

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: SUPPORT SERVICES (INCLUDING ADMINISTRATIVE & FISCAL SERVICES, [INCLUDES MAIL ROOM AND PRINT SHOP], COUNTY AUDITOR, BOARD OF ELECTIONS, CLERK OF THE BOARD, COUNTY ATTORNEY, INSURANCE, INFORMATION TECHNOLOGY, PURCHASING [INCLUDES STOCK ROOM], WEIGHTS AND MEASURES)

DATE: JUNE 1, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SHEEHAN
VANNESS
GIRARD
STRAINER
TAYLOR

COMMITTEE MEMBERS ABSENT:

SUPERVISORS SIMMES
GOODSPEED

OTHERS PRESENT:

REPRESENTING THE BOARD OF ELECTIONS:

MARY BETH CASEY, COMMISSIONER

WILLIAM MONTFORT, COMMISSIONER

AMY CLUTE, ADMINISTRATOR OF SELF-INSURANCE

JULIE PACYNA, PURCHASING AGENT

ROBERT METTHE, DIRECTOR OF INFORMATION

TECHNOLOGY

PAUL DUSEK, COUNTY ATTORNEY

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND
FISCAL SERVICES

NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD

KEVIN GERAGHTY, BUDGET OFFICER

SUPERVISOR THOMAS

JOHN C. BIENIEK, VICE PRESIDENT OF COOL INSURING
INC.

WILLIAM BROWN, RESIDENT, TOWN OF QUEENSBURY

SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

Mr. Sheehan called the meeting of the Support Services Committee to order at 9:30 a.m.

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

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

Agenda Item 1, Ms. Clute explained, referred to an update on a pending item from a prior Committee meeting concerning information regarding flood insurance. She noted that John C. Bieniek, Vice President of Cool Insuring Inc., was in attendance to give an update on this item.

Mr. Bieniek advised that the New York Municipal Insurance Reciprocal (NYMIR) policy that the County carried provided a \$1 million coverage limit for flood and earthquake, subject to a \$25,000 deductible. Mr. Bieniek stated that he felt the coverage was insufficient due to the fact that the County's property was valued in excess of \$100 million. He said that the County had ten locations that had values exceeding the \$1 million threshold.

Mr. Bieniek presented three options for earthquake and flood liability coverage as follows:

- 1) \$10 million limit of liability for \$16,728 annually;
- 2) \$5 million limit of liability for \$14,500; and
- 3) \$3 million limit of liability for \$13,159.

Mr. Bieniek noted that all of the limits were over and above the existing NYMIR policy limits.

Mr. VanNess questioned which properties had values that exceeded the NYMIR policy limits and Mr. Bieniek responded that the Municipal Center, the Annex Buildings located on Gurney Lane, the Airport Properties, the Fish Hatchery, the Recycling Center on Warren Street, the Warrensburg Annex Building, the Schroon River Road Property in Warrensburg, the Jail, the Gaslight Village Property and the new Human Services Building all exceeded the \$1 million threshold. Mr. VanNess queried whether Mr. Bieniek would recommend flood insurance for buildings located on a flood plain or for properties at risk of flooding in general. Mr. Bieniek replied that although none of the County properties were located on a flood plain, he recommended the purchase of flood insurance, as basement flooding could occur during the early spring season when the ground thawed and during repetitive rain storms.

Mr. Geraghty asked whether the hazards had already been identified through the hazard mitigation process and Hal Payne, Commissioner of Administrative and Fiscal Services, advised that the process had not been completed. Ms. Clute questioned if losses in excess of \$1 million were seen for surface water and Mr. Bieniek responded affirmatively.

It was the consensus of the Committee to delay a decision until the hazardous mitigation report was available to review.

Proceeding to Agenda Items 2 and 3, Ms. Clute requested the release of two Request for Proposals (RFP's), one for a pharmacy network vendor for the self-insured workers' compensation program and one for a diagnostic testing network vendor for the self-insured workers' compensation program. She explained that she believed that this may result in a savings to the County.

