



Cattaraugus-Allegany Workforce Investment Board, Inc.
Board of Directors' Meeting
Friday, June 19, 2009 – 12:00 PM
Moonwinks Restaurant – Cuba, NY
Approved 8-7-09

Board Members Present

Chair - Steve Foster, Five Star Bank
Secretary - Don Giardini, Laborer's Local 621
Treasurer – Charlie Kalthoff, ACCORD
Steve Crowley, Holiday Valley Resort
Brad Monroe, Dresser-Rand
Chris Napoleon, Napoleon Engineering
John Stevens, Organizational Solutions
Hobie Rhinehart, NYS United Teachers
Mary Coss, Wal-Mart
Kathleen Premo, St. Bonaventure
Cesar Cabrera, NYSDOL
Jack Searles, Cattaraugus County
Karen Comstock, Friendship Dairies

Board Members Excused

John Margeson, Allegany County
Jesse Gugino, JCC
Linda Kolodziejcki, Alstom Air Preheater
Brad Walters, Southern Tier Builders Assoc.
Bob Halady, NYS VESID
Mike Hendrix, Both, Branch and Hendrix
Linda Spaulding, Chaut. Co. Office of the Aging

Board Members Absent

Jodi Fuller, Catt. Community Action
Christina John, Seneca Nation
Phil Ghent, AVX Corporation
Theresa Schueckler, BOCES

WIB Staff Present

Michele Lichy, Executive Director
Jason Miller, Fiscal & Program Monitor
Missy Saar- Administrative Assistant

Welcome and Introduction

Chair Steve Foster called the meeting to order at 12:09 pm.

Approval of April 24, 2009 Board Meeting Minutes

Motion by John Stevens, Second by Chris Napoleon to approve the April 24, 2009 Board Meeting minutes as presented.

All in Favor; Motion Carries.

Approval of Certificate of Employability

Jason Miller reported that only one student from Allegany-Limestone was recommended for the Certificate of Employability this year. Allegany-Limestone has changed graduation requirements and seniors are allowed to do a capstone project in place of the Certificate of Employability if they wish.

RESOLUTION
Approval of Certificate of Employability

Motion by Charlie Kalthoff; Second by Kathy Premo to adopt the following resolution:

WHEREAS, the WIB sponsors and endorses a Certificate of Employability for local are youth demonstrating the obtainment of work-readiness skills through participation in the Southern Tier Employability Program (STEP); and,

WHEREAS, one student from Allegany-Limestone High School has successfully completed their Employability Portfolio and final interview and has been recommended for the Certificate of Employability;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves a Certificate of Employability for Ms. Courtney Hilliard.

All in Favor; Motion Carries.

Executive Committee – Steve Foster

Steve briefly discussed the changes to sections 3.1, 10.1, and 22.1; the amendments concern fixing the number of Board Members at 27, establishing quorum at a meeting and voting. Steve mentioned that we currently have 24 Board members as we are waiting for Cattaraugus County to approve 2 members that have been recommended by Executive Committee.

**RESOLUTION
Amendment of By-Laws**

Motion by Steve Crowley; Second by Brad Monroe to adopt the following resolution:

WHEREAS, the Executive Committee retained a lawyer with extensive experience in non-profit management to review and recommend amendments to the WIB by-laws to ensure consistency with WIA law, NYS non-profit law, and Other federal and state guidelines, and;

WHEREAS, this attorney has recommended changes to the by-laws in order to clarify some issues regarding membership and voting requirements, and;

WHEREAS, the Executive Committee recommends that these changes be approved by the Board;

NOW, THEREFORE, BE IT RESOLVED that the amendments to the By-Laws as presented are hereby approved and effective immediately.

All in Favor; Motion Carries.

