

**WAYS & MEANS
COMMITTEE MEETING
July 17, 2007**

ATTENDANCE: Hon. Paul Dudley, Chairperson, Hon. Legislator Steve Cuddeback, Hon. Legislator Ray Lockwood, Vice-Chair, Hon. Legislator Francis Mitchell, Hon. Legislator Ann Petrus, Hon. Legislator Daniel Schuster and Hon. Legislator George Fearon, Chairman.

EXCUSED: None

OTHERS PRESENT: Wayne Allen, County Manager, Debra English, Nursing Home Administrator, George Daniels, Probation Director II, Michael Pawlenko, Superintendent of Buildings and Grounds, Elane Daly, Director of Health and Human Services, Kathleen Cuddy, Deputy Director of Health Services, John Chomyk, Director of Administrative Services PHD, James Orman, County Treasurer, Fred Westphal, County Attorney, Edward Herrling, Employment & Training Director II, Alan Kozolwicz, Director of Real Property Tax Service, Susan Dwyer, County Clerk, Jon Budelmann, Assistant District Attorney, Stephen Lynch, Director of Planning, Brian Dahl, Mike Didio, Constituent of District 14, Diana LaMattina, Reporter (Post Standard), Shane Liebler, Reporter (The Citizen) and Lisa Sigona, Recording Secretary.

CALL TO ORDER: Hon. Legislator Paul M. Dudley, Chair, called the Ways & Means Committee Meeting to order on Tuesday, July 17, 2007 at the Cayuga County Office Building, Caucus Room 1, 6th Floor at 6:00 p.m.

MINUTES TO APPROVE: Hon. Legislator Dudley asked for a motion to approve the Ways & Means Minutes of June 19, 2007. Motioned by Hon. Legislator Lockwood, seconded by Hon. Legislator Petrus. All members present voted in favor of the motion to pass the minutes as is.

PRESENTATION: Peter Kuzymn, Agent, New York Life, spoke on Voluntary Disability Income Insurance for Non-Bargaining Employees to the Committee.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Community Services Board

Jim Stowell, Cayuga County Sheriff's Office, 7445 County House Rd., Auburn, NY 13021. Term 1-1-07 to 12-31-2010 replaces Carol Radcliffe.

RESOLUTIONS: The Committee discussed and unanimously approved the following resolutions, unless otherwise noted:

REGULAR MONTHLY RESOLUTIONS:

1. Auth. payment of June Audit of Claims
2. Auth. payment of Utilities.
3. Auth. payment of all Central Services for June 07
4. Auth. payment of Claims for the Nursing Home
5. Auth. payment of Claims for the Sr. Nutrition Program.
6. Auth. payment of Claims for Thruway Tolls.
7. Auth. payment of Claims for Credit Card Charges.
8. Auth. payment of Legal Notices.
9. Auth. payment of Various Capital "H" Projects.

10. Auth. payment of Claims for Various Equipment Leases.
11. Auth. payment of Parcel Services.

Resolutions 1 through 11 were unanimously voted on. Discussion: Resolution #1 – a Committee member questioned if the Audit of Claims agreed with the Treasurer’s Office, if general journal entries and individual claim numbers matched. Hon. Legislator Dudley felt there was no need to pull Resolution #1 and for Committee to sign. All in favor, passed.

WAYS & MEANS RESOLUTIONS:

