

PRESENT: Chair Bausch, Legislators Cianfrini, Hancock and Leadley. County Manger Gsell. Also Present: Legislature Clerk Pratt, Legislators Ferrando and Stein, County Treasurer German, Deputy Treasure/Real Property Director Landers, Deputy Real Property Director Andrews, Election Commissioners Siebert and Cassidy, Mental Health Director Reaves, Highway Superintendent Hens, County Attorney Zambito, Nursing Home Administrator Schaller, Human Resource Director Marchese, Batavian Reporter Owen, Self-Insurance Executive Secretary Jasinski, and Legislator Lawrence.

Chair Bausch called the meeting to order at 4PM in the Legislature Conference Room. The minutes of the December 5, 2012 meeting are not ready for approval at this time.

Election Commissioners Siebert and Cassidy recommended approval of a contract renewal with NTS Data systems through December 2013 for maintenance and support on Team, Sign It, and IMS and for poll book printing. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Leadley.

It was noted that Villages and School Districts have been given an extension through 2013/1014 for conversion to electronic voting machines. This will be an issue for them in 2015.

Deputy Treasurer/Real Property Director Landers and Deputy Director Andrews requested an amendment to the 2013 Tax Warrant resolution reflecting a change in the Town of Pavilion warrant to include Sewer District charges. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Hancock.

A Memorandum of Understanding with Orleans County for tax map maintenance through December 2013 in the amount of \$6500 was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Leadley. This is a win/win for both parties and it is the hope that this agreement will continue.

A salary schedule amendment in the Mental Health Department to correct an error in the base salary of the Confidential Secretary by adding \$5050 for a total of \$40,905 effective January 1, 2013 was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Cianfrini. The correct amount of money was approved in the 2013 budget.

The Committee reviewed a letter sent by the County Attorney to State Mental Health requesting a waiver for the requirement that the Director of Community Services be a full time position and permission from the Inter-Office Coordinating Counsel to utilize a "less than full time" position. It is hoped Director Ellery Reaves will be appointed by the Mental Health Board to continue in this capacity which would be a local a regional benefit.

Highway Superintendent Hens recommended the establishment of a Capital Project-Ag Park Drive as a result of a USDA grant award. It will be an 1800 foot extension and Highway will be doing the work. The original plan was for the award to be directly to GCEDC but the grant will now be awarded to the County. We do now own the property. The construction will be from Alpina's second driveway to the S curve right before the cut into Highway. It is not the Route 63 entrance. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Cianfrini.

Mr. Hens requested approval of a budget amendment with the County Road Fund to allow correct funding of accounts and retirement payouts in a total amount of \$3,175. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

Mr. Hens requested approval of a 2013 salary schedule amendment to correct a clerical error. It was his intent to fill the principal clerk position effective January 1, 2013 not April 27th. Shawn Barone will be retiring on that date and he needs the additional time for training. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Leadley.

Nursing Home Administrator Schaller stated that it was her original intention to lay off the Nursing Home Therapist positions February 28, 2013. It has since been determined that one of the therapists is within months of a 20 year retirement. She is proposing that the therapist positions be continued through the end of 2013. They would remain County employees, but report to the contractor. Legislator Bausch asked if all three positions would qualify for retirement benchmarks if the positions were extended. They would not. Legislator Cianfrini stated that he understood the request for the 20 year employee, but not the other two. Human Resource Director stated that it was her concern that the three positions be treated equally. She deferred to the County Manager and County Attorney for their opinions. The request to extend the position was from the Union and it was for the 20 year benchmark employees. Legislator Cianfrini voiced his opinion that it was appropriate to extend the one position but not the others. Legislator Ferrando stated he believes the decision should be made on benefits to the County. Legislator Hancock spoke in favor of extending the one position. Upon motion of Legislator Cianfrini seconded by Legislator Hancock a motion to approve a salary schedule amendment deleting 2 therapist positions will appear on the next Legislature Agenda and approved 4-0.

Nursing Home Administrator Schaller requested approval of consultant services for the Co-Gen preventive maintenance service renegotiation. It has been a concern of hers for many months as the energy market is vastly different than it was when the contract was originally approved. This is not her area of expertise and she has enlisted the services of a consultant, Robert Jones of Rochester, NY, to assist her at an hourly rate of \$100 not to exceed \$6,000. Legislator Cianfrini asked if this had been put out to bid and County Attorney Zambito stated he believed this was a professional service and therefore not required to go out to bid. This was approved for placement on the next Legislature

Agenda upon motion of Legislator Leadley seconded by Legislator Cianfrini. The contract will be effective June 1, 2012 through December 2013 with a total cost not to exceed \$6000. Ms. Schaller stated that if a renegotiation results, that contract will be brought back to Committee for approval. Natural gas prices are now much less than when the original agreement was put in place and the facility has also reconnected back to the grid. It is time to relook at this contract.

Human Resource Director Marchese and Self-Insurance Executive Secretary Jasinski were present to answer any questions which may arise on the discussion to follow. A County employee who is also a Volunteer Fireman was injured in July 2011 at a fire scene when he was burned on his foot by a hot coal. The wound became infected and he was treated. In 2012 the same employee was treated for a foot wound which he believed to be the result of diabetes. He used his county sick time for that injury. It has since been determined to be part of the original fire injury which never healed. As a result, he has received Worker's Compensation pay for the time off. The employee has asked if he should buy back his sick time. After much discussion it was the consensus of the Committee not to approve the buyback of sick leave and this was confirmed upon motion of Legislator Cianfrini seconded by Legislator Hancock 4-0.

