

Present: Legislator Bausch, Hancock, Leadley, Cianfrini, Lawrence, Ferrando, Clattenburg, DeJaneiro, Legislature Clerk Kingdon, County Manager Gsell, Executive Assistant to the County Manager Muckle, County Treasurer German, County Attorney Zambito, Executive Secretary to the Workers Compensation Plan Jasinski, Sheriff Maha, Real Property Director Landers, Kevin Andrews, Real Property, Highway Superintendent Hens, New Reporter Mrozek.

Chair Bausch called the meeting to order at 4 PM in the Legislature Conference Room. The minutes of the May 15, 2013 meeting were approved upon motion of Legislator Cianfrini seconded by Legislator Hancock.

Sheriff Maha was seeking acceptance of grant funds from the New York State Division of Homeland Security and Emergency Services in the amount of \$5,435,095. This is from the Statewide Interoperable Communications Grant with a contract period of February 4, 2013 through February 3, 2014. The Capital Project was previously established for the 800 MHz radio system upgrade, which identified this grant funding as one of the funding sources for the project. Chair Bausch asked the Sheriff how things are going in regards to this project so far. Sheriff Maha responded that things are going well, there was recently a meeting with the Town of Alabama and there will be a contract with the Fire Department for a new tower site. This is in back of the Town of Alabama Fire Hall and is a good location. Legislator Hancock stated that this is an amazing amount of money for a much-needed project and we are very fortunate to be awarded this grant money. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Cianfrini.

Director of Real Property Landers and Kevin Andrews also from Real Property were seeking a correction to the tax rolls for the City of Batavia. This is to correct a clerical error which will allow the property owner to pay the proper, reduced amount. The property owner agreed upon a final assessment figure with the assessor, but the final assessment roll was not updated to reflect this. Legislator Hancock asked if there's ever a situation where corrections are not granted. Mr. Andrews responded under state law corrections must be granted in situations such as this. Legislator Cianfrini asked if this was due to a challenge to the property owner's assessment. Mr. Andrews stated that the property owner and the assessor agreed upon a property value. Legislator Cianfrini asked if this agreement was in writing with the City Assessor, Mr. Landers and Mr. Andrews both stated that yes it is. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Leadley.

County Attorney Zambito and Executive Secretary to the Worker's Compensation Plan Jasinski were seeking approval of a contract with Lawley Genesee of Batavia, New York for the broker of record and risk management services for the excess workers compensation policy. Lawley Genesee will provide the County with broker of record and risk management services which include loss source analysis, claim analysis, claim reviews, loss forecasting, safety program assessments and training programs. Ms. Jasinski stated that she feels this is another set of eyes that will be looking at the Worker's Compensation plan. This contract is a follow-up from the previous Ways and

Means meeting where Mr. Fritts from Lawley Genesee talked to the Committee regarding these services. This was approved for placement on the next legislature agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

County Attorney Zambito presented an update on the flood insurance quotes. The insurance company has given a recommendation on which County properties they feel should have flood insurance coverage. Highway Superintendent Hens was also present to give his opinion on the Cedar Street locations. After a discussion it was decided that the Holland Land Office Museum location and the location of the Old Courthouse and County Building No. One should be covered with flood coverage. County Attorney Zambito will prepare a resolution and bring it to the next Ways and Means meeting for approval.

The following referral from the Human Service Committee was approved for placement on the next Legislature Agenda upon motion by Legislator Leadley:

A Salary Schedule Amendment/Mental Health Services – Mental Health Clinical Social Worker. This was seconded by Legislator Cianfrini.

