

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, January 7, 2004*

*1:30 p.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** David Stachnik, Vice Chair                      Kenneth E. Isaman                      Lldon E. Jamison

**STAFF:** Gregory P. Heffner                                      Robert W. Anderson, Ph.D.                      Roberta Fisher  
Helen Brutsman    Victoria Fuerst                                      John Zehr  
Nancy Smith    Frederick H. Ahrens, Jr.                              Michele Smith

**LEGISLATORS:** Thomas J. McIntyre                                      John Walsh

**ABSENT:** Gary D. Swackhamer

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Stachnik called the meeting to order. He asked Mr. Jamison to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE DECEMBER 1, 2003 AND DECEMBER 22, 2003 MEETINGS MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Office of Community Services

**Introduction** – Dr. Anderson introduced Roberta Fisher, the new Fiscal Officer.

**Appointments** – Dr. Anderson requested approval of the appointments of Molly Tweddell, Dr. Robert Cole and Lola Tears to the Community Services Board.

**MOTION: APPROVING THE APPOINTMENTS OF MOLLY TWEDDELL, DR. ROBERT COLE AND LOLA TEARS TO THE COMMUNITY SERVICES BOARD MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Budget Transfer** – Dr. Anderson informed the committee that they received additional State aid funding for 2004 in the amount of \$23,698.00. He requested authorization to transfer that amount to their line item for Kinship.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ACCEPT AND APPROPRIATE STATE AID FUNDING FOR YEAR 2004 IN THE AMOUNT OF \$16,546.00 INTO ACCT. #432200.43490300 (NYS OASAS) AND \$7,152.00 INTO ACCT. #432200.43490320 (NYS OASAS – COMM. RES) AND TRANSFERRING \$16,546.00 INTO ACCT. #432200.5440462 (CC – TRANSITIONS) AND \$7,152.00 INTO ACCT. #432200.5440480 (KINSHIP FAMILY) MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Dr. Anderson informed the committee that they need to purchase a new copier machine for the Hornell Office. Mr. Gleason will be presenting this request at the January Administration Committee meeting.

**Annual Meeting** – Dr. Anderson requested authorization to spend \$1,600.00 on their annual meeting which will be held March 12, 2004.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO SPEND UP TO \$1,600.00 ON THEIR ANNUAL MEETING TO BE HELD MARCH 12, 2004 MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Personnel** – Dr. Anderson informed the committee that the individual responsible for their dictation will be out on medical leave for approximately eight weeks. He has talked with Mr. Alger, as he would like authorization to contract with an outside agency to do the dictation. We have found that it will be more cost effective to contract this out. The rate will be \$9.50 per hour.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT WITH AN OUTSIDE AGENCY TO DO DICTATION AT A RATE OF \$9.50 PER HOUR MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Dr. Anderson informed the committee that on January 27, 2004 he will be making a presentation at a conference in New York City. He would like authorization to do this on County time and he will not charge for his expenses.

**MOTION: AUTHORIZING DR. ANDERSON TO USE COUNTY TIME TO ATTEND A CONFERENCE IN NEW YORK CITY ON JANUARY 27, 2004 WHERE HE WILL BE GIVING A PRESENTATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

2. Special Children's Services

**Contracts** – Mrs. Brutsman requested approval to enter into contracts for Preschool and Early Intervention. She noted that they are contracting with James McGuinness & Associates for the Preschool Computer Program and they will stop using the program that the Information Technology Department had set up.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH HEATHER AUSTIN – OCCUPATION THERAPIST FOR EARLY INTERVENTION AND PRESCHOOL AT A RATE OF \$70.00 PER SESSION UP TO ONE HOUR AND \$98.00 PER SESSION OVER ONE HOUR FOR EARLY INTERVENTION AND A RATE OF \$60.00 PER SESSION UP TO ONE HOUR FOR PRESCHOOL; PAULA OBLAMSKI – TEACHER OF THE DEAF AND HEARING IMPAIRED FOR PRESCHOOL AT A RATE OF \$60.00 PER SESSION UP TO ONE HOUR; CORNING CHILDREN'S CENTER D/B/A CORNING DAY PROGRAMS FOR PRESCHOOL AT A RATE OF \$12.00 PER HOUR OR LESS; AND JAMES McGUINNESS & ASSOCIATES FOR PRESCHOOL COMPUTER PROGRAM AT A RATE OF \$100.00 PER HOUR MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Appointments** – Mrs. Brutsman presented the re-appointments to the Local Early Intervention Coordinating Council for approval.

**MOTION: APPROVING THE APPOINTMENTS TO THE LOCAL EARLY INTERVENTION COORDINATING COUNCIL WITH THE EXCEPTION OF THE LEGISLATIVE MEMBER MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

3. Public Health & Nursing Services

**Billing Rates** – Mrs. Fuerst requested authorization to increase the nursing billing rates from \$130.00 to \$140.00. She stated that Jack Venesky did an analysis and recommended the \$10.00 increase.

**MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO INCREASE THE NURSING BILLING RATES FROM \$130.00 TO \$140.00 MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

4. Health Care Facility

**Water Heater** – Mr. Zehr informed the committee that the committee had approved the expenditure of \$26,000.00 to replace a water heater. The concern is that the other two water heaters are in the same situation. We may need to replace those in the next three to six months.

**HIPAA** – Mr. Zehr stated that they were not taking care of protected health information according to HIPAA. He spoke with Ken Sherer in the Records Center and they have decided that they will collect the information at the nursing stations, then they will store it with Records and purge it. The Records Center recently received a grant to be able to do this. This will bring us to full compliance with HIPAA.

**Contract** – Mr. Zehr stated that he has been working with the law department on their contract with Schindler Elevator. Mrs. Smith commented they have worked out the language. Mr. Zehr stated that they would like terms of the contract to state that upon the acceptance by the Legislature of a purchase offer for the Health Care Facility, the contract can be terminated upon 30 days notice. Mrs. Smith stated the service agreement was executed outside of the boilerplate. We added the 30-day cancellation language upon the sale of the Health Care Facility.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO AMEND THEIR SERVICE AGREEMENT WITH SCHINDLER ELEVATOR TO INCLUDE LANGUAGE REGARDING THE 30-DAY CANCELLATION OF THE AGREEMENT UPON THE SALE OF THE HEALTH CARE FACILITY MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

5. Administrator

**Informational** – Mr. Heffner informed the committee that the contract with the Southern Tier Library Systems is being funded at the budgeted amount of \$75,000.00. This does not require committee action.

6. Law Department

Mr. Ahrens informed the committee that they have done the posting for the privatization of the Health Care Facility. It was advertised on December 31, 2003. The County web site has the details with the legalities, pictures, etc. We have referred prospective inquires to the web site. The deadline for the submission of RFP's is March 15, 2004.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH DR. CAROL MARKOVICS – PSYCHOLOGIST, FOR PRESCHOOL AT A RATE OF \$150.00 PER HOUR AT SCHOOL-BASED FUNCTIONS AND AN OFFICE RATE OF \$125.00 PER HOUR MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: AUTHORIZING THE PAYMENT FOR A ONE-TO-ONE AID FOR A PRESCHOOL CHILD IN THE CORNING SCHOOL DISTRICT AT A RATE OF \$21.70 PER HOUR INSTEAD OF \$12.00 PER HOUR AS PREVIOUSLY BILLED FOR THE 2002 – 2003 SCHOOL YEAR MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted By:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, February 4, 2004*

*9:30 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman

**STAFF:** Mark R. Alger      Gregory P. Heffner      Victoria Fuerst  
Helen Brutsman      Robert W. Anderson Ph.D.      John Zehr  
Frederick H. Ahrens, Jr.      Michele Smith      Nancy Smith

**LEGISLATORS:** DeWitt T. Baker, D.V.M.      John Walsh

**ABSENT:** Lldon E. Jamison      Gary D. Swackhamer

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 1:35 p.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

**II. DEPARTMENTAL REPORTS/REQUESTS**

1. Public Health & Nursing Services

**Contract** – Mrs. Fuerst requested approval to amend a current contract that they have with 3M Home Health Systems. There is a software company that has a pilot project to market their software program that leaves no room for human error. The ACE software would eliminate human error. This will help our reimbursement rate because everything is done based on the diagnosis. They are giving us the software for \$2,000.00 and they would normally charge \$12,000.00. At the end of six months, if we aren't satisfied, then we don't have to pay. She stated nobody has used this system and this is a pilot program. Mr. Alger asked would it be added onto the current system? Mrs. Fuerst replied yes.

**MOTION: AUTHORIZING PUBLIC HEALTH AND NURSING SERVICES TO AMEND THEIR CONTRACT WITH 3M HOME HEALTH SYSTEMS TO INCLUDE THE USE OF ACE SOFTWARE AT A COST OF \$2,000.00 AND IF AT THE END OF SIX MONTHS WE ARE NOT SATISFIED WITH THE SOFTWARE, THEN THE COUNTY DOES NOT HAVE TO PAY MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

2. Office of Community Services

**Flooring** – Dr. Anderson informed the committee that the flooring for Bath Continuing Day Treatment is in poor shape. This is one area that we have been remanded on during site visits. During our last three site visits, they always site us on our physical plan. Currently the flooring is cement and we don't want to carpet it.

He would like to investigate the utilization of rubberized flooring. We already use rubberized flooring on the steps.

Mr. Alger asked what would be the cost? Dr. Anderson replied it would cost approximately \$5,000.00 - \$7,500.00. Mr. Alger asked have you looked at using vinyl tile? Dr. Anderson replied it would be too slick. We tried to find something so that the clients won't fall down. Mr. Alger commented that they do make rubberized tiles. Mrs. Brutsman stated that is what they have in their building. Mr. Alger stated that is another option. Dr. Anderson stated that he would check into that. Mr. Stachnik stated that we should give him a dollar amount and have him investigate this so that he could have the new flooring installed prior to the March site visit. Dr. Anderson stated that he will check with Mr. Alger before he does anything.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO INVESTIGATE THE UTILIZATION OF RUBBERIZED FLOORING, AT A COST NOT TO EXCEED \$7,500.00 MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Conference Attendance** – Dr. Anderson stated last month the committee gave him permission to attend the ASAP (Alcohol & Substance Abuse Providers of New York) conference at his own expense, using county time. He would like to request similar permission to attend the National Association of County Behavioral Health Directors, which will be held in Washington, D.C. He would like permission to attend on county time and to utilize a county car.

**MOTION: AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ATTEND THE NATIONAL ASSOCIATION OF COUNTY BEHAVIORAL HEALTH DIRECTORS CONFERENCE IN WASHINGTON, D.C. USING COUNTY TIME AND A COUNTY VEHICLE MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Billing** – Dr. Anderson informed the committee that last Friday they had a billing presentation at which Mr. Peaslee was present. The software program that we were presented with does billing and clinical. It will automatically take information from the clinical program and put it into the billing office. The major advantage is where Medicaid comes in for an audit; there will be fewer ways to have billed for services that we did not provide and vice versa. Dr. Anderson stated there will be one more demonstration. Mr. Peaslee and his staff have already discarded four or five other vendors.

**State Budget Impact** – Dr. Anderson informed the committee that the impact from the State budget is not direct. We get hit when they Medicaid a program. Previously they would give us money for a program and he could use it anywhere that it was needed. Now, they give us \$175,000.00 and we will increase the Medicaid rate and raise the ceiling on the COPS rate. They base that on two erroneous premises. First, our Medicaid rate is not 95 percent and as a consequence, we don't hit the ceiling on the COPS level to exceed the amount we are already getting. For example, we charge \$60.00 per visit and then because the cost of delivering the services is more expensive, they add a COPS \$50.00 onto outpatient services. We are allowed to keep \$300,000.00 based on the number of units of Medicaid services. We will not get that back. Dr. Anderson commented that he couldn't tell the committee what the impact of this would be until June or July.

Mr. Alger asked wasn't there a 5 percent general cut across the board? Dr. Anderson replied yes, but it didn't translate to us. He stated that he would copy the committee on a letter that he received from OMH stating that they will reimburse the Department of Social Services for certain amounts of Medicaid costs that are in the mental health field.

**Billing** – Mr. Alger stated that with regard to the discussion about billing software, he has suggested that since, over the years we have had the original software, that we go back and look at the entire software field to see if there is another package that we could pick up that could be integrated and be easier to manage. We have

used the current program for approximately six years. Dr. Anderson stated the current company told us they would provide a Windows update when it came, but they want to be paid for it. Mr. Alger stated his concern is that the current system is a DOS based system. We need to evaluate whether to move to a Windows based system with the current company, or go to another company.

### 3. Special Children's Services

**Personnel** – Mrs. Brutsman distributed a handout in which she outlined her request to reclassify a part-time RN to a full-time RN. She stated there are no benefits for the part-time position and they have \$17,600.00 budgeted. This position generates revenue that exceeds that cost. The part-time RN carries out the duties of an Early Intervention Services Coordinator. Mrs. Brutsman explained the individual in the part-time RN position retired in December. She had permission from the vacancy committee to fill that. They received three applications. The State requires that service coordinators carry a caseload of 40 – 50, but no more than 60, which is a very high caseload. Currently there are two people who carry a caseload of 89.

Mrs. Brutsman explained another State mandate is the County's role in preschool education, which is to pay for it. The decision making is completely done at the school district level. We are allowed to have one representative on the committee. In the past, we have had volunteers, but now we are having a hard time finding volunteers to do this. Steuben County is the only county that has ever had volunteers on the Committee for Preschool Education. Other counties have an employee or contract with someone to do this. She stated that she couldn't guarantee that this position will save money. Mr. Alger asked will it require additional money? Mrs. Brutsman replied they will need \$10,000.00 more than what is currently in the budget. They have \$17,000.00 in the budget, which covered the part-time RN position. Mr. Alger stated this position will cost \$15,000.00 - \$20,000.00 total gross for a year, not including revenues.

**MOTION: APPROVING THE RECLASSIFICATION OF ONE PART-TIME RN POSITION TO A FULL-TIME RN POSITION IN SPECIAL CHILDREN'S SERVICES MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN.**

Mr. Nichols asked will this full-time position pick up more funds or a little more than what it will cost for the position? Mrs. Brutsman replied it will not cover the cost of the individual. For 2003 in the Early Intervention line item, we only had \$27,000.00 left in the budget. Mr. Alger stated that one way to do this would be to go ahead and authorize the appropriation of \$10,000.00 from the Contingency Fund, or you can wait until later in the year. This is a \$3 million program. We are not paying anyone to represent us on the boards that are spending the money. We don't have a strong voice in the decision making. We need to be as aggressive as we can be interacting with the CPSE groups to channel children to the appropriate services. Mrs. Brutsman commented the school districts have no financial responsibility for this program. The committee expenses are billed back to the County. Mr. Alger stated this is a classic partnership with the State; we have no voice, but we pay the bill.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Resolution Required).**

### 4. Health Care Facility

**Staff Adjustment** – Mr. Zehr informed the committee that they have an individual in Housekeeping who has been off on Worker's Comp since August. As the amount of time that this individual will be off is still indefinite, he is requesting authorization to take a part-time housekeeping position and give them 20 additional hours to fill the position that is out on Worker's Comp. This was a full-time position and we need it. Mrs. Smith commented we do have a vacancy request to fill this position temporarily. We routinely do this behind leaves of absence.

