

**WAYS & MEANS COMMITTEE MEETING MINUTES**  
**TUESDAY, MAY 27, 2014**  
**1:30 P.M.**

PRESENT: D. Pangrazio, T. Baldwin, M. Schuster, D. Mahus, E. Gott, D. LeFeber, L. Semmel, B. Donohue, I. Coyle, A. Mann, L. Fox

ABSENT: G. Levey

**COUNTY TREASURER – AMY MANN**

**Pre-approved Informational Item(s) To Be Reported**

1. Treasurer's 2013 Annual Report-Ms. Mann explained that she will not be presenting to the full board due to scheduling and introduced her deputy, Linda Fox. Ms. Mann gave an overview of her 2013 annual report and distributed the report to the committee. She will have a copy for the rest of the Board tomorrow. The auditors just left and did not seem to find anything. The official report will be received in the next month or so. Everything is running very smoothly. There has been an increase in residency certificates. There were 2,247 in 2013. The counter has been very busy. They have received a lot of compliments on how that process is running. They have processed 1,100 employees' payrolls totaling \$4.8MM. The payroll person that used to be involved in other projects is no longer able to do so. She now works closely with Personnel to make sure everything is smooth for the employee and if they have questions. The 2013 tax auction was later than usual due to the publishing problems. There were 28 parcels sell with bids prices totally \$401,000 with a profit of about \$52,000 after the penalties and fees were taken into course. Ms. Mann reviewed some financial highlights from her annual report: Revenue Fund stayed fairly flat and money was moved into both existing and new capital project accounts. Ms. Mann explained the comp fund negative number and reserve amounts. It is higher this year due to some incorrect assessment fees billed in 2012 and the claim volume was up quite a bit on old claims that were reopened according to our carrier. The revenues received for the nursing home do not reflect the IGT funds. Mr. Coyle explained that, because of accruals and timing of reimbursements and the like, there is an oddity with the General Fund and the nursing home. The CNR revenues received do not reflect the IGT because it has yet to come in but the General Fund does reflect the amount that we had to encumber for the IGT match. Information has been received that the IGT for the nursing home will be roughly \$7M. There was \$2.9MM put toward the separate capital project accounts. Article 11 seems to be working and more people are paying their taxes on time. There are still one or two parcels each year that are in bankruptcy or foreclosure procedures. Ms. Mann reviewed the 2013 sales tax comparison with surrounding counties. There was discussion on the drop in sales tax receipts discussed at NYSAC Finance School and the local counties that are also down.
2. Foreclosure Update - The 2014 auction is scheduled for July 24 at 6:00 pm at the Highway Garage. She and the County Attorney have both confirmed that the publications comply with Article 11 requirements so she does not foresee any problems with that issue this year. According to this time last year, we are approximately thirty parcels behind. After going through the lists, she does have several that have paid the 2013 taxes and she is hoping that they are just waiting until that last week to pay the 2012 taxes. She will be having staff start making calls the first week of June as a courtesy. Ms. Mann is requesting the Board's assistance in contacting homeowners to try and get these taxes paid. The deadline to pay is Monday, June 16.

**PERSONNEL ISSUES**

**Action Item(s) To Be Reported**

1. DEPARTMENT OF HEALTH – JENNIFER RODRIGUEZ – Ms. Rodriguez explained that this is a vacant position and Mr. Pangrazio explained that he has an email  
**AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE – DEPARTMENT OF HEALTH RESOLVED**, that the 2014 Hourly Employee Salary Schedule is amended as follows:

- Delete one full-time Registered Public Health Nurse position effective immediately

Ms. Rodriguez explained that this is a vacant position that was overlooked when the earlier deletions were done.

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

**EXECUTIVE SESSION**

Motion made by Mr. Gott and seconded by Mr. LeFeber that the Board adjourn and reconvene and all Supervisors, County Administrator Ian M. Coyle and Ms. Rodriguez remain present. Carried.

Mr. Baldwin moved and Mr. Schuster seconded that the Committee reconvened in regular session. The following report was presented.

No Action Taken.

*Motion: Mr. Gott moved and Mr. Baldwin seconded to eliminate the Mental Health Services Coordinator position Salary Grade 19 effective upon approval of the Board of Supervisors on 5/28/14 ..... Carried.*

**COUNTY ADMINISTRATOR – IAN COYLE**

**Action Item(s) To Be Reported**

1. **APPROVING ABSTRACT** – The Abstract was sent out in the Board packet.

