

**Minutes****Audit & Control Committee****October 22, 2020, 8:35 a.m., Virtual Meeting via Zoom  
And Legislative Chambers**

Gerace Office Building, Mayville, NY

Members Present: Nazzaro, Odell, Harmon, (Gould, Niebel-by Zoom)

Others: Tampio, Ames, Bentley, Chagnon, J. Slagle, Zahn, McCoy, Cullen, Carrow, Wendel, Heitzenrater, Crow, Button, Griffith, Melquist, Geise, Spanos, Mihalko, Abdella, Gilbert, Swan, Schuyler, Dennison

Chairman Nazzaro called the meeting to order at 8:39 a.m.

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**Approval of Minutes (09/17/2020)**

MOVED by Legislator Odell, SECONDED by Legislator Niebel

*Unanimously Carried*

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**Privilege of the Floor**

Mr. Patrick Slagle: Good morning, I am grateful for this opportunity to speak on an important matter, said my name is Patrick Slagle I worked for the County as an Assistant Social Services attorney with the Department Health and Human Services. I want to speak today as the co-Chair of the Managers Association, which consists of roughly 107 dedicated county employees. I requested this opportunity to express on behalf of the managers the concern over the potential for reduction in the managers raise. Well, I could speak about the minimal impact a 3% raise has in terms of the overall budget, I wish to focus rather on our main concern and that's the impact to the morale of our counties management. As you're aware managers are exempt from over time, shift differential, step increases, or any other incentive to work above and beyond hours that they are hired to work however across the County managers understand that their leadership position often requires working beyond the 35 to 40 hours that they're hired to work. All levels of management from new hires to those serving over 20 years have routinely made sacrifices and work additional hours so that important services and operations would continue without interruption. COVID-19 has affected so much in our lives. And unfortunately Managers have felt an increased burden. During this time of crisis local governments have been mandated to do more and more by State government and this burden falls upon Managers. Managers who are already working extra hours have seen large increases in the work schedules often find themselves working and on call 24/7. Sacrifices are being made in terms of going on vacation and personal time off. The burden managers has never been higher. A 3% raise does not simply represent fair and honest compensation for this burden. Compensation is far less than

would be paid out to non-exempt employees for the same work. This raise represents the appreciation for the sacrifices being made and represents the commitment the County has to its leadership. It's imperative this local government retain professionals that we have who are managing tremendous County operations and community response during these uncertain times. The cost of turnover anytime is difficult, but it would be even more devastating during such an unprecedented crisis. The County must do more to retain and attract dedicated professionals during to help lead this County and this 3% raise will boost the morale of the current Managers and show potential future leaders that this county appreciates the burden the Managers are called to shoulder. Myself and the entire Association are fully aware of the difficult times facing the County and a difficult financial situation that our citizens find themselves in. Your task is difficult and we appreciate your willingness to listen to our concerns and reconsider any decision which will negatively affect the dedicated employees who continue to do so much for the County. I thank you.

Chairman Nazzaro: Okay, thank you Mr. Slagle and you're welcome to stay. We are going to be discussing that topic. During our agendas. So, I appreciate you coming today.

Mr. Slagle: Well, thank you. I appreciate it.

Chairman Nazzaro: Anyone else in attendance wishing to speak under privilege to the floor?

Mr. Terry Niebel: Would you entertain a question for Mr. Slagle at this time, or would you like that later in the agenda?

Chairman Nazzaro: Well, what I'm going to do Terry is have a change in the order of the agenda because Jay has to go to a doctor's appointment. So we're going to move the discussion of the budget up if everyone agrees. So why don't we do it then.

Legislator Niebel: Okay.

Chairman Nazzaro: Dr. Spanos, good morning. I saw your hand. I got to remember to look at the screen. Would you like to address the privilege of the floor?

Mrs. Spanos: I would just like to add one comment to Patrick's presentation. In that (*inaudible*) raises of Managers are covered under grants and don't always have an impact on the local share. So I just wanted to add that so that you can consider it in your deliberations.

Chairman Nazzaro: Point. Thank you so much. Any other individuals wishing to address the privilege of the floor? Olivia, do we have any emails that need to be read?

Ms. Ames: No, we didn't receive any emails.

Chairman Nazzaro: Okay, we received no comments, any other, okay, we have none. So what I would like to ask the committee is to be able to move resolution, the last resolution

that was prefiled, Consider the 2021 Tentative Budget with the Changes Listed Below and Present Same to the County Executive for his Consideration and Action . Do I have any objection to moving that to the top of the agenda so we can make sure we have enough time for Legislator Gould as well.

Legislator Odell: No objection Mr. Chairman.

Chairman Nazzaro: Okay, thank you so much. It's so we are going to go out of order which is fine. We're going to go to the pre file. As part of this, we will have I'm sure discussion on the topic of Managers raises. What we have before us is what we approved during the budget hearings, the last day there, Friday, and we moved it to this committee now, of course. I'm going to look to Kathleen Dennison. Kathleen, you might as well come up front here since you are our budget guru. I think what we'll do first is, have you bring forward any changes that you know of at this time and then we'll discuss potential other changes and whatever the committee so desires. Does that make sense? Kathleen, before you do that, maybe, just briefly, you can explain high level, not all the detail what this amendment did change, you know, on the high level to the tax levy and the tax rates from what the County Executive had proposed.

Mrs. Dennison: Thank you, Mr. Chairman. So, I will first talk about as you indicated, I'll give a high level summary of what changed. And then there are some changes that have been proposed since last week. So the resolution that you have prefiled, there are, let's see, there are no, other than the items that have come before the legislative committees this week. So I'll set those aside for a moment. There aren't any changes to the prefilled resolution –

Chairman Nazzaro: I guess what I wanted to just say, is what the tax levy would be in the tax rate. So everyone understands.

Mrs. Dennison: Okay. So in the tentative budget, the tax levy is \$66,425,552 and that represents a rate per thousand dollars of assessed value of \$8.41 and that is five cents less than the 2020 adopted budget. In the tentative budget per this amendment, the tax levy would be \$67,058,915. It is a tax rate of \$8.49, which represents an increase from last year of three cents per thousand dollars. And if you like, I could just give a brief summary of the concepts that are behind these changes or if you don't think that's necessary, we can skip that.

Chairman Nazzaro: It's up to the up to the committee because I know we spend a lot of time on this.

Legislator Niebel: Well, Chuck, just clarification. So full value rate of \$8.49, Kathleen, rounded that's going to be 8.50?

Mrs. Dennison: It's 8.490 so rounded it's \$8.49

Legislator Niebel: It's \$8.49. Okay, all right, which is really close to four cent increase instead of a three cent increase?

Mrs. Dennison: If you extend it, the 2020 rate was 8.458, so little bit under \$8.46 so the change is 3.2 cents an increase of 3.2 cents.

Chairman Nazzaro: And I concur with that Terry. Are you good with that?

Legislator Niebel: Okay, yeah, I'm okay. I just wanted to make sure we're talking about the same numbers and I think we are.

Chairman Nazzaro: That's where we left off at the budget hearings.

Mrs. Dennison: That's correct.

Chairman Nazzaro: And so now you're going to go over the things that have come – you have some changes.

Mrs. Dennison: Yes, but one comment I did want to make before we move on to additional changes is during the budget hearings, we, the committee had proposed a contingency fund a \$500,000 and that \$500,000 was based on what an estimate at that time of the savings in the management, changing the management salary increase from three to one and a half percent because during the budget hearings, I did a quick estimate of what that would be. Since the budget hearings my assistant Jenelle Hanson went through position by position and recalculated that change. The change that is in the amendment that you have in front of you is actually the net reduction in local share is \$103,289 and so that it's about \$25,000 less than originally anticipated. So, in the current version of the resolution and the contingency account was adjusted to accommodate that change. And the main reason that the figures that we have now are different from what we had during the hearings is due to the Public Defenders Department. When I did the quick estimate I attempted to, I did estimate which salary changes would be accompanied by Changes in revenues as Dr. Spanos indicated, a lot of the management salaries are reimbursed by grants and the one department that I missed is the Public Defender's office. The Public Defender's office as you're aware, we were obligated to maintain certain local share. So when I estimated the salary savings before I overlooked that, so we did have a - there's a pretty significant decrease in the Public Defender's office. Almost \$25,000 because there are a lot of managers in that department. But unfortunately we cannot take that savings to local share. So that's why we're now expecting that the change in the management salaries would be approximately \$103,000.

Chairman Nazzaro: Thank you Kathleen and you will see in the account there in the resolution increase appropriation account that adjustment for Public Defender salary was reduced the contractual for the contingency account from \$500,000 that we agreed on during the budget hearings down to \$473,007,772. So, so again, that's to reflect, as Kathleen pointed out, we cannot reduce the local share for the Public Defender because of the Hurrell grant.

Mrs. Dennison: Yes. So if the management salaries were changed. Obviously, the expenditures in the Public Defender's office would change. So there is a decrease in those appropriations, but I added a decrease in revenue in a Public Defender's office because we would be able to claim less expense for reimbursement.

Chairman Nazzaro: Okay, everyone clear on that? Okay, so before we get into some of the other discussions which I know we will, why don't we go over what we do know for certain or what you have for changes.

Mrs. Dennison: Yeah. And let me. I do have an exhibit. So I'll go ahead and pass that out.

Chairman Nazzaro: Terry and Jay, do you want Kathleen to email this to you?

Legislator Gould: Yes.

Legislator Niebel: It wouldn't be a bad idea.

Mrs. Dennison: Alright so let me send that out to Mr. Niebel and Mr. Gould. I apologize for not doing that last night. This came together pretty late in the day. I'm going to send you a file it's got a number of tabs on it. This you'd want to look at the tab that is titled possible changes.

Legislator Niebel: While we're doing that, could I ask a quick question of Kathleen?

Chairman Nazzaro: Of course you can.

Legislator Niebel: Okay. Kathleen so you said you went through the managers raises position by position, more or less.

Mrs. Dennison: Correct.

Legislator Niebel: Okay, because Mary Ann did raise a question. Some of the managers' raises are controlled, I guess, if you will, by grants and really don't have any effect on the budget. So you have taken that into consideration with this \$470,300,722 figure that we now have for the contingency account.

Mrs. Dennison: We did take it into consideration on kind of a global level. So, you know, honestly, they're could be –

Legislator Niebel: But not specifically?

Mrs. Dennison: Well, we did the positions specifically, but you know we did not have the opportunity to communicate with all of the departments to find out, you know, for each of those positions, what is grant funded. So we included some revenue adjustments for departments that we know would be affected, that are affected by grants are either State or Federal reimbursements. For example, Social Services as a department that we would expect to have significant State and Federal reimbursements. I did communicate with the Fiscal Supervisor, the Director of Administrative Services and Social Services and asked her what the revenue reduction would be or what her expected revenue reduction would be, and actually, she declined to reduce her revenues because she said. I mean, the adjustment on the management salaries in

Social Services was less than that I expected. The salary reduction is \$14,688 and then there's associated fringe. So the total reduction for just in that one department, A.6010, total adjustment is about \$17,000. So when I spoke with Ms. Lis about this, she said, Well, I put a lot of time into budgeting my revenues. So I would prefer to leave them alone because I know all the methodology behind it. So for Social Services and the Health departments, we actually did not put in a revenue adjustment. I did put in revenue adjustments for, for example, the Watershed Coordinator, because that is associated with occupancy tax and there'd be no local share change. We put in revenue adjustments for all of the enterprise funds because obviously reductions, there would not affect the local share. So we did adjust where we knew that we should, but I would expect based on the comments from Director Lis and Dr. Spanos that you know that there will probably be revenue reductions that we have not included.

Legislator Niebel: Additional revenue reductions?

Mrs. Dennison: That's correct, yes.

Legislator Niebel: Okay. Yeah, because Kathleen, I mean, okay, you mentioned Social Services. Some of those programs are reimbursable, I think, it's 50% some 75 some 90. I mean, so they're, they're all over the place but you left, you didn't do additional reductions, you left that reduction figure that they gave you at what, \$17,000 I think you said or are there about?

Mrs. Dennison: Well, we're reduced the, the amendment will reduce the salaries and benefits \$17,000 but I did not include any revenue reduction associated with that savings in appropriations. So we would probably expect that right now we're looking at a benefit to the County of \$103,000. It could reasonably be somewhat less than that.

