

ST. LAWRENCE COUNTY WORKFORCE DEVELOPMENT BOARD
MEETING MINUTES
May 3, 2017

CALL TO ORDER: Mr. Blevins called to order the regular meeting of the St. Lawrence County Workforce Development Board at the Human Services Center in Canton at 8:10 a.m.

Members Present: Jack Backus, Lynn Blevins, Sue Caswell, Rich Daddario, Dave Evans, Peggy Fockler, LouAnne King, Ron McDougall, June O'Neill, Daphne Pickert, Pete Reiter, Dale Rice, Thomas Sullivan, Ellie Sullivan-Stripp, Dallas Sutton, Zvi Szafran, and Leo Villeneuve.

Others Present: Tom Plastino – WDB, Jennifer Free – WDB, Penny Scott – WIOA, Larry Fetcie – WIOA, Anthony Hayden – NYS NYSDOL, Jennifer Rowledge – SLL BOCES and Jenna Converse – SLL BOCES.

Absent: Chris Cooper, Pam Dority, Donald Hooper, Ryan Schermerhorn and Eric Tessmer.

MINUTES: Mr. Sullivan moved and Ms. O'Neill seconded a motion to accept the October 19, 2016 meeting minutes; approved unanimously.

PUBLIC COMMENT: There were no public comments at this time.

CHAIRPERSON'S REPORT – none.

COMMITTEE REPORTS – Mr. Plastino reported that there have been three Executive Committee meetings since our last board meeting to discuss the MOU and the RFP for the One-Stop Network Operator. Discussion will occur later in the meeting regarding actions taken.

STAFF REPORTS

Fiscal Manager – Ms. Scott reported that there is a new Fiscal Oversight/Technical Advisory representative from NYSDOL. Sydney Kallisto, who has been our auditor for the last four years, will be departing. Peter Nyitrai will be our new representative. The FMR, the close out reviews for PY14 and FY14 and the subrecipient monitoring reviews will be done at the end of the month.

Mr. Plastino made note that this is important because things could potentially change with a new auditor.

Ms. Scott will present the budget at the annual meeting in June. The Summer Youth Program is upcoming; we have yet to receive any allocations from OTDA.

Executive Director – Mr. Plastino indicated that the items he has up for discussion will come later in the meeting.

OLD BUSINESS

Common Measures/Customer Service Indicators

Mr. Plastino reported that we have not received any new Common Measures/Customer Service Indicator reports since last Fall. His thought is that NYSDOL has had other matters that have taken precedence.

WIA/WIOA Transition

Mr. Plastino indicated that we will discuss the RFP for the One-Stop Network Operator and the MOU in New Business discussion. These two things are the most critical pieces in transitioning to WIOA.

There are some things coming up in the future that will need to be dealt with. There is a requirement in WIOA that all LWDA's that haven't been grandfathered under the provisions of the Act need to be recertified by all the States. The standards for what needs to be met in the legislation are different than what was under WIA. He is concerned about this because, under WIA, it was acceptable to have a LWDA designation partly because of the convenience of transportation for customers. WIOA has eliminated this criterion. Mr. Plastino is going to be very attentive to the Technical Advisory that NYSDOL may issue sometime in the next 2-3 months about recertification of LWDA's.

There is also the first Local Plan under WIOA that will potentially be due by the end of November 2017.

MOU

Mr. Plastino indicated the deadline for the MOU among the partners is 7/1/17. DOL has issued a template for us to follow, and has revised it several times since its first issue. It has vetted by the State agencies and their attorneys. We can make changes, but they have to be approved by everyone again, which will take more time and, since we are already on a tight timeline, DOL has recommended that the local partners make as few changes as possible to the draft MOU. We have had various partner meetings to work on the MOU. We have looked at the language for quite some time. Mr. Plastino reported that none of the partners see anything major that needs to be changed.

Mr. Evans, having participated in the meetings involving the MOU, made note that the MOU is about how the partners are going to work together. It's a document that helps to start guiding that process.

RFP – ONE-STOP NETWORK OPERATOR

Mr. Blevins made note that anyone whose company or agency plans on bidding on the RFP should exit the meeting once we begin discussing the action items on such.

Mr. Plastino stated that DOL has not provided the WDBs with a draft template with respect to the RFP. He feels NYSDOL is making it up as they go along, as is everyone else. There have been several directions coming out of NYSDOL as to what will be permissible and not permissible when it comes to conducting a viable competition for the One-Stop Network Operator. Even the definition of what constitutes the Network Operator has evolved. That being said, it was a good thing we didn't issue an RFP earlier in this process because it would've had to be revised due to the changing direction.

Mr. Plastino indicated that he took a few examples of surrounding RFPs when putting together this RFP. One key factor in the evolution of our understanding about how this competition should be conducted is that WIA did not require the position of One-Stop Operator be competed; WIOA does require competition. Although being a requirement, it doesn't define what the One-Stop Operator is and no job description is given.

