

April 11, 2006

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Honorable Members:

The Erie County Comptroller's Office has completed a comprehensive audit of the use and control of wireless devices within Erie County Government for the period January 1, 2001 to December 31, 2005. This audit was conducted in accordance with generally accepted government auditing standards and included such tests of the records, inquiries, and analyses considered as necessary.

BACKGROUND

The Division of Information and Support Services ("DISS") is responsible for telecommunication services within Erie County Government. Included within telecommunications are the use of wireless Blackberry devices and the use of standard cellular telephones. Erie County Government has two wireless providers: Cingular Wireless and Verizon Wireless.

Over the period of our audit, the cost for Erie County wireless devices summed to more than \$1.2 million dollars.

EXISTING ERIE COUNTY WIRELESS POLICY

Official Erie County Policy regarding use of wireless telephones was revised and issued in November 2000, and was revised again in May 2001, following an audit by the Office of the Comptroller, and constitutes Chapter Ten, Section Twenty-Two of the Erie County Personnel Policy and Procedures Manual. The policy is as follows:

Wireless telephones can be provided 1) to County department heads, Elected Officials, and key administrative staff to conduct County business 24 hours per day, seven days a week and (2) to County personnel to insure employee safety and communications while conducting County business in the field during the business day. Wireless telephones are a valuable tool in helping to maintain public health and safety. It is the responsibility of each supervisor to assure that no employee

abuses wireless telephone privileges. The Division of Information and Support Services administers wireless telephone service for Erie County Government.

(The entire policy with guidelines is attached hereto as Exhibit A)

The revised wireless telephone policy allows incidental personal use of County wireless phones for department heads, elected officials and key administrative personnel. The use of wireless phones by other County employees is restricted. Personal calls by line and staff personnel are prohibited and wireless phones are only to be used by line and staff personnel “while conducting County business in the field during the business day.” Further, the policy states, “in an extreme emergency or when relating unscheduled overtime, calls are not considered ‘personal’ calls.” In addition, for all County employees, including department heads, elected officials and key administrative personnel, long distance calls are prohibited “except when necessary and where required to conduct official business from the field.”

County wireless policy further prohibits the transfer of wireless phones from departments or worksites and/or changes in services “without the direct authority of supervision.” The policy states that all new wireless service and changes in existing wireless service must be ordered through DISS and not directly with wireless telephone company representatives. The policy also states that persons “found to have been making personal wireless telephone calls will face disciplinary action” that includes on the first occurrence, a written warning and a request to reimburse the County for the cost of the calls as well as administrative and overhead costs. If further violations occur, the employee may face additional written warnings, shall reimburse the County, and may be subject to suspension or discharge.

To monitor wireless usage and compliance with the wireless policy, County departments are required to justify their use of such devices in writing to DISS, which will decide whether to provide a phone and the type of service and device. On a monthly basis, DISS receives all wireless invoices from providers and departments are required to review their invoices and sign-off in writing on all charges and usage in their respective departments. Annually, DISS and the departments with wireless phones are required to conduct an inventory and validation on each device and each employee’s usage of phones, including minutes used and the 12-month cost.

NUMBER AND ASSIGNMENT OF WIRELESS DEVICES

Use of cellular telephones increased from 13 phones in 1989 to 250 in 1995. According to a Comptroller audit in 2001, by October 31, 2000, there were approximately 500 wireless phones in use in Erie County Government. In February 2005, at the request of the Erie County Legislature, DISS reported to the Legislature that it reduced the number of wireless phones from 835 in December 2004 to 720 in February 2005.

This audit finds that as of December 2005, based on provider billing records, Erie County Government maintained 691 wireless devices. We note that DISS provided an internal wireless tracking spreadsheet to this Office listing approximately 900 wireless devices in use at some point in 2005. A listing of wireless devices by department as identified by the provider billing records and as provided by DISS to this Office is attached hereto as Exhibit B. Highlights

include 170 wireless phones in the Department of Social Services, 155 in the Department of Health, 25 in DISS, 40 in the Sheriff Division, 35 in the Department of Senior Services, 33 in the Department of Probation and Youth Detention, 25 in the District Attorney's Office, 17 in the Department of Public Works, 20 in Sewerage Management, 14 in the County Executive's Office, 2 in the Legislature, and 1 in the County Clerk's Office. DISS did not provide or does not maintain departmental details or employee names for the 84 wireless devices that are coded in provider bills as "Erie County," "Blackberry," or "Cell Phone."

Among the 691 wireless devices are 90 Blackberries – cellular telephones with the capability to access the Internet and send and receive electronic mail as well as text messages. According to the records available to the Office of Comptroller, 24 of the Blackberries have no employee name associated with them and are denoted only by a telephone number.

This audit found inconsistencies in the reporting of wireless device assignments in provider billing records. For instance, between the April/May 2005 and September/October 2005 bills, one phone number alone, a Blackberry device, had its identifying name on that number changed three times. In April/May, that name was "22 BB Blackberry", then in May/June, the employee's name was listed, and by September/October the record indicated "Erie County". During this period of time, the same individual maintained and used this wireless device. We are concerned about the method, manner and rationale behind changing the identifying information for this phone number. For instance, who ordered or changed the identifying information on this number (as well as all others)? Furthermore, when new phone numbers are created and assigned to the County by a provider, who decides how to identify or code those new numbers (DISS, the Department, the provider)? Further clarification is necessary.

We note that the monthly billing and account records maintained by DISS, as well as the County's two wireless providers contain numerous errors and inaccuracies. For instance, DISS's internal wireless tracking spreadsheet shows three employees from the Office of the Comptroller maintaining wireless phones. However, those three employees, who were assigned phones during their County-wide work on the SAP transition, relinquished those devices to DISS in early 2005. By way of further example, both DISS' tracking spreadsheet and the provider bill, show one employee in the Parks Department maintains a wireless device when our review found the employee is in fact a corrections officer in the Sheriff's Department. Errors like this, appearing in provider billing records and/or internal DISS tracking spreadsheets, raise questions about DISS' oversight of wireless devices.

The audit uncovered numerous instances in which County employees appear to possess two, and in some cases, three or more County-issued wireless devices. This includes department heads and staff in the following departments or divisions: DISS, County Executive, Health, Central Police Services, Sewerage Management, Probation and Youth Detention, Personnel, Public Works, Buffalo City Parks, Sheriff, District Attorney, and Social Services. In some cases, the employee has a cell phone and a Blackberry. We question why any employee would need to maintain two devices when one should be sufficient. In total, based upon provider billing records and/or DISS internal tracking spreadsheets, 84 County employees have at least two wireless devices associated with their names. For further details on the assignment of wireless devices, please see the attached Exhibit C.

WE RECOMMEND that working with department heads, DISS review all wireless device assignments and consider terminating access to phones and reducing the number of phones available to County employees.

WE RECOMMEND that in the interest of transparency and accountability, DISS should immediately identify and assign an employee name and department with every wireless device. If a device is not in use but is assigned to a department, it should be so noted. If a phone is a “pool” phone, it must be so noted, including specifying the department and unit/office to which it is assigned.

WE RECOMMEND that working with department heads, and based on their cost and the potential for abuse, DISS review the number and assignment of all Blackberry devices and consider terminating access to Blackberries and reducing the number made available for use.

WE RECOMMEND that DISS provide a written explanation concerning the 84 County employees who appear to maintain more than one wireless device and clarify how many phones they actually control or use. If a user has two or more phones (such as a Blackberry and a cell phone), that must be justified. DISS should terminate multiple phones for employees.

WE RECOMMEND that DISS should immediately review all wireless billing statements and internal tracking spreadsheets and ascertain and correct any errors or inaccuracies in the statements, invoices and records, including erroneous data on employees who no longer possess wireless devices. If an employee is listed as possessing a phone, and that is not accurate, that must be corrected and the appropriate employee or department be identified.

WIRELESS COSTS

As of December 2005, pursuant to the provider billing records, the County maintained 97 wireless devices with Verizon and 594 wireless devices with Cingular. Of those 594 Cingular devices, 90 are Blackberries.