**MOTION: REFERRING THE REQUEST OF THE HEALTH CARE FACILITY TO GIVE A PART-TIME HOUSEKEEPING POSITION 20 ADDITIONAL HOURS TO FILL A FULL-TIME HOUSEKEEPING POSITION THAT IS OUT ON WORKER'S COMP TO THE VACANCY COMMITTEE FOR THEIR REVIEW AND APPROVAL MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Proposed Legislation** – Mr. Zehr distributed a copy of a proposed resolution for the committee's consideration. This is in support of Senate Bill 5854 amending Social Services law in relation to State reimbursement for care, treatment, maintenance and nursing services in nursing homes. Counties are asking for all legislators to support and persuade the Senate and Assembly to pass this bill. Mr. Nichols asked is the long-term care 50 percent? Mr. Alger replied Federal is 50 percent, State is 40 percent and County is 10 percent. They are asking for patients in nursing homes to in essence remove the 10 percent contribution of the county to that formula and make us whole for it. Mr. Zehr commented we are getting hit twice as compared to not-for-profits and for profits.

**MOTION: SUPPORTING SENATE BILL 5854 AMENDING SOCIAL SERVICES LAW, IN RELATION TO STATE REIMBURSEMENT FOR CARE, TREATMENT, MAINTENANCE AND NURSING SERVICES IN NURSING HOMES AND URGING AREA STATE ASSEMBLYMEN TO INTRODUCE COMPANION LEGISLATION IN THE STATE ASSEMBLY AND FORWARDING TO THE FULL LEGISLATURE FOR THEIR SUPPORT MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Resolution Required).**

**Informational** – Mr. Zehr informed the committee that he attended the NYSAC conference and he was able to obtain great information about other county facilities.

#### **IV. OTHER BUSINESS**

**Meeting Date** – Mr. Nichols stated a proposal has been made to hold the monthly meetings of the Health & Education Committee on the first Wednesday of the month at 1:30 p.m.

**MOTION: APPROVING THE PROPOSAL TO HOLD THE HEALTH & EDUCATION COMMITTEE MONTHLY MEETINGS ON THE FIRST WEDNESDAY AT 1:30 P.M. MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully submitted by: Amanda L. Chapman, Senior Stenographer, Steuben County Legislature

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, March 3, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Gary D. Swackhamer

**STAFF:** Mark R. Alger      Helen Brutsman      John Zehr  
Robert W. Anderson, Ph.D.      Frederick H. Ahrens, Jr.      Michele Smith  
Nancy Smith      Sally MacDougal

**LEGISLATORS:** DeWitt T. Baker, D.V.M.      Francis L. Gehl      Thomas J. McIntyre  
John Walsh

**ABSENT:** Lldon E. Jamison

**OTHERS:** Mary Perham, *The Leader*      Rob Price, *The Evening Tribune*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Stachnik to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE FEBRUARY 4, 2004 MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Special Children's Services

**Contract** – Mrs. Brutsman requested authorization to enter into a contract with Kathleen Rossettie, Speech Pathologist for Preschool and Early Intervention. The rate is set by the State for Early Intervention. The rate for Preschool is \$60.00 per hour.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH KATHLEEN ROSSETTIE, SPEECH PATHOLOGIST FOR PRESCHOOL AND EARLY INTERVENTION MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**Transportation Bids** – Mrs. Brutsman requested authorization to bid preschool transportation for the 2004 – 2005 school year.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO BID PRESCHOOL TRANSPORTATION FOR THE 2004 – 2005 SCHOOL YEAR MADE BY MR. STACHNIK, SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. Health Care Facility

Mr. Zehr distributed a handout depicting the estimated deficits for county nursing homes in 2004. The county facilities are averaging an \$8,955.00 loss per bed. This report came from Jim Maloney who wants to come and give a presentation to the committee.

Mr. Nichols asked are any of the nursing facilities listed newly built? Mr. Zehr replied this is a list of all of the nursing facilities in the State. Mr. Nichols asked when we pay Medicaid to put someone in a for-profit home, does that cost more than our own facility? Mr. Zehr replied he didn't think so. Mr. Alger commented generally the public facilities cost more to operate than a private facility. Mr. Gehl asked isn't the facility in Livingston County a new one? Mr. Zehr replied he believes that they are in the process of building.

Mr. Swackhamer asked what is the IGT at? Mr. Zehr replied this year it is \$600,000.00 and next year, which is the last year, it will be \$300,000.00. Mr. Alger stated the \$1.3 million is almost the difference between breaking even and not. The amount of the IGT is less. He stated that he and Mr. Ahrens have discussed this issue. If you look at the numbers and look at the industry as a whole, he can't believe that the State wants all the public facilities to go out of business. Mr. Zehr commented the majority of the facilities listed on this handout are similar to ours. Even if you unload the beds, whoever buys them will have to build new and the State will pay the capital costs.

Mr. Swackhamer requested that a copy of this handout, along with a cover letter, be sent to Assemblyman Bacalles, Senator Kuhl and Governor Pataki. Mr. Zehr stated that March 15, 2004 is legislative meeting day just for the county facilities and he will be attending that. Anyone is invited and this meeting will be held in Albany.

Mr. Zehr distributed a handout depicting their occupancy percentages for 2003 and 2004. During 2003 they were low in June with only 90 percent occupancy. During February 2004, their occupancy rate was 98 percent, due largely to the fact that they are being more selective on some of their admissions. As of this morning, they have one empty bed.

Mr. Nichols asked what is the IGT? Mr. Zehr replied that is the Intergovernmental Transfer. Mr. Swackhamer explained the Department of Social Services was given money and this is the transfer from the Department of Social Services to the Health Care Facility. The government was setting a certain amount and now they are getting rid of it. We had been setting this money aside in the reserve. Mr. Nichols asked will that come back if you build a new nursing facility? Mr. Swackhamer replied no, it is gone. Mr. Alger explained this is a reflection of the loss in county facilities in an attempt to draw down additional federal funds to offset that loss. Mr. Swackhamer stated the IGT has two more years. Mr. Nichols asked how will the county facilities operate when that is gone? Mr. Alger replied that has been part of the discussion.

Mr. Zehr distributed a handout depicting the overtime hours that have been used since January. He noted that they have been trying to be more efficient. They also have been calling in part-time individuals rather than full-time individuals and that has helped to lower the number of overtime hours. He informed the committee that he will provide this handout on a monthly basis.

Mr. Zehr distributed a handout showing the facilities' case mix index scores. He explained each resident is scored on what his or her needs are. We are reimbursed by the acuity of the patients we take care of. Right now our score is 1.09 and his goal is to have it at 1.15, which will increase their reimbursement. Mr. Nichols

asked the more patients that require rehabilitative services, the higher the index? Mr. Zehr replied yes. We have brought in a consultant from NYSASHA who has done a great job and has worked very closely with the nurse managers on the PRI. As a result, nursing is getting a better grasp on the PRI process and how important it is and how it reflects financially.

**Survey** – Mr. Zehr distributed a copy of a survey that is being sent to all of their employees. Originally this idea came from an employee. They are asking for ideas for cost savings and also work place improvements. As the surveys come in, he will share the results with the committee.

3. Office of Community Services

**Transcription Contract** – Dr. Anderson informed the committee that they have been contracting for transcription services and it has worked very well. He would like authorization to renew that contract, however, he would also like to add another contractor. If we can contract out that specialty service, that frees up our support staff to do other things. Currently we are running three person offices with one staff member. Dr. Anderson stated that they send their tapes to the service and they send the typed information back. The turnaround time has been just as good as if we were doing it in-house. He noted that they have three planned medical leaves coming up in the next month. Mr. Nichols asked is contracting less costly than doing it in-house? Dr. Anderson replied that he thinks so, but having the contract really allows them to be able to more fully dispense the staff and utilize them to their fullest. That’s what we are trying to do.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO RENEW THEIR CONTRACT FOR TRANSCRIPTION SERVICES AND TO CONTRACT WITH AN ADDITIONAL TRANSCRIPTION SERVICE MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**Informational** – Dr. Anderson informed the committee that he did share with Mr. Alger a letter that came from one of his counterparts who is trying to get the county to look at mental hygiene and the demand on Medicaid. The State is Medicaiding the system. Several counties are sending memorializations to the Governor and Legislature asking them to empower local governments to participate in the decision making process regarding Medicaid conversions for mental hygiene. Dr. Anderson stated that he would add that there be a moratorium on this type of project. He would like to have a memorializing resolution presented at this month’s board meeting and then forward that to the State.

Mr. Alger explained, when the State takes a program and Medicaids it, they used to hold us harmless. They would give us back the local share in overburden aid. Last year they capped that. Now when the State Medicaids a program, there is a local share and we are opposed to that. Dr. Anderson stated the money they are taking back from the County is the reinvestment money and that was given to us as they closed the mental health facilities. As they take back that money, it takes away our flexibility to provide other certain services, such as case management. If it is not reimbursed through Medicaid, we can’t do it.

**MOTION: MEMORIALIZING GOVERNOR PATAKI AND THE STATE LEGISLATURE TO EMPOWER LOCAL GOVERNMENTS TO PARTICIPATE IN THE DECISION MAKING PROCESS REGARDING MEDICAID CONVERSIONS FOR MENTAL HYGIENE MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

**Conference** – Dr. Anderson thanked the committee for allowing him to attend the conference in Washington, D.C. He believes that it was an extremely beneficial trip. There was a lot of talk about what the federal government is not going to do with Medicaid and he will share that information with Commissioner

Biehl. While he was there, he was also able to meet staff from both Senator Schumer and Senator Clinton's offices.

**Annual Report** – Dr. Anderson informed the committee that their annual report is available and he will give copies to anyone that is interested.

#### **IV. OTHER BUSINESS**

Mr. Stachnik stated that he would like to recognize the work of the Employee Wellness Committee. They do a lot with information and he would like to recognize that. He requested that they be recognized at the March Legislative Meeting.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION; ARTICLE 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION AND ARTICLE 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

#### **NEXT MEETING SCHEDULED FOR**

**Wednesday, April 7, 2004  
9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, March 31, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, April 7, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Lldon E. Jamison

**STAFF:** Mark R. Alger      Helen Brutsman      John Zehr  
Robert W. Anderson      Michele Smith      Nancy Smith  
Frederick H. Ahrens, Jr.      Vicki Fuerst      Sally MacDougal

**LEGISLATORS:** Philip J. Roche, Esq.      Thomas J. McIntyre

**ABSENT:** Gary D. Swackhamer

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MARCH 3, 2004 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Special Children's Services

**Contracts** – Mrs. Brutsman requested approval to enter into a contract for preschool with Ira Davenport Hospital for Occupational and Physical Therapy. The rate is set by this committee at \$60.00 per session.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT FOR PRESCHOOL WITH IRA DAVENPORT HOSPITAL FOR OCCUPATIONAL AND PHYSICAL THERAPY AT A RATE SET BY THE HEALTH AND EDUCATION COMMITTEE AT \$60.00 PER SESSION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

Mrs. Brutsman distributed a list of contracts for renewal by the committee. She noted that these are preschool contracts and run from July 1<sup>st</sup> to June 30<sup>th</sup>. They currently have contracts with all of those providers on the list.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO RENEW ALL CURRENT CONTRACTS WITH PRESCHOOL PROVIDERS FOR THE PERIOD OF JULY 1, 2004 – JUNE 30, 2005 MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

**Proposed State Budget** – Mrs. Brutsman reviewed with the committee some of the Governor's proposals for the 2005 budget year. She stated that if we can get some legislation passed on third party insurance, that would help us. We would get more cooperation from the insurance companies and they would use our authorizations. If legislation was passed, the insurance companies would have to pay for services in their contract and we would get more insurance coverage. Currently we get 9 percent of what we bill.

Mrs. Brutsman stated another thing the Governor is proposing is to make one rate for Early Intervention. Currently the rate is set at \$70.00 and an extended session is set at \$98.00. She commented that the State is also talking about having all of the providers be approved by the State. That would make some of our providers quit. The annual fee to do that would be \$275.00 for an individual and \$900.00 for an agency. Mr. Alger asked do they understand that we provide services based on a lot of individual providers that do work with only one or two children? Some of our providers won't do it and that will create problems for us in trying to provide the services. Mrs. Brutsman stated that she has sent letters to several people regarding this proposal.

**RN Position** – Mrs. Brutsman informed the committee that they have had quite a few applications and are in the process of interviewing.

2. Office of Community Services

**Annual Meeting** – Dr. Anderson thanked the committee for allowing him to have their annual meeting. They had a good turnout and they appreciated having Mr. Alger attend.

**NAMI Funding** – Dr. Anderson informed the committee that every year he requests permission to assist the local chapter of the National Alliance for the Mentally Ill (NAMI). We typically give them as much as we can afford. This year he would like to give them \$2,000.00 to do the activities that they do in conjunction with us. This is advocacy money that the State gives us.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO GIVE THE NATIONAL ALLIANCE FOR THE MENTALLY ILL (NAMI) \$2,000.00 IN ADVOCACY MONEY TO DO ACTIVITIES IN CONJUNCTION WITH THE OFFICE OF COMMUNITY SERVICES MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**Flooring** – Mr. Nichols asked what is the status of the flooring? Dr. Anderson replied the State visit is Monday, however, the flooring will be installed a week from Monday.

3. Health Care Facility

**Resident Occupancy/Overtime Hours** – Mr. Zehr distributed charts depicting resident occupancy for 2003 and 2004. They have an occupancy rate of 98.6 percent. He distributed charts depicting overtime hours and overtime dollars for 2004. The payperiod of March 7<sup>th</sup> they had 85 hours of overtime, which is up. Mr. Alger commented he would expect that number to go up and down. Mr. Nichols commented that the numbers look better. Mr. Zehr stated his goal is to keep overtime to less than 75 hours.

**Legislative Day** – Mr. Zehr informed the committee that last month he went to Albany for Legislative Day and met with Assemblyman Bacalles and Senator Kuhl. He also was able to meet with the sponsors of the

double tax bill. Thirty nursing home facilities were represented. He commented that Steuben County and Oneida County have both put out RFP's for bids.

**Double Tax Bill** – Mr. Zehr explained the counties with nursing home facilities are getting a double hit with regard to tax. Mr. Alger stated that he had suggested sending a letter from all of the county facilities giving the date that we were closing our beds. Mr. Zehr stated that budget wise, they were going to implement the 6 percent assessment tax. There is also a 2.5 percent tax that was going to be implemented April 1<sup>st</sup>. There has been significant talk that it will go through at the 6 percent level for all nursing homes. This is the tax on gross receipts. We have been paying this for the past three to four years. It is known as the hospital bed debt pool. Most facilities are passing the assessment on to the residents. Mr. Zehr commented Medicare pays for 100 days. The first 20 days are free. Our long-term goal is to increase the Medicare patients, for which we get a better reimbursement.

**PRI Consultant** – Mr. Zehr informed the committee that this committee gave approval for this several months ago. This individual is going through the assessment period this month. With the help of the consultant we have raised 18 people to a higher rate of reimbursement. This has been very successful.

**Employee Recognition** – Mr. Zehr stated in the past we have held informal employee recognition at the Health Care Facility. He believes that we should do something more and that would help with the morale. They checked into three places to hold a recognition dinner; the Bath Country Club, Bully Hill and the Keuka Maid. He requested authorization from the committee to hold the employee recognition dinner on the Keuka Maid for a cost of \$1,100.00. Mr. Zehr commented currently they spend \$500 - \$600 with what they have done traditionally.

