

PROCEEDINGS
OF THE
LEGISLATURE
OF THE
COUNTY OF GENESEE
2019



ROBERT J. BAUSCH – Chair
PAMELA LAGROU – Clerk to the Legislature

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2019 GENESEE COUNTY LEGISLATURE



Seated L to R: Rochelle Stein, 2nd Vice Chair, Robert Bausch, Chair, Marianne
Clattenburg, Vice Chair
Standing L to R: Pamela LaGrou, Clerk, Gary Maha, Gordon Dibble, Andrew Young,

John Deleo, Gregg Torrey, John Hilchey, Jay Gsell, County Manager



GENESEE COUNTY LEGISLATURE

<u>District</u>	<u>Legislator</u>	<u>Town</u>	<u>Years Served</u>
One	John Hilchey	Alabama/Oakfield	2
Two	Robert Bausch	Elba/Byron/Bergen	10
Three	Gordon Dibble	Pembroke/Darien	2
Four	Andrew Young	Batavia/Stafford	6
Five	Rochelle M. Stein	Leroy	9
Six	Gregg H. Torrey	Alexander/Bethany Pavilion	6
Seven	John Deleo	City of Batavia	4
Eight	Marianne Clattenburg	City of Batavia	9
Nine	Gary Maha	City of Batavia	2

**FIRST DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, January 9, 2019**

The Genesee Legislature met in Regular Session on Wednesday, January 9, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Chairman Bausch and Legislator Young assisted with the audit. Prayer was offered by Legislator Hilchey followed by the Pledge to the Flag.

The minutes of the December 12, 2018 Legislature meeting were approved upon motion of Legislator Torrey seconded by Legislator Maha, carried unanimously.

Chairman Bausch reported on his attendance at the Finger Lakes Regional Economic Development Council meeting. County Manager Gsell and Genesee County Economic Development Center Director Steve Hyde were also in attendance. He explained that Vinny Esposito was appointed by the Governor to serve in a regional capacity and there was an announcement made regarding grant funds awarded to Yancy's Fancy. Genesee County remains an active member of this council and takes the work very seriously. Chair Bausch stated the Water Resources Agency met this week and a small work group has been identified and includes Legislator Maha who sits on the Water Resources Agency. Legislator Maha stated he attended the Justice for Children Advocacy Center open house. He explained that Kiwanis Club of Batavia has raised \$200,000 for the Center who has a good partnership with the Church. The JCAC leases the Church owned home which will be renovated to better meet the needs of the program.

County Manager Jay Gsell commented that an arbitration panel decided (2-1) to support New York State regarding monies owed by the Seneca Nation to the State and some local governments. Genesee County had been receiving around \$320,000 per year since we have a casino/racino in the County. The County has not received the payments in 2017 or 2018. The Seneca Nation has the option to appeal the decision however there is no indication if they will.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 1 APPOINTMENT TO THE GLOW WORKFORCE
DEVELOPMENT BOARD MEMBERSHIP**

Legislator Clattenburg offered the following resolutions:

WHEREAS, The Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

WHEREAS, The Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the following appointments to the GLOW Workforce Development Board:

Tom Thomas who represents Labor Union IEU-CWA Local 81495 for Lapp Insulators has been nominated as a GLOW Workforce Representative for Labor Organizations to serve an ongoing term.

RESOLVED, That the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 2 CONTRACT RENEWAL – DEFERRED COMPENSATION SERVICES- APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The contract for deferred compensation services did expire December 31, 2018 and the contract has renewal provisions, and

WHEREAS, the County Treasurer and the Purchasing Director recommend exercising the final renewal clauses at this time with ICMA-RC and the Committee on Ways & Means concurs, now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a one year renewal contract with ICMA-RC for 457 Plan Services to expire December 31, 2019.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 3 TREASURER/REAL PROPERTY TAX REFUNDS 2019 - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The New York State Real Property Tax Law, Section 554 and 556, provides an administrative correction of error process to assist the property owner in obtaining real property tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact, and

WHEREAS, 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, Section 554 and 556, and

WHEREAS, The Committee on Ways and Means does recommend that the Treasurer be delegated to perform said duties. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director's recommended refund is \$2,500 dollars or less, and

RESOLVED, That on the fifteenth day of each month, the Genesee County Treasurer shall submit a report to the Genesee County Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund.

Budget Impact: Refund is charged to allowance for uncollectible which has a balance of approximately \$50,000.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 4 2019 INTER-MUNICIPAL AGREEMENT – TREASURER / REAL PROPERTY – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The City of Batavia has requested services from the Real Property Division of the Treasurer's Office including real property tax project management services, and

WHEREAS, In the spirit of inter-municipal collaboration and the goal of equity and fairness for all City of Batavia real property owners, the Director of Real Property does recommend the County enter into this agreement, and the Committee on Ways and

Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized to execute an Agreement between the County of Genesee and the City of Batavia, One Batavia City Center, Batavia, New York 14020 for professional services at the rate of \$10,000 per year for the period January 1, 2019 through December 31, 2020, with a stipulation to continue the contract from January 1, 2021 through December 31, 2021 and Be it further

RESOLVED, That under this Agreement the parties agree to discuss the continuation of this arrangement and the cost of any additional years of service.

Budget Impact: \$10,000 revenue, \$10,000 offset by appropriations per fiscal year.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 5 TERMINATE AGREEMENTS WITH CHAMBER OF COMMERCE, INC. – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County is the recipient of a Small Cities Community Development Block Grant in the amount of \$200,000 pursuant to a grant received from the New York State Housing Trust Fund Corporation represented by the New York State Office for Small Cities (OFSC) through the Community Development Block Grant (CDBG) Program (OFSC Grant # 444ME19-04) and a New York State Community Development Block Grant in the amount of \$100,000 pursuant to New York State NYSCDBG Program Community Development Block Grant Agreement Project NO. 444ME18-07, and

WHEREAS, The Chamber is the sub-recipient of the grants pursuant to two agreements with the County and currently possesses, as a sub-recipient, CDBG cash-on-hand and notes receivable which constitute the Chamber's existing loan portfolio and which constitute Program Income (as defined in the CDBG regulations) of the County which is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development and the New York State of Office of Community Renewal (OCR) regarding their use, and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and that any loan repayments received by revolving loan funds which constitute Program Income after March 31, 2019 must be remitted to OCR and, as a result, repayments received on loans held by the Chamber in its loan portfolio after such date will no longer be available to make loans in Genesee County, and

WHEREAS, in light of OCR's directive, the County and the Chamber have discussed the advisability of liquidating the Chamber's loan portfolio and terminating the Sub-recipient Agreements, which would allow for the return to the County of all Program Income held by the Chamber in the form of cash on hand (including the proceeds from the sale of the loan portfolio), enabling the County to utilize or commit the Program Income for CDBG-eligible activities within Genesee County prior to March 31, 2019, and

WHEREAS, the Chamber and the County, utilizing the services of a consultant, have analyzed and assessed the value of the outstanding loans for purposes of a sale to a third party, including applying discount rates to reflect risk factors and costs associated with collection of the loans, and arrived at a valuation of the loans outstanding as of September 30, 2018 in the amount of \$15,622.17, and

WHEREAS, The Genesee Gateway Local Development Corporation (“GGLDC”) has approved the acquisition of the Chamber’s loan portfolio for a purchase price (net of loan transfer costs) not to exceed \$14,000.00, and

WHEREAS, no banks have expressed an interest in acquiring the loan portfolio and the sale of the loan portfolio to a local not-for-profit corporation which will be sensitive to the unique circumstances of many of the borrowers is desirable and is consistent with the intent of the loan program to provide support to small businesses with Genesee County. Now, therefore, Be it **RESOLVED**, that pursuant to the SEVENTH paragraphs in both Sub-recipient Agreements, upon forwarding a certified copy to, and upon agreement of the Chamber, both Sub-recipient Agreements are hereby terminated, and the County does hereby waive the 90 day prior written notice provisions therein, and Be it further

RESOLVED, that as required in the said SEVENTH paragraphs of both Sub-recipient Agreements, at a time after termination as agreed upon by the parties, the Chamber will turn over all funds in its possession, including the proceeds of the sale of its outstanding loans to the GGLDC, or otherwise, and thereafter provide to the County a final financial statement with copies of any and all records that may be requested by the County, and Be it further

RESOLVED, that the funds received from the Chamber shall be used for an eligible project or activity to be determined by the County after receipt of the funds, and Be it further

RESOLVED, that the Chair of the Legislature is hereby authorized and directed to execute all documents as shall be necessary or appropriate to effectuate the purposes set forth in this resolution.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 6 LEASE RENEWAL-GENESEE COMMUNITY COLLEGE/VET TECH PROGRAM – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, In 2011 Genesee County did enter into an agreement with Genesee Community College for lease of space at County Building No. Two for the Veterinary Technology Program through Genesee Community College, and

WHEREAS, Genesee Community College has expressed their desire to renew the lease for an additional year to include only the storage area, and

WHEREAS, The Genesee County Manager and County Attorney have reviewed the said agreement and do recommend the one year lease renewal agreement and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Genesee Community College and the County of Genesee for the lease of space in County Building No. Two effective August 1, 2018 through July 31, 2019; at a cost of \$2,183.60

Budget Impact: Rent for 212 sq. ft. at \$10.30/sq. ft. = \$2,183.60.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 7 GENESEE COUNTY ETHICS AND DISCLOSURE LAW- DESIGNATION OF POLICY MAKING POSITIONS AND BOARDS-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Local Law No. One Year 1992 did create the Genesee County Ethics and Disclosure Law which requires the Legislature to determine annually additional County Officers

and Employees holding policy-making positions, and
WHEREAS, The Committee on Ways and Means did review positions and boards and does recommend approval at this time. Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby designate the following boards and additional positions as policy-making, thereby obligated to complete and file an annual statement of financial disclosure on or before May 31 of each year.

GCC Board of Trustees
GCEDC Board
GGLDC Board
Genesee County Funding Corporation Board
GCEDC President/CEO, Sr. VP of Operations, VP Business Dev., CFO, Dir. Of Marketing
Genesee County Board of Health
Genesee County Community Services Board
Genesee County Planning Board
Genesee County Soil & Water Directors
Genesee County Ethics Board
Genesee County Water Resources Agency Board
County Assistant Attorneys
Assistant District Attorneys
Assistant County Manager

Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 8 OFFICIAL NEWSPAPER FOR THE COUNTY OF
GENESEE – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Republican Committee and the Genesee County Democratic Committee did recommend the Daily News, 2 Apollo Drive, Batavia, New York as the Official Newspaper for the Year 2019, pursuant to Chapter 214 of the County Law. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby designate the Daily News as the Official Newspaper for the Year 2019.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 9 COUNTY AUDIT – JANUARY 9 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Bausch, did review the following claims:

2018 General Fund	\$ 1,108,582.03
2019 General Fund	664,358.93
2018 Self Insurance	12,996.24
2019 Self Insurance	50,036.75
2018 Highway	123,702.05
2019 Highway	91.82
2018 Water Fund	72,347.16
DSS Abstracts	214,966.58

Capital Projects

Airport-Reconstruct Taxiway "C"	\$	379.58
Airport-Construct 8-Bay T-Hangar		66,856.25
Highway-Large Span Culverts		2,927.96
Highway-Highway-Searls Rd Bridge over Spring Creek		15,754.90
County Managers-2017 Security Enhancements		18,039.53
Facilities Management-Energy Performance Contract		300,700.00
Sheriff's- 800 Mghtz Radio System Upgrade		8,900.00
Jail- Jail Elevator Modernization		35,743.00
Payroll – General		
December 21, 2018	\$	1,558,740.25
January 4, 2019		1,103,215.96
Medicaid		
December 18, 2018		177,332.00
December 24, 2018		177,332.00
December 31, 2018		177,332.00
January 8, 2019		<u>177,332.00</u>
Total Audit	\$	6,067,666.99

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Young seconded the resolution which was adopted by 326 votes.

The meeting adjourned at 5:42 pm upon motion of Legislator Stein seconded by Legislator Deleo, carried unanimously.

**SECOND DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, January 23, 2019**

The Genesee Legislature met in Regular Session on Wednesday, January 23, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Hilchey assisted with the audit. Prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

The minutes of the January 9, 2019 Legislature meeting were approved upon motion of Legislator Maha seconded by Legislator Dibble, carried unanimously.

Legislator Maha reported that the E-911 Board structure analysis was completed on the Cedar Street Tower. Icing issues have been identified and improvements are needed. All other towers are fine. State funding will be utilized for the needed improvements. Legislator Clattenburg attended the Holland Land Office Museum volunteer luncheon where members expressed appreciation for work and maintenance completed by the County. She attended the Genesee Association of Municipalities meeting where there was a lively discussion and consensus from GAM members that they are seeking written confirmation of the Legislature's intention to provide revenue disbursements for the next two years. Chairman Bausch commented he is drafting that letter. Chair Bausch stated the Jail Committee met again and will bring a recommendation for engineering/architect to the Public Service Committee next month.

Out-of-State Travel Request for Tim Hens, Highway Superintendent to travel to Washington DC for NACE Executive Committee Meeting & NaCo Transportation Steering Committee February 27 –March 6, 2019 Cost \$133.00. Motion for approval of the out-of-state travel request made by Legislator Hilchey seconded by Legislator Clattenburg, carried.

County Manager Jay Gsell commented that the State Budget has been released and will be discussed in detail at the NYSAC Legislative Conference in Albany next week. Changes to Elections have been passed by the State Legislature and include moving up Primary Elections to coincide with Federal Primary Dates and early voting. Aid to Municipalities (AIM) has been cut in this year's budget which affects all but two municipalities (Batavia City & Town of LeRoy).

The Clerk proceeded with the Resolutions:

RESOLUTION NO. 10 2018 BUDGET AMENDMENT – SHERIFF / FEDERAL ASSET FORFEITURE - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, a 2015 Ford Edge vehicle was forfeited and is being retained by the Sheriff's Office for law enforcement purposes, and

WHEREAS, pursuant to the Equitable Sharing Memorandum with the United States Marshals Service, the federal share of this vehicle is \$4,190, and

WHEREAS, in order to process the paperwork for the title of this vehicle, the U.S. Marshals Service required a check in this amount be received by December 27, 2018, and although there was not enough funds in the Forfeiture of Crime Proceeds account (A3110.2626) but there are funds in the Federal Restricted Fund Account (A899.5), and

WHEREAS, the Sheriff has requested a budget amendment to transfer funds to cover this expense, and

WHEREAS, the Committees on Public Service and Ways & Means did review this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2018 budget amendment:

\$4,190 to Sheriff's Account A3110.2060.0000 (Vehicles)

Offset by increasing Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds) by \$4,190, with funds to come from Account A899.5 (Federal Restricted Fund)

Budget Impact: Increase in Sheriff's appropriations of \$4,190, to cover the United States Marshals Service federal share of a forfeited vehicle as a result of a Federal drug seizure, to be offset by an increase in revenue from the Federal Restricted Fund.

Legislator Dibble seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 11 2019 SALARY SCHEDULE AMENDMENT- JUSTICE FOR CHILDREN ADVOCACY CENTER - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, A Family Advocate at the Justice for Children Advocacy Center has resigned, resulting in a vacancy as of October 22, 2018 and;

WHEREAS, it has been determined that deleting this one Family Advocate position and creating a Lead Family Advocate position instead of filling this vacancy with a Family Advocate would be in the best interest of the Justice for Children Advocacy Center and the County and;

WHEREAS, The Justice for Children Program Coordinator did request an amendment in the 2019 Employee Salary Schedule in order to increase the amount of support for frontline staff and ensure the highest level of case coordination within all three JFCAC offices and;

WHEREAS, The Committees on Public Service and Ways and Means did review the request and do recommend the changes be implemented at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2019 Employee Salary Schedule by deleting one full-time, Family Advocate, Grade 9 position and adding one full-time, Lead Family Advocate, Grade 18 position effective January 24, 2019.

Budget Impact: Grants from the New York State Office of Victim Service and New York State Office of Children and Family Service fully fund this position.

Legislator Maha seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 12 CONTRACT RENEWAL - JUSTICE FOR CHILDREN ADVOCACY CENTER- OFFICE CLEANING SERVICE – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Justice for Children Advocacy Center has had a contract with H2H Facility Services Inc. for cleaning services at the Batavia, Albion, and Warsaw locations since March 1, 2017; and

WHEREAS, The Justice for Children Program Coordinator has made a request to renew the contract with H2H Facility Services, Inc.; and

WHEREAS, The Committee on Public Service did review the recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to renew the contract with H2H Facility Services, Inc., 202 W. Henrietta Rd., Suite 2A, Rochester, NY 14623 for office cleaning service at the Batavia, Albion, and Warsaw sites of the Justice for Children Advocacy Center at a monthly rate of \$505.82.

Budget Impact: Funds for office cleaning services are fully covered by grants from the NYS Office of Children and Family Services and the NYS Office of Victim Services and are already included in the 2019 Justice for Children Advocacy Center Budget.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 13 2018 BUDGET TRANSFER – DISTRICT ATTORNEY – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The District Attorney has requested a transfer of funds in the 2018 County Budget, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following budget transfer:

- \$2,639 from A.1165.8030.0000 (Medical)
- \$1,339 to A.1165.4640.0014 (Court Reporter/GJ)
- \$400 to A.1165.4540.0000 (Mileage)
- \$400 to A.1165.4800.0000 (Program Expense)
- \$500 to A.1165.4140.0000 (Postage)

Budget Impact Statement: No net impact on the 2018 budget, shifting funds between expense accounts. Due to a retirement of an employee who had a family health insurance plan and the replacement of that employee with one who has a single plan, we have available funds in our Medical Account.

