEA A-2/GR 8	Range:	$18.43-$22.95
Budget Account Number:	56-5610-5610-50100.01	Funds Available?	Yes
Reinbursment / Federal:	0	Due to:	Promotion
Reinbursment / State:	0	Due to (Other):	

CREATION:

Date/Time:	Department:
3/28/2022 2:03:59 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 2:11 PM	Approved	County Executive	
3/29/2022 8:54 AM	Approved	Budget and Research	
4/11/2022 11:54 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Executive Assistant District Attorney position on behalf of the Chemung County District Attorney

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Request resolution authorizing the recreation of an Executive Assistant District Attorney on behalf of the Chemung County District Attorney's Office, due to the transfer of the Chief Assistant District Attorney which was vacated by resignation.

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade: 11		Range:	$87,677 - $136,073
Budget Account Number:	10-1165-50100.01	Funds Available?	Yes
Reinbursment / Federal:	50.5	Due to:	Other
Reinbursment / State:	50.5	Due to (Other):	

CREATION:

Date/Time:	Department:
4/1/2022 12:27:34 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/1/2022 12:29 PM	Approved	County Executive	
4/4/2022 11:20 AM	Approved	Budget and Research	
4/11/2022 11:57 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Assistant Public Advocate position on behalf of the Chemung County Public Advocate

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Requesting authorization to recreate an Assistant Public Advocate position on behalf of the Public Advocate due to the resignation of MG.

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade: 8		Range:	
Budget Account Number:	10-1170-1172-50100.01	Funds Available?	Yes
Reinbursment / Federal:		Due to:	Resignation
Reinbursment / State:	100	Due to (Other):	

CREATION:

Date/Time:	Department:
4/1/2022 12:48:49 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/1/2022 12:50 PM	Approved	County Executive	
4/4/2022 11:20 AM	Approved	Budget and Research	
4/11/2022 11:49 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating IT Specialist I position on behalf of the Chemung County Department of Information Technology

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Request resolution authorizing the recreation of an IT Specialist I position on behalf of the Chemung County Information Technology Department due to the transfer of an IT Specialist I employee to another department due to a promotion.

Re-creation	Full-time		Salary Only
Civil Service approval required:	No		
Salary/Grade:	CSEA B-2 G11	Range:	$22.30/hr
Budget Account Number:	10-1680-1681-50100	Funds Available?	Yes
Reinbursment / Federal:	0	Due to:	Promotion
Reinbursment / State:	0	Due to (Other):	

CREATION:

Date/Time:	Department:
4/1/2022 1:36:39 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/1/2022 1:37 PM	Approved	County Executive	
4/4/2022 11:20 AM	Approved	Budget and Research	
4/11/2022 11:52 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating Aging Services Assistant position on behalf of the Chemung County Department of Aging and Long Term Care

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Requesting permission to re-create one (1) Aging Services Assistant Position (SB). See attached

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade:	$19.12 Entry	Range:	
Budget Account Number:	10-6772-6772	Funds Available?	Yes
Reinbursment / Federal:	75%	Due to:	Resignation
Reinbursment / State:	25%	Due to (Other):	

CREATION:

Date/Time:	Department:
3/28/2022 9:42:04 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 9:54 AM	Approved	County Executive	
3/29/2022 8:50 AM	Approved	Budget and Research	
4/11/2022 11:04 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
Aging_Services_Assistant_Rationale.pdf	Aging Services Assistant Rationale	Cover Memo

Aging Services Assistant Rationale
Department of Aging and Long Term Care

The person in this job is responsible for the following duties:

- Performs a variety of tasks in support of programs and services for older persons
- Works directly with older persons or their delegates to help meet needs
- In response to needs, refers individual older persons to the appropriate community agency offering assistance in the specific service area needed
- Makes home visits in response to individual older persons and initiates mechanisms for meeting their needs
- Distributes and relates information about resources and services available through the Department of Aging and Long Term Care and community agencies in general
- Assists individual older persons in application for assistance from various community agencies offering human services
- Assists in the formulation of group activities geared to satisfy the recreational and social needs of the elderly
- Provides transportation for individual older persons when needed
- Attends meetings and speaks to groups in an informal setting concerning the problems of older persons and the role of the Department of Aging and Long Term Care.
- Miscellaneous other duties as assigned

The individual in this title must possess thorough knowledge of geographic area served by the Department of Aging and Long Term Care and its social conditions; thorough knowledge of programs and services through the Department of Aging and Long Term Care and other service procedures; thorough knowledge of the characteristics, needs and interests of older adults; ability to communicate with older persons who may have physical or language difficulties; ability to relate to or motivate older people, empathy in handling sensitive human problems; ability to communicate clearly and effectively both verbally and in writing; tact, courtesy and integrity; good physical condition.