Mr. Isaman asked how many people would be attending? Mr. Zehr replied there would be a total of 65 including spouses. Only the awardees will get a free meal, everyone else would have to pay for their dinner. This fee also includes a pin. Mr. Isaman commented those employees that have 20 – 25 years of service should also be recognized by the Legislature. Mr. Nichols asked is there money budgeted for this? Mr. Zehr replied no. He will have to move money around. There is no line item dedicated to this. Mr. Alger commented this is an administrative expense so he will have to take it out of expenses. Mr. Stachnik commented this is a good thing you are doing. The employees at the Health Care Facility have had a very tumultuous year.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO HOLD AN EMPLOYEE RECOGNITION DINNER ON THE KEUKA MAID FOR A COST OF \$1,100.00 MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. Public Health & Nursing Services

**Contracts** – Mrs. Fuerst informed the committee that they have an existing contract with 3M for the documentation system for the homecare program. A portion of that system is called Code Finder. The cost of the contract is based on our admissions, which are up 15 percent. They would like to raise the rate, which would be an increase of \$220.00, which would take effect in August.

**MOTION: APPROVING AN AMENDMENT TO PUBLIC HEALTH & NURSING SERVICES CONTRACT WITH 3M TO REFLECT AN INCREASE IN THE RATE FOR THE CODE FINDER SYSTEM OF \$220.00 EFFECTIVE AUGUST 2004 MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Isaman asked has the Department of Health come out with anything more on the West Nile Virus, Bird Flu or Mad Cow Disease? Mrs. Fuerst replied the Department of Health is constantly updating us, but there is nothing new to report at this point. We will be starting our West Nile Virus program at the end of June.

Mr. Nichols commented that the Town of Tuscarora is holding a tire day at the end of the month. Anything 16 inches and under will be free. The residents of the town can bring as many car tires as they have. Mr. McIntyre asked why couldn't you do that in conjunction with the Public Works Amnesty Day? Mr. Nichols replied at the Public Works Amnesty Day you can only bring a total of four tires. The Town of Tuscarora is dealing with the same vendor as Public Works uses.

5. Personnel

**Tuition Aid Requests** – Mrs. Smith presented a tuition aid request for Bonnie Hicks-Tolly to take two courses entitled “Human Behavior II – Social Sciences Perspective” and “Concepts and Issues in Gerontology”. She recommends approval of both courses.

**MOTION: APPROVING THE TUITION AID REQUEST FOR BONNIE HICKS – TOLLY TO TAKE TWO COURSES ENTITLED “HUMAN BEHAVIOR II – SOCIAL SCIENCES PERSPECTIVES” AND “CONCEPTS AND ISSUES IN GERONTOLOGY” MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION AND ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**  
**Wednesday, May 5, 2004**  
**9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, April 28, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, May 5, 2004*

*9:30 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Lldon E. Jamison      Gary D. Swackhamer

**STAFF:** Mark R. Alger      Gregory P. Heffner      Helen Brutsman  
Robert W. Anderson, Ph.D.      John Zehr      Vicki Fuerst  
Frederick H. Ahrens, Jr.      James Gleason      Sally MacDougal

**LEGISLATORS:** Philip J. Roche, Esq.      DeWitt T. Baker, D.V.M.      Harley R. Mayo  
Thomas J. McIntyre

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:30 a.m. He asked Dr. Baker to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 7, 2004 AND APRIL 27, 2004 MEETINGS MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Special Children's Services

**Transportation Bids** – Mr. Gleason recommended awarding Contract A to Livingston-Wyoming ARC at a rate of \$59.00 per day for 10 months and \$59.00 per day for the summer. Awarding Contract B to A&E Medical Transport at a rate of \$47.00 per day for 10 months and \$44.00 per day for the summer. Mr. Gleason recommended rejecting the bids for Contract C and recommending that Mrs. Brutsman contact the school district as that only involves three children. He recommended awarding Contract D to Birnie Transportation Services at a rate of \$24.20 per day for 10 months and \$65.00 per day for the summer. Mr. Gleason recommended splitting the award for Contract E between Kemps for the 10 months at a rate of \$62.89 per day and A&E Medical Transport for the summer months at a rate of \$59.00 per day.

Mr. Nichols asked how many children does this involve? Mrs. Brutsman replied Contract D is for Corning and that would be for 36 children. The contract for Livingston-Wyoming ARC varies and can involve between 5 and 10 children. She noted that this year's bids are very close to last year.

**MOTION: AWARDING THE PRESCHOOL TRANSPORTATION BIDS AS FOLLOWS: CONTRACT A – LIVINGSTON-WYOMING ARC AT A RATE OF \$59.00 PER DAY FOR 10 MONTHS AND \$59.00 PER DAY FOR THE SUMMER; CONTRACT B – A&E MEDICAL TRANSPORT AT A RATE OF \$47.00 PER DAY FOR 10 MONTHS AND \$44.00 PER DAY FOR THE SUMMER; CONTRACT C – REJECTING ALL BIDS; CONTRACT D – BIRNIE TRANSPORTATION SERVICES AT A RATE OF \$24.20 PER DAY FOR 10 MONTHS AND \$65.00 PER DAY FOR THE SUMMER AND SPLITTING THE AWARD FOR CONTRACT E BETWEEN KEMPS FOR 10 MONTHS AT A RATE OF \$62.89 PER DAY AND A&E MEDICAL TRANSPORT FOR THE SUMMER MONTHS AT A RATE OF \$59.00 PER DAY MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Contracts** – Mrs. Brutsman requested approval to enter into a contract with the Association for the Blind and Visually Impaired – Goodwill Industries of Greater Rochester to provide preschool and early intervention services. The rate for preschool is \$60.00 per session. The rate for early intervention is set by the State at \$70.00 up to 59 minutes and \$98.00 for an extended session.

**MOTION: AUTHORIZING SPECIAL CHILDREN’S SERVICES TO ENTER INTO A CONTRACT WITH THE ASSOCIATION FOR THE BLIND AND VISUALLY IMPAIRED – GOODWILL INDUSTRIES OF GREATER ROCHESTER FOR PRESCHOOL AND EARLY INTERVENTION SERVICES AT A PRESCHOOL RATE OF \$60.00 PER SESSION AND EARLY INTERVENTION AT \$70.00 UP TO 59 MINUTES AND \$98.00 FOR AN EXTENDED SESSION MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Brutsman requested authorization to renew a contract with Carol Markovics, Psychologist at \$125.00 per session in her office and \$150.00 per session if she travels to the child.

**MOTION: AUTHORIZING SPECIAL CHILDREN’S SERVICES TO RENEW A CONTRACT WITH CAROL MARKOVICS, PSYCHOLOGIST AT \$125.00 PER SESSION IN HER OFFICE AND \$150.00 PER SESSION IF SHE TRAVELS TO THE CHILD MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Mileage Reimbursement** – Mrs. Brutsman explained to the committee that they have agreements with some parents to transport their own children to preschool special education classrooms. She is requesting approval to reimburse a grandparent to transport a child to preschool, as the mother does not have a driver’s license. The rate is \$.34 per mile. This is not a contract, just an agreement that if they transport the child we will reimburse them. She stated that she discussed this with Mr. Ahrens and he is agreeable to this. Mr. Nichols asked if the parent had a license, we would pay the parent? Mrs. Brutsman replied yes.

**MOTION: AUTHORIZING SPECIAL CHILDREN’S SERVICES TO REIMBURSE A GRANDPARENT FOR TRANSPORTING A CHILD TO PRESCHOOL AS THE PARENT DOES NOT HAVE A DRIVER’S LICENSE AT A RATE OF \$.34 PER MILE MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. Office of Community Services

Dr. Anderson invited the members of the committee to come look at the floor at the Continuing Day Treatment Program. He stated that it looks very nice.

**Billing System** – Dr. Anderson informed the committee that he will be meeting with Mr. Peaslee on May 17, 2004 to finalize their proposal that they will be presenting to the company that Mr. Peaslee has chosen, in conjunction with us.

**Budget Transfer** – Dr. Anderson requested authorization to transfer \$13,514.00 from line item 440 462 Catholic Charities Homeless Services to line item 3490 OMH Reinvestment.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO TRANSFER \$13,514.00 FROM LINE ITEM 440 462 CATHOLIC CHARITIES HOMELESS SERVICES TO LINE ITEM 3490 OMH REINVESTMENT MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Welfare to Work Overpayment - Dr. Anderson informed the committee that they had participated in the Welfare to Work Grant from September 1, 2001 to December 31, 2003. During that time, we were overpaid \$8,582.03. We need to pay that back. This grant was through the Department of Labor and we participated in conjunction with Catholic Charities, ProAction, Family Services and ARC. Our department handled the money.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO REPAY \$8,582.03 IN OVERPAYMENTS TO THE DEPARTMENT OF LABOR FOR THE WELFARE TO WORK GRANT THAT RAN FROM SEPTEMBER 1, 2001 THROUGH DECEMBER 31, 2003 MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. MOTION CARRIES 5-0.**

**Card Swipes** – Dr. Anderson read a memo to the committee that he received from his fiscal officer regarding the need to replace their current Medicaid card swipes with new ones. The current swipes we have are the Trans 330, which are outdated. The new machines are Omni 3750. We would need to purchase four new card swipes and also would need to have a dedicated line. Dr. Anderson informed the committee that they have been notified that Medicaid will no longer allow them to admit someone into services pending authorization. He stated the cost of the new card swipes is \$817.00 each and includes shipping and handling. This system is also HIPAA compliant.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO PURCHASE 4 OMNI 3750 MEDICAID CARD SWIPES AT A COST OF \$817.00 EACH AND TO SECURE A DEDICATED ANALOG LINE MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Contract** – Dr. Anderson informed the committee that they have had a contract with an individual to provide forensic services at the Jail. This individual has been contracting with us for three months and has been doing an excellent job. This individual is a psychologist and currently is being paid at a rate of \$25.00 per hour. He would like authorization to increase the contract to \$30.00 per hour.

**MOTION: AUTHORIZING AN INCREASE TO THE CONTRACT WITH THE PSYCHOLOGIST PROVIDING FORENSIC SERVICES AT THE JAIL FROM \$25.00 PER HOUR TO \$30.00 PER HOUR MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Personnel** – Dr. Anderson informed the committee that he has four employees who will be on maternity leave during the months of June, July and August. He also has two other employees that will be on surgical leave. He would like the committee's approval to work with the Personnel Department to hire some temporary employees during this time. These positions are all support staff except for one, which is an RN. He noted that he needs to do two of these positions by June 1, 2004. The committee was in agreement with Dr. Anderson working with Personnel.

### 3. Health Care Facility

**Reports** – Mr. Zehr distributed graphs depicting the occupancy rate and overtime hours.

**NYSDOH Survey** – Mr. Zehr informed the committee that they had their annual survey and did well. They did have three deficiencies. The first deficiency was for the smoke barriers that don't go to the deck. The second deficiency was for some penetration into the smoke barrier when they ran some lines. As a corrective measure, they caulked those openings. The third deficiency is that since 1991 they have not had their certification that allows them to keep narcotics on-site. He noted that they have submitted a plan of action for the last two deficiencies. The first deficiency is a result of how the building was constructed and they will also be marked for that.

**Physical Therapist** – Mr. Zehr informed the committee that their physical therapist has resigned effective May 14, 2004. He is in the process of recruiting and evaluating the salary. They are working with St. Joseph's Hospital who is willing to provide some temporary coverage. Mr. Stachnik asked do you feel that we should review the salary requirement? Mr. Zehr replied he believes we should look at that as the candidates come along. Mr. Swackhamer asked what are the qualifications? Mr. Zehr replied they have to be a licensed therapist.

### 4. Public Health & Nursing Services

**Budget Transfer** – Mrs. Fuerst informed the committee that they originally received a bioterrorism grant in the amount of \$113,000.00. They just recently have received notification that they will receive an additional \$36,000.00. This additional money has to be associated with small pox activities. Mrs. Fuerst stated this year, they would like to enhance the County's communication abilities. They are looking at the Civil Defense Building which currently is not capable of helping us in any type of any emergency. It would be good to use it as a clinic or alternate office. They are working with Mr. Peaslee to get the building networked and to add additional phone lines and fiber so that the Civil Defense Building can be networked with the County. Mrs. Fuerst explained that last year when we had the blackout, there was an assumption that the building was running on generator power. That was not the case, and their refrigerator had no power and they lost their vaccines. She would like to have additional wiring to connect the refrigerator and computers to a backup generator. By doing this, it would allow Mr. Peaslee's servers to stay up as well. Mrs. Fuerst requested authorization to accept and appropriate the additional funding to the capital project line item for approved equipment.

**MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ACCEPT \$36,000 IN ADDITIONAL BIOTERRORISM GRANT FUNDING AND TRANSFERRING THAT AMOUNT TO THE CAPITAL PROJECTS LINE ITEM FOR APPROVED EQUIPMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Isaman asked do you keep the small pox vaccines on inventory? Mrs. Fuerst replied they just sent back the vaccine that they had. They were keeping it under lock and key at the Jail. Mr. Isaman asked what is the shelf life of a vaccine? Mrs. Fuerst replied it could vary anywhere from 6 months to a few years, with the proper refrigeration.

**Rabies Clinics** – Mrs. Fuerst informed the committee that it is now rabies season. Last year they sponsored 38 clinics and vaccinated 3,082 dogs, 1,776 cats and 31 horses. In March of this year they have already held 3 clinics and vaccinated 500 animals. They have scheduled another series of clinics for May. She commented that with the new regulations, if an unvaccinated animal bites someone, by law they are required to be quarantined in a kennel for ten days.

**West Nile Virus** – Mrs. Fuerst informed the committee that they will be continuing to collect dead birds. They will begin their mosquito monitoring at the end of June.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING, OR CURRENT LITIGATION; ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION AND ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**Wednesday, June 2, 2004**

**9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE**

**NO LATER THAN NOON**

**Wednesday, May 26, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, June 2, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Lldon E. Jamison  
Gary D. Swackhamer

**STAFF:** Mark R. Alger      Robert W. Anderson, Ph.D.      Robert Fisher  
Helen Brutsman      John Zehr      Nancy Smith  
Frederick H. Ahrens, Jr.      Michele Smith

**LEGISLATORS:** Philip J. Roche, Esq.      Harley R. Mayo      Thomas J. McIntyre  
John Walsh

**ABSENT:** Kenneth E. Isaman

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 5, 2004 MEETING MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Office of Community Services

**New Computers and Billing System** – Dr. Anderson informed the committee that he received a memo from Mr. Peaslee regarding their computers and billing system and the requirements for HIPAA compliance. Mr. Peaslee noted there is a need for the department to upgrade their computers. The estimated cost to do that is \$300,000.00. This cost includes the hardware and software. The department will need \$100,000.00 for the replacement of 94 desktop computers, 9 laptop computers and network switches. The Unicare billing program is not HIPAA compliant and is also not Windows based. The cost to replace that program is approximately \$200,000.00. An RFP will be sent out for the software. In his memo, Mr. Peaslee reminds the committee that the security portion of HIPAA compliance needs to be in place prior to April 2005.