Verizon’s contract was negotiated by the New York State Office of General Services, and has been used since 1999. Verizon’s State contract is continuous, and available to Erie County Government without local competitive bidding. The Cingular contract was competitively bid by the Erie County Bureau of Purchase in 2001, which was renewed and was to expire on July, 2007. The County then discovered that it would receive a better deal on wireless devices by using the New York State Contract, incidentally also with Cingular, and adopted the New York State contract. The current contract with Cingular covers the period September 8, 2003 through October 7, 2006.

Both vendor contracts provide for basic unlimited use within the network, at no additional cost. If travel outside the coverage area occurs, roaming charges appear separately on the bill. For both vendors, 411 directory assistance calls incur additional charges which also appear separately on the bill. However, there are key differences between the Cingular and Verizon contracts and plans, as reflected in monthly bills.

Among the Verizon devices, users had a variety of different plans ranging from plans that cost \$44.99/month, \$54.99/month, \$64.99/month, \$74.99/month, \$84.99/month and \$104.99/month. Our finding determined that some employees who had large plans used much less minutes than their plans allow, raising the question of why they have such large and costly plans.

Documentation of Verizon calls for the audit period was not always available, as Verizon transitioned to summary billings during 2003. After 2003, Verizon levied additional monthly charges of \$0.99 per phone to receive complete call details for each phone. DISS chose to save money by foregoing printed monthly call detail. While Verizon offered DISS the ability to access Verizon call details for individual phones on the company's Internet website, there is no evidence to suggest such data has been accessed or reviewed by DISS. Verizon call detail therefore was only available in a printed format for one or two months each for the years 2004 and 2005. For the years 2004 and 2005, Verizon detail was available via the Internet, but only the current months' data could be viewed.

WE RECOMMEND that if DISS continues to maintain a relationship with Verizon, it should require that detailed monthly call bills be provided to the County via postal mail at no charge. This is the only way to monitor for abuse or inappropriate calls or charges.

VERIZON ADDITIONAL CHARGES

Our review of the December 2005 bills for Verizon revealed additional charges beyond the monthly plan charges for many users. They included:

- 411 Connect charges for directory assistance;
- Long-distance charges, text messaging charges;
- Roaming charges;
- Equipment charges;
- "Pix Flix" messaging charges;
- Charges for data downloads;
- Monthly subscription charges for 100 additional text messages (\$2.99/month);
- "Talk Dial Access" monthly subscription charges (\$2.95/month);
- "WPP Insurance Lock/Line" monthly subscription charges (\$4.99/month);
- "Mobile Web with 100 TXT Msg Allow" monthly subscription charges (\$7.18/month);
- Camera phone monthly charge (\$5.00/month);
- Caller ID monthly subscription charges (\$2.95/month); and
- "Voicemail Access" monthly subscription charges (\$4.95/month).

We question the need for these features and note the additional unwarranted cost to the County.

WE RECOMMEND that if DISS continues to maintain a relationship with Verizon, it should discontinue these a la carte features and stop these charges. If certain features are needed, DISS should work with Verizon to include these features in the monthly plan charge at no additional cost.

CINGULAR ADDITIONAL CHARGES

Our review of December 2005 bills for Cingular revealed far fewer additional charges than Verizon. That said, additional charges on Cingular bills included:

- Roaming charges;
- “Roamer restriction” charge on one phone (\$4.99/month);
- “Enhanced Voicemail” monthly subscription charge (\$1.99/month);
- “Executive Voicemail” monthly subscription charge (\$3.99/month);
- Wireless “pay per use” charges;
- “Mobile to Mobile” charges (\$4.99/month);
- 411 directory assistance calls;
- Activation fees (\$36.00 per phone);
- Termination fees;
- “Communication downloads”;
- International dialing; and
- Equipment purchases.

The Cingular contract provides for voicemail on all phones, raising the question of why Erie County is paying for additional voicemail features on some phones at additional cost. We believe this is not warranted.

WE RECOMMEND that DISS should work with Cingular to terminate additional charges and block County employees from accessing features such as special voicemail, downloads, international dialing and equipment purchases. Features including voicemail and Mobile to Mobile calls should be included in the base plan.

DOWNLOADING OF GAMES/DATA

Most troubling was the download to County wireless phones by employees of ring tones, games, “backgrounds,” and ‘excessive’ data transfers including Internet usage. Charging downloaded games and ring tones to a County phone is inappropriate and unacceptable. Seven individuals downloaded games, ring tones or images to their County wireless phones during the period of our intensive bill review. These charges ranged from \$5.99 up to \$12.71 per month. One of the games downloaded was a golf game, played on a wireless phone. Some of the websites that charged the County for downloads are blocked by the County’s Websense software as they contain sexual material. We were unable to determine precisely what was downloaded from some sites, as the cell phone users have individual passwords that block any other party from viewing this activity. It is also possible to access the Internet with the various types of cellular phones provided to County employees. The audit found at least two persons who used this service, each for two months, at a cost to the County of \$4.99 per month.

WE RECOMMEND that DISS should immediately take steps to permanently block all such downloads to County phones and amend the wireless policy to prohibit such access. The Department of Personnel and Division of Labor Relations will be provided with a listing of

individuals who have downloaded games, images and ring tones. The fees associated with such acts should be recovered and remitted to the County.

DIRECTORY ASSISTANCE FEES

By definition, and as denoted in the County wireless policy, wireless phones are supposed to be used outside the office setting. Being outside the office, access to a phone book is not always possible. Some calls to Directory Assistance (“DA”) are necessary in the course of business. As part of this review, a schedule of noteworthy calls to DA was created. During the period of our review, one employee made 21 calls to DA in December 2005 at a cost of \$31.50. That same individual generated 14 DA calls in August 2005 (cost of \$21.00) and 11 DA calls in July 2005 (cost of \$16.50). Additionally, this individual requested and received the same number from DA three separate times at a cost of \$1.50 each time in one month alone. Currently, calls to DA are not covered in the County wireless policy.

WE RECOMMEND that DISS revise the wireless policy to address and limit DA calls. DISS, the Department of Personnel and the Division of Labor Relations will be provided with a list of individuals who have made more than 10 calls to DA in one month. Those individuals should be directed to account for the calls made. If in fact these calls are improper, the fees associated with such acts should be recovered from the employees and remitted to the County.

ACTIVATION AND TERMINATION FEES

Cingular charges the County a fee to terminate service on a wireless device. We found that Cingular charged the County different prices for devices cancelled in the same month. For instance, in September 2005, some accounts were cancelled at a cost of \$80.00 while others were charged \$90.00. In July 2005, an account was charged \$100.00. The Cingular contract mentions no cancellation fee for individual accounts and there is also no explanation for why these different fees were charged. At the same time, Cingular charges the County \$5.00 per month per phone for accounts that are not in use. Blackberry devices not in use still incur the monthly fee, ranging from \$39.99 through \$44.99.

WE RECOMMEND that DISS contact Cingular to discuss cancellation and termination fees, and to discern why such fees are being charged. DISS should compel Cingular to terminate such fees. If cancellation fees were improperly levied by Cingular, DISS should recoup those payments.

Cingular charges the County a fee to activate service on a wireless device. In September 2005, DISS cancelled eleven wireless accounts with Cingular, and in the same month, DISS activated three new wireless accounts at a cost of \$36.00 per activation. In short, the three new phones actually cost the County over \$100.00 each – the cost to deactivate an existing phone plus the cost to activate a new phone. We question both these activation fees as well as the wisdom of canceling accounts and opening new accounts at the same time, and incurring charges on each end.

WE RECOMMEND that DISS work with Cingular to discontinue activation fees or at the very least reduce the cost to the County. DISS should develop a system or plan that will allow one individual to “hand over” a wireless phone to a new user and avoid creating or activating new accounts and incurring new monthly charges. DISS should establish a policy with departments to ensure that simultaneous cancellations and activations do not occur.

The New York State contract with Cingular ending October 7, 2006 specifically states “there are no activation or cancellation fees associated with this contract.”

WE RECOMMEND that DISS contact the Department of Law to review the Cingular contract to determine if the County can recoup all past payments for activation and termination fees.

