

WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, MARCH 10, 2013
1:30 P.M.

PRESENT: D. Pangrazio, G. Levey, T. Baldwin, M. Schuster, D. Mahus, E. Gott, D. LeFeber, P. Yendell, L. Semmel, B. Donohue, I. Coyle, B. Beagle-LC News

COUNTY TREASURER – AMY MANN

Action Item(s) To Be Reported

1. INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2014 – JAIL PROJECT

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H3150.2900** in the amount of \$811,194.69 to be funded from Interfund Transfers **H3150.5031** in the amount of \$811,194.69, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the Jail Project Capital Project from Transfer to Capital Account **A9950.9000** in the amount of \$811,194.69.

Ms. Mann reviewed the transfer for the Jail Project and explained that we have done this in the past, taking extra revenue proceeds in the jail inmate account and putting them into the capital project account for a capital jail project. Mr. Coyle explained that we will still be using these proceeds to pay down debt. The original plan was to take all excess less what we thought was attributable to the expansion, approximately \$100,000, and put it toward the pay down reserve. The first year (half year) was about \$350,000 put into the pay down reserve. The second year would have been \$811,000 but they are moving it to the “other” jail project for the roof project that was recently bid out. The roof project was removed from the original \$30M jail project to decrease total project costs. This will use up all of the excess proceeds for 2013 and some of 2014 to pay for the jail roof project. Estimated take in amount for 2014 is \$1M, which will probably leave us with about \$700,000 to go toward the debt pay down reserve.

Motion: Mr. Baldwin moved and Mr. Schuster seconded to approve the foregoing resolution..... Carried.

Pre-approved Informational Item(s) To Be Reported

1. Petition and Notice of Foreclosure filed March 5, 2014. The list of parcels will be forwarded to the Office for the Aging, as well as, copies to Town Supervisors, County Attorney and County Administrator. Ms. Mann reported that there are 172 parcels to be paid off this year and they have until June 16, 2014. There were 199 parcels at this time last year. There was discussion regarding the parcels located at Exit 4.

PERSONNEL ISSUES

Action Item(s) To Be Reported

1. JENNIFER RODRIGUEZ

AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: DEPARTMENT OF HEALTH, MENTAL HEALTH

RESOLVED, that the 2014 Hourly Employee Salary Schedule is amended as follows:

Department of Health

Create one full-time Staff Development Coordinator position.

Mental Health

Create one full-time Intensive Case Manager position.

Ms. Rodriguez explained that she is requesting the creation of two positions today. The first is a full time Staff Development Coordinator that will work with both departments dividing their time 60/40. The Intensive Case Manager position will replace a Psycho Social Worker Assistant position at Mental Health, which will be deleted once the new position is created. The job duties reflect the changes based upon the population home health needs. Mr. Coyle explained that there are staff development needs in both departments. There is currently a similar position at the Department of Social Services that does receive state aid and public health/mental health is 37% or possible even more in state aid. Both positions were

included in the budget.

Motion: Mr. Gott moved and Mr. Baldwin seconded to approve the creation of one full time Staff Development Coordinator position for Department of Health..... Carried.

Motion: Mr. LeFeber moved and Mr. Mahus seconded to approve the creation of one full time Intensive Case Manager position for Mental Health..... Carried.

2. CHAIRMAN GOTT

AMENDING THE 2014 DEPARTMENT HEAD SALARY SCHEDULE: SHERIFF’S DEPARTMENT

RESOLVED, that the 2014 Department Head Salary Schedule is amended as follows:

Sheriff’s Department

Setting salary for a Part Time STOP DWI Coordinator to \$10,000.

Chairman Gott reviewed past discussions on the coordinator position and a recent letter from the Law Enforcement Council. The Chairman explained how the funds were designated in the past. The local agencies felt that they were not getting a fair share of these enforcement funds, no one knew what the budget looked like and the transparency was not there. The Board felt that there should be some savings to the County in this particular program. It’s about a \$250,000 match. It is not supposed to be a match but it ends up being that way.

