

Present: Legislator Bausch, Cianfrini, Ferrando, Clattenburg. Also Present: Legislature Clerk Kingdon, Legislator DeJaneiro, Stein, Torrey, Young, County Manager Gsell, Assistant County Manager Landers, County Treasurer German, Deputy Treasurer Stack, Human Resource Manager Cleveland, Election Commissioner Longhany, Deputy Election Commissioner Gannon, IT Director Zimmer, Real Property Director Andrews, County Clerk Read, County Attorney Zambito, Facilities Management Supervisor Ross, Highway Superintendent Hens, Planning Director Oltramari, Mike Davis, News Reporter Mrozek, Pettinella and Owens.

Chair Bausch called the meeting to order at 4:30 PM in the Legislature Conference Room. The minutes from the January 7, 2015 meeting were approved upon motion of Legislator Cianfrini seconded by Legislator Clattenburg.

Legislator DeJaneiro presented a resolution for the reappointment of Democratic Election Commissioner Lorie Longhany. Her appointment is effective January 1, 2015 through December 31, 2018. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Clattenburg.

Information Technology Director Zimmer recommended the award of a bid to Systems Management Planning for Consultant Services. This contract will provide for 100 hours of consulting services at the rate of \$175 per hour. Hours are billed as used. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Clattenburg.

Real Property Director Andrews requested the denial of correction to tax rolls in the Town of Pembroke. Mr. Andrews recommended that the correction be denied pursuant to Real Property Tax Law §922 which states that the failure to receive a tax statement shall not in any way affect the validity of the taxes or the interest prescribed by law. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Ferrando.

Next Mr. Andrews requested the correction to tax rolls in the Town of LeRoy. This parcel was erroneously charged a County water surcharge when this parcel had no water consumption. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Ferrando.

Lastly, Mr. Andrews requested the correction to tax rolls for the Town of Batavia and Elba. The Elba Central School taxes were paid during the appropriate collection period for all of the aforementioned properties and were incorrectly relieved onto the County and Town tax rolls. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Clattenburg.

County Clerk Read and County Treasurer German discussed the recent audit results conducted by the State Comptroller's Office. This audit examined certain records and

reports for the County's court and trust funds for the period January 1, 2011 through January 1, 2014. The audit found that the records maintained by the Surrogate's Court were generally up to date and complete and that they did not find any material discrepancies. However, it was found that the County Clerk is not maintaining appropriate court and trust fund records. NYS County Law requires the Clerk to maintain a record of all money and securities ordered to be paid, transferred or deposited into a court. The Clerk's office does maintain scanned copies of all court orders, but does not make an entry into the court and trust fund register of the money ordered to be paid into a court. County Clerk Read commented that this has been the practice for this procedure and there was no complaint from the Comptroller previously on this matter. It was found that the Treasurer established adequate procedures, maintained appropriate records and properly reported the condition of court and trust funds to the State Comptroller. However, it was identified funds which improperly remained in the Treasurer's custody and should have been turned over to the State as abandoned property. This amount totaled \$507. This was immediately corrected once the Treasurer was notified of this discrepancy. The County Clerk and Treasurer are preparing a response to this audit. They felt that this audit was not performed as it was in the past. They were audited on the same procedures as the last time, and these procedures have not changed, however they were never informed previously that this procedure was inadequate. Legislator Cianfrini commented that he appreciated their concern but thought that this was a good audit result. He considers their finding nothing and that all of the records are in great shape.

County Attorney Zambito presented a Water Easement Agreement with the Town of Batavia which grants an easement to the Town of Batavia for the installation of water lines and appurtenances over a portion of County property and to operate maintain and make repairs. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Ferrando.

County Manager Gsell presented a resolution that would establish a capital project for Genesee Community College for the Wellness and Event Center. This project is part of the College's Facility Master Plan that includes the construction of a Community Wellness and Event Center, and renovations to the Student Success Center. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Cianfrini.

Next Mr. Gsell presented a resolution to establish a capital project for Genesee Community College for the dining hall and kitchen expansion and renovations. This project will total approximately \$450,000. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Ferrando, Legislator Bausch abstain.

Mr. Gsell presented a resolution for a grants writing consultant with Stuart I. Brown. This contract is for the period January 1, 2015 through January 31, 2015 at a rate of \$90 per hour for a total not to exceed \$5,000. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Clattenburg.