EQUIPMENT CHARGES

The audit revealed that the County has incurred equipment charges on individual phone lines. In September 2005, for example, Cingular charged eight separate phone numbers various fees ranging from \$44.00 to \$149.99 for equipment. Some of these purchases included freight and sales tax charges. (The County is exempt from sales tax and the current Cingular contract has no provision for charging the County freight.) In December 2005, a Cingular user (no employee name is associated with the phone number) purchased \$349.22 worth of wireless equipment. Not all the prices match items in the Cingular contract. In addition, if these are replacements for lost phones, the Cingular agreement bid by the County (not the State bid contract) specifically spells out that such replacements are free for the first lost phone per number. In December 2005, two Verizon phone accounts incurred equipment charges of \$519.96 and \$52.48 respectively. Neither specific details concerning the equipment purchased nor the reason for the purchases for any phone accounts with either provider is provided on the phone bill itself.

WE RECOMMEND that as per existing County wireless policy, DISS establish controls to prohibit individual users from purchasing equipment on their wireless accounts. All equipment purchases must be justified in advance, in writing by the department head to whose department the account is assigned. DISS should evaluate these equipment purchases and report to the Office of Comptroller concerning this issue, including documenting the equipment purchased, the users and the authorizing authority. If wireless policy was violated, appropriate actions should be taken concerning the employees involved.

LIMITED USE OF WIRELESS DEVICES

Our review of Cingular and Verizon bills revealed many employees who incurred very little usage, yet incurred monthly charges. For instance, many Department of Health employees used between zero and 100 minutes in December 2005 on their phones, yet the County paid Verizon nearly \$50 per phone. Ten Health Department employees used 12, 10, 4, 0, 1, 5, 17, 1, 0, and 1 minutes respectively in December, and the County paid \$47.39 for each phone. An employee in the County Attorney’s Office incurred \$47.07 of charges in December 2005 while using only 49 minutes of air time. An employee in Central Police Services incurred \$38.77 of charges in December 2005 for 48 minutes of air time. There are many other examples of minimal to

nonexistent usage in many other departments as well. This lack of usage raises the question of why certain employees enjoy this privilege.

WE RECOMMEND that in the interest of reducing expenses, DISS should consult with departments and terminate wireless device access for employees who have little-to-no usage.

ASSIGNMENT OF DEVICES

We question the method by which and the reason behind County employees (or units) being assigned wireless devices. For instance, two non-County employees (Catholic priests) are assigned cell phones through the Department of Emergency Services. Three Buffalo city parks recreation centers have cell phones assigned to them. A now former county legislator (not the chairman or in the leadership) maintained a County cell phone throughout 2004 and 2005. These are just a few examples of the degree to which wireless devices have been assigned throughout the County. We question the process for assigning phones, as well as the assignments themselves, and seek clarification on why so many employees or offices need wireless phones.

WE RECOMMEND that DISS and department heads should provide a written response to this audit documenting and justifying all assignments. DISS is strongly encouraged to begin taking back wireless devices from users and offices and in so doing reducing the expense to the County.

MATCHING OF PHONE TO ALLEGED ASSIGNED RECIPIENT

Concerned that the actual user of a County wireless device would not match the name on the bill from the wireless provider or the DISS internal tracking spreadsheets, this office called 191 of the 691 wireless devices listed on Exhibit C or DISS internal tracking spreadsheets. This sample, approximately 27% of the total number of wireless devices shown in Exhibit C, yielded several findings and a substantial number of anomalies. Among the findings are the following: ten employees had billing records that matched the actual user of the wireless device. Ten numbers revealed that while a County employee answered the phone, s/he was not the County employee named on the provider's bill. In one case, an employee was holding a cell phone being billed to another Department, in effect having his calls subsidized by another Department. Four numbers were either not working or not in service. Completely properly, by March 2006, two phone numbers had been "ported" by their users (now former County employees) to private accounts.

Using the DISS tracking spreadsheets, seventy-eight wireless devices are associated with the names of fifty-eight former County employees. (multiple wireless device numbers are attached to some employee names) During the course of our audit, all seventy-eight numbers were called to determine whom was using those particular wireless devices. Ten individuals work for Erie County, but are not the persons identified on the billing statement or the DISS tracking spreadsheet. Forty-eight numbers generated the voice message "the customer is not available – please try again later". Ten persons answered who were not Erie County employees. Two individuals answered who were not Erie County employees and did have County-funded wireless devices. The remaining eight phones were busy or had voicemail in which we left a message but no calls were returned.

Four individuals answered calls who were not Erie County employees. One of those individuals did obtain his phone number after the audit period ended (December 31, 2005). Of the remaining three, one individual is a County vendor. The vendor is using a number that was a County-paid number in December, but was removed from the County bill sometime in January of 2006. The other two devices were answered by two former politically connected employees who were laid off in March 2005. Apparently, each retained and used a County wireless device, at County expense, both as recently as late March 2006. This is a serious matter that raises fundamental control issues.

Among the 191 devices called were 100 devices listed on the DISS tracking spreadsheet as Blackberry devices. Of those 100 numbers, 70 devices were turned off, 7 were busy, 3 numbers were “ported” to non-County employees, 6 were answered by County employees, 6 had voice messages, but no persons returned our messages and 8 devices rang with no voice mail function. Of the 70 devices turned-off, our office was unable to determine whether these devices are still assigned to an individual and were just turned off or were inactive.

WE RECOMMEND that DISS work in conjunction with County wireless providers to correct County wireless bills to reflect the actual employees using wireless devices.

WE RECOMMEND that DISS create a new, corrected, internal wireless tracking spreadsheet documenting all wireless devices and their users and routinely update that document.

WE RECOMMEND that DISS review the Blackberries, particularly the seventy devices that were turned off, and consider terminating dormant accounts.

WE RECOMMEND that wireless accounts used by non-County employees be immediately cancelled and any County issued phones in the possession of a non-county employee be immediately retrieved. The amounts paid for non-County usage should be reimbursed. DISS should calculate the monthly charges for said devices and recoup those costs from the users.

NEED TO REVIEW, UPDATE AND ENFORCE WIRELESS POLICY

Erie County’s existing wireless policy was created in 1995 and amended in 2000 and 2001. Since that time, it has not been updated or revised to take into account advances in technology, including the growth of the Internet, development of Blackberry technology and text messaging, and the growth in Americans’ use of wireless technology.

The existing policy prohibits personal calls by line and staff personnel and restricts calls to County business in the field during the day. Our review found hundreds of employees, including elected officials, department heads and key administrative personnel made calls that can only be construed as personal in nature, including calls at night and on weekends. The existing policy also strictly prohibits all County employees from making long distance calls for personal use. Our review found this policy was regularly violated, including by department heads.

For instance, a review of December 2005 Cingular bills found many long distance calls by County employees to or from locations including South Carolina; Georgia; Florida; Indiana; Ohio; Washington, DC; Philadelphia; Illinois; Las Vegas; Kansas City; and Texas. In many of these cases, the calls were placed by County employees while they were physically in these locations, resulting in significant roaming charges to the County. Roaming charges have included charges of \$294.63 for 427 minutes in Kansas City and \$211.83 for 307 minutes in Chicago. Other County employees, including department heads, made hundreds of long-distance phone calls during the day, at night, and on weekends from Erie County. While these calls resulted in no additional charges (due to no roaming), the fact remains that long-distance calls were made in violation of County policy, and it is unclear whether calls had an official governmental purpose. In fact, our review shows that most calls were not placed to “858” exchanges – Erie County Government phone numbers – leading to the appearance of further violations of County wireless policy.

WE RECOMMEND that DISS work with Cingular and Verizon to block all roaming calls from County wireless phones and block all long-distance access from these devices. Any County employees who made calls that incurred roaming charges and which were not for County business should be compelled to repay the County for the costs of those calls.

WE RECOMMEND that based on the volume and nature of these calls, as well as the negative example it sets, DISS revise the wireless policy to terminate “incidental” personal phone call use for department heads, elected officials, and administrative personnel and reaffirm the prohibition against such calls for all County employees.

