

**HEALTH AND HUMAN SERVICES COMMITTEE  
MINUTES  
MAY 7, 2008 – 3:00 P.M.  
SCOTT HEYMAN CONFERENCE ROOM**

Present: F. Proto, Chairman, M. Robertson, C. Chock, T. Randall, N. Shinagawa  
Staff: S. Martel-Moore, Deputy County Administrator; J. Kippola; Contract Administrator; L. Holmes, Office for the Aging; R. DeLuca, Mental Health; A. Cole, S. Connors, B. Grinnell Crosby, J. Breedlove, A. Smith, A. James, P. Jebbett, L. Mallery, A. Frith, Health Department; M. Lynch, Public Information Officer; K. Schlather, Human Services Coalition, A. Fitzpatrick, Personnel Commissioner; K. Kephart, Department of Social Services; K. Schlather, Cornell Cooperative Extension; K. Fuller, Deputy Clerk  
Guest: Abigail Smith, SPCA; David Chase, CSEA; Helen Howard, Cornell Cooperative Extension; Pete Meyers, Tompkins County Workers Center; Syl Kacapyr, WHCU; Tim Ashmore, Ithaca Journal; Diana Crouch, Janet VanEtten

**Call to Order**

Chairman Proto called the meeting to order at 3:12 p.m.

**Additions/Changes to the Agenda**

By consensus the following items were added to the agenda:

- Update – Lakeside Nursing and Rehabilitation Center – Lisa Holmes
- Revised language – WIC resolution
- Revised resolution – Contingent Fund Request for Society for the Prevention of Cruelty to Animals – J. Kippola/A. Smith
- Budget Transfer/Budget Adjustment – Office for the Aging
- Resolution – Authorization to Submit Certificate of Need Application for 55 Brown Road – Health Department – B. Crosby

**Withdrawal from Agenda**

Due to the absence of Ms. Allinger, the discussion on Community Forum on Autism will be postponed.

**Mental Health Announcement**

Mr. DeLuca announced that on May 9, 2008 from 9:00 a.m. – 12:00 noon, a Mental Health Children’s Planning Forum would take place at the Tompkins County Public Library. TST BOCES and other schools will participate in this event.

**Chair’s Report**

Mr. Proto announced there could be several special meetings to review different parts of the various departments/agencies budgets reporting to the Committee in September. He would like departments/agencies to notify the Committee of any information submitted to Administration regarding their budgets and programming changes.

**Approval of the Minutes of April 2, 2008**

It was MOVED by Mr. Randall, seconded by Ms. Robertson, and unanimously approved by voice vote by members, to accept the minutes of April 2, 2008. MINUTES APPROVED.

**Tompkins County SPCA**

A discussion was held regarding the history of funding to the SPCA and the present status. Ms. Smith shared information indicating that at the present time the 2008 contracts have been signed, with only Groton abstaining from utilizing the agency for animal control. She spoke of the proposal by the County as one that would benefit the agency, particularly due to the present expenses associated with their vehicles. Historical information regarding their situation was provided by both Ms. Kippola and Mr. Proto, and included the information the 2008 budget includes \$15,000 in the contingent fund earmarked for the SPCA.

Mr. Randall said the resolution does not appear to provide a long-term solution to the funding difficulties the agency experienced and does not indicate future requests for additional funding would not occur. Ms. Smith said she would like to get to a financial level that would be sustained over a long-term period, which she recognizes would require more than two or three years. She does not feel any municipality would be willing to sign a ten-year contract. She stated the agency would agree to commit to are services, the level of services, and a cost that would not fluctuate other than inflation. She believes knowing how to budget over the course of a contract of several years would benefit everyone involved; she does not want to negotiate every year with municipalities.

In response to Ms. Robertson, Ms. Smith clarified the Town of Ulysses contract, which has a separate agreement with a local animal control officer who provides the day-to-day work of going to homes regarding animals. She believes they will be fully on board with the Council of Government in 2009.

Following the discussion it was suggested that approval be provided for 2008, with a long-term plan being submitted for review by the Legislature during the 2009 budget review. Ms. Smith said once details from the Tompkins County Council of Government regarding their services the information could be fit within the budget to provide more detailed information. She noted that last fall it was not clear what the big picture was during the 2008 budget setting was the full scope of services provided to municipalities. She will provide the information as requested.

Mr. Randall would not support the resolution, he said it does not show a long-term plan and it provides services to all municipalities needs rather than just the County.

Continued discussion included Ms. Robertson indicating she does not feel the proposal was transparent and she would like to see documentation on the actual cost of the feral cat program.

