



GOVERNMENTAL OPERATIONS AND INSURANCE COMMITTEE

Time: 1:30 PM

Location: 3019 County Complex Drive

2nd Floor, Room 204

Canandaigua, NY 14424

February 28, 2018

MEMBERS PRESENT

Supervisors Jeffery Gallahan, Frederick Wille, Gregory Westbrook, Gregory Bendzlowicz, Dominick Vedora, and David Baker and Todd Campbell.

OTHERS PRESENT

In addition to Committee Members: Chairman Jack Marren, County Administrator Mary Krause, Deputy County Administrator Brian Young, Director of Finance Mary Gates, Safety Coordinator Sherman Manchester, County Attorney Gary Curtiss, Assistant County Attorneys Holly Adams, Arthur James, and Michael Reinhardt, Real Property Director Robin Johnson, Human Resource Director Michele Smith, Human Resource Deputy Director Lindsey Burgess, Grants Coordinator Peter Brown, Risk Manager John Parrott, Information Services Director Sean Barry, Election Commissioners Mike Northrup and Charlie Evangelista, Planning Director Tom Harvey, Senior Planner Maria Rudzinski, Supervisors Drew Wickham and Mark Venuti, Board Chairman Jack Marren, and Clerk to the Board Karen DeMay.

CALL TO ORDER

The meeting of the Governmental Operations and Insurance Committee was called to order at 1:30 PM by Committee Chairman Gallahan.

MINUTES

Motion to approve the minutes of February 7, 2018, made by Supervisor Bendzlowicz, seconded by Supervisor Campbell and carried.

REAL PROPERTY TAX SERVICES

Adoption of Local Law No. 1 (Intro.) of 2018, entitled, "A Local Law opting out of tax exemption for certain energy systems", was laid over at the February 15, 2018, Board of Supervisors meeting. Chairman Marren referred this local law back to this committee for further review and discussion.

Real Property Director Robin Johnson began by stating Ontario County opted out of the solar and wind energy tax exemption in 1997. NYS law has now amended the Real Property Tax Law to add a tax exemption for real property which includes a micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment and electric energy storage system. This local law will allow Ontario County to opt out of a tax exemption for the aforementioned energy systems.

Discussion followed. Supervisor Westbrook asked for data relevant to solar panels and solar farms. Ms. Johnson stated there are at least six solar farms in Ontario County. Supervisor Baker opposes reducing the size of our tax base. If an organization wants to locate here they will do so. Supervisor Westbrook said we should consider keeping the tax exemption as it may attract industries in the solar business. He encouraged seeking more data; what are other counties doing?

Ms. Johnson added a solar related manufacturing business would have the option to seek a PILOT agreement. Valuation is not consistent on residential properties.

Supervisor Gallahan spoke with a labor union. Fifteen percent of their workforce was in solar farms both in and outside of Ontario County. That workforce does not remain after the build, and maintenance of these places are low-tech jobs.

Supervisor Venuti stated the issue is not just jobs but also to move away from burning fossil fuels. He pointed out this issue should be micro-hydroelectric energy

systems. This type of emerging technology would be good for future economic development. This type of technology may be lost to this county without this incentive. He added that if we don't pass this opt out now, we can always do it in the future. Discussion continued.

At this time Committee Chair Gallahan granted privilege to address the committee on this subject to Mr. Ryan Wallace, CEO of SmallGrid; a Geneva-based company that is constructing a modular home factory in Geneva. Mr. Wallace is planning to hire 15 people by the end of 2018. He stated without the tax exemption, the cost of ownership of one of his manufactured homes will be increased, passed on to the homeowner.

Chairman Gallahan thanked Mr. Wallace for his input.

INFORMATION SERVICES

Chief Information Officer Sean Barry presented a resolution entitled, "Approval of Contract With Access Systems For Support To Implement A New County-Wide Document Management System". **Motion to approve** the resolution made by Supervisor Baker, seconded by Supervisor Campbell and carried.

Mr. Barry presented a resolution entitled, "Authorizing Assignment of Master Agreement with Finger Lakes Regional Telecommunications Development Corporation to Empire Telephone". **Motion to approve** the resolution made by Supervisor Bendzlowicz, seconded by Supervisor Baker and carried.