Legislator Maha seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 14 2018 BUDGET TRANSFER- PUBLIC DEFENDER/ MEDICAL EXPENSE

Legislator Hilchey offered the following resolution:

WHEREAS, an employee of the Public Defender’s Office required medical insurance after the 2018 budget was approved, thus there was a shortage of funds in the medical expense line, and

WHEREAS, The Public Service and Ways and Means Committees did review the request and recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer funds as follows:

Increase Expense Line 8030.0000 Medical \$788.00

Offset with funds to be transferred from Expense Line 4660.0000 – Contracted Other in the amount of \$788.00.

Budget Impact: There is no budget impact. Funds are being transferred within the Public Defender’s Budget

Legislator Dibble seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 15 2018 BUDGET TRANSFER - EMERGENCY MANAGEMENT SERVICES — APPROVAL OF

Legislator Maha offered the following resolution

WHEREAS, An employee opted in for dental coverage mid –year has resulted in a shortage in the Dental budget line, and

WHEREAS, The Coordinator of Emergency Management Services did request a transfer of funds within the 2018 Emergency Management department budget to cover the current shortage , and

WHEREAS, The Committee on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfer in the 2018 budget:

Decrease appropriation A3640.4660.0660 Consulting Service in the amount of \$193.00, and Increase appropriations A.3640.8040.0000 Dental in the amount of \$193.00.

Budget Impact Statement: None. Sufficient funds are available in account A.3640.4660.0660 (Consulting Service) to cover the shortage in A.3640.8040.0000 (Dental) in the 2018 County Budget.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 16 DECLARATION OF SURPLUS COUNTY PROPERTY /ACCEPT GIFTED FIRE ENGINE --EMERGENCY MANAGEMENT SERVICES - APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator has deemed the 1986 Ford Fire Engine as inefficient and requests permission to declare this pumper/engine as surplus property, and

WHEREAS, The East Pembroke Fire District has gifted a 1991 Pierce Dash Fire Engine with 24,167 miles with a 1000 GMP Waterous Pump and Center Mount Pump Controls to the Genesee County Fire Training Center, and

WHEREAS, Ownership of an engine enables the county to fulfill its mission of providing safe and effective training programs mandated by the NYS Live Fire Training Policy, and

WHEREAS, The Committee on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature is hereby authorized and directed to accept the gifted 1991 Pierce Dash Fire Engine and to surplus the 1986 Fire Engine to be disposed of at public auction or other appropriate method.

Budget Impact Statement: None.

Legislator Torrey seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 17 GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL BUDGET - FINANCIAL SUPPORT FOR 2019 - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Section 239c of Article 12b of the General Municipal Law authorizes that governing bodies of participating municipalities in a regional or metropolitan planning agency may collaborate with other local governments to appropriate and raise by taxation money for the expenses of such regional Planning Boards, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has formally notified this Legislature that, under its proportional funding formula, Genesee County's 2019 share will be \$9,970 and

WHEREAS, The Committee on Public Service does recommend approval of payment of Genesee County's share at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize continued participation in the Genesee/Finger Lakes Regional Planning Council and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$9,970 as appropriated in the 2019 Budget, Account A8025.4660.0000.

Budget Impact: The 2019 Genesee County Budget appropriated \$9,970.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other). This amount has remained unchanged for the last eighteen years. The Annual Report from G/FLRPC has historically shown a significant “return” for this investment.

Legislator Hilchey seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 18 OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The County of Genesee has appropriated the sum of \$9,970 as its share of the 2019 operating funds of the Genesee/Finger Lakes Regional Planning Council, and

WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000, and the Committee on Public Service does recommend approval at this time. Therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Budget Impact: The 2019 Genesee County Budget appropriated \$9,970.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other). This amount has remained unchanged for the last eighteen years. The Annual Report from G/FLRPC has historically shown a significant “return” for this investment.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 19 CERTIFICATES OF INSURANCE- GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE EVENTS: KINDER FARMIN’, HEMLOCK FAIR, WYOMING COUNTY FAIR, APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in and conduct a presentation at the Kinder Farmin’ event sponsored by Genesee County Farm Bureau at Reyncrest Farm, in the Town of Corfu for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Recycling Administrator has been invited to participate in the Hemlock Fair by the Hemlock Lake Union Agricultural Society for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event on , and

WHEREAS, The Recycling Administrator has been invited to participate in the Wyoming County Fair

by the Wyoming County Fair Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and **WHEREAS**, The Public Service Committee does concur with these recommendations. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in Kinder Farmin' event to be held at Reyncrest Farm in the Town of Darien on June 5, 2019, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in Hemlock Fair to be held in Hemlock, NY from July 16-20, 2019, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Wyoming County Fair to be held in Pike, NY from August 10- 17, 2019.

Budget Impact: There is no cost for the Kinder Farmin'. The cost of booth space for the Hemlock Fair is \$135.00 and is included in GLOW's 2019 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant. The cost of booth space for the Wyoming County Fair is \$180.00 and was prepaid and included in GLOW's 2019 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant. Legislator Dibble seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

**RESOLUTION NO. 20 2019 ITEM TRANSFER AND BUDGET
AMENDMENT/SALARY SCHEDULE AMENDMENT-HIGHWAY- FACILITIES
MANAGEMENT/PARKS/AFSCME-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has requested eliminating the Supervisor of Buildings and Grounds position from the Facilities Management Budget and creating a Senior Building Maintenance Mechanic position (Less Than Full-Time) in the Facilities Management Budget, and

WHEREAS, The Genesee County Highway Superintendent has requested the elimination of the Park Supervisor/Forester position and creating a Deputy Highway Superintendent position in the Parks Department Budget, and

WHEREAS, The Genesee County Highway Superintendent has requested an upgrade to the Deputy Highway Superintendent in the County Road Fund budget from a Grade 115 to a Grade 117, and

WHEREAS, The Committees on Public Service and Ways and Means did review these requests and do recommend the changes be implemented at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfers from A1620 to A7110:

DECREASE FACILITIES MANAGEMENT A1620

1010.0000 Personnel Services	\$22,375
8010.0000 Social Security Tax	\$ 921
8011.0000 Medicare Tax	\$ 216
8020.0000 Retirement	\$ 2,347

INCREASE FACILITIES MANAGEMENT A1620

8030.0000 Medical	\$ 261
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INCREASE A7110	
1010.0000 Personnel Services	\$10,201
8010.0000 Social Security Tax	\$ 632
8011.0000 Medicare Tax	\$ 148
8020.0000 Retirement	\$ 1,612
4330.0000 Vehicle Lease Rental	\$ 7,257

INCREASE A 9902.9
 Transfer to County Road \$5,748

And be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2019 budget amendment:

Increase D5010.5031 in the amount of \$5,748, Interfund Transfer,

INCREASE COUNTY ROAD FUND D5110

1010.0000 Personnel Services	\$ 4,656
8010.0000 Social Security Tax	\$ 289
8011.0000 Medicare Tax	\$ 68
8020.0000 Retirement	\$ 735,

and Be it further

RESOLVED, That the Genesee County Treasurer and the Genesee County Human Resources Director is hereby authorized and directed to amend the 2019 Management Salary Schedule to eliminate the Supervisor of Buildings and Grounds position (Grade 113) and amend the 2019 Employee Salary Schedule by creating a (0.8 FTE) Less Than Full-Time Senior Building Maintenance Mechanic position, AFSCME, Grade 13, effective January 28, 2019, and Be it further

RESOLVED, That the Genesee County Treasurer and the Genesee County Human Resources Director is hereby authorized and directed to amend the 2019 Management Salary Schedule to eliminate the Park Supervisor/Forester position (Grade 113) and create a Deputy Highway Superintendent position (Grade 117), effective January 28, 2019, and Be it further

RESOLVED, That the Genesee County Treasurer and the Genesee County Human Resources Director is hereby authorized and directed to amend the 2019 Management Salary Schedule to increase the current Deputy Highway Superintendent position from a Grade 115 to a Grade 117 with an annual salary set at \$74,000, effective January 28, 2019,

Budget Impact: None, funds are in A1620 due to a retirement

Legislator Maha seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 21 SUPPLEMENTAL CONSULTANT AGREEMENT PRATT RD BRIDGE – CONSTRUCTION INSPECTION AND ADMINISTRATION - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid pass-thru grant to replace the Pratt Road over the Tonawanda Creek, and

WHEREAS, Genesee County has an existing consultant agreement with Barton & Loguidice for the design of the project, and

WHEREAS, construction inspection and construction administration services will be required to complete the project and conform with the rules and regulations of the Federal Highway Administration, and

WHEREAS, The Genesee County Highway Superintendent has reviewed a supplemental agreement covering this work and does recommend approval at this time, and

WHEREAS, The Committee on Public Service has reviewed this request and does concur at this time, Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with Barton & Loguidice, 290 Elwood Davis Rd, Bo 3107, Syracuse, NY 13220 for construction inspection and administration services related to the replacement of the Pratt Road Bridge over the Tonawanda Creek in a cost not to exceed \$184,000.

Budget Impact: The supplemental agreement is for \$184,000. The capital project established for this bridge replacement has funds available for this agreement and is funded at 95% federal aid and 5% local match.

Legislator Torrey seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

**RESOLUTION NO. 22 CONTRACT RENEWAL – AVIATION FUEL PRODUCTS—
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County requires a contract for the supply of aviation fuel products at the Genesee County Airport, and

WHEREAS, Genesee County has awarded an existing contract for this service that expires on February 28, 2019, and

WHEREAS, The existing contract includes options for three, one-year renewal periods, and

WHEREAS, The Genesee County Highway Superintendent recommends the first one- year extension to this contract at this time, and

WHEREAS, The Committee on Public Service has reviewed this recommendation and does concur, and Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby extend the contract for the supply of aviation service products with Ascent Aviation Group, One Mill Street, Parish, NY for the period of March 1, 2019 through February 28, 2020.

Budget Impact Statement: Airport Fund includes a budgeted expense for aviation fuel with offsetting revenue.

Legislator Dibble seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

**RESOLUTION NO. 23 CAPITAL PROJECT AMENDMENT/BUDGET
AMENDMENT – HIGHWAY- APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Superintendent of Highways has established capital projects for the repairs of highways and bridges, and

WHEREAS, The County has been awarded a State Aid “Pass-thru” grant from the Genesee County Soil & Water Conservation District in the amount of \$18,483.37 for use with culvert replacements, and

WHEREAS, The Superintendent of Highways recommends accepting the grant funding and increasing the funding available for long span culvert replacements, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed these recommendations and does concur at this time. Now, therefore, Be it

RESOLVED, That the Chair of Genesee County Legislature is hereby authorized to execute the State Aid “Pass-Thru” agreement with the Genesee County Soil & Water Conservation District

in the amount of \$ 18,483.37, and

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 Budget for 2017 Large Span Culverts by increasing H5197 2797, Other Local Governments, in the amount of \$18,483.37 to be offset by an increase in H5197 2080 0000 Capital Project Expense in a like amount.

Budget Impact: Increase of \$ 18,483.37 in Aid.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 24 AWARD OF BID-2-½ TON DUMP TRUCK/ HIGHWAY

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed state and local bids on dump trucks for use at the County Highway Department and does recommend awarding the bid to the lowest responsible bidder, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused 2019 F-750 Dump Truck and Body from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445 at a cost not to exceed \$162, 897.73 as per Item #3 of the Onondaga County Contract #7974.

Budget Impact: The equipment will be purchase using 2019 Asset Acquisition Funds. Budgeted amount for this purchase is \$165,000. The total cost of the fully outfitted truck is \$162,897.73.

Legislator Clattenburg seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 25 AWARD OF BID- ½ TON PICKUP-HIGHWAY

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed state and local bids on light duty trucks for use at the County Highway Department and does recommend awarding the bid to the lowest responsible bidder, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused Ford F-150 Pickup Truck from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445 at a cost not to exceed \$32,706 as per the Onondaga County Contract #8771.

Budget Impact: The equipment will be purchase using Equipment Funds from the 2019 DM5130 Road Machinery Fund. Budgeted amount for this purchase is \$33,313. The total cost of the fully outfitted truck is \$32,706.

Legislator Clattenburg seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 26 AWARD OF BID- EQUIPMENT LIFT/HIGHWAY

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed state and local bids on tractors for use at the County Highway Department and does recommend awarding the bid to the lowest responsible bidder, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused Flush Mount 14,000 lb Capacity Lift from Rotary Lift, 2700 Lanier Dr, Madison, IN 47250 in an amount not to exceed \$43,065.32 as per the NY SOGS Contract Number PC67297.

Budget Impact: The equipment will be purchased using Asset Acquisition funds. Budgeted amount for this purchase is \$59,000 and the actual cost of the item is \$43,065.32.

Legislator Dibble seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 27 GENESEE COUNTY PARKS - FEE SCHEDULE UPDATE - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Park Supervisor has requested to update the fee schedule at the Genesee County Parks, and

WHEREAS, The Committee on Public Service does concur with this request. Now, therefore, Be it,

RESOLVED, The Park Supervisor is hereby directed to establish a fee schedule for the Genesee County Parks as per the following effective immediately.

Genesee County Park and Forest:

- \$ 70.00 - Pavilions A, B, S, E
- \$125.00 – Pavilion D
- \$30.00 – Pavilions B1, B2, S3, E1, E2, F, G, H, Fleming

Dewitt Recreation Area

- \$100.00 – Pavilion 1
- \$125.00 – Pavilion 2
- \$30.00 – Pavilion 3

New Interpretive Center Fees:

- Discovery Zone \$ 50.00
- Activity Room, Classroom \$150.00
- Entire Building (Weekdays only) \$300.00

Special Event Fee \$250.00

Budget Impact: Reduces general fund contribution to the Park through increased revenues.

Legislator Maha seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 28 2019 BUDGET AMENDMENT – COUNTY PARK/INTERPRETIVE CENTER – ACORNS DONATION --APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Association for Conservation of Outdoor Recreation and Natural Spaces (ACORNS), a non-profit group which supports programming and activities at Genesee County Parks, wishes to donate funds to Genesee County in order to support a Student Conservation Association internship, and

WHEREAS, The Park Supervisor-Forester and Highway Superintendent have reviewed this request and recommend acceptance of the donation and request at this time, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this request and do concur with the recommendation at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2019 County Budget by increasing A7110.INTC.2002 Interpretive Center Programs by \$5,677.00 and increasing A7110.INTC.4660.0000 Contracted-Other by \$5,677.00.

Budget Impact: This \$5,677.00 donation will directly fund a 40hr/wk. – 12wk. internship that will be used by the County as a volunteer coordinator and environmental education assistant.

Legislator Hilchey seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 29 DONATION ACCEPTANCE – STORAGE CABINETS - GENESEE COUNTY PARKS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The County has a policy for accepting donations of value over \$1,000, and

WHEREAS, The ACORNS, County Parks volunteer organization has donated two 24”x36”x78” HD black storage cabinets and two 24x36 cabinet dollies for the Genesee County Park & Forest Interpretive Center valued at \$1,110.00 and

WHEREAS, The Highway Superintendent and Genesee County Parks Supervisor-Forester do request the approval of accepting the above mentioned donations, and

WHEREAS, The Committee on Public Service does concur with these requests, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature accept the cabinet and dolly donations from the ACORNS.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 30 SPECIAL EVENT - ASSOCIATION for CONSERVATION OF RECREATIONAL and NATURAL SPACES (ACORNS) - GENESEE COUNTY PARK & FOREST - GENESEE COUNTY PARKS - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, A Special Events application was received from the Association for Conservation Of Recreational and Natural Spaces (ACORNS) to use the Genesee County Park and Forest for a 5K/10K trail run and walk fundraiser on October 6, 2019, and

WHEREAS, The Parks Supervisor-Forester did review and recommends approval of, and

WHEREAS, The Committee on Public Service does concur with these requests. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby grant permission to the Association for Conservation Of Recreational and Natural Spaces (ACORNS) to use the Genesee County Park and Forest for a 5K/10K trail run and walk fundraiser on October 6, 2019 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None.

Legislator Clattenburg seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 31 ELIMINATION OF PETTY CASH FUND JOB DEVELOPMENT BUREAU – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, By Resolution No. 4 - 1985 dated January 30, 1985 a Petty Cash Fund in the amount of \$50.00 was established for the Job Development Bureau’s Department. And,

WHEREAS, The Director of the Job Development Bureau does hereby request that the Job Development Bureau’s Petty Cash Fund in the amount of \$50.00 be eliminated. And,

WHEREAS, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to eliminate the Job Development Bureau Petty Cash fund of \$50.00 effective immediately upon approval of the Legislature.

