

## WARREN COUNTY BOARD OF SUPERVISORS

**COMMITTEE: SUPPORT SERVICES**

**DATE: JULY 25, 2011**

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**COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:**

SUPERVISORS TAYLOR  
VANNESS  
GIRARD  
STRAINER  
LOEB  
MCDEVITT

AMY CLUTE, SELF-INSURANCE ADMINISTRATOR  
MARY BETH CASEY, COMMISSIONER, BOARD OF ELECTIONS  
WILLIAM MONTFORT, COMMISSIONER, BOARD OF ELECTIONS  
DANIEL STEC, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR MCCOY

SUPERVISORS BENTLEY  
CONOVER  
KENNY  
MONROE  
THOMAS  
WOOD  
DON LEHMAN, *THE POST STAR*  
THOM RANDALL, *ADIRONDACK JOURNAL*  
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Taylor called the meeting of the Support Services Committee to order at 11:19 a.m.

Motion was made by Mr. Strainer, seconded by Mr. Loeb and carried unanimously to approve the minutes of the previous meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Amy Clute, Self-Insurance Administrator, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing with the agenda review, Mrs. Clute stated that the agenda packet contained the 2012 Self-Insurance budget request which she reviewed in detail with the Committee members. During review of the 2012 Self-Insurance budget request, Mrs. Clute noted the following:

- ▶ the Self-Insurance budget was separate from the County budget;
- ▶ since the 2007 Workers' Compensation reform, the maximum indemnity rates had increased by 93% and in December 2010 the municipalities were issued medical visit rate increases of 30% as part of the Workers' Compensation reform;
- ▶ there were 15 more claims for the first six months of 2011 compared to 2010;
- ▶ there were more medical only claims, less lost time claims and less incidents filed in 2011 compared to 2010;
- ▶ the 2011 Self-Insurance budget request reflected a 23% increase in expenses compared to 2010 and the 2012 Self-Insurance budget request reflected a 9% increase in expenses compared to 2011; however, a decrease in interest revenues for 2012 resulted in an overall increase of 13% in the 2012 Self-Insurance budget request compared to 2011;
- ▶ Workers' Compensation insurers were requesting an increase of 15% to 25% for 2012;
- ▶ the 2012 Self-Insurance budget request reflected \$70,000 for Medical Fees (Code 435) compared to \$42,100 in 2011, an increase of \$27,900 due to the estimated actual amount for 2011. The Medical Fees code was utilized to pay the Independent Medical Examiners and the Nurse Case Managers and Independent Medical Exams had increased by 67% due to new medical treatment guidelines;

- ▶ the 2012 Self-Insurance budget request reflected \$35,135 for Consulting Fees (Code 437, safety contract) compared to \$33,140 in 2011, an increase of \$1,195;
- ▶ the 2012 Self-Insurance budget request reflected \$62,100 for Legal Fees (Code 440) compared to \$75,000 in 2011, a decrease of \$12,900;
- ▶ the 2012 Self-Insurance budget request reflected \$173,420 for Assessments (Code 469) compared to \$186,400 in 2011, a decrease of \$12,980. This code was utilized to pay Excess Workers' Compensation Insurance and Employers' Liability Insurance the rates for which would not increase in 2012;
- ▶ the 2012 Self-Insurance budget request reflected \$13,219.28 for Retirement (Code 810) compared to \$9,490.77 for 2011, an increase of \$3,728.51;
- ▶ the 2012 Self-Insurance budget request reflected a request for \$12,358.92 for Retiree Health Insurance (Code 861), as this expense had been reallocated from the General Fund to the Self-Insurance Plan;
- ▶ the 2012 Self-Insurance budget request reflected \$273,000 for Medical Awards (Code 495) compared to \$292,000 in 2011, a decrease of \$19,000. This was the main code from which medical fees were paid and although there had been a 30% increase, the claimants were not utilizing doctors as much due to the use of Nurse Care Managers. This code was also used to pay ambulances, chiropractors, radiologists, pharmacists, physical therapists, etc.;
- ▶ the 2012 Self-Insurance budget request reflected \$387,500 for Compensation Awards (Code 496) compared to \$274,300 for 2011, an increase of \$113,200 due to the actual amount estimated for 2011;
- ▶ the 2012 Self-Insurance budget request reflected a total for expenses of \$1,247,292.07 compared to \$1,143,975.89 in 2011, an increase of \$103,316.18 or 9%;
- ▶ the 2012 Self-Insurance budget request reflected Interest Revenue of \$65,000 compared to \$95,000 in 2011, a decrease of \$30,000; and
- ▶ the Assessments to the participants for 2012 were anticipated to be \$1,182,292.07 and page 12 of the agenda packet reflected the allocation of same.