12. Authorizing the Cayuga County Legislature to Contract with Attorney and Counselor at Law Matthew R. Fletcher Related to the Provision of Advice, Consultation and Representation in Education Law and Related Legal Matters. **Discussion: This is a renewal of a contract that comes up yearly. There is a slight increase this year. Mr. Fletcher’s services will be \$170/hr. and for contract negotiations \$150/per contract will also be charged.**
Vote: The yes’s have it, 5 to 2, with Mr. Cuddeback and Mrs. Petrus voting no. Passed.
13. Authorizing Correction of Tax Errors in Several Towns. **Motioned by Mrs. Petrus, seconded by Mr. Lockwood. Unanimously all in favor, passed.**
14. Reappointing Alan P. Kozlowski to 6-Year Term as Director of Real Property Tax Services. **Motioned by Mr. Lockwood, seconded by Mrs. Petrus. Discussion: Resolution sets the salary at a flat 3% added to salary every year starting in January 2008 through the year 2013. Unanimously all in favor, passed.**
15. Transferring of Funds to Civil Service/ Human Resources Dept. **Discussion: This is for the minutes of 5 sub-committees to be taken and transcribed. Mr. Dudley felt the minutes have improved in recent months. Mr. Lockwood felt the minutes were fine before. Mr. Schuster wanted clarification if this was compensatory time or overtime. Mr. Allen said it is better to pay as you go. Unanimously all in favor, passed.**
16. Amending Resolution No. 357-07 “Transferring Funds from Certain County Dept’s. to Pay Insurance Costs”. **Unanimously all in favor, passed.**
17. Adopting the Medicaid Cap Method of Payment for the County’s Share of Medicaid Costs. **Discussion: To formalize the Medicaid Cap Method of Payment. Unanimously all in favor, passed.**
- 17A. **Added 7-13-07 – Authorizing Renewal of Labor Relations Agreement with Cayuga-Onondaga BOCES. Discussion: Approximately \$43,000 in costs to the County. Some Committee Members would like research into hiring a Labor Relations Attorney instead of paying out contractually for this service. Other factors involved would be the need for clerical and support staff for the Attorney to be able to function in a County office setting. Unanimously all in favor, passed.**

WAYS & MEANS SUB-COMMITTEE RESOLUTIONS:

JUDICIAL & PUBLIC SAFETY:

18. (P) **Pulled** Establish “DA Asset Forfeiture Account” and Transfer Balance of T-82 Trust Account. **Discussion: This is money that will be used for covert investigations and/or transporting witnesses out of state for their own protection, etc. Generally this money is gotten from drug arrests. Questions arose as to what are the guidelines, what it can be used for. Who would audit - Ways & Means Committee, Judicial Public Safety Committee and/or the Treasurer’s Office? Mr. Budelmann explained to the Committee that there are Department of Justice guidelines in place regarding forfeiture monies. This money would be used for drug investigation(s) for prosecution. There was a question as to what the District Attorney would need the money for. Mr. Budelmann explained that there are times when the District Attorney’s Office needs money in a hurry to get someone who testifies out of town quickly or even to get an informant out of state for their protection. Right now the Sheriff’s Office/State Police/ Auburn Police Department have funding streams for/from such money. It would also**

afford the District Attorney's Office night vision cameras for investigations. The money would be available for emergency situations when needed. It is strictly forfeiture asset monies. Mr. Budelmann was asked to involve the Sheriff's Office to discuss this account and to wait another month to bring back to Committee.

- 18A. Authorizing the Filling of a Vacant Typing Position. **Motioned by Mr. Cuddeback, seconded by Mr. Mitchell. Discussion: A twelve (12) year employee has resigned and walked off the job, without notice. It is a budgeted position. This position is vital to the office and is considered an emergency request to fill. Unanimously all in favor, passed.**

PLANNING:

19. Authorizing the employment and Training Dept. to Accept Funds from the Cayuga-Cortland Workforce Investment board for Over-Contribution to the Year 4 Cost Allocation Plan and to Deposit these Funds into Account NO. A6370.200.000. **Motioned by Mrs. Petrus, seconded by Mr. Lockwood. Discussion: Over-Contribution was \$6,700. Mr. Herrling would like to use this money for equipment, purchasing eight (8) laptop computers for classrooms for the Center. Unanimously all in favor, passed.**
20. To Adopt Local Law No. for the Year 2007, amending Local Law No. 3 of 1994 to Increase the Rate of the Hotel/Motel Room Tax to 5% in Cayuga County, and also Authorize Cayuga County to use all or part of the Money in the Special Fund to Pay a Single Not-For-Profit Corporation to Promote Tourism and Convention Development in the County. **Motioned by Mrs. Petrus, seconded by Mr. Lockwood. Discussion: Senator Nozzolio is helping us with this. Are we locked into the wording of this from the State level? The sales tax money will be kept in the Treasurer's Office and used for promoting Tourism.**
- 20 A. **Added 7-17-07** Authorizing the Cayuga County Treasurer to execute any and all documents required to Submit an Application to the IRS, on Behalf of the Cayuga County Public Utility Services Agency ("CCPUSA"), for Allocation of Clean Renewable Energy Bond ("CREB") Volume Cap under Section 54(f) of the Internal Revenue Code thereby reserving the opportunity and Option to Finance a Future Cayuga County Energy Project at 0% Interest at the County Legislature's Discretion. **Moved by Mr. Lockwood. Discussion: No local share involved. Unanimously all in favor, passed.**