**RESOLUTION NO. – CONTINGENT FUND REQUEST FOR SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

MOVED by Ms. Robertson, seconded by Mr. Shinagawa, to recommend the following revised resolution to the full Legislature for approval. A voice vote on the motion resulted as follows: Ayes – 4 (Chock, Proto, Robertson, and Shinagawa); Noes – 1 (Randall). RESOLUTION ADOPTED.

WHEREAS, New York State Agriculture and Market Law requires Tompkins County to provide shelter for seized cats and lost, strayed or homeless cats, and

WHEREAS, by contract the Tompkins County Society for the Prevention of Cruelty to Animals (SPCA) has historically provided and maintained this shelter for seized cats and lost, strayed or homeless cats and

WHEREAS, the SPCA relies on both private and public funds to achieve its mission, and

WHEREAS, during the 2008 County budget process, the SPCA requested a \$28,216 increase, which would have doubled the 2007 amount in its line item in the County budget, due to a financial shortfall in the SPCA budget, and

WHEREAS, during the 2008 budget process, the Expanded Budget Committee earmarked \$15,000 in the Contingent Fund, plus increased the County's allocation from \$28,216 to \$33,216, until a date when a long term solution could be reached to assist in bridging a shortfall in the SPCA budget, and

WHEREAS, the SPCA will continue to develop a long range financial plan for feral cat control in partnership with the County, and will bring that plan forward for consideration during the County's 2009 budget process, and

WHEREAS, the SPCA has proposed a solution that will help in bridging the shortfall in 2008 through a purchase of one van by the County for the SPCA, thereby lowering operating costs significantly, now therefore be it

RESOLVED, upon recommendation of the Health and Human Services Committee and the Budget and Capital Committee, that the County amend the SPCA's contract to include the purchase of a van for up to \$15,500, and

RESOLVED, further, That the Director of Finance be authorized and directed to make the following appropriation:

FROM:	A1990	Contingent Fund	\$15,500
TO:	3520.54400	Tompkins County SPCA	\$15,500

RESOLVED, further, That County Administrator or his designee is authorized to execute any documents and agreements pertaining to the proposal.

**SEQR ACTION:** TYPE II-20

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### Office for the Aging

#### Update on Lifelong/Office for the Aging Co-Location

Ms. Holmes reported on a meeting held earlier in the day regarding the proposed co-location. The feasibility study will take approximately 5-6 weeks to complete and would be documenting existing space at both agencies as well as regular program responsibilities. At the end of the study, three to four options will be suggested. The information will be reported out to the Lifelong building committee as well as the Legislature. More information is anticipated to be available to the Legislature in July.

#### Community Health Foundation Health Leadership Fellows Program and "Transitions of Care for Frail Elders" Project

Ms. Holmes spoke of the completion of an eighteen-month program. She and Liz Norton from the Department of Social Services completed this positive program dealing with transition of care for frail elders. Subsequent to the initial training, small groups projects were created to discuss solutions to transition of care. She was paired with four to five other agencies in central New York to come up with a project on this topic. Ms. Holmes said the efforts would be ongoing. She indicated that the topic is being discussed by the State Health Department. There will be a meeting hosted by the County regarding this topic in the fall.

#### Foodnet Route Optimization Study

Ms. Holmes provided the Committee with a written report regarding a study completed by School of Operations Research and Information Engineering Master of Engineering students that provided information on how to improve delivery routes and packaging lines for Foodnet services. The

recommendations made by the students were utilized and as a result deliveries are completed in a shorter period, resulting in reduced fuel and maintenance costs.

Statement of Appreciation

Mr. Proto thanked Tim Ashmore, Ithaca Journal reporter, for his articles relating to Lakeside Nursing and Rehabilitation Center. He expressed his belief that the public awareness assisted in decision made by the State.

Budget Adjustments

It was MOVED by Mr. Shinagawa, seconded by Ms. Chock, to approve the following Budget Transfer:

*Office for the Aging*

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
6787.51000517	Salary	\$5,000	6787.52230	Computer Software

Explanation: County money freed up in PERS by revenue increase in HEAP permits purchase of computer software needed for PERS program.

It was MOVED by Mr. Randall, seconded by Ms. Robertson, to approve the following Budget Adjustment:

*Office for the Aging*

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
6778.41972	Changes – Program for Aging	\$ 85	6778-54414	Local Mileage
6778.41972	Changes – Program for Aging	\$9,915	6778-51000	Salary

Explanation: Revenue Increase in HEAP Program will free up County money in other accounts.

Health Department

**RESOLUTION NO. – AUTHORIZATION TO SUBMIT CERTIFICATE OF NEED APPLICATION FOR 55 BROWN ROAD – HEALTH DEPARTMENT**

MOVED by Mr. Randall, seconded by Ms. Robertson, to recommend approval of the following resolution to the full Legislature. It was noted the Certificate of Need is required by the State Health Department as part of the 55 Brown Road project.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

WHEREAS, Tompkins County Health Department currently operates an Article 36 facility (certified home health agency) and an Article 28 facility (diagnostic and treatment center), and

WHEREAS, New York State Department of Health regulations require the submission of a Certificate of Need application for review and approval prior to construction, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and Facility and Infrastructure Committees, That the Health Department is authorized to submit a certificate of need application for approval from the New York State Department of Health for the construction and renovations at 55 Brown Road, Ithaca, New York.

**SEQR ACTION: TYPE II-20**

Information: The Women, Infants and Children (WIC) sponsorship decision does not impact the requirement to submit the Certificate of Need (CON). WIC is not an Article 28 or Article 36 service, therefore is not included in the CON. The CON affects the certified home health agency and the community health services program (clinic services).

**RESOLUTION NO. – AUTHORIZATION TO PAY VACATION TIME IN EXCESS OF  
MAXIMUM – HEALTH DEPARTMENT**

MOVED by Mr. Shinagawa, seconded by Ms. Robertson.

Ms. Connors explained the request is the result of requiring the particular staff member to work in excess of her standard hours due to staff absences and an increase in referrals. As a result, the staff member has exceeded the maximum allowable fringe time; it would become a hardship to require the staff member to take the fringe time a request is being made to provide compensation.

A brief discussion occurred, during which it was noted that if approval were given it would not set a precedent. Mr. Chase, cautioned that to do so might be bargaining outside of the contract.

A voice vote on the resolution resulted as follows: Ayes – (Proto, Robertson, Shinagawa); Noes – 2 (Randall, Chock). RESOLUTION ADOPTED.

WHEREAS, the Health Department has been operating under special circumstances since the beginning of the year, including multiple Community Health Nurse staff out on medical leave, increased work demands including responding to the syphilis situation, increased Home Care referrals, and being globally understaffed department wide in the Community Health Nurse title, and

WHEREAS, the Department requests special permission to pay 55 hours of vacation time on a one-time basis for one part-time (21 hours per week) Community Health Nurse who is providing additional assistance during this staffing crisis, now therefore be it

RESOLVED, on recommendation of the Health and Human Services, Human Resources, and Budget and Capital Committees, That the Department is authorized to pay out \$1,517.90 in accrued vacation time and \$576.80 in associated fringes to reduce the employees fringe balance below the maximum permitted in the Union agreement.

**SEQR ACTION: TYPE II-20**

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**Overview of Women Infant's and Children's (WIC) Program/Program Achievements**

Ms. Firth, provided information regarding the program including:

- Each individual provided the food checks through the program bring in \$964 Federal dollars to local businesses.
- In March 2007 the program had 1,416 participants, in March 2008 the program had 1,545 participants, an increase 8 percent last year compared to the average of 1.5 percent for other counties; this is an additional \$123,916 Federal funds brought into the County.
- Statistics indicate that a change in the program causes a drop in participation.
- The 2008 budget indicates \$13,500 in-kind contribution by the County for the program. Some of the cost would not be reduced regardless of sponsorship.
- The extensive administrative time the Director of Patient Services has had to spend is not a recurring need (State audit, training, and supervisory coverage due to maternity leave), and is not unique to the program.

- In-kind rent of \$3,000 is presently provided. The WIC clinic space is shared with other clinics and agencies.
- WIC exposes 1,500 people to the numerous long-range money-saving programs within the County. This translates to one in four children within the County on the program.
- The program has had the resources to provide needed equipment to clients.
- In April 2008 following a review of the program by the State, the clinic was commended for their program, ranking them 3<sup>rd</sup> out of 52 programs.

Ms. Chock thanked Ms. Frith, acknowledging the success of the program and stated that she shares concern the program continue.

**RESOLUTION NO. – RECOMMENDATION TO DISCONTINUE SPONSORSHIP OF WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM**

Mr. Proto expressed appreciation to the public who sent letters and postal cards related to maintaining the program. He spoke of the possible misconception that there would not be a WIC program if the County did not reapply, but rather to decline applying for sponsorship. Mr. Proto and Ms. Chock shared some comments noted on the postal cards expressing a desire to keep the program as well as continue to be operated in the same manner. Mr. Shinagawa stressed the importance of the public knowing that the program is not going to be dissolved, but rather, may not be operated within the Health Department.

Mr. Proto clarified that the County does not make a determination of continued sponsorship as it is the State's decision whom to approve. Ms. Chock said it is one of the best Federal programs and is operated under State guidelines with no local discretion. At this time it is unknown when the State would be notifying individuals throughout the state of the application period for the program.

Mr. Shinagawa asked about the utilization numbers versus funding. Ms. Cole said the funding is determined by the participation rates, low utilization of the program would cut funds. Ms. Frith said caseloads, clinic locations, and other factors including rents, etc., combine to determine program funding.

The Committee chose to discuss the matter rather than move the resolution at this time.

Mr. Chase noted during 2009 the program would still be operating, regardless of a decision not to reapply, there would not be a reduction of budget during that period. Mr. Shinagawa said that although it would not amend next year's budget, the County does look at a long-range approach when setting budgets. Ms. Martel Moore informed the Committee that Mr. Whicher's memo indicated that in the event the County did apply for sponsorship, the increase in expenditures, including increased administration costs, would be included.

Ms. Robertson spoke of conversations with other agencies that not enough information is available to them to determine whether they would be interested in submitting an application for sponsorship. She suggested delaying action until a later date to allow brainstorming of how the future program would operate outside of the Health Department.

Mr. Proto suggested reviewing Mr. Whicher's memo to the Legislature. Mr. Shinagawa spoke of the \$15,000 part-time position for administration of the program and asked if it is an accurate figure. Ms. Cole said a half-time person would be required, and it is unknown what the title would be for the position. Ms. Robertson said her discussions with Mr. Whicher indicated the position expense would cost between \$50,000 to \$60,000, but it is unknown if the fringe expense is included. Ms. Chock asked if the program

could cover the expense of this administrative position. Ms. Frith said the costs for the past two years were unique, it is thought it could be a part-time individual, perhaps at 12 percent FTE, if it is the program could possibly pick up the expense.

Ms. Breedlove spoke of the Director of Patient Services supervising four departments and thirty people; she questioned why the program would be covering the cost of administration of a part time individual. Ms. Connors said the figures are a result of an activity log indicating the hours spent on the program. This figure could change next year, however, she indicated that the difficulty is the amount of time the program takes away from the other programs she is responsible for. Ms. Robertson indicated it appears it is that Ms. Connors continued increase in responsibilities it at a critical point and there is a need for an individual to take over this piece, and she doesn't think it could be less than a half-time position. Mr. Proto asked if the additional individual hired for administration of the program, is the State aware of the need to hire an individual and would the State increase funding? Ms. Frith said it would be required to be a WIC employee to be reimbursable, she does not believe the State is aware of the issue. Ms. Cole said the State is aware of the issue as it has been reported to the State on a continual basis; she noted it is one of the reasons the State said we are one of the most expensive programs in the State. She said we inform them of our increased costs and the State has not provided the additional funding.

Mr. Shinagawa then spoke of the space issue, and asked if the 2,400 sq. feet is accurate. Ms. Cole noted the figure is from the conceptual design of the programs within the Brown Road property; shared space is possible.

Mr. Shinagawa stated his position is to recommend discontinuance of the sponsorship of the program. He said rarely does the County have an opportunity to stop providing a program and still have it operated to benefit residents. With the upcoming budget year, already looking at \$2 million in cuts and this provides the County an option that is hard to ignore. He said, however, his primary concern is the clients of the WIC program and is not certain that a transition to another agency would be in Tompkins County. He would hope that letters of support to a local agency could have some weight. He would like assurance that any agency interested has the synergy to operate the program as well or better than the County Health Department. With regard to the transition of the program, there is the illustration that clients could potentially decrease. He does not know if there is any transition plan that would sustain the client base. Given these concerns, he is not comfortable making a decision and would support tabling the resolution if it comes before the Committee.

Mr. Randall said he has personal experience of needing assistance and views things from the bottom up. He spoke of his utilizing the program for assistance and, although he could not qualify for assistance, they very professional and invaluable in providing him with the referrals to the appropriate agencies. He views WIC as a Public Health agency due to collaborations with other departments/agencies. He doesn't believe it is a time to depersonalize a decision, it would affect the quality of life for residents. He also is concerned with the future of program staff and the length of time in their positions. It is important to recognize that another agency would not have the level of pay would not be comparable. He does not desire to support the resolution.

Ms. Chock shares a concern that the program would continue to service residents. She also shared a personal experience regarding assistance received. She spoke of being a grant writer and fears that messages have been sent by the State that could indicate a desire to change sponsorship, she is not certain that the County would be selected if other opportunities presented themselves. She would like to use the time to not only discuss if the County should apply but to understand options and discuss with other agencies what would be brought to the table.

Ms. Robertson expressed appreciation to everyone for comments made. She hopes that families provide input regarding services during budget discussions. She would like to see people sit down and

discuss options. She noted that the administrative supervision should be outside of the program at arms length. Mr. Proto said if the County would be able to have a meeting with interested parties he would like to have a list from Ms. Robertson of items noted. Ms. Cole indicated she is not aware of any interested parties.

Ms. Robertson was excused at this time (5:15 p.m.).

Mr. Proto asked if anyone wished to move the resolution forward at this time. No member wished to do so. Ms. Cole stated she would like to withdraw the resolution. Mr. Proto suggested pulling together a group of individuals to determine who might be interested in applying for sponsorship. He spoke of meeting with Ms. Martel Moore to develop a guideline on the subject. He believes there is some time to do so, particularly since the 2008 and perhaps the 2009 budget would not be affected. He asked that questions to be addressed be submitted.

Ms. Connors said as a supervisor responsible for evaluating program costs and responsibilities the facts are before the Committee. If the Request for Proposals comes the Department needs to know whether they should respond. Although Tompkins Community Action expressed an interest there is no guarantee of their applying for sponsorship. Additionally, the County is not in a position to make the decision of who would sponsor the program; that decision lies with the State. Mr. Proto asked what the timeline would be in the event the RFP is received; Ms. Connors expects the time period to be two months from the date of receipt of the request. She stressed it is important to know how to respond in the event the RFP is received. Ms. Chock asked if agencies are reluctant to apply if the County is. It was noted that there are no restrictions on applications.

It was MOVED by Mr. Randall, to bring forward the following resolution for consideration. The motion failed for lack of a second. At this time it was thought the resolution would not go to Budget and Capital Committee since he had not passed the program committee [subsequent correspondence indicated as it was on the Budget and Capital Committee agenda it could be considered at that meeting]. Mr. Chase then asked whether it means the County is obligated to apply to the RFP if received. Mr. Proto said it would, with the additional administrative costs included in the proposal. Mr. Proto thought the numbers and options should be reviewed.

Ms. Fitzpatrick asked whether there would be an opportunity for any Legislator to bring the resolution forward. Mr. Proto said it could as a member-filed resolution and could be acted upon at the Legislature. It was explained that normally the member-filed resolution would be listed on the agenda. It was also noted that Ms. Robertson could bring the resolution for reconsideration.

Mr. Proto spoke of his intention to obtain some additional information from Administration. He is concerned of what might occur if the RFP is received. He indicated items to review include the synergy of agencies to interact with programs associated with WIC, the ability to deliver the service, the financial aspect of administrative costs, the ease and effectiveness of transition, and when the RFP would be received. Mr. Shinagawa said if there were no interested parties perhaps a meeting could occur to determine how the Health Department could assist in transition if no application is made. Ms. Connors would maintain operation of WIC until the other program is operational. The State would not allow transfer until the other agency is fully trained and staffed. It was also noted the State would pay for both agencies during the transition period.

Ms. Breedlove asked if an item could be added to ask the County to make a concerted effort to determine the effect on staff, some of whom have worked for the County for 26 years. She noted that while it is important to see the clients are served she would like to have assurance that the employees, who are also taxpayers, many of whom have dedicated their life to the program, also receive consideration.

Mr. Proto invited all interested Committee members to sit in on the meeting with Administration.

WHEREAS, the Tompkins County Women, Infants and Children (WIC) Program has been sponsored by the County since 1980, and

WHEREAS, it is the Department's recommendation to discontinue sponsorship of the program when a transition plan is approved by New York State Department of Health, and

WHEREAS, pending the approval of another entity as the sponsor of the WIC Program by the New York State Department of Health, we hope to transition by November 2009, now therefore be it

RESOLVED, on recommendation of the Tompkins County Board of Health and the Budget and Capital Committee, That the Department not seek renewal of the WIC Program from New York State Department of Health,

RESOLVED, further, That the Department work to ensure a smooth transition to the approved new sponsoring agency including consideration of an extension of the contract until award is granted.

**SEQR ACTION:** TYPE II-20

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**Adjournment**

On motion the meeting adjourned at 5:32 p.m.

*Respectfully submitted by Karen Fuller, Deputy Clerk*