

Minutes

Audit & Control Committee

Thursday, March 16, 2017, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Nazzaro, Muldowney, Borrello, Gould

Others: Tampio, Niebel, Lis, K. Swanson, Caflisch, Holder, Crow, Dennison, Gustafson, Himelein, Porpiglia, Parment, Gerace, Schuyler, Horrigan, Zahn, Dulle's, DeAngelo

Chairman Chagnon called the meeting to order at 8:37 a.m.

MOVED by Legislator Nazzaro, SECONDED by Legislator Borrello and duly carried the minutes were approved. (2/16/17)

*Unanimously Carried*

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1<sup>st</sup> Privilege of the Floor

No one chose to speak at this time.

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Proposed Local Law Intro. 2-17 - A Local Law Authorizing County Assistance and Incentives to Municipalities for Consolidation and Dissolution

Legislator Niebel: Thank you Mr. Chairman, members of the Committee, it's a pleasure to be here. The local law that you have before you is a local law that would allow the County to provide financial incentives to municipalities that would either consolidate or dissolve. Now, it doesn't say that we have to or that we even will but it just gives us the ability to do that. We've had a number of villages that have voted recently to dissolve and if we would like to help those villages, this local law would allow us the authority to do just that. What's happening Mr. Chairman across the State is the State under Governor Cuomo is providing financial assistance to municipalities that do just this, dissolve or consolidate. It's under –

Legislator Borrello: Article 17- A, Citizens Empowerment Tax Credit.

Legislator Niebel: Thank you George.(*cross talk*). Thank you Mr. Borrello. So this would kind of dovetail or be parallel to that and it would give us the framework in which to provide either financial assistance or in-kind services. Now, to actually do that though, we would have to have a resolution or resolutions in the future and it would have to specify a dollar amount but this just gives us the ability to provide that assistance if the County so desires.

Chairman Chagnon: Any questions or comments?

Legislator Borrello: I'm in very much support of this and Terry thanks for putting this together. In fact, I would like to be added as a sponsor if I'm not already on there. This is obviously the first step. We're not making any decisions on exactly what the assistance will be but this local law is the first step. I will say the concept that I'm supportive of as Chairman of the Regional Solutions Commission and someone that has been working hard on a lot of the consolidation dissolution and efficiency efforts is that, I think there is a gap in what the State has provided both in the way that they go about the process and also the confrontation afterwards. Certainly, I would like to see us provide something that benefits the residents of the former municipality that has dissolved because that's really were the hardships and unexpected expenses occur in dissolution. So, I think that we can take a leadership position on this. As you all know, we're a finalist in the Municipal Consolidation and Efficiency competition for up to \$20 million dollars. I think that while this wouldn't directly impact that, it certainly would help in that effort.

Legislator Niebel: It can't hurt.

Legislator Borrello: So, I'm certainly supportive of this and again, thanks to Legislator Niebel for bringing it forward.

Chairman Chagnon: Other questions or comments?

Legislator Nazzaro: Just a quick question Terry. The \$20 million that is up for competition, that's separate?

Legislator Niebel: That's separate.

Legislator Nazzaro: That's totally separate. You are referring to that here.

Legislator Niebel: Yes, I did have the Law Department assist me in putting together the local law and that was included in here. Again, I'm not saying that this will help us to land that grant. George and Dan Heitzenrater and the County Executive know more about that than I do but what this is, it's just a framework to allow us to assist municipal governments that want to do the same thing that the State is encouraging the municipalities to do. From a State viewpoint, this allows us to do that on a County level. But again Chuck, what we would have to do is, if we actually wanted to help a certain municipality or whatever municipality, we would have to have some resolutions in the future and it would have to specify a dollar amount. This basically just provide the framework for it.

Legislator Nazzaro: And I would think, depending on the outcome of this, you would have to develop a process, you would also have to – it's just like applying for different funding, like bed tax or the occupancy tax. Totally different but there is a process. You have to rank them and also it would be a budget item.

Legislator Niebel: It would be.

Legislator Nazzaro: That would have to be part of the budget process. I'm not against this, I think that it is a good first step but I think too, depending on how this goes through the Legislature, we would have to fill up a process, a committee maybe or amend a budgetary amount in say the 2018 budget. Right now this is not budgeted for in 2017. So, I think it's a good first step but again, I think, like you said Terry, you have to frame it up and have guidelines and dollar limits set and a ranking system.

Legislator Niebel: And that could come in the future Chuck. This is just a basic first step to allow us to do that, if we want to. I mean, nothing says that the County has to do it, it's just that it would grant us the authority to do so if we want to.

Legislator Borrello: Just one more comment as far as the grant that we're currently in the process for. Should this pass the Legislature, obviously the first step is the local law, then we would have to introduce actual legislation to what do we want to do, how do we want to do it and that would be sometime next month. Our application deadline is June 28<sup>th</sup> and should this pass, I certainly would include that in our application, our Phase II application saying and by the way, this is something else that the County is doing to assist municipalities that are pursuing consolidation and dissolution. So while it's not an official part of it, it certainly would help enhance our application, in my opinion. But again, as Terry said, this is just a local law that will allow us to do it. All the questions that you brought up and the good points that you made, that will be part of the next piece of legislation that will be introduced underneath this law should it pass.

Chairman Chagnon: Any other questions? I appreciate your comments because my detailed mind had the same detailed questions you were bringing up.

Legislator Niebel: Oh boy, that is what I was afraid of.

Chairman Chagnon: Again thank you for bringing this forward.

Legislator Niebel: And Mr. Chairman, if anybody – I'm putting this forward but if anybody would like to be a co-sponsor, check with Kathy. I would love to have some co-sponsors.

Chairman Chagnon: O.k., thank you very much. The next item on the agenda is a proposed Local Law Introductory 3-17 –

Legislator Borrello: Mr. Chairman, we haven't voted on the local law.

Clerk Tampio: You can vote on it but you don't have to sign it.

Chairman Chagnon: Do you want to vote on this?

Legislator Borrello: Yes, if we can. I think it would be good.

Chairman Chagnon: O.k., I'm sorry then, we'll back up to the previous local law. All those in favor?

*Unanimously Carried*

Proposed Local Law Intro. 3-17 - A Local Law Amending Local Law 7-90 Providing for a Management Salary Plan for County Officers and Employees (Re: Physician)

Mr. Porpiglia: Thank you for the opportunity to present this. The Department of Mental Hygiene has had the opportunity and has been tentatively successful in recruiting a physician to fulfill their Medical Director role. They currently comply with the State regulations on a waiver for this position. They've attracted an individual who's interested and came to Human Resources because we have not addressed that salary in years. There was no need for it. We've always had any of the physician roles that we entertained over the years has always been at less than 100% and the percentage is always worked out to fulfill the reasonable salary obligation. Not the case here. We're anticipating hiring full time physician so we checked the market, did our homework on salary ranges and what we have before you is what we feel is appropriate and we'll fulfill the current recruitment needs. So we're asking for your consideration to increase the high end of this to \$205,000 and move up the low range to \$90,000 from the current \$50,000 to \$101,000. Kathleen might want a moment to speak to the need and the program needs in the Mental Hygiene Department.