Existing County policy requires department heads to review wireless phone usage in their respective departments for appropriateness of usage. Based on a detailed review of each individual employee’s usage of their wireless devices, as well as an absence of any records denoting disciplinary action against any County employees for use, we conclude that this departmental review is not taking place. In addition, we conclude that DISS is also not engaging in its required monthly and annual review of wireless devices and usage, both of which violate existing County wireless policy.

Both Cingular and Verizon provide as part of their billing information, the total time of cell phone usage during a specific month for each wireless phone. We collected this data and developed an average usage for a typical County cellular phone. For 2005, the average Erie County cell phone was used about 160 minutes per month. That equates to almost three hours per month. The review revealed certain County employees excessively using their wireless devices, and far above the average. For instance, a county elected official incurred 4,122 minutes of Verizon wireless use in December 2005 – nearly 69 hours of air time. Two administration officials incurred air time of 3,226 minutes (nearly 54 hours) and 3,017 minutes (over 50 hours) in December 2005. One pooled phone amassed 5,795 minutes in November 2005 – a total of more than 96 hours. There are many other examples of significant air time usage throughout the County, including significant amounts of night and weekend usage. Cell phone usage statistics also demonstrate that phones are being used outside of normal work hours. It is routine to see calls made after 5:00 pm on weekdays and calls on Saturdays and Sundays, with few calls to 858 prefixes.

WE RECOMMEND that DISS and department heads carefully review and monitor usage to determine if wireless access is being abused, particularly “off-peak” calls on nights and weekends. If abuses such as personal and long-distance calls are being made, as this audit concludes, appropriate disciplinary action must be taken per existing policy, including recoupment of monies for calls made.

WE RECOMMEND that DISS enforce the wireless phone policy to require that a policymaker in every department, preferably the department head, must monthly and personally sign a statement attesting to the review of his/her departmental usage and approval of all users’ usage and calls. This additional level of review will compel department managers to carefully evaluate departmental usage on a monthly basis. DISS must also engage in its required oversight of usage by reviewing all usage and charges – a level of oversight the division is currently not performing.

Cingular billing records report kilobyte (“Kb”) usage on a monthly basis for wireless devices that communicate with the Internet, such as Blackberries. We collected average Kb usage figures for Erie County Blackberries and determined that the average usage for such a device was less than 1,000 Kb for a month. Some users, however, had activity so far above the norm as to warrant further inquiry. One user used 19,271 Kb in November, 18,144 Kb in August and 15,896 Kb in December 2005. This level of Kb usage suggests significant download of data, possibly movies, video or audio.

WE RECOMMEND that the individual department heads comply with existing policy and review the wireless usage and any charges incurred by their staff. Employees must account for improper or unusual usage. Employees who abuse the privilege of having a County wireless device must forfeit that device. In addition, employees who rarely use their Blackberry as a data device, but need a wireless device, should be required to turn-in their Blackberry for a cellular phone.

In the course of our audit, we discovered that not all of the wireless devices in Erie County are covered under the Cingular and Verizon contracts. The Sheriff’s Department has purchased and maintains wireless devices through Nextel. In addition, the Departments of Health, Public Works and Environment and Planning (Sewerage Management) maintain and have assigned pagers to employees under separate contracts with Verizon Wireless’s Messaging Service. These devices do not appear on any DISS tracking spreadsheet or provider billing records made available to this Office. The administration of Erie County wireless devices is exclusively the province of DISS and any other department contracting for services is in violation of Erie County policy.

Neither the devices covered by Nextel or the pagers are included in any of the analysis in this document.

WE RECOMMEND that the Bureau of Purchase review with these four departments how they obtained wireless devices without going through the County’s established procedure of using DISS for this purpose. Purchase and DISS should implement a procedure to prevent this County policy from being violated again. Additionally, DISS should evaluate the Nextel contract to

determine if it provides a better level of service or a better pricing agreement than the County's other two current providers.

MAJOR AUDIT CONCERNS

A review of the December 2005 Cingular and Verizon bills revealed that wireless phones billed to 58 former County employees who departed County service well in advance of December 2005 (most separated in 2004 and early 2005) were in usage and/or incurring charges, with the former employee's name still associated with the phones. This raises obvious concerns regarding controls and the absence of controls by DISS and departments over wireless devices.

In a sample review of those phones, as previously stated, we discovered in March 2006 that at least two former County employees who were laid-off from the County on March 16, 2005 continued to possess and use their County phones and the County continued to pay the monthly charges and usage of each phone more than one year after their separation from the County workforce. This raises disturbing questions of how many other former employees continue to use County phones at County expense. Due to time and resource constraints, we were unable to review detailed call records for each phone for all months in the audit scope, but this finding raises troubling internal control concerns.

In another instance, Cingular billing records show an employee in the Sheriff's Department incurring significant charges. We found that the wireless device was billed under an incorrect spelling of the employee name. When that employee retired, another employee was handed the phone with no change in the billing record. That employee retired and the phone was handed to a third employee with still no change in the billing record. This example clearly demonstrates that the wireless provider bills do not reflect the actual users of wireless devices.

WE RECOMMEND that DISS and the Department of Personnel immediately identify who is using wireless devices. If former employees are still in possession of and/or using these phones months or a year after they separated from County service, the phones need to be taken control of, and the former employees compelled to repay the County for the months of use. If phones were transferred to existing County employees, provider billing and internal DISS tracking spreadsheets need to be corrected immediately to reflect the changes.

The Office of Comptroller will refer appropriate data to the Erie County District Attorney concerning former County employees who are still in possession of and using County wireless devices for that office's review and evaluation.

WE RECOMMEND that DISS implement, in conjunction with the Department of Personnel, a procedure to prevent employees who separate from Erie County Government from leaving with wireless devices. At no times should any County employee be allowed to receive their last paycheck and/or cash-out of accumulated vacation or compensatory time unless they have returned their County-issued wireless device, in addition to any other county issued item they may have been assigned.

WE RECOMMEND that DISS investigate the elimination of the County's wireless contract with Verizon as soon as possible. Given the preponderance of wireless devices the County maintains with Cingular on a recently renewed contract, as well as the services and features provided by Cingular at no additional cost to the County, we question the need for Verizon devices which incur additional costs to the County. We note that DISS states that Verizon devices are needed due to areas in the County with poor Cingular reception.

WE RECOMMEND that DISS and the Bureau of Purchase investigate and consider re-bidding wireless services, to account for changes in the industry and technology, and to determine if the County can attain improved services and features at reduced cost.

In our intensive review of provider billing records for 2005, we discovered that detailed call records for some phones in the Office of the County Executive were missing or not provided to this office. In an Internal Audit Memorandum ("IAM") as well as in discussions with DISS staff, we requested that DISS provide the missing information to this Office. DISS denies any such records are missing.

WE RECOMMEND that DISS provide the missing records.

THE INTERNAL AUDIT MEMORANDUM (IAM) AND RESPONSES

On March 21, 2006, as per standard audit procedure this Office sent an IAM to DISS requesting certain issues be clarified, further data provided, and alerting DISS to preliminary findings which we believed should be addressed immediately. On April 4, 2006, DISS responded. Below is a summary of the responses from DISS.

DISS states it is presently working with both cellular providers to prevent the download of ringtones, backgrounds and games to County wireless devices.

DISS explains that differing levels of voicemail service from Cingular are a result of usage. DISS says it reviews voicemail usage and assigns an employee a plan appropriate for the activity generated.

DISS states that it does not determine the needs of other departments; rather, the department using the wireless device decides if they need additional services. DISS says "Mobile to Mobile" services were requested by certain departments. DISS says purchasing "Mobile to Mobile" calling can save up to five cents per minute for some users. DISS believes this feature is a cost saving measure.

DISS states that "Roaming Restrictions" prevent a County wireless device from making or receiving calls from outside the home area. DISS says departments request this service for their wireless devices.

DISS states that cancellation fees for wireless devices vary depending on when a wireless device is cancelled within its contract. Devices are contracted for over a two-year period and early cancellation of a device results in a fee. The fee varies per the months remaining in the contract.

DISS states that wireless equipment purchases also vary over time. DISS says it takes advantage of “promotional pricing” to get the best deal possible at the moment.