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating positions as contained in the Staffing Plan for the Chemung County Department of Social Services

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

one (1) caseworker position (KC), CSEA Grade 12, $23.28 per hour, 67% reimbursement, due to resignation

one (1) social welfare examiner trainee (AH), CSEA Grade 8, $16.82 per hour, 75% reimbursement, due to resignation

one (1) Clerk position (NC), CSEA Grade 3, $14.39 per hour, 75% reimbursement, due to promotion

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade:		Range:	
Budget Account Number:	10-6010-0200	Funds Available?	Yes
Reinbursment / Federal:		Due to:	Resignation, Promotion
Reinbursment / State:		Due to (Other):	

CREATION:

Date/Time:	Department:
4/6/2022 1:10:32 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/6/2022 1:12 PM	Approved	County Executive	
4/7/2022 3:42 PM	Approved	Budget and Research	
4/11/2022 11:03 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:

Caseworker_rationale.pdf	Caseworker Rationale	Cover Memo
SWET_Rationale_(TA_2021)_(1).pdf	SWET Rational	Cover Memo
Clerk_Rationale_(TA_7_2014).pdf	Clerk Rationale	Cover Memo

CASEWORKER

This vacancy is in the Children and Family Services/Child Protective Services Team that is responsible for tasks, including but not limited to:

- Investigation of "hotline" reports alleged child abuse and neglect.
- Providing ongoing case management services for open cases.
- Referring and networking with community agencies to provide services to families. Some agencies include school districts, law enforcement, pediatricians, drug/alcohol services, counseling services and Family Court.
- Documentation of all casework activities.
- Correspondence including letters to service providers, affidavits for court proceedings, reports, referral packets, etc.
- Face to face contacts/interviews with clients.
- On call responsibilities.
- Local and state mandated paperwork requirements.
- Formulating service plans, including the identification of strengths and needs.
- Continual risk/safety assessment.
- Coaching/counseling for families.

This position requires a great deal of flexibility, strong oral and written communication skills, critical thinking skills, independent decision-making, problem-solving skills, the ability to engage families, conduct thorough assessments and to identify potential safety and risk factors for families.

Caseworkers in these positions receive between 3-5 new cases per week and are also responsible for investigations of subsequent reports on open investigations. They draft affidavits for Family Court for Abuse/Neglect petitions and are called upon for testimony. As we are mandated to provide 24/7, 365 days per year coverage for alleged repots of child abuse and neglect, workers are also required to provide on call coverage for Chemung County.

SOCIAL WELFARE EXAMINER TRAINEE

2/24/2021

This position would be assigned to a Temporary Assistance Division, which is responsible for tasks, including but not limited to:

I. Determining and Re-determining eligibility for public programs, such as Public Assistance, SNAP (Food Stamps), Medicaid, HEAP and Employment.

II. This entails, but is not limited to:

- Initial face-to-face interview appointments (a.k.a.: Certifications)
- Gathering and processing data necessary to make eligibility determinations
- Re-certifications of eligibility
- Meeting emergency needs (such as Eviction, Utility Shut-offs, etc.)
- Meeting the day-to-day needs of the families on the caseloads (a.k.a.: Undercare)
- Documentation of all casework activities
- Correspondence including letters to service providers and clients
- Local and state mandated paperwork requirements
- Referring and networking with other agency divisions and community agencies to provide needed services to families
- Timely assignment to work activities to ensure Federal and State participation rates are met and those clients are moved toward self-sufficiency.
- Assist in meeting deadlines/compliance with state regulations for provision of service.
- Reduce the error rate for cases.
- Ensure more timely services to children and families in our community.
- Timely case closings reduce fiscal impact.
- Accurate and timely eligibility determination and under care services, including referrals for support services, results in a reduced recidivism rate.

This position requires a great deal of flexibility, strong oral and written communication skills, and problem-solving skills. The current caseload size per examiner ranges between 100 and 1,100 cases, this is dependent on the program area.

TEMPORARY ASSISTANCE CLERK DUTIES
7/2/14

This position would be assigned to the Temporary Assistance Division, which is responsible for tasks, including but not limited to:

- Sorts, picks up, delivers and scans incoming and outgoing mail to all Departments within the agency, including TAExaminers via WMS, Compass and Workflow computer systems. Researches unidentified mail to determine where to direct it.
- Researches returned mail and directs to appropriate worker or closes the case if appropriate.
- General clerical duties of TA Unit including providing backup for other clerical staff.

This position performs tasks that assist the examiners in having the information necessary to make eligibility determinations. The clerk must be aware of agency/state policies, regulations and procedures as they relate to the various applications and programs in the TA Division. Daily incoming mail is sorted to the appropriate worker or action is taken by the clerk thus reducing the examiner workload.

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution re-creating positions as contained in the Staffing Plan for the Chemung County Nursing Facility

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

The Nursing Facility is requesting the following positions are re-created in accordance with the staffing plan for the Nursing Facility:

(1) Coordinator of Training and Development, Full-Time, Single Rate Grade 8, $66,674 - $103,473.61, 90% reimbursement, due to retirement

This position is vitally important to the facility as they facilitate training and education for all of nursing staff in the facility to ensure adequate training. The position also provides additional support to Nursing Services.