Mrs. Swanson: OASIS requires us to have a Medical Director and right now we're working on a waiver for that. With all of the new addiction medicines starting to come out, we really need somebody that can oversee this and administer it, right policies, so, with addiction being in the forefront of the news, we really want to bring to the community the very best of services and being able to have suboxone and vivitrol within the clinics will greatly enhance addiction treatment in our clinic. Also, I want you to know that we did budget for the position in our budget and it is revenue generated so there is no local share to this.. The position will see clinics and we will be able to bill for that.

Chairman Chagnon: Two important phrases, no local share, no budget impact. Do we have a new member of our committee down here. Oh, Mr. Gould, yes.

Legislator Gould: You obviously have a part time physician in this now? How much time and what are the wages he or she receives at this time?

Mr. Porpiglia: The part time position that the County has employed is in the Health & Human Services Department. It's totally separate from this. They do not –

Legislator Gould: There is no one in this position now?

Mr. Porpiglia: Correct.

Legislator Gould: At this time?

Mr. Porpiglia: Correct. And there would be no budget impact for Health & Human Services if you approve the salary range change. It still will have no impact, we're still within that percentage range of what we're currently paying the physician in Health & Human Services.

Legislator Borrello: Just a question on the revenue side of it. I'm assuming that it's Medicaid, Medicare, and private insurance. That is where the revenue is being generated and there is billing. Is there already an infrastructure for the billing part of that? How does that happen now?

Mrs. Swanson: Yes, we currently bill on the Mental Health side for a physician salary.

Legislator Borrello: So there is no infrastructure that has to be created to bill for those services? They are already provided.

Mrs. Swanson: No, we have an EHR system that can handle that so we're all set up and ready to go.

Legislator Borrello: So I guess my question is, there are no ancillary costs or expenses to add to this position?

Mrs. Swanson: No.

Legislator Borrello: We already have the infrastructure in place.

Mrs. Swanson: Correct.

Legislator Nazzaro: So currently for the OASIS side for chemical dependency, you've done the mental health side, so on this side this is new to the County, to have a physician in here and to bill out these clinical services.

Mrs. Swanson: We currently contract for a doctor in our Dunkirk clinic. In the Jamestown clinic however, we do not have anyone so this position will oversee both Dunkirk and Jamestown. What it is, is, our doctors are, I don't want to say, retirement age, I guess and we're concerned that eventually we're going to be without anyone. So right now, Dr. Gibbon who is our Mental Health psychiatrist oversees the OASIS piece of it but he's only overseeing a PA right now. He is not actually seeing clinics in the OASIS.

Legislator Nazzaro: Does the County enter into contracts with the health plans like a private facility regarding reimbursement? I mean, you have the Medicaid Managed Care plans, which you still have to have a contract with in the private sector so like Fidelis. (*Inaudible*) help options, value options, your care, all those different plans. Does the County – how does it work on the County side? Do you negotiate contracts?

Mrs. Swanson: Yes. We have contracts with all of them.

Legislator Nazzaro: Who negotiates those contracts?

Mrs. Swanson: Our department does. But then we send it over to Law and they have the final say on it.

Legislator Nazzaro: Because today's marketplace is, I'm very close to, negotiating those contracts. They are very critical and there is a lot of challenges when you negotiate those contracts. So, I just want to make sure the County is taking a good look at those contracts when they are signed because the health plan will do everything they can to deny claims and so forth.

Mrs. Swanson: I will say that OMH and OASIS are very active in helping us to negotiate these contracts. They actually provide different scenarios of wording for us so that we do have one –

Legislator Nazzaro: That goes to Mr. Borrello's question, making sure you have the infrastructure in place, not only the billing and the EHR but the contract so if something does come in, you are able to get reimbursed for the services.

Mrs. Swanson: Yes.

Legislator Nazzaro: Thank you.

Chairman Chagnon: Other questions or comments?

*Unanimously Carried*

Proposed Resolution - Accept New York State Voting Access for Individuals with Disabilities, Polling Place Access Improvement Grant Funds to Enhance Voting Opportunities to Persons with Disabilities

Ms. Parment: I'm here to have you guys accept our grant for (*inaudible*) accessibilities and then also in the same resolution we have to change our budget to cover the amount of the grant that we're receiving.

Chairman Chagnon: Questions or comments?

Legislator Borrello: Great job in getting the grant.

Ms. Parment: Thanks.

*Unanimously Carried*

Proposed Resolution - Reallocating Salary Grade for Communications Systems Coordinator

Mr. Porpiglia: Well what we have before you is your consideration for salary changes in the communication division of the Sheriff's office. This is an example of catching up to technology and properly classifying which Human Resources has done. We've changed titles and looked at the classification and some of the qualifications in these titles. In doing that, we

are recommending some great changes. It's become necessary because we do have a, I will call it a critical recruitment and retention issue in these positions in the Sheriff's office. It's not just resent, it's been a while now and the County had been fortunate with some employees that have been dedicated and I will say their career had them at a stage where they were going to stay but if we had to do this over again, we'd probably would have a real hard time. So, we developed a plan and I guess Mr. Chairman, I'm not following the exact script here yet. I'm taking the liberty and hope you are alright just talking about the larger scope of this situation.

Chairman Chagnon: You are really addressing all three of the next resolutions together in terms of the concept of what you are developing.

Mr. Porpiglia: O.k., with that, thank you. I'm just trying to give you that big picture and in the structure that we're looking at. So, in order to recruit and retain people, we've come up with a structure of employee titles that, we would bring in a trainee and that trainee would have opportunities to stay with the County and ascend into a higher position. In terms of the grades that we're proposing, we have looked at the rest of the organization, we've looked at the market and we feel this is appropriate. We have had a difficult time competing with the private sector in some of these talent areas but we've also looked internally at what we have in terms of level of supervision and what do we pay other people that have similar duties and responsibilities. One of them that you entertained for us last month was actually in the Sheriff's office. If you remember the Senior Police and Dispatch position that you approved a Grade 17 and that is one of these grades we're asking you to approve because it has some similar supervisory roles involved in it, just as an example. The first one on your resolution list, the Coordinator, is a little bit of a different position. There wasn't really a marketplace for that. Our comparison is internally, our System Analyst position in our IT Department. This is where we see this fits and that is why we're proposing that Grade 21. It is currently a Grade 21 on the salary schedule. Again, the issue with us, retention, we have not had a lot of success helping the Sheriff's office gaining the skill that we need for these positions. You have, as a Legislature, authorized millions of dollars for these operations, the communication systems that are in place now and we need to get the proper personnel to maintain that operation. You will hear from the Sheriff in a moment over viewing what that operation is but, we feel confident upon your approval that we would be able to address this retention. The most recent testing on this civil service recruitment for testing, resulted in 3 people on the list. It's very difficult to give an option to an acquainted authority to choose and interview the options within the civil services standards. That is just a most recent example of where we aren't drawing enough interest in these positions and we are competing in a sense with those, if you will, IT positions that are out there. We are competing with that because it's no longer a hand-held radio that we're talking about. We're talking about advanced technology. So, with that, before we get into individual resolutions, if you have any questions, I'll let the Sheriff talk about the program a little more.

