

Present: Legislator Bausch, Hancock, Leadley, Cianfrini, Ferrando, Stein, Lawrence, Clattenburg, DeJaneiro. Also Present: Legislature Clerk Kingdon, County Manager Gsell, Director of Job Development Gage, Health Department Director Pettit, Nursing Home Administrator Schaller, County Attorney Zambito, Genesee Justice Coordinator Ford, Anne Bezon, Genesee Justice, News Reporter Mrozek

Chair Bausch called the meeting to order at 4 PM in the Legislature Conference Room. The minutes of the June 6, 2013 meeting were approved upon motion of Legislator Hancock seconded by Legislator Cianfrini.

Job Development Director Gage was seeking authorization for the Genesee County Legislature to enter into an agreement between the GLOW Chief Elected Officials and the Workforce Investment Board. The Chief Elected Officials of the Workforce Investment area comprised of Genesee, Livingston, Orleans, and Wyoming and the GLOW Workforce Investment Board, has been determined necessary between the two parties and is a required element in the GLOW Workforce Investment Act Strategic Plan. Director Gage stated that this is the same agreement as previous years only thing that has changed, is they have extended the agreement from two years to three years. Chair Bausch stated that it sounds like the County is signing an agreement with itself. Director Gage stated that the legislature appoints some members from Genesee County, but there are some at-large members that are appointed from the outside the County. Basically the agreement is saying that Genesee County is seeking to be a partner in this agreement, and seeks the responsibilities of the Board. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Leadley

Mr. Gage's next item is the appointment to the GLOW Workforce Investment Board. The Chief Elected Officials are charged with the responsibility of soliciting and appointing members to this Workforce Investment Board. The appointees for this board are Joseph Steinmetz, Director of Career and Technical Education and Adult/Secondary Programs for Orleans Niagara, BOCES, representing the WIA Title II state education at large, for an ongoing term. The second appointee, Read Smalley, Executive Director of Workplace Development at GCC, representing the Perkins/VATEA local education entity at large, for an ongoing term. The third is Marcel Taylor, Training and Employment Manager for Pastone Corporation, representing the Migrant Seasonal Farmworkers At Large, for an on-going term. Legislator Cianfrini noticed that Read Smalley has only been on the job for one month. Mr. Gage stated that he's very qualified for this Board. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Hancock.

Lastly Mr. Gage is looking for authorization to sign a license agreement and letter of agreement for utility use with the New York State Department of Labor. The County would enter into a five-year license agreement with the New York State Department of Labor for the rental of 9351 ft.² of office space at 587 East Main St., Batavia at a rate of \$9.34 a square foot. It is also recommended that the County enter into a five-year letter of agreement for utility use at the same location at a rate of 28% of the actual utility charges.

Legislator Cianfrini asked if the percentage of the utility charges is a percentage of the square-foot that the Department of Labor is renting. Mr. Gage stated that was correct. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Cianfrini.

Health Director Pettit presented a contract with Genesee County chapter NYS ARC to provide paratransit services in the Early Intervention and Preschool Supportive Health Services Programs for the period September 1, 2013 through August 31, 2014. This contract is necessary for the provision of transportation services to early intervention participants, pursuant to the Public Health Law and Preschool Supportive Health Services Students Pursuant to Section 4410 of Education Law and Part 200 and Regulations of the Commissioner of Education. The estimated annual expense in the 2013 Preschool Supportive Health Service budget is \$250,000. These services qualify for state reimbursement at the rate of 59.5% less any Medicaid payment from Medicaid eligible children. The estimated annual expense in 2013 for the Early Intervention budget is \$43,000. Expenses are offset, up to 100% by revenue generated from Medicaid. New York State is liable for 49% of any non-reimbursed expenditure. Legislator Cianfrini asked if this was a joint venture with Orleans County. Mr. Pettit stated the way the proposals were set up is that there was a bid for just Genesee County, just Orleans County, and a bid for both counties combined. Mr. Cianfrini asked because this is a joint venture with Orleans County does an out of County trip include anything out of those two counties and Mr. Pettit stated that anything within the two counties is considered an in County transfer. Anything outside of those two counties is an out of County transfer. Legislator Cianfrini asked who monitors all of the trips that are taken. Mr. Pettit replied that each school district has a committee that deals with children with special needs and may assign services into a written plan and the County provides transportation for those children. Legislator Hancock asked how the trip bus aid works, if there is in County round-trip and they need an aide on the bus. Mr. Pettit clarified that in County and out of County rates include an aide. If there is an additional need for a bus aide then there is an additional cost of \$61.25 for the aide. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Hancock.