DISS concedes it does not have a current inventory of Blackberry devices. DISS admits that all Blackberry devices should be charged \$44.99 per month, inclusive of voice and data services.

DISS states that the County maintains two wireless providers to counter “holes” in each respective network. These “holes” occur in southern Erie County. DISS says that a single provider of wireless services would leave the County vulnerable, and DISS sees redundancy in wireless providers as necessary at this time for Homeland Security reasons.

DISS states it purchases all wireless services from New York State contracts.

DISS states that all pages to all provider billing records have been turned over to the Comptroller’s Office.

CONCLUSION

Our findings raise troubling issues concerning the controls and management of wireless devices and telecommunications in Erie County Government. Five years after the last audit of wireless devices by the former Comptroller, and according to the December 2005 billing records, the number of County wireless devices has increased by 30% since 2001. (The DISS internal tracking spreadsheets show that at some point in 2005, the County maintained approximately 900 wireless devices, which would have represented 80% more devices since 2001.)

Observations and findings of the 2001 audit have seemingly gone unheeded and unimplemented. The failure of DISS management and the County administration to follow-through on the 2001 audit findings is troubling enough. However, that is compounded by this audit’s findings that show a general lack of management and internal controls over wireless devices and an inability or unwillingness of DISS, departments and individuals to follow the County’s established wireless policy. For specific details concerning the 2001 audit findings, please see the attached Exhibit D.

DISS and departmental controls over wireless devices are weak to non-existent. More than 84 phones or about 12% of the County’s wireless devices, as per the Verizon and Cingular bills, have no employee name, department or unit associated with their use. Nearly 100 additional phones in the Department of Social Services are assigned to certain employees in blocks, seemingly reflecting that many of those employees have between eight to ten phones in their possession. Former County employees remain listed on bills and spreadsheets as maintaining phones, and our review found that in some cases that is true, raising the issue of possible fraud.

Data to support the assignment of phones to employees is either non-existent or does not support the assignment of wireless phones to employees. Many employees either barely use, or do not use their phones, prompting the question of why they were assigned phones at all. Other employees use their phones so much, including placing roaming and long distance calls that the

question of abuse becomes a real concern. The provision of wireless devices to many County employees is questionable. The 2001 wireless policy revision allowing department heads, elected officials and key administrative staff the right to make “incidental” personal phone calls on their phones when civil servants are prohibited from that ability (but do so anyway) is also questionable and should be eliminated. DISS’ failure to develop new policies or revise the 2001 policy in light of widespread changes in technology, such as the advent of Blackberry technology is also problematic.

County employees, including department heads, have downloaded ring tones, games and incurred other inappropriate charges on their County devices at County expense. In other cases, expensive equipment charges have been incurred.

In short, this audit reveals significant and disturbing failures in the management and administration of Erie County wireless devices requiring widespread changes in policy and oversight.

RESULTS OF EXIT CONFERENCE

An exit conference was scheduled with DISS for April 10, 2006. At DISS’ request, and to accommodate Director Arthur Telaak, Jr. who was away, this Office agreed to reschedule the exit conference for April 18, 2006. However, on April 10, 2006, prior to the exit conference, a draft confidential copy of this document and associated exhibits was leaked to a media outlet by parties other than this Office. Consequently, and as a result, no exit conference was held for this audit.

As per existing policy, DISS will have thirty days from the date of this document to submit a written response to the County Executive, with copies to be provided to this Office and the Erie County Legislature.

Erie County Comptroller’s Office

cc: Arthur F. Telaak Jr., Director, Information and Support Services
Joel A. Giambra, County Executive
Kenneth J. Vetter, Director, Budget, Management and Finance
John W. Greenan, Commissioner of Personnel
Joseph F. Gervase, Director of Purchase
Laurence K. Rubin, County Attorney
Frank J. Clark, District Attorney

EXHIBIT A

ERIE COUNTY PERSONNEL POLICIES AND PROCEDURES

SUBJECT: WIRELESS TELEPHONES (Revised)

CHAPTER: X

SECTION: 22

EFFECTIVE DATE: 8/15/95

REVISION DATE: May, 2001

Policy:

Wireless telephones can be provided 1) to County department heads, Elected Officials, and key administrative staff to conduct County business 24 hours per day, seven days a week and (2) to County personnel to insure employee safety and communications while conducting County business in the field during the business day. Wireless telephones are a valuable tool in helping to maintain public health and safety. It is the responsibility of each supervisor to assure that no employee abuses wireless telephone privileges. The Division of Information and Support Services administers wireless telephone service for Erie County government.

Guidelines:

1. Wireless telephones can be provided to County department heads, Elected Officials, and key administrative personnel to conduct County business 24X7 (24 hour per day, seven days a week). These employees, regardless of time or place, oversee the operation of County government services and insure the prompt response to any incident, event or emergency affecting the health or safety of the citizens of Erie County. It is therefore necessary and appropriate for key managers to carry wireless telephones at all times. Key managers may be directed to carry County wireless telephones. The incidental use of County wireless telephones for personal use is therefore permitted.

2. Wireless telephones are provided to designated County line and staff personnel to aid in employee safety, facilitate communications and increase operating efficiency while conducting County business in the field during the business day. Wireless telephones are provided for official business only on an as needed basis.

No personal calls are to be made or received on a staff wireless telephone. Non-County telephones should be used for all personal calls.

Whenever possible, locate a safely accessible public telephone or make your personal calls at another time. An employee required to work unscheduled overtime, and where a public telephone is not safely accessible, may be allowed to contact a family member from the field using a wireless telephone.

In an extreme emergency or when relating unscheduled overtime, calls are not considered "personal" calls under the above prohibition.

All emergency use of wireless telephones must be reported to supervision.

3. Long distance calls are not to be made from a wireless telephone except when necessary and where required to conduct official business from the field.

4. Wireless telephone calls are charged on a per minute basis for both outgoing and incoming calls. Keep calls brief and to the point.

5. Never leave a portable wireless telephone unattended or in your car.

6. Lost or stolen wireless telephones are the responsibility of the employee and must be reported immediately to the vendor and your department administrator.

7. Report damaged or physically malfunctioning wireless telephones to your supervisor and to your vendor.

8. Report performance problems immediately to supervision and Information and Support Services. Wireless telephone airwaves are subject to illegal activity, including telephone number copying and reuse (called cloning). A change in your telephone's performance may be the result of cloning.

9. Wireless telephones are the property of Erie County. No wireless telephone may be transferred to another department or worksite, or have changes in services ordered without the direct authority of supervision.

10. All new wireless service and changes in existing wireless service must be ordered through the Division of Information and Support Services. The Division of Information and Support Services will deal directly with wireless telephone company representatives.

11. Emergency calls to "911" are free calls from wireless telephones. Follow your department's worker safety procedures on the use of 911 calls. Locally, wireless calls to 911 are directed to the New York State Police. The State Police will direct your call based on the information they receive. There is no automatic location identification from wireless telephones.

12. Persons found to have to have been making personal wireless telephone calls will face disciplinary action as follows:

First occurrence - Employee shall be warned in writing and requested to reimburse the County for the cost of the call plus administrative and overhead.

Further violations - Employee shall be further disciplined, which may include additional written warnings, suspension or discharge, depending on circumstances and in accordance with collective bargaining agreements as applicable. In all cases, the employee shall reimburse the County for the cost of the call plus administrative and overhead.

Wireless Telephone Authorization, Billing and Verification Procedures:

This procedure outlines the responsibilities of the Division of Information and Support Services (DISS) and the County departments that utilize wireless services to comply with the County policy on wireless phone use.

Authorization

County departments are responsible for justifying their use of wireless services. When wireless is deemed necessary, a written request to DISS, through a completed "Division of Information and Support Services Request for Wireless Telephone Service" form, signed by the department head or an authorized delegate must be sent to DISS. DISS in collaboration with the requestor will decide which wireless service and features are appropriate. DISS will then contact the appropriate vendor and arrange for the delivery of the equipment and add the user to the DISS inventory.