Sheriff Gerace: I apologize for my gravelly voice. I'm getting over this second round of whatever I had. We actually have a small operation. There is a total of five positions included here. The first one has been called the Project Coordinator, that was Matt Trusso's position and under this proposal, it would change the Communication System Coordinator, that is what that would now be called. Matt's role is multifaceted besides being our Interoperable Radio System Manager, he's also the 911 Coordinator for us and in this reallocation and readjustment, he

would oversee the technology division of the agency. Then below that was the Radio Officer and it's my understanding that it has been vacant for almost 2 years. We have not been able to fill it because it wasn't competitively salaried. People that had the necessary background weren't interested in taking the job for what we paid. The private sector paid a great deal more than we could pay them. So, we struggled. We struggled on the lower end too to get installers because we weren't paying enough. So we have currently a Senior Radio Technician, two Radio Technicians and then this Project Coordinator. We just filled, at least temporarily, an Installer Trainee. How long we'll retain that person is anybody's guess. He's very credentialed. Just not qualified for the top job so this would put us in a little bit more competitive mode. I still think that it's a little under but we have a disagreement trying to get people into this job but it's much better than where we are today. The job duties, readjusting the name of their jobs makes sense because it has changed dramatically. I think these original position titles had to go back, I'm not kidding, to the 50's. Now every radio we use is a computer. All the products used to program them and to repair them is all computerized so those folks that come in need those computer skills in addition to radio knowledge and it's hard to find them. But their involved in the County-wide radio system, the microwave network, and maintaining that and that's not something that we take lightly. It's a daily occurrence between the two, installation and repair and maintenance of radios for the police, fire, EMS, CARTS, DPF, even the security camera systems we're involved in and the purchase and installation of those systems for all the County complexes and updating and keeping our 911 system current. We just went through a major renovation upgrade of the 911 system and we are now, what's called Next Generation 911, compliant. That was very quietly done behind the scenes but we rebuilt the entire network for 911 in the County flawlessly. Pretty proud of what these people did. There wasn't even a blip in the radar.

Chairman Chagnon: Questions or comments?

Legislator Borrello: You said that the position was open for the last 2 years. I guess that begs the question, do you need it if it was open for two years?

Sheriff Gerace: We have been so far behind. One of our goals was to create a bigger customer base so we could bring revenue in. Installing for other entities, like police agencies. We haven't been able to do that. We're way behind in our car rollouts. It's definitely had a negative impact on our operation. No question about it. Other people are wearing two or three hats. My brother who was the technology guru for the Sheriff's office retired so he is gone. He was picking up the slack as a sworn deputy. So, yes, this has definitely been an open gap in our operations.

Legislator Borrello: The Next Generation 911, does that create new issues that need to be addressed from the technology IT standpoint.

Sheriff Gerace: Well, it's different. It's an IP based instead of what I call the old (*inaudible*) copper wire. It's because someday if the State and the nation get their act together, we'll be interconnected between 911 centers and we'll have the ability to transfer calls seamlessly and calls will be directed based on their actual location instead of the tower site they had. It's so antiquated.

Legislator Borrello: So you are actually a voice base system?

Sheriff Gerace: It will be, voice over IP. Yes, it's all digital now, capability. What we'll hope to rollout with the proper people in place is features that G911 that we don't have today including texting 911 and Y video streaming to 911, so that technology is in play. We now have to work with the providers to get it delivered. So, that will be very helpful. You can imagine a 911 dispatcher telling somebody to hold up your phone and hit the camera and we can see what you are seeing. It could be overwhelming but it could also be very helpful.

Legislator Gould: I see the Grade is now 18 and if my mind serves me right, he was moved to that grade 2 years ago?

Sheriff Gerace: You have a better memory than I.

Mr. Porpiglia: You are talking about Matt Trusso?

Sheriff Gerace: It must be Matt.

Mr. Porpiglia: Must be Matt, that's the only Grade 18.

Legislator Gould: It wasn't too long ago that that was upgraded, that position. I was wondering if you guys remembered how long ago.

Mr. Porpiglia: Prior to last month, I don't think that we had been before you for reallocation for at least 5 years. I can't remember if that title was in there just prior to that. I really don't know. I don't believe that we addressed any of these titles.

Sheriff Gerace: It's a very modest increase for him because (*cross talk*) –

Legislator Gould: I'm going to support it. I'm just curious.

Sheriff Gerace: You could be right. I don't recall it. Because we did move him from Radio Officer to this project here. Here's a guy, just to speak to him, he's the one that successfully wrote the \$6 million dollar grant. I don't think that there has been a company that we have dealt with that hasn't tried to head hunt Matt Trusso away from us. He's more toward the end of his career. He has to have at least 30 years in.

Legislator Nazzaro: Just a quick comment. I'm supportive of this because I know in the private sector, these types of jobs are in demand. Even the private sector is having difficulty recruiting because of all the new technology and there are shortages of the qualified people. I think eventually that shortage will be reduced as kids come out of college and have the training so, I think that it is good that you are looking at the jobs.

Chairman Chagnon: Anyone else, questions or comments?

Sheriff Gerace: I think the question that I need to bring up is, the money for the upgrades.

Chairman Chagnon: You stole my thunder.

Sheriff Gerace: We actually budgeted for the Program Coordinator at a Grade 22 in our budget. So there is a little more budgeted than the 21 (*inaudible*). The other issues are that the Radio Officer's job will not be filled. It will be filled by a trainee at the low end so we're kind of restacking the whole system. We're not losing a position but we're bringing someone in at a Grade 8 that would have been at, what was the Radio Officer?

Mr. Porpiglia: Grade 15

Sheriff Gerace: Fifteen so there is adequate funding within that sub budget to cover the increases.

Chairman Chagnon: No budget impact.

Sheriff Gerace: We hope would be a positive budget. Very minor.

Chairman Chagnon: O.k., we have three proposed resolutions that we were just talking about in total here. So, if we're ready, we'll take the first proposed resolution which is Reallocating Salary Grade for Communications Systems Coordinator. Any further discussion on that proposed resolution ?

*Unanimously Carried*

Proposed Resolution - Reallocating Salary Grade for Communications Technician

Chairman Chagnon: Any additional questions or discussions on that proposed resolution.

*Unanimously Carried*

Proposed Resolution - Reallocating Salary Grade for Senior Communications Technician

Chairman Chagnon: Any addition questions or comments on that proposed resolution?

*Unanimously Carried*

Proposed Resolution - Applications for Credit of Real Property Taxes for 2017

Chairman Chagnon: I will note that we have a corrected resolution. There were some typos that were made to it.

Mr. Caflisch: This is an application for correction of errors. It exceeds the \$2,500 authorization that we can do without legislative action. It was a property that had a re-levy of a school tax and it was discovered that the school tax had been paid so it's just going to be a correction of the tax roll.

Chairman Chagnon: Questions or comments?

*Unanimously Carried*

Proposed Resolution – Quit Claim Deeds

Mr. Caflisch: Mr. Chairman, there are two properties here. The first property was a property that was previously in a bankruptcy proceeding. It was a protracted proceeding. The Assistant County Attorney and myself worked diligently to try to deal with bankruptcy court. It had a substantial liability against it and the net result is that we ended up selling it for \$4,750. The second property was a property in the City of Jamestown that was a demolition. That is why the property taxes are higher and is now a vacant lot so this was an offer on the RFP list that I bring before you and I recommend its sale.

Chairman Chagnon: Any questions or comments?

Legislator Borrello: Where is the house in Silver Creek?

Mr. Caflisch: This is the Valvo Convenient Store.