Motion was made by Mr. VanNess, seconded by Mr. Girard and carried unanimously to authorize the release of an RFP for a pharmacy network vendor, as well as for a diagnostic testing network vendor for the self-insured workers' compensation program as outlined above. *Copies of the request forms are on file with the minutes.*

Agenda Item 4, Ms. Clute advised, referred to a request to authorize the Chairman of the Board to be designated as the authorized representative to sign the agreement with the Centers for Medicare and Medicaid (CMS). She explained that this would allow her to work with Medicare.

Motion was made by Mr. Taylor, seconded by Mr. Girard and carried unanimously to authorize the

Chairman of the Board to be designated as the authorized representative to sign the agreement with the CMS as outlined above, and the necessary resolution was authorized for the June 19, 2009 Board meeting. *A copy of the request form is on file with the minutes.*

Agenda Item 5, Ms. Clute stated, referred to her response to the letter received from the Budget Officer on May 19, 2009. She said that although it would be feasible to function with less staff, she felt it would be cost prohibitive to do so.

With regard to possible cost savings to the County, Ms. Clute apprised that she believed that with the recent addition of the safety consultant there should be some savings resulting from a reduction in the number and severity of claims. She said that savings may result from the RFP's for pharmacy and diagnostic testing networks, as well.

Ms. Clute suggested using monies from the Contributed Reserve Fund for the Self-Insurance Plan to assist in reducing the 2010 Budget. She explained that the reserve had a \$5 million threshold and as of December 31, 2008 the balance was \$4,973,643; therefore, she said, it may be appropriate to use some of the reserve monies to reduce the 2010 participant assessments. She advised that this would require her to under budget for 2010 in anticipation of using the reserve funds if it was deemed necessary.

Ms. Clute distributed a worksheet that outlined how the budget would be effected if different percentages of the reserve funds were used to decrease the budget. She explained that since she was unsure of what the actual figures would be for 2009 and 2010, the figures displayed provided an estimate. She reviewed scenario one with the Committee that implied if 20% of the reserve funds were used it would amount to \$154,017.73, which would result in an estimated savings to the County of \$71,812.99.

She queried whether the Committee was interested in having the Reserve Funds used to reduce the budget. Mr. VanNess asked Mr. Bieniek for his opinion. Mr. Bieniek suggested researching how the reserve had grown over the past ten years to make a determination, as the County was large enough that there would be some sort of predictability with the fund.

Ms. Clute advised that the reserve had grown over the last ten years due to the increase in the number of employees, as well as the Department being aggressive in controlling some of the outstanding liabilities; however, she pointed out that there had been several loss of use payments and a few settlements, which may result in the use of monies from the Contributed Reserve Fund.

Mr. Taylor questioned how much the Reserve fund grew in a year and Ms. Clute replied that it varied from year to year. Mr. Girard asked whether it accrued interest and Ms. Clute responded affirmatively. Mr. VanNess suggested not using the funds unless it was deemed absolutely necessary during the budget process, as he was concerned that there would not be appropriate funds available

if a catastrophe were to occur. Mr. Girard questioned whether the \$5 million threshold had been set in 1981 when the fund was developed and Ms. Clute replied that the figure had been adjusted between eight to ten years ago.

Mr. Geraghty advised that the safety consultant had been hired to reduce the number of workers compensation claims; therefore, he said assuming the safety consultant was realizing their reductions in workers compensation claims anticipated, there should be no reason to reduce the Self-Insurance Budget by dipping into the Contributed Reserve Fund. Mr. Girard queried if the interest would make the Contributed Reserve Fund exceed the \$5 million threshold and Ms. Clute replied that it was a possibility depending on the claims.

It was the consensus of the Committee to delay making a decision until the budget process began.

Mr. VanNess asserted that the Self-Insurance Department was a Department where eliminating a position would not be possible, as a reduction in staff would be cost prohibitive. Ms. Clute said that she would return to the Committee in July to discuss possible cost cutting areas within the Self-Insurance Budget.

