

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: SUPPORT SERVICES

DATE: JULY 31, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SHEEHAN
 VANNESS
 SIMMES
 STRAINER
 TAYLOR

OTHERS PRESENT:

AMY CLUTE, SELF-INSURANCE ADMINISTRATOR
MICHAEL NEEDHAM, NEEDHAM RISK MANAGEMENT
MARY BETH CASEY, COMMISSIONER OF THE BOARD OF
 ELECTIONS
WILLIAM MONTFORT, COMMISSIONER OF THE BOARD OF
 ELECTIONS

COMMITTEE MEMBERS ABSENT:

SUPERVISORS GIRARD
 GOODSPEED

FREDERICK MONROE, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL
 SERVICES
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF
 ADMINISTRATIVE AND FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS KENNY
 PITKIN
 THOMAS
TODD LUNT, HUMAN RESOURCES DIRECTOR
ROBERT LYNCH, DEPUTY TREASURER
ROBERT METTHE, DIRECTOR, INFORMATION TECHNOLOGY
RICHARD MURPHY, DEPUTY COMMISSIONER OF FISCAL SERVICES
THOM RANDALL, *THE ADIRONDACK JOURNAL*
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. Strainer and carried unanimously to approve the minutes of the previous meeting, subject to correction by the Clerk of the Board.

Hal Payne, Commissioner of Administrative and Fiscal Services, advised that the Finance Committee had requested that the Support Services Committee verify whether funds were available within the Information Technology (IT) Department budget to aid with the purchase of a new County-wide timekeeping system. He stated that Todd Lunt, Human Resources Director, Robert Lynch, Deputy Treasurer and Richard Murphy, Deputy Commissioner of Fiscal Services, were in attendance to give an update on this item.

Mr. Lunt apprised that he had received two quotes with regards to the Kronos Time Management System, one for the new Human Services Building (HSB) in the amount of \$62,000, and one for a County-wide system in the amount of \$164,014. He explained that the County could pay for the new system partially through a bond on the HSB and partially through a \$50,000 Capital Project the IT Department had available, as well as funds available through the County Treasurer's Office. Mr. Lynch asserted that no additional taxpayer dollars were necessary to purchase the system.

Mr. VanNess questioned whether the new system would save money, as well as create a more efficient timekeeping system and Mr. Lunt replied affirmatively. Mr. Lunt apprised that discussions had taken place in prior years regarding the need for a standardized time management system; however, he stated, the construction of the HSB had brought forth a way to aid in funding the new system.

Mr. Taylor queried what the savings would be if the new system was implemented and Mr. Lynch responded that the savings was estimated at \$450,000. Mr. Taylor asked whether the new system would require updates and Mr. Lynch replied that there was an annual fee for maintenance and updates on the system. Mr. Lynch pointed out that the County was paying two separate annual fees for the two time management systems that were currently in place. Mr. Taylor asked what the annual fee was and if it included all necessary updates and Mr. Lynch replied that it was estimated at \$23,000, which included all updates. Mr. Payne apprised that Sheila Weaver, Commissioner of the Department of Social Services (DSS), had informed him that she estimated that the new system would save her Department twenty hours per pay period, which amounted to an annual savings of \$10,000.

Mr. Strainer queried whether any other timekeeping systems had been reviewed and Mr. Lynch replied in the negative. He explained that no other systems had been researched, as the County was already using the Kronos System for the DPW and Westmount Health Facility; therefore, he said, they were knowledgeable of the System. Mr. Lunt advised that he had been impressed with the presentation he had attended on the System in Washington County.

Mr. Strainer questioned how many time clocks would be purchased for the HSB and Mr. Lunt replied that six would be purchased; however, he noted, less could be purchased. Mr. Lunt expressed his concern that if there was an insufficient amount of time clocks there would be an increase in the number of employees who clocked in late. Mr. Strainer questioned how many time clocks would have to be purchased for the County-wide system and Mr. Lunt responded twenty-four would be purchased, which was the same number currently used by the County.

Mr. Strainer questioned what the annual fee included and Mr. Lunt explained that it included all updates, troubleshooting, maintenance and repairs. Mr. Strainer asked if the system contained the latest technology and Mr. Lunt replied affirmatively.

Mr. Geraghty queried how many positions could be eliminated if the new system was purchased and Mr. Lynch responded that no positions would be eliminated. Mr. Geraghty asserted that if the system was as efficient as they explained, then positions should be eliminated, as it would no longer be necessary to maintain the current level of payroll employees. Mr. Lynch explained that although the system was more efficient, the employees affected would be reassigned to other projects.

Mr. Pitkin asserted that if the system was implemented it would be necessary to ensure that it was being utilized to its full capacity. Mr. Kenny pointed out that he felt that the system may eliminate abuse of the time clock, as employees would no longer be able to punch in for co-workers. Mr. Geraghty said that a time clock policy was essential to prevent abuse and Mr. Kenny concurred.