Legislator Borrello: Oh, I thought that that was already –

Mr. Caflisch: No, this is the final.

Chairman Chagnon: Jim, one thing that caught my eye is that it appears that school taxes were being paid for part of the time.

Mr. Caflisch: On which property Mr. Chairman?

Chairman Chagnon: The first property.

Mr. Caflisch: It was a very complicated bankruptcy proceeding. The previous owner had several attorneys, we had different agreements that we had with the court and the person in bankruptcy to make payments. So, payments had to be applied – we do them in reverse chronological order in which they are incurred so because of the way the payments were applied, it was a very complicated property to keep track of with the payments and just the court orders, changes and interest that were ordered at various times so it was a case that we're happy is out of our domain and we hope that we don't get any more of these.

Chairman Chagnon: Thank you. Any other questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Acceptance of Indigent Legal Services Grant for the  
Period January 1, 2016 to December 31, 2018

Chairman Chagnon: Anyone to address this to the committee?

Legislator Borrello: Mr. Barone is in court, I'm assuming.

Clerk Tampio: Mr. Barone is ill.

Chairman Chagnon: Mr. Barone is ill.

Clerk Tampio: One of his assistants did come to a previous committee meeting.

Chairman Chagnon: O.k., perhaps Kathleen could address the question that I had unless there are others. In regards to this proposed resolution, last month we accepted a grant for the period of January 1, 2015 through December 31, 2017 in the amount of \$539,838 and now this grant for the period of January 1, 2016 through 12/31/18 so my question was, how do we stand relative to the 2017 budget for revenue in the amount of \$504,722? In other words, will we meet the budget for 2017?

Mrs. Dennison: Based on my conversations with the Public Defender's office, we will meet the budget for 2017. The resolution last month was for distribution five of this grant. It's a three year grant and so the way the office of the Public Defender budgets for it is, they split the proceeds into three years. So, distribution five, \$539,000, a \$179,946 is budgeted in the 2017 calendar year. The current resolution for distribution six, one third of the grant is budgeted in 2017 so 2017 includes \$89,973 of the grant addressed in this resolution. Those two distributions total \$269,919. The amount outstanding versus the current year budget is \$234,803 and the Public Defender's office has assured me that there are other distributions that are forth coming that will affect 2017. So they haven't proposed acceptance of those grant because I guess they haven't specifically announced but they are anticipated.

Chairman Chagnon: It almost seems like you anticipated my question. Very good. Any other questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Execution of New York State Office of Homeland Security Funding Grant – Operation Stone Garden FY16

Sheriff Gerace: This is a grant that we have had for several years. It provides funding for overtime, additional patrols along the border, Lake Erie border. Also we use this funding to help with the Lake Erie navigation patrols. That is a no local match Federal grant.

Legislator Nazzaro: I just regress back to that meeting we had years ago in Dunkirk regarding this initial grant. I remember all of the discussion. So, we're not going there today.

Chairman Chagnon: Any questions or comments?

Legislator Gould: It doesn't look like it's going to continue for many years Joe, or not?

Sheriff Gerace: It's hard to tell with the new administration. There may be additional funding put into this program but that's a guess. We don't get many hints as to what is going to happen. It's declined in the amount of money that has been appropriated. We'll have to wait and see. We don't depend on it and it does help us with the patrol boat on Lake Erie. We do missions there that are consistent with their requirements with the Coast Guard. I would hope that it continues.

Chairman Chagnon: The only question that I have which Kathleen has already cleared up for me that the funds are distributed by the New York State Department of Homeland Security and Emergency Services but these are federal funds, Federal program funded by FEMA. So the accounting looked a little odd to me but Kathleen cleared that up for me. Any other questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Execution of Police Protective Equipment Program (PPEP) Grant Award through the NYS Division of Criminal Justice Services

Chairman Chagnon: I will also note that we also have a corrected copy of this resolution.

Sheriff Gerace: Mr. Chairman, this is a grant that has been provided to law enforcement across the State by the Division of Criminal Justice Services. We applied for it as a County on behalf of all the police agencies in the County that we're interested. It is a no local match. We distributed the money between the other agencies pretty equally. There are three items that this money can be used for. The highest level of ballistic vests, helmets, or patrol rifles and we are in the process of upgrading our patrol rifles and that is what we'll be using that \$13,000 for.

Chairman Chagnon: Questions or comments?

Legislator (?): *(Inaudible)* rifles?

Sheriff Gerace: It will yes. Right now we have some *(inaudible)* still. We've been using a pump action rifle and we're upgrading to an AR platform.

*Unanimously Carried*

Proposed Resolution – Increase Funds for Property & Evidence Room Capital Project

UnderSheriff Holder: This is a capital project that we've had on the books for a while. We are asking for a change order due to the fact that the crime scene lab is part of this project. It needs a fume hood that runs up and out of the processing lab. We were anticipating using the preexisting venting system that was on it before but our contractor and engineer says that it's not to specs and we need an explosive proof venting system for this because of the chemicals that we use for the processing which was not included in our original capital project. So this is a change order and is quoted out as being \$11,000 and change.

Chairman Chagnon: Any questions or comments? Chuck, has this work been completed?

UnderSheriff Holder: No. This is the last one to finish it off.

Chairman Chagnon: Thank you, I like that answer. All those in favor?

*Unanimously Carried*

Proposed Resolution – Increase Funds for Next Generation 911 Capital Project

Sheriff Gerace: As I have mentioned we have gone through this upgrade during that time. We did have to do a change order that exceeded the initial capital project. What we are proposing is to use the 911 reserve account to cover that change order.

Chairman Chagnon: Questions or comments? I thought that you were still looking for additional information.

Sheriff Gerace: Well, I was looking to see if I noted exactly what it was that was involved in the change order but I don't have that answer, I apologize.

Chairman Chagnon: Questions or comments?

*Unanimously Carried*

Sheriff Gerace: Mr. Chairman, I will just add a little bit of information if you don't mind. Initially our upgrade to NG911, we intended to do that from the reserve account. That was one of the reasons we were really closely guarding it. We did have to use some reserve money for the radio system but we will secure a grant to help us with that project to go to NG911. So we use less of the reserve but we had to tap it a little bit to finish the project. Thank you.

Proposed Resolution – Adjust Capital Project Budget for County-Wide Radio Capital Project and Close Capital Project Emergency Communication and Dispatch

Chairman Chagnon: Good morning. Based upon the conversation at last night's committee meeting, I trust that you are well prepared to address the committee's concerns this morning.

Ms. Crow: We are.

Mrs. Dennison: I would like to give you a background on the accounting for the County-wide radio project. This project which started in 2013 has three different funding sources. There was a \$6 million dollar grant that finances most of the project. We anticipated total expenditures to exceed the \$6 million so there would be alternate funding sources which are the Wireless 911 reserve and also some funds that were remaining in another capital project. That's capital project

542 Emergency Communication and Dispatch. So, as I said, the overall cost of the project was anticipated to reach, Sheriff, approximately?

Sheriff Gerace: Seven point five nine.