Concluding the Agenda review, Ms. Clute apprised that as part of her duties as the current President of the New York State Association of Self Insured Co. (NYSASIC) she had been asked to participate in a work study group formed by Governor Paterson's Office that focused on reform of the Volunteer Firefighters Benefits Law. She said that this was an excellent opportunity for the County to be involved in the discussion of proposed legislation that would impact the cost to the Self-Insurance Plan and to contribute cost saving ideas.

The Self-Insurance portion of the meeting concluded at 9:52 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 which is on file with the minutes.

Ms. Casey apprised that the Agenda began with a review of pending items derived from prior Committee meetings, the first of which was discussion on the new voting booth requirements and storage area needs. She stated that based on Election Law, the choice of voting booths was with the BOE.

Ms. Casey recommended using Federal funds to purchase the voting booths, as there would be no financial impact on the County. She explained that if Federal funds were used to purchase the booths the custody of the booths would remain with the County at all times other than when they were used for an election, which would create storage issues. She advised that the BOE had not chosen a voting booth.

Mr. VanNess queried if it was necessary to make a decision today. Ms. Casey advised that the sooner a decision was made, the sooner an order could be placed for the voting booth, which would give the manufacturer sufficient time to produce the desired product.

Motion was made by Mr. VanNess and seconded by Mr. Taylor to authorize the BOE to purchase the voting booths of their choice using Federal funds, contingent upon the lever voting machine being decertified by the New York State Board of Elections.

Mr. Strainer interjected that he believed that the BOE was requesting to allow the lever machine to remain the certified voting machine. Ms. Casey advised that the State would make a decision based on the results of the Voting System Pilot Project test with an anticipated certification in December of 2009. She said that the State would require that all voting machines be in place by March of 2010 to begin the education process of the BOE staff, as well as the public. She noted that Warren County had opted not to participate in the Pilot Project due to the excessive cost and the lack of knowledge on the optical scan machines in use. She pointed out that although the State may not decertify the lever machine, the Department of Justice may require that optical scan machines be used for all elections.

Ms. Casey pointed out that the BOE did not have enough lever machines to use for a full election. She noted that there was an increase in expenses to repair the machines as they were no longer being manufactured which made it difficult to find the parts to repair them.

Mr. Girard questioned if the Counties participating in the request to keep the lever voting machines would be excluded from the Federal funding and Ms. Casey replied that if they used the lever machine after it was decertified they would lose their Federal funds.

Mr. Sheehan called the question and the motion was carried unanimously to authorize the BOE to purchase the voting booths of their choice using Federal funds, contingent upon the lever voting machine being decertified by the New York State Board of Elections (SBOE).

With regards to new business, Ms. Casey advised that Agenda Item 1 referred to the New Voting System Pilot Project for the 2009 Primary and General Elections requested by the SBOE. She apprised that she had attached with the Agenda the BOE response to the request which stated that they did not wish to participate in the Pilot due to the lack of time for voter education, the lack of staff and funds. She pointed out that the listing of participating Counties and the number of voters impacted was attached, as well.

Agenda Item 2, Ms. Casey stated, referred to the financial impact the new optical scan voting system would have on the 2010 Board of Elections budget. She advised that New York State Election Law allowed for election expenses to be an independent line on tax bills. She referred the Committee to the copy of Schenectady County's tax bill, which was included in the Agenda packet. She said that

by implementing an independent line on tax bills it would allow the taxpayer to view the election expenses versus all other expenses.

Ms. Casey apprised that she had attached with the Agenda packet a table configured by Mike Swan, Director of Real Property Tax Services, that estimated what the costs would be for funds required by the BOE and how it would effect the tax rates, as well as an example of a tax bill with the independent line for the BOE included in it. She explained that this would eliminate the BOE expenses from the County and Town budgets.