Legislator Niebel: That's what I'm thinking. Thanks Chuck.

Chairman Nazzaro: Thank you, Terry. Okay, Kathleen emails the sheet to you Jay and Terry so we're going to have Kathleen going over the proposed amendments that came to her attention after we had met during the budget week.

Mrs. Dennison: These have- they were reviewed at the Health and Human Services Committee meeting last night. Actually, all of them are from Health and Human Services. The first one is an increase in appropriations for Office for Aging Services and for Veteran Service Agency and that's due to a new proposed rental of office space. And I'll go through block by block by block, if you will. So there is an increase appropriations for those two agencies. The next two lines are personal services and employee benefits for Environmental Health. Those are changes for adding a Sanitarium position. Then you'll see it says under increased appropriations personal services and employee benefits. It's listed as department A.4010 and the exact department name to be determined. Last night, and I hope Director Commissioner Schuyler will chime in if she would like to. I mean, there was a discussion about adding positions due to COVID response. The Commissioner had a list of positions, but there was not a specific list and costing for those positions and it was just, there's no offset offered, if you will. So I just put this on, because the Committee suggested people discussion item this morning, that they would like to add those positions but they're not sure how to pay for them to make a long story short. So

those are potential adjustments and we do have from Commissioner Schulyer, we have a list of those positions. Since they came to light quite late, I don't have a costing of them at this time. I can get that.

Chairman Nazzaro: I guess there's a couple, if I could chime in on that because I know, I know we had that discussion during our weekly COVID Finance team meeting, whatever we call ourselves, that meeting we have every week and Mrs. Schuyler gave a very good overview of what is needed in her department because of the stress on her resources as the result of the pandemic and of course, she's free to talk. But I thought we sort of discussed and we have our Chairman here, Mr. Chagnon, that we're going to see what happens and – you had support that these are needed positions and if they were filled, you (*inaudible*) 2020 changes but for 2021, there is still so much uncertainty that if those positions were needed to continue because they will be temporary positions I thought. Yeah, there are temporary positions that in 2021, if we have the contingency, we would either take it out of that or have to do later in the a year additional budget amendments to pay for those. I didn't believe we're going to actually adjust the 2021 budget. Again, that was our discussion we had on Tuesday. That these would be 1 be temporary positions and it can be temporary, up to 18 months. J

Mrs. Dennison: I just got an email from Kitty. She's saying that she can't hear you. Oh, can you hear me, nobody can hear me. I can hear you.

Legislator Niebel: I can hear you now.

Legislator Gould: Not very loud.

Chairman Nazzaro: Alright, I'll speak up.

Ms. Crow: It was just very faint the volume wasn't very loud.

Chairman Nazzaro: Okay, I'm as close to this microphone as I can get. My allergies sort of kick in this time of year especially was a rainy day like this. S

Legislator Niebel: Plus Jay is listening from Pennsylvania.

Chairman Nazzaro: But there's no restriction right now, you can come back Jay. So anyway, that was my recollection. So in the Human Services Committee. What did they, they discuss this as presented.

Mrs. Dennison: They said they were in favor of adding the positions and we discussed that at this time there was no revenue source for them and the comment was, we will leave that to our good friends at Audit and Control to work out.

Chairman Nazzaro: Okay, so for the Audit and Control Committee, again, if I move you're not going to be able to hear me, so I got to face Kathleen, sorry. Kathleen. We had this discussion and Christine, if you want to come up, you're welcome to come up to give a higher

review of what you told us on Tuesday. And then this committee has to decide, do we want to put them in the budget? We got to find out how to pay for them or do we want to see what happens in 2021 and we need to adjust the budget then, keeping in mind we have a contingency.

Mrs. Dennison: One thing I could do, I can send the list of positions to Janelle Hanson and ask her if she could quickly do a cost estimate for them, just so you have some ballpark figure.

Chairman Nazzaro: I think that would be a good idea.

Mrs. Dennison: And while Commissioner Schuyler's on her way, I have a question from Director Bentley talking about backtracking to the manager salary for a minute. He said, did we take into account that there would be no savings for managers that are at their salary range max. and the answer to that question is yes we did. So we did not assume that the salary ranges would be expanded. So anybody that was at the max, we did not put in any kind of save - we did adjust for that factor.

Chairman Nazzaro: Okay, Christine, Kathleen, I guess for social distancing. We have to just here. Can you hear me better no?

Legislator Gould: Yes.

Chairman Nazzaro: Okay. Thank you. You gave a very good overview on Tuesday. So maybe you can summarize that and we'll go from there.

Mrs. Schuyler: I can try and I apologize to those of you who I probably sound like a broken record to as we continue to talk about this COVID-19 pandemic. Throughout this pandemic our staff and our resources have been stretched to the max. We have pulled in every internal resource that we can, we've cross trained several employees from other units who have helped us on and off throughout this time, but everyone has their own responsibilities to also attend to. Especially once County government reopened and our clients began to come back in needing more services RSCR reports are up higher than they have been since April of 2019. So there are a lot of other challenges that we are not always able to just continue to pull people from within. Our core staff is burnout. I'm not exaggerating. Everyone is very tired. We're working seven days a week. Those of us who are in management are on call 24/7 and have been for going on nine months now without a break. There is no end in sight for this pandemic unfortunately right now. We do know that we have now been directed by the State that we are to be the lead for vaccination for COVID-19. So that will put even further stresses on to our already stretched local Health Department. That could be as soon as the end of 2020 with a vaccine for certain populations. We did get approval, thankfully, to hire some temporary positions. We have been recruiting for some nurses. We were able to hire - we got approval for five temporary positions, we've been able to hire two on a part time basis. It's very hard for people to give up a job to take a temporary job. We also got approval to hire three temporary LPN and we have been able to hire them. But again, they are all part time because they are all either working another job or in nursing school for their RN. We can hire two, I think it's two, temporary Clerk II's. We've been able to hire one part time so far. So we have got some relief coming in. I pulled staff back from

other units for this upcoming next two weeks because of our rapid testing clinics in Jamestown and Dunkirk where we anticipate testing at least 1000 people. So the testing alone is a huge feat. But that is with the support of contract staff through the State. But what many people don't realize is the follow up after someone is testing falls solely on the local Health Department. We have to notify everyone have their results and we are the only ones who have the authority to do disease surveillance, disease investigation, isolation, and quarantine. And then do that contact tracing to follow up on all of those people who we do put then in isolation and quarantine. The close contacts of those who test positive, we are able to upload into the States COM(?) care system and virtual contact tracers assist us thankfully with the contact tracing follow up and checking in on all of those who are close contacts of people who have tested positive. But we anticipate a spike in our positive cases from these rapid testing clinics next week and that will cause a lot more work for us to do. But the band aid of trying to pull people who've already been trained from our other units into the COVID response team is not a good solution. It's not a long term viable solution. I fully anticipate we are going to be in crisis mode for at least another six months if not a year. So based on that and in discussing this with my Epidemiologist and our Director of Community Health Nursing to see what, what can we do, we really, I'm talking with the COVID Budget committee, I was asked to talk with them on Tuesday afternoon and put together somewhat of a wish list of what resources we felt would be very useful to assist us to get through this response time. So that was what I came up with yesterday afternoon and Val was not available yesterday, so as Kathleen said, I didn't have numbers to go along with those positions. They are temporary. We're having a lot of difficulty recruiting registered nurses. We're not alone in that registered nurses are hard to come by, but especially in the public sector. So an option that I came up with was to ask for some temporary Case Managers. That's the title that we utilize in Early Intervention for service coordination and they are Bachelor prepared professionals who could work in conjunction with the registered nurses as far as disease investigation and follow up goes and especially with the schools. As you know, we've got 18 school districts in the County and with the school reopening it has been absolutely nonstop with questions and guidance and answering just all the questions and concerns that all of the school districts have as well as when there is a positive. Fortunately, we haven't had tremendous amount of positives within the school, but we have quarantine, I'm sure, well over 200 throughout the schools in this time. So I have one nurse who is dedicated to the schools and we have a school specialist that we were able to get on through the State contract. So she's a State contracted employee who works only with the schools and it's just not enough. We have to get another nurse or care manager case manager, if we can go that route, to also just work with the schools and that doesn't include all the work that we've been doing all along with SUNY Fredonia, and they're fun, and JCC and a whole lot of fun that's been going on there too. Just this last week or so we're dealing with the Tanglewood Manor outbreak. While the State is responsible for overseeing and inspecting and licensing long term care facilities, we support them and those efforts and we are responsible for the isolation and quarantine of a staff and all of the contact tracing and further isolation and quarantine that comes from community contacts. As you see, we also get called constantly from the media and our (*inaudible*) the calls and trying to keep our heads above water in so many different venues. The gym inspections, did increase a lot of our Environmental Health time. That was a sudden mandate that came on us. I did allow Sanitarians to work up to 40 hours during that time to get these inspections done in the short time, we had to do them. The Environmental house staff are also the ones who are taking the lead on all enforcement actions and inspections and all of these complaints that we get every day from

the New York on pause. Especially related to any of the businesses that we permit such as restaurants. They've also had to deal with venues such as weddings and even religious gatherings and everything else under the sun. So it has really been a very stressful eight plus months on your local Health department. And I am I'm, those of you who know me know I'm, I'm not one to sugarcoat things and I try to tell you the truth in the way that I see things in a way that it is, but we cannot continue the way we're going.

Chairman Nazzaro: Questions for Christine and one thing you pointed out on our Tuesday meeting, which was caused because of the pandemic, the COVID, there are other services that you need to provide that are, you don't have the resources to do, which is a concern also. I mean, yes. Other things still have to continue.

Mrs. Schulyer: Yeah, we have a tremendous amount of mandates. Pretty much everything that we do in all of Health and Human Services is mandated. We don't have a lot of options. Most of our programs have been crippled because it's been all hands on deck for COVID. We are not meeting our statute statutory regulations and we're also not meeting grant requirements. You know, there are other communicable diseases out there that have not gone away during this time that we have to do. Investigations and follow up on including our STDs, hepatitis, even syphilis has been on the rise during this time. Hepatitis very, very sad. A lot of that's directly correlated to the opioid epidemic and what we've been seeing with substance abuse. That's another program, the opioid overdose prevention program that Bri typically puts a lot of time in as our Epidemiologist and that has not been able to happen. We track the OD map data, work with the Mental Health Association for the peer response. Fortunately, that is contracted to the Peer organization. So the peer responses still continue to happen. Our Nurse Family Partnership and Community Health workers on our maternal child health home visits have suffered. We've lost women to follow up. These are your high risk pregnant and new moms. We have the Childhood Lead Poisoning Prevention program that should be always be a priority, we've got more children and referrals for Early Intervention and special education than we've had in a long time. Again, the demands on Environmental Health are still there and I couldn't even tell you the other numerous programs that, you know, we're required - immunization is always one of our core Public Health programs. Our immunization nurse who's in charge of that program is retiring at the end of this month. She is burnout and was not looking forward to this round of COVID immunizations that's coming our way. So she is retiring. So we're working to replace her at a very, very critical time.

Chairman Nazzaro: So, you did a very thorough in a short period of time that you had to prepare it, the email you sent out. So how many positions will be talking about?

Mrs. Dennison: Based on Christine's email, I was able to do a quick estimate of cost. I am thinking we're, we're talking about just about the ones you have identified as additional temporary staff to be requested. Because the previous block temporary staff approved is already in the 2020 and 21 budgets.

Mrs. Schuyler: I hope so.

Mrs. Dennison: Okay. So the additional temporary staff to be requested, there are four and a half positions on this list and a quick estimate of cost for, I looked at comparable positions that are already in the 2021 budget wage and fringe for those four and a half positions would be approximately \$284,000.

Chairman Nazzaro: I was going to say 300,000 I should have.

Mrs. Schuyler: And we do get, the State Health Commissioner did declared imminent threat to public health, since, it goes retroactive to when the pandemic started with the Governor's declaration so that increases our Article 6 Public Health State aid from 36% on salaries to 50% on salaries. So that that has not ever been budgeted into the 2020 budget or the 2021 because there's so much uncertainty that goes with what the State will actually approve once that application for State aid is submitted. It has to be all completely COVID related work. So I do also fully anticipate that local governments will get relief from the State pass through the Federal government. You all know there has been a lot of discussion at the Federal level as to what money will be passed down through State and local governments, but I do fully anticipate that we will get some relief for our costs and some reimbursements.