The position was pulled out of the Sheriff’s Department and moved to the County Administrator last year. At the last Law Enforcement Council meeting they agreed to send a letter to me requesting that the Sheriff be appointed as coordinator. While this is a Chairman appointment, Mr. Gott feels that the Board should be included in these discussions. A meeting was held with Mr. Deming, Sheriff Dougherty two weeks ago about the position, what it should look like, the dollars and cents, the locals, the Probation Department, which has never gotten a dollar out of the STOP money and where the money was being spent prior to this year. Mr. Deming wanted to move it forward to the Public Services Committee, which they did last week. A meeting was held prior to Public Services with Mr. Deming, Mr. Gott, Victor Rowcliffe-Assistant District Attorney, the Lynne Mignemi-Probation Director and Geneseo Police Chief Osganian, to discuss the position with the message that we know it was not run as fairly as it should be. We know that the funding has gotten better. We know that the County could run this program effectively. We all agree that the Division is to get the drunk guys off the road, so enforcement needs to stay strong. We all recognize that there was an opinion out there stating that the Sheriff’s Office should probably not be the STOP DWI coordinator. They talked about how deeply the program runs in the Sheriff’s Office and the accounting changes requested by the County Administrator. The general operating budget was discussed and if the appointment went back to the Sheriff’s Office, the clerk tasks would be put on a percentage basis 75% STOP and 25% general. The Sheriff cautioned that it may be closer to 50/50, but he would need to wait until the clerk returned from leave. There was a recommendation to the Public Services Committee last week to appoint Sheriff Dougherty out through 2014. The Sheriff is expected to work closely with the County Administrator on the budget and on the actual STOP DWI law, which has never been reviewed or correctly followed. We are going to follow the law closely going forward. The County Administrator will be moving money between accounts as he feels necessary. The recommendation appointing the Sheriff as Coordinator from Public Services Committee is referred to the Ways and Means Committee to set a salary of \$10,000. There was concern regarding the actual time spent on the program and whether the additional salary requested is appropriate. The actual work being done in the Coordinator position is unclear. Mr. Mahus expressed his concern with the additional pay. Chairman Gott described the change in the scheduling done to allow better enforcement through the happy hour time that is crushing violators. Mr. Pangrazio reviewed the concerns presented last year and the full support of the Board in pulling this program out of the Sheriff’s Department and he would like the Committee to use caution going forward to stand firm in their decision. There are concerns regarding the difficulty in carving out ten hours for STOP DWI time from an already busy schedule. Mr. Coyle explained the division of the local share of the program dollars. There was discussion on the law requirements of the program. There needs to be clear documentation showing what the Committees’ expectations are for the Stop DWI Program. While the coordination of this program could be done

in the County Administrator's office, recommendation is that it can be better run through the Sheriff's Office. Mr. Coyle recommended that the job description be amended to include the specific deliverables expected out of the position and mirror that information from the regulations. There was discussion and concern about designating 10 hours per week to the program and to set what amount for the salary.

MOTION: Mr. Baldwin moved and Mr. Levy seconded to set the STOP DWI salary at \$5,000 per year. Carried.

3. IAN COYLE

APPOINTING LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT – DONALD N. HIGGINS

RESOLVED, that the 2014 Department Head Salary Schedule is amended as follows:

Highway Department

Appoint Donald N. Higgins of 10110 McNinch Road, Ossian, 14437 to the position of Highway Superintendent effective April 4, 2014 and expiring April 3, 2018.

Mr. Coyle reported on the meeting held with Chairman Gott and Committee Chairman Deming with Mr. Higgins and there was unanimous agreement to support another four year term.

Motion: Mr. Schuster moved and Mr. Levey seconded to approve the foregoing resolution..... Carried.