**RESOLUTION
Approval of Number of Board Members**

Motion by Charlie Kalthoff; Second by John Stevens to adopt the following resolution:

WHEREAS, the Executive Committee retained a lawyer with extensive experience in Non-profit management to review and recommend amendments to the WIB by-laws to ensure consistency with WIA law, NYS non-profit law, and other federal and state guidelines, and;

WHEREAS, this attorney has recommended that the Board fix the number of members, by resolution, within the range stated in the by-laws at section 3.1, and;

WEHREAS, the Executive Committee recommends that the number of members be so fixed at twenty-seven (27);

NOW, THEREFORE, BE IT RESOLVED that membership of the Board be fixed at twenty-seven (27) as stated in the by-laws section 3.1 and that this number shall be effective immediately.

All in Favor; Motion Carries.

Approval of Amendments to Conflict of Interest Policy and Procedure

Steve reviewed the policy stating, that #6 is the biggest change to the policy. This explains that a member will not be excluded from the meeting if a conflict is present. New Conflict of Interest forms are to be signed by each board member and are due to the WIB office by June 30th, 2009. New forms were distributed at the meeting.

RESOLUTION

Approval of Amendments to Conflict of Interest Policy and Procedure

Motion by Chris Napoleon; Second by Kathy Premo to adopt the following Resolution:

WHEREAS, the Executive Committee retained a lawyer with extensive experience in non-profit management to review and recommend amendments to the WIB Conflict of Interest Policy and Procedure to ensure consistency with WIA law, NYS non-profit law, and other federal and state guidelines, and to resolve objections raised by Cattaraugus and Allegany counties, and;

WHEREAS, both Counties have reviewed the language changes as proposed and found it to be acceptable, and;

WHEREAS, the Executive Committee has reviewed the changes and recommends that the amendments be implemented and effective immediately;

NOW, THEREFORE, BE IT RESOLVED that the Conflict of Interest Policies and Procedures and Code of Conduct as presented are hereby approved and effective immediately.

All in Favor; Motion Carries.

Approval of the SYEP Contract with JCC

Steve discussed the proposal submitted for the SYEP program by JCC and gave a brief history of the Ad-Hoc committee's review of the proposal from JCC. Michele then reviewed the key elements of the proposal and why the committee thought it was a good program.

RESOLUTION

Approval of 2009 Summer Youth Employment Program Contract

Motion by Steve Crowley; Second by Charlie Kalthoff to adopt the following Resolution:

WHEREAS, the LWIA has received American Recovery and Reinvestment Act (ARRA) funds for Youth Services in the amount of approximately \$536, 843, and;

WHEREAS, LWIAs are encouraged to expend a majority of this funding for Summer Youth programming in 2009, and;

WHEREAS, the WIB issued an RFP for Summer Youth Employment Program services in addition to the services being provided by Cattaraugus and Allegany Counties, and;

WHEREAS, the WIB received a proposal from JCC that was reviewed by the Ad Hoc RFP Committee and deemed to be in accordance with the RFP requirements and the federal and state guidelines to ensure that each youth participant will be provided with an employment opportunity that will enable each to attain work readiness skills as mandated by the ARRA; and;

WHEREAS, the Ad Hoc RFP Committee and the Executive Committee recommend that JCC be awarded a contract in the requested amount of \$91,277;

NOW, THREFORE, BE IT RESOLVED, that the WIB awards funds in the amount of \$91,277 to JCC for Summer Youth Employment Program Services for the period of June 1, 2009 through October 31, 2009, and;

BE IT FURTHER RESOLVED that the WIB Chair is hereby authorized to enter into a Contract with JCC for these services.

10 - Ayes; 0 - Nays; 3 - Abstentions (Jack Searles, Brad Monroe, Chris Napoleon); Motion Carries.

Approval of the Disability Program Navigator Proposals

Michele reviewed the history behind the reason for releasing a DPN RFP and submitting and application to NYSDOL for DPN funding. Originally the Board had voted to set aside a pot of funds for the DPN program from our formula funding citing the fact the program was a worthwhile tool in the One Stop. After the RFP was released NYSDOL released funding for the

DPN position. We applied for and were granted \$74,095 in DPN funding. The Ad-Hoc committee reviewed the first two proposals received and decided to fund the Rehabilitation Center for services in Cattaraugus County. This left a gap in services for Allegany County so the RFP was re-released. The WIB office received one proposal from Allegany ARC for services in Allegany County.