Budget Impact: None.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 32 SET PUBLIC HEARING – LOCAL LAW INTRODUCTORY NO. 1, YEAR 2019-BED TAX EXTENSION-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No. 1, Year 2019 “**A LOCAL LAW TO AMEND LOCAL LAW NUMBER TWO, YEAR 1995, AS AMENDED BY LOCAL LAW NO. FOUR, YEAR 1998, LOCAL LAW NO. SIX, YEAR 2001, LOCAL LAW NO. FOUR, YEAR 2004, LOCAL LAW NO. TWO YEAR 2007, LOCAL LAW NO. ONE YEAR 2010, LOCAL LAW NO THREE YEAR 2013, AND LOCAL LAW NO. TWO YEAR 2016, IMPOSING A HOTEL/MOTEL ROOM OCCUPANCY TAX IN THE COUNTY OF GENESEE, WITH REGARD TO THE EXPIRATION THEREOF.**” and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, That a public hearing shall be held on proposed Local Law Introductory No. One by the Genesee County Legislature on the 13th day of February, 2019 at 5:30 pm at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislator Maha seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

RESOLUTION NO. 33 COUNTY AUDIT –JANUARY 23 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Hilchey, did review the following claims:

2018 General Fund	\$	849,706.66
2019 General Fund		602,800.43
2018 Self Insurance		7,255.38
2019 Self Insurance		55.00
2018 Highway		70,192.74
2018 Sales Tax		5,335,190.10
2018 Water Fund		477,061.75
2019 Water Fund		256,994.15
DSS Abstracts		630,835.13
Capital Projects		
Airport-Reconstruct Runway 10-28	\$	16,429.23
Highway-Large Span Culverts		35,381.35
Highway-Highway-Searls Rd Bridge over Spring Creek		71,471.94
Highway-Highway CR #5		194,698.00

Highway-Preventative Maint Bridge Painting	3,815.35
Highway-Highway 2017 Surface Treatment	11,340.10
Facilities Management-Energy Performance Contract	250,229.00
GCC-Wellness & Event Center	85,790.36
Payroll – General	
January 18, 2019	1,547,903.75
Medicaid	
January 15, 2019	177,332.00
January 23, 2019	<u>177,332.00</u>
Total Audit	\$ 10,801,814.42

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Deleo seconded the resolution which was adopted by 236 votes, Legislators Young (47) and Stein (43) absent.

At 5:48 pm the meeting adjourned upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried.

**THIRD DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, February 13, 2019**

The Genesee Legislature met in Regular Session on Wednesday, February 13, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Deleo assisted with the audit. Prayer was offered by Legislator Stein followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Bausch opened a Public Hearing on Local Law Introductory No. One Year 2019 to Extend Imposing a Hotel/Motel Room Occupancy Tax in the County of Genesee. All interested parties were invited to be heard.

Minutes of the January 23, 2019 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Legislator Maha reported that the Water Resources Agency Emergency Water Subcommittee met on January 25th where it was determined this is a complex and involved issue. Next subcommittee meeting is February 26th at 9:00 am. Legislator Stein announced that Inter County Association is set to meet Friday at the Monroe County Airport. Soil and Water Conservation District is holding its annual tree and plant sale, brochures will be left with the Clerk. Chairman Bausch reported that he and Legislator Torrey attended NYSAC Legislative Conference where there was discussion regarding the proposed State budget, Internet Sales Tax collection, State Mandates and Bail Reform. There was an interesting panel discussion on Marijuana that included a farmer and a woman who suffers from Lupus who has experienced relief after finding the right formula of Medical Marijuana.

The Genesee County Parks & Forestry Department sent a full-color 2018 report with photos and updates on projects and programs at the Parks. The document will be available in the Administrative Office.

Out-of-State Travel Requests:

1. Treasurer Scott German to travel to Dallas, Texas for Annual Tyler New World Conference April 7-10, 2019 with a cost to the County of \$1,884. This was approved upon motion of Legislator Clattenburg seconded by Legislator Maha, carried.
2. Laura Wadams, Highway Department to travel to Wichita, Kansas for NACE Annual Meeting & Technical Conference April 14-18, 2019 at a cost to the County of \$1,794. This was approved upon motion of Legislator Stein seconded by Legislator Dibble, carried.
3. Highway Superintendent Tim Hens to travel to Wichita, Kansas for NACE Annual Meeting & Technical Conference April 14-18, 2019 at a cost to the County of \$753. This was approved upon motion of Legislator Deleo seconded by Legislator Maha, carried.
4. Cheryl Andre, Information Technology to travel to Dan Diego, CA for ESRI user Conference 2019 July 7-12, 2019 at a cost to the County of \$2,819. This was approved upon motion of Legislator Deleo seconded by Legislator Maha, carried.

Chairman Bausch commented that this year there is a move to increase legislative actions into the budget, more so than previous years. He stated he attended the Sheriff's Department annual awards luncheon where Carolyn DellaPenna received a well-deserved award. County Manager Jay Gsell further stated that the budget was discussed at length at NYSAC Conference and that our Raise the Age plan has not been approved by the State yet. He commented that there was a robust discussion at CJAC on the legalization of marijuana that included judges and law

enforcement. There is an opt-out option for counties with a population of 100,000 or more. The opt-out provision is for having a dispensary. He expects further discussion on the legalization of marijuana and the far-reaching impacts in the county and state.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 34 AGREEMENT AMENDMENT/OFA-CERTIFICATE OF INSURANCE /VNA HOMECARE OPTIONS DBA NASCENTIA HEALTH–HOME DELIVERED & CONGREGATE MEALS - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement amendment for meal service rate increase with VNA Homecare Options, LLC, a State of New York Limited Liability Company dba Nascentia Health, for the provision of home delivered and congregate meals for Nascentia Health’s Genesee County clients eligible and authorized by Nascentia Health to receive Medicaid-covered home delivered and congregate meals; and such meals to be provided by Genesee County Office for the Aging’s Nutrition Services Program; and

WHEREAS, The agreement is automatically renewable on an annual basis; and

WHEREAS, The agreement requires a certificate of insurance indicating general liability insurance in the amount of at least One (1) Million Dollars per occurrence with Three (3) Million Dollars in the aggregate naming VNA Homecare Options dba Nascentia Health, 1050 West Genesee Street, Syracuse, NY 13204-2215, as additional insured; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name VNA Homecare Options, LLC, dba Nascentia Health, 1050 West Genesee Street, Syracuse, NY 13204-2215 as additional insured; and may it further be

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to amend the existing agreement with VNA Homecare Options, LLC, dba Nascentia Health, 1050 West Genesee Street, Syracuse, NY 13204-2215 for an ongoing period until such time as either party gives written notice of termination to the other party at least sixty (60) calendar days in advance of such termination of agreement. Effective 4/1/2019, rates established for meals provided to Nascentia Health clients are as follows:

Regular Home Delivered Meal \$9.25 per meal increase to \$11.75 per meal

Congregate Meal \$8.25 per meal increase to \$11.25 per meal

Budget Impact: Based on the number of meals anticipated for 2019, revenue of \$20,000 is projected for all Medicaid-funded Home Delivered and Congregate Meal contracts; and is already incorporated into our 2019 county budget. Rate is \$11.75 per meal for home delivered meals and \$11.25 for congregate meals, effective 4/1/2019.

Legislator Clattenburg seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 35 AGREEMENT AMENDMENT/ OFA CERTIFICATE OF INSURANCE- ICIRCLE SERVICES OF THE FINGER LAKES, INC.–HOME DELIVERED & CONGREGATE MEALS-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement amendment for meal service rate increase with iCircle Services of the Finger Lakes, Inc. for the provision of home delivered and congregate meals for iCircle Services of the Finger Lakes’ Medicaid

Managed Long Term Care program's Genesee County clients eligible and authorized by iCircle to receive Medicaid-covered home delivered and congregate meals; and such meals to be provided by Genesee County Office for the Aging's Nutrition Services Program; and

WHEREAS, The agreement is automatically renewable on an annual basis; and

WHEREAS, The agreement requires a certificate of insurance indicating general liability insurance in the amount of at least One (1) Million Dollars per occurrence with Three (3) Million Dollars in the aggregate naming iCircle Services of the Finger Lakes, Inc., 860 Hard Road, Webster, New York 14680, as additional insured; and

WHEREAS, the Committee on Human Services did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name iCircle Services of the Finger Lakes, Inc., 860 Hard Road, Webster, New York 14680 as additional insured; and may it further be

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to amend the existing agreement with iCircle Services of the Finger Lakes, Inc., 860 Hard Road, Webster, New York 14680 for an ongoing period until such time as either party gives written notice of termination to the other party at least sixty (60) calendar days in advance of such termination of agreement. Effective 4/1/2019, rates established for meals provided to iCircle Services clients are as follows:

Regular Home Delivered Meal	\$9.25 per meal increase to \$11.75 per meal
Congregate Meal	\$8.25 per meal increase to \$11.25 per meal

Budget Impact: None. Based on the number of meals anticipated for 2019, revenue of \$20,000 is projected for all Medicaid-funded Home Delivered and Congregate Meal agreements; and is already incorporated into Office for the Aging 2019 county budget. Rate is \$11.75 per meal for home delivered meals and \$11.25 per meal for congregate meals, effective 4/1/2019.

Legislator Stein seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 36 REAPPOINTMENT TO GENESEE-ORLEANS COUNTY BOARD OF HEALTH – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, a vacancy does exist on the Genesee-Orleans County Board of Health due to a term expiration December 31, 2018 and

WHEREAS, The Committee on Human Service and Ways and Means do recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby make the following reappointment to the Genesee County Board of Health:

Paul Grout, effective January 1, 2019 through December 31, 2024

Budget Impact: A \$20 stipend is available for each Board member per meeting attended. This expense is included in the 2019 Dept. 4010 – Public Health Budge and is eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

Legislator Deleo seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 37 CONTRACT RENEWAL – HEALTH DEPARTMENT/MONROE COUNTY FORENSIC PATHOLOGY SERVICES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, the County of Monroe did present a contract renewal for the provision of forensic pathology and medicolegal death investigation services, and

WHEREAS, the Genesee County Public Health Director does recommend entering into the contract with the County of Monroe, and

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the County of Monroe backdated to January 1, 2019 and extending through December 31, 2019, and to execute any and all other documentation related to this Agreement.

Budget Impact: Expenses for \$80,700 have been appropriated in the 2019 Dept. 1185 – Coroner budget.

Legislator Maha seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**RESOLUTION NO. 38 CONTRACT – HEALTH DEPARTMENT/
DIAGNOSTIC AND TREATMENT CENTER (D&TC) - AHCF COST REPORT –
APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of professional accounting and auditing services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with Venesky & Company, 6114 Route 31, Cicero, New York 13039 for the provision of professional accounting and auditing services of the Genesee County Health Department’s Diagnostic & Treatment Center - AHCF Cost Report at the maximum fee of \$7,500 per reporting period, in accordance with the terms of the contract. This agreement covers the reporting years 2018, 2019, and 2020 for the term January 1, 2019 – December 31, 2021.

Budget Impact Statement: Expenses for this contract are a maximum fee of \$7,500/reporting years: 2018,2019, & 2020 for the term 1/1/19 – 12/31/21 . Expenses related to this contract are reimbursable up to 100% through Article 6 State Aid for Public Health Works.

Legislator Torrey seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**RESOLUTION NO. 39 GRANT ACCEPTANCE/BUDGET AMENDMENT-
HEALTH DEPARTMENT-FDA/HEPATITIS A OUTREACH AND VACCINATION –
APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Public Health Department applied for funds to support the Hepatitis A outreach and vaccination as part of the Retail Standards Grant Program, and

WHEREAS, The Association of Food and Drug Officials has awarded the Genesee County Public Health Department \$15,100 funded by the Food and Drug Administration and,

WHEREAS, The Committees on Human Services And Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$15,100 as specified in Federal statutes and regulations including applicable parts of 45 CFR Parts 74 and 92 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the

2019 Genesee County Budget by increasing A 4010 Public Health Appropriations A 4010 4110.0000 by \$250, A4010 4150.0000 by \$650, A4010 4700.0000 by \$200 and A4010 4700.1150 by \$14,000 to be offset by an increase in the A4010 Public Health Revenue A 4010 4401.60 by \$15,100.

Budget Impact: An increase in expenditures in the amount of \$15,100 to be offset by revenue of \$15,100. No county cost.

Legislator Stein seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**RESOLUTION NO. 40 GRANT ACCEPTANCE/BUDGET AMENDMENT-
HEALTH DEPARTMENT-FDA/NER RETAIL FOOD PROTECTION SEMINAR
– APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Department applied for funds to support the NER Retail Food Protection Seminar as part of the Retail Standards Grant Program, and

WHEREAS, The Association of Food and Drug Officials has awarded the Genesee County Public Health Department \$2,750 funded by the Food and Drug Administration and,

WHEREAS, The Committees on Human Services And Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$2,750 as specified in Federal statutes and regulations including applicable parts of 45 CFR Parts 74 and 92 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing A 4010 Public Health Appropriations A 4010 4560 by \$2,750 and to be offset by an increase in the A 4010 Public Health Revenue A 4010 4401.70 Federal Aid – FDA Seminar of \$2,750.

Budget Impact: An increase in expenditures in the amount of \$2,750 to be offset by revenue of \$2,750. No county cost.

Legislator Dibble seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**RESOLUTION NO. 41 GRANT ACCEPTANCE/BUDGET AMENDMENT-
HEALTH DEPARTMENT- FDA TEMPORARY EVENT KIT – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Department applied for funds to purchase temporary event kits and educational materials as part of the Retail Standards Grant Program, and

WHEREAS, The Association of Food and Drug Officials has awarded the Genesee County Public Health Department \$1,425 funded by the Food and Drug Administration and,

WHEREAS, The Committees on Human Services And Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$1,425 as specified in Federal statutes and regulations including applicable parts of 45 CFR Parts 74 and 92 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing A 4010 Public Health Appropriations A 4010 by \$1,425 and to be offset by an increase in the A 4010 Public Health Revenue A 4010 4401.70 of \$1,425.

Budget Impact: An increase in expenditures in the amount of \$1,425 to be offset by revenue of \$1,425. No county cost.

Legislator Stein seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 42 CONTRACT– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committees on Human Services and Ways & Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Larissa D. Cox, 4133 Centerline Road, Warsaw, NY 14569, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) backdated to January 1, 2019 and extending through June 30, 2019 per the 2017-2019 PSSHSP rate schedule.

Legislator Dibble seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 43 RESOLUTION NO. 195-18 MODIFICATION – HEALTH DEPARTMENT/NMS LABS - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, Resolution No. 195-18 allowed for execution of a Service Agreement with NMS Labs to provide laboratory testing and toxicology services as they relate to forensic pathology and medicolegal death investigation services, and

WHEREAS, that resolution approved the contract for the term of May 1, 2018 through December 31, 2018, and

WHEREAS, the service agreement, signed by the Chair of the Genesee County Legislature was actually a two-year agreement covering the term May 1, 2018 through April 30, 2020, and

WHEREAS, the Genesee County Legislature wishes to correct this discrepancy and continue the agreement, and

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, that the signature of the Chair of the Genesee County Legislature to the Service Agreement with NMS Labs, 3702 Welsh Road, Willow Grove, PA 19090, is hereby ratified and his signature will be effective for the dates set forth in the Service Agreement of May 1, 2018 through April 30, 2020 without necessity of resigning, and Be it also

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to continue payments according to the terms of the Service Agreement with NMS Labs until the last day of the contract, April 30, 2020.

Budget Impact: This resolution has no impact on the budget.

Legislator Torrey seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 44 CONTRACT RENEWAL– HEALTH DEPARTMENT/ TUBERCULOSIS CONSULTATIVE AND EDUCATIONAL SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, New York State Public Health Law does specify the responsibility of Genesee County to ensure direct clinical services for Tuberculosis, and;

WHEREAS, Monroe County operates a Tuberculosis Control Program with consulting pulmonary and critical care physicians and Certified Infection Control Practitioners for providing comprehensive medical and nursing / case management consultative service under the statutory jurisdiction of the Department of Public Health, and;

WHEREAS, Genesee County is desirous of obtaining the services of the Monroe County Department of Public Health’s Tuberculosis Control Program, and;

WHEREAS, The Director of Public Health did present a contract renewal for said services and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Monroe County for Tuberculosis Consultative and Educational Services for the Genesee County Health Department for the term January 1, 2019 to December 31, 2019 at the following rates and not to exceed \$22,000 for the term of the contract: Flat fee of \$4,714.76 for Electronic Health Record Access, VPN Services, IT consultations and continuing education, Telemedicine access and for ongoing clinical support including policies and procedures, QA/QI and clinical education and staff development.

Direct, patient consultative services:

Physician Consults	\$200/hour
RN Consults	\$ 50/hour

Budget Impact Statement: Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Works.

Legislator Clattenburg seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 45 CONTRACT– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Batavia City School District, 260 State Street, Batavia, NY 14020, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the term February 15, 2019 June 30, 2019 per the 2017-2019 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Deleo seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 46 CONTRACT– HEALTH DEPARTMENT/ PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM CENTER FOR HANDICAPPED CHILDREN– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committees on Human Services and Ways and Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with The Center for Handicapped Children, Inc., 1085 Eggert Road, Amherst, NY 14226, for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program backdated to January 1, 2019 and extending through June 30, 2019 at the rates established by State of New York.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Maha seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 47 CONTRACT - HEALTH DEPARTMENT/ PRIORITY MEDICAL BILLING – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with Priority Medical Billing to provide third party billing to the Health Department, and

WHEREAS, The Committees on Human Services and Ways & Means did review the contract and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Priority Medical Billing, 41 Brigham Circle, Honeoye Falls, NY 14472 to provide services for the period February 1, 2019 through December 31, 2019.