GOVERNMENT OPERATIONS:

21. Authorizing the Cayuga county Clerk to Fill Vacant Full Time and Part Time Motor Vehicle Cashiers and to Back Fill Vacant Positions. **Motioned by Mrs. Petrus, seconded by Mr. Lockwood and Mr. Cuddeback. Unanimously all in favor, passed.**
22. Authorizing the Board of Elections to Purchase a Flatbed Scanner. **Discussion: Cost of \$1,344. Vote: The yes's have it 6 to 1, with Mr. Lockwood voting no. Passed.**

PUBLIC WORKS:

23. Fixing Day and Notice of a Public Hearing on a Proposed Local Law Adopting a Notification Policy Pursuant to Section 208 of the State Technology Law. **Discussion: The IT Department will look at tomorrow, July 18, 2007 at 2:00 p.m. Unanimously all in favor, passed.**
24. Authorizing Chairman of the Cayuga County Legislature to Transfer a 1996 Dodge Pickup Truck to the Cayuga County Water & Sewer Authority. **Motioned by Mr. Cuddeback, seconded by Mr. Lockwood. Discussion: Water and Sewer will pay \$500 for the vehicle which has been used by Weights & Measures. The new vehicle for Weights & Measures has been budgeted; resolution has passed and has been ordered. Unanimously all in favor, passed.**
25. Authorization to Replace Lost Office Supplies at the Court House. **Motioned by Mr. Cuddeback, seconded by Mr. Lockwood. Discussion: Cost to the County \$797. Unanimously all in favor, passed.**

HEALTH & HUMAN SERVICES:

- *26. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Multiple Service Agencies (Listed) for the Provision of Child Welfare Placement Services.
- **27. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with NYS DOH to Provide Services for the Indoor Radon Program and Accept 100% Funding.
- **28. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into an Agreement with the NYS Dept. of Health to Allow the Health Dept. Continued Participation in the Zoonoses (Rabies) Program.
- *29. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into Agreements with Third Party Payors for Provision of Authorized Home Care Services. **Discussion: Resolution is to renegotiate rates; the rates are good rates for services provided.**
- *30. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Jack Venesky for Auditing and Consulting Services for CHHA.
- *31. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Jack Venesky, CPA, for Auditing and Consulting Services for the Health Dept's. Diagnostic and Treatment Center. **Discussion: Health Dept. contracts in the amount of \$7,000 for the cost of Medicaid report that will assess the Medicaid rate for dental services in schools.**
32. Authorizing the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home to Sign an Agreement with Stericycle, Inc. to Remove Regulated Medical Waste for 3 Years. **Motioned by Mrs. Petrus, seconded by Mr. Cuddeback. Discussion: Cost was underestimated; it is a minimal amount of money at the cost of \$5,763 for the removal of Hazardous Medical Waste Materials. Unanimously all in favor, passed.**
- **33. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Agreement with Onondaga County Health Dept. to Participate in the CNY Regional Immunization Information System and to Accept Funding.
- **34. Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept Additional Funds (COLA) for the 2006-2007 Dental Grant and to Amend the Health Department's 2007 Budget.
35. Authorizing the Cayuga County Legislature to Abolish One Unfunded LPN at the CHHA, Create Two Part-Time LPN's and Authorize the Director of H&HS to Fill these 2 Positions. **Discussion: This is for LPN's on the weekends. This cost less money to hire two part-time LPN's for the positions than to hire a full-time employee. Unanimously all in favor, passed.**
36. Authorizing the Director of H&HS to Fill One Part-Time PHN or Part-Time RN Vacancy at CHS. **Discussion: This position is open due to a resignation. Unanimously all in favor, passed.**
37. Authorize the Director of H&HS to Fill a Social Services Investigator Position in the Case Integrity Unit of Human Services. **Discussion: This position has become vacant due to a resignation. Unanimously all in favor, passed.**
38. Authorizing the Director of H&HS to Fill One Part-Time RN Vacancy at the Home Care Agency. **Discussion: Position is in the 2007 budget. Unanimously all in favor, passed.**
39. Authorizing the Cayuga County Legislature to Create a Mobile Work Crew Supervisor and Authorize the Director of H&HS to Fill this Position. **Motioned by Mr. Cuddeback. Discussion: New position, funded by local State and Federal monies. Position will be a work supervisor to do work projects for the County towns and villages utilizing Public Assistance (PA) individuals. The funds are flexible and cover the salary and fringes of the supervisor. Some Committee members had concerns because the Sheriff's Office does this with the weekend and inmate work crews and believe that the Sheriff's office does this for revenue funding. It was also noted that the Sheriff's office has lawn mowers and equipment to do these work details whereas these individuals would not have the equipment to work with. They all agreed it was an excellent concept for PA individuals to learn a trade skill, which the inmates cannot do the same. This program allows the individuals to get skills to go out into the real workforce after**