Vacancy date: 5/19/22
Prior resolution #18-427

fifteen (15) full-time Certified Nurse Aide Positions, CSEA Grade 4A, $15.15 - $19.40 per hour, 90% reimbursed, due to resignations

(1) Maintenance Worker, CSEA Schedule A, Grade 6, $18.00 - $29.97/ hr, 90% reimbursement, due to resignation

Re-creation	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade:		Range:	
Budget Account Number:	50-6017-6018-50100	Funds Available?	Yes
Reinbursment / Federal:	50%	Due to:	Retirement, Resignation
Reinbursment / State:	40%	Due to (Other):	

CREATION:

Date/Time:	Department:

4/6/2022 1:24:25 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
4/6/2022 1:26 PM	Approved	County Executive	
4/7/2022 3:45 PM	Approved	Budget and Research	
4/11/2022 11:56 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
Copy_of_Personnel_Req_APR_22_-_1_Coord_TD.pdf	Personnel Requisition Coordinator T & D	Cover Memo
Copy_of_Personnel_Req_MAR_22_-_15_CNAs.pdf	Personnel Requisition - CNA's	Cover Memo
Copy_of_Personnel_Req_MAR_22_-_1_maintenance_worker.pdf	Personnel Requisition - Maintenance Worker	Cover Memo

ATTACHMENT-PERSONNEL REQUISITION ROUTE SLIP

DEPARTMENT: Nursing Facility

1. Position Title: (1) Coordinator of Training & Development FT x PT ____ Prior Res
   Action Requested: Creation ____ Re-Creation x Other ____
   Salary/Grade: SR Grade 8 Wage Range $66,674.46 - $103,473.61 Civil Service Ap
   Budget Account: 50-6017-6018-50100 Funds Avalailable: Y x N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Cov
   Vacancy Due To: Resignation ____ Retirement x Promotion ____ Other ____
   Attachments: Y ____ N x

2. Position Title: ____ FT ____ PT ____ Prior Res
   Action Requested: Creation ____ Re-Creation ____ Other ____
   Salary/Grade: ____ Wage Range ____ Civil Service Ap
   Budget Account: ____ Funds Avalailable: Y ____ N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Cov
   Vacancy Due To: Resignation ____ Retirement ____ Promotion ____ Other ____
   Attachments: Y ____ N ____

3 Position Title: ____ FT ____ PT ____ Prior Res
   Action Requested: Creation ____ Re-Creation ____ Other ____
   Salary/Grade: ____ Wage Range ____ Civil Service Ap
   Budget Account: ____ Funds Avalailable: Y ____ N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Cov
   Vacancy Due To: Resignation ____ Retirement ____ Promotion ____ Other ____
   Attachments: Y ____ N ____

DATE: 4/5/22

olution 18-427

proval: Y __ N x

ered: Y x N __

olution _____

proval: Y __ N __

ered: Y __ N __

olution _____

proval: Y __ N __

ered: Y __ N __

ATTACHMENT-PERSONNEL REQUISITION ROUTE SLIP

DEPARTMENT: Nursing Facility DATE: 4/4/

1. Position Title: (15) Certified Nursing Aides FT x PT ____ Prior Resolution 22-13
   Action Requested: Creation ____ Re-Creation x Other ____
   Salary/Grade: CSEA Grade 4A Wage Range $15.15-$19.40/hr Civil Service Approval: Y ___
   Budget Account: 50-6017-6020-50100 Funds Avalailable: Y x N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Covered: Y x
   Vacancy Due To: Resignation x Retirement ___ Promotion ____ Other ____
   Attachments: Y ___ N x

2. Position Title: ____ FT ____ PT ____ Prior Resolution ____
   Action Requested: Creation ____ Re-Creation ____ Other ____
   Salary/Grade: ____ Wage Range ____ Civil Service Approval: Y ___
   Budget Account: ____ Funds Avalailable: Y ___ N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Covered: Y ___
   Vacancy Due To: Resignation ___ Retirement ___ Promotion ____ Other ____
   Attachments: Y ___ N ____

3 Position Title: ____ FT ____ PT ____ Prior Resolution ____
   Action Requested: Creation ____ Re-Creation ____ Other ____
   Salary/Grade: ____ Wage Range ____ Civil Service Approval: Y ___
   Budget Account: ____ Funds Avalailable: Y ___ N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Covered: Y ___
   Vacancy Due To: Resignation ___ Retirement ___ Promotion ____ Other ____
   Attachments: Y ___ N ____

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ATTACHMENT-PERSONNEL REQUISITION ROUTE SLIP

DEPARTMENT: Nursing Facility DATE: 3/23

1. Position Title: Maintenance Worker FT x PT ____ Prior Resolution 21-09
   Action Requested: Creation ____ Re-Creation x Other ____
   Salary/Grade: CSEA Grade 6 Wage Range $18.00-$29.97/hr Civil Service Approval: Y ___
   Budget Account: 50-6017-8220-50100 Funds Avalailable: Y x N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Covered: Y x
   Vacancy Due To: Resignation x Retirement ___ Promotion ____ Other ____
   Attachments: Y ___ N x

2. Position Title: ____ FT ____ PT ____ Prior Resolution ____
   Action Requested: Creation ____ Re-Creation ____ Other ____
   Salary/Grade: ____ Wage Range ____ Civil Service Approval: Y ___
   Budget Account: ____ Funds Avalailable: Y ___ N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Covered: Y ___
   Vacancy Due To: Resignation ___ Retirement ___ Promotion ____ Other ____
   Attachments: Y ___ N ____

3 Position Title: ____ FT ____ PT ____ Prior Resolution ____
   Action Requested: Creation ____ Re-Creation ____ Other ____
   Salary/Grade: ____ Wage Range ____ Civil Service Approval: Y ___
   Budget Account: ____ Funds Avalailable: Y ___ N ____
   Reimbursement: Federal 50 % State 40 % Local 10 % Salary/Fringes Covered: Y ___
   Vacancy Due To: Resignation ___ Retirement ___ Promotion ____ Other ____
   Attachments: Y ___ N ____

