

PRESENT: Chair Bausch, Legislators Cianfrini, Leadley and Hancock. County Manager Gsell. Also Present: Legislature Clerk Pratt, Assistant County Manager Ciaccia, Daily News Reporter Mruzak, Legislators Stein, DeJaneiro, and Ferrando, Deputy Treasurer Landers, Human Resource Director Marchese, County Treasurer German, Undersheriff Sheron, County Attorney Zambito, Nursing Home Representatives Kuehl and Canale.

Chair Bausch welcomed everyone to the meeting and confirmed that the schedule will continue as the first and third Wednesdays of the month with the exception of July, August and December when meetings will be scheduled for the first Wednesday of the month. There will be a change to the February 1st meeting which has been rescheduled for February 2nd as several Legislators will be attending the NYSAC meeting in Albany through February 1, 2012. Meeting time will continue to be 4PM in the Old Courthouse.

Assistant County Manager Ciaccia requested approval of two capital project changeovers for placement on the next Legislature Agenda:

Sheriff Administration Building Modifications for HOOT LLC for the air balancing of the HVAC system in the amount of \$2352.11. It was explained that balancing was included in the contract, but not air balancing which was unforeseen and did increase the cost of the work done. The balance remaining in the capital project after the changeorder is approximately \$30,000. This was approved upon motion of Legislator Leadley seconded by Legislator Cianfrini.

Capital Project CB#1 Roof Replacement with Elmer W. Davis to remove and replace existing cracked flue tile in the amount of \$977.02 with funds available in the Capital Project fund upon motion of Legislator Cianfrini seconded by Legislator Leadley.

Mr. Ciaccia updated the Committee on energy cost actions which were negotiated and will change and extend locked in prices resulting in an additional \$6,000 savings for a total of \$16,000. These will be guaranteed for two years. The action was assisted by MEGA.

County Attorney Zambito requested a copier and FAX machine used by his office and no longer work be declared surplus. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Cianfrini.

Mr. Zambito recommended approval of a salary schedule amendment to correct a clerical error in the Deputy County Attorney salary. The amount budgeted was \$80,884. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Cianfrini.

County Treasurer German recommended approval of the GASB 54 Policy. The Governmental Accounting Standard Board has adopted Rules pertaining to Fund Balance requiring municipalities to adopt a policy on the components of Fund Balance to include restricted, committed and assigned funds. The policy was developed with the assistance of Freed, Maxick & Battaglia and approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Cianfrini. There was

extended discussion about what would be list in the categories. Mr. German stated that it would not change policy, and was for reporting purposes only.

Mr. German gave updates on sales tax, bed tax and accounts receivable. Accounts receivable are just under \$4 million which is an improvement of \$2 million from October. Year end claims are not yet finalized and receivables are expected to climb considerably. Bed Tax receipts are the best ever. The fund is dedicated to Tourism and discussion ensued about the definition of tourism promotion. The Reserve Fund currently contains \$185,083.66. The last Sales Tax payment is \$997,000 over budget.

Mr. German presented the Annual Resolution authorizing the delegation of certain duties related to assisting property owners to obtain refunds caused by certain clerical errors, unlawful entries and errors in essential fact provided the recommended refund is \$500 or less. A report will be issued to the Legislature each month recording such transactions. The refunds are charged to allowance for uncollectible which has a balance of \$59,000. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

Mr. German reported that the redemption day for 2009 taxes has closed. He estimates that 20 properties, 7 with homes, will be foreclosed and sent to auction at a date to be determined.

Deputy County Treasurer/Real Property Director Landers recommended approval of a correction to tax rolls in the Town of Bergen in the amount of \$2179.60 for an erroneous School Relevy. This was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Cianfrini.

The following referrals from the Human Service Committee were approved for placement on the next Legislature Agenda upon motion of Legislator Leadley:

Office for the Aging Advisory Appointment of Colleen Flynn or United Memorial Medical Center for a term through December 2014 seconded by Legislator Hancock.

2012 Budget/Salary Schedule Amendment/Records Management in the amount of \$15,414 and creating two part-time Inventory Clerk positions to create a disaster management plan seconded by Legislator Cianfrini.

Board of Health Appointment of Deanna Page of LeRoy through December 2012 seconded by Legislator Hancock.

Board of Health Reappointment of Dr. Barcomb through December 2017 seconded by Legislator Cianfrini.

Nursing Home Representatives Canale and Kuehl updated the Committee on Nursing Home Reorganization efforts and progress. They will be giving an update at the 2nd Ways & Means meeting each month. Occupancy is down 19 beds, and the DOM is holding steady.