RESOLUTION

Approval of Disability Program Navigator Services Contractor for PY2009

Motion by John Stevens; Second by Don Giardini to adopt the following resolution:

WHEREAS, the LWIA has applied for funds from NYSDOL in the amount of \$74,095 for continued support of Disability Program Navigator services for customers with disabilities accessing the One Stops, and;

WHEREAS, the WIB has procured services through a competitive process with the issuance of two RFPs, and;

WHEREAS, the Ad Hoc RFP Committee and the Executive Committee recommends that the ReHab Center be awarded funds in the amount of \$38,595 to provide full-time services in the Olean One Stop Center and that the Allegany Arc be awarded funds in the amount of \$30,531 to provide part-time services in the Belmont One Stop Center;

NOW, THEREFORE, BE IT RESOLVED, that the WIB awards funds in the amounts of \$38,595 to the Rehab Center and \$30,531 to the Allegany Arc for Disability Program Navigator Services for the period of July 1, 2009 through June 30, 2009, and;

BE IT FURTHER RESOLVED that the WIB Chair is hereby authorized to enter into a contracts with these agencies for services.

All in Favor; Motion Carries.

Approval of ARRA Funds Budget

Michele reviewed the ARRA budgets and explained how the budgets were derived.

RESOLUTION

Approval of ARRA Funds Budget

Motion by Kathy Premo; Second by Chris Napoleon to adopt the following resolution:

WHEREAS, an Ad Hoc Committee of the Executive Committee has developed a budget and expenditure plan for the area's allocation of ARRA funds, and;

WHEREAS, the committee's intent was to serve more customers as outlined by the legislation and to limit the amount of overhead/administrative costs charged to ARRA funds, and;

WHEREAS, the committee also chose the following industries on which to focus expenditure of ARRA funds in support of training – advanced manufacturing, healthcare, green/energy, construction (including weatherization), and information technology, and;

WEHREAS, the Executive Committee recommends that the ARRA funds budget be submitted to the full Board for approval with the parameters that expenditures for training should be in the aforementioned industries;

NOW, THEREFORE, BE IT RESOLVED, that the ARRA funds budget as presented is approved, and;

BE IT FURTHER RESOLVED, that the Chair is authorized to enter into contracts with each One Stop for expenditure of the ARRA funds effective for the term April 1, 2009 through June 30, 2010, and;

BE IT FINALLY RESOLVED, that the One Stops have the option to transfer training expenses incurred as of April 1st to ARRA funds so long as they meet the parameters outlined above and all other requirements related to priority of service as outlined in the ARRA legislation.

12 - Ayes; 0 - Nays; 1- Abstention (Jack Searles); Motion Carries.

RESOLUTION Approval of PY09 Budget

Motion by John Stevens, Second by Brad Monroe to adopt the following resolution:

WHEREAS, the Executive Committee has reviewed the One Stop Operator and WIB Office Budgets prepared for PY09; and,

WEHREAS, the Executive Committee recommends that the PY09 budgets be submitted to The full Board for approval;

NOW, THEREFORE, BE IT RESOLVED, that the PY09 One Stop Operator and WIB Office Budgets are attached as approved.

12 - Ayes; 0 - Nays; 1 - Abstention (Jack Searles); Motion Carries.

Approval of ITA Policy

Michele explained the history of the resolution stemming from NYSDOL Technical Advisory #09-2.

RESOLUTION
Approval of ITA Policy

Motion by Jack Searles, Second by Mary Coss to adopt the following resolution:

WHEREAS, the Operations Oversight Committee recently reviewed the Individual Training Account Policy to ensure compliance with NYSDOL Technical Advisory #09-2;
And;

WHEREAS, the Committee recommends that the policy be approved as amended;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the ITA Policy as presented effective immediately.

All in Favor; Motion Carries.

Approval of Priority of Service Policy

Michele reviewed the policy and decisions made at the Ops Oversight meeting. Steve Crowley asked if we will be able to serve anyone who isn't "low income". Wendy Bourgeois stated that they will be looking at this issue on a monthly basis.