Mrs. Dennison: That includes the maintenance agreement for the project which will come in now going forward. So the project itself, as I said, expected to exceed the \$6 million dollars but when we set up the capital project that covers the County-wide radio project, we treated that capital project like a grant instead of like a capital project. So the capital project for the County-wide radio system is budgeted at \$6 million dollars. When we were accounting for the expenditures with this project, we also treated those like a grant so we changed to the capital project, items that we had budgeted under the \$6 million dollar umbrella and items that were not financed by that grant, we charged to the place where they were funded which would be 911 equipment, wireless 911 equipment and also we charge components of the project to the Emergency Communication and Dispatch project. So we have the expenditures in three different places. Now that the project – the components period for the County-wide radio project ended on February 3<sup>rd</sup> of this year so we're in the process of doing a final reconciliation of cost for that project. In doing that and now in hindsight we realize that we should have accounted for the project more like a capital project. Should have put all the expenditures for the County-wide radio project into the capital project, amended the budget for that project to pull in the funding from these other sources. So that is the background on how the accounting has been treated. With this resolution, the original intent of the resolution, we completed the reconciliation of the capital project 542, what we kind of call the old dispatch project. That has been completed and so we need to close out that project. There is a surplus and that surplus funds in that project, we want to return to the capital reserve. So that was kind of the initial drafting of the resolution. After that resolution was drafted, working with Todd Button, he and I and Matt Trusso were doing the final reconciliation as I said of the County-wide radio project and Matt's putting funds back into this capital project so we amended the resolution to also include the funding source from the wireless reserve. As recently as yesterday, we're still finding some changes in the final reconciliation for the County-wide radio project so the final figure for that project is not at hand, as of today. One option with the resolution is to further amend the resolution to just close out the capital project and return those funds to the capital reserve and we expect next month we would have a complete and final accounting for the County-wide radio project and we could at that time do another resolution to pull funds from the wireless reserve to fund the remaining balance for the County-wide radio project.

Ms. Crow: I want to clarify a couple of things too. I think that yesterday it didn't completely come through that these items weren't already budgeted for. They were so this is not a situation to correct an over budget situation. It's a situation to correct the accounting to consolidate the appropriations and funding into one account where it should have been to begin with. So, I think that is important because I think that it wasn't quite clear yesterday that that is really why we are doing all of this. The expenditures were expensed and the funding was in place it was just in different parts of the budget and so in doing the final reconciliation it's been Todd's recommendation that we put everything into the one account and then it's depreciated from there. We have a good accounting of the total cost of the project. Then also to Kathleen's suggestion, we talked about it just this morning that we would like to have the dispatch project

closed as of 12/31/16. That project is closed, there is nothing else to do with that one. We could close and reconcile and that surplus would then go back to the reserves and then once the final – so we would completely withdrawal this resolution really, would be to withdrawal this one and then for your meeting next week, we could propose under, I guess it would technically under “other” emergency, would just be a simple resolution to close the dispatch project. Then next month we would come to you with the changes that needed to take place for the radio project in one resolution.

Chairman Chagnon: And to further complicate matter, as I recall, this proposed resolution was amended last evening. Did you explain to us the amendment to the resolution?

Mrs. Dennison: The amendment to the resolution last night was to pull in the two funding sources that are currently outside the County-wide radio project. As we talked about one funding source is reserve for capital, which is the money returned from the proposed closed project, so draw money from the reserve for capital and draw money from the wireless 911 reserve. So the amendment last night was to, you assume that we had completely accounted for and completed the reconciliation for the County-wide radio project, assuming that we know the final amount and these are the two other funding streams that go to amend those funding streams to the County-wide radio capital project. That was last night’s amendment.

Ms. Crow: And that would still be reflected in the resolution that we would bring forward next month because what is happening is that, some of the money was billed to the wireless account, way back starting 2015, so because it was all charged there and adjusted in the end to the wireless reserve, it’s kind of adjusted to the reserve so we need to bring it back out, apply to the capital project and then the same thing with the dispatch project. They had charged invoices to that which we reversed and put to the capital project, the radio project, so that project now has a surplus and that would go back to the reserve for capital and then we would pull it back out to apply it to the radio project.

Legislator Nazzaro: What we do here and I don’t see the urgent need – I don’t think feel this would fit the emergency requirement to come – either this goes through committee, unless our Chairman disagrees, but I’m not comfortable having a resolution placed on our desks next week for emergency because it doesn’t meet the criteria.

Ms. Crow: The one we would like to put forward would be just simply closing the dispatch project, which is part of this resolution.

Legislator Nazzaro: So either we amend it here –

Ms. Crow: You could amend it and take out all of -

Legislator Nazzaro: (*Cross talk*), but it’s not an emergency resolution. Do you agree Mr. Chairman?

Chairman Chagnon: Yes.

Ms. Crow: You could just have the first two WHEREAS's and the last two RESOLVED's and everything else would be deleted. I just would be, the dispatch projects has been completed and can be closed. Delete everything else. That would simply close the dispatch project and change the title.

Legislator Borrello: The reason is to close the account.

Ms. Crow: Yes. The reason to close the account now is so that we can have that for year-end 2016. Otherwise, we roll the project forward and close it in 2017. I guess that would be your prerogative.

Legislator Borrello: So then I guess we would make a motion to strike the 3<sup>rd</sup> WHEREAS all the way down to the, I guess, "and be it further". That would cover what you want to do?

Legislator Nazzaro: Maybe we can skip out of order a minute and they can give us the language and then it can come back today unless you have it right now. I just want to make sure that whatever I vote on here, I understand. Just so we're on the same page.

Chairman Himelein: I would rather see it amended in this committee than on the floor.

Chairman Chagnon: While we're waiting for that to come back, I would like to note that I appreciate the efforts of the Director of Finance to try and get these capital projects closed in 2016 because that was an observation in the audit that we had significant number of capital projects that needed to be closed or should be closed so I appreciate the efforts of trying to accomplish as much as we could in the year 2016. This is the result of trying to get (*inaudible*) down in a short period of time. Also, while we're waiting and I realize that this is being removed from the supposed resolution, but when we're ready to discuss this next month, I'll be very interested in the comment that was made that this is not over budget situation, that the amount of money that was expended was authorized by the Legislature. Hopefully, you'll be prepared to address that next month when you bring the revised resolution to us.

O.K., we have the revision. Is there any questions or comments?

Legislator Nazzaro: You don't need an offset here. You crossed off – the only one left is the Increase in Capital Appropriation.

Mr. Crow: I'm sorry, the only thing that will remain are the two circled boxes. Everything in the middle is deleted.

Legislator Nazzaro: So it's the first two WHEREAS's and the last two RESOLVED's.

Chairman Chagnon: Correct.

Legislator Nazzaro: Then I will make a motion to amend it as it was just presented to us.

Legislator Borrello: Second.

Chairman Chagnon: Discussion on the motion to amend?

*Unanimously Carried*

Chairman Chagnon: Now on the proposed resolution as amended. Any further discussion on the proposed resolution as amended?

*Unanimously Carried*

Clerk Tampio: Mr. Chairman, I would like to take this into the office and get the amended copy ready for signatures before the committee to sign.

Chairman Chagnon: O.k., so you are going to step out for a moment. We'll continue.

Proposed Resolution – Adjust Accounts for Jail Health Services

Sheriff Gerace: I believe Mr. Chair, we have previously at least discussed this during budget preparations this year that we were talking to Health & Human Services about the transfer of function of the medical providers or providing medical services to the Jail from us, in the Sheriff's office doing it internally to Christine and her group taking full load of providing medical services. I believe there is significant advantage in doing it. Currently we're mandated by the New York State Commission of Corrections to provide certain level of service. We've struggled over the years to meet that mandate. We're not in the medical business and I believe that this is a positive in many ways. I'll let Christine explain from her perspective why that is.

