



## GOVERNMENTAL OPERATIONS AND INSURANCE COMMITTEE

Time: 1:30 PM

Location: 3019 County Complex Drive

2<sup>nd</sup> Floor, Room 204

Canandaigua, NY 14424

February 8, 2017

**MEMBERS  
PRESENT**

Supervisors Jeffery Gallahan, Frederick Wille, Gregory Bendzlowicz, David Baker, Tamara Hicks, and Dominick Vedora.

Supervisor Gregory Westbrook, necessarily absent.

**OTHERS PRESENT**

In addition to Committee Members:

County Administrator Mary Krause, Deputy County Administrator Brian Young, Real Property Tax Director Robin Johnson, Chief Information Officer Sean Barry, County Attorney Gary Curtiss, Assistant County Attorneys Holly Adams and Mike Reinhardt, Director of Finance Mary Gates, Fiscal Manager Michael Wojcik, Employee Relations Director Julie Hoffman, Employee Relations Assistant Emily Phillips, Veterans Service Agency Director Jeremy Marshall, County Clerk Matt Hoose, Risk Manager John Parrott, Chairman Jack Marren, and Clerk to the Board Karen DeMay.

**CALL TO ORDER**

The meeting of the Governmental Operations and Insurance Committee was called to order at 1:30 PM by Committee Chair Gallahan.

At this time Chair Gallahan declared Supervisor Gregory Westbrook as necessarily absent.

**MINUTES**

**Motion to approve** and accept these minutes made by Supervisor Vedora, seconded by Supervisor Bendzlowicz and carried.

**BOARD OF  
SUPERVISORS**

Board Clerk Karen DeMay presented the following resolution:

- a. Resolution in Support of Assembly Bill 5518A / Senate Bill 3891-A, An Act to Amend the Volunteer Firefighters' Benefit Law.

Ms. DeMay stated Mr. Michael Nicholson, a disabled volunteer firefighter, brought this issue to the Board of Supervisors on December 22, 2016, at which time it was referred to committee. The Bill has passed the Senate but has been returned to Assembly at this time. Discussion followed. Mr. Nicholson states in his letter the rate of cancer for firefighters exceeds that of the average adult population. County Administrator offered to research this information.

**Motion to approve** this resolution made by Supervisor Hicks, seconded by Supervisor Wille and carried.

**COUNTY  
ADMINISTRATOR**

Deputy County Administrator Brian Young presented 29 legislative resolutions relating to issues having a direct impact on county operations and on our county residents. The titles are listed as follows:

**General Government:**

- Resolution Thanking the Governor and the State Legislature for Making Heroin and Opioid Abuse Prevention a Top Public Safety, Public Health, and Mental Health Priority in New York State in 2017

- Resolution Urging State Legislative Leaders to Focus Their Property Tax Relief Efforts on Fiscal Reforms that will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties Are Currently Required to Pay for Under State Law
- Resolution Urging the Governor and State Legislature to Hold Counties Harmless from Any Lost Federal Medicaid Reimbursement if Provisions of the Affordable Care Act Are Repealed, or Federal Medicaid Reimbursements to States Are Capped
- Resolution Calling for an Increase in the Share of Revenue Counties Retain for Providing State DMV Services
- Resolution Urging New York State to Cover the Added Costs of Early Voting

**Economic/Workforce Development:**

- Resolution Calling on Governor Cuomo and State Lawmakers to Invest and Implement Funding for a Statewide Workforce Strategy that Assists Locally-Driven Workforce Development Programs

**Finance:**

- Resolution Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for All Retailers by Addressing Loopholes in Internet Sales Tax Collection Practices
- Resolution Calling on New York's Congressional Delegation to Support the Enactment of Federal Legislation to Simplify and Ease Sales Tax Collections on Internet-Based Purchases and to Support a Level Playing Field for "Main Street" Retailers

**Health:**

- Resolution Urging the Department of Health and the Division of Budget to Identify All Outstanding Claims and Prioritize Reimbursing County Costs for Early Intervention Services That Were Provided and Paid for by Counties Prior to the State Fiscal Agent Administrative Takeover and Remain Unreimbursed
- Resolution Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement from All Third-Party Payers
- Resolution Calling for the Revamping of Outdated NYSED Preschool Special Education Service Program Reimbursements and Waiver Review Process for Contracted Service Agencies
- Resolution Urging the Governor and the New York State Legislature to Continue to Reform and Improve the Early Intervention Program to Better Serve Children and Families
- Resolution Calling on the Office of Alcoholism and Substance Abuse Services and the Governor of the State of New York to Provide State Funding to Support the Treatment of Individuals with Substance Use Disorders Who Are Incarcerated in County Jails, in Order to Help Combat the Heroin and Opioid Abuse Epidemic and Other Addictions, Save Lives, and Reduce the Rate of Recidivism
- Resolution Calling on the Office of Mental Health, the Department of Health and the Governor of the State of New York to Preserve and Maintain the Role of Children's Single Point of Access to Ensure that High-Need/High Risk Children and Youth with Serious Emotional Disturbance and Their Families Have Timely Access to the Comprehensive Services and Supports They Need as the State Implements Medicaid Redesign for Children, Youth and Family Services
- Resolution Urging the New York State Department of Environmental Conservation, the New York State Department of Health and the New York State Department of Agriculture and Markets to Acknowledge the Seriousness of Harmful Blue-Green Algae Blooms and to Dedicate Funding to Address Their Prevalence