RESOLUTION
Approval of Priority of Service Policy

Motion by Steve Crowley, Second by Chris Napoleon to adopt the following resolution:

WHEREAS, the American Recovery and Reinvestment Act (ARRA) mandates that Adult funds available to local areas under the Act be used to provide services to public assistance recipients and other low-income individuals, and;

WHEREAS, the PY09 Local Plan Guidelines also require that each area implement a priority of service to be in compliance with the ARRA legislation, and;

WHEREAS, the Operations Oversight Committee recommends the attached policy be approved as amended, and;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves Priority of Service Policy as presented effective immediately.

All in Favor; Motion Carries.

Approval of Supportive Services Policy

Michele reviewed the policy. Charlie asked how we determine that Supportive Service funds are limited locally as stated in the policy. He was unsure of how the Centers or the WIB office become aware of funds being locally limited and how that is communicated to the participants when applying for supportive services. Charlie asked that Ops Oversight review this issue at their next meeting.

RESOLUTION
Approval of Supportive Services Policy

Motion by Charlie Kalthoff, Second by Don Giardini to adopt the following resolution:

WHEREAS, the Operations Oversight Committee recently reviewed and updated the Supportive Services Policy, and;

WHEREAS, the Committee recommends that the policy be approved as amended;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the Supportive Services Policy as presented effective immediately.

All in Favor; Motion Carries.

Approval of Needs Related Payments Policy

Michele reviewed the policy. Cesar Cabrera asked how the committee arrived at the \$125/week figure for Needs Related Payments. Michele explained that the committee had discussed several different amounts and came up with the \$125 as a fair amount. It was also stated that in order to qualify for needs related payments a participant must be involved in training and receiving no other source of income.

RESOLUTION
Approval of Needs Related Payments Policy

Motion by John Stevens, Second by Charlie Kalthoff to adopt the following resolution:

WHEREAS, the American Recovery and Reinvestment Act (ARRA) strongly recommends that funds available to local areas under the Act be used to also provide customers with needs-related payments (NRP), which are financial assistance to assist customers in full-time training, and;

WHEREAS, the US Department of Labor has further clarified and mandated that all local areas are required to have an NRP policy in place, and;

WHEREAS, the Operations Oversight Committee has recommended the attached policy for approval, and;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the Needs-Related Payment Policy as presented effective July 1, 2009.

All in Favor; Motion Carries.

Michele explained that this policy is required by USDOL and that every local area needs its own policy to implement this requirement.

RESOLUTION
Approval of Veteran's Priority of Service Policy

Motion by John Stevens, Second by Steve Crowley to adopt the following resolution:

WHEREAS, the Jobs for Veterans Act implemented in 2002 created a priority of service to veterans and spouses for USDOL programs, and;

WHEREAS, this priority of service was implemented as a regulation for USDOL programs effective as of January 19, 2009, and;

WHEREAS, this regulation requires that One Stop Centers are to implement this priority of service as they are the delivery point for a significant number of qualified job training programs and services funded by USDOL, and;

WHEREAS, NYSDOL has issued Technical Advisory #09-14 outlining guidance and implementation strategies for local areas, and;

WHEREAS, the Operations Oversight Committee recommends the attached policy Implementing the Veteran's Priority of Service by approved;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the Veterans Priority of Service Policy as presented effective immediately.

All in Favor; Motion Carries.

Michele stated that this list is a sub-set of the Demand Occupation List and are those jobs the Centers will "target" for persons requesting training. These occupations will determine which customers are eligible for training under the ARRA funds. Other participants requesting training on the list but not included in this group will be served by regular WIA funding.