Mr. Plastino discussed some history regarding the One-Stop Operator. He stated that WIA put a premium on physical co-location of the various partners. The idea of the legislation was that all the diverse employment and training partners would all have personnel in one physical location in every LWDA. WIOA has loosened that up significantly. They now require that you have one comprehensive co-located center in every LWDA, but the only partners physically required to be located at the comprehensive co-located center are the Title I contract providers (Adult, DW, Youth) and Wagner-Peyser (NYSDOL). The other partners are no longer obligated to have a physical

co-location with any of the other partners. They can be so co-located, and it is encouraged in the regulations that they do so, but it is not required. The consequences of this are that the partners are still required to work together in spite of the fact that they may not be physically co-located with one another.

The system is supposed to be familiar with one another's agencies/programs and are supposed to provide "warm hand-offs" so that if someone from ACCES-VR has an individual come into the door, whether a job seeker or employer, looking for services and ACCES-VR cannot provide it, they are supposed to know who among the partners can provide it. Mr. Plastino made note that this is related to the RFP in that the One-Stop Network Operator is what needs to be competed, not the role of the manager of the One-Stop or the manager of BOCES services; the One-Stop Operator's job is to coordinate the interactions among the decentralized f partners.

One of the things that NYSDOL is aware of is that in some LWDA's the potential proposers in the RFP process could be organizations that are represented on the WDB. Those people are enjoined that, if they may be involved in the preparation of a response to the RFP, they need to recuse themselves if they think it's even possible that they may submit a proposal. If they stay in the discussion, they will be unable to attend the bidder's conference on May 24, 2017, and will exclude themselves from being able to submit a proposal.

Mr. Evans wanted to make a few comments regarding how the One-Stop has operated in the past. He stated it was based upon a consortium of partners. This is very system oriented. The difficult part is that the RFP opens it up to where almost anyone attending the meeting today could submit a proposal. There's going to be those discussions where it may not be BOCES, but maybe it's Special Education, just a different portion of your business. He wanted to make note that the RFP is rather "open" stating that if this happens and the individual stays for the discussion that may eliminate the entire business from submitting a proposal.

Mr. Plastino stated that the only substantive organization that is excluded from submitting a proposal is primary and secondary schools.

Ms. O'Neill stated that she has received direction from NYSDOL that herself, Melissa Johnston and Anthony Hayden are restricted from being a part of any preparation, discussion, review or voting with respect to the RFP.

2017 WDB Meeting Schedule - The meeting schedule was discussed. It was noted that there were some conflicts for a few board members on some of the dates scheduled.

Resolutions authorized by the Executive Committee

There were four resolutions that the Executive Committee deemed necessary to act on in between board meetings. Those included a 2016 WIOA Budget Modification, amending the ITA policy, Summer Program temporary staff and a resolution authorizing the grant recipient/fiscal agent to directly provide youth workforce investment activities. Mr. Blevins inquired as to whether or not there were any comments on the resolutions that had been passed by the Executive Committee. There were no comments or any discussion from the WDB regarding the resolutions passed.

NEW BUSINESS

Ms. O'Neill wanted to note that Mr. Lynn Blevins, WDB Chair, retired as a coach of the Lady Blue Devils after 7 years and was named the Northern Athletic Conference Central Coach of the Year. She, as well as all present, extended their congratulations.

Recommending Policy Positions to the St. Lawrence County Board of Legislators: Mr. Plastino reported that the Executive Committee had passed this resolution along with the other resolutions previously mentioned in between our WDB meetings. He stated that the Executive Committee members felt it was worth recommending to the County that it postpone examining the management of the One-Stop Career Center there until the MOU and the One-Stop Network Operator tasks have been completed. The resolution proposes that the WDB will put together a no-nonsense committee that would, over the next six months (reporting to the BOL in December) review of the operations of the system, especially of the Canton One-Stop Career Center and make a recommendation to the county as to whether to not next year it should indeed reconfigure the way it as the contract holder now manages the One-Stop and now manages the Title I services. This resolution was passed by the Executive Committee, but Mr. Plastino felt it was important enough to have it ratified by the full board.

Resolution Recommending Policy Positions to the St. Lawrence County Board of Legislators: Moved/seconded by McDougall/Sullivan; approved unanimously.

Authorizing Execution of a Memorandum of Understanding between the St. Lawrence County Workforce Development Board and the St. Lawrence County One-Stop System Partners: Mr. Plastino underlined this MOU is very general and doesn't get down into the dirt of how the partners will actually do all the things listed. Much of the language is put together by lawyers. There are several things in the language that we have been given that are frustrating. It states in the MOU that it is not a legally binding document. Nonetheless, the state agencies that are involved are not authorizing their local representatives to sign. It seems strange that the top individual has to sign an MOU that is not a legally binding document. There is one place in the document where you have to provide language regarding what the partners have agreed to with respect to how they are going to serve the needs of all workers, especially youth and individuals with barriers to employment. The partners having met numerous times have agreed to what we have inserted into that portion of the MOU.