Budget Impact Statement: Expenses are included in the 2019 4010 budget. The cost to the county is \$0 all expenses are eligible for state aid reimbursement.

Legislator Stein seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 48 2019 SALARY SCHEDULE AMENDMENT/ BUDGET TRANSFER- VETERANS SERVICES – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, An Intake Clerk in the Veterans Services department did request a classification review of their position, and

WHEREAS, A reclassification review was conducted by the Genesee County Human Resources department, resulting in a recommendation by the Human Resources Director that an Intake Clerk position be reclassified to a Secretary position , and

WHEREAS, The funds were not budgeted in the 2019 Veterans Services budget to cover the reclassification and the County Manager recommends using the 2019 General Contingency Fund, and

WHEREAS, The Human Services Committee and Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2019 Genesee County Employees’ Salary Schedule by creating one position of Secretary – Veterans Services CSEA Grade 9; and deleting one position of Intake Clerk – Veterans Services CSEA Grade 7 effective February 13, 2019, and Be it Further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2019 budget transfers:

\$969.00	from	A.1990.4800.0000	Contingency, Program Expense
\$784.00	to	A.6510.1010.0000	Veterans Services, Personal Services
\$ 49.00		A.6510.8010.0000	Veterans Services, Social Security Tax
\$ 12.00		A.6510.8011.0000	Veterans Services, Medicare Tax
\$124.00		A.6510.8020.0000	Veterans Services, Retirement

Budget Impact: The 2019 General Fund Contingency has sufficient funds to accommodate this transfer and keep these accounts from going into the red for the fiscal year. Contingency Balance after transfer = \$49,031.

Legislator Maha seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 49 AWARD OF HAMER ETAX HOSTING AGREEMENT – INFORMATION TECHNOLOGY- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Attorney, Information Technology Director and County Treasurer reviewed the Hamer ETAX Hosting Agreement and are recommending Genesee County extend the agreement for an additional 5-year period 2019 through 2023, And,

WHEREAS, The Ways and Means Committee did review this request and recommend the approval of the extended contract, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Application Service Provider (ASP) contract with Hamer Enterprises 4200 N. Bicentennial Drive, McAllen Texas 78504 with an amount not to exceed \$20,000 annually for 5-years (2019 – 2023).

BUDGET IMPACT STATEMENT: The contract cost of \$20,000 for hosting services is included in the 2019 Information Technology Budget line A.1680.4600.0000. The contract is a fixed cost for

the 5 years.

Legislator Dibble seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 50 TO REQUEST SPECIAL LEGISLATION FOR A FORTY YEAR SALES TAX ALLOCATION AGREEMENT BETWEEN THE COUNTY OF GENESEE AND THE CITY OF BATAVIA

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee and the City of Batavia have negotiated an “Amended and Restated Allocation Agreement between the County of Genesee and the City of Batavia”

(hereinafter “Amended and Restated Agreement”), which is acceptable to both parties, and

WHEREAS, this Amended and Restated Agreement is authorized by Section 1262(c) of the New York State Tax Law subject to approval of the Office of the Comptroller, and

WHEREAS, a draft of this Amended and Restated Agreement was submitted and reviewed by the Legal Department of the Office of the Comptroller, and

WHEREAS, the parties have been advised that in the opinion of the reviewing Attorney that subject to its review of other departments within the Comptroller’s Office, there were no legal impediments to approval, other than the length of the proposed Amended and Restated Agreement, and

WHEREAS, The Comptroller’s Office has had a long standing policy to deny approval of any Sales Tax Allocation Agreements for a period in excess of ten years, and

WHEREAS, the forty year length of the Amended and Restated Agreement is necessary for the reason stated above and hereinafter, and

WHEREAS, in 2002 the New York State Legislature enacted special legislation to allow Warren County to enter into a Sales Tax Allocation Agreement with the City of Glens Falls for a period not to exceed forty years, which is the same special legislation sought by the County of Genesee and the City of Batavia. Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby request that State Senator Michael Ranzenhofer, and Assemblyman Stephen Hawley sponsor bills in their respective legislative bodies that would allow the County of Genesee and the City of Batavia to enter into an Amended and Restated Sales Tax Allocation Agreement for a period not to exceed forty years, and Be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to send a certified copy of this resolution to the Offices of Senator Ranzenhofer and Assemblyman Hawley.

Prior to the vote County Manager Jay Gsell stated he spoke to the City Administrator who indicated City Council passed their resolution earlier this week.

Legislator Hilchey seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 51 AMENDED AND RESTATED SALES TAX AGREEMENT BETWEEN THE COUNTY OF GENESEE AND CITY OF BATAVIA/40 YEAR AGREEMENT-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS the parties have recognized in the past and continue to recognize that it is in the best interest of the County and the City, and all of the citizens thereof, to provide for a sharing of sales tax revenue in a manner that stabilizes the sales tax income of the City, and
WHEREAS, furtherance of this stabilization process, the County and City have previously entered into several contracts regarding this issue, and
WHEREAS, one of these contracts previously entered into by the parties was in a document entitled “Agreement Sales Tax Allocation County of Genesee and City of Batavia”, dated December 31, 2007, (hereinafter “2007 Agreement”) which expired on February 28, 2018, and
WHEREAS, the parties subsequently entered into a “Sales Tax Allocation Amended Agreement Between the County of Genesee and the City of Batavia”, dated June 19, 2017, (hereinafter “2017 Amended Agreement”), which extended the length of the 2007 Agreement until December 31, 2018, with all of the other terms and conditions set forth in the 2007 Agreement remaining in full force and effect until the latter termination date, and
WHEREAS, the parties also subsequently entered into another Agreement entitled “Sales Tax Allocation Second Amended Agreement Between the County of Genesee and the City of Batavia”, dated October 31, 2018, (hereinafter “2018 Second Amended Agreement”), which further extended the length of the 2007 Agreement until December 31, 2019, with all of the other terms and conditions set forth in the 2007 Agreement remaining in full force and effect until the latter termination date, and
WHEREAS, the parties hereto wish to enter into a new Agreement pursuant to subdivision (c) of Section 1262 of the Tax Law of the State of New York, for a term that shall be forty (40) years commencing on January 1, 2020 and ending on December 31, 2059. Now, therefore, Be it
RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County a proposed “Amended and Restated Sales Tax Allocation Agreement Between the County of Genesee and the City of Batavia”, for a term commencing January 1, 2020 and ending on December 31, 2059.

**AMENDED AND RESTATED SALES TAX ALLOCATION AGREEMENT
BETWEEN THE COUNTY OF GENESEE AND THE CITY OF BATAVIA**

THIS AMENDED AND RESTATED AGREEMENT (hereinafter “current Agreement”) made the _____ day _____, 2018, by and between the County of Genesee, a municipal corporation of the State of New York, with offices located at the Old Courthouse, 7 Main Street, Batavia, New York, 14020 (hereinafter ”County”), and the City of Batavia, a municipal corporation of the State of New York with offices located at One Batavia City Centre, Batavia, New York 14020 (hereinafter “City”).

WITNESSETH:

WHEREAS, the parties have recognized in the past and continue to recognize that it is in the best interest of the County and the City, and all of the citizens thereof, to provide for a sharing of sales tax revenue in a manner that stabilizes the sales tax income of the City, and
WHEREAS, in furtherance of this stabilization process, the County and City have previously entered into several contracts regarding this issue, and

WHEREAS, one of these contracts previously entered into by the parties was in a document entitled “Agreement Sales Tax Allocation County of Genesee and City of Batavia”, dated December 31, 2007, (hereinafter “2007 Agreement”) which expired on February 28, 2018, and **WHEREAS**, the parties subsequently entered into a “Sales Tax Allocation Amended Agreement Between the County of Genesee and the City of Batavia”, dated June 19, 2017, (hereinafter “2017 Amended Agreement”), which extended the length of the 2007 Agreement until December 31, 2018, with all of the other terms and conditions set forth in the 2007 Agreement remaining in full force and effect until the latter termination date, and

WHEREAS, the parties also subsequently entered into another Agreement entitled “Sales Tax Allocation Second Amended Agreement Between the County of Genesee and the City of Batavia”, dated October 31, 2018, (hereinafter “2018 Second Amended Agreement”), which further extended the length of the 2007 Agreement until December 31, 2019, with all of the other terms and conditions set forth in the 2007 Agreement remaining in full force and effect until the latter termination date, and

WHEREAS, the parties hereto wish to enter into this Agreement pursuant to subdivision (c) of Section 1262 of the Tax Law of the State of New York, in order to continue to provide for the sales tax allocations as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

FIRST: The County shall, during the term of this Agreement, have the exclusive authority to impose all of the taxes described in Articles 28 and 29 of the Tax Law of the State of New York, pursuant to the provisions of Section 1210(a) and 1224(p) of said Law and at a rate of three percent (3%) and one percent (1%) respectively, and shall not set aside any part thereof for County purposes or educational purposes, except as otherwise provided in this Agreement.

SECOND: The City, during the term of the Agreement, shall refrain from imposing any of the taxes described in Article 28 of the Tax Law, effective January 1, 2020.

THIRD: The net collections of all sales tax received by the County shall be allocated and distributed as follows:

All of such monies not allocated as set forth below to the City of Batavia shall be set aside for County purposes and shall be available for any legitimate County purposes, with no allocation to be made for the area outside of the City of Batavia.

In the event that the annual total countywide sales tax net collections increases in any amount as compared to the immediate preceding year, the County will pay to the City an annual sales tax allocation payment amount determined as follows: 1) calculate the County’s total percentage increase in countywide sales tax net collections, then 2) multiply the total dollar amount of the sales tax allocation payment made to the City by the County in the immediate preceding year, times this calculated percentage increase, then 3) add this product to the total dollar sales tax allocation payment amount received by the City in the immediate preceding year; provided further, that the City’s total dollar sales tax allocation payment amount shall not increase compared to the immediate preceding year by an amount that exceeds 2.0% in any given year, except as otherwise set forth below.

In the event that the annual total countywide sales tax net collections decreases in any amount as compared to the immediate preceding year, the County will pay to the City an annual sales tax allocation payment amount determined as follows: 1) calculate the County’s total percentage

decrease in countywide sales tax net collections, then 2) multiply the total dollar amount of the sales tax allocation payment made to the City by the County in the immediate preceding year, times this calculated percentage decrease, then 3) subtract this product from the total dollar sales tax allocation payment amount received by the City in the immediate preceding year; provided further, that there shall be no maximum cap in the percentage decrease of the City's total dollar sales tax allocation payment amount in any given year, except as otherwise set forth below. Notwithstanding any of the foregoing provisions above, in any given year, the City's total dollar sales tax allocation payment amount as compared to the total dollar amount of the sales tax net collections received countywide by the County in this same year, shall not be less than 14.0%. Notwithstanding any of the foregoing, for the calculations for 2020 only, the City's base year of 2018 shall be used in the place of the immediate preceding year of 2019. The City's base year of 2018 will be calculated using the previous contract allocation of 16% of sales tax net collections received countywide in the calendar year of January 1, 2018 through December 31, 2018.

FOURTH: The implementation of the distributive formula contained in "Third" above is contingent upon agreement by the City not to pre-exempt the sales tax imposed by the County during the term of this Agreement.

FIFTH: The term of this Agreement shall be forty (40) years commencing on January 1, 2020 and ending on December 31, 2059.

SIXTH: That on or before the first day of July, 2057, the Genesee County Legislature shall cause a committee to be convened consisting of members of the County Legislature and members of the City Council, which committee shall recommend to the Legislature and the City Council whether or not to amend, modify or extend this Agreement for an additional term.

SEVENTH: The Legislature and the City Council thereafter, and prior to July 1, 2059, shall, by resolution, notify the other body that it intends, at the end of the term or any extension thereof, to terminate, amend or modify this Agreement.

EIGHTH: Within the time frames set forth herein and the statutory notice requirement in Articles 28 and 29 of the Tax Law, this Agreement may be modified, terminated or otherwise amended in the event that both the City Council and the County Legislature, by formal resolution, mutually agree to do so. Neither party may do so unilaterally. Any such modification, termination or amendment must be reduced to writing, executed by such officers of each body as they shall respectively designate and be approved by the Office of the State Comptroller as set forth below.

NINTH: This Agreement shall be interpreted pursuant to the laws of the State of New York, and any action or proceeding brought to enforce any provisions hereof, shall be venued in Genesee County.

TENTH: The prior aforesaid 2007 Agreement, the 2017 Amended Agreement and the 2018 Second Amended Agreement between the parties are hereby replaced in their entirety, and upon execution of this Agreement, these three prior documents shall be null and void.

ELEVENTH: This Agreement may be executed in counterparts, each of which may be deemed as an original, and all of which taken together, shall constitute one Amended and Restated Agreement binding upon both parties.

TWELTH: This Agreement is subject to the approval of the State Comptroller of the State of New York as set forth in section 1262(c) of the Tax Law.

IN WITNESS WHEREOF, the parties have signed this Amended and Restated Agreement the day and year first written above.

CITY OF BATAVIA

COUNTY OF GENESEE

By: _____

Eugene Jankowski, Jr.
President, City Council

Legislator Deleo seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

By: _____

Robert Bausch
Chairman, County Legislature

**RESOLUTION NO. 52 AGREEMENT – GENESEE COUNTY BAR ASSOCIATION/
MOCK TRIAL PROGRAM- APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Ways and Means Committee did receive a request from the Genesee County Bar Association to hold a Mock Trial at the Genesee County Courts Facility on March 4, March 11, and March 18, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Genesee County Bar Association for access to and use of the Genesee County Courts Facility on March 4, 11 and March 18, 2019 subject to the rules and regulations of the Genesee County Use of Facilities Agreement.

Legislator Torrey seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**RESOLUTION NO. 53 2018 & 2019 FUND EQUITY TRANSFER -TREASURER'S
OFFICE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Treasurer and County Legislature have previously discussed transferring excess 2018 Sales Tax (\$1,611,286.15) into the Building & Equipment Reserve – Infrastructure, and

WHEREAS, The 2019 budget contains \$500,000 to be added to the Building & Equipment Reserve – Infrastructure, and

WHEREAS, The Committee on Ways & Means has reviewed this request and does concur. Now, therefore Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to do a 2018 Fund Equity Transfer from Unappropriated Fund Balance to the Building & Equipment Reserve – Infrastructure in the amount of \$1,611,286.15 and to do a 2019 Fund Equity Transfer from Unappropriated Fund Balance to the Building & Equipment Reserve – Infrastructure in the amount of \$500,000.00

Budget Impact: None, Fund Equity Shift

Legislator Stein seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**RESOLUTION NO. 54 2018 BUDGET ITEM TRANSFERS/TREASURER
COUNTY DEPARTMENTS- APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Treasurer did present transfers to be recommended in the 2018 county budget to cover end-of-year expenditures in several county departments, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend that transfers be made at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make the following 2018 budget transfers:

<u>To / From</u>	<u>Dept Code</u>	<u>G/L Code for Journals</u>	<u>Dept Name</u>	<u>Account Category</u>	<u>Amount</u>
To	A.1165	1010.0000	District Attorney	Personnel Services	8,000
To	A.1165	8020.0000	District Attorney	Benefits	800
From	A.1141	4640.0000	Family Court Assigned Counsel	Contractual	8,800
To	A.1185	1010.0000	Medical Ex & Coroners	Personnel Services	2,000
To	A.1185	4650.0000	Medical Ex & Coroners	Contractual	800
To	A.1185	8010.0000	Medical Ex & Coroners	Benefits	200
From	A.4010	4800.0000	Health	Contractual	3,000
To	A.1420	1010.0000	County Attorney	Personnel Services	200
To	A.1420	8030.0000	County Attorney	Benefits	2,500
From	A.1230	1010.0000	County Manager	Personnel Services	2,700
To	A.1450	1030.0000	Elections	Personnel Services	1,500
To	A.1450	8040.0000	Elections	Benefits	400
From	A.1450	4150.0000	Elections	Contractual	1,900
To	A.1620	1010.0000	Facilities Management	Personnel Services	13,000
To	A.1620	8030.0000	Facilities Management	Benefits	6,000
From	A.1620	4660.0000	Facilities Management	Contractual	19,000
To	A.1950	4295.0000	Tax & Assessment of County Properties	Contractual	300
From	A.1910	4660.0000	Unallocated Insurance	Contractual	300
To	A.3140	8030.0000	Probation	Benefits	20
From	A.3140	4540.0000	Probation	Contractual	20

To	A.3151	1010.0000	Genesee Justice	Personnel Services	5,500
To	A.3151	8020.0000	Genesee Justice	Benefits	6,000
From	A.3110	1010.0000	Sheriff	Personnel Services	11,500
To	A.4010	1010.0000	Health	Personnel Services	2,000
From	A.4010	4330.0000	Health	Contractual	2,000
To	A.4059	8020.0000	Early Intervention	Benefits	1,100
From	A.4059	1010.0000	Early Intervention	Personnel Services	1,100
To	A.4311	4660.0000	Mental Health Court Committed	Contractual	15,000
From	A.4310	4650.0001	Mental Health	Contractual	15,000
To	A.6140	4800.0000	Safety Net	Contractual	67,000
From	A.6119	4800.0000	Child Care	Contractual	67,000
To	A.6510	1010.0000	Veterans Services	Personnel Services	1
To	A.6510	8010.0000	Veterans Services	Benefits	120
From	A.6510	4540.0000	Veterans Services	Contractual	121
To	A.7110	1020.0000	County Park	Personnel Services	2,700
To	A.7110	8030.0000	County Park	Benefits	2,700
From	A.7110	4800.0017	County Park	Contractual	5,400
To	A.7310	1010.0000	Youth Bureau	Personnel Services	6,000
To	A.7310	8020.0000	Youth Bureau	Benefits	3,200
From	A.6119	4800.0000	Child Care	Contractual	9,200
To	A.8090	1010.0000	GLOW	Personnel Services	1
From	A.8090	8020.0000	GLOW	Benefits	1
To	CD.6293	1010.0000	WIA	Personnel Services	19,000
To	CD.6293	8030.0000	WIA	Benefits	3,000
From	CD.6293	4865.0000	WIA	Contractual	22,000
To	D.3310	1010.0000	Traffic Control	Personnel Services	1,800
To	D.3310	8030.0000	Traffic Control	Benefits	5,100
From	D.5020	1010.0000	Engineering	Personnel	6,900

To	D.5142	1020.0000	Snow Removal	Personnel Services	3,100
To	D.5142	8010.0000	Snow Removal	Benefits	200
From	D.5110	4700.1002	Maintenance Roads & Bridges	Contractual	3,300

Budget Impact: None, transfers made from other appropriations.