Mr. Nichols asked what is the grand total? Dr. Anderson replied \$300,000.00. Mr. Stachnik commented that today business operates in a Windows environment and we needed to upgrade the billing software anyway. He asked what is the County cost for this project? Dr. Anderson replied there is no new County cost. Mr. Peaslee has some money that he had left from the Accounting Package project. We would

need the County to front us until we get our reimbursement from what was called the Federal Salaries Sharing. We normally get approximately \$200,000.00 per year for that.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO SPEND \$100,000.00 FOR THE PURCHASE OF NEW COMPUTERS AND AUTHORIZING THEM TO PREPARE AN RFP FOR THE BILLING SOFTWARE MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON.**

Mr. Alger commented the Unicare billing software package has been a difficult system from day one and getting rid of that is probably a good thing. The new system will be much easier to use and will also help us to track their finances better. Dr. Anderson stated that the new billing software is being integrated into their clinical program.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Finance)**

Dr. Anderson requested authorization to spend \$600.00 to renovate one of their rooms.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO SPEND UP TO \$600.00 FOR THE RENOVATION OF ONE OF THEIR ROOMS MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Dr. Anderson stated that outside, behind their CDT program, they have some benches and they would like to put some blacktop out there. This will be a 20 x 25 pad and we can get that done for a price of \$800.00 - \$850.00 because the parking lot will also be done this year.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO SPEND \$800.00 - \$850.00 TO PUT A BLACKTOP PAD APPROXIMATELY 20 X 25 BEHIND THE CDT PROGRAM MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Dr. Anderson informed the committee that they have had another resignation from the department. One of their CASAC workers is leaving to work for the drug court. He stated that he has submitted a vacancy request.

**Cell Phone** – Dr. Anderson requested authorization to provide a cell phone to Dr. Wertheim, who recently took over the Coordinator position for the Clinical Program.

**MOTION: APPROVING THE CELL PHONE REQUEST FOR THE OFFICE OF COMMUNITY SERVICES FOR THE CLINICAL PROGRAM COORDINATOR, DR. WERTHEIM MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. Special Children's Services

**Annual Report** – Mrs. Brutsman distributed copies of her annual report for review.

**Contracts** – Mrs. Brutsman requested approval to enter into contracts with Special Education Teachers for Early Intervention and with a Speech Pathologist for Early Intervention and Preschool.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH ANNA AMRHEIN, CHRISTINE HALLGREN-UPDIKE AND JAMES UPDIKE, SPECIAL EDUCATION TEACHERS FOR EARLY INTERVENTION AND KIMBERLY CRAMER, SPEECH PATHOLOGIST FOR EARLY INTERVENTION AND PRESCHOOL MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

CPSE Appointments – Mrs. Brutsman recommended appointing Renni MacDougal as CPSE County Representative to all Steuben County School Districts. She also recommended the appointment of Anne Roser, Karen Dgien, Meg Gardner, Kate Rezelman, Mary Ellen Little, Rosemary Clairemont, Janice Hayes, Clair Lewis and Patricia Avery as County Representative Designees to all Steuben County school districts.

**MOTION: RECOMMENDING THE APPOINTMENTS OF RENNI MACDOUGAL AS CPSE COUNTY REPRESENTATIVE TO ALL STEUBEN COUNTY SCHOOL DISTRICTS AND APPOINTING ANNE ROSER, KAREN DGIEN, MEG GARDNER, KATE REZELMAN, MARY ELLEN LITTLE, ROSEMARY CLAIREMONT, JANICE HAYES, CLAIR LEWIS AND PATRICIA AVERY AS COUNTY REPRESENTATIVE DESIGNEES TO ALL STEUBEN COUNTY SCHOOL DISTRICTS MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. Personnel

Tuition Aid Requests – Mrs. Smith informed the committee that she has received a request from Muriel Brown at the Health Care Facility to take three courses entitled “History & Appreciation of Art II”, “American History II” and “Introduction to Philosophy”. She noted that these courses are not job related and she recommended this request be disapproved.

**MOTION: DENYING THE TUITION AID REQUEST FOR MURIEL BROWN OF THE HEALTH CARE FACILITY TO TAKE THREE COURSES ENTITLED “HISTORY & APPRECIATION OF ART II”, “AMERICAN HISTORY II” AND “INTRODUCTION TO PHILOSOPHY” MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mrs. Smith informed the committee that she received a request from Bonnie Hicks-Tolley from the Office of Community Services to take three courses entitled “Theories: Practice of Social Work I”, “Research: Design and Methodology I” and “Field Ed. Instruction I”. These courses will apply towards her Master’s Degree in Social Work. Mrs. Smith recommended approval of this request.

**MOTION: APPROVING THE TUITION AID REQUEST FOR BONNIE HICKS-TOLLEY OF THE OFFICE OF COMMUNITY SERVICES TO TAKE THREE COURSES ENTITLED “THEORIES: PRACTICE OF SOCIAL WORK I”, “RESEARCH: DESIGN AND METHODOLOGY I” AND “FIELD ED. INSTRUCTION I” MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. Health Care Facility

**Resident Occupancy** – Mr. Zehr informed the committee that for the past three to four weeks they are running 94 – 95 percent occupancy which means that they have 5 – 6 empty beds. As they do not have a physical therapist, he expects that their occupancy will be down for the month.

**Overtime Hours** – Mr. Zehr distributed a copy of the overtime report. He noted that it is down once again.

**Bad Debt Report** – Mr. Zehr informed the committee that they have an estate that they are pursuing for \$56,000.00.

**Contract** – Mr. Zehr stated that there are many facilities that contract with the VA to take VA patients. The VA will pay for the first 30 days of residency and then it switches over to Medicare. This is something that could be very beneficial for us.

**CON** – Mr. Zehr informed the committee that he did contact the Department of Health. The individual that he spoke to is familiar with our situation and he asked that we send them a letter stating that we would like to extend the CON availability for two years. This means nothing to us with regard to our commitment, it's just allowing us to keep our options open.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY ADMINISTRATOR TO SEND A LETTER TO THE NEW YORK STATE DEPARTMENT OF HEALTH STATING THAT WE WOULD LIKE TO EXTEND THE CON AVAILABILITY FOR TWO YEARS MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**Physical Therapist** – Mr. Zehr informed the committee that they lost the therapist that they had hoped to get. As a result of not having a physical therapist, they have had to turn down patient admissions. He stated that he does have a resolution to this problem. He asked for authorization to contract with an agency to provide these services. They could pay for a full-time therapist, or they could take over the therapy department and run it based on the percentage of what the rate is. Mr. Zehr stated that he would like to just get a therapist in. Mr. Stachnik commented we should just back whatever decision Mr. Zehr makes. Mr. Zehr stated that he will meet with Mr. Alger to discuss the options.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY ADMINISTRATOR TO CONTRACT WITH AN AGENCY TO EITHER PROVIDE A PHYSICAL THERAPIST OR TO TAKE OVER THE PHYSICAL THERAPY DEPARTMENT AT THE HEALTH CARE FACILITY MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Zehr commented that with their advertisements for a physical therapist, they have received numerous cards from agencies that have found out that we are looking. This is the simplest solution to get a physical therapist established and maintained.

Mr. Stachnik stated the other option would be to offer more money. Mrs. Smith commented that they negotiated with the Union that we could hire a physical therapist up to Step 3 from the Start rate. That is a difference of \$6,000.00. Mr. Zehr stated that he would really like to get this taken care of.

Mr. Stachnik stated that he would like to applaud Mr. Zehr's cooperation and professionalism. Mr. Nichols commented that the Health Care Facility held their recognition dinner on the Keuka Maid and it was a good time.

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, July 7, 2004 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, June 30, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

**Special Meeting**

*Tuesday, June 22, 2004*

*10:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair  
Gary D. Swackhamer  
Kenneth E. Isaman  
Lldon E. Jamison

**STAFF:** Mark R. Alger  
James Gleason  
Frederick H. Ahrens, Jr.  
Sally MacDougal  
John Zehr

**LEGISLATORS:** Philip J. Roche, Esq.  
Thomas J. McIntyre  
Francis L. Gehl  
L. Ronald Nielsen  
Harley R. Mayo  
John Walsh

**ABSENT:** David Stachnik, Vice Chair

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 10:05 a.m. and led the Pledge of Allegiance.

**II. GENERAL BUSINESS**

1. Health Care Facility

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICER'S LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Mr. Stachnik and Mr. Swackhamer absent for vote)**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Mr. Stachnik absent for vote)**

**MOTION: RETAINING THE SERVICES OF FREED, MAXICS & BATTAGLIA, P.C., REFERRED TO AS FMB, CERTIFIED PUBLIC ACCOUNTANTS TO ASSIST THE COUNTY WITH THE EVALUATION OF THE PROPOSAL RECEIVED FROM TREVETT, LENDWEAVER & SALZER, P.C. FOR THE PURCHASE OF THE HEALTH CARE FACILITY AT A FEE OF APPROXIMATELY \$120.00 - \$250.00 PER HOUR UP TO A MAXIMUM FEE OF \$7,000.00 AND AUTHORIZING AND DIRECTING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT WITH SAID FIRM MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. Stachnik absent for vote)**

**MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. Stachnik absent for vote)**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, July 7, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Robert V. Nichols, Chair	Lldon E. Jamison	Gary D. Swackhamer
<b>STAFF:</b>	Mark R. Alger Robert W. Anderson, Ph.D. Frederick H. Ahrens, Jr.	Gregory P. Heffner Vicki Fuerst Robert F. Biehl	Helen Brutsman John Zehr Michele Smith
<b>LEGISLATORS:</b>	Philip J. Roche, Esq. Thomas J. McIntyre	Francis L. Gehl John Walsh	Harley R. Mayo
<b>ABSENT:</b>	David Stachnik, Vice Chair	Kenneth E. Isaman	
<b>OTHERS:</b>	Ristiina Wigg, Southern Tier Library System Cindy Schamel, Savona Free Library Carol Barry, Dormann Library Lise Gilliland, Director, Southeast Steuben Library Mary Perham, <i>The Leader</i> Rob Price, <i>The Courier Advocate</i>		

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:05 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 2, 2004 MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Office of Community Services

**OMH Shelter Care Plus Contract** – Dr. Anderson explained this is a contract that originates from HUD, then OMH, then the County and the County then passes it on to SCAP. He recently received a letter from OMH, requesting HUD approval for a change of grantee for this grant to the Steuben County Office of Community Services. Dr. Anderson stated that currently his office administers other HUD Shelter Care Plus grants with the same program sponsor, SCAP and they would like to consolidate these programs under one auspice for ease of monitoring, reporting and administrative purposes. He requested the committee’s approval for him to assume this contract.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ACCEPT OMH'S REQUEST THAT THEY ADMINISTER ALL HUD SHELTER CARE PLUS GRANTS WITH SCAP AS THE PROGRAM SPONSOR AND INDICATING SUCH TO HUD MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Contract Employees** – Dr. Anderson informed the committee that another receptionist resigned last Friday due to health reasons. He has also lost people in the Alcohol Program. He would like authorization to contract for a CASAC person that we can hire for up to 20 hours per week in the evenings to keep up with the caseload that we have. Currently we are booking appointments out to September 1<sup>st</sup>.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO CONTRACT WITH A CASAC TO PROVIDE SERVICES IN THE EVENINGS UP TO 20 HOURS PER WEEK MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Dr. Anderson stated that with regard to the receptionist position, he would like to contract with someone to do the utilization review process, rather than using staff from the billing office. This is something that would need to be performed four or five days per month.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO CONTRACT WITH AN INDIVIDUAL TO PERFORM DUTIES RELATIVE TO THE UTILIZATION REVIEW PROCESS FOUR OR FIVE DAYS PER MONTH MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

#### **IV. PRESENTATION**

##### **1. Southern Tier Library Directors Group/Southern Tier Library System**

Ms. Ristiina Wigg, Director, Southern Tier Library System stated that they have received funding from the County for a number of years. That funding is awarded to the Southern Tier Library System and they in turn divide the funding, by formula, and distribute to the 17 libraries in the County. She is here today to ask for support for maintaining aid at the \$75,000.00 level where it is currently. This funding provides connectivity among the libraries as they are able to access the Internet and also share books and other materials.

Ms. Lise Gilliland, Director, Southeast Steuben Library in Corning stated connectivity is very important. All different people from all walks of life come into the library and can find information because you support us.

Ms. Cindy Schamel, Savona Library stated they have a campground in Campbell and have had many of the travelers staying there coming to the library to check e-mails, make travel arrangements, etc.

Ms. Carol Barry, Dormann Library stated connectivity is vital to the services we provide. With connectivity, we are able to provide residents of Kinship and other residential homes a means to communicate with loved ones.

Ms. Wigg asked that the committee and the Legislature think about the libraries as strengthening our communities and making them stronger. Our libraries help people improve their education and look for work. She thanked the committee for their previous support.

Mr. Nichols commented that it is very early in the year and he doesn't know what will happen. If you don't get funded, the reason will be State mandates. At this point he is not sure of the committee's opinion, but he can't guarantee them anything. He stated that he does like their presentation and it gives them an understanding of what the money is being used for.

### **III. DEPARTMENTAL REPORTS/REQUESTS**

#### **2. Public Health & Nursing Services**

**Contracts** – Mrs. Fuerst informed the committee that Schuyler Hospital, whom they had a contract with to provide RN's will no longer be in the home care business effective August 1, 2004. She requested approval to add the new rates to existing contracts with Stafking and Jan & Bev's. She also requested authorization to enter into a new contract with Home and Health Care for RN services. Mrs. Fuerst noted the rates will be lower or equal to what we had with Schuyler Hospital.

**MOTION: APPROVING THE RATE INCREASE FOR THE PROVISION OF RN AND LPN SERVICES FOR STAFKING AND JAN & BEV'S AND AUTHORIZING A NEW CONTRACT WITH HOME & HEALTH CARE FOR THE PROVISION OF RN'S AT A RATE OF \$30.75 PER HOUR; RN'S ON CALL AT A RATE OF \$1.50 PER HOUR AND LPN'S AT A RATE OF \$22.75 PER HOUR MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**Other** – Mrs. Fuerst stated previously she had discussed with the committee using bioterrorism funds to run fiber optic to the Civil Defense Center. They are now ready to put the bids out. She requested authorization to go out to bid for the installation of the fiber.

**MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO PUT OUT TO BID THE INSTALLATION OF FIBER OPTIC TO THE CIVIL DEFENSE CENTER MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

#### **3. Special Children's Services**

**Contracts** – Mrs. Brutsman requested approval to enter into a contract for preschool with Building Blocks Comprehensive Services from Canandaigua for evaluations and Special Education Itinerant Teacher Services. She noted that the rate is set by the State.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT FOR PRESCHOOL WITH BUILDING BLOCKS COMPREHENSIVE SERVICES OF CANANDAIGUA FOR EVALUATIONS AND SPECIAL EDUCATION ITINERANT TEACHER SERVICES AT A RATE SET BY THE STATE MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Mrs. Brutsman requested approval to enter into a contract with the Canisteo-Greenwood School District to transport children to Pathways in Hornell at a rate of \$4.11 per mile.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH CANISTEO-GREENWOOD SCHOOL DISTRICT TO TRANSPORT CHILDREN TO PATHWAYS IN HORNELL AT A RATE OF \$4.11 PER MILE MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**IPRO Review** – Mrs. Brutsman informed the committee that during their recent IPRO Review they were cited on ten items, however, they were informed that this was good compared to other counties. One of the items they were cited for is that instead of documenting that the parent’s rights and entitlements are reviewed with a family, we need to be very specific and state what the right is and the parents have to initial or sign. On the IFSP the parents are required to sign or initial 31 times. Another area in which they were cited was that they did not have a certification that one of the Service Coordinator’s took Introductory Service Coordination. The monitors were looking for a certificate, however, the Service Coordinator had taken the course before the State began issuing certifications. Mrs. Brutsman stated that they also were cited for needing written notice of the Service Coordinator’s name and written notice of meeting times. They were cited because FERPA language was missing in the consent forms. Another area for citation was regarding documentation of family’s strengths, priorities and concerns; documentation of why the initial IFSP meeting was over the 45-day timeline and documentation of parental consent to convene a transition meeting. Mrs. Brutsman noted that most of these changes have already been made, but the monitors did look at charts from a couple of years back.

**CPSE County Rep** – Mrs. Brutsman informed the committee that the new CPSE County Rep started on May 10, 2004 and **the school district CPSE Chairs have** been very cognizant this year that a child has to exhibit significant regression to qualify for summer services. Since this individual started, they have attended 72 out of 134 meetings during May and June. As a result of those meetings, 29 children have had their services decreased and 30 children have been discharged.

4. Health Care Facility

Mr. Zehr distributed a copy of the overtime report for the committee’s review. He noted that overtime is still in check.

Mr. Zehr stated that he met with Mr. Alger to discuss their need to upgrade computers. He would like approval to purchase no more than 7 computers for a total cost of \$7,500.00.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO PURCHASE NO MORE THAN 7 NEW COMPUTERS AT A TOTAL COST OF \$7,500.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Mr. Zehr noted that their occupancy was down last month because they didn’t have a physical therapist.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICER’S LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION AND ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: RECLASSIFYING AN ACCOUNT CLERK POSITION WITHIN THE HEALTH CARE FACILITY TO ANOTHER TITLE ACCORDING TO THE RECOMMENDATIONS FROM THE PERSONNEL DEPARTMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**V. OTHER BUSINESS**

**August Meeting** – Mr. Nichols stated that he would not be able to attend the meeting on August 4, 2004. He asked if the committee still wanted to go ahead and meet or if they preferred to meet on a different day.

**MOTION: CHANGING THE DATE OF THE AUGUST MEETING OF THE HEALTH AND EDUCATION COMMITTEE TO THURSDAY, AUGUST 5, 2004 AT 9:00 A.M. MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**\*\*PLEASE NOTE CHANGE\*\*Thursday, August 5, 2004 @ 9:00 a.m.\*\*PLEASE NOTE CHANGE\*\***

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, July 28, 2004,**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

**Special Meeting**

*Monday, July 26, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair Gary D. Swackhamer	Kenneth E. Isaman
<b>STAFF:</b>	Mark R. Alger James Gleason	Frederick H. Ahrens, Jr. Sally MacDougal	John Zehr Mike Stone
<b>LEGISLATORS:</b>	Philip J. Roche, Esq. Francis L. Gehl Thomas J. McIntyre	Donald B. Creath Harley R. Mayo L. Ronald Nielsen	Patrick F. Donnelly Patrick F. McAllister John Walsh
<b>OTHERS:</b>	Roger Sherri, Regional Director, CSEA Tresa Brewer		

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m.

**II. GENERAL BUSINESS**

1. Health Care Facility

Mr. Ahrens stated we are in the process of evaluating a proposal that was submitted to the County. As we indicated to the CSEA in their request, until such time as we have the situation finalized, negotiations should be done in Executive Session. Whatever steps taken here today will not be final. There will be an opportunity for public input, an opportunity to review options, in open session and debate will be had. Your input will not only be asked for, but also welcomed. At this time, he asked that the committee adjourn into Executive Session.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION AND ARTICLE 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION  
MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION  
CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL  
BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Thursday, August 5, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair Gary D. Swackhamer	Kenneth E. Isaman
<b>STAFF:</b>	Mark R. Alger Frederick H. Ahrens, Jr. John Zehr Roberta Fisher	Gregory P. Heffner Helen Brutsman Robert W. Anderson, Ph.D. Sally MacDougal	Vicki Fuerst James Gleason Robert Biehl Ken Peaslee
<b>LEGISLATORS:</b>	Donald B. Creath	Thomas J. McIntyre	John Walsh

**I. CALL TO ORDER**

Mr. Stachnik called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 7, 2004 AND JULY 26, 2004 MEETINGS MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. JAMISON AND MR. NICHOLS ABSENT FOR VOTE).**

**III. DEPARTMENT REPORTS/REQUESTS**

1. Special Children's Services

**Contracts** – Mrs. Brutsman requested approval to enter into a contract with **Marlo Woodhouse**, Physical Therapist for Early Intervention and Preschool and with Lisa Foster, a Speech Pathologist for preschool.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO CONTRACTS WITH **MARLO WOODHOUSE**, PHYSICAL THERAPIST FOR EARLY INTERVENTION AND PRESCHOOL AND WITH LISA FOSTER, SPEECH PATHOLOGIST, FOR PRESCHOOL MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. JAMISON AND MR. NICHOLS ABSENT FOR VOTE).**

2. Health Care Facility

**Audit Report** – Mr. Zehr informed the committee that the auditors will be coming in September.

**Overtime Hours** – Mr. Zehr distributed a graph depicting overtime hours for 2004.

**Residency Occupancy** – Mr. Zehr informed the committee that occupancy was at 95.6 percent last month. This month it is at 94 percent. There is a gap in the percentages because we are being more selective and are taking in more intensive rehabilitation residents.

**Bad Debt** – Mr. Zehr stated that the payment schedule is in place for the 100 and 300 contracts that are coming in. Overtime is significantly down from last year and occupancy is higher. He stated that he will do a comparison for the committee's review.

**Utility Worker to Cleaner** – Mr. Zehr informed the committee that they have a vacant position that he would like to upgrade from a Grade IV to a Grade V. We have had several people out in housekeeping and felt that it would be a good move to reclassify a Utility Worker to Cleaner as we have been short in the past.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT UTILITY WORKER POSITION, GRADE IV, TO A CLEANER POSITION, GRADE V IN THE HEALTH CARE FACILITY MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. JAMISON AND MR. NICHOLS ABSENT FOR VOTE).**

*Mr. Jamison arrived.*

**VTA Payment** – Mr. Zehr stated we contracted with VTA Agency for physical therapy services. Doug Frey has been an employee of ours now since July 20, 2004. *Mr. Nichols arrived.*

Mr. Frey never signed a contract with VTA, however, he did provide services to us under VTA. Mr. Zehr stated that he would like to pay VTA \$9,500 for that time period. He requested authorization to transfer that amount from Management and Supervision to Consultant Fees.

**MOTION: AUTHORIZING THE TRANSFER OF \$9,500 FROM THE MANAGEMENT AND SUPERVISION LINE ITEM TO CONSULTANT FEES LINE ITEM TO RENDER PAYMENT TO VTA AGENCY FOR PHYSICAL THERAPY SERVICES PERFORMED BY DOUG FREY THROUGH JULY 20, 2004 MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Computers** – Mr. Zehr stated that last month the committee approved the purchase of 7 computers for \$7,500. He stated that actually they purchased 9 computers at a cost of \$7,650.

**MOTION: AMENDING THE MOTION FROM THE JULY HEALTH & EDUCATION COMMITTEE MEETING TO AUTHORIZE THE HEALTH CARE FACILITY TO PURCHASE 9 COMPUTERS AT A TOTAL COST OF \$7,650 MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Zehr thanked the committee for working with him. He believes the Health Care Facility has a great future here.

### 3. Public Health & Nursing Services

Mrs. Fuerst stated last month they had talked about putting bids out for the installation of fiber optic at the Civil Defense Center. Mr. Gleason and Mr. Peaslee have been working on getting the bids back.

Mr. Peaslee informed the committee that they received two bids from O'Connell Electric and Fiber Tech Consultation Co. There were three options presented. We can completely bury the cable, we can put the cable all aerial or we can do a combination of both. He stated the low bid for burial was \$35,800 and he is

recommending awarding the bid to Fiber Tech. The bid for the combination was \$29,400, however, 80 percent was aerial. He stated that he has been working with Public Health Nursing and 9-1-1 and they feel more secure if we bury the cable. Mr. Peaslee stated that they are going to talk with Fiber Tech about two things being aerial, which may be a lower cost. Mrs. Fuerst commented that we have \$20,000 from the grant and 9-1-1 is paying the balance.

Mr. Alger stated the aerial is about 80 percent and we would have to run it across the field and along the edge. The concern with that is having a pole line in the edge of the field from the 9-1-1 Center to the Civil Defense Center.

**MOTION: AWARDING THE BID FOR FIBER OPTIC INSTALLATION AT THE CIVIL DEFENSE CENTER TO FIBER TECH CONSULTATION, CO. IN THE AMOUNT OF \$35,800 MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. Personnel

**Tuition Aid Request** – Mr. Biehl presented a tuition aid request for Donna Brewer, Department of Social Services, to take two courses entitled “Principals of Accounting” and “American Federal Government”. He is recommending approval of the course for “Principals of Accounting” and recommends denying the request for the course “American Federal Government”.

**MOTION: APPROVING THE TUITION AID REQUEST OF DONNA BREWER, DEPARTMENT OF SOCIAL SERVICES, TO TAKE ONE COURSE ENTITLED “PRINCIPALS OF ACCOUNTING” AND DENYING THE REQUEST TO TAKE THE COURSE ENTITLED “AMERICAN FEDERAL GOVERNMENT” MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: ADJOURNING REGULAR SESSION AND RECONVENING IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. STACHNIK ABSENT FOR VOTE).**

5. Office of Community Services

Dr. Anderson stated that he would like to sponsor, with the National Association for the Mentally Ill (NAMI), a workshop entitled “Identifying Children with Depression”. This workshop would be provided to therapists and school providers on October 14, 2004 at the Raddison, in Corning. He estimates the gross cost to be \$3,000 and expects to get that back through participant registration.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO SPONSOR A WORKSHOP WITH NAMI ENTITLED "IDENTIFYING CHILDREN WITH DEPRESSION" ON OCTOBER 14, 2004 FOR A TOTAL COST OF \$3,000, SAID COST TO BE PAID FOR BY PARTICIPANT REGISTRATION MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. STACHNIK ABSENT FOR VOTE).**

#### **IV. OTHER BUSINESS**

**Corning Community College** - Mr. Creath stated that he is here today representing the Corning Community College Board of Trustees. He would like to ask the committee to consider the capital chargeback being increased from \$200 per full-time equivalent (FTE) to \$300 per full-time equivalent (FTE). Schuyler County put it in as a budget item, but they are not promising that it will stay. Chemung County has taken no action. They are studying the Elmira Campus and it would require an increase on their part if that goes through.

Mr. Creath stated if the Elmira Campus does not go forward, the Criminal Justice Program will stay at East Corning School. It requires a \$950,000 capital requirement to bring that campus up to speed. We should know about Elmira in about two months. That's tight to make it in time for this year's budget projection for next year's budget. The Elmira Campus would be two to three year from now. We do need money for keeping the campus up.

Mr. Nichols asked we are paying \$200 per student per year? Mr. Creath replied yes. That raises \$250,000 per year. If you increase that to \$300 per student per year, then we are talking about another \$125,000 per year from Steuben County. Mr. Creath stated that he thinks they should know what is on the cutting floor and how much are we foregoing in this case. Mr. Nichols asked are there any charges against the State? Mr. Creath replied we are 50 - 50 with the State when we put that funding toward a project. This coming year registration is down 2 percent. That is a reflection of increased economic activity.

Mr. Swackhamer stated he is not in favor at this time. The Criminal Justice Program should stay where it is, or be moved back to the campus. He is not in favor of taking it to the Elmira Campus. When we are over budget this year, where will we find the money to pay the increased chargeback? Mr. Alger commented this committee shouldn't promise to raise anything. Mr. Isaman stated he agrees. We don't know where the money will come from. Mr. Nichols stated we don't know what we can afford. Mr. Swackhamer stated four years ago I was the sponsor to raise this. Now, I don't think we can afford to do this.

**Health Care Facility** - Mr. Alger requested that the committee confirm Mr. Zehr as being reinstated as the Administrator of the Health Care Facility as he has withdrawn his resignation.

**MOTION: CONFIRMING MR. ZEHR AS THE ADMINISTRATOR OF THE STEUBEN COUNTY HEALTH CARE FACILITY MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. STACHNIK ABSENT FOR VOTE).**

**MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. STACHNIK ABSENT FOR VOTE).**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, September 1, 2004 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, August 25, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, September 1, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Lldon E. Jamison      Gary D. Swackhamer

**STAFF:** Mark R. Alger      Helen Brutsman      John Zehr  
Robert Anderson, Ph.D.      Norma Lewis      Nancy Smith  
Robert F. Biehl      Frederick H. Ahrens, Jr.

**LEGISLATORS:** Philip J. Roche, Esq.      John Walsh

**OTHERS:** Rich Lipman, Urbach, Kahn & Werlin (UHY, LLC)  
Bob Irvin, Urbach, Kahn & Werlin (UHY, LLC)  
Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 4, 2004 MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. ISAMAN AND MR. STACHNIK ABSENT FOR VOTE)**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Personnel

**Tuition Aid Request** – Mrs. Smith stated that they received a request from Muriel Brown, Health Care Facility. Mrs. Smith recommends approval of the three courses.

**MOTION: MOTION APPROVING THE TUITION AID REQUEST FOR MURIEL BROWN OF THE HEALTH CARE FACILITY TO TAKE THREE COURSES ENTITLED “HEALTH, SOCIETY & NURSING: MULTIDISCIPLINARY PERSPECTIVE”, “COMMUNITY HEALTH PORTFOLIO” AND “LEADERSHIP MANAGEMENT PORTFOLIO” MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. ISAMAN AND MR. STACHNIK ABSENT FOR VOTE)**

## 2. Special Children's Services

**Contract** – Mrs. Brutsman informed the committee that they are working on a contract with the Arkport School District, however, she doesn't have the rate yet. She will bring this contract back to Mr. Alger once they have established a rate.

**Southern Tier Orthodontic Screening Clinic** – Mrs. Brutsman informed the committee that Dr. Green, Director of the NYS Dental Bureau, notified them that it will no longer be necessary for us to have the clinic which we have had every other month for three years. Six surrounding counties attended the clinics. Prior to now, children needing financial assistance for braces attended the clinic – both Medicaid and non-Medicaid children. Two orthodontists from Rochester examined the children to determine if the child's condition was a dentally handicapping condition. Then the family has to be financially eligible either through Medicaid or a financial investigation through the PHCP. Now, the orthodontists will prepare models and x-rays and send them either to Medicaid Prior Approval or to the Department of Health for prior approval. We will still do the paperwork and determine financial eligibility for non-Medicaid children. Mrs. Brutsman commented we are the last area to do this. It has already happened downstate. The Department of Health will be meeting with dentists and orthodontists to explain how this will work.