Chairman Nazzaro: Thank you Christine. I'm going to open up to the committee for questions and then we will need to discuss, if we take any action financially on this. So I'll open it up. Any questions for Christine? Thank you again for all your department to do this. Like you said this is not going away anytime soon. As we talked on Tuesday, you know, burnout can have a big impact. And that's what's happening.

Mrs. Schuyler: Yes it is.

Chairman Nazzaro: We have to respond to that.

Mrs. Schuyler: I did tell the committee when we looked at all of our staff who are not exempt from overtime our, CSEA staff, we did pull out their timesheets and our staff, they had to keep track of every hour of every day because we have so many different funding streams with grants and different things and COVID is tracked separately, whether it's nursing or clerical or Environmental Health and we have logged over 14,000 hours just for code since March. I think the hours over 35 because we are a 35 our department, I believe was, should have it in front of me, probably my stack here somewhere, I think that was about \$85,000 that that has cost just in the hours and that does not include any anyone who is in management. There aren't that many of us who are in management actually in Health and Human Services that are management confidential positions. So we have really been spreading the pain as much as we can during this really lengthy time frame. But I cannot ask any more of my managers and I will honestly say I don't know how much more I can give.

Legislator Odell: Thank you Mr. Chairman. Christina, Mr. Chairman, last night I had the good fortune of coming ahead of my meeting last night and catching the end of Health and Human Services here in quite a bit of this. You know, and Christine, you had some good points. I mean, you know, especially with the testing the States coming and doing conducting of the tests

and the processing, but it's up to you at the local level to take everything on and do the reporting that tracing and in all the detailed follow up that goes into and you know the devil is always in the detail, do you think this is the four and a half positions, is going to be sufficient going forward? I mean, it's better than nothing.

Mrs. Schuyler: Right I honestly don't know. We're just making a best guess and a lot of determines, you know, it's based on recruitment. Can we find people?

Legislator Odell: Well, that's you touched on it to last night was difficulty in finding people, professionals who would go on a temporary basis too, so that that itself will pose a challenge.

Kathleen. Thanks for putting numbers to it. I was guessing quarter million, Chuck was it \$300,000 and we met somewhere in the middle. That's all I got. Thank you.

Chairman Nazzaro: Any other questions for Christine? We will talk about this. I mean, But I just wanted everyone to hear.

Legislator Gould: I'd like to know how we're going to pay for it and (*inaudible*) in the managers again and getting the contingency account up to half a million, where we want it. I want to know where the money's is going to come from and what it's going to cost?

Legislator Niebel: Chuck, before we get to that today. Could I just make a comment?

Chairman Nazzaro: Of course you can.

Legislator Gould: No.

Chairman Nazzaro: Jay said no, but Jay, we need to discuss this.

Legislator Gould: I asked a question, man. Don't jump in front of me.

Legislator Niebel: I know Jay, and it's very pertinent but we're still on the HHS situation here.

Mrs. Schuyler: I think and I said, you know, I guess, if I may be so bold to say these are these are mandates. We have had one after the other Executive order thrown at us just about daily with more and more things that are pushed on to the local government, meaning the local Health Department to have to do so, we really don't have an option to not do these things. So we're doing the best we can to do them. But we can't continue the way that it is.

Chairman Nazzaro: Ok Legislator Chagnon, would you like to address the committee?

Chairman Chagnon: Thank you, Mr. Chairman. Can you hear me? Kathleen, you indicated the cost for these four and a half positions to be approximately \$284,000. Is that the gross cost or is that the net cost?

Mrs. Dennison: That's gross, including fringe.

Chairman Chagnon: Okay, so there will be aid that will pay, as I heard, 50% of the cost of the cost –

Mrs. Dennison: Fifty percent of the salaries.

Chairman Chagnon: O.K., and as I also heard the 2021 budget, as currently configured does not represent the increase in the aid for the COVID expenses which will be supplemental revenue in 2021 experience above and beyond what's reflected in the budget currently and, are any of these expenses eligible for FEMA reimbursement, FEMA funding?

Mrs. Schuyler: The FEMA question, and what will come from the Federal level are still really big unknowns for local governments.

Chairman Chagnon: But there's a potential for that.

Mrs. Schuyler: I fully anticipate that there will be relief for local governments. It's just when and how much right that none of us really know.

Chairman Chagnon: So the impact on the 2021 budget for these four and a half positions is far less than \$284,000 and could even be significantly less than that, based upon what the Federal government does.

Mrs. Schuyler: Correct and there will be a need for equipment, laptops, cell phones and various things like that for the staff as well, but usually getting that equipment reimbursed we can find funding streams for that more easily than we can staff so I think there'll be reimbursement for those costs as well.

Chairman Chagnon: Thank you, Mr. Chairman. I just wanted to point that out.

Chairman Nazzaro: Thank you. Pierre. And I believe that's why, and again, we're not you know, this is just a subcommittee of the Legislature that we meet the COVID finance and that was the reason we came to the conclusion on Tuesday, you know, we're supportive of these positions are necessary, however, as Legislator Chagnon pointed out so eloquently, there's revenue sources that we will be receiving, we're not sure to what degree, so we decided in that group, let's not actually put in a budget amendment at this time, let's see what relief we get to help pay for these. As we get further into 2021 if we need to make budget adjustments we will that time based on the information we have, which will be more current.

Mrs. Schuyler: These are temporary positions. We're not asking for permanent positions. You may recall in the budget, we had already cut, I believe, is about 17 permanent FTS from the Department of Health and Human Services to make the budget cuts that we had to do for 2021. So these temporary positions are just needed to do the mandated services that we have to do. These aren't optional.

Chairman Nazzaro: Thank you. So I guess I'll ask the committee, and hopefully Terry and Jay you can hear me, at this time, I don't feel we need to make a budget amendment but certainly the committee can feel differently. So is there any desire to make an amendment?

Legislator Niebel: To expand on what you and Pierre have already said, yeah, this \$284,000 increase in cost is going to be offset partially by Federal funds and depending on what happens in the next release package. It's possible, it's probably not probable, but it could be revenue neutral or budget neutral. We possibly could get \$284,000 to offset the costs.

Chairman Nazzaro: It could Terry, you're correct. It will be the best case scenario.

Legislator Niebel: And that's why I don't think we have to make any alterations. I agree with you guys.

Chairman Nazzaro: Does the rest of the committee -

Legislator Odell: Yeah, I think a future budget amendment would be sufficient.

Chairman Nazzaro: Okay, so Jay, to answer your question, how we're going to pay for this. We're not going to budget for it and we're looking hopefully to have revenues from the Federal and State government to offset the majority that's cost.

Legislator Niebel: Wait and see what happens.

Legislator Gould: Okay, sounds good.

Mrs. Dennison: Just add a quick number, Mr. Chairman. The estimated State aid for the wages of the \$284,000 is \$93,000, so there is a third of it.

Chairman Nazzaro: Okay, is that 50%, is that what it was?

Mrs. Dennison: That's 50% of the wages associated with those positions.

Chairman Nazzaro: Okay Kathleen, you were going over this, so I saw on the bottom, it says it must equals zero and you have a \$3,913 so on this little sheet you gave us.

Mrs. Dennison: Yes. So we talked about the increase in appropriations and there are some decreases in appropriations. The first one is in Safety Net, \$106,213. That is associated with the Sanitarium position. So the Department Health and Human Services is proposing to add the Sanitarium but is anticipating that that they would fund that by decreasing the Safety Net appropriations and then at the bottom under decreased revenue accounts, you'll see some decreases in Safety Net revenue. So the Sanitarium position is proposed to be budget neutral. Then under the decrease in appropriation accounts for Office for Aging Services, there are decreases in personal services and employee benefits. The Office for Aging Services, as you may recall during the budget hearings was expecting that their Senior Aide program would be in place until the end of June. The department has recently learned that that program will end at the end

of this year. So the Office for Aging Services would like to increase its renting expense but can more than cover that increase with the elimination of the Senior Aide program. So all of these changes together result in a reduction and local share of \$3,913.

Chairman Nazzaro: Okay, can't help but ask, it's a big reduction in Safety Net of \$106,000. Where does that put the 2021 budget number and how does that compare to what we think 2020 will be?

Mrs. Dennison: The current budget for Safety Net is \$6,250,000.00, this reduction would put the budget for 2021 at 5,000,894,000 so I mean, and it is a rather large reduction. It's a reduction of 5.7%.

Chairman Nazzaro: How we looking for 2020? I know that it's not final yet, obviously.

Mrs. Schulyer: Cases have been trending down. We don't have Val today.

Mrs. Dennison: I can look up the year to date here.

Chairman Nazzaro: I mean we need to budget, the Sanitarium, it was just omitted, right?

Mrs. Schuyler: I fully apologize. That was my mistake on the budget and with the retirement Mark Stowe our Environment Health Director and doing the subsequent changes in staffing, I'm the one who took the Sanitarium out and I didn't mean to and we really can't be without it.

Chairman Nazzaro: So I guess the question for the committee is not we need to have that position in there. The question is are we all comfortable because she's trying to make this – what you are doing is making a budget neutral.

Mrs. Schuyler: Right and Val did come up with that. She did look through our budgets to try to figure out how to make this work the best way and Val is who came up with those numbers and I trust her figuring.

Mrs. Dennison: Just to give you a snapshot of year to date in Safety Net, we've expended 77% of the 2020 budget. We're at 4.8 million. So that approximately a million lower than what is proposed for the full year for next year. As Christine indicated, I mean those expenditures have dropped for the last four years quite dramatically. So I would say it's not unreasonable from a mathematical standpoint that they would continue to drop. Yeah, so from 18' to 19' the actual Safety Net expense declined by 16%. With this change in Safety Net it's a reduction of 5.7% from the tentative budget. It's a reduction in from the 19' actual of 7.3%.

Chairman Nazzaro: Ok I had asked, but what I'm hearing, too, is Val, and yourself, and Christine, we do see a downward trend. We'll have to monitor this but I'm comfortable with reducing Safety Net. The rest of the committee, okay with this?

Legislator Odell: Agreed.

Legislator Gould: We reduce Safety Net every year. So why are we doing it again? We have for the last few years.

Chairman Nazzaro: Well I guess. Jay, we've seen a downward trend.

Legislator Gould: A lot of fat in the Safety Net?

Mrs. Schuyler: We we've seen a downward trend in cases. I honestly think a lot of that is reflective of how our economy has rebounded because these weren't the discussions we were having back in, when did I take over Social Services became your department head? Since 2010 maybe no, 11'm 12'. I don't know. Post-recession, you know, we did see -

Legislator Gould: Whatever.

Mrs. Schuyler: We did see higher caseload then and it has continued to steadily drop. So has Temporary Assistance for Needy Families, the COVID relief money that has been out there for the general population has definitely helped people to not have to rely on public assistance during this time. I don't know what that's going to continue to look like for the next year. I don't think any of us do, or what all of the economic fallouts are going to be when this pandemic is finally behind us. But all of right now you know the requirements have been placed on hold. So people don't have to recertify, they don't have to abide by the work requirements, face to face interviews, or job search, any of those right now. So things that have been pretty status quo for those on public assistance during this time.

Chairman Nazzaro: Okay, so I guess, Jay, does that answer your question?

Legislator Gould: Yes.

Mrs. Dennison: If I could just add some additional information to echo what Christine was saying that the actual cost of Safety Net, it was increasing every year through 2015 and it has decreased from 15' through now. But that is a relatively new trend.

Mrs. Schuyler: This was that lovely account that the State used to have to pay 50% of and it changed to now, that the State only pays 29%

Chairman Nazzaro: I guess I have to ask procedural question. I don't know if I look at Kathy Tampio or who I look at. So we've gone through this change here. So can we improve each amendment because you know we have other things to talk about, or do we do it as a package?

Legislator Niebel: And we do it as a package.

Legislator Odell: I'm good with that.

Legislator Gould: I agree with Mr. Niebel.

Chairman Nazzaro: Wow. I have to compose myself here.

Legislator Niebel: I'm going to make a note of that.

Chairman Nazzaro: Okay, Kathleen, do you have other proposed amendments? I have other things we're going to talk about but I want to make sure we cover what you have.

Mrs. Dennison: I have not been approached by any departments with any other proposed amendments.