Legislator Maha seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 55 2018 YEAR-END BUDGET AMENDMENTS-TREASURER-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Treasurer is recommending three budget amendments in order to close the books for 2018 and utilizing fund balance and/or reserves for two of the amendments, and

WHEREAS, The Committee on Ways and Means concurs with the County Treasurer's recommendations; Now, therefore, Be it

RESOLVED, the Genesee County Treasurer is hereby authorized and directed to amend the 2018 budget by:

Increasing Appropriation A.1985.4800.0000 Distribution of Sales Tax in the amount of \$1,081,602 and Increasing Revenue A.1000.1110.2 Shared Sales Tax in a like amount.

Increasing Appropriation DM.5130.1010.0000 Personal Services \$6,000; Increasing Appropriation DM.5130.4310.1001 Contractual \$9,000; Increase DM.1000.9999 Balancing in the amount of \$15,000.

Increasing Appropriation MS.9060.8030.0000 Medical Claims in the amount of \$770,952 and Increasing MS.9060.9999 Balancing in a like amount.

Budget Impact: Decreases Fund balance in Road Machinery by \$15,000. Decreases Medical Reserve by an additional \$770,952. Medical Reserve at year-end 2017 was \$3,824,936 and now year-end 2018 Medical Reserve is now at \$2,743,130.

Legislator Dibble seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 56 OFFICIAL TOURISM AGENCY -DESIGNATION OF

Legislator Maha offered the following resolution:

WHEREAS, The County of Genesee and the Genesee County Chamber of Commerce have determined that it is in their best interests to work together in their endeavors to promote tourism within Genesee County, and

WHEREAS, The Chamber of Commerce did present a Tourism Report for 2018 and plans for 2019 and did request the official designation as Tourism Agency for Genesee County, and

WHEREAS, The Committee on Ways and Means does recommend the official designation of the Chamber of Commerce as the County's Tourism Agency. Now, therefore, Be it

RESOLVED, That the Genesee County Chamber of Commerce be and hereby is designated as the Official Tourism Agency for the County of Genesee for the fiscal year January 1, 2019 through December 31, 2019.

Budget Impact Statement: No fiscal impact.

Legislator Deleo seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

RESOLUTION NO. 57 CHAMBER OF COMMERCE/TOURISM CONTRACT - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The County of Genesee is desirous of continuing its support of a program to promote tourism within Genesee County, and

WHEREAS, The County of Genesee has implemented a hotel and motel tax to fund tourism promotion within Genesee County, and

WHEREAS, The Genesee County Chamber of Commerce has presented a tourism marketing plan and budget for 2019 inclusive of the Matching Funds Program called "I Love New York", the Non-Matching Funds Program and administrative and operating expenses, and

WHEREAS, The Committee on Ways and Means has reviewed the proposed marketing plan and budget and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chair be and hereby is authorized and directed to execute an agreement by and between the County of Genesee and the Genesee County Chamber of Commerce for the year 2019 to be funded from the County's 2019 hotel and motel tax receipts up to an amount not to exceed \$420,000 for publicity and tourism services for the calendar year ending December 31, 2019.

Budget Impact Statement: Appropriation fully funded by Bed Tax revenue; County will only supply funding for Tourism activity to the extent actual revenues from bed tax are realized, not to exceed fiscal year appropriation of \$420,000.

Legislator Clattenburg seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

At 5:53 pm Chairman Bausch closed the Public Hearing on Local Law Introductory No. one Year 2019. No one spoke on the matter.

RESOLUTION NO. 58 LOCAL LAW INTRODUCTORY NO. 1, YEAR 2019 LOCAL LAW TO AMEND LOCAL LAW NUMBER TWO, YEAR 1995, AS AMENDED BY LOCAL LAW NO. FOUR, YEAR 1998, LOCAL LAW NO. SIX, YEAR 2001, LOCAL LAW NO. FOUR, YEAR 2004, LOCAL LAW NO. TWO YEAR 2007, LOCAL LAW NO. ONE YEAR 2010 AND LOCAL LAW NO. TWO YEAR 2013 AND LOCAL LAW NO. TWO YEAR 2016, IMPOSING A HOTEL/MOTEL ROOM OCCUPANCY TAX IN THE COUNTY OF GENESEE, WITH REGARD TO THE EXPIRATION THEREOF – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, There has been introduced to the Genesee County Legislature a proposed Local Law Introductory No. 1, Year 2019 entitled "A LOCAL LAW TO AMEND LOCAL LAW NUMBER TWO, YEAR 1995, AS AMENDED BY LOCAL LAW NO. FOUR, YEAR 1998, LOCAL LAW NO. SIX, YEAR 2001, LOCAL LAW NO. FOUR, YEAR 2004, LOCAL LAW NO. TWO YEAR 2007, LOCAL LAW NO. ONE YEAR 2010, LOCAL LAW NO THREE YEAR 2013, AND LOCAL LAW NO. TWO YEAR 2016, IMPOSING A HOTEL/MOTEL ROOM OCCUPANCY TAX IN THE COUNTY OF GENESEE, WITH REGARD TO THE EXPIRATION THEREOF." Now, therefore

BE IT ENACTED by the Genesee County Legislature as follows:

Section 1. Section 702 of the Local Law No. Two, Year 1995 as amended by Local Law No. Four, Year 1998, Local Law No. SIX, Year 2001 and Local Law No. Four, Year 2004, Local Law No. Two, Year 2007, Local Law No. One, Year 2010 and Local Law No. Two, Year 2013, Local Law No. Two, Year 2016 is hereby amended to read as follows:

Effective Date: This Local Law shall take effect on October 1, 2019 and expire on September 30, 2021, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately, and

WHEREAS, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin board in the Old Courthouse, and

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in *The Daily News* the Official Newspaper of the County of Genesee, the Notice of Public Hearing on Local Law Introductory Number 1, Year 2019 and

WHEREAS, The Public Hearing was held at 5:30 pm on the 13th day of February 2019 in Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, Be it

RESOLVED, That “**A LOCAL LAW TO AMEND LOCAL LAW NUMBER TWO, YEAR 1995, AS AMENDED BY LOCAL LAW NO. FOUR, YEAR 1998, LOCAL LAW NO. SIX, YEAR 2001, LOCAL LAW NO. FOUR, YEAR 2004, LOCAL LAW NO. TWO YEAR 2007, LOCAL LAW NO. ONE YEAR 2010, LOCAL LAW NO THREE YEAR 2013, AND LOCAL LAW NO. TWO YEAR 2016, IMPOSING A HOTEL/MOTEL ROOM OCCUPANCY TAX IN THE COUNTY OF GENESEE, WITH REGARD TO THE EXPIRATION THEREOF.**” to be known as Local Law Number Two of the Year 2019 for the County of Genesee is hereby adopted.

Legislator Hilchey seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

NO. 59 COUNTY AUDIT –FEBRUARY 13 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Deleo, did review the following claims:

2018 General Fund	\$	69,099.81
2019 General Fund		732,399.51
Self Insurance		50,662.12
Highway		768,523.02
Water Fund		96,924.61
DSS Abstracts		169,645.22

Capital Projects

Airport-Reconstruct Taxiway “C”	\$	401.96
Airport-Airport Construct 8 Bay T-Hangar		98,325.00
Highway-Large Span Culverts		239.96
Highway-Preventative Maint Bridge Painting		7,818.47
Highway-Highway Work Order System		17,522.62
Facilities Management-Energy Performance Contract		173,041.00
County Manager - 2017 Security Enhancements		23,933.15

Payroll – General

February 1, 2019		1,088,661.50
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Medicaid

January 29, 2019		177,332.00
February 5, 2019		177,332.00
February 12, 2019		<u>177,332.00</u>

Total Audit \$ 3,829,193.95

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Dibble seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

The meeting adjourned at 5:56 pm upon motion of Legislator Stein seconded by Legislator Deleo, carried.

**FORTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, February 27, 2019**

The Genesee Legislature met in Regular Session on Wednesday, February 27, 2019 at 5:40PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Hilchey assisted with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

Minutes of the February 13, 2019 Legislature meeting were approved upon motion of Legislator Maha seconded by Legislator Stein, carried.

Legislator Maha attended the STOP-DWI Advisory Board meeting where it was reported that arrests are up but revenues are down. He chaired the Water Resources Agency Subcommittee meeting where they continue to discuss and develop an emergency water plan. Highway Superintendent Tim Hens is a key member of this subcommittee and is working drafting a written plan. Legislator Stein attended the GAM meeting along with Chairman Bausch and Legislator Hilchey. There was discussion regarding the County Revenue Distribution Plan and the Governor's proposal to mandate Internet Sales Tax revenue to backfill Aid to Municipalities (AIM) funding cuts. Legislator Young announced the Chamber of Commerce Awards Dinner is scheduled for Saturday, March 3, 2019.

Out-of-State Travel Request for Bill Schutt, Office of Emergency Management Services to travel to Emmitsburg, MD for the 2019 NYS Weekend at the National Fire Academy March 22-24, 2019 cost to the County \$296 was approved upon motion of Legislator Stein seconded by Legislator Torrey, carried.

Out-of-State Travel Request for Erin Pence, Planning Department to travel to San Diego, CA for the ESRI User Conference July 7-12, 2019 cost to the County \$2,134 was approved upon motion of Legislator Deleo seconded by Legislator Dibble, carried.

County Manager Jay Gsell commented on the Governor's proposal to use Internet sales tax revenue to backfill the cuts to AIM funding stating this is also a home rule issue. The Governor is mandating how local governments allocate revenue. He further stated there is only a month until the governor and majority leaders begin their "3 men in a room" budget talks and there is a lot that still needs to be discussed. Mr. Gsell stated that Legislator Clattenburg joined him for a birthday celebration for Ken Dehm who turned 100 years old. He was presented with a commendation and Cornell University representatives gave him a replica of his class ring which was stolen several years ago. Friends and family were present for the surprise celebration.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 60 AGREEMENT - GENESEE COUNTY PARKS,
RECREATION & FORESTRY/ STUDENT CONSERVATION ASSOCIATION, INC.-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent does request an Agreement with the Student Conservation Association to establish an educational internship position, and

WHEREAS, The Agreement would be in conjunction with the Genesee County Parks for assistance in environmental programs through the Interpretive Nature Center, and

WHEREAS, The County Attorney did review this request and does recommend approval at this time, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Chairperson is hereby authorized and directed to execute an Agreement with the Student Conservation Association, Inc. to establish an educational internship in conjunction with the Genesee County Parks for assistance in environmental programs offered through the Interpretive Center,

Budget Impact: None

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 61 BUDGET AMENDMENT - SHERIFF/ REMAINING GRANT FUNDS- APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Sheriff's Office has several active grants with funds remaining available to be used in 2019, and an Agreement with the Village of Bergen with funds available to use through May 31, 2019 and

WHEREAS, These grants include one NYSGTSC grant with available funds in the amount of \$23,929; one DCJS grant with available funds in the amount of \$7,253; and two DHSES grants with available funds totaling \$46,000, as well as an Agreement with the Village of Bergen to provide additional police services with available funds in the amount of \$6,363, and

WHEREAS, The Sheriff is requesting a 2019 budget amendment to allow for the use of the available funds, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Sheriff's appropriations as follows:

\$23,929 to A3110.1020.0700 (Overtime STEP Grant)

\$6,363 to A3110.1020.0900 (Overtime Bergen)

\$7,253 to A3110.2030.0030 (Sheriff's Equipment)

\$46,000 to A3110.4800.0503 (Program Expense Homeland Security)

To be offset by increasing the following revenue accounts:

\$23,929 to A3110.4511 (Fed Aid Traffic Safety)

\$6,363 to A3110.2804.1 (Shared Services-Additional Police Services)

\$7,253 to A3110.3324 (State Aid Law Enf)

\$46,000 to A3110.4305.2 (Fed Aid Homeland Security)

Budget Impact: Increase in Sheriff's 2019 appropriations in the amount of \$83,545, with money coming from grant funds from one NYSGTSC grant, one DCJS grant, two DHSES grants, and an Agreement with the Village of Bergen; offset by revenue in a like amount.

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 62 ACCEPTANCE OF GRANT FUNDS/BUDGET AMENDMENT - SHERIFF/DCJS GRANT AWARD - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The NYS Division of Criminal Justice Services has awarded Genesee County Legislative Initiatives grant funding in the amount of \$30,000, and

WHEREAS, The grant funds will be used to purchase equipment to support the department's crime prevention programs, and

WHEREAS, The Sheriff is requesting acceptance of these grant funds and an amendment to the 2019 budget, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

Increase A3110.2030.0030 (Sheriff's Equipment) in the amount of \$30,000 increasing A3110.3324 (State Aid-Law Enforcement) in like amount

Budget Impact Statement: Increase in Sheriff's 2019 appropriations in the amount of \$30,000 from a NYS DCJS Grant Award; offset by an increase in revenue in a like amount.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 63 MAINTENANCE AGREEMENT – SHERIFF'S OFFICE / FRONTIER COMMUNICATIONS - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County contracted with Frontier Communications of America, Inc., for the purchase, installation and maintenance of the 911 system at the Emergency Services Dispatch Center pursuant to Resolution 343, dated September 24, 2013, and

WHEREAS, the current maintenance agreement with Frontier expires on March 9, 2019, and

WHEREAS, Frontier and the County negotiated an additional four-year maintenance agreement with an annual cost of \$54,280.99 each year, and

WHEREAS, after careful review by the Genesee County Sheriff, County Attorney, and Director of Emergency Communications, we recommend the County renew the maintenance agreement with Frontier Communications of America, Inc. for the period of March 10, 2019, through March 9, 2023, at a cost not to exceed \$217,123.95, to be paid in four annual payments of \$54,280.99 on approximately March 1 of each year, and

WHEREAS, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, the Chair of the Genesee County Legislature is authorized and directed to renew the maintenance agreement with Frontier Communications of America, Inc., with offices located at 180 South Clinton Avenue, Rochester, New York 14646, for the period of March 10, 2019, through March 9, 2023, at a cost not to exceed \$217,123.95, to be paid in four annual payments of \$54,280.99.

Budget Impact: None. The annual amount of the maintenance agreement was included in the 2019 Communications Budget.

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 64 MOU APPROVAL / BUDGET AMENDMENT / SALARY SCHEDULE AMENDMENT FOR SCHOOL RESOURCE OFFICER – SHERIFF- APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, the Oakfield-Alabama Central School District has requested to enter into a Memorandum of Understanding (MOU) with Genesee County and the Genesee County Sheriff to contract for a 10-month School Resource Officer for its district, and

WHEREAS, reimbursement for the remaining 2018-2019 school year (January 28, 2019 through June 28, 2019) from the School District will include the hourly rate for a Grade 12/Step 1 Deputy Sheriff plus all fringe benefits totaling \$41,263, and

WHEREAS, the Sheriff has requested to create one (1) new Deputy Sheriff position to fill the void on Road Patrol as a result of the creation of one (1) 10-month SRO position for the Oakfield-Alabama Central School District, and

WHEREAS, the Sheriff has requested a 2019 budget amendment for this new Deputy Sheriff position for the time period of January 28, 2019 through June 28, 2019, increasing Sheriff's appropriations in the amount of \$42,263, to be offset by an increase in Sheriff's revenue by a like amount, and

WHEREAS, the Committees of Public Service and Ways & Means did review this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to execute the Oakfield-Alabama School Resource Officer MOU for the period and estimated costs listed above, and be it

RESOLVED, that the Genesee County Legislature is authorized and directed to amend the 2019 Employee Salary Schedule by creating one (1) new Deputy Sheriff position in order to fill the void on Road Patrol resulting from the new 10-month School Resource Officer position for a period effective January 28, 2019, and be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

Increase Sheriff's appropriations:

A3110.1010.0000 (Personal Services)	\$26,158
A3110.8010.0000 (Social Security Tax)	1,582
A3110.8011.0000 (Medicare Tax)	370
A3110.8020.0000 (Retirement)	5,002
A3110.8030.0000 (Medical)	7,691
A3110.8040.0000 (Dental)	138
A3110.8070.0000 (Vision)	30
A3110.4580.0000 (Uniforms)	292
Total:	\$41,263

Offset by an increase in Sheriff's revenue account A3110.2260 (Public Safety Service – Other Gov) in the amount of \$41,263.

