

Present: Legislator Bausch, Cianfrini, Young, Clattenburg. Also Present: Legislators Torrey, DeJaniero, Legislature Clerk LaGrou, County Manager Gsell, Assistant County Manager Landers, County Attorney Chuck Zambito, Treasurer Scott German, Asst. City Manager Gretchen DiFante, City Engineer Matt Worth, City consultant Ken Maving from GHD Engineering. Kevin Earl, GCC reps Dr. Jim Sunser, Kevin Hamilton, Richard Seibert, Lorie Longhany, Don Cunningham, Carl Hyde, Mallory Diefenbach.

Chair Bausch called the meeting to order at 4:30 PM in the Legislature Conference room. Minutes from the October 19, 2016 meeting were approved upon motion of Legislator Cianfrini seconded by Legislator Clattenburg, carried unanimously.

GCC President Dr. Jim Sunser and VP of Finance and Operations Kevin Hamilton stated they were present to meet the request of the Legislature to return in the fall to again discuss their request for a \$50,000 per year increase to the Sponsor (County) contribution. Dr. Sunser stated that he is aware of the fiscal challenges of the County and is not requesting the county revisit the increase for this year. He expressed gratitude for past and current County support. Chair Bausch asked how enrollment was compared to what they budgeted for. Dr. Sunser stated the budgeted flat enrollment and at present it is down about 2%. He explained that spring semester enrollment is usually less than fall. In general, GCC is doing better than other Community Colleges in the region. Enrollment at satellite campuses also remains flat. He shared good news received today; GCC was rated #1 Community College in NYS.

Next, County Attorney Chuck Zambito described the history of the resolution he was presenting on; Tax laws allow the county to impose sales tax and either keep all sales tax revenue or share it with municipalities in the county. Also, any city within the county has the authority to impose their own sales tax up to 3% within the jurisdiction of the city. If that were to happen then the county and the city would split the sales tax within the city. The current sales tax agreement sets forth a formula for sharing. That agreement is going to expire February 2018. Another provision in the agreement was that a committee would be formed by July 2016 and by December 1, 2016 both parties would notify by way of a resolution what their intentions were (modify, terminate or extend) with regard to the agreement. The committee has been formed and met two times to date and the County has made a proposal to the City which has not been accepted or answered. Another meeting of the Sales Tax Committee is scheduled for November 10th. Mr. Zambito is recommending the resolution he is bringing forth be passed which will keep the county's options open. It doesn't preclude the county from making an agreement or extending. It keeps open the possibility there will be no agreement. Mr. Zambito clarified that nothing precludes the county from sharing sales tax revenue with the towns. Legislator Cianfrini further clarified that this resolution keeps the county's options open in terms of renewing or modifying the agreement; passing this resolution does not equate to municipalities not receiving sales tax revenue. Legislator Clattenburg stated she received the resolution at 5:15 PM on Friday with no back-up or justification. She stated she is not aware of a written proposal being presented to the city. Legislator Cianfrini and County Attorney Zambito stated that GAM responded to the county proposal at the last sales tax meeting in October. The city has asked for more information and data

which has been provided so they can further analyze the proposal. Mr. Cianfrini stated that four months have passed with no reply from the city. Mr. Zambito stated that he spoke of his concern with ensuring the county's interests were protected and he was then asked to work with the city attorney, this occurred at the last Sales Tax meeting. After being given that directive he contacted him but had no response from the city attorney. Mr. Zambito then reported that he suggested to the city attorney that both parties (county & city) agree, in writing to waive that provision (paragraph 6). However the city attorney rejected that proposal. Ms. Clattenburg stated she was in favor of different language that says this stays in place and extends the agreement while working to come to a final agreement. She also stated that this is not a stand-alone agreement, water agreements are tied in. She stated her concern with the process and the lack of back-up information. Chair Bausch acknowledged he did not ensure proper back up was included. He asked if there were any closing comments. Hearing none, this was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Young, carried. Legislator Clattenburg voted no.

Next, Mr. Zambito described that the county needs to demonstrate formal support of a retail lease agreement between Monroe County Water Authority and the Village of Bergen. He stated that he and Highway Superintendent Hens reviewed the lease. Chair Bausch stated this was added to the agenda today upon contact from the Village. Public Service Chair Clattenburg stated she was OK with bypassing Public Service Committee. This was approved for placement on the next Legislature Agenda upon motion of Legislator Young seconded by Legislator Cianfrini, carried unanimously.