Chairman Nazzaro: Okay, so let's talk about the elephant in the room. Management increases. I think we talked about this pretty in length during our budget hearings, I did receive some emails from, for concerns, Mr. Slagle thank you for coming, he presented his comments. I did copy my Audit Control members as well as our Chairman on any responses that I gave. So everyone had the same information. Just as a, just briefly, I just want to point out that when we did this, you know, in the Executives budget, he did have the 3%, we had the discussion we reduced it down to one and a half percent but I just want to clarify, because it was clarified to me that we reduce the allocation to the point one accounts. This committee or the legislature does not determine at all what an individual manager receives as an increase. As long as monies are available in the point ones and they're not at the top of the pay grades, they can get an increase. It could be zero, it could be one and a half percent, it could be 3%, and it could be more than that. Based on where they are in their pay grade and what is budgeted in point one. So, I think it was possibly miscommunicated and I will take responsibility for that. We're not capping managers' raises at one and a half percent. We reduce the allocation of the point ones. So it's the County Executive who has a final decision in that. So I just want to clarify that. I try to do that repeatedly in my emails. Kathleen you can correct me or jump in. We reduce the allocation to the point ones.

Mrs. Dennison: Yes that is that is correct. As we discussed during the budget hearings, the budget is adopted at the classification level. So each department would have a dollar figure for their personal services. There is a schedule of positions that obviously calculates that number and a scheduled positions that's included in the tentative budget and the adopted budget, but that position report is really a for information only. The budgets adopted it as a monetary figure and the departments have privilege within that monetary figure to use that money as they see fit in general.

Mrs. Schuyler: So if I may put that in layman's terms. The pie is so big, in the pie used to be this big, to be divvied up between, with the managers within your department for their raises. Now the pie is half that to be divvied up amongst the same amount of people within your department.

Chairman Nazzaro: The pie is cut in half, yes, by \$106,000 in this case. And I just want to point out too, in the budgets and we did budget a vacancy credit of \$220,000 a year before 2020 we budgeted \$660,000, and in the point ones, there is flexibility because positions aren't filled like for the vacancy credit, people retire. They're brought in and lower pay grade or lower starting salary because they're new. Again, this is a committee decision. You know, I'm going to yield this to the committee. I just wanted to state the facts. You know, I've gotten beat up on this

pretty bad and that's fine. I'm elected position. But again, my rationale to doing it was not to discredit the hard work that anyone's done everyone is, as you point out, Christine, as Brad Bentley has pointed out and other managers, everyone has worked extremely hard. So this is not at all directed at that. We're just put together with a task to present a budget that makes sense and I know a lot of businesses are closing in this County. People are not working, Social Security benefits are going up by 1.3%. That was my rationale, but I'm going to step aside and Dr. Spanos, I will recognize you, I will support what my Committee supports. So, I'm open to this. But if we put the money back in, we have to fund it. So I'm not opposed to having this discussion at all. Dr. Spanos?

Mrs. Spanos: I just wanted to point out another issue. You know, as Christine said, you're talking about reducing the pie per department. What about small departments like mine who only have one manager? And so if you don't budget for anything, I can't, you know that limits what, no matter what I do, or what PJ thinks about my performance. that's the maximum that can be given because that's what was budgeted. And for me, as I mentioned earlier, I don't know about the other departments, but my salary is fully charged to grants, so it has no impact on local share but again if I don't budget for it, how can I get it? So I just want to bring up that issue.

Chairman Nazzaro: Thank you very much. Mr. Abdella, you came down, I'm assuming you want to speak.

County Attorney Abdella: Yeah. Just for clarification and we had discussed this at the meeting of Audit & Control last week. The issue of whether a local law would be proposed after budget adoption to adjust the ranges? To address those managers who are at the top of their range. I think I heard Kathleen say that the calculation at this point assumes no change in the ranges. So that managers who are at the top of their range would not be eligible for any increase. I just think you need to be on the same page as far as your deliberations as to whether you do or do not intend to adjust the ranges, which we would typically, not every time, but typically would propose that in November/December following budget adoption.

Legislator Nazzaro: So what you are saying Steve is and Kathleen's checking it, I can see here typing away here, that in the current budget this proposed to 2021 it did not reflect changing those ranges. So if we did change them subsequently, currently, that is not being funded in the budget that's before us?

Mrs. Dennison: Well, there's two parts to the answer. When we prepared the tentative budget. We always tell the departments, for your managers that are at the top of their range, you are allowed to budget outside that range. You can budget for it. They can only get it if the Legislature expands the range. So some departments budgeted the 3% knowing that they may or may not be able to do it some did not. The one example of those, the one that did not is the Sheriff's organization. I went through their budget with them because they had a lot of managers that were at the top of their range. And I said, I don't think it's prudent to budget for these outside the range. So I know in the tentative budget we reduced those positions. So that's the first answer, is that they are allowed to budget for it. The second part of the answer is that's what I just emailed Janelle for clarification. My understanding is when she went through and did the

adjustment, she looked at managers that, you know, we're going to be outside the range and she adjusted that so she took out any budgets that were over the salary cap. So her adjustment figure of reducing the expense from the tentative budget of \$103,000, assumes that no one is paid beyond the range. So still if departments, like I say, if they budgeted 3% and all that 3% was over the range she took out 3%. You know if they were budgeted and they're only over the salary cap by 1% she took out 1%

Chairman Nazzaro: So is that taken out the Executives budget or the in the amendment?

Mrs. Dennison: In the amendment because in the Executive's budget, departments are at liberty to budget over the range.

Chairman Nazzaro: Okay, thank you. So I'm going to open it, Steve, do you want to add anything to that?

County Attorney Abdella: The only other thing I'll add which is partly related to what Mary Ann stated was, it you know my department in particular, it's a seven person department, five are managers so, you know, when there's a global cut like that there's really not going to be any opportunity for me to move point one money around to give greater than, then what is budgeted.

Mrs. Schuyler: To be to be very honest, I've been in a salaried or exempt from overtime position for over 20 years. You know, private sector before coming to County government 12 years ago. I fully know the expectation is, you're always going to work more than your 35 or 40 hours that your staff who are not exempt from overtime, work. But I can tell you this year has been grossly above and beyond to the point of you could almost say abuse for the amount of hours that some of us, especially, have put in during this time and none of us, I really think I can truly say this, no one is in a management confidential position in County government for the money. It's public service. It's for the greater good, all of us could go to the private sector and make more money if that's what motivated us. The issue, at this time, knowing what's going on in the private sector, I have family members who have lost their business, my husband's also self-employed. I understand that. But the private sector has not had to do all of the State mandates and the continual 24/7 increase in work that the local government has had to do during this time, and to think that, honest to goodness is not that much money for the kick in the teeth that it felt like as far as morale and I was sick to my stomach to have to tell my managers. Thank you so much for you being available to me to the public at large to everyone 24/7 for the last eight plus months, but you're not going to get just that 3% increase that I told you that was in the budget for you to get. I will tell ya, it's just doesn't feel very good when the expectations on us are so extremely high and the personal stress, the health issues, everything that comes along with trying to do the public service job that we're doing it this time. It's the principal.

Legislator Niebel: Yeah, Christine, if I could, look, we haven't always agreed on things in the past, sometimes on the budget, but I think you've done an excellent job during the pandemic. Now that's not an endorsement for when you run for public office.

Mrs. Schuyler: I'm not running for public office.

Legislator Niebel: But thanks for all you have done and your staff at DHSS. You've done a lot for the County and we appreciate it. Chuck, I do have just a question for Patrick Slagle if he's still here.

Chairman Nazzaro: He is here, yes.

Mrs. Schuyler: Patrick is here representing our Manager's Association, so he really is here to voice the feelings of the Managers Association.

Legislator Niebel: Actually my question goes directly to the Managers Association. It was my understanding that the Managers Association was defunct, that they hadn't met in a couple years. When will you guys reauthorized or reorganize and look, I really don't care. But I just want to make sure that that you guys are speaking on behalf of the Managers Association.

Mr. Slagle: So sure, I actually started with a County, it will be two years in March. Shortly within that first year I met with Dr. Spanos who said that based nationalization hasn't met in a while and needs to get started up again. And so, myself, along with Deb Zahn and (*inaudible*) we're kind of chosen to kind of get started again and things were looking good. We had a couple meetings, were looking over the finances, and then COVID hit. We had plans, I think we sent out like an email to all the manager, saying, hey, this is who we are, this is what we're looking to do, we had plans for some breakfast times and things that to get to know each other, get to know the other departments and then COVID hit and so we kind of were unable to get started. I was unable to meet everyone that I definitely wanted to meet but we are in place. My name is on the bank account, I believe, and this is money in the bank account, we are semi alive and I think we have greater plans for the future. Hope we can start it that way.

Legislator Niebel: When was your last meeting?

Mr. Slagle: Again, I think we had planned to meet you know, I can't recall when that email sent out I think are sent out maybe January/February or right before COVID hit in March and so we never able to have that meeting. I solicit a lot of comments from the managers. Manage the contact myself. I've contacted Deb with their with their concerns and so I believe we do have the authority and ability to speak on behalf of the managers. But we will start some official meetings, hopefully soon.

Legislator Niebel: I'm okay with that. I just wanted to make sure that is that you were the official spokesperson for the Managers Association which it sounds like you are.

Mrs. Spanos: I am the former - Pat took over from me as the President of the Managers Association and we had been meeting routinely up until 2019 when my two cohorts Kurt Gustafson and from DPF, both left the County and I just was overwhelmed and so I recruited new management for the Managers Association. But we had been meeting routinely until I would say about 2019.

Chairman Nazzaro: Okay, we're going to get right to this. Kathleen.

Mrs. Dennison: I'm sorry, I just want to make one correction regarding managers that are at the top of their range. I misunderstood what Jenelle had told me. So in the budget, in the tentative budget, as I mentioned, some departments, specifically the Sheriff, did not budget over the salary max. And so, so those budgets were not changed in the proposed amendment because they're already at the max and they couldn't get an increase anyway. So those did not change. But if a department, for lack of a better word, if a department ignored the maximum and budgeted their Managers with a 3% increase even though was over the max, those types of increases were reduced by 1.5% in the amendment, and so it's possible that there are some managers that are still budgeted at something over their maximum. So, the \$103,000 amendment, the savings could be a little bit less because there may be a few managers that are budgeted over their maximum. I would say it's not material, but it is possible.

Chairman Nazzaro: So sounds like we have a mixed bag, a little bit.

Mrs. Dennison: Yes.

Chairman Nazzaro: Thank you, Kathleen. Let's get right to this if the committee agrees because this is a very passionate issue. And again, I serve as a, you know, I look at things fiscally, you know, so I'm not opposed to reinstating this but we have to pay for it and we have to come up with how we're going to pay for it. So I'm going to open it up to the committee, one thing I'm not supportive of is reducing the contingency. I think that we're going to need very bit of that half a million dollars next year. We've heard about –

Legislator Gould: We're spending it already.

Chairman Nazzaro: Right Jay.

Legislator Odell: What's left of it, right?

Chairman Nazzaro: My only thing is I, you know, I'm going to open up to the committee because I'm not making the motion. Yes. I'm the one who brought it in and I just want to point out one other thing, because I'm factual, I deal with fact. Is that we have budgeted over the last four years 11% increases in Manager salaries 3, 3, 3, and 2. So I just want you to know, the Legislature is supportive of managers, we recognize the hard work you do, but also, we wear dual roles here. One is we represent the residents of the County and I get calls saying reduce salaries. That's not going to happen. But you got to understand what people are going through and people are paying their taxes. We have \$3.8 million more uncollectible property taxes and we did a year ago. So that's where I have to come from. I'm representing the people and also we have to maintain a positive workforce. That's why I said Christine when you came to us on Tuesday, burnout. I recognize burnout. I was in healthcare sector for 34 years. Not as a clinician, but as an Executive and I, we recognize burnout. So we're supportive of the manager. So with that being said, -

Mrs. Schuyler: You really need to look at retention and I agree. You know, because that's retention is definitely an issue. If we have trouble trying to recruit for CSEA, pretty stable union

positions, to try and recruit for, you know, non-stable management positions is even difficult especially when there are other entities within the State Retirement System, such as the courts that do pay significantly more than the County does. If we have to stop relying on our management staff as heavily as we do for after hours and weekends and being on call, per se, and we have to pay our union folks who their wages and such are in their contract, then it will cost the County much more money to have to pay union folks to be \$1.50 hour on call at a three hour minimum if they are called in.