Mrs. Clute explained she had met with Paul Dusek, County Attorney/Administrator, who had suggested that she present the results of utilizing Reserve Funds to cover 25% of the \$1,182,292.07 or \$295,573.02 and she noted that this was reflected on the right hand side of page 12 of the agenda packet. She asked the Committee members if they wanted to utilize Reserve Funds in order to reduce the impact of the 2012 Self-Insurance budget request by 25%. Mr. Girard questioned the Reserve Fund balance and Mrs. Clute replied that the estimated Reserve Fund balance at the end of 2011 was \$2,994,861.07 and the outstanding liabilities as of July 1, 2011 were \$2,954,236.43. Mrs. Clute continued by saying that appropriating 25% of the 2012 budget request from the Reserve Fund would mean that the Reserve Fund would not have sufficient funds to cover the estimated outstanding liabilities; however, she added, the outstanding liabilities were merely estimates. Mr. Taylor requested Mr. Dusek's opinion on the option of utilizing Reserve Funds to cover 25% of the 2012 Self-Insurance budget request. Mr. Dusek stated that ideally he would not want the Reserve Fund to be less than \$3 million; however, he added, due to a recession Warren County had taken measures in order to reduce the cost to the municipalities by 50% which also reduced the Reserve Fund. He said he was opposed to telling the municipalities that they must now resume 100% of the cost at a time when they were facing a 2% Property Tax cap. He advised that utilizing 25% from the Reserve Fund would ease the burden on the municipalities and allow them time to plan for 100% of the costs in the future. He opined that the municipalities were recovering from a severe economic crisis and it would take some time to grow out of that crisis.

Following further discussion on the issue, motion was made by Mr. Loeb, seconded by Mr. Girard and carried unanimously to introduce a Local Law and set a Public Hearing to amend Local Law No. 4 of

1981, as amended, relating to rules and regulations for the administration of the Warren County Self-Insurance Plan to decrease the amount of the Reserve Fund to an amount not to exceed \$3,700,000. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the August 19, 2011 Board meeting.*

Mrs. Clute pointed out that pages 21 through 24 of the agenda packet reflected the August 2011 Self-Insurance Newsletter. She requested authorization to attend the NYSASIC (New York State Association of Self-Insured Counties) Fall 2011 Conference in Owego, New York on September 28-30, 2011 at a cost of \$297 including hotel room and meals plus a registration fee of \$50, utilizing her personal vehicle.

Motion was made by Mr. Girard, seconded by Mr. Strainer and carried unanimously to authorize Mrs. Clute to attend the Conference as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

This concluded the Self-Insurance portion of the Committee meeting and the Board of Elections portion of the Committee meeting commenced at 11:52 a.m.

Privilege of the floor was extended to Mary Beth Casey, Commissioner of the Board of Elections (BOE), who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing with the agenda review, Mrs. Casey said the first item was a referral from the Public Safety Committee on behalf of the Fire Prevention & Building Code Enforcement Department to discuss the possibility of amending the hours of operation for the BOE Office to determine if they should be set at 8:00 a.m. to 5:00 p.m. to coincide with other County Departments. She explained that in 1999 the BOE Office began to offer over-the-counter absentee balloting and as a result had received several requests to offer the balloting starting at 8:00 a.m., as opposed to 9:00 a.m. She pointed out that by law the Office was required to have one representative from each party (Republican and Democrat) in the Office at all times for registration and voting purposes. She continued by saying that Harold Robillard, former County Administrator, had reviewed the situation and determined that it would be appropriate to set the office hours at 8:00 a.m. to 4:00 p.m. for the days when the office accepted petitions and when completing evening or Saturday voting, as required by law. Mr. Taylor requested the opinion of Mr. Dusek who stated that the County's policy pertaining to operational hours was fairly rigid and the general guidelines were that there was a strong desire to keep all County offices open until 5:00 p.m. Mr. Dusek said he was not involved with the decision made in 1999 and could not comment on details pertaining to same. He apprised that the Board of Supervisors had the right to amend the hours of operation or leave them as they were. Mrs. Wood noted that the Department of Social Services had office hours from 8:00 a.m. to 5:00 p.m. and covered those hours by having some employees work from 8:00 a.m. to 4:00 p.m. and some employees who worked from 9:00 a.m. to 5:00 p.m. Mr. Girard mentioned that as long as he had been a member of the Board of Supervisors he had never heard a complaint from the public concerning the office hours of the BOE. It was the consensus of the Committee that the hours of the BOE Office remain at 8:00 a.m. to 4:00 p.m.

Mrs. Casey pointed out that the new Novatime Attendance System could cause overtime issues in the BOE Office. She noted that employees in the Office were required to work additional hours during election seasons and in the past had not been eligible for overtime pay; however, she continued, she was concerned that the new time clock system would cause employees to become eligible for overtime pay. She requested that the BOE Office be allowed to manually enter their hours

in order to avoid any possible issues with overtime. Mr. Dusek stated that the County Time and Attendance Policy required exempt employees to punch in only once per day in order to show that they were at work on that day. He added that non-exempt employees were required to punch in and out for the start/end of the work day, as well as the start/end of their lunch period. In order to change the policy, he continued, it would be necessary for the change to pertain to all County Departments. Mrs. Casey said that during election seasons, the Commissioners and their Deputy's often worked 12 hours or more a day for a three week time period. Following further discussion of the issue, it was the consensus of the Committee to have Mr. Dusek look into the issue and determine if any action was necessary.