Mr. Gsell presented a salary schedule amendment resolution. The GLOW WIB Finance Committee did approve a 1.75% raise for the GLOW WIB Manager and funding for the rate increase is provided through GLOW WIB and the County Manager did request an amendment to the 2015 Management Salary Schedule to include the 1.75% rate increase for the GLOW WIB Manager. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Clattenburg.

County Manager Gsell presented a contract with Solar City. The County has been working with Solar City Corp. since March 2014 to potentially site and develop an up to 2 Megawatt solar panel farm on an appropriate piece of county land that would help offset our overall electric costs with our various National Grid accounts for all our non-Nursing Home facilities. The County Airport and county land to the East of CB#2 (approx. 9 acres) were looked at as possible solar panel farm locations where direct connections into the National Grid infrastructure could be effectuated. Due to FAA guidelines and the potential for pilot distraction from glare on runway approaches, the county owned land next to CB# 2 was chosen as the optimal site.

NYSERDA awarded the County and Solar City an incentive grants in October 2014 to facilitate the installation of the up to 2 Megawatt solar panel farm, ground mounted, as one of 48 projects across NYS that received NYSERDA support. This will allow the County to incur no cost except occasional mowing of the undergrowth once the solar panels are installed. The County, Solar City and National Grid have been developing the necessary paperwork which would allow Solar City to construct the Solar Farm on County property for an initial 20 year period and connect the power generated from the panels directly into the National Grid system hence creating the net metering credit process for the County to save on overall electricity costs while not connecting any county facilities directly to the Solar Panel Farm. National Grid thru the PSC is required to work with these net metering programs which for Genesee County would approximate ESCO KW rates of 6.6 cents per KW that we receive thru National Grid and MEGA/Integrus, All facilities except the Nursing Home electric costs annually are approximately \$501,552, and it is these charges that we would be able to generate a credit from National Grid based on the amount of solar power generated. After a lengthy discussion by the Committee, and the concerns by the County Attorney and Highway Superintendent, it was decided at this time not to pursue this contract. The County Manager will go back to Solar City and try to work these concerns out and represent it to

the committee. This was decided upon motion of Legislator Cianfrini seconded by Legislator Ferrando.

Lastly, County Manager Gsell presented the appointment of Ruth Spink as the new Office for the Aging Director at an annual salary of \$ 65,000 plus longevity, effective January 26, 2015. Ruth will replace Pam Whitmore who will be retiring. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Cianfrini.

County Treasurer German presented a resolution the Real Property Tax Corrections and Refunds resolution. The tax levying body can delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law §554 and Real Property Tax Law §556. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Cianfrini.

Mr. German presented the Bond Resolution authorizing a Community College capital project in and at a total maximum estimated cost of \$24,652,929, and authorizing the issuance of not exceeding \$12,326,464 bonds of said county to pay part of the cost. This bond is for the construction of a Community Wellness and Event Center, a Student Success Center, reconfiguration of the main entrance, energy conservation measures, site work, and renovation of the Main Building as was discussed previously in the meeting. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Clattenburg.

The following referrals were from the Human Service Committee upon motion of Legislator Ferrando:

Reappointment-Board of Health seconded by Legislator Cianfrini

Salary Schedule Amendment-Health/PT Financial Clerk Typist seconded by Legislator Clattenburg

Budget Amendment-OFA/Tender Loving Care Lease Agreement seconded by Legislator Cianfrini Salary Schedule Amendment-Nursing Home/Medical Billing Clerk seconded by Legislator Clattenburg.

Legislature Clerk Kingdon presented a resolution designating the Batavia Daily News as the Official Newspaper of the County of Genesee. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Cianfrini.

Chairman Bausch presented a resolution appointing Michael Davis of Darien, New York to the Genesee County Legislature, representing District No. Three, Darien and Pembroke, effective January 14, 2015 through December 31, 2015. Mr. Davis will fill the vacancy due to the resignation of Annie Lawrence. This was approved for placement on the next Legislature Agenda upon motion of Legislator Ferrando seconded by Legislator Cianfrini.

A motion to adjourn into Executive Session to discuss a litigation matter was made at 6:15 PM upon motion of Legislator Cianfrini seconded by Legislator Ferrando.

The Ways and Means convened at 6:37 PM upon motion of Cianfrini seconded by Legislator Clattenburg.

The meeting was adjourned at 6:37 pm upon motion of Legislator Cianfrini seconded by Legislator Ferrando.

Robert Bausch, Chair
Ways & Means Committee
Submitted 1-20-15 ssk