William Montfort, Commissioner of the Board of Elections, mentioned that this would mean that the City of Glens Falls would eliminate \$22,800 from their budget, the Town of Queensbury would eliminate \$33,600 and the County would eliminate the \$630,000 that was budgeted for the BOE. He pointed out that the Schenectady tax bill had a separate line for New York State and Federal mandates which could ease some of the burden on the Supervisors, as it would point out to the taxpayer how much of their tax dollars were mandated.

Mr. Montfort apprised that although he was aware that the County was requesting that all Departments reduce their budgets, if the new voting system was adopted, the BOE budget would have to increase. He said that by allowing the BOE to have a separate tax line for expenses, the burden of having to justify the increase in the BOE budget would not fall on the County.

Mr. Taylor questioned whether the proposed change would put a burden on the BOE Department and Ms. Casey replied in the negative. She explained that the only change would be that at the end of the year the County Treasurer would verify the BOE expenses for the year and calculate the figure for the tax bills.

Mr. Strainer asked for clarification that the BOE would be eliminated from the County budget and Ms. Casey replied affirmatively. Mr. Montfort explained the funds for the Department would come from the taxpayers.

Mr. Montfort advised that the State Legislature required that each voter have three ballots available to them and the SBOE said that the BOE should have enough ballots for 100% registration; therefore, he said, extra ballots would need to be ordered to accommodate voter error. Mr. Strainer queried whether this would increase the number of absentee voters and Ms. Casey replied in the negative and explained that according to New York State Election Law an individual had to have a valid reason to participate in absentee voting. Ms. Casey noted that although they had preferred the electronic system, the optical scan was chosen by the State.

Ms. Casey advised that although the price of the new voting system had increased substantially, the BOE had pre-ordered the machines pending the decertification of the lever machine; therefore, she said, the BOE would pay a lower price per machine but did not have to commit to purchasing the

machines unless they were certified by the SBOE and the lever machine was decertified.

Ms. Casey suggested that the Committee make a decision on whether they wished to allow the BOE to have a separate tax line on tax bills to ensure that it would be effective for the 2011 tax bills. She said she was not knowledgeable of the process required to include the BOE as a separate line on tax bills and she suggested that the issue be referred to the County Attorney's Office.

Mr. Girard queried whether it would be possible to have the tax bills broken down the same way as the Schenectady County bills and Mr. Montfort replied in the negative due to not having access to the necessary State software. He explained that Mr. Swan had informed him that the invoices would mirror that of the Stony Creek invoice that was included in the Agenda packet.

Mr. Taylor interjected that he did not think it was a good idea to create a separate tax line for BOE expenses, as he felt that the taxpayer would view it as a new tax being imposed on them. Mr. VanNess apprised that education would be necessary to ensure that the taxpayers were aware that this was not a new tax.

Mr. Geraghty advised that although the County and Towns would be able to reduce their budgets, it was not reducing the amount of taxes owed by the taxpayers. Ms. Casey stated that this may make the taxpayer more aware of the expenses that are related to elections. She reiterated that the County BOE was against instituting the new voting machines; however, she said, if the State decertified the lever machine, the BOE was obligated to supply the new machines for elections.

It was the consensus of the Committee that Ms. Casey consult with the County Attorney on what process was necessary to include the BOE as a separate line on tax bills and to report back to the Committee at a later date.

Proceeding with the Agenda review, Ms. Casey advised that included with the Agenda was a summary of the New York State Election Law Section 6210 regulations, which outlined the security required for voting systems and the County's obligation for record retention. She explained that it was necessary to store the previous two years ballots, store the voting machines in a secure place and test all the machines to ensure that they were in proper working condition prior to an election.

Mr. Strainer questioned what would happen if during testing the numbers were incorrect and Ms. Casey advised it would be necessary to reprogram the machines. Mr. Strainer questioned how much time was allowed for corrections and Mr. Montfort replied that it may only be a few days before an election.