Mr. Geraghty pointed out that an issue that arose was if all employees would use the time clock whether exempt or non-exempt positions. Mr. Lunt stated that not all employees would be required to punch in everyday; however, he said, the details could be discussed at a future meeting.

On a query made by Mr. Taylor, Mr. Lunt stated that the County had not researched whether the new timekeeping system could be used rather than the key-lock security system they were considering purchasing. Mr. Strainer questioned whether the system was capable of being used as a security system and Mr. Lunt responded that he was unsure.

Mr. Strainer asked if the new system was compatible with the New World System and Mr. Lynch replied affirmatively. Mr. Strainer questioned what the process would be when an employee forgot to punch in and Mr. Lynch replied that the manager of the system would be able to make the proper adjustments subsequent to approval being received from the Department Head.

Discussion ensued.

Pursuant to further discussion on the matter, motion was made by Mr. VanNess, seconded by Mr. Taylor and carried unanimously approving the purchase and implementation of the Kronos Time Management System from M.M. Hayes Company, Inc. at a cost of \$164,014 to be financed as follows:

- 1) \$50,000 from Capital Project No. H108.9550 280-Computerization Effort;
- 2) \$61,916 from Capital Project No. H263.9550 280-Health & Human Services Bldg; and
- 3) \$52,098 from A.9950 910-Transfers-Capital Project; and to refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

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

Agenda Item 1, Ms. Clute explained, referred to an update on the Request for Proposal (RFP) for a pharmacy network vendor and the RFP for a diagnostic testing network vendor for self-insured workers' compensation program. She said copies of the proposals had been distributed to Committee members for their review and further discussion on the matter would take place at a future meeting.

Proceeding to Agenda Item 2, Ms. Clute advised that Mike Needham, Needham Risk Management, was in attendance to give an update on the services provided through the safety consultant contract, as well as a request to adopt the "Warren County Safety and Health Program".

Mr. Needham advised that he had been busy restructuring the way the County and the participants managed safety. He apprised that a Risk Management Steering Committee had been developed, as well as the Employee Safety and Health Committee. He said that the two groups had worked in conjunction to develop the "Warren County Safety and Health Program Policy".

Mr. Needham stated that a portion of the "Warren County Safety and Health Program Policy" consisted of a process for the safety and health suggestion forms. He advised that the Employee Safety and Health Committee felt that it was important for some sort of recognition to be developed when superior suggestions were made, as well as superior safety performance. He explained that a tracking system was being developed to measure safety performance within Departments.

Mr. Needham apprised that he had also been administering Occupational Safety and Health Administration (OSHA) compliance programs for the various facilities located within Warren County. He said that he had responded to two separate New York State Department of Labor (NYSDOL) inspections and consultations in the County, which were resolved with no fines being issued.

Mr. Needham reported that he was posting "Fatal Facts" at various locations throughout the County, which was a one page newsletter that described fatal accidents that had occurred in workplaces and how they could have been prevented. He advised that he was running open enrollment quarterly mandated OSHA training programs which were offered at various locations throughout the County.

Mr. Taylor questioned how Ms. Clute was going to measure the success and/or failure of the safety consultant services and Ms. Clute replied that at the end of year they would look at the number of incidents, as well as the severity of them, and would use that data as a basis on whether to renew the contract. She said that since all incidents were now being investigated, she felt there would be a reduction, as it was bringing accountability, as well as putting preventative measures in place. Mr. Needham said that when legitimate injuries occurred it was imperative that they be investigated to prevent them from reoccurring. He pointed out that another asset of the program was that it would prevent false claims from being filed, as well.

Mr. Needham stated that he felt that safety performance could be measured by the incident rate, which should be decreasing as new preventative measures were enacted. Another way to measure safety performance, he advised, was through cost savings.

Agenda Item 3, Ms. Clute advised, referred to the Midwest Employers Casualty Benchmarking Report. She explained that Midwest Employers Casualty Company (MWEC) was the Excess Workers' Compensation carrier for the Self-Insurance Plan. She said that MWEC had provided her with a benchmarking report that compared the performance of Warren County's Self-Insurance Plan to that of similar plans in New York State. She stated that the report documented that Warren County outperformed 94% of the similar self-insurance plans.

Ms. Clute apprised that she was pleased with the results of the report; however, she said, her goal was to improve upon the overall performance. She pointed out that one area that required some improvement was the frequency of claims. She explained that this may be due to the participants being educated to report all claims regardless of whether medical treatment was required or not. She said that she felt that with the addition of the safety consultant the numbers would decline. She advised that overall the Self-Insurance costs were nearly \$3 million less than the benchmark.