3/22

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CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution creating Deputy Director position on behalf of the Chemung County Sewer Districts

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

This agenda item respectfully requests the approval to create a Deputy Director-Sewer District position within the Chemung County Sewer Districts. We will be abolishing the vacant Senior Wastewater Engineer (AR) position within the Sewer Districts and the Deputy Director will replace this title. This position will assist the Executive Director with coordinating tasks, managing employees, and overseeing construction and operation of the treatment facilities and collection systems. We will be promoting the current Sewage Treatment Plant Maintenance Crew Leader (RJ) and will not be immediately backfilling that position. We will determine in 2023 if that position is needed and will recreate it if necessary. Classification of Deputy Director - Sewer District job specification is on the April 5th Civil Service Commission meeting agenda.

New Position	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade:		Range:	$64,110-$99,494
Budget Account Number:	22-8110-8110/23-8110-8110	Funds Available?	Yes
Reinbursment / Federal:	0	Due to:	Promotion
Reinbursment / State:	0	Due to (Other):	

CREATION:

Date/Time:	Department:
3/24/2022 3:09:41 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/24/2022 3:19 PM	Approved	County Executive	
3/25/2022 8:55 AM	Approved	Budget and Research	
4/11/2022 11:18 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution creating full-time Assistant Public Advocate position on behalf of the Chemung County Public Advocate

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

In order to meet the state's caseload standards for public defense offices, an additional full-time attorney is needed in the Public Advocate's Office to take on a criminal caseload. NYS Office of Indigent Legal Services is providing the grant money for reimbursement of salary/fringe costs and other costs associated with the position. A budget adjustment request is also being submitted.

New Position	Full-time		Salary / Fringe Benefits
Civil Service approval required:	No		
Salary/Grade:	Grade 8	Range:	$66,674-$103,474
Budget Account Number:	10-1170-1172-50100.01	Funds Available?	No
Reinbursment / Federal:		Due to:	Other
Reinbursment / State:	100%	Due to (Other):	

CREATION:

Date/Time:	Department:
3/28/2022 3:03:16 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 3:05 PM	Approved	County Executive	
3/29/2022 8:51 AM	Approved	Budget and Research	
4/11/2022 11:20 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
letter_(FT_Assistant_Public_Advocate).pdf	Letter	Cover Memo

CHEMUNG COUNTY PUBLIC ADVOCATE'S OFFICE

JOHN P. BRENNAN, ESQ.
Public Advocate

MARY K. GANTERT, ESQ.
STEPHEN C. GOBLE, ESQ.
SARA A. MORTON, ESQ.
Assistant Public Advocates

J. MICHAEL DUNHAM
Investigator

February 2, 2022

Hon. Christopher Moss
Chemung County Executive
203 Lake Street
PO Box 588
Elmira, NY 14902-0588

RE: Public Advocate's Office caseloads

Dear County Executive Moss:

I am writing concerning my office's compliance with caseload standards promulgated by the state Office of Indigent Legal Services ("ILS"). Over the last four years, the Public Advocate has been assigned to an annual average of: 43.25 Violent felonies; 91.75 Other felonies; 348.5 misdemeanors/violations; and 35.5 post-disposition. According to the attached ILS caseload standards, such a caseload should be supported by 3.13 full-time equivalent attorneys. Our current staffing only provides approximately 1.7 full-time equivalent attorneys devoted to criminal work. ILS has offered grant money to hire additional staff to allow us to meet the caseload standards. Funding for a full-time Assistant Public Advocate is available through the ILS Statewide Expansion of *Hurrell-Harring* grant (Chemung County Res. 19-563).

The grant money will reimburse the county for salary, fringe, and all other expenses related to the position.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

John P. Brennan, Esq.
jbrennan@chemungcountyny.gov

Enclosure

Our criminal case categories are seven in number, and appear below with their respective maximum number of new case assignments per year, and minimum number of hours per case, on average:

Case Type	Maximum Annual Assignments	Minimum Average Hours
Violent Felonies[45]	50	37.5
Non-Violent Felonies	100	18.8
Misdemeanors and Violations	300	6.3
Post-Disposition (including Probation Revocation)	200	9.4
Parole Revocation	200	9.4
Appeals of Verdicts	12	156.3
Appeals of Guilty Pleas	35	53.6

These caseload standards assume that there is a total of 1,875 working hours per attorney per year. For institutional defenders, these standards shall apply as an average per staff attorney within the office, so that the leader of the office may assign individual attorneys to greater or fewer numbers of cases in order to promote the most effective representation of clients.

For assigned counsel programs, these standards state that the *average* number of hours per case may not go below specified minimum levels; recognizing that that individual cases may take more or less time. In other words, assigned private counsel are expected to devote, on average, at least the minimum number of hours set forth by these standards per case.

In developing these standards, we have carefully examined the resources that will be necessary to assure their effectiveness. This examination has included a careful review of caseloads, the types of cases attorneys handle, the qualifications and experience of attorneys, local conditions such as distances between courts and other institutions, necessary staffing, supervision, office

[45] "Violent felonies" are defined as: any violent felony as defined in Penal Law § 70.02 and any class A felony except those defined in Article 220 of the Penal Law (Class A "drug" felonies).