**Human Resources:**

- Resolution Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking County Employment
- Resolution Calling on State to Pay for Any Required Increases in Cost to Child Protective Service Program

**Planning/Environment:**

- Resolution Urging the Governor and State Lawmakers to Sustain Funding for Farmland Preservation
- Resolution Supporting the Creation of an Industry-Sponsored Paint Stewardship Program to Reduce the Costly Burden Faced by Local Governments When Collecting and Disposing of Post-Consumer Paint

**Public Safety:**

- Resolution Calling on Governor Andrew M. Cuomo to Create a New York State 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services
- Resolution Calling on Governor Andrew M. Cuomo and the State Legislature to More Equitably and Efficiently Impose the 9-1-1 Surcharge on All Wireless Communications Devices and Use Revenues to Finance County 9-1-1
- Resolution Calling on Governor Cuomo and the New York State Legislature to Pass Legislation that Would Allow All Counties the Option for their Local Correctional Facility to Detain Persons Under Arrest Being Held for Arraignment
- Resolution Calling on Governor Cuomo and the New York State Legislature to Pass Legislation that Prohibits Civilian Drone Use Within One Thousand Feet of a Correctional Facility

**Social Services:**

- Resolution Urging the New York State Congressional Delegation to Preserve the Medicaid Expansion and Basic Health Plan Program Options Allowed under the Affordable Care Act and Oppose Efforts to Cap Federal Medicaid Payments to the States
- Resolution Urging the Governor and Legislature to Gradually Restore the 50/50 State/County Cost-Sharing for the Safety Net Program, to Increase Shelter Grant Reimbursements to Counties and to Provide Sufficient Resources to Provide Safe and Secure Housing
- Resolution Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that Any Statutory or Administrative Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims' Rights and Ensure Accountability in the Justice System

**Public Works:**

- Resolution Commending Governor Andrew Cuomo and State Legislators on Adopting a Transportation Capital Plan and Urging a Continued and Increasing Commitment to Assisting Counties in Maintaining Their Local Infrastructure
- Resolution Commending Governor Cuomo and State Legislators on Record Airport Funding Measures and Urging Certain Programs Be Made Permanent
- Resolution Calling on the President and Members of the New York State Congressional Delegation to Direct Infrastructure Stimulus Investments to Counties and Local Governments

**Motion to Approve** the 29 resolutions as a block was made by Supervisor Baker, seconded by Supervisor Bendzlowicz and carried.

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County Administrator Krause spoke of Governor Cuomo's proposed Shared Services Plan. The Governor stated county officials will be required to prepare a plan for shared services. Each county outside of New York City will prepare a plan for shared, coordinated and efficient services among the units of local governments contained within the county, excluding school districts. If counties across New York State do not adopt

these plans by mid-September, he intends to force a public vote by referendum in November.

County Leaders take exception to this plan because of the short time frame, an extension will be requested. In response, we are preparing information of actions Ontario County has taken since 1980, all cost savings efforts to streamline our local county government. We will include with this information what the county tax bill would be had we not taken these specific actions over the years.

Board Chairman Marren added Governor Cuomo expressed his frustration with the Federal government passing down to the state additional mandates. The Governor continued to suggest that counties are creating special districts to keep their tax rates flat. Mr. Marren added our county jails throughout the state hold parole violators, a state responsibility, but they sit in our jails on our dime.

Committee Chair Gallahan agreed that with all state imposed mandates, the counties have no control over their own budgets.

Supervisor Wille, added his frustration and spoke to the studies done to consolidate school districts. Efforts produced expensive, arcane, and disingenuous models. In closing he recognized the advantages and benefits of our BOCES system.

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Deputy County Administrator Young presented the Draft Regulatory Compliance Committee Annual Report for the year 2016.

**Motion to accept this report** was made by Supervisor Baker, seconded by Supervisor Bendzlowicz and carried.

#### REAL PROPERTY TAX SERVICES

Real Property Tax Director Robin Johnson presented the following resolution:

- a. **Authorization to Participate in Defense of Real Property Tax Assessment Challenges Against the 2016 Final Assessment Roll.**

Ms. Johnson explained the general progression of Certiorari proceedings and proposed county involvement with assistance to municipalities and schools. The defense costs are shared by Ontario County where appropriate.

**Motion to approve** this resolution made by Supervisor Vedora, seconded by Supervisor Hicks and carried.

#### INFORMATION SERVICES

Chief Information Officer Sean Barry presented the following resolutions:

- a. **Approval of Contract with Access Systems for RFP Support to Select a New County-Wide Document Management System.**

Mr. Barry provided information to explain our need to properly manage the growing volume of records for both compliance reasons and to improve operating efficiencies. This project will include a records management needs assessment, departmental business process analysis and assessment report, and requirements definition and vendor evaluation.