CLERK OF THE BOARD – MICHELE REES

Pre-approved Informational Item(s) To Be Reported

1. **EMPLOYEE RECOGNITION PROGRAM 25 YEAR AWARDS APPROVED TO CHANGE TO LC VISA CARD FOR 25 YEAR AND CHANGED DATE TO 2ND MEETING IN JUNE.** Ms. Rees explained that she has met with Chairman Gott and she would like to make some changes to the employee recognition program this year. She would like to replace the \$100 Gigglin' Pig gift certificate with the County Visa card from the Chamber of Commerce. Not everyone has been happy with the gift certificate designation. In addition to continuing with the Buy Livingston theme, the Visa card allows for more buying flexibility. Ms. Rees has contacted the Chamber and they have an unlimited supply of cards available. Mr. Gott explained that the employee recognition program has always fallen under the Clerk of the Board and he supports her customizing the program with her recommendations. Ms. Rees also explained that she would like to change the date for the ceremony to the second Board meeting in June. The ceremony was held in June last year and it seemed like more people attended and stayed longer. The event is meant to be enjoyed by the recipients and their families. The Committee felt that these were good changes to make to the program.

2:10 COUNTY ATTORNEY – DAVID MORRIS

Action Item(s) To Be Reported

1. **AUTHORIZING CHAIRMAN TO SIGN A CONTRACT WITH BOWITCH & COFFEY LLC**
The County Attorney explained that he was directed to seek out legal counsel to help us in regard to the Akzo situation with DEC with negotiations or litigation depending on what route we decided to take. Mr. Morris sent out inquiries to the other County Attorneys in New York State. While he received six or seven names, he received one name from four or five different counties. His name is Gary Bowitch, an attorney out of Albany. He is a former Assistant Attorney General with the State and was chief of the oil spill litigation. He was also the senior attorney for the New York State Department of Environmental Conservation. He already knows the two people from DEC and the one from the Attorney General's Office that Mr. Gott, Mrs. Semmel and Mr. Morris met with in Albany very well. From talking to him, Mr. Morris feels that he seems to be on top of the situation, knows what he is doing and would be someone good to work with as far as the DEC and Attorney General's office goes. His proposed fee is \$185.00 per hour, which is a decent rate. This is his municipal client fee. He is willing to come out to the Livingston County. His son attends SUNY Geneseo. He is anxious to proceed and seems confident to do this. There was discussion on the length of work hours involved in an action of this type. The amount of time depends on the direction he receives from the Board. He is willing to start as soon as the Board would like. Mr. Bowitch charges half his normal rate for travel time. Mr. Morris felt that he could set up a conference call to start. Mrs. Semmel felt that it will be helpful that Mr. Bowitch knows the DEC

and Attorney General people involved.

Motion: Mr. Baldwin moved and Mr. Mahus seconded to approve the foregoing resolution..... Carried.

COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. **APPROVING ABSTRACT**-The abstract was mailed last week in the Board packets.

Motion: Mr. LeFeber moved and Mr. Gott seconded to approve the foregoing resolution..... Carried.

2. **AMENDING 2014 LIVINGSTON COUNTY BUDGET – CENTRAL SERVICES**

RESOLVED, that the 2014 Central Services Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1630	2680	Insurance Recovery Account	\$3,442.00
Increase Appropriation	A1630	4110	Building Expenses	\$3,442.00

Motion: Mr. Baldwin moved and Mr. Levey seconded to approve the foregoing resolution..... Carried.

3. **AMENDING 2014 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

RESOLVED, that the 2014 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4093	3472	St Aid Special Health	\$7,870.00
Increase Appropriation	A4093	4200	Print/Ad	\$7,870.00

This amendment is for some cost of living adjustments by the State for the tobacco program.

Motion: Mr. Schuster moved and Mr. Baldwin seconded to approve the foregoing resolution..... Carried.