We include non-drug class A felonies because they constitute some of the most serious offenses which can result in life imprisonment (P.L. § 70.00(2)(a)), require incarceration after sentence (P.L. § 60.05), have pre-indictment plea bargaining limitations (Crim. Proc. L. §§ 180.50; 180.70), limit post-indictment plea agreements to no lower than a C violent felony (C.P.L. § 220.10(5)(d)(i)), and any "attempt" is classified - at a minimum - as a B violent felony (P.L. §§ 110.05; 70.02). We exclude class A drug felonies because recent changes to the sentencing laws pursuant to the 2009 Rockefeller Drug Reform created sentencing structures more akin to non-violent felonies in most cases (*see* P.L. § 70.71). This is also consistent with the New York State Division of Criminal Justice Services (DCJS) definition of "Violent felony." See DCJS, *New York State Violent Felony Processing, 2015 Annual Report* (2016) at 1, available at http://www.criminaljustice.ny.gov/crimnet/ojsa/nys-violent-felony-offense-processing-2015.pdf (A list of the included offenses can be found in Appendix A of the DCJS report).

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution creating Maintenance Worker III position on behalf of the Chemung County Sewer Districts

Resolution #:

Slip Type: PERSONNEL

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

This agenda item respectfully requests the approval to create a Maintenance Worker III position within the Chemung County Sewer Districts. After the upcoming consolidation of the 2 treatment plants, an additional maintenance staff foreman/foreperson will be necessary to oversee the maintenance workers at the combined facility. Prior to consolidation this individual would oversee maintenance workers at both the Lake Street and Milton Street plants and be the primary supervisor while the Maintenance Crew Leader is in meetings or on the construction sites. This position will assist in planning, scheduling projects, and ordering parts. The employee will also be responsible for data entry and regular upkeep of information in Computerized Maintenance Management System (CMMS).This opening will be filled provisionally, pending test results, by promotion of a Maintenance Worker II (S.G.).The job specifications were approved by the Civil Service Commission on 12/7/2021.

Full-time Salary / Fringe Benefits

Civil Service approval required: No

Salary/Grade: $29.25/hour Range:

Budget Account Number: 23-8110-8130-50100 Funds Available? Yes

Reinbursment / Federal: 0 Due to: Promotion

Reinbursment / State: 0 Due to (Other):

CREATION:

Date/Time:	Department:
3/24/2022 3:03:10 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/24/2022 3:05 PM	Approved	County Executive	
3/25/2022 8:55 AM	Approved	Budget and Research	
4/11/2022 11:19 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
Maintenance_Worker_III.pdf	Maintenance Worker III	Cover Memo

MAINTENANCE WORKER III

Department: **Sewer District**
Classification: **Competitive**
Adopted: **12/7/2021**
By: **Regional Civil Service Commission**

DISTINGUISHING FEATURES OF THE CLASS: This is skilled work involving responsibility for independently performing a variety of mechanical and other maintenance tasks or for serving as a helper to a journeyman tradesman. Performs a variety of skilled repair and maintenance tasks. In addition, the work may involve the part-time operation of a truck, automobile or other automotive equipment. General instructions are received and work is performed under immediate or general supervision, depending upon the nature of the task. Incumbents in this class will be assigned to Lead Maintenance when the Maintenance Supervisor is off site or in meetings. May be asked to make decisions on purchasing parts and equipment. Must be able to weld and have a working knowledge of electricity and be capable of keeping electrical equipment in good operating condition. must be able to come in on overtime when needed. Does related work as required.

TYPICAL WORK ACTIVITIES: (The following work activities are listed as examples only and in no event shall an employee be limited to only those examples listed here.)

- Performs skilled activities in masonry, carpentry, electrical, welding or painting operations and general construction work;
- Installs and repairs wiring systems and electric fixtures and equipment;
- Repairs windows, doors, floors, walls and other parts of buildings;
- Plasters and paints walls, partitions and ceilings;
- Installs and repairs general plumbing equipment, such as sinks, toilets and baths;
- Cleans and repairs pumps, heaters, pipe lines, valves and traps;
- Mixes plaster and concrete and assists in laying brick, plastering walls, finishing concrete work, etc.;
- Operates trucks, automobiles, air compressors, heavy equipment, loaders, backhoes and other motorized equipment;
- Takes part in general grounds maintenance activities;
- Performs manual labor, such as loading trucks, digging ditches, flushing sewers, cleaning culverts, shoveling snow and road maintenance work;
- Services as general handyman performing a variety of semi-skilled duties;
- Assists in the operations of the wastewater treatment plant;
- Expected to routinely lead Maintenance work at the Lake St Facility as well as Milton St. Plant and assign Maintenance projects to staff without significant direction by Supervisors;
- Supervises maintenance crews and works with staff on maintenance projects;
- Manages staff for routine record keeping of completed tasks including data entry and regular upkeep of information in Computerized Maintenance Management System (CMMS).

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS: Good knowledge of modern buildings and grounds and general construction maintenance and repair practices; good knowledge of the practices and techniques of one or more of the standard trades; good knowledge of welding different types of materials; good knowledge of electrical repair; knowledge of the SCADA System and how to understand facility operations issues or troubleshoot complex equipment/process problems using the SCADA System and interface touch screens; knowledge of the UV System; ability to manage maintenance staff and assist in staffing and schedule planning. mechanical aptitude; ability to follow oral and written instructions; willingness to

work under all weather conditions; willingness to respond to emergencies; industry; dependability; manual dexterity; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS: Four (4) years of experience in skilled mechanical and other maintenance tasks at a wastewater treatment facility.