County Manager Gsell and Executive Secretary Muckle presented a budget status PowerPoint presentation. They gave revenue figures as of April 30, 2013 which included, mortgage tax, automobile use tax and the video lottery terminal revenue. A 1% sales tax analysis for the years 2009 through 2013 was presented. These showed the 1% sales tax revenue in the .net service. The County Manager gave budget updates for some of the bigger county department. The Public Defender's ILSF Funding is transitioning from block distribution to targeted grants to date; targeted grants have offset the production of the block distribution. By 2015 block distributions will be eliminated. The Department of Social Services 2013 – 2014 budget contained no huge, negative surprises. The rates of reimbursement for services/programs remain steady, and have various special allocations such as Flexible Fund for Family Services, Community Optional Preventative Services funding, Detention Services Funding, Day Care Funding, etc. were consistent with prior years. Although the state reimbursement can be anywhere from one month to two years behind the impact of the 29% State/71% local cautious for Safety Net Assistance Continues to be offset by Family Assistance cost being reimbursed at 100% federal share. A concern for 2013 and into 2014 is that HEAP administrative funds may be reduced by \$42,000 for the 2012 – 13 HEAP season, and it is unlikely that they will be increased during the next season. DSS is examining ways to deal with this issue. Medicaid funding remains at a nearly \$10 million cost to the county, exclusive of the IGT. The growth rate for the counties weekly shares has been reduced and will be eliminated in 2015. Although reimbursements for Medicaid Administration costs are now also to the 2011 level, the state did not reduce funding and will continue at the same level through 2014. DSS closely monitored and eight administration costs are in 2012, and only exceeded that by \$1200 which was ultimately still reimbursed. The reserve fund the state maintains for County exceed there cap. The growth rate and weekly shares was cut by 2% for the SFY, resulting in a savings of \$85,560 local share, as compared to what was budget for 2013. Of great concern looking ahead to 2015 is that the State take-over of MA Administration functions will not progress at the same rate as the reduction of administration funding.

Consolidation at the Genesee County Nursing Home of the two floors of the Adult Home into one floor will likely stabilize Public Home expenditures for DSS. The fiscal relief will not show itself in the department's 2013 budget, however. DSS budgeted for only 50% occupancy (40 beds) at the Adult Home for 2013, based on historic utilization. Although the public homes cost should go down when the consolidation takes effect, the DSS costs will not significantly decline until the rate is lowered by the state or the occupancy falls even more. The retro payment, which is based on the Adult Home's prior year costs, will not go down in Fall of 2013 (from its \$616,000 level, of which 50% is local share) because the payment is for 2012. The 2014 retro payment (for 2013) will not decrease significantly until the Public Home has had ample time, over a full year, to realize cost savings from their current consolidation plan. There are a few areas of Child Welfare Services where, although the DSS budget appears relatively solid at present, future funding may be problematic. Specifically expansion of the DSS foster care caseload, and legislation to raise the age at which delinquent youths are handled in the adult criminal justice system, may increase the need for DSS services without comparable increases in funding for those services. The foster care caseload has risen to a higher level than anticipated during recent months, primarily due to several sibling groups placed because of child abuse/neglect. Expenses for 2013 can be expected to exceed what was budgeted, although it is hopeful that reduced temporary assistance caseloads could compensate for this. Another "hit" to the DSS budget could occur when OCFS bills their final rates (in 2013?) for placements in State Training Schools during 2011 and 2012, as DSS paid for those placements based upon a 2010 "final rate". A potential future (2015?) cost to the County will be incurred if the age for criminal prosecution is raised (hiring additional staff and providing placements and other programming). Passage of a Farm Bill by Congress may result in SNAP benefits being reduced anywhere from \$4 billion to \$20 billion. The effect to the DSS budget is uncertain. The benefit portion of SNAP does not pass through the DSS budget. However, dependent on the severity of SNAP cuts to low income residents, EAA or EAF benefits may be accessed more frequently as clients choose to utilize their own funds to pay for food rather than shelter, utilities, etc., which may be funded through DSS. More information is needed before estimating local impacts. The Office for the Aging additional state funds available due to under expending in first three quarters of SFY 2012 -2013. Grant, making additional funds available in January – March 2013 for the following state grants: SNAP – congregate and home, delivered meals; CSE – Community, services for the elderly; CRC – caregiver support; STS – state transportation service. The total additional funds are \$15,466. The impact of the sequestration will likely negatively impact 2014 budget since the 2013 budget already had cuts from sequestration reductions, thus lowering federal carryover funds in the 2014 County budget. The County Highway Department and County Road fund's (snow and ice) expenses are on track for the rest of the calendar year. Summer road maintenance and construction are just getting underway. Crews will be working four days per week, 10 hours day through Labor Day. Traffic control, which include signs and supplies, look to be over budget as a significant request for signage upgrades in the Village of Leroy and a number of police and EMS vehicles requiring detailing. Revenue produced from detailing shows up in the general revenue for the County Road fund. Superintendent expense have been expanded due reimbursement for expenses related to out-of-state travel for the