**Reclassification** – Mrs. Brutsman requested authorization to reclassify two Account Clerk positions, Grade 5 to Account Clerk Typist, Grade 6. The Personnel Department has approved the reclassifications. Mrs. Smith stated they recommended approval because of a desk audit that was completed. Mrs. Brutsman stated the amount of money for the remainder of the year is less than \$1,000 for salary and fringe and that could come out of money already in the budget. Mr. Swackhamer asked what is the difference in salary? Mrs. Brutsman replied the difference is \$1,270 per **person per year**.

**MOTION: APPROVING THE RECLASSIFICATION OF TWO ACCOUNT CLERK POSITIONS, GRADE 5 TO TWO ACCOUNT CLERK TYPIST POSITIONS, GRADE 6 IN SPECIAL CHILDREN'S SERVICES MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. ISAMAN AND MR. STACHNIK ABSENT FOR VOTE)**

## 2. Health Care Facility

**Audit** – Mr. Zehr introduced Rich Lipman and Bob Irvine, who recently conducted an independent audit of the facility. Mr. Lipman stated that their company is now known by a new name. Previously, they were known as Urbach Kahn & Werlin. Now they are UHY, LLP.

Mr. Lipman reviewed the audit with the committee. He noted that with regard to the balance sheet, there was a difference in the fund equity section. Under the new government regulations, we had to break that out into "retained earnings", revenue, expenses and fund equity. The difference of revenue over expenses is an improvement over 2002 in the amount of \$100,000. Intergovernmental Transfer dollars were considered operating revenue and now they are considered non-operating revenue. There is \$125,000 in the IGT, however, that program is being phased out through 2005.

Mr. Isaman asked do the new GASB regulations affect reimbursement? Mr. Lipman replied no. It is being handled the same way as a not-for-profit home. You are being rebased to 1983 and are being reimbursed on the depreciation of the building. Mr. Irvine stated the GASB regulations govern general governmental accounting processes. There is no affect.

Mr. Lipman stated that with regard to the cash flow, the net cash is \$1.4 million which is a \$1 million improvement over the year before. Mr. Lipman reviewed the summary of the Facility's significant accounting policies. With regard to the reconciliation of resident personal funds, they recommend that be done on a

monthly basis. The Facility does have cash flow issues. Currently you do Medicaid billing once a month. They recommend doing it at least twice per month to help improve the cash flow.

Mr. Irvin reviewed the copy of their letter that was distributed. Basically this letter formally covers their responsibilities under the audit. He noted that last year the new GASB standards were implemented and used in the course of this audit. During the course of the audit, they made three audit adjustments. They increased Accounts Payable by \$30,751, increased Due to Third Party Payers by \$88,000 and increased Fixed Assets by \$32,141. He noted that the increase in third party liability reflects the cash receipts assessment.

Mr. Nichols asked with regard to the adjustment you did for fixed assets, is that for purchases that were not reflected? Mr. Lipman replied that the audit adjustments account for any misstatements. The facility had \$14,314 that was overstated. This is reflected in the year-end assets in which there is a difference of \$14,000. We are still comfortable with the financial statements.

Mr. Irvine noted that they had no disagreements with management. Ultimately, our responsibility is to the committee and the Full Legislature. The audit went well.

Mr. Lipman stated that they did do a comparison of resident days for the past three years. Everything is pretty steady overall. There was a slight decrease in overall occupancy, although there was a rebound during 2004. In 2003 the facility was below 95 percent. When you get below 95 percent, if you have a Medicaid patient that is hospitalized, you lose your ability to bill Medicaid for the bed hold days. With regard to room and board revenue, your private rate has increased from \$192 per day to \$244 per day. The Medicare rate increased 58 days. Medicaid dropped slightly, which is more a factor of the age of the property and the equipment. The overall average yield was \$165 per day, which is comparable to 2002.

Mr. Stachnik asked could the private rate be increased? Mr. Lipman replied he is of the belief that you should increase every year. However, you have to look at what others are doing around you. The private pays just aren't out there anymore. The pursuit of Medicare patients is better.

Mr. Lipman stated the total operating expenses cost per day was \$230. Mr. Nichols stated we would improve our beds if we had the additional 15 beds. Mr. Lipman replied you would have little added expense with the additional beds.

Mr. Lipman reviewed Accounts Receivable. He stated that the average number of days to collect your receivables is an improvement over 2002. Overall, in other nursing homes that we do, we have found an average collection period for private pays of 0 – 30 days. Most facilities bill up front for the private paying patient. Medicaid/Medicare is 30 – 60 days. If you took the Medicaid billing to twice a month, you would expect to see the age of billing decrease. Overall, on a net basis, the receivables are at 85 days. That's down by about 8 days from the year prior. You are still on the high end, but showing improvement.

Mr. Nichols asked how can we have uncollectables in Medicaid and Medicare? Mr. Lipman explained uncollectables are those that were not collected as of the end of 2003. If you don't bill something within two years of the provision of service, you will never get it. The nursing home collection of receivables is at the mercy of County Department of Social Services and the time Medicaid/Medicare takes to process a bill, the application for the initial time period. If you are dealing with recertification, that takes a long time as well. As a result of the new State Budget that is coming through, there are significant enhancements.

Mr. Lipman stated that Medicaid billing over 90 days has shown a significant improvement over last year. Medicare decreased \$40,000. Total overall, there was a \$200,000 improvement. The receivables are getting close to current.

Mr. Nichols asked what is Medicare Part B? Mr. Lipman explained that is for ancillary services such as physicians, physical therapy, etc that are not generally covered by private insurance. Mr. Swackhamer asked how many days does Medicare Part A pay for? Mr. Lipman replied they will pay for 100 days maximum before going to private insurance or Medicare Part B.

Mr. Isaman stated earlier you mentioned that private pay patients are dwindling? Mr. Lipman replied yes. There are a lot of reasons why. The legal community is doing a good job in teaching people how to shield assets before going to a nursing home. The home care industry is doing a good job of keeping residents in homes for longer periods of time. The other reason private pay patients are dwindling is the advent of the assisted and assistive living facilities. Mr. Stachnik asked with the building project and being rebased, would that alter our income statement? Mr. Lipman replied that he doesn't know the answer to that question. It is likely that would go up just because you would have the ability to bring costs to the current base period. Right now you are at the 1983 base and you are trended forward. With a more current rate, you are dealing with current dollars and then you would trend back and then forward. Almost 100 percent of the newer homes have benefited by doing it that way. Your debt level would also be higher.

Mr. Lipman informed the committee that the net bottom line for 2003 after the IGT and county transfer is \$1,076,479. The Health Care Facility staff have done a great job. Mr. Swackhamer asked how do we compare with other facilities? Mr. Lipman replied you are one of the older looking facilities. The plant is showing some age and is in need of substantial rehabilitation or replacement. With regard to the CON's, the State is going to be taking a hard look at the number of beds being requested. Statistics indicate that for the next 10 – 15 years, the number of people going into nursing homes is going to decrease.

Mr. Walsh asked with other counties that have built new, are they breaking even, losing money, etc? Mr. Lipman replied in the best case scenario they are making a little bit. There haven't been a lot of county facilities that have built new in the past couple of years. Some facilities have included adult homes which may increase their case mix. We have to look at our marketplace, demographics, etc. It will take time to get the census up if you start something new. Mr. Nichols stated that to increase the census in the county, that would require more beds. With our CON, if we wanted to go to 120 beds, would that put us equal with everyone else? Mr. Lipman replied yes. When you amend the CON, you have to go through the entire process. Mr. Nichols asked during construction can you apply for additional beds? Mr. Lipman replied they had a client that built a home ten years ago and they constructed it so that some of the private rooms were sized as semi-private rooms. They got the Medicaid base and got the CON to convert the rooms. They didn't need an addition and it was approved fairly quickly. If you are going with the CON and start building and go back for another application, you would need additional architectural work, etc. He would suggest that you not go back until you are done and have gone through your base period.

Mr. Ahrens commented that they will need a two-thirds vote of the Legislature to move ahead with the bond. With the price of steel he doesn't feel that they have a good faith estimate. We need to get the engineers to revise the plans. Mr. Alger stated we are really starting over. All of the financial information is old. The CON has been approved. Mr. Isaman asked, bottom line, could we build a new facility and still be in the red? Mr. Lipman replied you could very well be. You could keep losing money by providing services to your constituency. What would it cost you if you had to send the residents to outside facilities versus your own home? You are providing employment. You are keeping people close to their family. If you look at the cost of the county subsidy, it is so much lower than other counties we deal with. Mr. Stachnik commented recently built homes have been operating in the black. Mr. Lipman stated that a newer facility provides the home the opportunity to provide other types of services that enhance and compliment the nursing home. You would have a better chance of operating in the black. He noted that you would get a separate Medicaid rate for specialty units. Mr. Zehr commented that FLHSA did a survey of the need for ventilator beds in this region and they have indicated the need for 24 beds. They recommend that we have at least 10 beds on that unit. At McCauley

Manor, we had 8 beds and there was some enhancement, but you have to offset the cost. Considerable discussion followed.

**Reports** – Mr. Zehr distributed a copy of the 2003 – 2004 Census Report and also the 2003 – 2004 Overtime Report. He noted that overtime has decreased overall. The last two pay periods were the highest we have been and that is directly due to the fact that we have 5 full-time CNA's and 3 Nursing positions that are out on compensation/disability. Mr. Zehr noted that if you choose to build new, or replace, the facility needs to be lift-free. One of the components is that it is safer for employees. We do need a two person lift in the 40 bed units and that can go into the capital project. Mr. Swackhamer asked are the lifts portable? Mr. Zehr replied yes. He will do an analysis of the disability claims for the committee to review. Mr. Swackhamer commented this is something that we should look into.

**Bad Debt** – Mr. Zehr reported that he had no new information. They have four or five situations out there that they need to be more legally aggressive with.

**Quality Grant** – Mr. Zehr informed the committee that last year they did submit an application for a QI Grant. They are expecting the final payment.

**PRI Study** – Mr. Zehr distributed a copy of the year-to-date PRI scores. He stated they had brought in a consultant to help them increase their case mix. They are currently now at 1.19. He said his goal was a score of 1.15.

**Planning Day** – Mr. Zehr informed the committee that management had four topics that were discussed; two of which included the future and human resources. They will be meeting again next Wednesday. They will be getting input from their employees. Mr. Zehr asked the committee if there was anything that they would like to see addressed. He would like to present their plan at next month's meeting and make any adjustments. Mr. Alger suggested that at some point we probably should get outside assistance with looking at the CON and costs. We also need to look at bringing in the architect to look at the numbers. That has to be done. We need to get the correct information. Mr. Zehr stated that he would make that part of the plan. The purpose of the plan is to have an objective, show who is responsible, and the timeframe. On a quarterly basis he will meet with the managers. Mr. Stachnik commented that he feels comfortable waiting until next month to see the template of your plan. Mr. Zehr stated that he would submit it to the committee prior to the meeting so that they will have time to read it.

Mr. Alger stated that a component of the report can outline the timeline based on the CON. That would give the Board something to see with regard to the timeframe we have remaining with the CON. There are definitive timeframes. Mr. Isaman asked can we look at what construction costs might be? Mr. Alger replied we are going to have to. Mr. Zehr stated with the new budget, we are getting hit with a 5 percent assessment which is a life assessment. The one positive note is the funding for disadvantaged facilities. We may receive \$400,000 over a two-year period. The part that was vetoed was the rebasing of all facilities. There is \$250 million for the construction and expenses of new facilities. Mr. Alger commented there were very specific components vetoed by the Governor. It doesn't appear that the aid to disadvantaged facilities was vetoed, but there were three or four other components that were.

Mr. Zehr informed the committee that they did a comparison with NYSEG and they pay \$76,000 annually in electric costs. Approximately 50 percent of that would be the number. The design of a new facility would be reducing the electrical expenses by two-thirds with efficiencies.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO EXTEND THEIR CONTRACT WITH FREED MAXICK & BATTAGLIA, PC FOR THE REVIEW OF THE CERTIFICATE OF NEED AS THEY DID THE INITIAL GROUNDWORK AND THIS WILL AVOID DUPLICATION OF EFFORT IF THE COUNTY WERE TO HIRE SOMEONE FROM OUTSIDE MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Zehr stated that in an effort to increase their Medicare population, they have a goal to establish a rehabilitation program. He would like authorization to enter into the pursuit of a medical director for that unit, which will give us consistency with regard to our admissions. This is also something that will be included in the facility plan. He anticipates that the cost would be \$15,000 per year.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO ENTER INTO AN INDEPENDENT CONTRACT WITH A PHYSICIAN WHO WOULD BE THE MEDICAL DIRECTOR OF THE REHABILITATION UNIT MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. Administrator

**2005 Budget** – Mr. Alger distributed a copy of the summary 2005 budget for the departments under the Health & Education Committee for their review. He noted that the net change is \$67,000. Public Health Nursing remained even, Special Children’s Services was up slightly and they have some issues with the Community Services budget. The Libraries have stayed at the same rate and with regard to the Health Care Facility there is a decrease in the anticipated operating deficit.

**Corning Community College** – Mr. Alger informed the committee that they received notification from Corning Community College that they are estimating chargebacks to be \$3,035,000.

5. Office of Community Services

**Budget Transfer** – Dr. Anderson requested approval to transfer \$66,000 from account #408900 to account # 1270000. This represents the chargeback from the Information Technology Department for the work that they do in our department.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO TRANSFER \$66,000 FROM ACCOUNT #408900 TO ACCOUNT # 1270000 WHICH REPRESENTS THE CHARGEBACK FROM THE INFORMATION TECHNOLOGY DEPARTMENT MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Dr. Anderson informed the committee that last month Mr. Alger received notification from ARC that they were wanting to purchase a community residence in the Village of Canisteo. He asked the members of the committee to please call him if they had any question about that.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT WITH ALLEGANY REHABILITATION ASSOCIATES, INC. FOR THE FOLLOWING SERVICES: INTAKE SERVICES, NURSING AND THERAPEUTIC SERVICES TO CDT, SOCIAL CLUB, SPECIALIZED BILLING AND FISCAL SERVICES, AND EVALUATION OF CHEMICAL DEPENDENCY MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, October 6, 2004 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, September 29, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, October 6, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Lldon E. Jamison  
Gary Swackhamer

**STAFF:** Mark R. Alger      Robert W. Anderson, Ph.D.      Helen Brutsman  
Vicki Fuerst      Nancy Smith      Sally MacDougal  
Gregory P. Heffner      Frederick H. Ahrens, Jr.      Robert F. Biehl  
John Zehr

**LEGISLATORS:** Philip J. Roche, Esq.      Francis L. Gehl      Thomas J. McIntyre  
John Walsh

**ABSENT:** Kenneth E. Isaman

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 1, 2004 MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Office of Community Services

**Budget Transfer** – Dr. Anderson requested authorization to transfer \$68,494.00 among various accounts to fund the contract with Allegany Rehabilitation Associates.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO TRANSFER \$68,494.00 AMONG VARIOUS ACCOUNTS TO FUND THE CONTRACT WITH ALLEGANY REHABILITATION ASSOCIATES MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

## 2. Public Health & Nursing Services

**Contract** – Mrs. Fuerst requested authorization to amend their contract with Stafkings. We had renewed our contract with them and had very old rates for the Personal Care Aide and Homemaker. She requested authorization to amend the contract to reflect the rate for the Personal Care Aide at \$14.90 and the rate for the Homemaker at \$11.50.