Billing

1. DISS is responsible for receiving all invoices from the vendors. DISS will distribute a copy of the wireless providers billing to each user department when the billing is received in order to provide user departments the capability of performing a timely review for errors and inconsistencies. Business use only users will receive a detailed list of all usage.
2. As part of the monthly interdepartmental (ID) billing process, DISS will include in the ID billing package a summary sheet, or the entire bill if no summary is available, the form "Wireless Phone Service and Wireless Long Distance Billing Verification."
3. Each department must sign the summary sheet, or the entire bill, and the Verification form as acknowledgement of review and authorization of calls. Return to DISS within 10 days.

- a. All unauthorized calls must be noted on the Verification form.

- b. Any changes within the department such as phone assignments, location changes, etc. must be noted on the form. DISS will update the inventory with these changes.
- c. Billing errors discovered must be reported to DISS.
- d. At times, rate plan changes may be appropriate to reduce phone expense for a particular user. These changes must be discussed with DISS. DISS is responsible for all plan changes with the vendor.

Verification

An annual inventory and validation will be performed on wireless telephones. DISS will send each user department a listing of their assigned wireless phones. Included, for business use only users, by user, will be the minutes used for each of the previous 12 months and the total 12-month expense of the phone. The user department will verify and update the listing as appropriate and return to DISS within ten days. DISS will update the inventory as appropriate.

EXHIBIT B

DEPARTMENT	# OF PHONES
Budget Total	3
Buffalo City Parks Total	10
Central Police Services Total	14
County Attorney Total	3
County Clerk Total	1
County Executive Total	14
DISS Total	25
District Attorney Total	25
E&P Total	3
Emergency Services Total	15
Fleet Services Total	1
Health Total	155
Jail Management Total	3
Legislature Total	2
Mental Health Total	3
No Department Provided Total	84
Office of Public Advocacy Total	2
Parks Total	9
Personnel Total	3
Probation and Youth Detention Total	33
Public Works Total	17
Purchase Total	1
Senior Services Total	35
Sewerage Management Total	20
Sheriff Total	40
Social Services Total	170
Grand Total	691

Exhibit C

EXHIBIT C

DEPARTMENT	NAME	# OF PHONES
Budget	Joseph Maciejewski	1
Budget	Joseph Passafiume	1
Budget	Kenneth Vetter	1
Buffalo City Parks	Centennial	1
Buffalo City Parks	Delaware Labor Center	1
Buffalo City Parks	Greg Falkner	1
Buffalo City Parks	Jim Wojcik	2
Buffalo City Parks	Kevin Dellapenta	1
Buffalo City Parks	Lincoln	1
Buffalo City Parks	Michael Masiello	1
Buffalo City Parks	Riverside	1
Buffalo City Parks	Tony Greco	1
Central Police Services	Floater	1
Central Police Services	Gerald Schoenle	1
Central Police Services	Janet Vogtli	2
Central Police Services	Kevin Comerford	1
Central Police Services	Linda Taranowskyj	1
Central Police Services	Mark Winters	2
Central Police Services	Marlaine Hoffman	1
Central Police Services	Mike Dujanovich	1
Central Police Services	Paul Gajewski	1
Central Police Services	Randy Rettig	1
Central Police Services	Sharon Sitniewski	1
Central Police Services	Susanne Spencer	1
County Attorney	George Loncar	1
County Attorney	Laurence Rubin	1
County Attorney	Susannah Bochenek	1
County Clerk	Auto Bureau Mobile Unit	1
County Executive	Bruce Fisher	1
County Executive	Charles Mecca	1
County Executive	Erie County	1
County Executive	Erie County	1
County Executive	Erie County (David Pfaff)	1
County Executive	Jeff Hammond	1
County Executive	Joel Giambra	2
County Executive	Kathy Gregoire	2
County Executive	Tim Clark	3
County Executive	Warren Galloway	1
DISS	Andrew Pronobis	1
DISS	Art Telaak	1
DISS	Brett Jaros	1
DISS	Carl Nuermberger	1
DISS	Chuck Fiorello	1
DISS	Dan Maltbie	1
DISS	Debra King	1
DISS	DISS Dept. Phone	1
DISS	DISS Dept. Phone	1
DISS	Erie County	1

Exhibit C

DISS	Erie County	1
DISS	Helen Gonzalez	1
DISS	James Chlebowy	1
DISS	Joe Ippolito	1
DISS	Joseph Intrabartolo	1
DISS	Ken Beam	1
DISS	Kim Surovich	1
DISS	Larry Godzich	1
DISS	Mark Miles	1
DISS	Michael Beeny	2
DISS	Mike McCann	1
DISS	Mike Schenkel	1
DISS	Tom Gebauer	1
DISS	Tom Smith	1
District Attorney	Amy J. Goldstein	1
District Attorney	Carl Weigand	1
District Attorney	Charles Craven	1
District Attorney	Colleen Gable	1
District Attorney	Daniel Dill	1
District Attorney	Frank Clark	2
District Attorney	Frank Sedita	1
District Attorney	Glenn Pincus	1
District Attorney	Investigator	1
District Attorney	Jack Vickerd	1
District Attorney	James Murphy	1
District Attorney	Jeffrey Hagen	1
District Attorney	Joe Denecke	1
District Attorney	John Abraham	1
District Attorney	John Cleary	1
District Attorney	John DeFranks	1
District Attorney	Karen Greenspan	1
District Attorney	Kevin Suto	1
District Attorney	Lawrence Schwegler	1
District Attorney	Mark A. Sacha	1
District Attorney	Patrick Finnerty	1
District Attorney	Samuel Cotroneo	1
District Attorney	Victim Witness	1
District Attorney	William J. Cooley Jr.	1
E&P	Andrew Eszak	1
E&P	Dale Morris	1
E&P	Michael Raab	1
Emergency Services	David Stoltzman	1
Emergency Services	Dean Messing	2
Emergency Services	Earl Schmittendorf	2
Emergency Services	Fr. Joe Bayne	1
Emergency Services	Fr. John Gaglione	1
Emergency Services	Gregory Stroh	1
Emergency Services	Hazmat Team	1
Emergency Services	James Glass	1
Emergency Services	James McCullough	2
Emergency Services	Jeff Hartman	1

Exhibit C

Emergency Services	Michael Walters	2
Fleet Services	Kevin Higgins	1
Health	Adam Kinney	1
Health	Amy Rockwood	1
Health	Angel Rodriguez	1
Health	Anthony Billittier	2
Health	Barbara Gains	1
Health	Beatrice Olmstead	1
Health	Bill O'Meara	1
Health	Bob Keuck	1
Health	Bonnie Carter	1
Health	Brian English	1
Health	Brian Romanowski	1
Health	Burt Mirti	1
Health	Calvin White	1
Health	Cara Nowak	1
Health	Carl Meier	1
Health	Carol Galbreath	1
Health	Carol Merckel	1
Health	Charles Castiglia	1
Health	Cheryl Moore	1
Health	Christine Gaeta / Tom Muscarella	1
Health	Colleen Brzyski	1
Health	Colleen Morrissey	1
Health	Colleen Reichard	1
Health	Command Bus	1
Health	Dale Milsom	1
Health	Dan Fournier	1
Health	Daniel Burns	1
Health	Daniel Neaverth, Jr.	3
Health	Darline Imes	1
Health	Debbie Nickson	1
Health	Diana Ermer / Floater	1
Health	Diane Ermer	1
Health	Diane Vertes	1
Health	Donna Mertel	1
Health	Eileen Wagner / Mary Ann Kasprzak	1
Health	Emily Kaznica	1
Health	Eric Christopher	1
Health	Eric Henry	1
Health	Felicia Huff	1
Health	Floater	3
Health	Floater (Thurs.)	1
Health	Floater (Tues.Wed.Thurs.)	1
Health	Frank Sacco	1
Health	Gale Burnstein	1
Health	Gary McPike	1
Health	Gary Palucca	1