Human Resource Director Marchese recommended an award of contract to Premier Consulting as a health benefits plan consultant to initiate and facilitate on-going efforts by the county and its joint Labor-Management Health Benefits group to effectuate cost savings in our Self-Insured Plan and provide assistance with general administration of the plans. The current consultant's agreement expires in February and an RFP was issued with nine proposals received. Premier Consulting was our original provider and changes and moving forward have come to a stalemate under the change. The contract will be for two years at \$40,000 per year. Legislator Cianfrini noted that this was not the lowest proposal received. Because it was a request for proposal, other factors besides price can be used in the evaluation. In this case, the workplan, past experience with the provider and other factors were of great influence. Price was just one consideration. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Cianfrini.

Mrs. Marchese recommended approval of a salary schedule amendment at the request of the Veterans Service Officer, William Joyce. He wishes to receive his full pension and cannot earn more than \$30,000 in the Veterans Service Officer position. The amount appearing on the Salary schedule is greater than that and he has requested the reduction. Legislator Lawrence asked if a 211 waiver could be filed on his behalf. Mrs. Marchese stated she had reviewed this previously and does not believe that the circumstances warrant such an application. She will check again. The candidate needs to be "singularly qualified". The approval would come from the state and they have discouraged such applications in the past. Legislator Cianfrini noted that Mr. Joyce is not afraid to go the extra mile on behalf of his Veterans and he is doing a great job. Chair Bausch asked if there were any other arrangements that could be made to accommodate Mr. Joyce such as

payment of the total salary earlier in the year. The resolution was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

Mrs. Marchese recommended a salary schedule amendment within her department which would place the Human Resource Specialist on Grade 4 versus the current rating of Grade 5. The position is being vacated by the retirement of Debbie Seymour and Mrs. Marchese anticipates the position will be filled by an incumbent in her office. The downgrade is at the recommendation of the Salary Review Committee. The position has not been reviewed for over 20 years. Legislator Lawrence and County Treasurer German voiced their objection to the downgrade. Mr. German stated that this is a very important position to every employee and Department in this County and a downgrade at this time just did not make sense. Legislator Lawrence noted that she was a Human Resource worker and felt that with all the changes facing such departments a downgrade was not in order. She asked that the recommendation of the Committee be overridden at this time. County Treasurer German stated that he has requested to be a member of the Committee for sometime but this has not happened. Mrs. Marchese stated that an RFP is being issued to look at the current salary schedule and get recommendations on how to proceed for the future. She would like to see what they say. One of the current concerns about the plan is that it weighs supervision of other employees and for the smaller departments this is not applicable. Legislator Hancock made a motion to accept the recommendation of the Committee for the downgrade of the position. Legislator Lawrence asked that the downgrade be tabled for review and discussion. The original motion to accept the recommendation and proceed with the downgrade was made by legislator Leadley seconded by Legislator Cianfrini. It was approved 4-0. Mrs. Marchese noted that she believed the study of the salary schedule would begin in the 2nd quarter of this year. Legislator Cianfrini stated he was sensitive to the needs of the position under discussion and that perhaps it should be revisited later in the year and reviewed.

County Attorney Zambito requested approval of a transfer from the 2012 contingency fund to allow payment to outside counsel on two pending cases. Both are Federal court cases handled by outside counsel which were closed prior to his becoming County Attorney. They have been since reopened and are very costly. Both claimants are currently in prison. The transfer of \$36,500 was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock. \$500 of the transfer is for personnel travel expenses.

Legislature Clerk Pratt asked the Committee about the 2013 Outreach Schedule. It was the consensus of the Committee to hold two Outreach meetings this year, May 22 and June 26th. Legislator Cianfrini stated that Oakfield had requested an earlier meeting but the date was not available. He would like them to have first pick. The second meeting will be held at a municipality we have not been to recently. Legislators are asked to contact their districts to see who is willing to hold a meeting.

The County Manager's Office has prepared the tentative Department Review Schedules. It was the consensus of the committee that these need more thought and they will be reviewed again for additional input.

A compliance review questionnaire needs to be filled out by 5 Legislators for a federal grant received. The questionnaire was distributed and completed by those present.

County Manager Gsell reported that an IGT payment will be coming in February. There may be a previous payment recoup in the amount of \$180,000 but details are not known at this time. It is important to note that the Committee appointed by the Governor on Mandate Relief submitted many ideas and suggestions submitted by the counties to the Governor. These have all been uniformly objected to and dismissed.

The Preschool Transportation issue still remains open.

The Veterans Service Offices will be relocated to County building No. Two on January 17, 2013.

The Committee for the selection of the Assistant County Manager is relooking at some earlier applications and well as a new possibility.

The meeting was adjourned at 6:15PM upon motion of Legislator Hancock seconded by Legislator Cianfrini.

Robert Bausch, Chair
Ways & Means Committee
Submitted 1/8/13 cpp