

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY CLERK - MOTOR VEHICLES

DATE: OCTOBER 2, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS LOEB
WOOD
VANSELOW

COMMITTEE MEMBERS ABSENT:

SUPERVISORS MCDEVITT
STRAINER

OTHERS PRESENT:

PAM VOGEL, COUNTY CLERK
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS CONOVER
DICKINSON
FRASIER
KENNY
MASON
MERLINO
MONTESI
TAYLOR
WESTCOTT
DEAN BOECHER, WARREN COUNTY RESIDENT
SAMANTHA HOGAN, LEGISLATIVE OFFICE SPECIALIST
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, SECRETARY TO THE CLERK OF THE BOARD

Mr. Loeb called the meeting of the County Clerk - Motor Vehicles Committee to order at 9:32 a.m.

Motion was made by Mrs. Wood, seconded by Mr. Vanselow, 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.*

Mrs. Vogel advised the first item on the agenda was a request for authorization for the County Clerk to enter into a Memorandum of Understanding (MOU) with entities of the Clerk's choosing who met all the provisions of law for the transmitting of real property documents to the Clerk electronically. She explained that since New York State had authorized the electronic transmittal of real property documents, MOU's were required for any vendors utilizing the electronic filing service. She said there was no cost to the County to enter into the MOU. She stated although only large banks such as Bank of America were partaking in electronic filing at this time, she felt within a few years all real property documents would be filed electronically.

Pursuant to further discussion, a motion was made by Mrs. Wood, seconded by Mr. Vanselow and carried unanimously to authorize the County Clerk to enter into Memorandums of Understanding with entities of the Clerk's choosing who meet all the provisions of law for the transmitting of real property documents to the Clerk electronically and the necessary resolution was authorized for the October 18, 2013 Board meeting. *A copy of the resolution request is on file with the minutes.*

Mrs. Vogel advised the next item on the agenda referred to the following requests for transfer of funds:

- ⇒ From Code A.1410 130, Part-Time Salaries, to Code A.1410 120, Overtime, in the amount of \$1,000
- ⇒ From Code A.1665 130, Part-Time Salaries, to Code A.1665 120, Overtime, in the amount of \$100

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

Agenda item three, Mrs. Vogel apprised was a request for the County Clerk to attend the New York State Association of County Clerks meeting in Lake Placid, New York from November 18-20, 2013 utilizing a County vehicle.

Motion was made by Mrs. Wood, seconded by Mr. Vanselow and carried unanimously to authorize attendance at the conference as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

With regards to agenda item four, Mrs. Vogel stated according to Section 206 of the New York State LLC Law the County Clerk could designate the newspapers for purposes of notice of LLC publication. She explained there was a requirement to post the notice in a daily paid publication, as well as in a weekly paid publication. She said that *The Post Star* was designated as the daily publication for Warren County. She advised that she had met with the County Attorney and they had determined that the County Clerk should no longer designate a weekly publication for the notices, but rather have the applicant and their legal counsel make the choice themselves. She apprised she would be putting out a notice of the change in the process. She pointed out this had no impact on the County designation of publications.

Mr. Vanselow questioned whether the LLC applicant would have to designate the weekly publication and Martin Auffredou, County Attorney, replied affirmatively. He advised that according to the law set forth by New York State in regards to LLC's, if there was no designation made by the County Clerk for the weekly paid publication, the applicant would be required to determine how best to comply with the requirements. Mr. Vanselow queried whether any weekly paid publications existed within Warren County and Mr. Auffredou replied in the negative.

Mr. Loeb questioned whether the County Clerk was required to designate the daily paid publication and Mr. Auffredou replied in the negative. He explained the County Clerk was not required to designate the daily or weekly paid publications; however, he said, because *The Post Star* was a daily paid publication the County Clerk had designated it as the daily publication for such postings.

Mr. Montesi asked whether the County Clerk would be required to revoke the applicants license if they did not comply with the requirements and Mr. Auffredou replied in the negative. He explained that would be handled through New York State, as the County Clerk was not the enforcing agency.

Mrs. Vogel advised the final item on the agenda referred to the Department of Motor Vehicles (DMV). She advised that the DMV currently utilized roving, on call/on demand security from within the building to assist with situations as they occurred, as well as be in the office for closing time everyday. She said she would be tracking the calls to security to deal with the various incidences that occur such as disgruntled customers and arrests of individuals within the DMV.

Mrs. Vogel stated that New York State had recently implemented procedural changes for proctoring

tests as a result of a cheating scandal that had come to fruition with regards to commercial drivers license testing in New York City. She said she had suspended testing until October 8, 2013 to ensure sufficient time to implement a plan to comply with the new testing procedure. She apprised she felt it was necessary to discuss further whether security could be utilized for proctoring the tests, as well as if there was a need for security to be assigned to the DMV/County Clerk portion of the building on a full-time basis.

Discussion ensued regarding security assignment to the DMV/County Clerk portion of the building, following which it was determined that the matter would be referred to the County Facilities Committee for further discussion.

There being no further business to come before the County Clerk - Motor Vehicles Committee, on motion made by Mrs. Wood and seconded by Mr. Vanselow, Mr. Loeb adjourned the meeting at 10:04 a.m.

Respectfully submitted,
Sarah McLenithan, Secretary to the Clerk of the Board