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

2. **AUTHORIZING TRANSFERS – COUNTY CLERK, DEPARTMENT OF HEALTH**

*Motion: Mr. Baldwin moved and Mr. Schuster 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	A4035	4489	Other Federal Health	\$11,150.00
Increase Appropriation	A4035	2200	DP Equipment	\$11,150.00

Mr. Coyle explained that this is for the family planning grant.

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

4. **AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE COUNTY OF LIVINGSTON – BONADIO & CO., LLP**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the County of Livingston, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Bonadio &amp; Co., LLP</b> 171 Sully’s Trail, Suite 201 Pittsford, NY 14534 For: Dependent Eligibility Audit	6/1/14-10/1/14	\$17,640.00

Mr. Coyle reported that he has met will Bonadio, Personnel and the Treasurer’s office on an audit. We will need to share a lot of information with the unions. As a self-insured county it is important to determine that we are not paying for ineligible dependents. There was discussion regarding an amnesty period of thirty (30) days before applying a penalty. Mr. Coyle did budget in special projects for this type of action.

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

**5. SUPPORTING NECESSARY REFORMS TO NEW YORK LABOR LAW §240 AND §241**

WHEREAS, New York Labor Law §240 and §241, commonly known as the “Scaffold Law,” outlines liability for injuries caused by an employee’s fall from a height; and

WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, the law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in the state stem from Scaffold Law issues and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500 percent; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and

WHEREAS, the increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in other states; and

WHEREAS, not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number new construction jobs created every year, making it more difficult for many of New York’s skilled laborers to find appropriate employment; and

WHEREAS, recent studies by SUNY’s Nelson Rockefeller Institute of Government suggests that workers are more likely to be injured due to the current version of the Scaffold Law; and

WHEREAS, this was based off statistics on construction injuries in Illinois that show a decrease in work related injuries since the 1995 repeal of its Scaffold Law at a much quicker pace than here in New York, and

WHEREAS, following the removal of the Illinois Scaffold Law, the state also found an increase in the number of construction jobs created on an annual basis; and

WHEREAS, comparative negligence standards would help maintain worker safety while decreasing some of the insurance costs related to implementation of the current Scaffold Law; and

WHEREAS, this negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker’s actions contributed to his or her injury; and

WHEREAS, federal regulations have been enacted that attempt to protect workers from injury to falls by requiring certain precautions to be in place for people working at height and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors is strongly in support of Scaffold Law reform as well as meaningful protection of construction workers; and be it further

RESOLVED, that the Livingston County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leaders Dean Skelos and Jeffrey Klein and the local delegation to the New York State Legislature.

*Motion: Mr. Schuster moved and Mr. Mahus seconded to approve a resolution supporting necessary reforms to New York State Labor Law §240 and §241..... Carried.*

## **Pre-approved Informational Item(s) To Be Reported**

1. Coroner's Update (with David Morris) – Mr. Morris explained that the coroner is clearly a public officer and clearly an employee. They need to be paid in a way that FICA and retirement can be addressed. We currently pay them by voucher per call or removal. The committee discussed increasing their call rate at an earlier meeting, but Mr. Morris felt that there needed to be more research done. Chairman Gott explained that the calls need to be dispatched through the 911 dispatch center. There was discussion regarding the need for a coroner, if a doctor at Noyes is calling the time of death already. Mr. Coyle reviewed the call history for 2012-2013 for coroners through the dispatch center. There was discussion of setting a flat salary for all coroners or different salaries for each. There are calls not going through the dispatch center according to the amounts spent. There was discussion regarding the salary increase including the mileage rates. There was discussion on the high number of removals going to the medical examiners office. There was discussion that per diem employees would need to be processed through Personnel. There was further discussion of the coroner removals. The only time the County should be paying for a removal is when the cause of death is suspicious and needs to go to the medical examiners office. The County Administrator will determine the per diem amount for discussion at the next committee meeting.

1. Budget Update – Mr. Coyle reported that IGT did get approved and will be approximately \$7M this round. Our portion of the pot is continuing to get larger and that could increase the local match to as high as \$4M for the next round. Mr. Coyle and the County Treasurer are meeting with Standard and Poor's this week to review county ratings. The CDBG program was the subject of a radio show today that may increase attendance at the public hearing tomorrow.

### **ADJOURNMENT**

Mr. Schuster moved and Mr. LeFeber seconded to adjourn the committee meeting at 2:54 p.m.

Respectfully submitted,

Michele R. Rees  
Clerk of the Board