training and that there is a difference between to the two concepts (inmate work crews vs. training skills for PA individuals). There are a multitude of worksites for these individuals to go to. Madison County has instituted this program and it has been beneficial. Unanimously all in favor, passed.

***Resolution #'s: 26, 29, 30, 31 were all bundled together and presented by Mrs. Daly. Unanimously all in favor, passed.**

****Resolution #'s: 27, 28, 33, 34 were all bundled together and presented by Mrs. Daly. Motioned by Mrs. Petrus. Unanimously all in favor, passed.**

COMMITTEE DISCUSSION:

REAL PROPERTY ASSESSMENT UPDATE – Alan Kozolwicz

Mr. Kozolwicz presented to Committee that there will be thirty-two (32) properties up for sale at auction either the 1st or 2nd week of September, 2007.

EMERGENCY MANAGEMENT UPDATE – Brian Dahl

Mr. Lockwood asked Mr. Dahl to attend this evening's meeting to let the Committee know that he would be presenting a resolution in the future requesting salary stipends for the Fire Investigation Team that Mr. Dahl took over from the Sheriff's Office in April of 2007. During the previous Sheriff's administration at least until November of 2006, Fire Investigators were receiving a stipend of \$5,000 for two (2) Senior Investigators and \$15,000 for three (3) to four (4) Fire Investigators. Total cost needed for budgeting purposes would be approximately \$20,000. Mr. Dahl is confident that there is a possibility of one (1) investigator staying on the remainder investigators will leave if the County will not pay them as in the past. It was pointed out that the County never paid these individuals before the previous administration's term. There needs to be a resolution for Tuesday's full legislative meeting. Mr. Dahl pointed out we would not need the full salaries this year, only to know that next year this would have to be budgeted. Mr. Allen pointed out to the Committee that the Committee/Legislators set the salaries, that the County is the employer and they will have the final say on the salaries. The County is required to investigate suspicious fires and that these investigators have attended the Fire Academy for training purposes and have kept up their training. Investigations of fires have been going on for over 100 years. The Committee Chair would like to carry on discussions at the Judicial/Public Safety Committee level. Tuesday, full legislative meeting should have the resolution ready to appoint these fire investigators without pay and to make sure there is a list of who and when they will be appointed and for how long. It was also suggested to Mr. Dahl to try to build this into next year's budget process. The Contingency Fund is not an option to fund the positions for this year's salaries and it was noted that will not happen.