RESOLUTION
Approval of Targeted Jobs List for ARRA Funds

Motion by John Stevens, Second by Chris Napoleon to adopt the following resolution:

WHEREAS, the Operations Oversight Committee has reviewed the Demand Occupation List to target jobs within specific industries related to the expenditure plan for ARRA funds, and;

WHEREAS, the committee recommends that the following occupations (and related skills) from the Demand Occupation List be deemed the "Targeted Jobs List" for ARRA funding –

- Carpenters
- Computer Programmers
- Computer Support Service Technicians
- Computer System Analysts
- Dental Assistants
- Electrical & Electronic Engineering Technicians
- Electricians
- Heating, Air Conditioning, Refrigeration & Installation Mechanics
- Home Health Care Aides
- Industrial Machinery Mechanics
- Licensed Practical & Licenses Vocational Nurses
- Machine Tool Cutting Operators, Setters & Tenders – Metal & Plastic Machinists
- Mechanical Drafters
- Medical Assistants
- Medical Records and Health Information Technicians
- Medical Secretaries
- Nursing Aides, Orderlies & Attendants
- Occupation Therapists & Assistants
- Operating Engineers and Other Construction Equipment Operators
- Personal & Home Care Aides
- Physical Therapists & Assistants
- Plumbers, Pipefitters and Steamfitters
- Radiologic Technicians
- Registered Nurses
- Tool & Die Makers
- Truck Drivers, Heavy & Tractor Trailer
- Welders, Cutter, Solderers & Brazers

NOW, THEREFORE BE IT RESOLVED that the occupations listed above are hereby Approved as the "Targeted Jobs List for ARRA Funding" effective as of April 1, 2009.

All in Favor; Motion Carries.

Michele reported that this provider was being added on the request of a customer who was seeking RN Refresher Training that isn't currently offered by any local area providers.

RESOLUTION
Approval of Eligible Training Provider

Motion by Don Giardini, Second by Cesar Cabrera to adopt the following resolution:

WHEREAS, the Operations Oversight Committee has reviewed an application to our Local Area Eligible Training Provider List, and;

WHEREAS, the Committee recommends that the following new applicant and associated Courses be approved:

- Trocaire College – RN Refresher Training and Cardiopulmonary Resuscitation and Basic Life Support (CPR/BLS)

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the addition of the provider and courses as listed above effective as of May 14, 2009.

All in Favor; Motion Carries.

Michele reported that a small ad hoc committee had met to review the Youth Contractors performance for PY08. The committee was pleased with their performance and reviewed the total amount of youth funding available for PY09 in consideration of the additional ARRA funds available. They recommended that each contract be doubled if the funds allowed. Ultimately, the funding available allowed for each contract to be increased by 50%. In addition, Cattaraugus County requested that \$10,000 of their youth funding for framework be shifted to their year-round youth contract.

RESOLUTION
Approval of PY09 Youth Service Contract Extensions

Motion by Charlie Kalthoff, Second by Kathy Premo to adopt the following resolution:

WHEREAS, the Ad Hoc Year-Round Youth Contract committee reviewed each contractor's performance through the 3rd quarter and recommends that each contractor be granted a 1-year extension for services for PY2009, and;

WHEREAS, with increased youth funding due to ARRA and formula fund, the committee recommends that each contractor's award be increased by 50%, with performance outcomes to be negotiated accordingly, and;

WHEREAS, Cattaraugus County has requested that an additional \$10,000 of their Youth Framework funds under their One Stop Operator budget be shifted to their Year-Round Youth Contract, and;

WHEREAS, the recommended funding for Year-Round Youth Services for PY09 for each

contractor is as follows:

Cattaraugus County DSS	\$160,000
Allegany County E & T	\$ 58,000
Literacy West	\$ 20,265
Southern Tier Traveling Teacher, Inc.	<u>\$ 14,366</u>
	\$243,532

NOW, THEREFORE, BE IT RESOLVED, that the WIB awards funds in the amounts outlined above for Youth Program Services for the period of July 1, 2009 through June 30, 2010, and;

BE IT FUTHER RESOLVED, that the WIB shall negotiate performance outcomes with each contractor by June 30, 2009, and;

BE IT FINALLY RESOLVED that once performance outcomes are finalized, the Chair is hereby authorized to enter into contract amendments with each agency for the Program Year 2009.

12 - Ayes; 0 - Nays; 1 - Abstention (Jack Searles); Motion Carries.

Meeting adjourned at 2:00 pm.

Next Meeting: Friday, August 7th, 2009 at a location TBD.