SPECIAL REQUIREMENT: Must possess a valid CDL Driver's license and maintain said license throughout employment.

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution Introducing Local Law No. 3 for the Year 2022 a Local Law entitled "A Local Law superseding Public Officer's Law Section 3(1) as to the residency of certain public officers in Chemung County"

Resolution #:

Slip Type: OTHER

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Amending the Public Officers Law for Assistant District Attorneys, Assistant County Attorneys, Public Defender, Assistant Public Defenders, Public Advocate, and Assistant Public Advocates to reside in the County in which they work. Because the County is having difficulty finding qualified candidates among the existing pool of available applicants, the County Executive has requested an expansion of available attorneys by amending the Public Officers Law. Similar exemptions have been provided by the State for the Yates County, Schuyler County, and for many others. In order to assure an adequate pool of qualified applicants for the attorneys' positions within Chemung County, the County Executive is recommending adoption of this Local Law superseding the State of New York Public Officers Law Section 3, special law, as to the residency requirements of certain public officers in Chemung County.

CREATION:

Date/Time:	Department:
3/28/2022 3:21:29 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
3/28/2022 3:37 PM	Approved	County Executive	
3/29/2022 8:51 AM	Approved	Budget and Research	
4/14/2022 12:58 PM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
Article - E. Garry.pdf	Article - E. Garry	Cover Memo
Letter_to_Exec_-_Legislature.pdf	Letter to Exec	Cover Memo
Public_Officers_Law_3.pdf	Public Officers Law	Cover Memo
Local_Law_-_Residency_Waiver.pdf	Resolution	Cover Memo

Too Few Lawyers? Access to Justice in Rural Communities

January 11, 2019

Elizabeth A. Garry, Presiding Justice, Appellate Division, Third Department;
Photo: Courtesy of Albany Law School

With growing populations downstate, declining populations upstate and aging populations statewide, our communities—whether rural, metropolitan or suburban—are facing evolving obstacles to ensuring access to justice for all New Yorkers. During my first year as Presiding Justice of the Third Department many attorneys have shared their concerns about the availability of legal services, and particularly in the rural regions, as many are located within my Department. The geographical and demographic circumstances in rural settings pose unique challenges, and these are issues that our court system, legal service providers, and other stakeholders are actively working to address.

Recognizing that many of my readers will be in urban areas, let me begin by stating that there are multiple opportunities for a successful legal career outside of urban settings; and there is great joy to be found in a quiet small town or rural setting. Our upstate communities are not particularly diverse, but neither are they hostile to diversity. The people residing in our towns, villages, and farm communities are much more likely to be broad-minded and big hearted than the opposite; I share this observation based upon decades of personal experience. So, to any readers wondering whether their quality of life may be enhanced by a closer connection to nature, let me clearly say that mine has been, and more than that, that I have never lacked opportunities for personal and career growth and service while living in rural upstate communities. These are communities filled to overflowing with history and beauty—and populated by good neighbors.

However, attorneys in rural areas are scarce. Although New York state has one of the highest rates of attorneys per capita in the nation, most areas

outside of New York City have far fewer lawyers. Many rural counties have only one or two attorneys per 1,000 residents. The dearth of legal help can make it difficult for people to obtain the routine legal advice necessary to successfully plan for the future, manage their businesses and organize their lives. It also complicates the critical work of securing basic life necessities for those living in poverty. Rural residents are often left to handle their legal problems without the assistance of an attorney.

In response to these challenges, leaders in our court system and the legal profession are working to get more New Yorkers the legal help they need to keep our communities thriving. For example, the Rural Law Center of New York is providing legal services for low-income, rural New Yorkers throughout the state. The Rural Law Center has also partnered with the New York State Bar Association's Committee on Courts of Appellate Jurisdiction to support the Pro Bono Appeals Program, which operates in the Third and Fourth Departments of the Appellate Division. Another project, The Rural Law Initiative, is a pilot program created by Albany Law School's Government Law Center, with partial funding provided by a grant from the U.S. Department of Agriculture. The Initiative is intended to provide non-representative legal advice to farms, small businesses and entrepreneurs in rural areas, on matters including business formation, land use, financial literacy, regulatory matters and more. This program also connects participants to attorneys who can provide more comprehensive representation, and refers non-eligible individuals to other sources of free or low-cost legal assistance. The Legal Aid Society of Northeastern New York and Pro Bono Net have also collaborated on an innovative program called "Closing the Gap." This initiative uses technology to connect low-income rural litigants with remote volunteer attorneys in the Capital District who provide limited scope representation. These programs are some examples of creative problem solving aimed at tackling the unique barriers to providing sufficient legal representation in rural communities. (For a more thorough and extensive treatment of this topic, see the recent issue of the NYSBA Government, Law and Policy Journal devoted to Rural Justice in New York State.)