Exhibit C

Health	Gary Smith	1
Health	Gina Piazza	1
Health	Gini Brodnicki	1
Health	Glenn Robert	1
Health	Greg Jacobs	1
Health	Greg Kammer	1
Health	Greg Skibitsky	2
Health	Guy Thomas	1
Health	Hans Kullerkupp	1
Health	Jack Schwartz	1
Health	James Maher	1
Health	James Mosner	1
Health	Janel Delair C. Pawelczak	1
Health	Jason Merritt	1
Health	Jeff Jurewicz	1
Health	Jeff Kowalewski	1
Health	Jeremy Huber	1
Health	Jerry Whittington	1
Health	Jim Hart / Floater	1
Health	Joe Dembski	1
Health	John Adolf	2
Health	John Finster	1
Health	John Kociela	1
Health	Joyce Malak	1
Health	Joyelle Kuchta	1
Health	Judith Rahm	1
Health	Judy Huber	1
Health	Julie Roth	1
Health	Karen Biel-Costantino	1
Health	Kathie Holmes	1
Health	Kathleen Edwards	1
Health	Kevin Montgomery	1
Health	Kimberely Hoffritz	1
Health	Kristine Bluhm	1
Health	Leon Nadler	2
Health	Linda Garranger	1
Health	Linda Witmer	1
Health	Liz Zaepfel	1
Health	Lynn Diviak	1
Health	Lynn Ingrassia	1
Health	Lysa Olmsted	1
Health	Madalyn Lagares	1
Health	Margaret Buell	1
Health	Maria Gambino	1
Health	Marilyn Tuberdyck	1
Health	Mark Brunner	1
Health	Mark Davern	1
Health	Mark Kowalski	1
Health	Mary Culp	1
Health	Mary Martin	1
Health	Mary Walawander	1

Exhibit C

Health	Megan Dudziak	1
Health	Melanie Desiderio	1
Health	Melody Bus	1
Health	Michelle Weaver	1
Health	Mike Simkins	1
Health	Nancy Digiore	1
Health	Nancy Heidinger	1
Health	Neal Hodgson	1
Health	Nicole Tomasello / Dorothy Ruhland	1
Health	Patricia Lewandowski	1
Health	Patrick Farry	1
Health	Patrick Ruffino	1
Health	Paul Wasch	1
Health	Peggy Eiss/Paul Wasch	1
Health	Peter Coppola	1
Health	Phil Queeno	1
Health	Polly Thoman	1
Health	Ray Myers	1
Health	Rebecca Henry	1
Health	Richard DiCioccio	1
Health	Richard Grasanti	1
Health	Rob Tyler	1
Health	Robert Schreiner	1
Health	Russell Barone	1
Health	Ruth Vasquez	1
Health	Rynea Williams	1
Health	Sarah Chodkowski	1
Health	Scott Zimmerman	2
Health	Sean Lauck	1
Health	Sharon Jones	1
Health	Sharon Thayer	1
Health	Shelia Burke	1
Health	Sue Ellen Robel-Konsella	1
Health	Susan Muscarella	1
Health	Susan Taylor Maroney	1
Health	Tammy Bieber	1
Health	Thomas Harvey	2
Health	Thomas Riddoch	1
Health	Tina Preston	1
Health	Tom Casey	1
Health	Tracy Chalmers	2
Health	Valdimir Maximciuc	1
Health	William Dice	2
Jail Management	Donald J. Livingston	1
Jail Management	Michael Rearden / Thomas Vaughn	1
Jail Management	Robert Koch	1
Legislature	Charles Swanick	1
Legislature	George Holt	1
Mental Health	Carolyn Camm	1
Mental Health	Michael Ranney	1
Mental Health	Phil Endress	1

Exhibit C

Probation and Youth Detention	D. Watkins / Erie County	1
Probation and Youth Detention	Denise Fryer	1
Probation and Youth Detention	Frank Medina / Erie County	1
Probation and Youth Detention	Gale Burstein	1
Probation and Youth Detention	Gary Waldman / Patricia Plew	1
Probation and Youth Detention	George Alexander	2
Probation and Youth Detention	Heatherann Malek	1
Probation and Youth Detention	Intake / Erie County	1
Probation and Youth Detention	John Skillcorn	1
Probation and Youth Detention	Joseph Abdallah	1
Probation and Youth Detention	Karen Pelligra	1
Probation and Youth Detention	Kelli Blakeley	1
Probation and Youth Detention	Leanne Azzarello	1
Probation and Youth Detention	Louis Hawkins / Erie County	1
Probation and Youth Detention	Maria Thomas	1
Probation and Youth Detention	Marilyn Archer / 5th Floor Steno Office	2
Probation and Youth Detention	Martha Yagle	1
Probation and Youth Detention	Nora Murphy	1
Probation and Youth Detention	Probation Dept.	1
Probation and Youth Detention	Probation Dept. / 6th Floor Cashier's Office	1
Probation and Youth Detention	Robert Sanford	1
Probation and Youth Detention	Sandra Oliver	1
Probation and Youth Detention	Teri Ritz	1
Probation and Youth Detention	Thomas Lillis	1
Probation and Youth Detention	Tim Jackson / Erie County	1
Probation and Youth Detention	Ysaias Feliz	1
Public Works	Carl Dimmig	1
Public Works	Daniel Rizzo	1
Public Works	Dave Boehm	1
Public Works	David Zilliox	1
Public Works	Dick Syracuse	1
Public Works	Gary Zawodzinski	1
Public Works	Gerald Kowalczyk	1
Public Works	Gerard Sentz	2
Public Works	Jeff Zack	1
Public Works	John Galley	1
Public Works	John Loffredo	1
Public Works	Nick Krestos	1
Public Works	Philip Drozd	1
Public Works	Rick Reed	1
Public Works	Steve Rzasza	1
Public Works	William Thornton	1
Purchase	Michael Bower	1
Senior Services	Adina Garfinkel	1
Senior Services	Alpha Program	1
Senior Services	Care Giver Unit	3
Senior Services	Colleen Eder	1
Senior Services	Dan Szewc	1
Senior Services	Denise Szymuta	1
Senior Services	Janice Nowak	1
Senior Services	Jennifer Graham	1

Exhibit C

Senior Services	Jerry Walh	1
Senior Services	Jim Panczykowski	1
Senior Services	Jim Strusienski	1
Senior Services	Kristen DiMartino	1
Senior Services	Linda Scribner	1
Senior Services	Linnea Barager	1
Senior Services	Marge Novara	1
Senior Services	Mike Saccomanno	1
Senior Services	Pamela Krawczyk	1
Senior Services	Patricia DeLaney / Mary Ellen Debold	1
Senior Services	PSA - Case Manager	4
Senior Services	PSA - Case Manager	2
Senior Services	PSA - Individual Signout	4
Senior Services	PSA - Individual Signout	2
Senior Services	Rachel Schaffer	1
Senior Services	RSVP Drivers	1
Senior Services	William Daniels	1
Sewerage Management	B. Lardo & Survey Crew	2
Sewerage Management	Chuck Alessi	2
Sewerage Management	Don Dole	1
Sewerage Management	Glenn Absolom	1
Sewerage Management	Jack Miller	1
Sewerage Management	James Carr	1
Sewerage Management	James Keller	1
Sewerage Management	James Mendola	1
Sewerage Management	John Arrigo	1
Sewerage Management	Kevin Kaminski	1
Sewerage Management	Larry Pohl	2
Sewerage Management	Matt Salah	1
Sewerage Management	Michael Quinn-	1
Sewerage Management	Ronald Kreavy	1
Sewerage Management	Steven Canestrari	1
Sewerage Management	Thomas Scheelar	1
Sewerage Management	Thomas Whetham	1
Sheriff	Arthur Litzinger	1
Sheriff	Brian Doyle	2
Sheriff	C. Hedges	1
Sheriff	David Delecki	1
Sheriff	David Dillon	1
Sheriff	Dennis Rankin	2
Sheriff	District # 4 - Car 41	1
Sheriff	District # 4 - Car 44	1
Sheriff	District # 5 - Car 52	1
Sheriff	District # 6 - Car 58	1
Sheriff	District # 7 - Car 25	1
Sheriff	Gregory Savage	2
Sheriff	Helicopter	1
Sheriff	James Nichols	1
Sheriff	Ken Brennan	1
Sheriff	Kevin Caffery	1
Sheriff	Lucian Hudson	1