Mrs. Schuyler: As you know our scope of Health & Human Services is quite broad and we feel that we are best poised as far as a County agency to deliver a comprehensive health program to the inmate population. In reality, we are (*inaudible*) very sick. We have a lot of chronically ill inmates, dealing with a lot of chronic disease, (*inaudible*) diabetics, blood clots, heart disease, really amazed at what we have seen and I think there is a lot of work to be done as far as the treatment that is provided. Moving forward, I believe that we're going to see some economies of scales. We're just starting to dive into the contracts, various things that happen as far as the pharmaceuticals, sending out for services every time someone's been out for something, it cost a lot of money. So we're trying to do what we can in-house and we can accomplish that by having our nurse practitioner on hand much more than the previous – previously available was the contract with a physician assistant. Also in looking at the Social Services side of our world, we feel that it is important to make sure clients have housing, transportation, the social supports in place when they leave the jail. So we'll be having a very active role as far as the Jail Transition Committee and working to make sure that those supports are in place. Also making sure that inmates are hooked up with a primary care provider so that care will continue to be provided when they leave the jail. I think it's correct in saying that right now it's come to a forefront that the Jail has been used basically, I feel, inappropriately for those with mental health illness and drug addiction issues. But now I'm also realizing that it's inappropriately used for those with fragile medical conditions and I would like to work with that Community Justice Coordination Council moving forward. I'm looking at other alternatives to incarceration for those who are suffering from fragile medical conditions. We don't have a 24/7

infirmary at our local County Jail. There is absolutely no way that we can adequately care for some of the inmates that are being sentenced to the County Jail with no bail, and it's inappropriate and that is a system issue that we need to work on. I truly think that we have a history of trying to get out of our silo's and try to look at the comprehensive and well-being of all the residents of community and how do we do this cross agency and partnership with community agencies and such. This is an opportunity for us to do that. We can't provide good care to the inmates, not even adequate to even meet what the recommendations are that come from the Commission.

Sheriff Gerace: Mandates.

Mrs. Schuyler: Mandates that come from the Commission of Corrections without having the resources to do so and the knowledge and capability to do so. I think the Sheriff has done the best that he can for the years that he has been trying to do this. But this is a step in the right direction to tremendously decrease the County's risk and liability when it comes to – you know, the Commission of Corrections has come in several times and they have made their citations and told the Sheriff what needs to change, when it is to happen and when that's not followed, something bad happens that the County is left holding the bag. I think that it is very important that we decrease that risk and liability and provide appropriate and adequate care is a big part of that. This includes not only the medical care and changing up the staffing pattern that's traditionally been there. A key component of that is in the past the Commission of Corrections would not permit the Sheriff's office to employ licensed practical nurses. They had to go with registered nurses. Because of our knowledge of scope of practice and respect for what it is that each level of (*inaudible*), the Commission of Corrections has approved, if we were to go forward with it, the jail house program and overseeing this ourselves, we can go with licensed practical nurses instead of all registered nurses which is a cost saving. But also, I feel it will increase the quality of care and increases our ability to recruit for staff as well. This includes our contracts so we'll be diving into the pharmacy contract which is very big. What is on formulary, what can be used, are there some economies of scale that we can use from Public Health as well as equipment and sharing of things such as that. Also includes the psychiatry contract. So when we talk about the mental health services that are being provided within the jail, this is all going to be looked at comprehensively now. So mental health and substance abuse isn't going to be in a silo separate from medical and the Commission of Corrections has been saying that for years. That there should not be separate medical records, there should not be one psychiatrist doing something and a health care provider not being involved with that, not knowing what is going on and we have to find a way to put all that together. We have to get electronic medical records into the jail and really try and build that continuity of care. I think that will help decrease of the revolving door that we've seen with mental health and substance abuse but also with medical health. We really feel that this facility is being used in those ways. So yes, we are asking for the use of fund balance (*inaudible*) the jail house program to where we feel that it needs to be and to meet the mandates of the Commission of Corrections. The staffing model will be changing. Right now the Sheriff is budgeted for 5 full time registered nurses. We're looking to go to, 4 full time registered nurses, one of those is a supervisor, 2 part time registered nurses, 2 full time licensed practical nurses, 2 part time licensed practical nurses and we'll run full time health aid. We also already have on staff a nurse practitioner which half of her time will be spent at the jail and .1 FTE of a physician, a medical director, Dr. Berke. That does change up the staffing model but if you've

been to my office and looked at the chicken scratch board, Wendy Dulles, the Director of Patient Services and I sat down and I thought that I was a nursing supervisor in a hospital unit again like I used to be and had the calendar out and we had all the shifts out in trying to figure out exactly how we're going to fill that in and that is how we came up with our staffing model. We had to have coverage from 6:30 in the morning to 10:00 at night, 7 days a week, 365 days a year. By pulling in some part time people, that is how we're going to be able to cover those evenings and weekends the best.

Chairman Chagnon: Any questions? I'm sure we do.

Legislator Gould: If we take \$1.1 million dollars out of the fund balance, what do we have left?

Mrs. Schuyler: We're only taking \$160,000.

Sheriff Gerace: The rest is being transferred from the Sheriff's office to HHS.

Mrs. Schuyler: I honestly don't know that at year's end, this is the budget for the entire year. So we want to ensure that we have enough money in my budget but considering that this is already looking at April and we still have to recruit and get positions filled and such that the odds that we're not going to use that entire amount but it's important that we -

Legislator Gould: You also say that it's going to be all local, maybe there is going to be some grants along the way.

Mrs. Schuyler: We're always looking for grants.

Legislator Gould: I know you are. That is why I said that.

Mrs. Schuyler: We are. Jail medical services in the past, several years ago, we were able to use Public Health State aid. The State did away with that before I was Public Health Director. So there is no State aid available anymore. It's all County cost. If there are any grants out there that we can pull in to help with certain initiatives, that we can - we have the ability to send our Public Health staff in to do some STD testing and some education and really do some of the wrap around services that we need that aren't happening right now, including family planning.

Legislator Nazzaro: Just a quick question. I think that it is a great idea. That's not my question, it's just a comment. I was listening very carefully, so, what I'm reading, current the Sheriff in the WHEREAS has 5 FTE registered nurses and then EDHS is going to a total of 9.2 FTE's in which 4.8 is registered nurses. So what am I missing here because, are we increasing at the end of the day, the staffing by 4.2. So, if you are, the dollar amount - I don't understand why we're only taking \$160,000 out of fund balance when your - something doesn't add up. Because it's like \$160,000 does not cover the additional 4.2 FTE's.

Ms. Lis: Part of that is because we're going from RN's to LPN's.

Legislator Nazzaro: Well, it says you are going from 5 to 4.8. It's only .2.

Ms. Lis: The level the others were requested at is higher than the ground level RN that is coming in.

Ms. Crow: Step 9 versus Step 1.

Ms. Lis: Yes. So we're saving because we're getting new people coming at the low staff. That is part of it.

Legislator Nazzaro: So the 5 RN's that you currently have budgeted now in the jail, well under your direction, are they filled?