**MOTION: AUTHORIZING PUBLIC HEALTH AND NURSING SERVICES TO AMEND THEIR CONTRACT WITH STAFKINGS FOR PERSONAL CARE AIDE AT A RATE OF \$14.90 AND HOMEMAKER AT A RATE OF \$11.50 MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

**Grants** – Mrs. Fuerst requested permission to apply for two Department of Health grants. The first is for increasing awareness of STD's. All we have to do is apply and we will get money. We will do this grant through the SAY network. The amount of the grant is \$14,999. The second grant is for TB. The amount of the grant is \$1,500. We did apply for this grant before. She explained this grant will allow us to purchase incentives to get patients to take their medication.

**MOTION: AUTHORIZING PUBLIC HEALTH AND NURSING SERVICES TO APPLY FOR TWO DEPARTMENT OF HEALTH GRANTS, ONE FOR \$14,999 FOR STD AWARENESS AND THE SECOND FOR \$1,500 FOR TB INCENTIVES MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

Mr. Nichols asked is TB a major problem? Mrs. Fuerst replied it has increased, although we have less than ten cases in a year. This typically is a problem for the at-risk population.

**Flu Vaccine** – Mrs. Fuerst informed the committee that Steuben County will not be receiving the vaccine. They suspended the license of the manufacturer that makes it for us. Aventis is the other supplier, but we did not order from them. As of right now, we have zero. For the exercise we had scheduled, they may let us reprioritize, for example run it for senior citizens.

## 3. Special Children's Services

**Transportation Contracts** – Mrs. Brutsman requested authorization to enter into contracts with Arkport Central School at a rate of \$35.54 per child, per day, Terps Enterprises, Inc. at a rate of \$57.00 per child, per day and Alfred-Almond Central School at a rate of \$37.00 per child, per day and if they are asked to transport one child, they would like \$56.00. She commented that Alfred – Almond Central School does cover part of Steuben County.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO CONTRACTS FOR TRANSPORTATION WITH ARKPORT CENTRAL SCHOOL AT A RATE OF \$35.54 PER CHILD, PER DAY; TERPS ENTERPRISES, INC. AT A RATE OF \$57.00 PER CHILD, PER DAY AND ALFRED – ALMOND CENTRAL SCHOOL AT A RATE OF \$37.00 PER CHILD, PER DAY, UNLESS THEY ARE ASKED TO TRANSPORT ONE CHILD AND THEN THEIR RATE WILL BE \$56.00 MADE BY MR. JAMISON. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

**Contracts** – Mrs. Brutsman requested authorization to enter into a contract with Building Blocks for preschool related services at a rate of \$60.00 per session.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH BUILDING BLOCKS FOR PRESCHOOL RELATED SERVICES AT A RATE OF \$60.00 PER SESSION MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE).**

**Orthodontic Program** – Mrs. Brutsman stated that last month she talked to the committee about the changes in the orthodontic program. They have been asked by the State Dental Bureau to hold one more screening clinic on October 12, 2004. With this program, the child is referred to an orthodontist and they do a prior approval to Medicaid or to the State if they are not Medicaid. Those individuals not on Medicaid will come through our office first.

**Informational** – Mrs. Brutsman informed the committee that the reclassifications of two Account Clerks from Grade 5 to Grade 6 were approved at the Board meeting. She had anticipated that the increase would be over \$1,000 per year, but these individuals can only move to a step four, so the increase is only \$72 per person for the rest of the year. They will go to a step five July of next year.

4. Health Care Facility

**Overtime Hours** - Mr. Zehr distributed the 2004 overtime hours report. He noted that overtime hours for the month are coming down.

**Worker's Comp** - Currently they have eight people out on Worker's Comp. They have been able to replace two positions and three people have come back. For the rest of the year they should be flattening out. Mr. Nichols asked how are you doing on becoming a no-lift facility? Mr. Zehr replied we are working on that for the end of 2004, beginning of 2005. That is part of our strategic plan. He commented that there are some facilities that are putting lifts in every resident room.

**HIPAA Medicaid Extension** – Mr. Zehr explained that on October 6, 2004 everyone is supposed to be in full compliance with the electronic billing for Medicaid/Medicare. They have extended that date until December 29, 2004 as the Department of Health is unable to accept transactions electronically. Right now, we are in the process of testing our electronic submissions.

**Strategic Plan** – Mr. Zehr distributed copies of the Health Care Facility's Strategic Plan. He stated that they have been talking about developing a plan for the Health Care Facility to make it more viable. He met with his managers and they came up with ideas in the three areas of expense reduction, revenue generation and future actions we might take if we choose to build. Mr. Zehr stated that he will also be able to use this document for evaluation purposes. Mr. Ahrens asked is there anything in the Strategic Plan that impacts existing work conditions that may have to be brought to the bargaining table? Mr. Zehr replied no.

Mr. Zehr stated that with regard to the construction of a new building, they have included the development of a timeline for the construction process. We will have a series of steps that we will take. He distributed an outline of the Certificate of Need extension and contingencies. With the construction, the Department of Health has set a timeline for construction to begin on or before March 2006 and to be completed on or before September 2007. They anticipate that the pre-construction will take 6 – 8 months and the actual construction will take 18 months. Mr. Zehr stated for illustrative purposes, if they received Legislative approval in November, then the CAD drawings would be complete and bids accepted June 2005, they would begin construction in 2005 and complete construction in December 2006. Mr. Zehr noted there are five contingencies that are outstanding right now that we need to comply with if we are to go forward. They are as follows: (1) Submission of the County Bond and note resolution, (2) Submission of \$75,273.00 based on original projections to Department of Health, (3) Submission of written acknowledgement that the design contingency will not be spent without written approval of the Director of the Bureau of Architecture and Engineering Facility Planning,

(4) Applicant submitting final working drawings and specifications to BAEFP for review prior to construction and (5) Commitment to meeting Department of Health 75 percent requirements regarding Medicaid eligibility at the time of admission.

Mr. Zehr informed the committee that he has been in contact with the Department of Health and there is not a lot of leeway for making changes to the existing Certificate of Need and keeping it in the status it is in. If we change it to reflect an increase to 120 beds, we would jeopardize the status of the Certificate of Need and would have to go back through the system and have a reduction in reimbursement from 90 percent to 75 percent capital costs. He explained the original plans are set up so we can build on or build the shell. We would have to apply for a second Certificate of Need to add the other beds. Mr. Alger stated the question is how best to do that.

Mr. Ahrens asked are you reducing the scope of the original Certificate of Need? Mr. Zehr replied there was extra square footage involved with the pool and also they had oxygen pumped to every room. Those things have significant financial impacts. He doesn't believe we need oxygen in every room. We would want a wing to allow us to take more acute patients. That will be addressed if we go forward. Any reduction to the facility will not be a problem. Mr. Zehr stated if we choose a different location we could reduce construction costs. Right now you are looking at a building with three floors at an angle. If we designed it differently we could see a reduction in potential utilities of \$500,000 - \$700,000. Mr. Alger commented if we attempt to do a redesign, does that require a full resubmission of the Certificate of Need? That is the question we need to reevaluate.

Mr. Swackhamer stated we need to sit down with the architect soon to ask what the bare minimum is and bring it back to where we want it. Mr. Alger stated that is part of the next step of the Certificate of Need review. We need to update the cost figures and review the scope of the Certificate of Need as submitted. Mr. Swackhamer asked are we getting ready to do that? Mr. Zehr replied we are receiving a proposal to evaluate the Certificate of Need. Mr. Ahrens commented we have to have a workup with the architect and the accountants with regard to what the project looks like. We have to put money up front to pose the question to the Full Legislature to see if they are willing to commit. Mr. Nichols asked if we have extra square footage, is it possible that we could keep that square footage but charge it to the rooms to make them larger and then split them in half? Mr. Zehr replied the original plan was to construct that space and pipe it so essentially it would be vacant space until if and when we decided to add beds. Mr. Swackhamer stated we could add the extra square footage in each room, split it and have it be large enough to be a private room. Mr. Zehr stated exactly. The Certificate of Need process would be much different because you would be building interior walls. Mr. Nichols commented that could increase revenue.

Mr. Alger stated these are the questions we need to address with the consultant. If we add square footage to each room they are oversized. We have 105 beds and the rooms are oversized, the question for the consultant and the Department of Health is if we take that footage and put it somewhere else, does that require a new Certificate of Need. Mr. Zehr commented the issue is what the State is willing to reimburse per square foot, per room. They are not reimbursing us for the extra space in the rooms right now. It all comes down to what the Department of Health says. He stated that his belief is if we can show that we want to make changes and save the State money, then they will go for it. We need input from the consultant, architect and the accounting firm for us to make these decisions. Mr. Zehr stated that he will wait until he gets the proposal back with regard to getting authorization for going forward to meet with the consultant. Mr. Alger stated at the last meeting we authorized extending the contract with the consultant. We need a formal proposal with a figure and scope of services. Mr. Ahrens asked can they have that proposal here in time for the monthly meeting? Mr. Alger stated his expectation is the dollar amount should be around \$10,000. If it is higher than that, we will have a meeting before the Board meeting. We may want to have the meeting anyway.

**MOTION: AUTHORIZING THE APPROVAL OF THE PROPOSAL BY FREED MAXICK AND BATTAGLIA, PC FOR THE REVIEW OF THE CERTIFICATE OF NEED, UP TO A MAXIMUM OF \$10,000 MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Zehr informed the committee that he has received confirmation that they will be receiving \$400,000 from the disadvantaged facilities fund. They will receive two-thirds in 2005 and the remaining one-third in 2006. This amount will be added to our budgeted figures.

5. Personnel

**Tuition Aid Request** – Mrs. Smith presented a tuition aid request for Carol Whitehead, Deputy County Treasurer to take a course entitled “Information Research Strategies”. She recommends denial of this request, as the course is not job related.

**MOTION: DENYING THE TUITION AID REQUEST FOR CAROL WHITEHEAD, DEPUTY COUNTY TREASURER TO TAKE A COURSE ENTITLED “INFORMATION RESEARCH STRATEGIES” AS THE COURSE IS NOT JOB RELATED MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. OTHER BUSINESS**

Mr. Stachnik stated that recently in discussions regarding the EMT situation, we have talked about the fact that there are differences in approach to the East and West regions of the County. He thinks that Mr. Nichols, as Chairman of the Health & Education Committee, should, as long as a vacancy exists, seek out someone from the western region of the County to fulfill the mission statements there. Mr. Alger stated we do. He stated that Mr. Stachnik is suggesting that for future vacancies on the STREMS Board, that those could be filled with someone from the more western remote region. Mr. Stachnik suggested perhaps a Legislator or a doctor. He stated that he would like Mr. Nichols to meet with Mr. Roche to discuss this. Mr. Jamison asked who makes the selection? Mr. Alger replied we can recommend people that we think should be considered and they will decide if they are worthy.

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, November 3, 2004 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, October 27, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

**Special Meeting**

*Monday, October 25, 2004*

*9:50 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      Lldon E. Jamison      Gary D. Swackhamer

**STAFF:** Mark R. Alger      John Zehr      Frederick H. Ahrens, Jr.

**LEGISLATORS:** Donald B. Creath      Patrick F. McAllister      Thomas J. McIntyre  
John Walsh

**ABSENT:** David Stachnik, Vice Chair      Kenneth E. Isaman

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:50 a.m.

**II. GENERAL BUSINESS**

1. Health Care Facility

**Contract** – Mr. Zehr informed the committee that he received a letter of understanding from Freed Maxick & Battaglia, PC regarding their assistance with the Certificate of Need. There are two options. The first option will cover the review of the CON filed in August 2002 and they will determine if the assumptions used in the financial projections appear valid considering current information. The second option will relate to if the CON is changed to reflect a different physical configuration by adding or deleting capital costs and they will develop new assumptions. Their fees for Option 1 will not exceed \$4,800 plus out of pocket expenses and their fee for Option 2 will not exceed \$9,300 plus out of pocket expenses unless the configuration is changed materially more than once. Mr. Swackhamer asked are they doing either or? Mr. Zehr replied they would definitely be doing Option 1 and depending upon what the Department of Health tells us, they may also do Option 2.

**MOTION: APPROVING THE PROPOSAL RECEIVED BY FREED MAXICK & BATTAGLIA, PC TO REVIEW THE CERTIFICATE OF NEED UNDER TWO OPTIONS WITH OPTION 1 NOT EXCEEDING \$4,800 PLUS ANY OUT OF POCKET COSTS AND OPTION 2 NOT EXCEEDING \$9,300 PLUS OUT OF POCKET EXPENSES UNLESS THE CONFIGURATION IS CHANGED MATERIALLY MORE THAN ONCE AND AMENDING THE PREVIOUS AGREEMENT TO INCLUDE THESE FIGURES MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted by: Amanda L. Chapman, Senior Stenographer, Steuben County Legislature

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, November 3, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Lldon E. Jamison      Gary D. Swackhamer

**STAFF:** Mark R. Alger      Helen Brutsman      Vicki Fuerst  
Robert W. Anderson, Ph.D.      John Zehr      Nancy Smith  
Frederick H. Ahrens, Jr.      Lawrence Crossett

**LEGISLATORS:** Philip J. Roche, Esq.      Thomas J. McIntyre      John Walsh

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 6, 2004 AND OCTOBER 25, 2004 MEETINGS MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SWACKHAMER ABSENT FOR VOTE).**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Public Health & Nursing Services

**Contract** – Mrs. Fuerst requested authorization to enter into a contract with Diane Boughan, a nutritionist at a rate of \$60 per visit.

**MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ENTER INTO A CONTRACT WITH DIANE BOUGHAN, A NUTRITIONIST AT A RATE OF \$60 PER VISIT MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SWACKHAMER ABSENT FOR VOTE).**

**Vehicle** – Mrs. Fuerst requested authorization to purchase a 2005 Ford Taurus at a cost of \$12,697.50. This vehicle is on State bid. She stated that they sold their last car, which was three years old. It costs approximately \$.29 per mile for the County vehicle as opposed to \$.34 per mile to pay mileage. She stated that she does have the money in her budget.

**MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO PURCHASE A 2005 FORD TAURUS OFF STATE BID AT A COST OF \$12,697.50 MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SWACKHAMER ABSENT FOR VOTE).**

2. Special Children's Services

**Contracts** – Mrs. Brutsman requested authorization to enter into a contract with Sheila Murray, Special Education Teacher for Early Intervention.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH SHEILA MURRAY, SPECIAL EDUCATION TEACHER FOR EARLY INTERVENTION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SWACKHAMER ABSENT FOR VOTE).**

Mrs. Brutsman presented Early Intervention contract renewals for 2005.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO RENEW ALL CURRENT 2004 CONTRACTS FOR EARLY INTERVENTION FOR 2005 AS PRESENTED MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Brutsman requested authorization to renew a contract with James McGuinness, Associates. This is for our software program for Preschool and the contract is \$10,000 per year, which includes updates and assistance with the program. She stated they have had this program since 2002.

**MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO RENEW THEIR CONTRACT WITH JAMES McGUINESS, ASSOCIATES FOR THE PRESCHOOL SOFTWARE PROGRAM AT A COST OF \$10,000 PER YEAR WHICH INCLUDES UPDATES AND ASSISTANCE WITH THE PROGRAM MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Brutsman informed the committee that Lois Gyr has asked to come back as a volunteer on the Committees on Preschool Education. We currently have a part-time paid employee that coordinates the volunteers. She stated that the volunteers do the smaller school districts and the paid employee does the larger districts.

**MOTION: APPROVING THE REQUEST OF SPECIAL CHILDREN'S SERVICES TO HAVE LOIS GYR COME BACK AS A VOLUNTEER ON THE COMMITTEES ON PRESCHOOL EDUCATION MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. Health Care Facility

**Resident Occupancy 03 / 04** – Mr. Zehr distributed the resident occupancy and overtime reports for the committee's review. He stated that overtime for both pay periods in October was down. Due to Worker's Comp, overtime has been high in some cases. Last year they had 12 employees off on Worker's Comp for a total of 257 days. This year they have had 13 employees off on Worker's Comp for a total of 815 days. He stated that they invited OSHA to come down and do an assessment. They will be here in November and January to do a full review. These are the highest numbers we've seen in years.

Mr. Nichols commented if we build a new facility, in his opinion, it has to be a no lift facility. Our people are too valuable to injure them. Mr. Zehr stated that the injuries are predominantly back and shoulder injuries. Livingston County has a track system. It is more economical to get movable lifts. If we build new, the facility would be no lift. Anyone who didn't follow that policy would be disciplined. Mr. Stachnik asked do we have an older workforce who may be more prone to injury? Mr. Zehr replied we have a stable workforce. There are a number of employees who have been at the facility for several years.

**Roof/Plumbing/Additional Labor** – Mr. Zehr informed the committee that they have leaks in the roof. Right now they are patchable. We have a rubber roof with stone on top. This is a constant problem, and we will have to repair the roof if we choose to stay. The cost to do that will be at least \$500,000. We can continue to patch until a decision is made. It will involve the possibility of additional labor as well as plumbing as our pipes are wearing out due to age.

**Fire Training** – Mr. Zehr informed the committee that Phillips & Associates did two-day fire training for all employees. As part of that training, we did an evacuation of the staff. It was a very good group. We have a three-year contract with Phillips & Associates and currently we are in our third year.

**Pharmacy Review** – Mr. Zehr informed the committee that they are undergoing a pharmacy review by the Department of Health. They are checking to see that we are using the current wholesale pricing index for what we are paying. They found us to be in compliance with other facilities.

**Flu Update** – Mr. Zehr informed the committee that Public Health Nursing was able to secure vaccine for the residents and staff of the facility. Chemung County gave us vaccine for direct care staff and residents. We have ten vaccines left for new admissions.

Mr. Zehr requested authorization to purchase an addressograph machine. This machine makes cards that identify the residents with their name, address, payor source, social security number, etc. The machine they have is old and broke last week. We do not have money in the budget. They did find money in the Uniform Allowance and Wheelchair Repair to purchase a refurbished machine. A new machine would cost between \$8,000 - \$10,000. A refurbished machine costs approximately \$4,000. There would also be a service agreement in the amount of \$1,895. The contract is for one year. Mr. Nichols asked what is the warranty? Mr. Isaman replied thirty days. He commented that he doesn't like the service agreement. Mr. Swackhamer stated that he doesn't like the service agreement. Mr. Isaman suggested they purchase the refurbished machine with the thirty-day warranty.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO PURCHASE A REFURBISHED ADDRESSOGRAPH MACHINE AT A COST OF \$4,000 WHICH INCLUDES A THIRTY-DAY WARRANTY MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Zehr informed the committee that the auditor has sent us a proposal. Our contract is for three years and then it says that we can go out to bid. We are in the second year of our contract with UHY. They have a proposal for a one, two or three year contract. Do we want to extend our current contract for three years? Mr. Nichols asked what is the cost per year? Mr. Zehr replied \$20,000. It went up \$1,000 last year. Mr. Alger asked the RFP is for three years, is that one year with two renewals? Mr. Zehr replied yes. He stated we could go for another year and then go out to bid.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO EXTEND THEIR CONTRACT WITH UHY FOR AUDITING SERVICES FOR ONE YEAR MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. OTHER BUSINESS**

**Wellness Committee** – Mr. Stachnik informed the committee that the Wellness Committee submits a quarterly report which the committee recently received. This report shows that we have more people actively involved in wellness programs than other counties. They held the Wellness Fair on May 19, 2004, are looking to do a health snack program and have been working on a budget of \$1,500.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO INCREASE THE RATE FOR A SEMI-PRIVATE ROOM TO \$215.00 + 5 PERCENT NYS ASSESSMENT TAX PER DAY AND INCREASING THE RATE FOR A PRIVATE ROOM TO \$225.00 + 5 PERCENT NYS ASSESSMENT TAX PER DAY MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. MOTION CARRIES 4-1. (MR. SWACKHAMER OPPOSED). *Resolution Required.***

**MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, December 1, 2004 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, November 24, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

*Wednesday, December 1, 2004*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Lldon E. Jamison      Gary D. Swackhamer

**STAFF:** Mark R. Alger      Vicki Fuerst      John Zehr  
Robert W. Anderson, Ph.D.      Frederick H. Ahrens, Jr.      Ken Peaslee  
Robert F. Biehl      Gregory P. Heffner      David English

**LEGISLATORS:** Thomas J. McIntyre      John Walsh

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Stachnik called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 3, 2004 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. NICHOLS AND MR. JAMISON ABSENT FOR VOTE)**

**III. DEPARTMENTAL REPORTS/REQUESTS**

1. Public Health & Nursing Services

**Contracts** – Mrs. Fuerst presented her 2005 contract renewals for approval. She noted that most of their contracts with therapist have increased three percent. Everything else is the same with the exception of the Medical Examiner which increased two percent and some of their software also increased three percent. She commented that ARC also asked for an increase, which they haven't had in over nine years.

**MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO RENEW ALL CURRENT 2004 CONTRACTS FOR 2005 MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. Health Care Facility

**Statistics** – Mr. Zehr distributed a copy of the census report for review. Year-to-date, we are up 1.5 percent. He commented that they are intentionally holding beds open for rehab patients.

Mr. Zehr distributed a copy of the overtime report for review. Year-to-date shows an increase over last year. We currently still have eight people out on some type of leave. Mr. Nichols commented we still need to get to a no-lift facility. Mr. Zehr stated that they are looking at several different options. Mr. Swackhamer

asked how much do the lifts cost? Mr. Zehr replied they cost between \$8,000 - \$10,000 per lift. He could do a proposal for the committee. There are other things that we can do such as implement a mandatory two-lift on everybody. He stated that he would need to talk with the Director of Nursing to see what the impact of doing that would be. Mr. Alger stated the big question is if you build a new facility, what would it cost to put in an automated system and if it is cost effective. You may find that you would be better off using the portable lifts anyway. Mr. Zehr commented that with the automated system, there would be tracks above the bed and above the showers in each resident room. Mr. Alger suggested that the committee let Mr. Zehr evaluate this and come back next month with a recommendation. Mr. Swackhamer asked would some of the cost be reimbursable? Mr. Zehr replied yes, through the Medicaid rate.

Mr. Zehr stated that he would get a list of who is currently on disability. We had 250 Worker's Comp days last year and this year we have over 800 days. He will find out who is off and why. They do have someone coming down in January from OSHA who will review our facility and give us some recommendations.

**Embossing** – Mr. Zehr stated last month he had requested authorization to purchase a refurbished embosser at a cost of \$4,000 which included the thirty-day warranty. The committee had talked about and decided not to purchase the service agreement for one year at a cost of \$2,000. Mr. Zehr stated they have located an embosser on State bid for a cost of \$4,700. Mr. Alger has approved the additional \$700 for the purchase of this machine.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO SPEND AN ADDITIONAL \$700 ON AN EMBOSSER MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Freed, Maxick & Battaglia** – Mr. Zehr informed the committee that they have completed their evaluation, however, Mr. Kropski was unable to come to today's meeting. Mr. Kropski has indicated that he would be more than willing to meet with the committee and has suggested that he would like to do a conference call with Mr. Ahrens Mr. Alger and myself. Mr. Ahrens asked are there time constraints with this. We should meet with him sooner rather than later. Perhaps we should hold a special meeting? Mr. Zehr replied he would suggest that.

Mr. Alger explained Mr. Kropski will update the committee on the cost numbers and give the committee and indication of the 2006 caps per bed. We could hold a special meeting on December 20<sup>th</sup> if he were available at 11:00 a.m. or immediately following the Board meeting. *The committee was in agreement with this and asked Mr. Zehr to make the arrangements.*

**Budget Transfer** – Mr. Zehr requested authorization to transfer \$40,000 from Nursing Salaries and Wages to Pharmaceuticals to cover their prescription costs.

**MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO TRANSFER \$40,000 FROM NURSING SALARIES AND WAGES TO PHARMACEUTICALS TO COVER THEIR PRESCRIPTION COSTS MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. Personnel

**Tuition Aid Request** – Mr. Biehl presented a tuition aid request from Bonnie Hicks-Tolly, Office of Community Services, to take three courses entitled "Social Work Research II", "Theory & Practice of SW II", and "Field Education Instruction II". He recommends approval of all three courses.

**MOTION: APPROVING THE TUITION AID REQUEST FOR BONNIE HICKS-TOLLY, OFFICE OF COMMUNITY SERVICES TO TAKE THREE COURSES ENTITLED "SOCIAL WORK RESEARCH II", "THEORY & PRACTICE OF SW II", AND "FIELD EDUCATION INSTRUCTION II" MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. Office of Community Services

**Contract** – Dr. Anderson informed the committee that Family Services had approached him with a proposal regarding training opportunities. They bring some very good presenters to the area. If we could partner with them for \$3,000 we would be able to send 30 people to workshops at no cost. If we were to send more than 30 people, then we would have to pay \$75 per workshop. He commented that some of the workshops that staff attend are at a significant cost. The workshops sponsored by Family Services are most generally held at the Raddison in Corning. Staff who attend workshops get continuing education credits.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT WITH FAMILY SERVICES AT A COST OF \$3,000 FOR TRAINING OPPORTUNITIES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**Wiring Project** – Mr. Peaslee explained as part of their process of installing new computers for the Office of Community Services for HIPAA compliance, they have found that two of the locations will need additional wiring. He went to Ronco and they quoted a price of \$18,038 for the Liberty Street location and \$2,685 for the Chestnut Street location. Dr. Anderson requested approval of a budget transfer to cover the cost of the additional wiring.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT WITH RONCO FOR THE INSTALLATION OF ADDITIONAL WIRING AT THE LIBERTY STREET LOCATION AT A COST OF \$18,038 AND THE INSTALLATION OF ADDITIONAL WIRING AT THE CHESTNUT STREET LOCATION AT A COST OF \$2,685 AND APPROVING THE TRANSFER OF \$7,620.50 FROM VARIOUS LINE ITEMS WITHIN DEPARTMENT #425000; \$1,315.00 FROM VARIOUS LINE ITEMS WITHIN DEPARTMENT #425700; \$4,700.00 FROM VARIOUS LINE ITEMS WITHIN DEPARTMENT #431000; \$2,350.00 FROM VARIOUS LINE ITEMS WITHIN DEPARTMENT #433500; \$450.00 FROM VARIOUS LINE ITEMS WITHIN DEPARTMENT #433600; \$287.50 FROM VARIOUS LINE ITEMS WITHIN DEPARTMENT #43100 AND \$4,000.00 FROM ACCT #434000.5.438.200 AND APPROPRIATING THE TOTAL AMOUNT OF \$20,723.00 INTO ACCT #431000.5.408.900 MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Peaslee informed the committee that they have completed the project in the Hornell Office and the Painted Post Office should be done today. They are moving along getting them updated.

**IV. OTHER BUSINESS**

Mr. Stachnik stated that he just wanted to make a comment about the pharmaceutical industry. In New York State budget, drugs are 8 percent of the net Medicaid cost. Hospital costs are 28 percent, long-term care is 60 percent. The County cost for long-term care is 10 percent. When you look at that in perspective, Medicaid is eating us up alive, and drug costs are rising, however, they have only increased 10 percent. Mr. Stachnik stated people have talked about going to Canada to get prescription drugs. If we were to get all of the municipalities to use Canadian drugs, there would only be a half-day supply. The drug companies do not make enough to ship to Canada. Canada does not have every drug. There is a misconception that every drug is

grossly cheaper. Canada purchases their drugs by a bid system. The drug companies are not going to increase their low gross production to Canada when they can flood the United States with a high gross product.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO CREATE AN INTERNAL TASK FORCE FOR THE SELECTION OF ACCOUNTING SOFTWARE FOR THE DEPARTMENT OF COMMUNITY SERVICES AND, IN WORKING WITH MR. BIEHL AND DR. ANDERSON, IDENTIFY THE APPROPRIATE POSITION AND TITLE FOR A FISCAL POSITION WITHIN THE DEPARTMENT OF COMMUNITY SERVICES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, January 5, 2005 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE  
CLERK OF THE LEGISLATURE'S OFFICE  
NO LATER THAN NOON  
Wednesday, December 29, 2004.**

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE**

**Special Meeting**

*Monday, December 20, 2004*

*12:10 p.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Robert V. Nichols, Chair      David Stachnik, Vice Chair      Kenneth E. Isaman  
Lldon E. Jamison      Gary D. Swackhamer

**STAFF:** Mark R. Alger      Gregory P. Heffner      John Zehr  
Robert W. Anderson, Ph.D.      Frederick H. Ahrens, Jr.      James Gleason  
David English

**LEGISLATORS:** Philip J. Roche, Esq.      Donald B. Creath      Francis L. Gehl  
L. Ronald Nielsen      John Walsh

**OTHERS:** John Kropski, Freed, Maxick & Battaglia  
Mary Perham, *The Leader*  
Dave Shoen, WENY

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 12:10 p.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

**II. GENERAL BUSINESS**

1. Office of Community Services

Dr. Anderson requested permission to reclassify one Staff Psychiatrist to a Grade XIV Senior Alcohol & Substance Abuse Counselor. He stated that he would like to do this as they have an opportunity to pick up someone who is a very good clinician. If you remember, OASAS gave us money to be able to hire another therapist to make up for the closure of Transitions.

**MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO RECLASSIFY ONE STAFF PSYCHIATRIST POSITION TO ONE GRADE XIV SENIOR ALCOHOL & SUBSTANCE ABUSE COUNSELOR MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. STACHNIK ABSENT FOR VOTE)**

2. Health Care Facility

Mr. Zehr introduced John Kropski of Freed, Maxick & Battaglia who is here today to do a review of the Certificate of Need as requested by the Legislature. Mr. Ahrens suggested that discussions be held in Executive Session pursuant to Public Officers' Law, Article §105.1.E.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE §105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO OBTAIN A SCHEDULE OF CRITICAL DATES FROM THE ARCHITECT AND CONSTRUCTION MANAGER TO PURSUE THE CONSTRUCTION OF A NEW FACILITY AND TO REVIEW CAPITAL AND OPERATING IMPLICATIONS OF THE ADDITION OF FIFTEEN (15) BEDS TO THE CURRENT ONE-HUNDRED FIVE (105) BEDS MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature