

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY CLERK - MOTOR VEHICLES

DATE: SEPTEMBER 30, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS KENNY
STRAINER
BELDEN
MCDEVITT

COMMITTEE MEMBER ABSENT:

VACANT - TOWN OF THURMAN

OTHERS PRESENT:

PAM VOGEL, COUNTY CLERK
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS BENTLEY
CONOVER
GIRARD
MERLINO
TAYLOR
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Kenny called the meeting of the County Clerk - Motor Vehicles Committee to order at 9:31 a.m.

Motion was made by Mr. McDevitt, seconded by Mr. Strainer, and carried unanimously to approve the minutes from the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Pam Vogel, County Clerk, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Vogel requested authorization to fill the vacant position of Motor Vehicle License Registration Clerk, base salary of \$27,023, Employee No. 11416, due to resignation. She advised the position would be vacant as of October 1, 2010 and proper staffing within the Department of Motor Vehicles (DMV) was vital. She added the DMV was short staffed 58% of the service days due to employee use of benefit days. She reviewed the average number of transactions per year and the annual revenue of the DMV, which were listed on the agenda.

Motion was made by Mr. Strainer and seconded by Mr. McDevitt to approve the filling of the vacant position as outlined and to forward same to the Personnel Committee.

Mr. Strainer asked how long it would take to fill the vacant position and Ms. Vogel responded there was a list of potential employees who had taken the Civil Service Exam and it was possible to fill the position following the October 15, 2010 Board meeting. In response to a question pertaining to a savings in salary, Ms. Vogel replied there would be a minimal savings as the employee vacating the position had been with the County for a short period of time. Mr. Kenny noted the DMV was one of the areas that was most visible to Warren County residents as almost all residents required the services of the DMV at some point.

Mr. Kenny called the question and the motion was carried unanimously to approve the filling of the vacant position as outlined and to forward same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Ms. Vogel requested a transfer of funds in the amount of \$2,100 from various codes to the Office Equipment code to reflect the purchase of a locking cabinet for the storage of Pistol Permits. She said the current cabinet would be full by the end of the year and during the budget review process she had been advised to purchase the cabinet with available funds in the 2010 budget.

Motion was made by Mr. Belden, seconded by Mr. McDevitt and carried unanimously to approve the request for a transfer of funds as outlined and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

Ms. Vogel requested approval for the Legal Recording Clerk and the Recording Clerk to enroll in the job-related course entitled, Notary Public Workshop, at SUNY (State University of New York) Adirondack on November 17, 2010 at a cost of \$85 per person. She noted it was required that the County Clerk's Office provide notary services to the public free of charge.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously to approve the request to enroll in job-related courses as outlined and to forward same to the Personnel Committee. *A copy of the Application for Approval to Enroll in Job-Related Courses by Employee form is on file with the minutes.*

Ms. Vogel requested authorization to submit a grant application to the New York State Archives and Records Administration of the New York State Education Department for a Local Government Records Management Improvement Fund (LGRMIF) grant in an amount not to exceed \$75,000 for each individual or special initiative grant; \$100,000 for a cooperative grant; and \$20,000 for each disaster grant.

Mr. Belden asked if the grant funding would be for County use or for use by the Towns, as well and Ms. Vogel responded it depended on how the grant application was submitted and added the application deadline was in February 2011. Mr. Strainer asked if there would be any local matching funds required and Ms. Vogel replied in the negative.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously to authorize submission of the grant application as outlined. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the October 15, 2010 Board meeting.*

Ms. Vogel announced that she had received ten applications for the vacant position of County Historian and she wanted to fill the position by the end of October. She questioned the Committee as to who should be included on the review panel for the purpose of interviewing the applicants. It was the consensus of the Committee that the interview review panel should include: Todd Lunt, Human Resources Director; Paul Dusek, County Attorney/Administrator; William Kenny, Chairman of the County Clerk-Motor Vehicles Committee; and Pam Vogel, County Clerk.

Mr. Kenny said he had received an inquiry from *The Post Star* pertaining to a potential change in the policy pertaining to the photographing of public documents. Ms. Vogel stated it had been a longstanding policy of the County Clerk's Office to prohibit the use of digital cameras, copiers, scanners, etc. She added the policy was posted in the Office and had been for the last five

years. She advised the question had been emailed to New York State County Clerks over the summer and out of 20 responses, 19 counties had stated that digital cameras were prohibited. She noted a couple of the counties had stated that they made exceptions to the policies for extenuating circumstances, such as a book which was too large to fit on the copier. She advised it was the responsibility of the County Clerk's Office to provide, preserve and protect the public record. She added they needed to do so in the most efficient and cost effective way possible. Ms. Vogel explained the Office had established special accounts for businesses that requested copies of records on a regular basis, coin-operated copiers for public use and documents in electronic format which can be printed conveniently. She added the CPLR (Civil Practice Laws and Rules) provided the County Clerk Office with directions as to the fees that should be charged for services. She said it was a policy of the County to prohibit the public from connecting to the County computer system.

Don Lehman, *The Post Star*, stated that if the policy was long standing then it had never been enforced prior to the previous day. He added employees of *The Post Star* had been photographing documents with a digital cameras at the County Clerk's Office for some time. He asked how long the policy had been in effect and Ms. Vogel responded the policy had been in place before her appointment as County Clerk and the sign had been posted in the Office for the last five years. Mr. Lehman said he had spoken with Thom Randall, *Adirondack Journal*, who acknowledged that he photographed documents, as well and he asked if the policy had not been enforced previously. Ms. Vogel responded that when her employees witnessed a member of the public using a digital camera, they politely pointed out the policy. Mr. Lehman stated that policy and law were two separate entities and Ms. Vogel responded it was permissible for County Clerks to institute policies, such as the one in question.

Following further discussion, motion was made by Mr. McDevitt, seconded by Mr. Strainer and carried unanimously to temporarily enforce the current posted policy and to refer the issue to the County Attorney for a legal opinion and recommendation.

There being no further business to come before the County Clerk - Motor Vehicles Committee, on motion by Mr. Belden and seconded by Mr. McDevitt, Mr. Kenny adjourned the meeting at 9:52 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist

