

**ONTARIO COUNTY
INSURANCE COMMITTEE MINUTES
May 7, 2013**

MEMBERS

JEFFERY GALLAHAN
JOHN COWLEY
MARGARET HILTON
FREDRICK LIGHTFOOTE
DONALD NINESTINE
RICHARD RUSSELL

PRESENT: Jeff Gallahan, John Cowley, Margaret Hilton, Fred Lightfoote, Donald Ninestine, Rich Russell, John Parrott, John Garvey, Kris Thorsness, Andrea Schoeneman, Brian Young, Mary Krause, Julie Hoffman, Sherman Manchester, and Karen Valesko

DISTRIBUTION: Committee Members, Board Chairman Jack Marren, John Parrott, John Park, Michael Reinhardt, Julie Hoffman, John Garvey, Sheriff Philip Povero, Karen DeMay, Sherman Manchester, Don Havens and Stephen Healy.

CALL TO ORDER

Chairman Gallahan called the meeting to order at 10:04 A.M.

Supervisor Hilton made a motion to approve the minutes of the April 2, 2013 meeting. Supervisor Cowley seconded the motion. All ayes; motion carried.

LIABILITY SELF-INSURANCE

Ms. Thorsness made a request to enter into executive session to discuss pending litigation.

At 10:08 A.M. a motion was made by Supervisor Ninestine, seconded by Supervisor Lightfoote, that the Insurance Committee adjourn and reconvene in executive session for the purpose of discussing information regarding proposed, pending or current litigation. All ayes; motion carried.

Supervisor Ninestine made a motion to leave executive session and reconvene in regular session at 10:17 A.M. Supervisor Hilton seconded the motion. All ayes; motion carried.

POWER TOOLS FOR COMMUNITY AIDES REVISITED

Brian Young discussed the limitations imposed by the resolution from the last Insurance Committee meeting that restricted the community aides in the summer youth employment program from using power tools. After much discussion it was agreed to modify the restrictions as follows:

Supervisor Hilton made a motion to restrict the summer youth from driving motorized vehicles, but to allow the use of power tools in accordance with New York State Youth Labor laws. Supervisor Russell seconded the motion. All ayes; motion carried.

CONTRACT LANGUAGE FOR ARCHITECTS AND ENGINEERS

Ms. Schoeneman, Assistant County Attorney, brought to the Committee's attention that a vendor is challenging our indemnity language in our contract. They are asking for the indemnity coverage to be restricted to what is covered under their insurance. Mr. Parrott has done some comparisons, and is on the fence regarding making any changes. Mr. Garvey pointed out that the vendor in question may not be one we want to use. Ms. Schoeneman said no action is needed at this time, but she may be back for similar requests in the future.

SAFETY REPORT

Mr. Manchester reviewed new claims, noting that our exposure is less than it was last year at this time.

Mr. Manchester announced that the New York State Hazard Abatement Board has formally approved our grant for August 1, 2013 through July 31, 2014, and he is asking for approval to accept it.

Supervisor Ninestine made a motion to accept the grant of \$9,924.00 from the New York State Hazard Abatement Board. Supervisor Lightfoote seconded the motion. All ayes; motion carried.

Mr. Manchester requested approval to contract with MSDSONline to automate the Ontario County MSDS system of paper Material Safety Data Sheets to an online system. He reviewed several options and feels this system will best meet the County's needs.

The cost will be \$2,699.00 to get the software up and running, plus an annual program cost of \$699.00. The annual charge provides for two administrators, the GHS compliant labeling function, unlimited database searches and downloads, 25 MSDS requests per year and 100 MSDS uploads per year. This has already been budgeted for 2013 and the annual cost will be included in subsequent budgets.

Supervisor Russell made a motion to allow the contract with MSDSONline to proceed. Supervisor Cowley seconded the motion. All ayes; motion carried.

Mr. Manchester made a request to accept SUNY Workforce Development Grant Funds to cover 90% of the cost of a four hour Workplace Violence Prevention Training for Supervisors and two two-hour sessions for Public Works staff. The total cost of the training will be \$1,149.00, with Ontario County being responsible for 10% of the cost, or \$114.90.

Supervisor Lightfoote made a motion to approve a short term contract to accept the grant funds from FLCC with Ontario County to cover 10% of the cost of Workplace Violence Prevention Training. Supervisor Russell seconded the motion. All ayes; motion carried.

WORKERS' COMPENSATION

Ms. Hoffman reported that Workers' Comp expenses have been under budget. She cautioned that an outstanding settlement could erase the positive balance.

PRIMA MEMBERSHIP RENEWAL

Mr. Parrott requested approval to renew his membership in the Public Risk Management Association (PRIMA) at an annual cost of \$385.00. He stated that the cost is in the budget for 2013.

Supervisor Ninestine made a motion to approve the PRIMA renewal. Supervisor Lightfoote seconded the motion. All ayes; motion carried.

Mr. Parrott said he recently participated in an on-line webinar regarding Workers' Compensation in New York State. The laws enacted under Cuomo a few years ago were supposed to reduce Workers' Compensation costs by 17%, but in reality have increased costs by 50%. The average lost time per claim has increased. Sixty percent of the cost of an average claim is for drugs. New York is now second only to California in costs. The only means left to control costs is to continue with safety measures. Mr. Parrott will share more information by email with the Supervisors.

OTHER BUSINESS

With no further business to come before the committee,

Supervisor Lightfoote made a motion to adjourn, seconded by Supervisor Cowley. All ayes; motion carried.

The meeting adjourned at 11:13 A.M.

Respectfully submitted,

Karen Valerio