Chairman Nazzaro: I agree with everything that's been said.

Mrs. Schuyler: And that's not budgeted.

Chairman Nazzaro: Correct. So thank you. I want to get to this before Jay, has to leave

Legislator Niebel: When does he have to leave?

Legislator Gould: About two minutes.

Chairman Nazzaro: O.k., so I'm going to turn this to the committee, open this up to the Committee. Okay, if we did make a change, again, I will be supportive of it once we find a way to pay for it. One way, thinking about it, I don't think it's realistic, is increase a vacancy credit. I mean, we put in a \$220,000 vacancy credit, but if we just swap buckets here and add to the pay increase, you know, reinstate the 3% that offset it by increasing the vacancy credit, they're still going to be spread out to the major departments, you know like DPF, your department Christine. So again, we're just cut the pie differently. We're still reducing the pie. I'm going to open up to the committee. I will support whatever this committee decides.

Legislator Gould: That's why I asked the question about how we were going to pay for it to get the contingency account up to a half a million and the mangers reinstated. I wanted Kathleen to tell me how much the taxes would go to pay the managers.

Legislator Niebel: Jay, that depends on whether -

Legislator Gould: Let them answer the question Terry, please. I've asked it twice now, I've asked it twice and then we got into a bunch of other discussions.

Chairman Nazzaro: Terry, we have a question on the floor, can we please get the answer from Kathleen to Jay's question? Thank you.

Legislator Niebel: But Chuck, it depends on how much it goes up, does it go from 1.5% to 2% to 2.5% or 3%?

Legislator Gould: Reinstate it to 3%. That's what they want. We'll start there.

Chairman Nazzaro: I think that's what we're calculating Terry, to reinstate with the County Executive had in there. We reduced it down to 1.5% in the original amount of that

adjustment before we just talked about the Public Defender, it would go back to that was \$128,222, so to me, if we reinstate it back to the 3%, which again I'm supportive of, as long as we can pay for it, is 128,222 to be added back.

Mrs. Dennison: Well I added- what's in the resolution that you have in front of you. The savings is \$103,289.

Chairman Nazzaro: But I would like the contingency to be (*cross talk*)

Mrs. Dennison: Yeah, so I added \$103,289 and I increase the contingency back to 500,000 and that would make the tax rate \$8.507 or an increase of five cents.

Mrs. Crow: The Increase of five cents, that's of all of the amendments or just to add that back?

Mrs. Dennison: That is the new total with adding those two items.

Legislator Niebel: That's all the amendments?

Legislator Gould: Thank you.

Chairman Nazzaro: So the tax rate again would be what?

Mrs. Dennison: The tax rate would be \$8.51.

Legislator Niebel: Eight point five zero seven.

Chairman Nazzaro: So I'm just going to step back. We had on our budget hearings rate was 8.49, so it would go up to \$8.507, so that is a 1.6 cents per thousand rate increase. I'm going from what we did, I want to go back to what we - so Jay, it would be 1.6 cents roughly to reinstate of back to the 3%. So on \$100,000 home, we're talking about \$1.60 cents, which is a cup of coffee.

Legislator Niebel: O.k., Chuck, based on based on what Patrick, Christine, Stephen, Mary Ann have said, I no longer favor of granting just the 1.5% increase. I'm between 1.5 and 3%. I appreciate that you're a fiscal conservative, so am I but really the unions have all received a 3% increase and so now I think we have to look at it as a fairness issue. Is it fair to the managers to only receive half the increase that the union employees have received and I realized that there's some departments that have, for lack of a better term busted their butts. Some haven't but I think we have to look at the whole situation and our managers have come through for us. They've they've helped us reduce our 2020 budget already by \$4 million dollars. I think they've gone above and beyond what they what they needed to do and I think we need to recognize that. So I'm between 1.5 and 3%.

Chairman Nazzaro: So, what I'm going to do here and Legislator Odell, you wanted to speak.

Legislator Odell: Just a follow up, Terry, I think you hit most of it and no one's questioning the hard work and dedication of the management at all, but we're wearing dual hats here, you know, especially representing citizens and I hear the same thing Chuck does, hey I'm laid off what's going on, what can you do for me, what are we doing at the County level to further reduce?

Mrs. Schuyler: You can lay make me off.

Legislator Odell: And the management has come through with the budget reductions, just like Terry, talk and that's wonderful. I mean, I would be - I look at different ways, when we put this budget together a lot of what was based on revenue, forecast revenues shortcomings are less than expected. Especially on sales tax when we (*inaudible*) an occupancy tax in the realms that I deal with and Planning and Economic Development. However, knowing this, I look at two ways. We can do 3% now and just take care of it or 1.5 now look at the end of the first quarter and see where our performance is, but if we're willing to go up to a \$8.507 tax rate, I would support that. Thank you.

Chairman Nazzaro: Other members of the committee.

Legislator Harmon: I just want to thank you for all you do. Your case was a strong case. You guys do a lot I'm not opposed at all to going .016 cents. That's my thought and if we can afford it and we can do this, that's what I would like to do.

Chairman Nazzaro: Okay, so I'm going to do on this, I do want to separate amendment on this because I think it's important because of all the attention it's gotten. So I'm going to ask the committee, do I have a motion to amend the resolution we had before us for the management pay increases? So I need a motion and a second.

Legislator Gould: And then I'll make the motion.

Chairman Nazzaro: And your motion is to what Jay?

Legislator Gould: Bring it up to 3% like it was originally.

Chairman Nazzaro: Okay, that's clear, so we have a motion from Legislator Gould to Amend the budget before us. To reinstate the managers increases back to the 3% that was in the Executive's budget. Is that correct Jay?

Legislator Gould: Correct.

Chairman Nazzaro: I'm just trying to keep you on a time schedule so you can get there safely.

Legislator Odell: I will second that Mr. Chairman.

Legislator Gould: I'm out of here as soon as I vote.

Chairman Nazzaro: Okay, we have a second by Legislator Odell. The effect of that Kathleen?

Mrs. Dennison: As I understand the motion, it would be to remove from the resolution any changes associated with reducing the management increase from 3% to 1.5%.

Chairman Nazzaro: Correct.

Mrs. Dennison: And that change would increase, making no other changes that would increase the tax levy by \$103,289.

Chairman Nazzaro: And does this also reinstated it to the \$500,000 for contingency? Or does that have to be separate later?

Mrs. Dennison: That would be a separate change.

Chairman Nazzaro: O.k., we will do that later.

Mrs. Schuyler: If I may, since Val didn't have the time or take the time to figure out what the revenue would be out of the Health and Human Services managers, I will have that for the committee.

Chairman Nazzaro: All right, thank you Christine. So we have a first and a second to reinstate the manager salaries to the 3%. And again, keep in mind, that's reinstating the monies into the point ones. Any other discussion by the committee?

Legislator Niebel: I'm in favor of increasing the manager salary increase, the 3%, but I would like to have the contingency fund and I know this is a difference of opinion here, but I'd like to have the contingency fund, which we have reinstated this year because we didn't have it last year. I'd like to have that reduced by an amount that reduces the tax rate to what it was last year 8.46 cents per thousand.

Chairman Nazzaro: Okay. That will be a separate - because we have a motion and a second. So, we will have to take these individually.

Legislator Niebel: Okay. All right, then reduce – grant the 3% increase the managers, but whatever that increase is, I'd like to see that come out of the contingency fund.

Chairman Nazzaro: Are you proposing an amendment?

Legislator Niebel: That would, that would take us back to the 8.491

Legislator Gould: I have to go.

Chairman Nazzaro: I guess I have to call the question here. I guess we'll procedure – Jay, hang on one second please, if you can. I guess for procedural, do we have an amendment, O.k., are you making an amendment to the proposed resolution as just presented and seconded. Are you making an amendment to that?

Legislator Niebel: Am I Chuck?

Chairman Nazzaro: Yes,

Legislator Niebel: Yes.

Chairman Nazzaro: All right. He's making an amendment to take this increase on the contingencies, is that correct?

Legislator Niebel: That's correct.

Chairman Nazzaro: Do I have a second to that? Do I have a second to that? All right, Terry, I do not have a second to that. So, we'll go back to the original I'm only rushing here just because Jay, I want to call vote. So we have the motion as presented by Legislator Gould, seconded by Legislator Odell to reinstate the managers salary to 3%. All those in favor, signify by saying aye.

*Carried with Legislator Niebel voting “no”.*

Legislator Niebel: Only because of the fact that it's not coming out of contingency. I'm in favor of the 3%

Chairman Nazzaro: So you have a no on this, correct Terry?

Legislator Niebel: Correct.

Chairman Nazzaro: So it passes 4 to 1. Sorry committee, I had to rush but I just wanted to get this done. So that's been reinstated. So now. I guess I'm doing this piecemeal now. We also had the proposed amendments that Kathleen presented that she went over. Do I have a motion to approve those amendments? This is to add the Sanitarium and reduce the Safety Net and the other adjustments.

Legislator Odell: So moved Mr. Chairman.

Chairman Nazzaro: So we have a motion by Legislator Odell. A second?

Legislator Harmon: I can second that.

Chairman Nazzaro: Legislator Harmon seconded that. Terry, did you hear us?

Legislator Niebel: I did Chuck. With these amendments is this to take us to the tax rate of 8.491?

Chairman Nazzaro: No sir. This one is just the amendment that Kathleen email to you, it was all in Health and Human Services. It actually reduces a local share by \$3,913.

Legislator Niebel: Okay, fine. I'm okay with that.

Chairman Nazzaro: All in favor of that?

*Unanimously Carried*

Legislator Odell: Mrs. Schuyler on the stuff did we didn't budget in for, for the personal services and under the 4010 account, we'll probably see that sometime in the 1<sup>st</sup> quarter, maybe? Just trying to make a note in the calendar going forward?

Mrs. Schuyler: For which position?

Legislator Odell: For the 4.5 FTE's that we didn't include in yet.

Mrs. Schuyler: Well, I'd like to get people on as soon as possible but –

Legislator Odell: No, you'll get them in right away but we might see adjustments into the first quarter, probably after the first of the year?

Mrs. Schuyler: Yeah, I think before the end of the year. The Federal government should come out with what the next relief package is going to be and I fully anticipate, we've been told, that that should include money for local governments.

Legislator Odell: Just because we're not budging at this time. Just so we circle the wagons at some point.

Mrs. Schuyler: It's only usual and customary that the State Health Department also allocates additional vaccination dollars to local Health Departments at times of pandemics, when we have to do our vaccination pods and do this mass population vaccination. So I do we anticipate that there should be more revenue coming to offset our local costs here.

Legislator Odell: Thanks.

Chairman Nazzaro: Okay. Now, does that answer your questions?

Legislator Odell: Yep.

Chairman Nazzaro: Okay. Now I'm going to look at Kathleen again and I can't make the motion and I'm going to ask the committee to consider it. What do we need to do to reinstate the contingency back to half a million?

Mrs. Dennison: Alright, just a quick update. So the first amendment to reinstate the manager salary to 3% would bring the tax levy to 67,162,524, and that represents an increase over the 2020 adopted budget of 4.5 cents. Then to add the amendments brought this morning, the sanitary and the changes to Office for Aging Services, that would bring the tax levy to 67,158,611, also an increase of .45 cents. Okay, and then your question is what will happen if we reinstate the contingency to \$500,000?

Chairman Nazzaro: Correct. It's got to be pretty small.

Mrs. Dennison: It's got to be pretty small, yeah.

Chairman Nazzaro: Because I think we're going to need every cent of that and more. I feel like we're in a marathon here.

Mrs. Dennison: That will bring the tax levy to 67,184,889. A tax rate of 8.506. It is an increase from 2020 of 4.8 cents.

Chairman Nazzaro: What was the dollar amount?

Mrs. Dennison: The dollar amount, \$8.51.

Chairman Nazzaro: No, I mean the dollar amount of the amendment?

Mrs. Dennison: Oh, the dollar amount on the amendment, it's 26,278.00.

Chairman Nazzaro: I knew it was small. Twenty six thousand two seventy eight (\$26,278) to reinstate the contingency back to a half a million.

Mrs. Dennison: Correct.

Legislator Odell: Certainly, Mr. Chairman, I'll make a motion that we move forward with the budget with the changes that was just stated by Kathleen Dennison resulting in a tax rate of 5.06.

Chairman Nazzaro: I think Legislator Odell what I was asking was to reinstate the contingency.

Legislator Odell: Oh, then here we go. Then nice and easy.

Legislator Niebel: To \$500,000?

Legislator Odell: Yeah. So I'll make a motion to reinstate the \$26,278 to bring the contingency fund back up to \$500,000

Chairman Nazzaro: Thank you Legislator Odell. Do I have a second?

Legislator Harmon: I can second that Mr. Chairman.

Chairman Nazzaro: Legislator Harmon. Thank you. We have a second. Now discussion Terry, any discussion on this or other legislators? What this is doing is just adding back to what we originally had, having a \$500,000 contingency in the 2021 budget. Pretty small number it's \$26,278.

Legislator Niebel: Essentially what this does is it just adds to the \$473,000 and change that we had before?

Chairman Nazzaro: Correct.

Legislator Niebel: To bring it back to the 500,000.

Chairman Nazzaro: That is correct, sir.

Legislator Niebel: Well, okay, I still have a problem with the contingency fund. Look, I think we need a contingency fund. I think we need a contingency fund, I just don't think we need it this high. Because the higher it goes means we're taking more money from the taxpayers. So, I understand what we're doing, but I'm not in favor of it.

Chairman Nazzaro: O.k., thank you Terry. Any other discussion? I'll call the vote, all in favor of increasing the contingency back to 500,000.

*Carried with Niebel voting "no"*

Chairman Nazzaro: So does pass 3 to 1. Please note that Legislator Gould had to leave the meeting for a scheduled appointment. So that does pass. Now, so we've approved three amendments. One was restating the 3% manager salaries, one was adding the Sanitarian and reducing the Safety Net that was brought forth, and the third was what we just voted on to increase the contingency back to 500,000. Are there any other amendments? I do have one concern. I just want to give an update. I just want you to be aware, and that's why we have a contingency, I am concerned about what we budgeted for the City of Jamestown. Negotiations are ongoing for the ambulance services is what I'm talking about. We did have in the 2021 budget, I believe \$162,000, roughly.

Mrs. Dennison: Yes.

Chairman Nazzaro: Of revenue if we if we entered into an agreement with the City Jamestown to provide ALS. That has not been finalized, discussions are still going on. But I just want to be aware that there could be a risk. I'm not asking anything here, I'm just pointing that out because that was a pretty big discussion. So that being said committee, Terry, Mark and Tom do we have any other recommendations or do we have anything from you, Kathleen or is this it for now?

Legislator Odell: That it, Mr. Chairman, we becomes a fluid document, anyways, but I think we've done the best we can. And I hope everyone's appreciative of what we got accomplished in this marathon this morning.

Chairman Nazzaro: Okay, Kathleen, now, procedure. So we have - I just want everyone understand what they're voting on. Now we're going to vote on the tentative 2021 budget as amended by three amendments and can you give us the final, are you able to do that. Kathleen, you're really quick. I appreciate all you do too. So what do you have?

Mrs. Dennison: After the three amendments, the tax levy would be \$67,184,889 and it's a tax rate of 8.506 cents per thousand. Obviously most people will see that as an 8.51rate per thousand. It represents an increase in the rate from the 2020 adopted budget of 4.8 cents or roughly five cents.

Chairman Nazzaro: Okay. So roughly the tax rate would be 8.51.

Mrs. Dennison: Correct. Versus \$8.46 in the current year budget.

Chairman Nazzaro: So that represents about who much from 2020?

Legislator Niebel: Five cents.

Mrs. Dennison: A five cent increase.

Chairman Nazzaro: Any questions?

Legislator Niebel: I'd like to make a motion to amend the amendment? I'd like to see the tax rate the same as is 2020 so I'd like to see us amend \$8.51 per thousand tentative tax rate back to \$8.46 which it was for 2020 and I would like to have the difference come out of a contingency fund, whatever that is. Whatever the five cents would be to make that back to the \$8.46.

Chairman Nazzaro: O.k., so you are making that are formal motion. Kathleen, do you want to put a number to that.

Mrs. Dennison: That would reduce the contingency from \$500,000 to \$121,889 so it's a reduction of \$379,111.

Chairman Nazzaro: Did you hear that Terry?

Legislator Niebel: Yes, I did. Chuck. Thanks.

Chairman Niebel: And you are comfortable that number?

Legislator Niebel: Yes, I am because again, and I'll just reinstate this, we haven't had a contingency fund and in what the last year or two. Whenever we've needed to balance the budget, we've taken out of the fund balance. The fund balance has been essentially our rainy day

fund. The contingency would be in addition to that. I don't mind us having a contingency fund. I think that's fine. I just have a problem funding that anywhere near a half million dollars.

Chairman Nazzaro: Okay, thank you, Terry. Do I have a second to the motion? Calling one more time. Do I have a second to Legislator Niebel's amendment? Okay, hearing none, no vote will be taken. Thank you, Terry. Any further discussion on the tentative budget, as amended? Reflecting again the tax levy the 67,184,889 and a tax rate of \$8.0506 per thousand which represents about a five cent increase over 2020. Any further discussion?

*Carried with Legislator Niebel voting "no"*

Chairman Nazzaro: So it does move forward now to the full Legislature. It did pass 3 to 1 and Kathleen, I would appreciate, doesn't have to be today but prior to the Legislature meeting of all legislators can receive the detail that the Audit and Control Committee gets, you know, like this nice breakout that you did here that you provided during our budget hearings. It's very well done. It breaks out the increase in appropriations, the decrease in appropriations, the revenue accounts and it was very clear to me, so we all have the same information. I think it's critical.

Mrs. Dennison: Yeah, so I will redraft the resolution with the amendments today and of course, send it to the Legislative Clerk and I will attach the Excel documentation along with the revised resolution.

Chairman Nazzaro: Okay, thank you. I would love to see that we're done, but we're not. We have to go back to resolutions.

#### Proposed Resolution – Accept Donation for Parks Westside Overland Trail Improvements

Chairman Nazzaro: Anyone wishing to speak on that?

Mr. Bentley: Good morning, Mr. Chairman, and before we get into this resolution, I do want to thank you and the Committee for taking the time to listen to the managers. They had spoken to me at length on this issue and I want to recognize everybody here for taking the time to acknowledge the hard work and efforts they do. Mrs. Schuyler and all the work she does and all the DPF staff, I'd like to recognize all the DPF managers that, between the public transportation, roads and bridges, Parks and Rec. Buildings and Grounds, the cleaning staff, you know, all these people put in extra hours this year to do that so I just want to thank you and the staff, and the committee too for that recognition.

On to the resolution for Parks. This is an individual that Mr. Bob Van Every, wants to donate money to the Parks to actually fund capital improvements. The only way to reserve this money for actual capital improvements versus just going in and operating expenses is via a resolution. So we note that in the resolution here for \$500 and I wish I had a lot more people want to donate \$500, we'd make the trails a - make the improvements that are necessary in the trails and they do need improvement.

Chairman Nazzaro: I would like to thank Mr. Van Every as well. Very much appreciated. Any questions or comments committee?

*Unanimously Carried*

Proposed Resolution - Adjust 2020 Adopted Budget for Public Facilities Energy Generation Accounts

Mr. Bentley: I want to address the question that you had raised at Public Facilities first, if I may.

Chairman Nazzaro: Sure.

Mr. Bentley: You had asked about whether or not the County would have deductible on this and for the life of me I couldn't remember even having the discussion. It was a little while ago but now I remember why I couldn't think that it was of significance. Back when the fire started, the cause of it we believe or at least part of the damage was caused by the lack of fire suppression system activating. So the insurance companies are subrogating that kind of cause and basically saying well, there should be no deductible because there was an adverse cause and so they are going after the – I expect the insurance companies go after that and not cause us a deductible. If we lose that and get charged a deductible, I believe it's \$25,000 per unit so it's \$50,000 total because they are insured per unit and there are six of them. So that would be the answer to the question but, as of right now, we have not budgeted in the energy fund to have to pay that deductible.

Chairman Nazzaro: Thank you.

Mr. Bentley: With that, this resolution is just an account recognition of the advanced insurance funds that we received. In order for us to pay the bills in a timely fashion while all the insurance companies discuss how to pay for it and who's responsible for what cost. So they have advanced us \$150,000 so we need to increase the appropriation account and increase the revenue account accordingly.

Chairman Nazzaro: Any questions or comments from the Committee?

*Unanimously Carried*

Proposed Resolution – Adjust 2020 Budget for Public Facilities Maintenance of Roads Accounts

Mr. Bentley: As I had mentioned at Public Facilities as part of the (*inaudible*) give up for COVID, earlier in the year we had reduced pavement markings by \$25,000. We need a little bit more of that money back to do some of the basic stripping of paved roads. We need lines on the roads that have none. So, this is a way to actually pay for those pavement markings. We're taking it out of maintenance of roads, the main account, 3970, and, we also have some insurance recoveries that we're throwing into the mix so this would not increase local share, we're just

using some offsetting balancing accounts to pay for this. So we can get the work done that needs to be done and keep the roads safe.

Chairman Nazzaro: Any questions or comments from the Committee?

*Unanimously Carried*

Proposed Resolution – Amend 2020 Budget Appropriations and Revenues – County Executive’s Office

Mr. Heitzenrater: This resolution is just to amend our revenue expense accounts associated with a census outreach grant that we received from New York State. Originally when the program was rolled out in January/February, we were looking at \$220,000 just over that amount. After everyone had their application into the State, with the pandemic, it was radio silence until about August where the State reinstated and adapted program and granted us half the original amount that they had allocated. So that is just to reflect those figures in our budget.

Chairman Nazzaro: Thank you Dan. Any questions or comments from the committee?

Legislator Odell: Just accepting less, right?

Mr. Heitzenrater: Correct.

Chairman Nazzaro: Take what we can get. Any other comments?

*Unanimously Carried*

Proposed Resolution – Amend 2020 Budget Appropriations – Real Property Tax

Mr. Button: I can speak to that Chuck. It became necessary this year to make some necessary software maintenance on our tax collection program due to the changes we had in the Jamestown School’s collection agreement. So, I’m essentially transferring the money that we had budgeted under the auction department and moving it over to the tax collection. It’s a net wash since we didn’t have an auction this year.

Chairman Nazzaro: Budget neutral then.

Mr. Button: Yes.

Chairman Nazzaro: Thank you Todd. Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Authorize Transfer of Tax Foreclosure Property to Chautauqua County Land Bank Corporation

County Attorney Abdella: As I mentioned as Administrative Services, this is kind of a problem of cart before the horse. This property was already deeded by the Land Bank to an adjoining owner but that occurred without the Legislature having made its transfer to the Land Bank first. So this is really stepping back with housekeeping to be able to ratify that transaction. As it was pointed out at Administrative Services, as far as assessment rolls go, the property is already showing in the name of the person who received the deed from the Land Bank and the property has already been merged with the adjoining house property. So this is really cleaning up a matter that's already been accomplished.

Chairman Nazzaro: Thank you Steve. Any questions or comments from the Committee?

Legislator Niebel: Just a question for Steve. Steve, the new property owner received a deed from the Land Bank but the County had not given the deed to the Land Bank?

County Attorney Abdella: That's right.

Legislator Niebel: I'll vote in favor of the resolution this time but I hope somebody conveys to the Land Bank not to do this again until they get a deed from the County.

County Attorney Abdella: Yes, It was just an oversight Terry.

Legislator Niebel: It's an oversight but it's a transfer of deeds, it's a transfer of property Steve. It shouldn't have happened and it should not happen in the future and I hope that someone conveys that to the Land Bank.

County Attorney Abdella: Agreed.

Chairman Nazzaro: I agree Terry.

Legislator Odell: I'm sure some stop-gap measures are in place to keep this event from happening again. But the side lot program is an excellent program with the Land Bank so I'll support it.

Legislator Niebel: Mark, I don't have a problem with that, I'm sure it's a good program but it's just procedure and it wasn't followed here and it should have been because it's important. We're talking about the transfer of property. We're talking about deeds. O.k., mistakes happen, but, let's mitigate it in the future.

Chairman Nazzaro: Correct. To your point and to Steve's point, it was an oversight, it shouldn't have happened, but, when something like this happens, you have to put in measures to make sure it doesn't happen again.

Legislator Niebel: And I'm o.k. with it.

Chairman Nazzaro: Any other discussion or comments?