COUNTY ADMINISTRATOR

Deputy County Administrator Brian Young presented 28 legislative resolutions which were adopted at the NYSAC conference in January. These resolutions are related to issues having a direct impact on county operations and residents.

Presented as follows:

Governmental Operations and Insurance:

- Resolution Urging the New York State Legislature to Reject the Governor's Budget Proposal that Allows the Executive Branch to Make Administrative Budget Cuts to Local Assistance Programs if Certain Financial Thresholds are Breached at Any Time During the State Fiscal Year
- Resolution Calling on the State to help Counties and Local Governments Reduce Local Taxes by Prohibiting Cost Shifts and New Costs to Counties, and Taking More Fiscal Responsibility for State Health, Human Service and Public Safety Programs
- Resolution Urging New York State to Fully Fund Early Voting Operations
- Resolution Commending the State's Efforts to Improve Cyber Security for Election Systems, and Calling for Expanding those Efforts to include all County Information Systems
- Resolution Urging the Governor and New York State Legislature to Enact Legislation to Eliminate the "Dark Store Theory" in New York State Real Property Tax Law as a way to Reduce Property Assessments in Tax Certiorari Proceedings

Health and Human Services:

- Resolution Supporting Continued Prioritization of Heroin and Opioid Abuse Prevention as a Top Public Safety, Public Health, And Mental Health Focus in New York State for 2018
- Resolution Calling on the Office of Alcoholism and Substance Abuse Services and the Governor to Provide State Funding to Support the Treatment and Transition Services to individuals with Substance Use Disorders (SUD) who are Incarcerated in County Jails

Governmental Operations and Insurance Committee oversees the activities, programs, or other matters related to the following departments, agencies, or activities: Legislative Board, Clerk of the Board of Supervisors, County Administrator, County Attorney, County Clerk, Bureau of Motor Vehicles, Real Property Tax Services, Board of Elections, Records and Archives, County Historian, Board of Ethics, Dog Control, Humane Society, Information Services, Regulatory Compliance, County Insurance Programs, Risk Management, Workers' Compensation.

- Resolution Calling on the Office of Mental Health and the Governor to Ensure Long Term Viability to OMH Funded Housing Programs for Individuals with Serious Mental Illness Through Support of the “Bring It Home” Initiative
- Resolution Urging the Governor and State Legislature to Take Over the Fiscal Responsibility for Costs Associated with Students Receiving Preschool Special Education Services in Integrated Universal Prekindergarten Program Classrooms
- Resolution Urging the State to Clarify Its Homelessness Prevention Goals and Develop a More Effective Emergency Shelter Model

• Planning and Environmental Quality:

- Resolution Calling for Amendments to the New York State Electronic Equipment Recycling and Reuse Act and Urging the Department of Environmental Conservation to Expedite the Promulgation of Related Regulations
- Resolution Urging the Governor to Sign Senate Bill 2122A (O’Mara)/Assembly Bill 1841A (Morelle), Which Requires Property Subject to a PILOT to be Included in the Tax Base Growth Factor
- Resolution Supporting Investments in Shovel-Ready/Market-Ready Sites to Make New York More Competitive for Economic Development Projects
- Resolution Supporting Legislation Giving Industrial Development Agencies (IDAs) the Ability to Provide Loans and Grants to Stimulate Economic Investment and Job Creation in New York State

Public Safety:

- Resolution Urging New York State to Fully Fund New Costs Incurred by Counties Related to Raising the Age of Criminal Responsibility, Invest in Provider Capacity to Ensure Appropriate and Meaningful Services and Diversion Programs are Available, and to Develop a Comprehensive Transition and Waiver Process as Counties and New York City Begin Implementing the Law
- Resolution in Support of Efforts to Improve Probation and Alternative to Incarceration in New York State to Protect the Public and Reduce Reliance on Prisons, Jails and Detention
- Resolution Calling on the Governor and the State Legislature to Provide Funding for the State Mandate Pertaining to Inmate Supervision/Drug Overdose Precautions at County Operated Correctional Facilities
- Resolution Calling on the State to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities
- Resolution Calling on Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications, to More Equitably and Efficiently Release the Interoperable Emergency Communication Funds Authorized