Budget Impact Statement: Increase in Sheriff's 2019 appropriations of \$41,263 offset by revenue in a like amount. Increase is for the 2019 portion of the salary (January 28, 2019-June 28, 2019) for one (1) new Deputy Sheriff position, created to fill a void in Road Patrol due to the addition of one (1) new SRO position.

Prior to the vote Legislator Hilchey stated that he has family members who teach in the Oakfield-Alabama Central School District and grandchildren are students in the district. They have shared positive comments and given feedback on the new SRO and how he is fitting in at the school. He

commended Sheriff Sheron and Undersheriff Mazur for fostering the SRO program and expanding it to so many school districts throughout the County.

Legislator Young seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 65 CONTRACT – SHERIFF / LIVINGSTON COUNTY PRISONER HOUSING – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Sheriff did present a prisoner housing contract with Livingston County Jail, and

WHEREAS, the County Attorney has reviewed and approved the terms of this Agreement, and

WHEREAS, the Committee on Public Service did review this contract and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract between the County of Genesee and the County of Livingston for the provision of Jail space in the Livingston County Jail at a rate of \$100.00 per day for each prisoner housed between January 1, 2019, through December 31, 2022.

Budget Impact: Funds have been appropriated to the 2019 budget.

Prior to the vote Chairman Bausch stated that it was reported at CJAC that the County has 25 prisoners being housed out of county and the need for a new jail building with adequate space comes into focus even more. Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 66 2019 SALARY SCHEDULE AMENDMENT -GENESEE JUSTICE/FINANCIAL MANAGEMENT ASSISTANT INCREASE WORK HOURS - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Program Coordinator of the Genesee Justice Program did request an increase in working hours from 27.5 to 30 hours per week for the Financial Management Assistant position at Genesee Justice to handle increased workload of Genesee Justice and the Justice for Children Advocacy Center, and

WHEREAS, The Committee on Public Service and Ways & Means did review this request and does recommend increasing the weekly work hours of the Financial Management Assistant, Now, therefore, Be it

RESOLVED, That the Genesee County Human Resources Director is hereby authorized and directed to amend the 2019 Employee Salary Schedule by increasing the Financial Management Assistant position from 27.5 hours per week to 30 hours per week, the amount of which is presently in the Genesee County 2019 Budget effective March 4, 2019.

Budget Impact: There is no impact on the 2019 Genesee County Budget.

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 67 2019 DONATION ACCEPTANCE/ BUDGET AMENDMENT-GENESEE JUSTICE-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee Justice Program Coordinator has made a request to amend the 2019 Genesee Justice budget in order to accommodate revenue and expenses associated with a recent Private Agency Contribution, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend acceptance at this time. Now, therefore, Be it

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to make the following budget item amendments to the 2019 Genesee Justice Budget as follows:

Increase revenue:

\$2,062 in line A.3151.2070 – Private Agency Contributions

Increase expense line item:

\$2,062 in line A.3151 4800.0000 – Program Expenses

Budget Impact: Program Expenses are offset by increased revenue so there is no impact on the 2019 Genesee County Budget and no county funding is required by this amendment.

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

**RESOLUTION NO. 68 HOUSEHOLD HAZARDOUS WASTE COLLECTION
CONTRACT-GLOW SOLID WASTE MGMT. COMMITTEE-EXTENSION OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The GLOW Region Solid Waste Management Committee (herein referred to as “GLOW”) expects to be awarded funding from the New York State Department of Environmental Conservation in 2020 for a single Household Hazardous Waste Collection Program held in 2019; and

WHEREAS, Environmental Enterprises, Inc. was awarded the contract for the 2017, and 2018 collections; and

WHEREAS, this contract contained two one-year extension options, with pricing to remain the same; and

WHEREAS, GLOW exercised this option for the 2018 program; and

WHEREAS, GLOW desires to exercise the second option for the 2019 program with the revised prices per pound of mercury, oxidizers and aerosols collected; and

WHEREAS, the GLOW Committee has recommended that this option be exercised Now, Therefore Be It

RESOLVED, That the Genesee County Legislature authorizes the Chairperson to enter into an extension of this contract with the other GLOW Counties and Environmental Enterprises, Inc. for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed \$35,000.

Budget Impact Statement: Approximately half of the HHW Program is expected to be funded through a NYS DEC grant and the rest is funded through the three Counties contributions to GLOW. Genesee County’s contribution for 2019 is \$25,805.

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

**RESOLUTION NO. 69 AGREEMENT – OFFICE OF EMERGENCY
MANAGEMENT SERVICES–QUICKSERIES PUBLISHING, INC. - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The “Ready Genesee” App developed by Quick Series Publishing, Inc. has been utilized by the county as an emergency preparedness App to convey vital emergency communication to citizens in Genesee County in addition to providing them with resources and personal emergency preparedness tools, and

WHEREAS, The county is now required to create local developer accounts for both Google and Apple to show ownership of the App and to grant QuickSeries Publishing, Inc. permission to update the App for the county, and

WHEREAS, The Office of Emergency Management Service Coordinator requests authorization to enter into an agreement with QuickSeries Publishing, Inc., and

WHEREAS, the Genesee County Office of Emergency Management Services will provide QuickSeries Publishing, Inc. with all required permissions and access privileges to its Apple Developer, App Store Connect and Google Play Console accounts so that QuickSeries Publishing, Inc. may act as an “ADMIN” of the App. As such QuickSeries Publishing, Inc. will be responsible for deploying and maintaining the App in all respects, and

WHEREAS, The Office of Emergency Management Services will be responsible for ensuring that each account is up to date in order to allow QuickSeries Publishing, Inc. to deploy updates to the App, and

WHEREAS, The Committees on Public Service and Ways & Means did review this request and do concur with the Office of Emergency Management Services Coordinator’s recommendation. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with QuickSeries Publishing, Inc. of 7491 West Oakland Park Boulevard, Suite 306, Fort Lauderdale, Florida, 33319-4970.

Budget Impact: No Budget impact, No cost.

(Apple will waive the \$99 associated fee once proof of being a government/non-profit entity is provided. A \$25 fee is required by Google which will be credited back to the county.)

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

**RESOLUTION NO. 70 ESTABLISH 2019 CAPITAL PROJECT/2019 BUDGET
AMENDMENT – JAIL CONSTRUCTION -APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has been notified by the New York State Commission of Correction that the current County Jail is no longer a viable long term option, and

WHEREAS, Genesee County has begun the process of procuring a consultant to design and engineer a new County Jail, and

WHEREAS, the intention of the County is to ultimately bond all applicable design/engineer/construction costs over the useful life of the jail, and

WHEREAS, there will be an accumulation of design, engineering, and consulting costs before the County is in the position to successfully issue long term bonds, and

WHEREAS, the County has sufficient funds in the Building and Equipment Reserve Infrastructure to pay for design, engineering and consulting costs until the County is able to issue long term bonds, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized to establish a new Capital Project for the year 2019:

	<u>Amount</u>	<u>Funding Source</u>
Jail Construction	\$2,500,000	Building and Equipment Reserve Infrastructure

and, Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Budget by increasing A.9950.9 – Transfer to Capital Fund in the amount of \$2,500,000 to be offset by an increase in A1000.9999 -Balancing in a like amount utilizing the Building & Equipment Reserve Infrastructure and by increasing H3397.2080.0000 - Capital Project Expense in the amount of \$2,500,000 to be offset by an increase in H3397.5031 – Interfund Transfers in a like amount, and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to upon long-term borrowing to replenish all incurred expenses to the Building and Equipment Reserve Infrastructure.

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 71 CONTRACT AWARD – SMRT ARCHITECTS AND ENGINEERS – ARCHITECTURAL AND ENGINEERING PLANNING, DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES-GENESEE COUNTY JAIL PROJECT – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County issued RFP #2018-106 for Architectural and Engineering Planning, Design and Construction Administration Services for the County Jail Project, and **WHEREAS**, A Steering Committee was created to review the proposals, interview the vendors and determine which vendor would best fit the County’s needs, and

WHEREAS, The Committee on Public Service and the Ways and Means committee has reviewed the recommendation and does concur at this time, Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to execute a contract with SMRT Architects and Engineers, PC, 11 Century Hill Drive, Suite 207, Latham, New York 12110 in the amount not to exceed \$2,360,000 for Basic Architectural and Engineering Planning, Design and Construction Administration Services as outlined in RFP #2018-106 and an amount not to exceed \$140,000 for Additional Architectural and Engineering Planning, Design and Construction Administration Services as outlined in RFP #2018-106 for the Genesee County Jail Construction Project

Budget Impact: Funding for the project will come from the Building and Equipment Reserve (Infrastructure) until such time that the County does long term borrowing. At that time the initial expense will go back the Reserve.

Prior to the vote Legislator Stein thanked the co-chairmen of the Jail Project, Assistant Manager Matt Landers and Sheriff Sheron for their leadership and thorough work on the Jail Project committee which has resulted in the Committee making a respectful recommendation to the Public Service Committee and Legislature.

Legislator Hilchey seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 72 REAPPOINTMENT - GENESEE COUNTY WATER RESOURCES AGENCY –APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The term of office of Diane Fowler on the Genesee County Water Resources Agency expired December 31, 2018 and she has indicated an interest and desire for reappointment, and

WHEREAS, the Committees on Public Service and Ways and Means do recommend reappointed effective January 1, 2019. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Ms. Diane Fowler of East Bethany to serve another term on the Genesee County Water Resources Agency for the period ending on December 31, 2020.

Budget Impact Statement: None, this is an unpaid position.

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 73 CONTRACTUAL AGREEMENT-JUSTICE FOR CHILDREN ADVOCACY CENTER -APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator did submit a contractual agreement for clinical supervision for the JFCAC Mental Health Clinical Therapists who provide services to children alleged to be abused and/or neglected; and

WHEREAS, The Public Service and Ways and Means Committee did review the contractual agreement and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Julie A. Walsh, LCSW-R, with residence at 43 Sarah Circle, Spencerport, New York 14559, for clinical supervision for the JFCAC Mental Health Clinical Therapists, 304 East Main Street, Batavia, NY for the period of February 1, 2019 through September 30, 2019 at a cost of \$60.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 Justice for Children Advocacy Center Budget.

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 74 BUDGET AMENDMENT - JUSTICE FOR CHILDREN ADVOCACY CENTER -APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator has made a request to move unspent Office of Children and Family Services and Office of Victim Services funds that were allocated in the 2018 Justice for Children budget to the 2019 Justice for Children budget, and

WHEREAS, This budget amendment is being requested due to the fact that the contract period for the above referenced grants runs from October 1st through September 30th and the Justice for Children budget was underspent in the last quarter of 2018 due to employee and contractual vacancies, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend acceptance of the budget amendment at this time. Now, therefore, Be it

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to make the following budget amendment for the 2019 budget as follows:

An increase in:

Revenue Account A.3152 3321	State Aid-Victim Asst	\$10,689
Revenue Account A.3152 3323	St Aid-DSS/Just for Child	<u>\$7201</u>
TOTAL REVENUE:		\$17,890
An increase in:		
Expense Account A.3152 1010.0000	Personal Services	\$6000
Expense Account A.3152 8010.0000	Social Security Tax	\$365
Expense Account A.3152 8011.0000	Medicare Tax	\$85
Expense Account A.3152 8020.0000	Retirement	\$558
Expense Account A.3152 4660.0000	Contracted-Other	<u>\$10,882</u>
TOTAL EXPENSES:		\$17,890

Budget Impact: Appropriations to the 2019 Justice for Children Advocacy Center budget are offset by revenue from the New York State Office of Children and Family Services and New York State Office of Victim Services.

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 75 REVISED PURCHASING CARD PROCEDURES FOR GENESEE COUNTY -APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did present revisions and updates to Purchasing Card Procedures, setting forth updated guidelines for the purchasing card functions of the County of Genesee for the year 2019, and

WHEREAS, The Committee on Ways and Means did review the Purchasing Card Procedure for 2019 and does recommend approval at this time. Now therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the terms and contents of the revisions to the Genesee County Purchasing Policy and Procedures for the Year 2019, effective immediately.

Budget Impact: None

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 76 REVISED PURCHASING POLICY AND PROCEDURES FOR GENESEE COUNTY - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Resolution No. 50, adopted February 14, 1996, did provide for the Annual presentation and review of Genesee County Purchasing Policy and Procedure, and

WHEREAS, The Genesee County Purchasing Director did present revisions to said Policy and Procedure, setting forth updated guidelines for the purchasing functions of the County of Genesee for the year 2019, and

WHEREAS, The Committee on Ways and Means did review the Purchasing Policy and Procedure for 2019 and does recommend approval at this time. Now therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the terms and contents of the revisions to the Genesee County Purchasing Policy and Procedures for the Year 2019, effective immediately.

Budget Impact: None

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 77 FIXING DATE AND NOTICE FOR THE PUBLIC HEARING CONSIDERING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FUNDS

Legislator Young offered the following resolution:

WHEREAS, Genesee County (the “County”) is the recipient of a Small Cities Community Development Block Grant in the amount of \$200,000 pursuant to a grant received from the New York State Housing Trust Fund Corporation represented by the New York State Office for Small Cities (OFSC) through the Community Development Block Grant (CDBG) Program (OFSC Grant # 444ME19-04) and a New York State Community Development Block Grant in the amount of \$100,000 pursuant to New York State NYSCDBG Program Community Development Block Grant Agreement Project NO. 444ME18-07 (collectively the “CDBG Grants”), and

WHEREAS, the proceeds of the CDBG Grants were provided to the Genesee County Chamber of Commerce (the “Chamber of Commerce”) pursuant to certain Sub recipient Agreements (the “Sub recipient Agreements”), which provided for the use of the CDBG Grant proceeds to establish and operate a microenterprise revolving loan fund, and

WHEREAS, the cash on hand and loans receivable in the loan fund constitute Program Income, as defined in the CDBG regulations, which is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development and the New York State Office of Community Renewal (OCR) regarding its use, and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR, and

WHEREAS, in order to address OCR’s directive, the Chamber of Commerce has undertaken to sell its loan portfolio and the County and the Chamber of Commerce have agreed to terminate the Sub recipient Agreements and the Chamber of Commerce will remit to the County the Program Income in its possession, including cash on hand and the proceeds from the sale of its loan portfolio, which will be used or committed by the County to fund eligible CDBG activities, and

WHEREAS, the County wishes to utilize the Program Income to advance community and economic development consistent with CDBG rules and regulations, and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs prior to submitting a proposal for the use of CDBG funding, and

NOW THEREFORE BE IT RESOLVED, that the Genesee County Legislature hereby calls for a Public Hearing whereat all interested parties shall be heard regarding the CDBG program, the County’s community development and economic development programs, and the proposed use of Program Income. Such Public Hearing to be held on March 13, 2019, at 5:30 P.M. at the Old Courthouse, 7 Main Street, Batavia, New York and be it further

RESOLVED, that at least eight (8) days’ notice of such hearing shall be given by publishing such notice at least once in the official newspapers of the County.

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 78 CONTRACT - HEALTH DEPARTMENT/ VMC GROUP INC. – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with VMC Group Inc. to provide third party billing to the Health Department, and

WHEREAS, The Committee on Ways & Means did review the contract and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with VMC Group Inc., 9701 Niagara Falls Blvd, Suite 1A Niagara Falls, NY 14304 to provide services for the period March 1, 2019 through August 30, 2021.

Budget Impact Statement: Expenses are included in the 2019 2960 (3-5

Preschool/Transportation budget). The cost to the county in 2019 will be approx. \$24,550. In 2020 & 2021 the cost to the county would be approx. \$64,783 per year.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 79 OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, on February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2019/2020 Executive Budget making impacted towns and villages whole from his changes to AIM funding by utilizing revenue from county sales tax, and

WHEREAS, instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties, and

WHEREAS, already-existing unfunded State mandates are the cause of high local taxes in New York State, and

WHEREAS, counties were granted the authority to levy a local sales tax in the late 1960's to help pay for Medicaid, indigent legal defense services, probation, and other state mandates on counties, and

WHEREAS, requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation, and

WHEREAS, currently nine state mandated programs placed on counties like Genesee equals more than 82percent of the typical county property tax levy, and these mandated costs continue to grow, and

WHEREAS, cutting AIM funding in the first place for Genesee County Towns and Villages would be a loss of \$287,165 and is a tax-shift from broad-based State income taxes to regressive local property taxes, and

WHEREAS, replacing what has been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately result in higher property taxes and is another erosion of Home Rule Authority by New York State, Now, therefore Be it

RESOLVED, that Genesee County supports the full restoration of this aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget, and Be it Further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions, and Be it Further

RESOLVED, that Genesee County shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Legislative Leaders, Inter County Association, Senator Michael Ranzenhofer, Assemblyman Steve Hawley, and all others deemed necessary and proper. Legislator Torrey seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

RESOLUTION NO. 80 COUNTY AUDIT –FEBRUARY 27 - APPROVAL OF
Legislator Hilchey offered the following resolution:

WHEREAS, Legislator Hilchey, did review the following claims:

2018 General Fund	\$	116,834.41
2019 General Fund		984,714.56
Highway		58,690.85
Water Fund		80,000.00
DSS Abstracts		12,175.97
Capital Projects		
Highway-Large Span Culverts	\$	4,855.88
Highway-Preventative Maint Bridge Painting		21,366.46
Highway-Highway-Searls Road Bridge/Spring Creek		11,391.91
Payroll – General		
February 15, 2019		1,579,976.26
Medicaid		
February 19, 2019		177,332.00
February 26, 2019		<u>177,332.00</u>
Total Audit	\$	3,224,670.30

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

At 6:06 PM the meeting adjourned upon motion of Legislator Hilchey seconded by Legislator Stein, carried.

**FIFTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, March 13, 2019**

The Genesee Legislature met in Regular Session on Wednesday March 13, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Torrey followed by the Pledge to the Flag.

In addition to our regular meeting, Chairman Bausch opened a Public Hearing to obtain the views of citizens, public agencies, and other interested parties on the housing and community development needs of the County and the County's submission of a request to the New York State Office of Community Renewal for approval of the use of Community Development Block Grant Program Income to provide assistance in the form of a grant to Yancey's Fancy, Inc. to fund the purchase of equipment. All interested parties were invited to be heard.

Legislator Maha presented Notre Dame High School representatives Mr. Wade Bianco, Mrs. Sharon Korzelius, Faith Falkowski and Collin Piser with a proclamation designating March as Inclusion Month at Notre Dame High School. Legislator Maha shared his appreciation of efforts made by Notre Dame Faculty and students to raise awareness and understanding of people with differing abilities and creating a culture of acceptance and inclusion. His appreciation goes even further as the parent of a disabled daughter. Ms. Falkowski accepted the proclamation and thanked the Legislature for their support and recognition.

Minutes of the February 27, 2019 Legislature meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Deleo with the following correction from Legislator Maha, third paragraph add "on drafting a written plan" carried.

Legislator Stein announced the Soil & Water Conservation District Farm of the Year for 2018 is Barniak Farms. The award will be presented at the Annual Celebrate Agriculture Dinner on March 16, 2019. Inter County Association has their March meeting scheduled for March 15th at the Del Lago in Seneca County. As the Genesee County representative she reported on recent work of the Municipal Electric and Gas Alliance (MEGA) with regard to the Community Choice Aggregate Program. Legislator Young attended the Chamber of Commerce Annual Awards Dinner and the Genesee County Economic Development Annual Luncheon meeting and commented on the level of business and work going on in the county. Chairman Bausch commented on his attendance at the Genesee Regional Transportation Authority meeting where there was much discussion on the proposed round-about in Alabama. It was stated that additional funds are needed for this project. He also attended the Genesee Regional Planning Council meeting and noted that State and Federal project funding is scattered. He commented that the GAIN loan funds, a revolving loan fund, is tapped out and additional funding is not anticipated. Legislator Clattenburg commented that she and County Manager Jay Gsell spoke to Genesee County Youth LEAD program participants about getting involved in government and their community.

An out-of-state travel request for Eve Hens, Purchasing Department, to travel to Austin, Texas from August 24-29 for the National Institute of Government Procurement Forum at a cost to the County of \$2,490 was presented. Legislator Maha commented that he would vote no on the request due to lack of information on the workshops and sessions especially in light of the cost to the County, Legislator Torrey stated he had similar concerns and Legislator Clattenburg

asked for the department head to be present at the committee meeting when the request was on the agenda to answer questions. The out of state travel request was tabled upon motion of Legislator Stein seconded by Legislator Dibble, carried.

County Manager Jay Gsell stated the County may have its first Raise the Age client. The State has not yet approved our submitted Plan however, we will track costs associated with this client if they do become our first RTS case. Mr. Gsell stated CJAC will discuss best practices for services at the County Jail. These discussions will be occurring around the same time the architects will be working on design options. He also referenced the cost associated with the Governor's proposal for electronic poll books which comes close to \$130,000 for Genesee County.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 81 REAPPOINTMENT - OFFICE FOR THE AGING
ADVISORY COUNCIL –APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, Four (4) members' terms have expired, with one (1) member in good standing eligible for reappointment; and

WHEREAS, The Committees on Human Services and Ways & Means do recommend reappointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint the following to the Genesee County Office for the Aging Advisory Council to serve a three year term effective January 1, 2019 through December 31, 2021.

Provider Member:

Nathan Varland, Executive Director-Batavia Housing Authority

Budget Impact Statement: None

Legislator Young seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 82 RENEWAL OF CONTRACT –OFFICE FOR THE AGING
REGISTERED DIETITIAN SERVICES – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract established through RFP 2017-104 to Ellen E. Foster, Consultant Dietitian, 33 Willmont Street, Rochester, N.Y. 14609-3617 for the provision of Registered Dietitian Services for the Older Americans Act, NYS Office for the Aging, and other contractual Nutrition Programs operated by Genesee County Office for the Aging; and

WHEREAS, This is the 2nd renewal of a five year contract with potential for 2 additional 1 year renewals for provision of Registered Dietitian Services including kitchen monitoring, meal site monitoring, home delivered meal program monitoring, nutrition education, nutrition counseling, menu planning/analysis and administrative duties, as required and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract with Ellen E. Foster, Consultant Dietitian for the provision of Title III C-1, Title III C-2, WIN and other nutrition funded services provided through the Genesee County Office for the Aging for 8 hours of dietitian services per week at a rate of \$36 per hour, not to exceed \$14,976 annually, April 1, 2019 – March 31, 2020.

Budget Impact: Neutral. \$36 per hour for 8 hours of dietitian service per week, not to exceed \$14,976 annually, is already budgeted in the county 2019 Office for the Aging budget.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 83 2019 RESOURCE ALLOCATION PLAN-YOUTH BUREAU
– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines, and

WHEREAS, The Genesee County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2019 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Genesee County appropriation, and

WHEREAS, Guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Genesee County Youth Bureau and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2019 Genesee County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

Budget Impact Statement - Resource allocation to contract programs is included in the 2019 department budget. Allocations are completely offset by revenue. All payments to programs/agencies are subject to availability of state aid.

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 84 REAPPOINTMENT – GENESEE COUNTY YOUTH BOARD
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Committees on Human Service and Ways and Means do recommend an appointment to the Genesee County Youth Board at this time. Now, therefore, be it

RESOLVED, That the following individual is hereby appointed to the Genesee County Youth Board with a term and representation as noted.

Reappointment

Alexander Kara Richenberg 1/1/19-12/31/21

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 85 2019 BUDGET/SALARY SCHEDULE AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/MENTAL HEALTH CLINICAL
THERAPIST -APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Employee Salary Schedule to create one (1) Mental Health Clinical Therapist, F.T., in CSEA-General, Grade 19, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Employee Salary Schedule by **creating** one (1) Mental Health Clinical Therapist F.T., in CSEA-General, Grade 19, effective March 18, 2019 and be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by:

Increasing A4310. .4090.0000	Federal Aid	\$68,720.00
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AND

Increasing A4310. .1010.0000	Personnel Services by	\$40,100.00
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Increasing A4310. .8010.0000	Social Security Tax by	\$ 2,770.00
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Increasing A4310. .8011.0000	Medicare Tax by	\$ 770.00
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Increasing A4310. .8020.0000	Retirement by	\$ 4,700.00
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Increasing A4310. .8030.0000	Medical by	\$12,550.00
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Increasing.A4310. .8040.0000	Dental	\$ 330.00
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AND

Increasing.A4310. .2022.0001	Computer	\$ 3,000.00
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Increasing.A4310 .2010.0020	Desk	\$ 3,000.00
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Increasing.A4310. .2010.0022	Chairs	\$ 1,500.00
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Budget Impact Statement: Budget amendment required: Increase by \$68,720.00 with a net County cost of \$0, offset by revenues.

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 86 2019 BUDGET AMENDMENT/SALARY SCHEDULE
AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/REGISTERED
PROFESSIONAL NURSE**

-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Employee Salary Schedule to **create** one (1) Registered Professional Nurse F.T., in CSEA-General, Grade 16N and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Employee Salary Schedule by **creating** one (1) Registered Professional Nurse F.T., in CSEA-General, Grade 16N in Employee Salary Schedule effective March 18, 2019 and be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by:

Increasing A4310.	.4090.0000	Federal Aid	\$ 79,520.00
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AND

Increasing A4310.	.1010.0000	Personnel Services by	\$ 50,200.00
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Increasing A4310.	.8010.0000	Social Security Tax by	\$ 3,010.00
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Increasing A4310.	.8011.0000	Medicare Tax by	\$ 830.00
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Increasing A4310.	.8020.0000	Retirement	\$ 5,100.00
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Increasing A4310.	.8030.0000	Medical	\$ 12,550.00
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Increasing A4310.	.8040.0000	Dental	\$ 330.00
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AND

Increasing.A4310.	.2022.0001	Computers	\$ 3,000.00
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Increasing.A4310.	.2010.0020	Desk	\$ 3,000.00
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Increasing.A4310.	.2010.0022	Chairs	\$ 1,500.00
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Budget Impact Statement: Increase by \$79,250, offset by Federal Aid.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 87 RESOLUTION NO. 136-2018 MODIFICATION – MENTAL HEALTH/INTER-MUNICIPAL AGREEMENT WITH NIAGARA COUNTY FOR CRISIS ON-CALL SERVICES - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, Resolution No. 136-2018 allowed for execution of an inter-municipal agreement with Niagara County for the operation of required Crisis On-Call Services, and

WHEREAS, that resolution approved the contract for the term of May 1, 2018 through December 31, 2018, and

WHEREAS, the Inter-municipal agreement signed by the Chair of the Genesee County Legislature was actually for a term through December 31, 2022, and

WHEREAS, The Committee on Human Services does wish to correct this discrepancy and continue the agreement. Now, therefore, Be it

RESOLVED, That the signature of the Chair of the Genesee County Legislature to the inter-municipal agreement with Niagara County for Crisis on-call services is hereby ratified and his signature will be effective for the dates set forth in the agreement of April 1, 2018 through December 31, 2022 without necessity of resigning, and Be it Further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to continue payments according to the terms of the agreement with Niagara County until the last day of the contract, December 31, 2022.

Budget Impact: County Cost \$78,600.00 annually.

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 88 2019 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/TEMPORARY LICENSED PRACTICAL NURSE- APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The full-time Licensed Practical Nurse at Community Mental Health Services is

currently out on permanent disability due to a workman's compensation injury, and **WHEREAS**, The Director of the Community Mental Health Services is requesting an amendment to the 2019 CSEA Employee Salary Schedule to create one (1) Temporary Full-Time Licensed Practical Nurse, in the CSEA-General, Grade 10N, to cover the duties of the LPN who is out on workman's compensation, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 CSEA Employee Salary Schedule by **creating** one (1) Temporary Full-time Licensed Practical Nurse, in the CSEA-General, Grade 10N Salary Schedule, effective March 15, 2019.

Budget Impact Statement: No Budget impact due to current vacancy.

Legislator Clattenburg seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 89 CONTRACT- HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Paula Ferraro, 1091 Maryvale Drive, Cheektowaga, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) backdated to February 1, 2019 and extending through June 30, 2019 per the 2017-2019 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 90 GRANT ACCEPTANCE – HEALTH DEPARTMENT/IMMUNIZATION ACTION PLAN – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director Has received notification from the New York State Department of Health the Genesee County's Lead Immunization Action Plan contract has been approved in the amount of \$31,050, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Immunization Action Plan Activities, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, now therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Department of Health for the acceptance of the Immunization Action Plan contract for the period April 1, 2019 through

March 31, 2020 in the amount of \$31,050, and to execute any and all other documentation related to this funding

Budget Impact: \$31,050 is included in the 2019 Dept. 4010 – Health Department Budget.

Legislator Clattenburg seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 91 GENESEE-ORLEANS REGIONAL ARTS COUNCIL
FUNDING AGREEMENT - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Manager did present an agreement for the funding of the Genesee-Orleans Regional Arts Council for 2019 for the promotion of music and art appreciation in Genesee County, and

WHEREAS, The Committee on Human Service did review and does recommend approval of said contract at this time. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement by and between the County of Genesee and the Genesee-Orleans Regional Arts Council, 201 East Main Street, Batavia, NY for a program which promotes music and art appreciation during the contract term of January 1, 2019 through December 31, 2019 at a cost not to exceed six thousand five hundred dollars (\$6,500.00).

Budget Impact Statement: 2019 = \$6,500

2018= \$6,500

2017= \$6,300; 10% reduction in funding

2016 = \$7,000

2015 = \$6,905

2014 = \$6,905

2013 = \$6,905

2012 = \$6,905; 5% reduction in funding

2011 = \$7,268; 15% reduction in funding

2010 = \$8,550; 5% reduction in funding

2005 – 2009 funding = \$9,000/year

1997 – 2004 funding = \$10,000/year (in 2001 received \$4,000 extra as matching funds for state grant)

1994 -1996 funding = \$3,000/year

1993 funding = \$2,500/year

Legislator Clattenburg seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 92 AUTHORIZING NEW YORK STATE ASSEMBLYMAN
STEPHEN HAWLEY AND SENATOR MICHAEL RANZENHOFER TO SPONSOR
AND INTRODUCE LEGISLATION GRANTING MUNICIPALITIES WITHIN
GENESEE COUNTY THE OPTION TO ACCEPT BIDS FOR COMPETITIVELY SOLD
MUNICIPAL BONDS VIA AN ELECTRONIC OPEN AUCTION**

Legislator Clattenburg offered the following resolution:

WHEREAS, current New York State law permits municipal debt officers to sell bonds electronically in a closed auction format only; and

WHEREAS, in a closed auction format a bidder does not receive information with respect to the status or rank of its bid prior to the conclusion of the bid submission period and has no opportunity to improve its bid based on its rank compared to other bidders; and

WHEREAS, in an open auction format a bidder learns the rank of its bid at the instant the bid is

submitted and is permitted to improve its bid, multiple times, until the conclusion of the bid submission period; and

WHEREAS, previous attempts to authorize the additional option of an electronic open auction format for municipal debt officers statewide to sell municipal bonds have unanimously passed in the NYS Senate and never made it out of Local Government Committee in the NYS Assembly (A.2536/S.3849), and

WHEREAS, the residents of Genesee County would benefit from the enactment of such legislation in that it provides a means to reduce the borrowing costs associated with funding capital projects; and Now Therefore, BE IT

RESOLVED, that the Genesee County Legislature supports the enactment of state legislation that would grant municipal debt officers practicing within Genesee County the additional option to sell municipal bonds via an electronic open auction; and be it further

RESOLVED, that the Clerk of the Genesee County Legislature is hereby directed to cause a copy of this resolution to be forwarded to the Honorable Assemblyman Stephen Hawley and Senator Michael Ranzenhofer and anyone else deemed necessary.

Legislator Torrey seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 93 GRANT ACCEPTANCE/2019 BUDGET AMENDMENT – STOP-DWI – APPROVAL OF

Legislator Stein offered the following resolution

WHEREAS, The Genesee County STOP-DWI program did apply for and has been approved to receive grant funding from the Governor’s Traffic Safety Council for a High Visibility Road Check/Saturation Patrols/DRE Call Out program in the amount of \$12,300, and

WHEREAS, the grant period runs October 1, 2018 through September 30, 2019, and

WHEREAS, The New York State STOP DWI Foundation has increased Genesee County’s allotted crackdown funding an additional \$2,000, and

WHEREAS, a budget amendment is needed in order to carry over the unspent funds and to expense the additional funds which will be used by local police agencies to coordinate special crackdown details, and

WHEREAS, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by

Increasing	A.3315.4660.0502 (Enforcement Nights - Sheriff)	\$5,307
	A.3315.4660.0503 (Enforcement Nights – City Police)	\$3,468
	A.3315.4660.0504 (Enforcement Nights – LeRoy Police)	\$1,780

to be offset by an increase in revenue account A.3315.4389 (Federal Aid-Other Pub Safety) in the amount of \$10,555

Budget Impact Statement: No impact on County Budget. Increase in revenue and expense funded by GTSC grant

Legislator Dibble seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 94 APPOINTMENT– STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Vacancies do exist on the STOP-DWI Advisory Board for Citizen Member representation, and

WHEREAS, The Genesee County STOP DWI Coordinator has identified an individual Christopher Blossom, who has expressed interest in serving on the Advisory Board as a citizen member, and

WHEREAS, The Genesee County STOP DWI Advisory Board approved the recommendation to appoint Christopher Blossom to the Advisory Board, and

WHEREAS, The Committee on Ways and Means does recommend the appointment of citizen, Christopher Blossom. Now, therefore, Be it

RESOLVED, That Christopher Blossom of Batavia New York be appointed as citizen members of the Genesee County STOP-DWI Advisory Board to serve a term effective immediately through December 31, 2021.

Budget Impact: None – these are volunteer Board Members

Legislator Deleo seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

At 6:00 PM the Public Hearing was closed. No one spoke on the matter.

RESOLUTION NO. 95 AUTHORIZING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FUNDS TO ASSIST YANCEY'S FANCY, INC.