Mr. Plastino recommends that the WDB pass the MOU so that we can get the text sent out and fill in the blanks afterwards. The resolution also gives Mr. Plastino, with Mr. Blevins approval, the authorization to make any changes the State may recommend after we send it out. He also made note that no local signatures or State agency signatures will be valid until three critical state agency partners have signed, i.e., NYSDOL, State Education and Commission for the Blind. The execution will be in counterparts. We can first sign locally, but those signatures will not be valid until those three organizations sign.

Mr. Plastino also noted that we have FOTA and program representatives that will be ensuring that we are following the MOU at all locations. It was noted that there is no conflict having the partners present at today's meeting vote on this resolution.

Resolution Authorizing the Execution of a Memorandum of Understanding between the St. Lawrence County Workforce Development Board and the St. Lawrence County One-Stop System Partners: Moved/seconded by Pickert/Fockler; approved unanimously.

OTHER BUSINESS

Mr. Blevins asked for volunteers for a One-Stop Career Services Evaluation Committee and a Nominating Committee for the officers. Mr. Sutton, Ms. Pickert, Mr. Evans and possibly Ms. Dority volunteered for the One-Stop Career Services Evaluation Committee. It was noted that there would be no conflict of interest with having any of the partners on this committee. Mr. Backus, Ms. Caswell, Ms. King volunteered for the Nominating Committee.

NEW BUSINESS – continued discussion

The following members excused themselves from the meeting due to the RFP discussion.

- Dave Evans, Jennifer Rowledge, Jenna Converse – BOCES
- June O'Neill, Anthony Hayden, Melissa Johnston – NYSNYSOL
- Penny Scott, Larry Fetcie - WIOA

Authorizing Issuance of a Request for Proposals for One-Stop Network Operator: Mr. Plastino explained that NYSNYSOL is very serious about conflicts of interest with respect to the RFP. He stated there is no job description in the Act for the One-Stop Network Operator. It tells what the Network Operator can't do, as well as what a WDB may ask the Network Operator to do, but it doesn't actually tell us what the job description is other than to say that the Network Operator will coordinate the system's partners and service providers. We have developed the RFP with the assistance of NYSNYSOL and its hired consultant, Greg Newton. The Executive Committee reviewed and recommended that the WDB pass the resolution that essentially says that the Network Operator will do three things:

1. The Network Operator will be the person who will manage monthly partner meetings. The partners who sign the MOU will essentially come to the meetings. This will revive the practice that we had followed years ago. The Network Operator will manage these meetings and will try to implement what's in the service delivery portion of the MOU.
2. The Network Operator will make sure all partners and personnel know clearly who their colleagues are in the other organizations in the County's LWDA. For instance, if someone walks into an agency and needs some sort of training that one agency may not be able to provide, they need to know who to direct that individual to. Much of this is already in place, but there are times when personnel does change. We need to put something into place to make sure information is kept up to date.
3. The Network Operator will report to the WDB periodically regarding their efforts and report to some of the committees.

We can add to this description at a later time, when we see how this initial effort works. Mr. Plastino indicated that he developed the dollar amount from his consultant experience. He figured if the Network Operator did the job effectively and efficiently, there would be 120 hours of work, multiplied by \$50/hr. = \$6,000.

There are three add-ons described in the RFP where the compensation could potentially go above the \$6,000 mark. This includes mileage, any extra work that may be added over the three tasks at hand, and any training that they may need to attend.

The Network Operator will be required to quote an hourly rate. If they do less than 120 hours of work, they do not get the full \$6,000; if they work more than 120 hours, they do not receive more than the quoted amount of \$6,000.

Mr. Plastino made note that he would like to have a bidder, but if we don't there is a provision in the act and in the regulations to have either the WDB or the Title I contract holder (the County) be the default. The WDB could do it, but we prepared the RFP. Mr. Plastino recommends against this. Larry Fetcie would be the likely candidate for the County. He does much of this now, and has the personality and the extensive knowledge that is needed to be successful at this. Whatever the WDB decides to do, it needs the approval of the local CEO. Be that as it may, we have to be comfortable with the specific person on the job if the position is filled thru the RFP. He/she will be an employee of the WDB.

Mr. Plastino made note that attendance at the Pre-Bid meeting is mandatory. If an organization does not send a representative to the pre-bid meeting, it cannot submit a proposal.

Resolution Authorizing Issuance of a Request for Proposals for One-Stop Network Operator: Moved/Seconded by Pickert/Sullivan; approved unanimously. (Please note the vote was a majority of the entire board, 14 members)

Mr. Plastino stated that he will be sending out a draft score sheet integrated with the RFP to the review committee and recommended that they be present at the pre-bid conference on May 24, 2017.

NEXT MEETING:

The next meeting of the Workforce Development Board is scheduled for June 14, 2017.

ADJOURNMENT: Moved by Mr. McDougall and seconded by Dr. Szafran; the meeting adjourned at 9:15 a.m. by unanimous consent.