4. **AMENDING 2014 LIVINGSTON COUNTY BUDGET – EMERGENCY MANAGEMENT**

RESOLVED, that the 2014 Emergency Management Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3646	3306	SHSP Grant Funds	\$170,796.00
Increase Appropriation	A3646	2200	SHSP	\$170,796.00

This was for the piece removed from the \$6M grant in order to be under the grant limits and that could be funded by another grant through Emergency Management.

Motion: Mr. Mahus moved and Mr. Schuster seconded to approve the foregoing resolution..... Carried.

Mr. Coyle explained that the next two actions relate to equipment from home committees because they are expansions to the fleet. The annual review of the purchasing policy will be done at the next committee meeting.

5. **AUTHORIZING THE PURCHASE OF A FORD E-450 TYPE III ADULT PASSENGER BUS FROM SHEPARD BROS., INC.**

RESOLVED, that the Director of the Center for Nursing and Rehabilitation is authorized to purchase a Ford E-450 Type III Adult Passenger Bus under NYS Contract #PC65662 from Shepard Bros., Inc., 20 Eastern Blvd., Canandaigua, NY 14424 at a total cost of \$60,428.33.

Mr. Coyle explained that this was passed by Human Services as a needed purchase. The purchase will be made under NYS Contract. The bus will have a 1,000 lb. capacity deck, capable of transporting up to 6 wheelchair bound individuals at one time. CNR had budgeted \$55,000 for this as a 2014 capital purchase. The 1,000 lb. deck capacity was selected to address bariatric transport needs that cannot be met by traditional transportation

providers. Mr. Gott explained that there was a patient that exceeded the weight limitations of the 800# deck. There are many uses for this vehicle, especially for dialysis.

Motion: Mr. Baldwin moved and Mr. Schuster seconded to approve the foregoing resolution..... Carried.

6. AUTHORIZING PURCHASE OF A MOHAWK STATIONARY HYDRAULIC LIFT THROUGH NY SOGS CONTRACT #PC64743 – MOHAWK LIFTS

WHEREAS, the County Highway Superintendent has determined it is necessary to replace an existing 1996 Rotary 12,000#-capacity drive-on hydraulic lift in the Mechanic’s Shop, now, therefore, be it RESOLVED, that the County Highway Superintendent is authorized to purchase one, new Mohawk Model TP-20 Two-Post, Heavy-Duty Stationary Hydraulic Lift (20,000# capacity) through NY SOGS Contract #PC64743.

<u>Contract</u>	<u>Amount</u>
Mohawk Lifts	\$32,302.32

65 Vrooman Ave.
Amsterdam, NY 12010

For: Purchase of one, new, Mohawk Model TP-20 Two-Post, Heavy-Duty Stationary Hydraulic Lift

This proposed purchase is recommended by the Public Services Committee. This lift will replace the existing 1996 Rotary 12,000#-capacity drive-on hydraulic lift which was purchased in 1996 and is long past its usable life. The new lift will provide more capacity, thus enabling larger vehicles to be serviced on it. Smaller lift were recently declared surplus.

MOTION: Mr. Baldwin moved and Mr. LeFeber seconded to approve the foregoing resolution. Carried.

Pre-approved Informational Item(s) To Be Reported

1. Budget – Mr. Coyle reported on the year end transfers with the County Treasurer moving the operational surplus to the capital projects as previously discussed. These transfers fall under the year end transfer done in December.

Motion: Mr. LeFeber moved and Mr. Mahus to add these transfers to the end transfer resolution done in December 2013 for the Capital Improvement Projects. Carried.

2. Misc. Updates – Mr. Coyle reported that he did have his quarterly meeting at the CNR and he did see the mock up unit. The second transitional unit is a repurposing of an existing family unit.

ADJOURNMENT

Mr. Baldwin moved and Mr. Schuster seconded to adjourn the Committee meeting at 2:34 p.m.

Respectfully submitted,
Michele R. Rees
Clerk of the Board