**Motion to approve** made by Supervisor Bendzlowicz, seconded by Supervisor Baker and carried.

- b. **Authorization to Disburse Geographic Data Files.**

Mr. Barry recommends open free mapping data to the general public and private

companies to encourage business and technical innovation in the local communities and cost-savings of county staff time. This will also minimize processing of related FOIL requests. Discussion followed.

**Motion to approve** made by Supervisor Baker, seconded by Supervisor Hicks and carried.

**c. Creation of Technical Specialist (Temporary) Information Services.**

Mr. Barry requested consideration of this resolution, as an addendum item to the committee agenda. Permission was given. He explained this is a six-month position which will allow a co-op student from RIT to work full-time as part of a required internship. There is sufficient funding within the department budget due to vacant positions.

**Motion to approve** made by Supervisor Baker, seconded by Supervisor Hicks and carried.

**COUNTY CLERK**

County Clerk Matt Hoose reported on the SAFE ACT recertification. Letters, 370,000, were sent to permit holders on January 3, 2017. Of the 420,000 permit holders outside of New York City area, it is estimated that 48,000 do not have good addresses or deceased. Ontario County has approximately 13,000 permit holders with an estimated 1,500 – 3,000 with wrong addresses, now living outside area, or deceased. Permit holders have until January 31, 2018, to recertify. It can be done on line our by completing a form with the County Clerk. His concerns lie with privacy through the Freedom of Information Act, compliance, and enforcement of this recertification. If someone fails to recertify for any reason, that information is sent to the County Clerk, referred to the Judge who in turn refers to enforcement. It generally is the County Sheriff but the Judge has the discretion to send to State Police

**VETERANS  
SERVICE AGENCY**

County Veteran Identification Card Program

Veteran Services Agency Director Jeremy Marshall spoke of partnering with the County Clerk's Office to provide ID cards for veterans who have registered their DD-214's (Veterans' Discharge Certificate from Active Duty). This card is funded by the County Clerk's Office and is of no cost to the veteran. It is important to encourage veterans to register their DD-214s for benefits such as compensation, access to VA healthcare, and burial. Initially, there was a significant increase in recording of the DD-214s but interest has waned. The plan is to raise awareness of this program through public awareness efforts. A flyer will be created for towns to post.

In conclusion, Mr. Hoose listed top legislative priorities and concerns of importance to his office.

- a. Increase the share of revenue retained by counties who provide DMV services.
- b. Stopping the State from sweeping funds from records management funds.
- c. ATV registration.
- d. Legislation to protect landowners relating to mineral rights.
- e. Issuing licenses to undocumented immigrants.

**WORKERS  
COMPENSATION  
AND MUTUAL  
SELF INSURANCE  
PLAN**

Employee Relations Director Julie Hoffman presented a resolution:

- a. **Authorization to Apply for NYS Occupational Safety and Health Hazard Abatement Grant, Ontario County Human Resources.**

**Motion to approve** this resolution made by Supervisor Baker, seconded by Supervisor Bendzlowicz and carried.

County Administrator Krause noted that Safety Coordinator Sherman Manchester has coordinated training of 12,000 students through Hazard Abatement Grants.

**COUNTY  
ATTORNEY**

Assistant County Attorney Mike Reinhardt presented resolution:

- a. **Liability Self-Insurance Program, Authority of Committee, Amending Resolution No. 603-1999.** Amending this resolution aligns the authority to the formation of the new Governmental Operations and Insurance Committee.

**Motion to approve** this resolution made by Supervisor Baker, seconded by Supervisor Vedora and carried.

**REPORTS**

Presented:

- a. 2016 Annual Report of the Real Property Tax Services Agency. (Robin Johnson)
- b. Workers Compensation Plan Costs 2015 & 2016
- c. Workers Compensation Plan Statistics 2015 & 2016 (Julie Hoffman)
- d. Summary Reports – Employee Safety (Emily Phillips)
  1. Workers Compensation Payments
  2. Recordable Injuries and Illness
  3. County-Wide OSHA Recordables
  4. January 2017 Workers Compensation Cases.
- e. Monthly MVA Report (Mike Reinhardt)
- f. Deer Struck Accidents, 14 out of 41 on County Roads (Chairman Gallahan)

Chairman Gallahan thanked all for their reports. Committee accepted the reports.

**EXECUTIVE  
SESSION**

At 2:35 PM Supervisor Baker made the **motion, seconded by Supervisor Bendzlowicz, that the committee adjourn to go into Executive Session** for the purpose of discussing information regarding proposed, pending, or current litigation; motion carried.

At 2:38 PM Supervisor Hicks made the **motion, seconded by Supervisor Vedora, that the committee leave executive session** and reconvene in regular session; motion carried.

**NEXT MEETING  
DATE:**

Wednesday, March 1, 2017, at 1:30 PM.

**ADJOURNMENT**

**Motion to adjourn** made at 2:40 PM by Supervisor Vedora, seconded by Supervisor Bendzlowicz and carried.

Respectfully  
Submitted

Karen DeMay, Clerk to the Board