

Present: Legislators Clattenburg, Stein, Bausch, Dibble, Also Present: Legislators Torrey, Maha, Hilchey, Legislature Clerk Pamela LaGrou, County Manager Jay Gsell, Highway Superintendent Tim Hens, Human Resources Director Anita Cleveland, IT Director Steve Zimmer, County Attorney Kevin Earl, Compliance Officer Kim Mills, Brian Quinn-The Daily News, Howard Owens-The Batavian

Ways & Means Committee Chair Clattenburg called the meeting to order at 4:30 PM in Genesee Community College Student Success Center. Legislator Dibble was appointed to temporarily serve in the absence of Legislator Young. The Minutes of the April 18, 2018, meeting were approved upon motion of Legislator Stein seconded by Legislator Bausch, carried unanimously.

County Clerk Mike Cianfrini described a significant increase in customers at DMV in recent months with lines weaving out the door and down the hall. On more than one occasion the doors have been closed at 4:00 pm to accommodate customers in line and allow employees to finish work at the close of business. Mr. Cianfrini has a recent retiree from the DMV office interested in returning to part-time work. This individual will not require training and is very efficient with dealer work which has been on the rise. Mr. Cianfrini's resolution is for a part-time position with no benefits. Legislator Stein complemented Mr. Cianfrini for his leadership and marketing resulting in the increase in foot traffic. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Bausch, Carried unanimously.

Highway Superintendent Tim Hens explained that the modernization of the Jail Elevator is expected to take 3-4 weeks. The project timeframe can be reduced to approximately 10 days with longer workdays however the cost to adjust the schedule and pay overtime is \$15,000 and can be paid with 1% sales tax. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein, Carried unanimously.

Mr. Hens presented financial options for the Johnson Controls Energy Performance agreement. The County can opt for the financing agreement with Bank of America at 3.52% for 20 years with a \$157,000 savings over 20 years, Finance with Bank of America at 3.52% but with a 1 Mil down payment from the Building reserve with a shorter payoff and come out \$819,000 ahead-based on 5 years of pure energy savings with no debt payment or (option 3) self-fund by making the same \$1Mil down payment and borrow from our Infrastructure Reserve and repay the fund with 2% interest with a payoff of 10 years. This scenario, the County comes out ahead \$2,400,000 with ten years of pure energy savings. Mr. Hens explained that Johnson Control was selected to conduct the energy performance audit through a competitive bid process. They will identify specific energy saving projects then secure the best vendor/contractor to do the job. Mr. Hens is convinced that pursuing this energy savings project is the best course of action for the County. Should the Committee and Legislature choose the third option to self-fund, a formalized agreement will be established and a reserve will be set up to ensure payback occurs. Legislature Chairman Bausch asked Mr. Hens to bring a

resolution to the next Ways & Means Committee Meeting with the County self-finance option.

IT Director Steve Zimmer provided his department review focusing on system security and personnel changes. Multiple ransomware attacks have been reported throughout the state and country. He is working on training, policy development and utilizing staff to keep County IT and all electronic records safe and secure. Mr. Zimmer also identified his focus on public safety applications and ensuring the emergency communications system is functioning well. Mr. Zimmer referenced a chart of projects that includes several that have not yet been initiated due to busy schedules of IT staff and other timely pop-up projects and issues. In response to changing needs and demands of the IT department he is recommending creating a Deputy Director position and eliminating an operations specialist position. He further explained his desire to have another new position in year 2019 that will work closely with Sheriff's Emergency Communications.

Mr. Zimmer requested support for a salary schedule amendment to create Deputy Director position that includes 30-40% management and 60-70% technical application to better meet the changing needs of the department. He further stated he plans to retire in a few years and sees the value in bringing on a deputy director. The resolution also eliminates an operations specialist position. The 2018 salary and benefit difference can be funded from two accounts; Asset Acquisition Equipment Maintenance and Public Safety. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Bausch, carried unanimously.

Mr. Zimmer next explained the request for a salary schedule amendment for the financial clerk typist in the IT department. Upon completion of a reclassification review by Human Resources it was determined that the position be reclassified to a principal clerk. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein, Carried unanimously.

Mr. Zimmer provided committee members with a list of antiquated, unusable cell phones and computer equipment that is no longer useful or suitable for County purposes and requested it be deemed surplus. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, Carried unanimously.

Mr. Zimmer next requested the Committee approve the updated Information Security policy and procedures manual for County staff titled *Genesee County Information Technology Governance and Employee Handbook for Information Security*. The manual will also be reviewed by the new County Compliance Officer for comment. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein, Carried unanimously.