Sheriff Gerace: No.

Legislator Nazzaro: They are not. Three of the five are filled.

Mrs. Schuyler: Yes and we've been pulling Public Health staff to go over.

Legislator Nazzaro: So two are going to come in at that lower level.

Ms. Lis: We also used to have contracted medical director and the physician assistant and that was about \$60,000 in contracts which we are not carrying forward.

Mrs. Schuyler: That adds into the FTE counts.

Ms. Lis: You will see that we transferred over the amount of contract being transferred over into the jail, our clinic accounts, \$60,000 less than what was originally in the jail contract accounts.

Legislator Nazzaro: At some point if you could just send, to me, that calculation showing – again, I think it's a great idea. What I am saying is, it seems like the \$160,000 is not enough to cover the increase in the FTE's, but what you are telling me is that you have 2 that you have to fill that will come in lower, you went from a contracted services for a PA's. I just want to make sure that I understand the dollar amount.

Mrs. Schuyler: And four of those positions are part time so there is no benefit which is one of our hugest hits –

Legislator Nazzaro: I'm sure the numbers are perfectly spot on. I just want to make sure.

Ms. Lis: It has gone through several iterations. Kathleen and I worked on them back and forth. We just need to (*cross talk*) our information.

Mrs. Dennison: We do have our working papers.

Legislator Nazzaro: You can do whatever and send them out. You don't have to do that today.

Mrs. Dennison: I just want to add to what Valerie and Christine were saying together. We're using part time people that get no benefits and lower grade.

Sheriff Gerace: So shifting that contract cost where we were contracting with a PA that money is not going to disappear. It's going to be shifted to HHS to be used for their purposes. It's a timely arrangement. We lost the PA's. They do not want to contract with us again. In the past, we have not been able to recruit a physician. They just don't respond to the RFP. So we had to use PA's and then we were cited by the Commission of Correction because we didn't have a physician overseeing that. If you recall a few years ago we had approved funding. That money is going to be shifted to HHS (*inaudible*) and then hopefully that's collapsed into one which could be a cost savings going forward.

Chairman Chagnon: Well, such as is the custom, my esteem colleague asked one of my questions before I could but I will continue on from there if it's alright with the committee.

Legislator Nazzaro: You are the Chairman, you can run the meeting.

Chairman Chagnon: I note that the decrease in appropriations from the Sheriff's budget, is that the entire 2017 budget for jail health services?

Mrs. Dennison: Yes it is.

Chairman Chagnon: O.k., and I would assume that the increase in appropriations cost then for Health & Human Services reflects the same period of time?

Mrs. Schuyler: Yes.

Chairman Chagnon: It's a total year expense. So then what is to be done with the expenses that have been incurred to date in the Sheriff's budget?

Ms. Lis: We are going to be working, as soon as these budget lines are approved so we can actually book to them, we're going to take the cost that they have incurred so far in the Sheriff's, transfer them into this clinic account and then we're also going to take – we have a lot of costs for – we have been covering a lot of the payroll and we're going to transfer that into this account so at the end of the year this account will have a full year's budget, full year's activity so that we can use that to build next year's budget on and actually put – it will be more useful for analysis than having two quarters of a year in there. Consolidate everything in one place.

Chairman Chagnon: Agreed. Christine, the resolution in the 2<sup>nd</sup> WHEREAS says that this approach will generate economies in the future. You and I talked about this last night. Could you explain a little bit of that to the committee in terms of the economies and the savings that we anticipate coming from this arrangement?

Mrs. Schuyler: I think if you look at black and white savings, we're doing that when it comes to the medical direction and the actual provision of the services themselves. Once we are able to dig into this, what we might be able to save in contracting costs for pharmaceuticals and the way the medications are delivered, the cost of testing, the amount of inmates that currently go outside of the jail for testing and for diagnostic procedures which we'll be able to do internally now by having an actual health care provider on site more often than what has ever been in the past. Every time an inmate has to leave the jail, it costs a lot of money. A Correctional Officer has to go with them, it's not a billable service to Medicaid and we also have patients that need a feeding tube that is supposed to run 24 hours a day. That can't happen because we don't have an infirmary. That is not an appropriate place for an inmate to be. You need someone that is savvy enough to be able to speak to the hospitals and say, this person has to be admitted. Not an observation status because that is your local tax dollars but we need to be able to bill Medicaid for this so that means that this person needs to be admitted. So some of that is really having the savviness of the health care system.

Legislator Nazzaro: As long as it meets admission criteria.

Mrs. Schuyler: Absolutely. I think when we look at the bigger picture which I feel as County officials, that's our job, you have inmates who come in who have, whether it's mental health and substance abuse issues and they are returning to our community, we need to take the time when they are incarcerated to do all that we can to make sure they are going to be better on the outside. We haven't done a good job with that and if we aren't doing wrap around services for inmates when they are in the jail, so that they have housing and they have transportation, and they have support systems in place and they have a health care provider, they are going to come back. They are going to come back because they violated their probation or because they have broken the law again. We don't have that. That cost us in every single aspect of that system. Whether it's on the child welfare side of the world, whether it's in OFFS custody of kids, some of those goes back to prevention. I think that we're going to be able to take a much wider lens and try and prevent people from ever coming into the jail. With community services and working with our partners and making sure the people who are in jail get the services that they deserve to get while they are there so they can be better citizens on the outside.

Chairman Chagnon: I appreciate those comments because the word economies really doesn't capture all of that. Certainly you anticipating economies from the things that you mentioned and you are also anticipating reduced costs from the things that you mentioned and you also anticipating future better outcomes which will reduce the County's costs as well. So, it's multilayered benefits that we are talking about in terms of the \$160,000 of fund balance that we are appropriating to this. I appreciate you elaborating on that. Are there any other questions or comments on the proposed resolution? Hearing none –

*Unanimously Carried*

Proposed Resolution – Amend Chautauqua County Health & Human Services 2017  
Budget for Rollover of Childhood Lead Poisoning Primary  
Prevention Program 2016-2017 COLA

Ms. Lis: The COLA which will tack onto our grants, the Cost of Living Adjustment, those run on a year, April 1 to March 31<sup>st</sup> rather than calendar year. So we'll budget for one in 2016 for example, we budgeted for the April 2016 through March 31, 2017 COLA. Which is a reimbursement? We never spent what we planned to spend last year and (*inaudible*) reimbursement for that, but we have until March to do so and we are going to spend that money and get reimbursed for it. Going to bring it into the budget so that we can have a budget line to charge things to it and a place for the revenue to sit. Basically we're buying one of those XARA hand-held tools to check for lead and we're actually buying two of them at the same time. The one from last year's COLA and this year's COLA and we're getting a deal on it if we buy two and I think that is why they waited (*inaudible*).

Chairman Chagnon: Any questions or comments on the proposed resolution?

*Unanimously Carried*

Proposed Resolution - Amend Chautauqua County Health & Human Services 2017  
Budget for Rollover HUD Lead Hazard Reduction Demonstration  
Grant Funding

Ms. Lis: Our HUD grant is a 3 year grant and not knowing the speed or how many people we'll take care of in particular year and our first year of it was just last year, we just budgeted a third and it took a while for this to ramp up so we didn't do as much as we thought. It is heating up this year. We work on this with CHRIC and we already see that they are taking (*inaudible*) households already so we're just bringing last year's unspent funds and matching grant funds into this year.