*Unanimously Carried*

Proposed Resolution – Denial of Level 3 Communications, LLC Applications for Refunds/Credits of Real Property Taxes Form RP 556 for the 2017-2018 School Tax Year

County Attorney Abdella: As occurred in the past, we're asking the Legislature to deny these applications. This company and one other have continuously attempted to have their fiber optic cables be deemed non-taxable. They've lost it at every stage of court proceedings that has existed but they, none-the-less, keep filing these applications and we just have to keep denying them. Counsel was retained by many counties in the State and it's been decided that if they try to challenge this denial of this application that we will try to seek some sort of sanctions for frillest actions and legal fees because there really just is no legal basis for these applications anymore.

Chairman Nazzaro: It was a very interesting read when I read it for all the reasons it should be denied and well clarified in the resolution. Good job. Questions or comments from the Committee?

*Unanimously Carried*

Proposed Resolution – Authorize Execution of NYS Office of Homeland Security Funding Grant – Operation Stonegarden FY20

Mrs. Swan: The Sheriff apologizes, he ended up having to step out for another meeting so I'm just going to take these over for him. This one, we get this funding pretty much every year. It's a multiyear grant. We don't anticipate using any of these funds until next year so the funding is only included in next year's budget. It won't be needed in this year's and it requires no local share so it's budget neutral.

Chairman Nazzaro: You said all the right things Jennifer. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Agreement with Chautauqua-Cattaraugus-Erie II BOCES for Culinary Arts Instruction

Mrs. Swan: This one is also an annual contract that we hold with BOCES. This just renews the contract for 2021.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2020 Adopted Budget for Office of the Sheriff

Mrs. Swan: This particular resolution includes three changes. One of them is for, you'll see account 3020PSCN, this is for the relocation of a tower that we ended up having to move earlier in the year this year. That is 100% refunded so it reflects no local share. Another one, you'll notice \$30,000 in the 3110 account. This is going to be our initial payment to get started on our new body camera project. As the Sheriff has previously mentioned in other meetings, our patrolmen are experiencing issues with their current body cameras. A lot of them are starting to die and this is up for a capital project but the company is letting us start now with a partial payment of \$30,000. We plan to use asset forfeiture funds for that so that also will not reflect in any local share. The third one you'll see comes out of our grant account. This is just an amendment for other grant related supply purchases which is also fully refunded and reflects no local share.

Chairman Nazzaro: Thank you, pretty straightforward. Any questions or comments?

Legislator Niebel: Jen, do we know what tower was moved?

Mrs. Swan: Yes, it is the Hardscrabble tower. This is one of the towers that we actually lease space on. It isn't one of our towers, which is why it was completely reimbursed. American Tower reimbursed us the expense.

Legislator Niebel: O.k., thanks.

*Unanimously Carried*

Proposed Resolution – Authorize the Renewal of Lease Agreement with the Town of Chautauqua

Mr. Griffith: This is a renewal of our 5 year lease with the campus for the wing that we have here in old Chautauqua Elementary School. This is \$1,200 per month effective 1/1/2021. It's a \$1,000 per month until then because we originally budgeted at a \$1,000 a month and then it will go to \$1,200 a month for the next and then the utilities will go on at \$100.00 a month. Excellent campus and I believe it's a real bargain for the County where we're at.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend Emergency Services Appropriation Accounts for 2020 Adopted Budget

Mr. Griffith: This is for our continuing medical educational or CME program for our EMT's. These EMT's do pay into this account and then it comes back out as it's billed through. It's kind of a unique program. We have, upon completion, the EMT's then can (*inaudible*) through the State of New York to get their money back. Their agency, their department, or themselves can get their money back upon successful completion from New York State. So, this

really is moving the money. It's a positive thing because it means we're doing this. We have more EMT's that are refreshing which is good for the EMS system in Chautauqua County.

Chairman Nazzaro: Any questions or comments?

Legislator Niebel: John, so we have seen an increase in the EMS folks that are continuing their education?

Mr. Griffith: As more EMT's come on board, they go more to a CME, continuing medical education or an online type of a refresher (*inaudible*) classroom refresher.

Legislator Niebel: As far as numbers, are we seeing an increase of people that are doing this?

Mr. Griffith: We see an increase of people taking the CME option, not so much an increase in people as EMT's but, if they refresh with the CME option, then tend to be EMT's longer than having to sit through the traditional classroom and written New York State test refreshment.

Legislator Niebel: Thanks.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorizing Agreement for the Children and Youth with Special Health Care Needs Program

Mrs. Schuyler: This is a grant award from the New York State Health Department that we do receive every year but this year they have increased the award amount and expanded the program from Children with Special Health Care Needs to Children and Youth with Special Health Care Needs. This funding is utilized by our Early Intervention and nursing staff to help them to do outreach and education and provide referral sources to children and families who have special needs whether those are medical, nutritional, mental health, and typically do not qualify for Early Intervention or any other programs. So, it helps them to navigate the system when they normally fall through the gaps.

Chairman Nazaro: Thank you. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Repair of the Chadakoin River Flow Gage

Mr. McCoy: The Chadakoin River gage is part of a network of gages that's operated by the Federal agency, the United States Geological Survey. It's paired with a gage that monitors the

lake level on Chautauqua Lake. We use the information of those two gages to effectively regulate Chautauqua Lake and mitigate flooding within Chautauqua Lake and also the Chadakoin River and Conewango Creek corridors. The (*inaudible*) installed in 1934, upgraded in 1957 and now it leaks. Unfortunately it's threatening a building of a local employer and we'd like very much to fix it before it becomes a much bigger problem.

Chairman Nazzaro: Thank you and you also gave a good review in Planning & Economic Development. Any questions or comments?

*Unanimously Carried*

**Proposed Resolution – Use of 2% Occupancy Tax Monies to Retain Professional Services to Assist with Developing a Chautauqua Lake Stakeholder Agreement**

Mr. McCoy: The stakeholders around Chautauqua Lake are sometimes very contentious. It at times has hinder our ability to move forward on several initiatives. County Executive Borrello had a vision to bring these stakeholders together. The platform that he used was what we call today the Memorandum of Agreement. Everybody signed it, it listed a number of tenants and the participants to the agreement would agree to. It has been very successful in that we have been able to attract further investment from the Federal government and other agencies to Chautauqua Lake. The last two years have been very good in terms of bringing world class science in additional investment to Chautauqua Lake. I have to attribute the MOA as a part of that. That is due to expire this spring and we very much would like to renegotiate a new agreement. This request from the 2% occupancy tax reserve is to help fund that effort.

Chairman Nazzaro: Very good. Any questions or comments from the Committee?

Legislator Odell: I will just add to that that the consultant, Ecology Environment, is the same one that did the work on the original study to bring the stakeholders together. Same dollar amount is what we're looking at so we have some continuity in this and I agree with Dave, 100%. We would not have agencies like the Jefferson project and others working with us if we didn't show some leadership and collaboration so thank you.

Chairman Nazzaro: O.k., thank you Legislator Odell and as the resolution states, we have \$264,000 in the reserve so we have adequate funding for this. Any other questions or comments?

*Unanimously Carried*

**Proposed Resolution – Authorize Transfer of Equestrian Trail Equipment to the Chautauqua County Equestrian Trail System, Inc. (CCETS)**

Mr. Cullen: The resolution is in regards to transfer of ownership of trail maintenance equipment to the Chautauqua County Equestrian Trail System, Inc, known as CCETS. A local non-profit focused on the ongoing development and maintenance of the equestrian trails of Chautauqua County. The County received funding through the Area Development program of

the Appalachian Regional Commission known as the ARC, to develop an equestrian trail system in Chautauqua County. During Phase I and II, a wide-range of equipment was purchased to improve the trails to a condition suitable for horseback riding. To this day, the equipment is still used by CCETS, solely to maintain the trail system. CCETS has requested ownership of the equipment to more effectively utilize the tools and repair equipment that has been damaged over time. This would put the responsibility of servicing the equipment away from the County and to CCETS. According to the ARC, Chautauqua County can transfer the title to equipment purchased with grant funds if the fair market value has fallen below \$5,000 and using the County's equipment value depreciation schedule, all the equipment has fallen below that \$5,000 threshold. ARC has to provide permission prior to the transfer which through the Southern Tier West Regional Planning Commission we were able to receive for their approval. CCETS President, Melissa Whittington, drafted a letter explaining how the equipment will continue to be used for the grants original intent. Because of this and that the equipment's value has depreciated below \$5,000, ARC has no issues with allowing the transfer. The final step in this process would be enacting this resolution to allow the County to transfer ownership of the equipment to CCETS. Happy to answer any questions.

Chairman Nazzaro: Very thorough Brendan. It sounds like all the t's have been crossed and all the i's have been dotted and everyone is in agreement which is a good thing. Any questions or comments from the Committee?

*Unanimously Carried*

Proposed Resolution – Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the NYS Division of Tourism

Legislator Odell: I will be glad to address this because we do have a typo to address in this resolution as well. This is annual authorization to have our Visitors Bureau as our official Visitors Bureau in order for them to seek matching grant funding. They did change it to, instead of State calendar or budget year to a calendar year platform as it were called last year so this is just doing this authorization for the ensuing year. We did change in the last RESOLVED, last night at Committee, right after \$250,000, for the, and we deleted, strikeout, "State fiscal year from" and replace with period. So it will state, the Visitors Bureau is authorized to apply for State matching funds up to \$250,000 for the period of January 1, 2021 through December 31, 2021.

Chairman Nazzaro: So noted Mr. Odell. Thank you for that. Any question or comments?

*Unanimously Carried*

Proposed Resolution – Financial Management Policy for the County of Chautauqua

Mrs. Crow: The Financial Management policy is adopted annually. We do have one change proposed. It is to more formally identify the calculation for how the investment earnings are shared and specially with the landfill. There was no other changes to the policy. We did

discuss in a couple of different meetings. The interest earnings has, up until now, for the landfill, for all the funds is based on a monthly basis, we take what their ending cash position is and allocate the investment earnings for the month, pro rate it by their cash balance. Well, with the exception of the landfill where we were directing 50% of it to the reserve for capital. With current bond obligation of the landfill and just to try and be more equitable, we decided upon the calculation where we would align the share of investment earnings to the landfill. The general fund was retained, the same percentage of the out of County or cash contributed from out of County waste (*inaudible*) to the way that we share the net profits from the landfill by bringing over the net profit associated with out of County waste. So this policy would also align with how we have presented the 2021 tentative budget.

Chairman Nazzaro: Thank you Kitty and as you pointed out, this change is reflected in the 2021 budget and we did have a lot of discussion on this in our special meetings that we hold weekly. I appreciate Kitty putting it into the right verbiage here. Any questions or comments?

*Unanimously Carried*

Chairman Nazzaro: There are four additional resolutions that were laid on my desk.

Proposed Resolution – To Accept (HUD Office of Lead Hazard Control and Healthy Homes (OLHCHH) Fiscal Year 2020 - Lead Based Paint Hazard Control Grant

Mrs. Schuyler: Some of you may recall in previous years we have had a Federal HUD Lead grant that works in conjunction with our Childhood Lead Poisoning Prevention grants from the State Health Department. This HUD grant is what enables the County to do, not County government but, the County as a whole, to do any lead abatement activities. So once a home or apartment house is identified as having high lead levels, we do need inspections and such and then this funding will be utilized by Chautauqua Opportunities to actually do the abatement work for the homeowner or the landlord.

Chairman Nazzaro: Is the amount comparable to what we have received before?

Mrs. Schuyler: Yes, it's comparable to what we've received in past years. We didn't have this last year, you might recall. We didn't apply. The reason that the County applied is because a municipality has to be the lead agent and we're the only ones eligible to apply. We did approach the City of Jamestown and they were not interested or available to apply for the funding themselves. We really did not want to see this opportunity go by again. So my staff did take the lead and wrote up this application with the help of Chautauqua Opportunities who will be the subcontractor who get the majority of this money to do the work.

Chairman Nazzaro: I think it's an important program. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – To Accept New York State Department of Health Epidemiology and Laboratory Capacity for Infectious Diseases Funding

Mrs. Schuyler: This grant, a very short turnaround time, is retroactive to July 1<sup>st</sup>. This is a special award from the State Health Department. It was passed through as Federal dollars and must be used only for COVID-19 related activities for epidemiology and laboratory capacity. We could not supplant, we could not fund any existing staff so they wanted – the State specifically said it was to expand our Public Health staff. So this money is being utilized to recruit a full time Registered Nurse for the length of the grant as well as a Health Educator.