Ms. Casey pointed out that the BOE did not have a sufficient number of staff to program all of the machines. She said that the BOE was hoping that the SBOE would provide the programming services for the machines. She explained that if the SBOE did not offer the programming services it would

be necessary for the BOE to contract with the Information Technology (IT) Department for programming services. She said that the IT employees would be required to commit to a certain amount of hours per week in the BOE Department to provide the programming services.

Discussion ensued.

Agenda Item 6, Ms. Casey apprised, referred to the BOE Table of Organization. She stated that if the Optical Scan Voting System was certified and the lever machine was decertified it would be necessary to change the titles of the individuals who serviced the machines from Machine Custodian to Voting Systems Tech to accommodate the roll out of the Optical Scan Voting System. She explained that the change in title would require a pay increase from \$15 to \$17.50 per hour, with the necessary funds available in the BOE budget. Mr. VanNess queried whether additional staff would be necessary and Ms. Casey replied in the negative.

Concluding the Agenda review, Ms. Casey requested permission for the Commissioners of the BOE to attend the Elections Commissioners Association Conference in Geneva, New York from June 23 through June 26, 2009. Mr. Sheehan questioned whether the funds were available in the budget and Ms. Casey replied affirmatively.

Motion was made by Mr. VanNess, seconded by Mr. Strainer and carried unanimously to authorize the Commissioners of the BOE to attend the Elections Commissioners Association Conference in Geneva, New York as outlined above. *Copies of the requests for Authorization to Attend a Meeting or Convention are on file with the minutes.*

The BOE portion of the meeting concluded at 10:48 a.m.

Privilege of the floor was extended to Robert Metthe, Director of the Information Technology (IT) Department, who distributed copies of the Agenda to the Committee members; a copy of which is on file with the minutes.

Agenda Item 1, Mr. Metthe advised, referred to the position that would be abolished within the IT Department. He stated that the vacant position of Information Technology Business Analyst, base salary of \$33,000 would be abolished effective July 1, 2009.

Proceeding to Agenda Item 2, Mr. Metthe advised that in response to the letter received from the Budget Officer, he provided with the Agenda a copy of the summary of services provided by the IT Department. Mr. VanNess queried whether the issue with the Department of Public Works (DPW) invoicing for gas and oil usage had been remedied. Mr. Metthe explained that the DPW had their own IT employee that was responsible for the invoicing; however, he stated, that particular employee had been terminated at the beginning of the year. He said that the IT Department had taken over the responsibilities of that position and he believed the issue had been resolved.

Mr. Geraghty interjected that the Town of Warrensburg had just received their February invoice the prior week. Mr. VanNess pointed out that the delay in billing was causing issues with the Towns and Departmental budgets, as they did not have an accurate amount of funds expended for gas and oil. Mr. Payne advised that the Departments with large amounts budgeted for gas and oil should have a surplus due to the decrease in the price for gas; however; he added that due to the delays in billing, these figures were not available. Mr. Metthe replied that the issue was within the DPW Department, as the IT Department could not assist the DPW until the necessary data was available to produce the invoices. Mr. Payne asserted that it was necessary to have the problem resolved prior to July 1, 2009, which was when the new charges would be implemented for the school districts located within Warren County.

Mr. VanNess questioned if there would be any employees interested in retiring if the early retirement incentive was offered and Mr. Metthe replied that there was low interest. Mr. VanNess queried whether it would be possible to offer the early retirement incentive to individuals employed by the County for five years, which was short of the ten years of service required. Mr. Dusek replied that the State set the number of years of service required for retirement and he believed it was presently set at five years of service.

Mr. VanNess apprised that the issue was with the years of service required to be eligible for the continuation of health benefits and Mr. Dusek advised that he believed that ten years of service had always been the requirement to be eligible for medical benefits through the County after retiring and Mr. VanNess replied that he thought it had been changed from five years to ten years at some point.