The following referrals from the Public Service Committee was approved for placement on the next Legislature Agenda upon motion by Legislator Cianfrini:

A Budget Amendment/Salary Schedule Amendment – Genesee Justice/New York State Division of Criminal Justice Services seconded by Legislator Hancock

Surplus Equipment – Highway/Park – Internal Fund and Park seconded by Legislator Leadley

Reappointments – Genesee County Parks, Recreation and for Street Advisory Committee was seconded by Legislator Leadley

Budget Amendment – Highway/County Road fund was seconded by Legislator Hancock

Budget Amendment – Sheriff/Village of Bergen Agreement was seconded by Legislator Leadley

Appointment – Lake Plains Resource Conservation Development Counsel was seconded by Legislator Hancock

Nursing Home Administrator Schaller is requesting approval of a local match required funding for the New York State Department of Transportation to purchase a new wheelchair accessible van for nursing home residents. The local match payment is \$9712 in the total value of the van is \$42,225.24. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock.

County Attorney Zambito was seeking a budget amendment to purchase Flood Insurance recently provided to the County. It was decided to obtain insurance for two locations, the Genesee County Offices at 15 Main St. with \$1000 deductible and the Holland Land Office with a \$10,000 deductible. There is sufficient money in the Casualty Liability Insurance Reserve to cover this unexpected expense. The flood insurance would be obtained through Wright National Flood Insurance Company of St. Petersburg, Florida, for an annual premium of \$7118. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Cianfrini.

The County Attorney is looking for permission to file a certificate designating the Secretary of State's as the agent for service of notices of claim pursuant to Section 53 of the General Municipal Law. The State Legislature enacted a new Section 53 to the General Municipal Law which became effective June 15, 2013. This permits claimants to serve notices of claim upon the Secretary of State, rather than affecting personal service of such notices upon the municipality, which is the subject of claim. The statute directs the Secretary of State forward copies of notices of claim served to the municipalities involved. The law requires that municipalities within 30 days after the effective date of the law file a certificate in the office of the Secretary of State designating the Secretary of State as the agent for service of notices of claims in providing name, postal address and electronic mail address of an officer, person or designee, nominee or other agent fact for the transmittal of notices of claim served upon the secretary. This certificate must be filed no later than July 12, 2013 designating the Secretary of State as Genesee County's agent for the service of notices of claim and that the County Attorney is designated to receive such notices of claim served in the manner set forth and authorized to accept any payments due to the County as a result of the Uniform Filing Act. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

The County Manager presented a contract with the U.S. Bankruptcy Court Western District of New York. Since 1997 Bankruptcy Court for the Western District of New York has used space within the Old County Courthouse to conduct proceedings of the court. Genesee County will maintain with New York Municipal Insurance Reciprocal General Liability Insurance coverage in the amount of 1 million for the Old Courthouse. This contract is for the period of October 1, 2013 through September 30, 2014 at \$850 per month for utilities, general liability insurance and maintenance of space. Legislator Leadley asked how many times a month they use the Courthouse, Mr. Gesell responded that they typically use the Old Courthouse the first and second Tuesday of the month, but some months due to their caseload they are not here at all. This was approved for

placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Leadley.

County Manager Gsell presented his Department review. In the past, the County Manager's Department has continued to work with County Legislature, Departments and Agencies of County Government, Employee Groups and Advisory Committees to manage county finances and programs as efficiently and effectively as humanly possible. Administrative changes in Veteran Services, Assisting County Manager, Human Resources and the continued fiscal struggles with the County Nursing Home have necessitated numerous meetings, ongoing analysis, interim reports and changing strategies to try to ensure that the daily functions of County government and are pervasive outreach in connection to varying public, clients, constituents and taxpayers are proactive and transparent. County Manager's office also maintains a high degree of contact, interaction and dialogue with related agencies and state/national associations. The County manager continues to explore and promote collaboration, cooperation, consolidation and rightsizing of County governments and their services. County Manager's office sees itself as part of the team with the County Attorney, County Treasurer, and County Legislature to advise, manage, finance, and with the various functions and services of County government hundred constraints of relatively high property taxes, the New York State impose property tax, inflexible New York State mandates and cost shift to local governments. County Manager Gsell handed out a spreadsheet tracking the workforce from 1991 two 2013. The gross workforce number has gone down. This is a snapshot of where the County is in the current budget but is also used for when people come in and asked to have a position created. This can help us determine if the position is already created a new one does not have to be made. Mr. Gesell also handed out a snapshot of where the County health Dan is year to date. Also provided was a list of large claims over \$50,000 under the counties Independent Health Plan. Mr. Gsell provided a description on how the self-funded healthcare plan works and how the claims that are over \$50,000 are audited by the TPA and monitored. Mr. Gsell lastly handed out a document on fiscal stress that was put together by the Comptroller that shows where the Counties in the State in regards to the Comptroller's analysis. It is a snapshot of a program that shows the factors that determine if the County is stressed. Mr. Gsell explained of how this analysis is done and what factors are used.

A motion by Legislator Cianfrini was made to adjourn to Executive Session to discuss the appointment to the GCEDC Board. This was seconded by Legislator Leadley.

A motion was made to appoint Mr. Paul Battaglia of Batavia, NY to the GCEDC Board for a six year term starting June 30, 2013. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Leadley.

Legislator Cianfrini made a motion to adjourn at 6:10 PM seconded by Legislator Leadley.

Ways & Means Committee
Submitted 6-28-13 ssk