Chairman Nazzaro: Thank you very much. Any questions or comments?

*Unanimously Carried*

**Proposed Resolution – Authorize Lease Agreement for the Office for Aging Services at the Chautauqua Center in Jamestown, New York**

Mrs. Spanos: We have been in conversation with the Chautauqua Center for a couple of years now about moving there. Our current location at 610 West 3<sup>rd</sup> Street is about 1,900 square feet and it's not sufficient for the staff that is there. Also had problems there with heating, cooling, and mice. The biggest problem with that location is that the walls are so thin, there is no compliance with HIPAA. You can hear everything, even if we're doing it telephonically and privacy is a big issue. Moving to the Chautauqua Center, our current lease agreement is \$2.20 a square foot. The Chautauqua Center was so desirous of us coming there, they gave us a \$3.40 per square foot lease agreement. On top of that, there is – because there is nothing in that space, it's going to be built customized to our department. The buildout costs are \$65.00 a square foot which is \$162,500. Seventy five percent of this is able to be covered by tax incentives that the Chautauqua Center is (*inaudible*) so, \$121,875 is covered by tax incentives. If we can sign this agreement before the end of the year. The reason why it's taken so long for me to bring it before you is when we met in February with both the Chautauqua Center and the local Foundations, at that point and time, the Chautauqua Center was asking for millions of dollars from the local Foundations to assist with the buildout costs. I didn't (*inaudible*) our portion, the 25% would be \$40,625. How we left it in February was the major Foundations, Gebbie, CRCF, and the Sheldon Foundation had asked the Chautauqua Center to resubmit the ask and to break out the different organizations and what the need was. I did not find out until very recently that they had changed that - they did not want the Chautauqua Center to make the ask. They wanted the individuals to make the ask so we got a message in August from the Chautauqua Center, when are you coming and mid to late August I said, "well, what happen to the ask?", because that was the piece that – the \$40,000 we didn't know where it was coming from and they said, you need to talk to the Foundations. Upon their discussion with the Foundations, it's not felt that they should be funding government especially at this time when there is so much need in the community due to COVID. So we examined what it would be to finance the \$40,000 over a 15 year lease agreement. That's what we're asking for and it's only an additional \$1.15 a square foot or a total of \$2,875. So we're asking for that. There are so many benefits beyond our office to be in the Chautauqua Center. First of all, being in the medical corridor it would be in the heart of the City between St. Susan's and Salvation Army. Those are the populations that we want to serve, the most in need. Many of our Senior centers are dying in the area already. The Falconer and Frewsburg have closed and Kennedy and others are on the brink. There are many spaces in

the Chautauqua Center that can be used not only for our health and wellness programs, to run them in the building at no cost, but also to bring Senior groups together for education or whatever. So think the benefits outweigh the increase and as you know, the Senior population continues to grow. We're already at 25% and we have not hit the peak of the older population. This was run by my Advisory Committee, not the buildout costs because we were hoping the Foundations would put that in but just the move and the increased rent and they were all in favor as well as County Executive Borrello and County Executive Wendel. There is no budget increase in 2021, we've included it in the amended budget.

Chairman Nazzaro: O.k., thank you very much. Like you noted in here, it's the state-of-the-art facility and I think it will be greatly utilized and appreciated by the community. Any questions or comments?

County Attorney Abdella: I will just mention Mr. Chairman, you'll see that this resolution is at the request of myself in the roll of Acting County Executive. The County Executive has a family member who's taken a position at the Chautauqua Center so for that reason, I would be processing the agreement forward as Acting County Executive going forward.

Chairman Nazzaro: Thank you for that. Any questions or comments? As this was pointed out, this is budgeted for in 2021. I can't wait to see it.

*Unanimously Carried*

Proposed Resolution – Amend 2020 Budget Appropriations to Include Additional IGT Matching Funds

Mrs. Brinkman: We were made aware just about a week and a half ago that we were eligible for this funding. We have been doing the accounting for it pretty much every year since 2011. In essence what this funding represents is the difference between the Medicare fee structure and the Medicaid fee structure. This supplemental payment, in the form of the IGT, is meant to assist County operated clinics to bridge that difference. Typically Medicare is the premier payer and so these dollars would be flowing in to assist with County operations. I said that we have not received this funding since 2011 but have been doing the accounting. In 2011, the Federal government came to New York and expressed some concerns about the reporting process using the consolidated fiscal reporting that was being done across the State. It took between 2012 and now for the Feds and the State to actually come together and feel good that the data that they had, that they could then start paying out this IGT funding. So, this is for 2019 and as Christine and Kathleen will explain, we front the \$131,213 and then we get back \$262,425. So, it is a value to the County. It would be an opportunity that would assist with the expenditures in our department. Part of how we would allocate this is to our local share so that we would zero that out.

Mrs. Schuyler: You may recall when we had a County Home, the County Home was eligible for IGT funding so it is a Federal match. The reason this had to be brought up under "other" is we just received this notice and the payment, the County's share of the payment, was due on Friday, October 30<sup>th</sup> so in order for us to get this match and get it taken care of, we had to

act quickly with the Legislature in order for it to occur. The reason I'm here is because this match is required to come out of our Medicaid which is one of our Health & Human Services accounts. So we have to cut this check, send it in and then the Federal government will reimburse us. It's a very complicated way it seems to do that but that's the way the government works.

Chairman Nazzaro: I was around obviously, for the County Home and the IGT funding was always funded by the County. You could fund it at different levels. You didn't have to fund the entire amount or you could fund, partial, the whole thing. The only difference here is with the County Home was an enterprise fund so the monies had to flow back to the County Home where these clinics are not enterprise funds. I do have a question Pat. We did discuss this somewhat in our Special COVID Finance meeting. So you are proposing that \$14,209 would be used to decrease fund balance and then the rest will be used, the \$117,303 would be used for Mental Hygiene program. What specifically? Just curious what the plan would be for the use of the money.

Mrs. Brinkman: In essence, we would like to hold it in a BAN(?) until we see what the fiscal picture is looking like. We do have some cuts that potentially are looming and so if those cuts happen, this money would assist us in covering any cuts that would come. Beyond that that is software that would be very beneficial to our department. We've had to make a switch from in person visits to telehealth which is a different animal when it comes to recording and so forth. The coding is different and so forth so there is a module that at some point we would like to purchase that would allow our staff ease of recording and billing. We believe that that would again, increase our revenue potential.

Chairman Nazzaro: Thank you Pat. I do have a comment but I'm going to wait until the other Committee members can ask questions. I've very familiar with IGT, you're right Pat, it covers the gap funding that the Medicaid does not cover your cost to deliver services. So, questions or comments from the Committee. The only thing, I'll be remised because I want everyone to be aware, and again, I just want the Committee here to be aware that this funding, unlike the County Home, like I said, was an enterprise fund, that had to go to the County Home, this Committee does have the option and that's why I asked Pat what was the money going to be used for, you do have the option of returning the entire amount to fund balance if you so desire. We are putting up the match, which I agree with, but the Committee, when we discussed this on Tuesday in our Committee, I had recommended that should we consider returning more to the general fund or the fund balance or the entire amount? There will be additional monies because this is for 2019. I'm just throwing that out there that you do have that option.

Mrs. Dennison: One point that Director Brinkman brought up last night that we did not discuss at our earlier meeting is that there is the potential that some of her New York State aid would be cut and so if that happens, it would be very difficult for her to achieve her local share. So the resolution proposes to add this to appropriations for Mental Hygiene but, if, as Pat mentioned, she's going to take a cautious stance in spending that money so if there were cuts in revenue, the resolution would have the same affect. Protecting the local share and try to keep the local share at zero. So she's getting additional appropriation authorization but obviously if that

money is not spent and then there is a corresponding decrease in her State aid that she receives, the balance would still be a local share of zero in her department.

Chairman Nazzaro: Thank you Kathleen and I could sort of counter what you said is that, we're increasing appropriations here and if revenues don't come as anticipated or if you have a revenue shortfall, I think the safer route is to bring it back to fund balance because once we authorize an appropriation, it's in the budget.

Mrs. Dennison: Or another approach would be instead of increasing the appropriations to decrease the revenue in State aid.

Chairman Nazzaro: Again, I'm just pointing this out to the Committee. I agree we should do the match, absolutely, we should make the payment. But I'm just saying, this money can go back all the fund balance and at the end of the day when we do our year-end adjustments, if she has a shortfall in revenue, it always can come back out. But once you stick in appropriation, we're putting it in there. At the end of the day, we make all of our budget adjustments. I'm just a little uncomfortable because of all the uncertainty to move it to put it in appropriations. I think the safer route is to allocate the amount to fund balance and if we have a shortfall, make the adjustments that way.

Legislator Odell: Yea, we have visibility of it, thank you, I agree.

Legislator Harmon: I agree with the Chairman.

Mrs. Brinkman: I just want to say that we, in Mental Hygiene, have continuously worked to reduce our local share to virtually nothing and I am very concerned about what happens if I have to come back at the end of the year and say, we received these cuts and now our local share is "x". We have tried not to do that in any year and we've made it work somehow. We are probably the only County Mental Health Department in the State that's doing that right now. I would hope that we wouldn't be penalized because we are doing that kind of work.

Chairman Nazzaro: And Pat, you and your staff do an excellent job in getting the grants and having very minimal local share. I can say obviously there is no punitive here. I just think now would be appropriate instead of increasing appropriations with all the uncertainty, is to move to fund balance and if you need to come to us, we will certainly be understanding of that.

Legislator Niebel: And take that into consideration. I do agree. I think transfer it to fund balance and if they have a shortfall, come back to us. We understand what they've done. They've done an outstanding job and certainly we'll take all of that into consideration.

Chairman Nazzaro: So it makes this official, thank you Terry, since I can't make a motion –

Legislator Niebel: I will make the motion.

Chairman Nazzaro: And your motion is Terry?

Legislator Niebel: To have those funds go to the fund balance.

Chairman Nazzaro: O.k. so Kathleen, the number would be, decrease the use of fund balance by \$131,213?

Mrs. Dennison: I'm just reading the WHERAS clauses to make sure that they don't need to be modified as well. I believe that we would have to strike the 4<sup>th</sup> WHEREAS clause because that indicates the surplus revenue would be made available to the Department of Mental Hygiene.

Chairman Nazzaro: O.k., so strike the 4<sup>th</sup> WHEREAS and then the dollar amounts would be decrease the use of fund balance by –

Mrs. Dennison: It would be to decease the use of fund balance by \$131,212.

Chairman Nazzaro: Any other changes?

Mrs. Dennison: Yes, we would be striking under the increase appropriation account lines, we would be striking the line that's A.4320, Contractual-Mental Hygiene programs and striking the total line.

Chairman Nazzaro: Does everyone understand? (*Agreed*)

Legislator Odell: Second.

Chairman Nazzaro: Any further discussion or comments other than Pat. We're doing this as a budget amendment but again, if you need to come before us, we're always willing to listen obviously. Any other further discussion or comment?

*Unanimously Carried*

Chairman Nazzaro: On the resolution as amended. All in favor?

*Unanimously Carried*

Chairman Nazzaro: Are there any other resolutions to come before this Committee? Is there anything to come under "other"? O.k., I want to thank everyone. I know this has been a long meeting. We've had a lot of good discussion. I think we came to some very good results and now the budget amendment that we passed earlier will move to the full Legislature for a vote on Wednesday the 28<sup>th</sup>. So with that, I will call for a motion to adjourn.

Mrs. Dennison: Mr. Chairman, I just wanted to interject that I was doing all of the changes to the budget amendment while the meeting was proceeding and I did have a math error of \$1,345. It doesn't change the tax rate but it does actually decrease the levy from our

discussion to \$67,183,544 and that change is reflected in the copy of the amendment that is circulating for your signatures.

Chairman Nazzaro: Thank you but the tax rate per thousand is still \$8.506.

Mrs. Dennison: Yes.

Chairman Nazzaro: For the Legislators in attendance, we have to sign the resolutions. Now, Mr. Niebel, would you like to make a motion to adjourn?

Legislator Niebel: So moved.

Legislator Harmon: Second.

*Unanimously Carried (11:24 a.m.)*

Respectfully submitted and transcribed,  
Olivia Ames, Deputy Clerk/Lori J. Foster, Sr. Stenographer