Proceeding with the New Business portion of the agenda, Mrs. Casey pointed out that the hours of operation of the Mail Room were inconvenient to the BOE Office. She explained that the Mail Room previously had two employees: one who was scheduled from 8:00 a.m. to 4:00 p.m. and one who was scheduled from 9:00 a.m. to 5:00 p.m. which allowed the Departments to have their outgoing mail picked up until 3:30 p.m. Now that the Mail Room only had one employee, she continued, the work hours of that employee were 8:00 a.m. to 4:00 p.m. and outgoing mail from the Human Services Building had to be ready by 2:00 p.m. in order to go out that day. She explained the 2:00 p.m. deadline was difficult for the BOE Office who mailed in excess of 1,200 absentee ballots during elections seasons and she noted that since the ballots were sealed in the Mail Room, they were considered "live" ballots until the point that they were sealed. Because they were considered "live" ballots, she continued, it was necessary to have one representative from each political party accompany the ballots to the Mail Room until they were sealed. She requested that the hours of the Mail Room employee be changed from 8:00 a.m. to 4:00 p.m. to 9:00 a.m. to 5:00 p.m. in order to rectify this issue. Mr. Geraghty noted that the Mail Room hours had been in place for over a year and Mrs. Casey responded that the issue had arisen when the BOE Office relocated to the Human Services Building where outgoing mail had to be ready by 2:00 p.m. Following a brief discussion, Mr. Taylor requested that Mr. Dusek meet with the BOE Commissioners to resolve the issue.

Mrs. Casey stated that since the BOE Office had relocated to the Human Services Building, it had come to her attention that the salaries of some of the employees on the third floor, who worked in Union positions, exceeded the salaries of the Deputy Commissioners in the BOE Office. She opined that the positions in question had a lower level of responsibility and worked less hours per week than the BOE Deputy's who worked additional hours without receiving overtime pay and had not received a salary increase for the past three years.

Mrs. Casey apprised that the current walkway between the Municipal Center Building and the Human Services Building was unsafe, as vehicles parked in a manner which blocked the walkway and forced staff members to walk through parking spaces in order to reach the buildings. She suggested the current stripes be removed and the walkway be painted in a bright color or be partitioned off with cones.

Mrs. Casey voiced her concern with the recent power outages in the Human Services Building. She questioned if the PA (Public Address) System worked in the stairwells and elevator during power outages.

Mrs. Casey pointed out she had some security concerns, now that voting would take place in the Human Services Building. She said she would need to receive information on how the Building would be secured during evening voting hours and if it would be necessary to have additional security staff.

Mrs. Casey mentioned that the Municipal Center Building would need to be open and staffed for the General Election on November 8, 2011 at 5:15 a.m. to allow the Inspectors access to Conference Room 6-103.

Mr. Taylor noted that all of the issues outlined above were issues that should have been brought to the attention of the County Administrator and that it was not necessary to present such concerns at a Committee meeting. Mr. Dusek pointed out that this was the first time he was being informed about any of the concerns presented.

This concluded the Board of Elections portion of the Committee meeting and the County Administrator portion of the Committee meeting commenced at 12:14 p.m.

Mr. Dusek requested approval for JoAnn McKinstry, Assistant to the County Administrator, to enroll in a job related course entitled "Public Sector Labor Relations" at Empire State College, commencing September 12, 2011 and ending on December 23, 2011 with 50% reimbursement of tuition, fees and books (\$519.88) upon achieving a grade of C or better.

Motion was made by Mr. McDevitt, seconded by Mr. Strainer and carried unanimously to approve the request to enroll in a job related course as outlined above and to forward same to the Personnel Committee. *A copy of the Application for Approval to Enroll in Job-Related Courses by Employee form is on file with the minutes.*

This concluded the County Administrator portion of the Committee meeting and the County Attorney portion of the Committee meeting commenced at 12:16 p.m.

Mr. Dusek mentioned that Committee approval was needed to fill the vacant position of County Attorney. He said the Committee could then enter into an executive session to discuss the potential candidates.

Motion was made by Mr. Girard, seconded by Mr. Loeb and carried unanimously to approve the request to fill the vacant position of County Attorney and forward same to the Personnel Committee.

Mr. Dusek announced that an executive session was necessary to discuss matters leading to the appointment of a particular person.

Motion was made by Mr. McDevitt, seconded by Mr. Girard and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 12:18 p.m. to 1:06 p.m.

The Committee reconvened and Mr. Taylor noted that no action was necessary pursuant to the executive session.

As there was no further business to come before the Support Services Committee, on motion made by Mr. Loeb and seconded by Mr. Girard, Mr. Taylor adjourned the meeting at 1:07 p.m.

Respectfully Submitted,  
Charlene DiResta, Sr. Legislative Office Specialist