Mr. VanNess suggested that the County offer a temporary policy as part of the early retirement incentive to offer retirees benefits with five years of service; he added, that the policy would revert to the ten years of service requirement at the close of the retirement incentive. Mr. Dusek said that he would have to research the legality of Mr. VanNess' suggestion before he could make any recommendations to the Committee. Mr. VanNess voiced his opinion that the addition of the health benefits would be an incentive to accept the early retirement, which may reduce the unemployment costs to the County.

The IT portion of the meeting concluded at 11:00 a.m.

Mr. Dusek advised that Mr. Payne had requested that he and Julie Pacyna, Purchasing Agent, be present to discuss the County Purchasing Policy. Mrs. Pacyna apprised that she was using a draft of a purchasing policy from another County as a reference for the revised Warren County Policy, as that particular policy contained more information. She said that she would supply Mr. Dusek with a draft of the revised Purchasing Policy to review prior to the Finance and Personnel Committee meetings on June 10, 2009.

Mr. Dusek stated that the issue with the Purchasing Policy arose from the May 28, 2009 Committee

meeting of the Real Property Tax Services, where Mike Swan, Director of the Office of Real Property Tax Services, stated that funds could be saved by not purchasing ink cartridges for the printers in the Office on State contract. Mr. Dusek apprised that the issue was not with the Purchasing Policy, but rather an issue with the State Law that required issuing Requests for Proposals (RFP) to receive bids. He said that although it may be less expensive to go to a store and purchase individual ink cartridges or for a Department to issue their own RFP's, this would be a direct violation of the bidding laws of the State, of which the County had no control of.

Mr. Dusek advised that he and Mrs. Pacyna had decided that one option would be to issue RFP's for products that were purchased in large quantities and to inquire if funds could be used to purchase the products elsewhere than the State contract. He said it was necessary to rewrite the Purchasing Policy to make the necessary updates and revisions; however, he stated, the thresholds would remain the same, as they were based on State Law.

Mrs. Pacyna advised that although funds would be saved in commodities if more RFP's were issued, the time and money spent in the Purchasing Office would increase substantially. She stated that it would take the Purchasing Department some time to generate the information necessary to issue an RFP for toner cartridges for the County, as it encompassed the ink cartridges used by the entire County, not just a few Departments. Mr. Dusek pointed out that the IT Department was trying to reduce the number of printers used to save on ink cartridges costs which would aid the County in saving funds. Mr. Metthe interjected that the IT Department was doing an extensive inventory of all the printers in the County which would aide the Purchasing Department in developing an RFP for the cartridges.

Mr. Payne apprised that he had received a request for a meeting with a sales representative from W.B. Mason regarding a significant amount of savings W.B. Mason felt they could offer for toner for Hewlett Packard printers. Mrs. Pacyna advised that W.B. Mason would have to be the low bidder to be awarded that contract. She pointed out that the W.B. Mason sales representative was under the impression that the County did not have to purchase on State contract if they could find the product for less than the State contract price, which did not apply to the County.

Mr. Payne queried whether all office products could be bid and Mrs. Pacyna replied that there were bids for the stock room, as well as the print shop. She said that the toners could be added to the stock room bid; however, she said, due to spacing issues she suggested that it remain separate.

Mr. Dusek announced that prior to adjournment of the meeting he had an item to present and he distributed documentation supporting the matter; a copy of which is on file with the minutes. As per the Budget Officers request, he outlined the summary of services provided by the County Attorney's Office which was defined by County Law Section 501.

In response to the second question of how many positions in the Department could be abolished, Mr.

Dusek advised that legal services were interesting, as the use of a lawyer depended upon the comfort level of the matter that was being handled or something unique was involved that required legal services. He stated that sometimes individuals did not pursue claims due to the legal fees and expenses that pertained to the case and instead chose to pursue matters in small claims court.

Mr. Dusek apprised that the same was true when legal services were offered on the County level. He said that due to legal services being available, Departments would utilize such services. He said that the County Attorney's Office sometimes got involved with issues that could have been resolved without their assistance. He said that he had not discouraged this, as part of the duties of the Office was to provide preventative work.