Public Works:

- Resolution Urging Increasing and Consolidating Local Road, Bridge and Culvert Funding Distributed through CHIPS
- Resolution Urging Enactment of Legislation to Increase the CHIPS Bidding Threshold

Ways and Means:

- Resolution Urging State Legislative Leaders to Focus Their Property Tax Relief Efforts on Fiscal Reforms that will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties Are Currently Required to Pay for Under State Law
- Resolution Urging the State to Enact Legislation to Ensure a Fair and Level

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Playing Field for All Retailers by Addressing Shortfalls in Internet Sales Tax Collection Practices

- Resolution Urging the Governor and Legislature to Renew Their Commitment to Fully Fund the State Share of Community College Costs and to Fully Fund the Costs of FIT Chargebacks for Students Working Toward Bachelors and Masters Degrees
- Resolution Urging the State of New York and the Seneca Nation to Come to Agreement on Gaming Revenue Sharing
- Resolution Calling on the State to Pay for Any Required Increases in Cost to the Child Protective Service Program
- Resolution Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking County Employment

Supervisor Wille spoke highly of the Resolution Urging Governor Cuomo And the State Legislature to Amend State Insurance Law to Allow Shared Municipal Health Insurance Consortiums. Brian Young added this effort is part of our shared services plan.

Mr. Baker noted concerns for increased costs relating to the Resolution Urging New York State to Fully Fund Early Voting Operations.

Motion to approve the twenty-eight resolutions as a block made by Supervisor Campbell, seconded by Supervisor Wille and carried.

INSURANCE

Risk Manager John Parrott presented information regarding actuarial analysis or risk retention program and workers compensation self-insurance plan. Every two years it is necessary to get an update on the actuarial. Two proposals were received and he is recommending contracting with BY THE NUMBERS ACTUARIAL CONSULTING, INC., for this service. They will provide a report through end of 2017, 2018, and an estimate for 2019.

Motion to approve a resolution to authorize a contract with BY THE NUMBERS ACTUARIAL CONSULTING, INC., made by Supervisor Wille, seconded by Supervisor Campbell and carried.

BOARD OF ELECTIONS

Election Commissioners Northrup and Evangelista requested support of a resolution entitled "Submission of HAVA Operations Expenses by the Board of Elections SHOEBOX Costs, NYS BOE Contract #C003234", which authorizes an extension agreement for reimbursement of expenses relating to HAVA.

Motion to approve the resolution made by Supervisor Bendzlowicz, seconded by Supervisor Baker and carried.

INFORMATIONAL REPORTS

The committee accepted all reports and information submitted regarding:

- a. Workers Compensation and Safety Reports
- b. Monthly MVA report
- c. Key Insurance Workers Comp Report-February 2018

COUNTY ADMINISTRATOR

Ms. Krause reported that staff has met with Transpro Consulting to begin the process of public relations and marketing services. There are plans to create a schedule for press releases to the newspapers. She encourages supervisors to recommend topics of public interest.

EXECUTIVE SESSION

At 2:12 PM, Supervisor Bendzlowicz made the motion, seconded by Supervisor Campbell, to go into executive session regarding discussion on proposed, pending, or

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current litigation and to confer with counsel; motion carried.

At 2:46 PM, Supervisor Baker made the motion, seconded by Supervisor Campbell, to leave executive session; motion carried.

Motion to authorize the County Attorney to execute settlement agreement in the amount of \$6,250.00 as it pertains to action, Mustafa v. Ontario County, made by Supervisor Baker, seconded by Supervisor Bendzlowicz; motion carried.

ACCIDENTS

Chairman Gallahan reported accident activity shows 12 out of 18 accidents in our county last month are deer-struck related.

NEXT MTG DATE

March 21, 2018, at 1:30 PM.

ADJOURNMENT

Motion to adjourn made at 2:50 PM by Supervisor Campbell, seconded by Supervisor Wille and carried.

**RESPECTFULLY
SUBMITTED**

Karen DeMay, Clerk to the Board

[Ontario County Vision Statement](#)

A vibrant community where every citizen has the opportunity to be healthy, safe, and successful