Ms. Clute stated that she had asked MWEC if anything could be done to reduce the premium and they advised her that the reserve could be updated more than once a year, which may reduce the premium. She said that she was now updating the reserves on the compensation claims twice annually in hopes of receiving a reduction in the premium.

Ms. Clute requested the adoption of the "Warren County Safety and Health Program Policy". Paul Dusek, County Attorney, interjected that it was necessary for the County to adopt the policy, as there were liability issues when proper safety measures were not enacted. He asserted that it was imperative that the Safety Officer follow through on the monitoring of the program aspect, particularly with the safety suggestions where it provided for a review and follow up with various types of actions through administration. He said that each time a suggestion was made it was necessary to follow through until conclusion because if it was not and a member of the public was injured it became a general liability issue for the County. He stated that if an investigation was done and it was discovered that someone had attempted to eradicate the issue by filling out a suggestion form and no action was ever taken, the County would be liable.

Mr. Lunt stated that as the County Safety Officer he could give updates on suggestions received at every Support Services Committee meetings. Mr. Dusek said that it was not necessary to give monthly updates;

however, he said, it was imperative that the Safety Officer followed through on all suggestions in a timely manner.

Motion was made by Mr. Strainer, seconded by Mr. VanNess and carried unanimously authorizing the adoption of the "Warren County Safety and Health Program Policy", and the necessary resolution was authorized for the August 21, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Concluding the Agenda review, Ms. Clute advised that it was essential that the Committee understand that she prepared the Self-Insurance Budget based upon prior years and existing claims. She explained that there was no way to predict the number of injuries that would occur in the coming year and the severity of them.

Ms. Clute apprised that her budget request for 2010 was \$829,600. She reminded the Committee that the Self-Insurance Fund was not part of the County Budget, but rather a stand-alone fund based on the number of participants. The City of Glen Falls pays into the fund, she explained, as well as the Towns, Adirondack Community College, and the County; and based on the claims history and the amount of money needed, it was portioned out. She said that at the end of the year if money remained after all the claims had been paid the excess was transferred to the Contributed Reserve; however, she stated, if there were insufficient funds available to pay the claims, the Contributed Reserve Funds were used.

Ms. Clute referred the Committee to a chart that was included in her Agenda which displayed what the actual revenue and expenses were for 2008, what had been budgeted in 2009 and the 2010 request. She stated that her total anticipated expenses for 2010 were \$929,600, which was an increase of \$59,000 from the previous year. She said that she anticipated \$829,600 of her 2010 budget would be received from the plan participants and the remaining \$100,000 from interest earned.

Ms. Clute advised that her 2009 budget request had been conservative and it may be necessary to use \$70,000 of the Contributed Reserve Funds, as she had some unanticipated expenses, such as the hiring of the safety consultant. She pointed out that there were four closure agreements pending that totaled \$102,000, which may require funds from the 2009 budget if they closed prior to the end of the year.

Ms. Clute stated that although the 2010 budget was conservative, there was an increase due to more expenses associated with legal and medical fees. She explained that the 2007 Workers' Compensation Reform increased the need for legal consultations, as the legal consultants were now required to sign and certify all forms before they could be sent out.

Ms. Clute reminded the Committee that at the June 1, 2009 Committee meeting she had suggested that monies from the Contributed Reserve Fund be used to assist in reducing the 2010 Self-Insurance Plan Budget. She said that on a request by the Committee she had included in her Agenda a chart that showed the history of the Contributed Reserve Fund and the estimated liabilities for the prior eleven years. She said that the amount of estimated liabilities fluctuated from year to year; however, she stated, there was a sufficient amount of money available in the Contributed Reserve Fund.

Ms. Clute advised that after discussing the issue with Mr. Dusek and Mr. Payne, they determined that 50% of the budget was a desirable amount to use from the Contributed Reserve Fund. She explained that the money required from Self-Insurance Plan participants was assessed based on a claims formula that had been established many years ago. She said that the chart on page twelve of the Agenda displayed what the 2009 actual assessments were and what it would be in 2010 if the \$829,000 required was divided amongst the

participants.

Ms. Clute apprised that page 14 of the Agenda included a chart that displayed what the assessments would be for each Self-Insurance participant if 50% of the funds were transferred from the Contributed Reserve. She pointed out that if Contributed Reserve Funds were used, the County would save \$173,000.

Mr. Taylor asked Ms. Clute if she was comfortable using 50% of the funds from the Contributed Reserve and she replied affirmatively. Chairman Monroe questioned what actions were necessary in order to use the funds from the Contributed Reserve to reduce the budget and Mr. Dusek replied that a resolution was necessary decreasing the limit of the Contributed Reserve Fund; however, he stated, he would research whether any other steps were necessary and include them in the resolution.