Exhibit C

Sheriff	Marcia Kruzynski	1
Sheriff	Marine Div.	1
Sheriff	Mary Murray	1
Sheriff	Michael Benson	1
Sheriff	No specific assignment	1
Sheriff	Norman Redeye	1
Sheriff	Norman Redeye	1
Sheriff	Patricia Mohn	1
Sheriff	Richard Donovan	1
Sheriff	Scott Patronik	2
Sheriff	South Zone Supervisor	1
Sheriff	Thomas Flaherty	2
Sheriff	Thomas Rich	1
Sheriff	Timothy Howard	2
Sheriff	Watch Commander	1
Sheriff	Weapons & Ordinance	2
Social Services	Andrew Gancarz	2
Social Services	Anita Bell	2
Social Services	Barb Walczak	1
Social Services	Barbara Clawson-Cole	2
Social Services	Barbara Penski	4
Social Services	Barbara Penski	1
Social Services	Betty Bertram	1
Social Services	Betty Lee	4
Social Services	Bill Graham	1
Social Services	Blackberry	1
Social Services	Carol Matla	2
Social Services	Christopher Anderson	4
Social Services	Christopher Anderson	1
Social Services	Connie Vandette	3
Social Services	Dan Dropik	2
Social Services	Deborah Merrifield	1
Social Services	Driver/Purchasing	1
Social Services	Ed Coleman	3
Social Services	Frank DeCarlo	1
Social Services	Frank Saladyga	3
Social Services	Gladys Daughtry	4
Social Services	Gladys Daughtry	3
Social Services	Greg Bell	4
Social Services	Greg Ciaudella	1
Social Services	Heather Lindstrom	1
Social Services	James Sullivan	1
Social Services	Janice Battisti	4
Social Services	Jeff Wightman	1
Social Services	Joe Pinto	4
Social Services	Joe Pinto	3
Social Services	Josephine Forbragd	4
Social Services	Josephine Forbragd	2
Social Services	Julie Dohn	4
Social Services	Julie Dohn	3

Exhibit C

Social Services	Julie Novak	1
Social Services	Karen Gryzankowski	1
Social Services	Kathleen Pfonner	4
Social Services	Kathleen Pfonner	4
Social Services	Kathy Nichols	1
Social Services	Kevin Duggan	1
Social Services	Lewis Cohen	1
Social Services	Lou Cohen	3
Social Services	Lou Cohen	3
Social Services	Marietta Brown	1
Social Services	Mary Reagan	2
Social Services	Mercia Phillips	2
Social Services	Michael Weiner	1
Social Services	Pat Howling	4
Social Services	Pat Howling	4
Social Services	Pat Howling	1
Social Services	Patrick Henry	1
Social Services	Paul Shriver	1
Social Services	Penny Evoy-Marren	4
Social Services	Penny Evoy-Marren	3
Social Services	Phil Trifiletti	4
Social Services	Phil Trifiletti	3
Social Services	Richard Ippolito	4
Social Services	Richard Ippolito	4
Social Services	Robert Deisz	3
Social Services	Robert Jaworski	1
Social Services	Roshelle Lewis	1
Social Services	Sandra Watson	4
Social Services	Sandra Watson	1
Social Services	Shirley Mazur	2
Social Services	Sue Sacco	1
Social Services	Suzanne Erhart	3
Social Services	Suzanne Erhart	4
Social Services	Suzanne Erhart	4
Social Services	Technical Support Unit	1
Social Services	Thomas Atkinson	4
Social Services	Thomas Atkinson	2
Social Services	Thomas DeMartino	1
Social Services	Tricia Hoelscher	1
	Total Number of Wireless Devices	691

**ERIE COUNTY
COMPTROLLER'S OFFICE**

**HON. NANCY A. NAPLES
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**



March 23, 2001

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Dear Honorable Members:

The Erie County Comptroller's Office has completed a follow-up audit of the use and control of cellular telephones within Erie County government for the period January 1, 2000 to October 31, 2000. The audit was conducted in accordance with generally accepted government auditing standards and included such tests of the records, inquiries, and analyses considered as necessary.

The purpose of our follow-up audit was to determine whether recommendations contained in our prior audit dated December 29, 1995 were implemented, or if other appropriate measures were taken to correct the inefficiencies or weaknesses found.

BACKGROUND

The Division of Information and Support Services (DISS) is responsible for telecommunication services within Erie County government. Included within telecommunication is the use of cellular telephones. The number of cellular telephones in Erie County has increased from 13 in 1989 to 250 in 1995 to the current level of approximately 500. A County policy on cellular telephones was issued to all departments on August 21, 1995 through a change to the Personnel Policy and Procedures Manual, Chapter X, Section 22. On November 16, 2000 a revised wireless cellular telephone policy was issued which allows the incidental personal use of County wireless phones for department heads and key administrative personnel. However, personal calls at any time by line and staff personnel are prohibited.

Total DISS cellular charges for the 10 months ended October 31, 2000 were \$134,719. The annual cost of cellular telephone service is estimated at \$161,000. Approximately 48% of the total charges represented the cost of phone calls (usage charges) and the remaining 52% represented monthly access charges, long distance charges, adjustments, taxes and surcharges.

**THE HONORABLE
ERIE COUNTY LEGISLATURE**

FOLLOW-UP RESULTS

Our review disclosed that management of DISS has not fully implemented all recommendations made in our prior report. The following provides the status of the implementation of our prior recommendations.

STATUS OF IMPLEMENTATION OF PRIOR RECOMMENDATIONS

PRIOR RECOMMENDATION	IMPLEMENTED	COMMENTS
Develop and implement a policy requiring the appropriate invoice detail of all local and long distance calls be obtained by each department/office	YES	
Develop and implement procedures to: <ul style="list-style-type: none"> - require user departments/offices of cellular telephones to review and sign all invoices and to appropriately note all personal and non-County business calls. - ensure all departments/offices comply with the established requirement to review and sign all invoices. Non-DISS cellular telephones at the Legislature and Sheriff's Office be placed under DISS control and incorporated under one countywide contract. 	PARTIAL	Procedures established but not formalized in writing. No procedures established for DISS to follow up and ensure all invoices are reviewed and signed by each respective department/office.
Non-DISS cellular telephones at the Legislature and Sheriff's Office be placed under DISS control and incorporated under one countywide contract. Procedures be developed and implemented for DISS to periodically inventory all cellular telephones to ensure DISS accountability for the control and usage of all cellular telephones.	NO	Some cell phones for the Legislature and the Sheriff's Office are not under contract through DISS. We noted payments totaling \$8,492 were made to five suppliers for cell phones not listed by DISS on their inventory and used by the Legislature, Youth Services, Sheriff's Office and the Board of Elections.

OTHER MATTERS

**THE HONORABLE
ERIE COUNTY LEGISLATURE**

**DOCUMENTATION TO
SUPPORT CELL PHONE
NOT ALWAYS**

We reviewed the rates charged by one supplier and were only able to trace to documentation of rates to one of seven plans in effect. For **RATES** review of a second supplier there was no documentation of rate plans **AVAILABLE** for any months prior to August to support fifty-six different rates noted on the summary provided.

There is no assurance that cell phone charges paid were accurate and in accordance with the appropriate contract or rate plan.

We recommend that DISS management maintain documentation of all rate plans for all cellular phone services. All charges should be compared to the contract terms and rate plans to verify the accuracy of all billings prior to payment.

**RESULTS OF EXIT
CONFERENCE**

An exit conference was held on March 15, 2001 with the Director of Information and Support Services, members of his staff, and representatives of the Division of Budget, Management & Finance. The contents of this report were discussed and the Director and his staff indicated general agreement with the report findings and recommendations.

In accordance with the County Audit Response System and Procedures, we request that the Director submit a written response to the County Executive by April 23, 2001. We further request that the County Executive forward copies of the response to the County Legislature and this Office by May 7, 2001.

ERIE COUNTY COMPTROLLER'S OFFICE

c: Mr. Arthur F. Telaak, Jr. Director of Information and Support Services
Hon. Joel A. Giambra, County Executive
Mr. Joseph Passafiume, Director, Budget, Management, & Finance

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