CAYUGA COMMUNITY COLLEGE

The College is purchasing 3.3 acres of land that includes 25 Prospect Street which is near the college for \$230,000. The contract has met with approval. The College is asking to borrow the money from our contingency funds and they will reimburse us the money, a portion will be reimbursed back over the next couple of years. It was discussed that the College had asked for an increase of \$134,000 to their budget request for 2007-2008 but Government Ops and Ways & Means turned down the increase request. **Mr. Dudley motioned to loan the College the \$230,000 with reimbursement back from the College over the next couple of years. Vote: The yes's have it 6 to 1, with Mr. Lockwood voting no. Passed.**

VOLUNTARY LIFE INSURANCE INCOME DISABILITY PROGRAM – Peter Kuzymn, New York Life

Mr. Kuzymn presented to the Committee the advantages of Long Term Disability for non-bargaining employees of Cayuga County. The purchase of disability insurance will be in the payroll deduction format, it helps risk management for the disabled. Long term is five (5) years and out. Premiums will be discounted 25%, group underwriting. It is a benefit program with a flexible platform of coverage. If the employee

leaves the County, the employee can continue the policy. The company will give professional advice (two 2 representatives with laptops computers) to employees. The only individuals not eligible for coverage will be CSEA members. There is no cost to the County. Mr. Westphal was asked by the Committee to prepare a resolution. **Motioned to allow New York Life to offer voluntary life insurance income disability to County non-bargaining employees by Mr. Lockwood, seconded by Mr. Cuddeback. Unanimously all in favor, passed.**

CAPITAL PROJECTS & DEPARTMENT BUDGETS – Wayne Allen

Mr. Allen reminded the Committee that the Capital Projects and Department Budgets are starting to come in for perusal of figures. He would like Committee members to look at their respective requests by the departments they oversee on their committees and to have questions and/or concerns ready for meetings with the department heads when meetings are set. If at all possible, he would appreciate Committee Chairs to be available for Department Budget meetings and other Committee Members are also welcome at the meetings.

WORKERS' COMPENSATION – SELF-INSURED – Wayne Allen

Mr. Allen presented to the Committee that he has met with Villages, Towns, the College and Water & Sewer regarding Workers' Compensation. Costs are up by 20% in 2007. He would like to recommend a Request For Proposal (RFP) to go out for a Third Party Administrator, which he feels will give us better service than the current provider the County utilizes. Just this date, July 17, 2007, Mr. Allen met with the Nursing Home today on workers' compensation issues. The Third Party Administrators will help to manage the plan. Ninety percent of Counties in New York State are self-insured currently. He also noted that if it doesn't work out for Cayuga County in three (3) years or more, the County could always go back to the provider they utilize currently. He would suggest that the County buy Stop Loss Insurance. In the second year, the County would have to hire an actuary to look at the cases to see if the County is saving money.

Currently Mr. Allen has not been able to figure out how the County does their workers' compensation cases. His suggestion would be to centralize workers' comp into the Human Resources Department. Mr. Allen said at the next meeting he will present the RFP's of Third Party Administrators. It was suggested that this be built into the 2008 budget: 1.) ability to join (self-insured); 2.) ability to opt out. There should be a 20% decrease in costs. If in three (3) years it doesn't work out return to current provider. It was noted that the County would start at ground zero, all current cases would stop. The County has to go out for RFP's - that is a must. The County has to be aggressive and knowledgeable. There would be a discount in year 2 and in year 2 the actuary has to have a look at the cases.

Mr. Lockwood, Mr. Cuddeback and Mrs. Petrus noted that Soil & Water has comparable costs. It was also noted that approximately ten (10) years ago the County was self-insured but the County could not maintain/retain a reserve of funding to payout on the comp cases. The reserve needed to keep rising to \$1 Million dollars and it was a big loss to the County in the end. Mr. Allen states that yes, a balance of money needs to be kept on hand in a reserve for workers' compensation if we go self-insured. He was asked by Committee to investigate self-insured workers' compensation for the County and to proceed further with it. Towns and Villages don't like to be left out, so they need to be included in the process and Stop Loss Insurance will also help out the County.

Next Ways & Means Committee Meeting is scheduled for August 21, 2007 at 6:00 p.m.

ADJOURNMENT: Hon. Legislator Cuddeback motioned to close the General Ways & Means Meeting; Hon. Legislator Lockwood also motioned to close the meeting to go into Executive Session. Hon. Legislator Dudley, Chair, moved motion. There was no further business and the Ways & Means Committee went into Executive Session regarding pending litigation and personnel matters. Mr. Westphal and Mr. Orman were asked to stay for Executive Session. General Ways & Means Meeting closed at 7:20 p.m.

*Respectfully Submitted,
Lisa Sigona, Recording Secretary*

Minutes Approved: 8.21.07