Mr. Dusek stated that he had reviewed his Office to determine whether any positions could be eliminated while still being able to complete the work required. He said that the Law required that the County employ an Attorney; therefore, he said, the County Attorney position could not be abolished. He said that it was necessary for the County Attorney to have a Confidential Secretary in order to function efficiently.

Moving along, Mr. Dusek advised that by law the County Attorney was required to have a representative of the County in Family Court proceedings in the nature of Persons In Need of Supervision (PINS) Juvenile Delinquents (JD's), which was handled by the First Assistant County Attorney unless assistance by Mr. Dusek was requested. He said that in looking at whether he could function without the First Assistant County Attorney position, he had come to the conclusion that he could not, as this may cause scheduling conflicts for him.

Mr. Dusek pointed out that a critical job duty of his Office was the preparation of the resolutions for the Board meetings, preparation of the contracts for the County, follow up on litigation and foreclosure actions. He noted that there were three administrative type positions in the Office, two Legal Assistants and the Confidential Secretary to the County Attorney. He said that the three administrative positions in the Office were responsible for certain Departments. He pointed out that there originally been four administrative positions in the Office; however, he said, that one position had been abolished. He apprised that in order to accommodate for the loss of the position, there was budgeted overtime available for the three positions in order for them to complete the work allocated to them. He advised in making an analysis he would not be able to eliminate one of the three administrative positions as he was unsure the remaining two positions would be able to handle the workload.

Mr. Dusek explained that the only position remaining in the Office was the Second Assistant County Attorney. He said that he had spoken at length with Mr. Payne on whether the Office could continue to function without the Second Assistant County Attorney. He stated that he knew that the Supervisors were aware that this particular Attorney handled the Building and Codes issues and Election issues, as well as many other duties which supplied the position with a full workload.

Mr. Dusek apprised that if he had to eliminate the position he could as it was not quite the same as the First Assistant County Attorney where scheduling conflicts existed because the Second Assistant was not required to be in Court. He said if the position was eliminated he would not have situations that led to conflicts that he could not possibly cover.

Mr. Dusek explained that if the Second Assistant County Attorney's position was eliminated, the workload would have to be picked up by himself and the First Assistant County Attorney and the Departments that the Second Assistant County Attorney was handling would be divided. He said that this would mean that some of the duties currently performed by his Office would have to be shifted to the Departments, although they would continue to provide obligated services. He advised he would encourage Departments to assist the process by gathering information on their own, as opposed to the Attorney's doing it; therefore; he stated, there would be some give and take that he would have to work with the Departments on, which he emphasized he had always done and was very cooperative in that regard. He advised that there would be extra work required of him and the First Assistant County Attorney and they would do what it took to accomplish such because he was aware of the situation for the County with regard to saving money. Finally, he apprised, there may be some delays but obviously with regard to the delays he could prioritize the County Attorneys' Office work so that a deadline was never missed or any work jeopardized; however, he said, that it would be a matter of prioritizing and balancing out the workload.

In response to an inquiry on whether the Office could function without the position, Mr. Dusek replied affirmatively; however, he reaffirmed that the abolishment of the position would cause delays in the receipt of requested information and documents from his Office. Mr. Dusek said that the cost savings to the County would be that of the salaries and benefits associated with the abolished position. As far as the retirement incentive, he stated, there were no employees in the Office that were eligible at this time.

Mr. VanNess voiced his opinion that he was not comfortable with the abolishment of the Second Assistant County Attorney position, as he felt it was a necessary position to ensure that the County had adequate legal coverage. He said that he had consulted with the Second Assistant County Attorney for various reasons on behalf of several of the Committees he served on. He advised that the elimination of the position would make it difficult to have access to an Attorney to discuss legal issues, it would have a negative impact on the County and he would not be comfortable with it. He emphasized that although there were Departments within the County where cuts could be made, he did not feel that the County Attorney's Office was one of them.