Elections Commissioner Siebert asked for support and re-appointment to serve another term as Republican Elections Commissioner with a term of January 1, 2017 through December 31, 2020. This was approved for placement on the next Legislature Agenda upon motion of Legislator Young seconded by Legislator Cianfrini, carried unanimously.

Both Elections Commissioners presented the next resolution which calls for a budget amendment to cover the costs of additional manpower for the election. All costs are charged back to the towns therefore there is no cost to the county. This was approved for placement on the next Legislature Agenda upon motion of Legislator Young seconded by Legislator Cianfrini, carried unanimously.

Mr. Seibert then explained there was a misprint of candidates seeking offices in the Daily News. He stated the Daily was contacted and will re-print the correct listing of candidates.

The following resolutions were referred from the Human Services Committee upon motion of Legislator Young:

Appointment-Genesee County Youth Board seconded by Legislator Clattenburg, carried unanimously.

Performance Incentive Acceptance/ Budget Amendment – Health Department seconded by Legislator Cianfrini carried unanimously.

2016 Budget and Contract Amendment-Community Mental Health Services/YWCA of Genesee County, Inc seconded by Legislator Clattenburg, carried unanimously.
2016 Budget and Contract Amendment-Community Mental Health Services/Restoration Society (ACE Employment Services) seconded by Legislator Cianfrini carried unanimously.
2016 Budget and Contract Amendment-Community Mental Health Services/The Mental Health Association in Genesee County seconded by Legislator Cianfrini carried unanimously.
2016 Budget Transfer/Community Mental Health Services/Court Commitment seconded by Legislator Cianfrini carried unanimously.

County Manager Gsell explained the next agenda item for a contract with IM Solutions to collect outstanding accounts receivable at the Nursing Home after the transfer to Premier has been completed. Legislator Young asked if there was an incentive based option, further explaining the collection may be more vigorous and comprehensive. Mr. Gsell explained that Orleans County recently sold their nursing home and this company and the proposed arrangement came highly recommended by Orleans County Manager Chuck Nesbitt. Mr. Cianfrini asked for a fixed term of six months and \$30,000 not to exceed language. The amended resolution was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Clattenburg, carried unanimously.

Mr. Gsell explained the next resolution which calls for the purchase and installation of additional cameras to cover blind spots in the cell block areas in the county jail. Total cost is \$3,925. This was approved for placement on the next Legislature Agenda upon motion of Legislator Young seconded by Legislator Cianfrini, carried unanimously.

The next resolution authorizes overriding the tax levy limit established by General municipal law for the Genesee County 2017 budget. Mr. Gsell explained that this is a precautionary measure. It does not bind the county to override the tax cap if the Legislature adopts a budget that does not exceed the cap. This was approved for placement on the next Legislature Agenda upon motion of Legislator Cianfrini seconded by Legislator Young, carried. Legislator Clattenburg voted no.

Next, Mr. Gsell explained the need set a public hearing to gather public comments on the local law to override the tax levy limit. This was approved for placement on the next Legislature Agenda upon motion of Legislator Young seconded by Legislator Cianfrini, carried unanimously.

The Clerk reported the next meeting of the Ways & Means Committee is scheduled for Wednesday, November 16, 2016 in the Legislature Conference room and will be followed by a budget conference session.

Ways & Means Chair Bausch explained there is a vacancy on the Board of Ethics. Clerk LaGrou proceeded with specifics of the board which consists of five members who are appointed by the legislature and are responsible for the review of completed financial

disclosure forms. They meet in the summer after the May 31 deadline for submission. The Clerk organizes sending out and receiving 126 disclosures. Chair Bausch asked legislators to think about a replacement who can be appointed to serve.

Mr. Bausch discussed the presentation by the GCEDC at the last Ways & Means Committee meeting. He asked committee members for ideas and feedback on the proposal relating to the Empire Pipeline PILOT and extending the PILOT for 10 years with the county relinquishing their payment to the EDC. It was agreed that more information is needed from the GCEDC.

The meeting was adjourned at 5:24 PM upon motion of Legislator Cianfrini seconded by Legislator Clattenburg, carried unanimously.



Robert Bausch, Chair
Ways & Means Committee
Submitted 11-4-16 phl