Motion was made by Mr. VanNess, seconded by Mr. Taylor and carried unanimously to decrease the limit of the Contributed Reserve from \$5 million to \$4.5 million and to apply \$414,800 to the 2010 Self-Insurance plan participant assessment and the necessary resolution was authorized for the August 21, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The Self-Insurance portion of the meeting concluded at 10:27 a.m.

JoAnn Mckinstry, Deputy Commissioner of Administrative and Fiscal Services, presented a request for herself and Joan Sady, Clerk of the Board, to attend the 2009 New York State Association of Counties (NYSAC) 2009 Fall Seminar on September 17, 2009 in Saratoga Springs, New York.

Motion was made by Mr. VanNess, seconded by Mr. Taylor and carried unanimously to authorize the Deputy Commissioner of Administrative and Fiscal Services and the Clerk of the Board to attend the NYSAC 2009 Fall Seminar as outlined above. *Copies of the requests to Attend Meeting or Convention are on file with the minutes.*

Mrs. McKinstry presented a request for Mr. Payne to attend the NYSAC 2009 Fall Seminar from September 16, 2009 through September 18, 2009 in Saratoga Springs, New York.

Motion was made by Mr. Taylor, seconded by Mr. VanNess and carried unanimously to authorize the Commissioner of Administrative and Fiscal Services to attend the NYSAC 2009 Fall Seminar as outlined above. *A copy of the request to Attend Meeting or Convention is on file with the minutes.*

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

Ms. Casey apprised that there was no new business to discuss and the Agenda consisted of pending items derived from prior Committee meetings. She advised that the first pending item referred to an update on the new voting booth requirements and the storage area needs. She said that no new voting booths would be purchased until the completion of the Voting System Pilot Project. She stated that when the new voting booths were purchased, they would be stored in the basement of the HSB.

With regards to Pending Item 2, Ms. Casey stated that Federal funds and grant funds would be used to purchase the new voting booths. She explained that the grant monies would be used to purchase twenty-two booths for persons with disabilities and the Federal funds would be used to purchase the remaining booths. She noted that Warren County had opted not to participate in the Pilot Project due to the excessive cost and the lack of knowledge of the optical scan machine in use.

Moving along to Pending Item 3, which Ms. Casey advised pertained to the financial impact implementing the new optical scan voting system would have on the 2010 BOE Budget and whether the County desired to allow the BOE to include a separate tax line on tax bills for election expenses. She advised that Patricia Nenninger, Second Assistant County Attorney, was in attendance to provide an update on how the County could include the BOE expenses as a separate tax line on tax bills.

Mrs. Nenninger apprised that legally the County could charge back to the towns some or all of the expenses pertaining to an election excluding salaries. She explained that the charge back could be by any equitable measure the County chose, such as voter registration percentages. She said that if the County charged back to the towns, the towns could choose to create a separate line on their tax bill for those expenses.

Mrs. Nenninger stated that Warren County currently charged back to the towns \$1,200 per district or voting machine, which amounted to \$84,000 in revenue for the BOE. She said that Warren County could choose to charge back to the towns all the election expenses with the exception of salaries; however, she said, they would no longer receive the \$84,000 in revenue from the towns at the beginning of the year.

Chairman Monroe advised that he had received numerous correspondences from Andi Novack, an Attorney who was petitioning to block the use of the Optical Scan Voting System, as she claimed it was unconstitutional and therefore, the agreement made between New York State and the Federal Government was invalid. He suggested that the County Attorney research whether the County should be included in Ms. Novack's petition against the State.

Mr. Dusek apprised that Ms. Novack's desire was to see if the State Legislature would take action against the new voting machines; however, he stated, if no action was taken by the State she would petition the Federal court. He stated that Ms. Novack was attempting to start a coalition on the notion that the New York State Legislation Act was unconstitutional. Mr. Dusek said that he would research whether there were merits in joining the cause with Ms. Novack and report back to the Committee.

Discussion ensued.

Pursuant to further discussion it was the consensus of the Committee that the BOE continue assessing the towns for election expenses as they had in prior years.

Mr. VanNess queried whether the Stock Room position could be eliminated, as he noted that office supplies could be purchased directly through catalogues and delivered to the Departments. Mr. Payne advised that Julie Pacyna, Purchasing Agent, was reviewing the matter.

It was the consensus of the Committee that Ms. Pacyna attend the next Committee meeting to discuss her recommendations regarding the Storekeeper position in the stock room.

As there was no further business to come before the Support Services Committee, on motion made by Mr. VanNess and seconded by Mrs. Simmes, Mr. Sheehan adjourned the meeting at 11:02 a.m.

Respectfully Submitted,
Sarah McLenithan, Legislative Office Specialist