Mr. VanNess suggested waiting to see how many positions would be eliminated due to retirement and how many of those positions would have to be filled to operate the Departments and then request that the Unions negotiate their contracts and make concessions. He advised that if the Unions refused to re-open the Contract, he would be more comfortable laying people off.

Mr. Strainer queried if an incentive program had been developed and Mr. Dusek replied that Todd Lunt, Director of Human Resources, had prepared a list of individuals that he felt were eligible for retirement and might be candidates for the retirement incentive. He advised that Mr. Lunt was also researching how many of the positions in question would need to be filled if they were vacated due to retirement. In order to determine the fiscal impact that the retirement incentive would have to the County, Mr. Dusek apprised that they would have to calculate the net savings for the positions that could remain vacant, then add the salary costs for the positions that had to be filled, as well as the costs of the retirement and sick leave incentives, at which point they could determine whether the retirement incentive would generate a savings or if it would incur additional costs; he added that he expected the results of the calculations would vary depending upon the Department.

Mr. Dusek apprised that the Union was confused as to what would be offered for a retirement incentive package as there were many ideas being suggested and a firm course of action had yet to be determined. He said that he had been working with the Budget Officer, Chairman Monroe and Mr. Payne to provide an array of options for budget reductions for the Board of Supervisors to choose from, in hopes that staff layoffs would be a last resort option to meet the desired 0% budget increase. Mr. Dusek stated that he hoped those measures would avoid the need for a staff reduction within his own Office.

Mr. Geraghty stated that because the discussions with respect to budget reduction had to be held in open Committee sessions any ideas discussed were widely publicized and caused quite a bit of discussion amongst the employees and the public. He said that they had done the best job possible in making budget reductions, some of which had raised a considerable amount of controversy. Mr. Geraghty advised that there were Departments slated for program cuts that had approached him with suggestions for alternate ways to reduce their Departmental budgets, rather than reducing funding to necessary programs and all of those suggestions were welcomed. He stated that the negative side of the early retirement incentive was that although a number of employees would qualify for the incentive, some of the vacated positions would have to be filled to maintain County operations, which negated the cost savings. He said that the next step in developing a plan for the retirement incentive would be to determine how many employees would be offered the incentive, then provide this information along with the incentive benefits to the Union who would subsequently determine whether or not they would grant their approval. He concluded that if the Union was not amenable to the retirement incentive, the Committees would have to decide what additional positions to eliminate. Alternatively, Mr. Geraghty said that they were also researching health insurance options for County employees which could also seriously reduce budget costs. He noted that he was hoping to meet with the appropriate parties in the near future to further discuss the retirement incentive and health insurance options.

Mr. Dusek apprised that he had recently received information on the health insurance options available; however, he said, he had not addressed the matter because the information received was incomplete and he had not had the opportunity to contact the insurance broker with respect to the

matter.

Mr. Payne apprised that Mr. Lunt had compiled a list of 33 employees eligible for retirement with either 20 years of PBA service or 30 years of CSEA service. He added that Mr. Lunt was currently canvassing every Department Head in an effort to determine whether the positions currently being filled by the employees identified as candidates for early retirement would have to be filled to continue efficient County operations.

Mr. VanNess stated his feeling that about half of the eligible employees would accept the early retirement incentive, which certainly would not make up the considerable deficit faced for the 2010 budget year. He said that additional layoffs would likely be required if the Union refused to renegotiate the CSEA contracts to reduce employee salary increases which would consequently reduce the County budget. He added that if the layoffs became necessary, he would feel justified in stating that they were directly resultant of the Union's refusal to negotiate with the County.

Mr. Thomas stated that before moving forward with the retirement incentive, it was necessary to ensure that the County would not incur further expenses in connection with it.

Discussion ensued.

As there was no further business to come before the Support Services Committee, on motion made by Mr. VanNess and seconded by Mr. Girard , Mr. Sheehan adjourned the meeting at 11:21 a.m.

Respectfully Submitted,

Sarah McLenithan, Legislative Office Specialist