Under the leadership of Chief Judge Janet DiFiore, Chief Administrative Judge Larry Marks, my colleagues on the Administrative Board, and leaders in our judiciary statewide, the Court System has also taken steps to address the legal needs of our rural populations. As mentioned above, one initiative that has gained support is the use of limited scope representation,

or unbundling. In 2016, the Court System issued a policy statement encouraging this practice. The process of evaluating public comment upon proposed guidelines designed to clarify the ethical rules governing limited scope representation, and forms to facilitate the practice, is currently underway. In addition, the New York State Access to Justice Program has partnered with the New York State Bar Association to hold trainings relative to the use of limited scope representation. This form of representation has been used in various settings, particularly including rural areas, and through pro bono initiatives such as the "Closing the Gap" program discussed above. Although it would be ideal for our state's citizens to have access to full representation for all of their legal matters, the provision of limited scope legal services can be a useful tool in assisting individuals who might otherwise appear pro se in potentially life-changing legal proceedings.

In October, the New York State Permanent Commission on Access to Justice, chaired by Helaine M. Barnett, hosted a Statewide Stakeholders Meeting in Albany. More than 140 individuals—including judges, legal services providers, practitioners, community leaders and public officials—came together to discuss strategies that have been successful and to formulate action plans for local initiatives. Information was shared as to the efforts underway in various communities, and participants then broke out into groups to focus on applying that knowledge to both rural and metropolitan settings. Stakeholders from judicial districts throughout upstate New York have since formed working groups in specific focus areas, such as modest means representation and using technology to address the justice gap, and local action plans are being formulated.

As court administrators, we are also working to address specific problems as we identify them. For example, in the Third Department, we have encountered a shrinking pool of lawyers who are willing and able to serve as attorneys for the child (AFCs) in some areas. For the purpose of supplementing our existing AFC panels, and to thus ensure that appropriate representation is available for young people in those communities, we have recently created additional AFC contract offices. We are currently establishing new AFC contract offices in Broome and Chenango counties, in addition to those which already exist in Clinton, Essex, Franklin, Fulton, Otsego and Schuyler counties.

In a state as large and diverse as ours, there are few one-size-fits-all

solutions to the challenges we face. Although impressive progress has been made, there is a great deal of work ahead. We are fortunate, however, to benefit from a wealth of expertise, innovation and commitment among members of our judiciary and legal profession. By collaborating with and supporting the efforts of practitioners, legal service providers and other stakeholders, engaging in long-term strategic planning, and remaining flexible and creative in responding to issues that arise, we will continue to improve access to justice and legal representation for all New Yorkers.

DISTRICT ATTORNEY'S OFFICE
COUNTY OF CHEMUNG
226 Lake Street
P.O. Box 588
Elmira, New York 14902-0588

Phone: (607) 737-2944
Fax: (607) 737-2965

WEEDEN A. WETMORE
District Attorney

SUSAN RIDER-ULACCO
Executive Assistant DA

PHILIP A. ALVARO
NATHAN M. BLOOM
KATHRYN M. HANSEN
STEPHEN R. HOFFMANN
JOHN D. KELLEY
NICHOLAS S. LINE
ZACHARY S. PERSICHINI
WAYNE R. WITHERWAX
Assistant District Attorneys

MICHAEL MARRONE
RICHARD WEED
Investigators

March 16, 2022

County Executive Christopher Moss
203 Lake Street
Elmira, NY 14902

David Manchester, Chairman of Chemung County Legislature
203 Lake Street
Elmira, NY 14902

Members of the Chemung County Legislature
203 Lake Street
Elmira, NY 14902

RE: Amendment of Public Officers' Law

Dear County Executive Moss,
David Manchester, Chairman, and
Members of the Legislature:

Presently, Section 3 of New York State Public Officers Law requires public officers (which includes assistant district attorneys) to be residents of the political subdivision in which such officers will carry out their official job functions. Unfortunately, the pool of available lawyers in Chemung County to serve as assistant district attorneys is very small. One need only read the attached article written two years ago by the Honorable Elizabeth A. Garry, the Presiding Justice of the Appellate Division, Third Department, to be informed about the dearth of lawyers in Upstate New York. Compounding the problem for us is the fact that many young lawyers are eschewing employment opportunities in prosecutors' offices nationwide due to the present political climate.

As an example of the impact on my office, I cite the fact that we have had two vacancies for assistant district attorneys (one since September of 2021, and the second since January of 2022) which drew interest from only two applicants. One, a recent graduate from Syracuse Law School, opted to accept a position with the Suffolk County District Attorney's office. The second applicant intends to move upstate, but unfortunately may reside outside Chemung County due to her

husband's employment in Corning. Therefore, we are requesting the passage of a local law waiving the residency requirement of New York State Public Officers Law § 3 as it pertains to assistant district attorneys. Other counties that have already adopted similar legislation include: Livingston, Yates, Madison, Schuyler, Montgomery, Fulton, Essex, Wyoming, Sullivan, Oswego, Tioga, Tompkins, and Steuben. Passage will expand the number of attorneys available to work as assistant district attorneys in Chemung County.

Thank you for your kind consideration of this request.

Very Truly Yours,

Weeden A. Wetmore

Public Officers Law § 3

Qualifications for holding office.

No person shall be capable of holding a civil office who shall not, at the time he shall be chosen thereto, have attained the age of eighteen years, except that in the case of youth boards, youth commissions or recreation commissions only, members of such boards or commissions may be under the age of eighteen years, but must have attained the age of sixteen years on or before appointment to such youth board, youth commission or recreation commission, be a citizen of the United States, a resident of the state, and if it be a local office, a resident of the political subdivision or municipal corporation of the state for which he shall be chosen, or within which the electors electing him reside, or within which his official functions are required to be exercised, or who shall have been or shall be convicted of a violation of the selective draft act of the United States, enacted May eighteenth, nineteen hundred seventeen, or the acts amendatory or supplemental thereto, or of the federal selective training and service act of nineteen hundred forty or the acts amendatory thereof or supplemental thereto.