Chairman Chagnon: Questions or comments on the proposed resolution?

*Unanimously Carried*

Proposed Resolution - Amend Chautauqua County Health & Human Services 2017  
Budget for Corrected Federal/State Grant Funding Percentages

Mr. Lis: These are our Maternal Infant Community Health Collaborative grant and Immunization Action Plan grant. We have always treated these as 100% Federal funding which come through the State and they are actually not 100% Federal funding. We've cracked that down. That information isn't always forthcoming. We have to find out, it wasn't in the grant paperwork. So, we realize the 2016 numbers for our audit report and at the same time, we're realigning our budget for this year so we properly recorded everything will match up.

Chairman Chagnon: I love your detail. Attention to detail. Questions or comments on the proposed resolution?

Mrs. Schuyler: And kudo's to Val for really digging into this and making sure that things were being allocated in the right way.

Chairman Chagnon: All those in favor?

*Unanimously Carried*

Proposed Resolution – Approve Corrective Action Plan (CAP) for Submission to Office  
Of the State Comptroller (OSC)\*

County Executive Horrigan: Mr. Chairman, as you are well aware, we had an audit from the Comptroller on pay and benefits and I made an initial response back to the Comptroller on this and since that time, we owed a formal response, 30 days later and we have been working with members of the Legislature and others and we have for you a draft because it's really your response for submission on the recommendations. Pretty much what we have discussed we have and part of my initial response in there has been amended just slightly through response from others. Does everybody have a copy of that plan? I hope. While we have agreed to some of the findings, we have not agreed with all of them. We provided the rationale. Some of the things that have come up is an annual review with an investment advisor and that is to be determine exactly how that would be done. But we have made some changes, some tweaks a little bit to provide the Legislature with more information on investment results. I can let Kitty talk about that. As far as numbers of days and how we deal with annual salary payments and all of that, we have structured that to be in line. Kitty has some ideas on exactly how we can put that in play, whether we pay on the 1<sup>st</sup> and the 15<sup>th</sup> or we use the business day formula, we'll have that but we do accept that and we have not overpaid anybody for the 2016 or going forward and it won't happen. So, we're really here to answer any questions since you've had time to review it. We've been in touch with a lot of people and we can certainly answer any questions on the draft recommendation we made to you.

Chairman Chagnon: Thank you Mr. Executive. First I would like to recognize and acknowledge my appreciation for the two members of this committee who worked on this proposal. Legislator Borrello and Legislator Nazzaro, so thank you for your work on this.

Legislator Nazzaro: You are welcome.

Chairman Chagnon: And now, are there any questions or comments on the proposed resolution?

Legislator Borrello: I just want to speak in general terms. I think we all have a certain reaction and response to this when we first read it from the Comptroller's office and then after Mr. Nazzaro and I had a chance to dive into it and really see, I think the Comptroller's office, I don't think did a great job in outlining what it is that they were recommending and really applying the practical nature to what those recommendations were. Some of the things that I felt were inappropriate were some of their investment recommendations. First and foremost, this committee, none of us are financial advisors and they were basically charging us and the Legislature with being financial advisors as their recommendation which is inappropriate. Also their investment recommendations were, in my opinion, also inappropriate in a sense that they were saying, holding things to maturity, doing things that would clearly be a negative impact on our investment returns, fund balance, and ultimately a negative impact on the taxpayers. So, I

think kind of feel like they were fishing for things that weren't there, quite frankly. I'm glad that we gave an appropriate response. I think that we spent a lot of good time with the legal department and we went through this with a fine tooth comb and I think that the recommendations we came up with and like you said, there were some good recommendations in the Comptroller's suggestion and I think the idea of us sitting down with the investment professional and finding out what the strategy is and how that is applied to what the Finance Department does with this money is appropriate. That is an appropriate level of oversight for us to have. But some of the other recommendations that were made, the implication that elected officials did something inappropriate when it came to their vacation time which was absolutely false. They followed the right procedures legally, every single one of them and by the way the County Executive was even prior, it's my understanding, prior to this letter from the Comptroller's office, had already taken corrective action on those extra days. So, I think the picture that was painted by the Comptroller's office was misleading and that is probably the nicest thing that I can say about it. I think that we need to understand that most of what was in there really painted an inappropriate picture of what happens here at the County. I'm glad that we are taking this action and I'm glad we're – but I also want to clarify on the record that most of what we read in that report, in my opinion, was distorted at best.

Legislator Nazzaro: I want to thank, first of all, County Attorney Abdella for spending a lot of time on this, especially coordinating our schedules between Legislator Borrello and myself. That was probably the biggest challenge but we did spend a lot of time on this and I concur with what Legislator Borrello said and also looking at the initial response that our County Executive sent back in November, I think, properly stated. We made a few tweaks to it, specifically, this will be very brief, in recommendation number one. This committee here has the fiduciary responsibility over the investments. We don't get involved in the day to day operation but we do have a responsibility and that is why the response comes from the Chairman of the Legislature, Mr. Himelein, but one we added that the Audit & Control Committee will also, in the future, not less than an annual basis undertake a review of the County's current investment holdings with a financial advisor. We are not financial advisors on this committee nor should we be. So, I think that it is prudent that this Committee and it protects everyone, seek at least annually outside review from an outside advisor that we are following the plan in accordance with what the State Comptroller's office would like. That was one minor tweak. Another minor tweak was in audit recommendation number seven regarding the additional one or two working days that can occur in certain calendar years. The only change there was, we felt, George and I, that we should have a written procedure and I know that Kitty is looking at that because knowing how the State Comptroller's office works, you can verbally have policies but unless it's in writing that's your road map so that was another recommendation. Probably the other one which may be a little more significant, again, nothing intentional whether it was done incorrect here, we were following a local law that was established many, many years ago. A local law back in 1983, audit recommendation number eight. We did take a little harder stance on this. Nothing was incorrectly done in 2016. If there was an overpayment that was adjusted however, there is a new local law that will be coming before the full Legislature that we're going to amend the Local Law 1-83 in 2017, sometime during this year, that will take affect at the beginning of the next term of office for the elected officials and you really only talking about the County Executive, Sheriff, and the County Clerk, so you are not talking about this body because we don't get vacation. So, that will be amended and that will no longer be that option for buy out of unused

time of, personal time, vacation time so that local law will be affective with the next term. Again, I want to emphasize, like you did Legislator Borrello that we would be – the County Executive and the County (*inaudible*) local law established what, 30 years ago? Over 30 years ago so that will probably be the biggest change here that that option be available beginning with new terms.

Chairman Chagnon: Any other questions or comments on the proposed resolution?

*Unanimously Carried*

Chairman Chagnon: Thank you for your hard work on this. Now we have discussions.

Discussion – Representatives of FreedMaxick to discuss and confirm the scope of the Risk Assessment Project

Discussion – Compliance Report – Debbie Zahn

Discussion – Overview of preliminary year end results 2016 budget.

Other

Chairman Chagnon: Is there anything else to come under “other”?

MOVED by Legislator Nazzaro, SECONDED by Legislator Borrello and duly carried to adjourn. (11:08 a.m.)

Respectfully submitted and transcribed,  
Kathy K. Tampio, Clerk/Lori J. Foster, Deputy Clerk/Secretary to the Legislature