NACE on behalf of the New York State County Highway superintendent Association have not been reimbursed.. The road machinery fund made approximately \$15,000 more than budgeted on sales on surplus equipment, primarily due to higher than expected auction amount for a 1981 wheel loader. All equipment scheduled for purchase in 2013 has been bid and ordered. Third annual installment payment out of five for motor grader remains to be paid in this calendar year. Repairs to capital equipment are on track versus budget. The internal service motor pool fund has all scheduled vehicle replacements have been bid and delivered. Vehicle swap outs are currently underway. The airport is slightly behind on fuel sales due to colder/wetter weather the spring, but likely catch up as we move forward. The Parks Department has no significant budget issues. However, soil and water is asking to share personal mileage for environmental educator. This was not budgeted for in the 2013 budget. This is a new development from Soil and Water, which is not covered by the Memorandum of Understanding. Annual expense for mileage would be \$1300. The biggest issue with the County Water Fund thus for 2013 is the city water usage continues to trend lower. The city production and \$.60 surcharge make up most of the revenue. The April quarter saw a 5% drop. The deferment of the Village of Leroy \$.60 surcharge ends in September, but lower City of Batavia usage will impact the County's ability to generate as surplus. The Health Department's Preschool Supportive Health Services Program is working with providers to set rates for related services. It is also looking to switch to a single rate method which is used widely across the state. This should reduce administrative burden to County and providers. The RFP for transportation services has been issued. The RFP Committee will begin to review proposals in mid-June. The RFP was issued in collaboration with Orleans County Health Department. Vendors are being asked to submit proposals for counties combined and separately. New York State has taken over the administration of the early intervention program. Providers are continuing to worry whether they will be able to continue providing services. Today, only \$3903 paid to Genesee County providers via New York State escrow account New York State grant funding is up in the air. Drinking Water Enhancement and Tobacco Enforcement Programs scheduled to begin April 1, yet the department has still not received word from the New York State Department of Health, whether the programs even exists this year. Operations/services performed under these programs have been reduced to a bare minimum. The Health Department is collaborating with Orleans County in all possible aspects. All other revenue sources are on target as projects come in as budgeted. The Genesee County Jail is seeing a few budget issues. It is estimated that jail over time is to exceed budget by hundred thousand dollars to officers out on 207C and light duty. They will utilize part-time salaries account to cover some of the deficit. The female housing is over budget. Some of this is due to \$55,675 used to house males while jail. Repairs were completed. Estimates using current rate of female housing will result in \$191,310 deficit. The female drug cost year to date cost is \$11,967. There are no contracts or drugs in place at the outside housing facilities, therefore, these costs are charged to contracted medical. The discussion regarding the Nursing Home involved the projected income statement for the period ending November 30, 2013. The spreadsheet showed the year to date 2013 actual versus the budgeted. A detailed Nursing Home cash flow analysis showed projections into 2017. Also included was a Nursing Home revenue/expense analysis, which showed the total actual revenues, total actual expenses, the net loss before the IGT, the total IGT revenue, which showed the net loss for the

County subsidy, and the total net loss. The Ways and Means committee thanked Mr. Gsell and Ms. Muckle for this detailed presentation on the current status of the budget.

County Manager Gsell presented a lease amendment for the Friends of the Batavia Peace Garden. The Peace Garden currently has an agreement in place for the lease of 142 ft.<sup>2</sup> of space on the second floor of the Engine House. They have requested the use of an additional 540 ft.<sup>2</sup> of space on the second floor which was previously occupied by the History Department as office and storage space. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Leadley.

County Manager Gsell reminded the Ways and Means Committee of the upcoming Public Hearing for Genesee Community College proposed Operating Budget for the academic year 2013 – 2014 in the amount of \$38,071,000. The County's sponsor share of the operating budget for the fiscal year September 1, 2013 through August 31, 2014 is in the amount of \$2,036,374. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

Chair Bausch recommended the appointment of Stephen Starowitz of Byron, New York as the Genesee County Representative to the Genesee Valley Regional Market Authority effective immediately. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Hancock.

Chair Bausch presented the award for professional services of a consultant for the potential marketing, sale, lease or other disposition, including alternative operating options of the Genesee County Nursing Home and Assisted Living Center. A selection committee made up of members of the County Legislature, County Attorney, County Manager, County Treasurer and the Nursing Home Administrator did interview professional consulting firms and have recommended the firm of Bond, Schoeneck and King, PLLC of Albany New York. 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.

---

Robert Bausch, Chair  
Ways & Means Committee

Submitted 6-14-13 ssk