RESOLUTION 22-

RESOLUTION INTRODUCING LOCAL LAW NO. 3 FOR THE YEAR 2022 A LOCAL LAW ENTITLED "A LOCAL LAW SUPERSEDING PUBLIC OFFICERS LAW SECTION 3(1) AS TO THE RESIDENCY OF CERTAIN PUBLIC OFFICERS IN CHEMUNG COUNTY"

By: Chalk

Seconded by:

WHEREAS, Introductory Local Law No. 3 for the year 2022 has been introduced and placed upon the desks of the members of the Chemung County Legislature seven (7) calendar days prior to consideration, exclusive of Sundays, as required by Section 20 of the Municipal Home Rule Law and the Clerk of the County Legislature has made her affidavit of service of filing the same; and

WHEREAS, Municipal Home Rule Law, Section 20 requires the Chief Executive Officer of the County to hold a Public Hearing thereon within the time limits as stated therein; and

WHEREAS, presently Section 3 of the Public Officers Law requires Assistant District Attorneys, Assistant County Attorneys, the Public Defender, Assistant Public Defenders, the Public Advocate, and Assistant Public Advocates to reside in the County in which they work; and

WHEREAS, the County of Chemung being a primarily rural county, and in large part due to residency requirements is having difficulty in recruiting qualified attorneys to fill positions within the Chemung County District Attorney's Office, Chemung County Public Defender's Office, Chemung County Attorney's Office, and the Chemung County Public Advocates Office (the conflict defenders office); and

WHEREAS, the County Executive and the Multi-Services Committee recommend that the county exercise its Municipal Home Rule authority to make exception to Section 3 of the Public Officer's Law and permit individuals to hold the position of Chemung County Assistant District Attorney, Assistant County Attorney, Public Defender, Assistant Public Defender, Public Advocate, Assistant Public Advocate to reside either within Chemung County or any county contiguous to Chemung County in the State of New York; and

WHEREAS, through this Local Law, Chemung County is superseding the State of New York Public Officers Law Section 3, special law, by expanding the residency requirements of certain public offices in the Chemung County; now, therefore, be it

RESOLVED, that the following Introductory Local Law No. 3 of the Year 2022, be and it be same is hereby enacted and promulgated by the Chemung County Legislature as follows:

COUNTY OF CHEMUNG INTRODUCTORY LOCAL LAW NO. 3 FOR THE YEAR 2022 (to become local law No. __ for the Year 2022 upon filing)

A LOCAL LAW SUPERSEDING PUBLIC OFFICERS LAW SECTION 3(1) AS TO THE RESIDENCY OF CERTAIN PUBLIC OFFICERS IN CHEMUNG COUNTY

BE IT ENACTED by the Chemung County Legislature of the County of Chemung, State of New York, as follows:

Section 1: Legislative Intent

The intent of this local law is to define the residency requirement as it pertains to the following Chemung County public officers: Assistant District Attorneys, Assistant County Attorneys, Public Defender, Assistant Public Defenders, Public Advocate, and Assistant Public Advocates. It is the intent of this local law to supersede the provisions of New York State Public Officers Law Section 3(1) with respect said public officers.

Section 2: Residency Requirement: Assistant District Attorney

The provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Assistant District Attorney of the County of Chemung, provided that such person resides in Chemung County or an adjoining county within the State of New York. The provisions of this subdivision shall not apply to any person holding the office of first assistant district attorney or chief assistant district attorney, the holder of which would assume the duties of the district attorney upon the district attorney's absence from the county or upon the district attorney's inability to perform his or her duties.

Section 3: Residency Requirement: Assistant County Attorney

The provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Assistant County Attorney of the County of Chemung, provided that such person resides in Chemung County or an adjoining county within the State of New York.

Section 4: Residency Requirement: Public Defender and Assistant Public Defender

The provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Public Defender and or Assistant Public

Defender of the County of Chemung, provided that such person resides in Chemung County or an adjoining county within the State of New York.

Section 5: Residency Requirement: Public Advocate and Assistant Public Advocate

The provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Public Advocate and or Assistant Public Advocate of the County of Chemung, provided that such person resides in Chemung County or an adjoining county within the State of New York.

Section 6: Severability

If any section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof that can be given effect without the invalid provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 7: This Local Law is subject to referendum on petition as provided by law.

Section 8. This Local Law shall take effect immediately upon appropriate filing with the Department of State pursuant to the provision of the Municipal Home Rule Law.

and, be it further

RESOLVED, that the Clerk of the Chemung County Legislature be and hereby is authorized to transmit the same to the County Executive for a public hearing and said County Executive shall hold said public hearing within twenty (20) days after the presentation of said Local Law Introductory No. 3 for the Year 2022 to him.

BY ORDER OF THE CHEMUNG COUNTY LEGISLATURE
COUNTY OF CHEMUNG, STATE OF NEW YORK

APPROVED BY:

DATED: _____

_____
Christopher J. Moss
County Executive
County of Chemung
State of New York