The following referrals from the Public Service Committee were considered for placement on the next Legislature Agenda upon motion of Legislator Cianfrini:

Surplus Property-Public Defender/Desk seconded by Legislator Hancock.

Grant Acceptance/Budget Amendment-Rural Traffic Enforcement Initiative \$25,000 seconded by Legislator Hancock.

Grant Acceptance/Budget Amendment-Buckle Up New York \$6888 seconded by Legislator Leadley.

Grant Acceptance/Budget Amendment-Child Passenger Safety Program \$2210 seconded by Legislator Leadley.

Budget Amendment-Sheriff/Remaining Grant Funds \$22,590 Homeland Security Training seconded by Legislator Hancock.

Budget Amendment-Sheriff/Remaining Grant Funds \$29,970 Jail Audio/Visual Equipment seconded by Legislator Leadley.

Surplus Equipment-Sheriff/Chevrolet Pick-Up to Forfeiture of Crime Proceeds. This is a vehicle obtained through a plea deal which needs extensive repairs. The Sheriff is recommending that it be declared surplus and the proceeds be appropriated to the Sheriff's Revenue Account Forfeiture of Crime Proceeds. Public Service Chair Cianfrini stated that he has reviewed the law and disagrees with the interpretation. He recommends that a policy for disposal of such property be developed. **The item was tabled** upon motion of Legislator Cianfrini, seconded by Legislator Leadley.

Appointment of Bill Lawrence to the Parks, Recreation and Forest Advisory Committee through March 2015 seconded by Legislator Hancock.

Budget Transfer-County Road Fund in the amount of \$3237 seconded by Legislator Leadley.

Management Salary Schedule Amendment to adjust salary schedule to reflect the 2012 Budget and correct clerical error seconded by Legislator Leadley.

County Manager Gsell recommended acceptance and budget amendment of Community Development Block Grant in the amount of \$750,000. Funding will be used by GCEDC for the development of Genesee Valley Mushroom, Inc. to establish mushroom production and related composting operations within Genesee Valley Ag-Business Park in the Town of Batavia. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Leadley. \$500,000 of the funding will be used for grants, \$234,000 for loans. The remainder will be used for administrative expenses. Legislator Cianfrini noted that this will be a money maker for GCEDC and the income from the loans will be unrestricted. He objects to this. Legislator DeJaneiro asked if the income could be returned to the County and used in the General Fund. County Attorney Zambito noted that the terms of the Program are in compliance with the grant funding. Genesee County is used only as a pass-through. There was considerable discussion on GCEDC funding and concerns over the administration of the agency.

Authorization for the County to enter into agreements for the implementation of the Community Development Block Grant funding was approved for placement on the next Legislature Agenda upon motion of Legislator Leadley seconded by Legislator Hancock.

County Manager Gsell recommended a 2011 Budget Amendment in the amount of \$26,124 to pay for the Early Retiree Reinsurance Program Consultant who provided

services to allow the County to participate in the Federal ARRA reimbursement of health care cost for early retirees. The county received \$74,637.27 for reimbursement for plan expense in 2010-2011 under the program. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock.

The proposed Rules of the Genesee County Legislature 2012-2013 have been reviewed and no changes from 2011-2012 received. The adoption of the Rules was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Hancock. Legislator Bausch asked about the mileage reimbursement paragraph and the consensus was to leave as stated with the understanding that the Legislators have agreed to forgo mileage reimbursement for travel within the County as a budget measure.

A transfer within the Municipal Officers account in the amount of \$248 was requested due to unanticipated dues increase. The recommendation of the Budget Officer is to transfer this from the contingency fund. This was approved for placement on the next Legislature Agenda upon motion of Legislator Hancock seconded by Legislator Leadley.

Legislature Clerk Pratt requested that a 2x3 letterboard and letters be declared surplus. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Leadley.

A memorialization was received from another County requesting support for a request to NYSAC to create a specific and detailed action plan to bring about promised mandate relief. It was the consensus of the Committee that NYSAC has taken a very proactive approach to this and that the memorialization was not applicable.

At 5:50 PM the meeting adjourned into Executive Session to discuss appointment of a particular individual/personnel matter upon motion of Legislator Hancock seconded by Legislator Leadley. The Committee returned to Regular Session at 6:10PM with no action being taken upon motion of Legislator Leadley seconded by Legislator Hancock. The Committee adjourned at 6:11PM.

Robert Bausch, Chair
Ways & Means Committee
Submitted 1/24 cpp