County Attorney Kevin Earl explained that a request to transfer a portion of the right-of-way at 3266 Buffalo Street, Alexander has been made of the NYS DOT and Genesee County Highway Department. In order to complete the transfer the DOT requires the

County accept jurisdiction, prepare appropriate SEQRA and formally abandon the property then formally transfer to the adjoining property owner. He explained that two resolutions are needed the first disposes of the parcel of the abandoned right-of-way and determines no significant environmental impact. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

The second needed resolution accepts jurisdiction of a portion of the Buffalo Street right-of-way and authorizes abandonment and transfer to the adjoining property owner. This was approved for placement on the next Legislature Agenda upon motion of Legislator Dibble seconded by Legislator Bausch, carried unanimously.

Mr. Earl explained the same scenario exists for a parcel of unused right-of-way in Pavilion at 6928 Telephone Road. In order to complete the transfer the DOT requires the County accept jurisdiction, prepare appropriate SEQRA and formally abandon the property then formally transfer to the adjoining property owner. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein, carried unanimously.

The second needed resolution accepts jurisdiction of a portion of the Telephone Road right-of-way and authorizes abandonment and transfer to the adjoining property owner. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Bausch, carried unanimously.

Mr. Earl presented a resolution that sets the date, time and location of a public hearing for Local Law Introductory No. Three of the Year 2018, a Local Law pursuant to Section 487(8)(a) of the Real Property Tax Law to eliminate a tax exemption for certain enumerated energy systems. This public hearing will be held at 5:30 pm May 23, 2018 in the Legislature Chambers. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Dibble, carried unanimously.

Mr. Earl next presented Local Law Introductory No. 3, Year 2018 A Local Law Pursuant To Section 487(8)(A) Of The Real Property Tax Law To Eliminate A Tax Exemption For Certain Enumerated Energy Systems. He explained that no tax exemption under section 487(2) of the Real Property Tax Law shall be applicable to County of Genesee real property taxes with respect to any energy systems as currently defined anywhere within Section 487 of the Real Property Tax Law which begins construction after the effective date of this Local Law. It was clarified that the exemption applies to the increased value from installing a solar array or solar panels/chips. Further discussion revealed that assessors place varying values on solar installations and the Office of Real Property Services does not offer guidance or standards for assessors to follow. Chair Clattenburg inquired if individual municipalities could pass a local law, Mr. Earl stated he would need to conduct research to provide the answer. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Mr. Earl stated his Department Review focused on the Assistant County Attorneys all of whom work closely with Department of Social Services administrators and caseworkers. He stated that the Legislature approved an additional assistant county attorney during the budget process last year. The additional attorney and the attorney who replaced Mr. Janson are being cross-trained. Paula Campbell and Durin Rogers are both involved with the county's Raise the Age draft plan and Mr. Earl stated he is confident he will not be returning to the Legislature in the fall to request another assistant attorney when the Raise the Age legislation goes into effect.

The following referral was from the Human Services Committee upon motion of Human Services Committee Member Dibble:

1. Appointment-Office for the Aging Advisory Council seconded by Legislator Stein, carried unanimously.

County Manager Jay Gsell introduced Compliance Officer Kim Mills who started in the position a short time ago. Her office is located on the second floor of the Old Courthouse. Mr. Gsell explained that the Human Resources Director was appointed HIPAA Privacy Officer in 2014 however now that the County has a Compliance Officer it is appropriate to appoint Ms. Mills as the HIPAA Privacy Officer. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Mr. Gsell next explained the County was awarded a NYS Occupational Safety and Health Hazard Abatement Board grant of \$14,229 however all of the funds were not spent in 2017 therefore he is requesting the 2018 budget be amended by increasing the Training Safety line by \$5,929. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Dibble, carried unanimously.

Mr. Gsell described how the Friends of Batavia Peace Garden lease 682 square feet of space at the Engine House building and they are interested in continuing that lease for another year. The lease is from May 1, 2018 through April 30, 2019 at a cost of \$100.00. This was approved for placement on the next Legislature Agenda upon motion of Legislator Dibble seconded by Legislator Stein, carried unanimously.

Mr. Gsell presented two out-of-state travel requests:

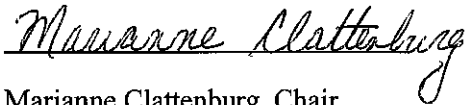
Scott German-Treasurer to Nashville, TN for NACCTFO Annual Conference July 10-13 County cost \$410. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein, carried unanimously.

Cathy Uhly & Rosanne Smart-Genesee Justice to Portland, OR for 2018 Crime Victim Law Conference June 6-11 County cost-if any will be covered by Bail Fees Revenue account. OVS is covering the cost \$2,931. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Bausch, carried unanimously.

The next meeting of the Ways & Means Committee is May 16, 2018.

Legislature Clerk Pamela LaGrou presented the first mortgage tax distribution payment of 2018 which is for \$383,591.74. This collected tax is distributed to towns, villages and the City of Batavia. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein, carried unanimously.

The meeting adjourned at 5:56PM upon motion of Legislator Bausch seconded by Legislator Stein, carried unanimously.



Marianne Clattenburg, Chair
Ways & Means Committee
Submitted 5/8/18 phl