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County (the "County") is the recipient of a Small Cities Community Development Block Grant in the amount of \$200,000 pursuant to a grant received from the New York State Housing Trust Fund Corporation represented by the New York State Office for Small Cities (OFSC) through the Community Development Block Grant (CDBG) Program (OFSC Grant # 444ME19-04) and a New York State Community Development Block Grant in the amount of \$100,000 pursuant to New York State NYSCDBG Program Community Development Block Grant Agreement Project NO. 444ME18-07 (collectively the "CDBG Grants"), and

WHEREAS, the proceeds of the CDBG Grants were provided to the Genesee County Chamber of Commerce (the "Chamber of Commerce") pursuant to certain Subrecipient Agreements (the "Subrecipient Agreements"), which provided for the use of the CDBG Grant proceeds to establish and operate a microenterprise revolving loan fund, and

WHEREAS, the cash on hand and loans receivable in the loan fund constitute Program Income, as defined in the CDBG regulations, which is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development and the New York State Office of Community Renewal (OCR) regarding its use, and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR, and

WHEREAS, in order to address OCR's directive, the Chamber of Commerce has undertaken to sell its loan portfolio and the County and the Chamber of Commerce have agreed to terminate the Subrecipient Agreements and the Chamber of Commerce will remit to the County the Program Income in its possession, including cash on hand and the proceeds from the sale of its

loan portfolio, which will be used or committed by the County to fund eligible CDBG activities, and

WHEREAS, the County wishes to utilize the Program Income to make a grant to Yancey's Fancy, Inc. to be used to fund the purchase of a piece of equipment which will allow the company to expand its artisanal cheese production, and

WHEREAS, the County has held a public hearing regarding the proposed use of Program Income to provide assistance to Yancey's Fancy, Inc. and **NOW THEREFORE BE IT**

RESOLVED, that, subject to the approval of OCR, the County utilize its Program Income, as remitted to the County by the Chamber, in an amount not to exceed \$ 70,421.62 to provide a grant (the "Grant") to Yancey's Fancy, Inc. (the "Company") to be used to fund the purchase of equipment, and be it further

RESOLVED, that the County enter into a Grant Agreement with the Company which shall provide for the disbursement and use of the Grant proceeds to fund the purchase of equipment in a manner consistent with CDBG program requirements and which Grant Agreement shall include and be subject to the requirements of the CDBG program, including requirements for the creation and reporting of employment, such Grant Agreement to be subject to the approval of the County Attorney, and be it further

RESOLVED, that following the County Attorney's review, the Chair of the Legislature be, and hereby is, authorized to execute the Grant Agreement with the Company and such other documentation as is required to effectuate the actions approved in this Resolution, and be it further

RESOLVED, that the Chair of the Legislature is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the project.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 96 CONTRACT RENWAL –COUNTY ATTORNEY-BROKER RISK MANAGEMENT SERVICES/APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, In 2016 Genesee County did contract with Lawley Genesee for Broker/Risk Management Services to review and evaluate the County's risks and appropriateness of various coverages, and

WHEREAS, The County Attorney does wish to continue this contract with Lawley Genesee and the Committee on Ways and Means reviewed this recommendation and does concur at this time. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to renew a contract to Lawley Genesee, 20 Jefferson Square, Batavia, NY 14020, for the provision of Broker/Risk Management Services in the amount of \$22,000 for the period March 1, 2019 through February 28, 2020.

Budget Impact: The cost for this service has stayed flat at \$22,000 since 2016.

Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 97 STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS-NEW YORK STATE RETIREMENT SYSTEM-APPROVAL OF

Legislator Stein offered the following resolution:

RESOLVED, That the County of Genesee hereby establishes the following as standard work day for this title and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

Title	Standard Work Day (hrs/day)	Name	Tier 1	Current Term begin & end	ROA results	ROA not submitted
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Elections

Commissioner-D	6 hrs	Lorie Longhany	no	1/1/19-12/31/22	24.45	
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Legislator Torrey seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

RESOLUTION NO. 98 COUNTY AUDIT –MARCH 13 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Stein, did review the following claims:

General Fund	\$	847,141.42
Self Insurance		1,469.11
Highway		69,229.89
Water Fund		57,481.38
DSS Abstracts		504,356.02
Capital Projects		
Highway-Large Span Culverts	\$	42,194.64
Airport-Reconstruct Taxiway “C” Design		9,525.00
Airport-Reconstruct Taxiway “C”		982.35
Airport-Reconstruct Runway 10-28		7,684.63
GCC- Wellness & Event Center		89,144.81
Payroll – General		
March 1, 2019		1,103,894.90
Medicaid		
March 5, 2019		177,332.00
March 12, 2019		<u>177,332.00</u>
Total Audit	\$	3,087,768.15

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Prior to the vote, Legislator Stein commented on the diligent work of the Treasurer’s office staff and thanked them.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

Legislator Young stated that a bill was introduced in the NYS Senate and Assembly that if passed will adversely affect economic development in the County. He made a motion to suspend the rules of the Legislature to place **A Resolution Opposing Assembly Bill Number 1261 and Senate Bill Number 1947** on the agenda for consideration seconded by Legislator Clattenburg, carried.

RESOLUTION NO. 99 A RESOLUTION OPPOSING ASSEMBLY BILL NO. 1261/SENATE BILL NO. 1947

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Legislature supports the continued growth of business expansion, retention and attraction; and investments into workforce development, housing and healthy living projects, and

WHEREAS, Genesee County has used financial incentives to secure significant private sector investments amid competitive site selection searches; to allow Genesee County businesses to pursue projects expanding their workforce, production, and facilities; and to overcome competitive disadvantages from New York State's expensive business climate, and

WHEREAS, such public-private partnerships are necessary to enable revitalization of our downtowns, expand markets for agricultural products, create rewarding career pathways for our existing workforce and youth, and fulfill the delivery of transformational projects at the WNY STAMP campus in the town of Alabama, and

WHEREAS, projects assisted by the Genesee County Economic Development Center have returned a significant benefit to Genesee County, enabling pledges of \$33 million in capital investment, 99 new jobs, and construction of over 189,000 square feet of facilities in 2018; and over the past 17 years have enabled \$1.3 billion in capital investment, over 4,500 new jobs, and new construction and renovations totaling over 3.5 million square feet of facilities, and

WHEREAS, legislation is currently under consideration by the State Senate of New York and the State Assembly of New York which redefines public works projects to include private sector projects; and would impose prevailing wage requirements on all private sector investments receiving any incentives, grants, loans or assistance from Genesee County or the State of New York; including those to expand manufacturing, affordable and market rate housing, downtown revitalization, historic preservation and projects undertaken by non-profit organizations, and

WHEREAS, studies have projected a prevailing wage mandate would increase project costs by an additional 25 to 30 percent, resulting in fewer projects, fewer new jobs, and fewer investments into community needs in Genesee County; and past use of prevailing wage requirements in Ulster County and the City of Yonkers arrested economic development in those communities, therefore be it

RESOLVED, that the Genesee County Legislature reaffirms its support for the continued growth of Genesee County's economy and quality of life, and goes on record opposing Senate Bill 1947 and Assembly Bill 1261.

RESOLVED, that the clerk of the Legislature shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senator Mike Ranzenhofer, Speaker of the New York State Assembly Carl Heastie, Assemblyman Steve Hawley, the Inter County Association and NYSAC.

Legislator Torrey seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

The meeting adjourned at 6:09 PM upon motion of Legislator Stein seconded by Legislator Deleo, carried.

**SIXTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, March 27, 2019**

The Genesee Legislature met in Regular Session on Wednesday March 27, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Dibble assisted with the audit. Prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

Minutes of the March 13, 2019 meeting were approved upon motion of Legislation Stein seconded by Legislator Maha, carried.

Legislator Stein stated GAM passed a resolution in support of the County and City request for special legislation authorizing a 40 year sales tax allocation. The resolution will be forwarded to Assemblyman Hawley and Senator Ranzenhofer who have introduced legislation authoring the Comptroller to approve a term of no more than 40 years for a sales tax allocation agreement. GAM members were provided with information from Highway Superintendent Hens regarding the cost of County bridges and culverts. The data was provided as an informational piece and included total actual cost and projected replacement cost. The next Inter County Association meeting is April 19th and Genesee County is host. The meeting will be held at the Iroquois National Wildlife Refuge in Alabama and all legislators are invited to attend. Legislator Stein also announced that Soil & Water Conservation District is adding a position that will incorporate planning. She attended the Celebrate Ag dinner and commented that Assemblyman Hawley and Senator Ranzenhofer attended and stayed for the entire evening. She noted that Water Resources Agency GAM representative Dave Hagelberger was reappointed to another term as the GAM rep on Water Resources Agency but he is not running for Supervisor therefore his term will end December 31 when he retires. Legislator Maha stated he attended the E911 board meeting and they are looking into the Connect 211 program that provides residents with an alternative to 911. Connect 211 is for non-emergency calls-callers can obtain information on resources. He also held another Water Resources Agency Sub-Committee meeting. Legislator Maha further reported that he attended a Jail Committee meeting and a May 16th presentation is planned by SMRT Architects.

Legislature Clerk LaGrou stated correspondence was received from Assemblyman Steve Hawley and NYSAC acknowledging receipt of our resolution opposing cuts to AIM funding.

Vice Chair Clattenburg stated the Youth Bureau Awards dinner is March 28th. She attended the Holland Land Office meeting and was updated on their plans for their antique show and the support they are getting from GCC. She also attended the GLOW Workforce Development meeting where discussion included the shortage of skilled labor.

County Manager Jay Gsell stated the State Legislature and Governor are reportedly working to ensure an on-time state budget. He has heard that cuts to AIM funding are being restored and legalization of Cannabis is not included in the budget. April is County Government Month and this year's theme is "Connecting the Unconnected". Legislator Stein commented that she understood that state legislators are due for a raise if the state budget is adopted on-time.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 100 CONTRACT –PUBLIC DEFENDER/ NYS OFFICE OF
INDIGENT LEGAL SERVICES-2ND UPSTATE QUALITY IMPROVEMENT AND
CASELOAD REDUCTION GRANT-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of a contract (Second Upstate Quality Improvement and Caseload Reduction, Contract No.: C2ND618) between the Genesee County Public Defender's Office and the New York State Office of Indigent Legal Services, in the amount of \$300,000 for the provision of the three (3) year contract between Genesee County and The Legal Aid Bureau of Buffalo, Inc. to provide appellate services

WHEREAS, the Public Service Committee did review the contract and does recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the (Second Upstate Quality Improvement and Caseload Reduction, Contract No.: C2ND618) with the New York State Office of Indigent Legal Services for the period of July 1, 2017 through June 30, 2020, and Be it further

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$100,000 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

Legislator Maha seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 101 BUDGET AMENDMENT - SHERIFF/K-9 PROGRAM- APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, Sheriff's Deputy Erion, will be participating in a K-9 training program with his new K-9 partner Frankie, at a cost of \$5,000, and

WHEREAS, Additional funds are also needed to cover the projected cost of supplies, vet services, boarding, and food for Frankie for the remainder of the year, with a projected cost of \$1,000, and

WHEREAS, Funds are available in the K-9 Donations Reserve Account from the gifts and donations that have been made to the K9 Program to cover these costs, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

\$6,000 to A3110.4800.3317 (Program Exp-Canine Program)

To be offset by increasing the following revenue account:

\$6,000 to A3110.2705 (Gifts and Donations), with funds to come from A915.6 (K-9 Assigned Unappropriated Funds)

Budget Impact Statement: Increase in Sheriff's 2019 appropriations in the amount of \$6,000; offset by an increase in revenue in a like amount. Funds will come from the K9 Donations Reserve Account.

Legislator Dibble seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 102 GRANT AWARD-GENESEE JUSTICE/NYS DIVISION OF CRIMINAL JUSTICE SERVICES-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Program Coordinator of the Genesee Justice Program did receive notification of the award of grant funding from the New York State Division of Criminal Justice Services for

the continuation of the Community Service Sentencing Program and the Pre-Trial Services Program for a one-year contract term starting July 1, 2019 through June 30, 2020, and **WHEREAS**, The Public Service Committee did review and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby accept grant funding from the New York State Division of Criminal Justice Services in the amount of \$41,876 for the continuation of the Community Service Sentencing Program and the Pre-Trial Services Program for 2019-2020, and Be it further,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary form for the acceptance of funds for the period of July 1, 2019 through June 30, 2020 in the amount of \$41,876.

Budget Impact: There is no amendment for the 2019 County Budget as we receive this grant yearly, and we have already placed monies in our 2019 county budget. There was no change in amount of the grant award.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 103 AWARD OF BID – HIGHWAY – PAVEMENT MARKINGS – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Purchasing Department did receive bids for the painting of pavement markings on county roads and airport, and,

WHEREAS, The Genesee County Highway Superintendent has reviewed the bids and the qualifications of bidders and does recommend awarding contracts at this time, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a renewal contract with Seneca Pavement Markings, Inc., 23 Hunters Run, Horseheads, NY 14845 for the application of pavement markings as bid under Item Groups A and B as per specifications, effective June 1, 2019 through May 31, 2020 in an amount not to exceed budgeted amounts.

Budget Impact Statement: The County Road Fund includes \$165,000 for highway pavement markings.

Legislator Torrey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 104 AWARD OF BIDS – HIGHWAY/ CONSTRUCTION MATERIALS – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent advertised specifications for the various construction materials used by Genesee County for highway and bridge maintenance and construction, and

WHEREAS, The Highway Superintendent did review these bids and does recommend their award at this time, and

WHEREAS, The Committee on Public Service did review this request and does recommend an award at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to award bids to the various vendors on the annual construction materials bid as allowed

for under the specifications for each item and as budgeted for within the 2019 County Budget and capital projects as established.

Budget Impact: This is an annual bid that allows the Highway Superintendent to purchase materials in compliance with the General Municipal Law. The cost of most asphalt related materials are expected to remain fairly flat through the construction season. The purchase of materials is limited by budgeted amounts within the County Road Fund and the various capital projects in place for the repair and replacement of highways and bridges. The Highway Superintendent uses low bid, as adjusted by the contract hauling formula. The Highway Superintendent also reserves the right to award bids in the best value for the County based on availability of product, equipment failures and long wait times.

Prior to the vote Legislator Hilchey disclosed that he works for a company that the County purchases construction materials from and will abstain from the vote.

Legislator Dibble seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator Hilchey (28), abstain.

RESOLUTION NO. 105 AWARD OF BID – GENESEE COUNTY JAIL/ FIRE ALARM CONTROL PANEL – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did obtain contract pricing from the New York State Office of General Services for the replacement and upgrade of the Fire Alarm Control Panel at the Genesee County Jail, and,

WHEREAS, The Genesee County Highway Superintendent has reviewed the proposal and does recommend awarding a contract at this time, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Johnson Controls, 90 Goodway Dr, Rochester, NY 14623 in an amount not to exceed \$27,571.28.

Budget Impact Statement: A capital project has been established for this purpose in the amount of \$45,000.

Legislator Maha seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 106 REAPPOINTMENT –PARKS, RECREATION AND FORESTRY ADVISORY COMMITTEE - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The term of office for three members of the Genesee County Parks, Recreation and Forestry Advisory Committee will expire on March 31, 2019 and they have expressed an interest and desire to serve another 3 year term, and

WHEREAS, The Committees on Public Service and Ways and Means do recommend that the reappointments be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint the following to serve another term on the Genesee County Parks, Recreation, and Forestry Advisory Committee effective April 1, 2019 through March 31, 2022:

Thomas Clark	City of Batavia	District #9
C. Joseph Mahler	City of Batavia	District #8
Mary Miller	Town of Bethany	District #6

Budget Impact: None

Legislator Hilchey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 107 ESTABLISH CAPITAL PROJECT/BUDGET
AMENDMENT – COUNTYWIDE WATER SYSTEM (PHASE 2) – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County completed a Master Plan for the advancement of Phase 2 of the Countywide Water Project and initiated project engineering, and,

WHEREAS, Permanent easements are being obtained for the construction of the project and bids are being prepared for construction, and

WHEREAS, The Genesee County Legislature desires to advance these projects, and

WHEREAS, Temporary funding for the advancement of land acquisition and construction are available in the Infrastructure Reserve, and

WHEREAS, The Genesee County Highway Superintendent and the Assistant County Treasurer have recommended the temporary use of \$5 million in funding to be replaced by future bonding when made available, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to establish a capital project for the Countywide Water System – Phase 2 in the amount of \$5 million with funding from the County Infrastructure Reserve, and further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County Budget by increasing H.8397 2080.0000 Water Capital Projects - Equipment & Capital Outlay in the amount of \$5,000,000 offset by increasing H.8397 5031 Interfund Transfer in the amount of \$5,000,000 and by increasing A.9950 9000.0000 Transfer to Capital in the amount of \$5,000,000 offset by increasing A.1000.9999 Balancing utilizing the Building and Equipment - Roads and Bridges Reserve in the amount of \$5,000,000.

Budget Impact Statement: The County Infrastructure Reserve will be used to establish a capital project in the amount of \$5,000,000. It is required that future MCWA bonding for Phase 2 will refund or replace the Infrastructure Reserve Funds.

Legislator Dibble seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 108 EASEMENTS – COUNTYWIDE WATER SYSTEM
(PHASE 2) – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee County is required to obtain land and interest in land on behalf of the Monroe County Water Authority, and,

WHEREAS, Permanent easements are being obtained for the construction of the transmission mains, pump stations and other appurtenances required for the advancement of Phase 2 of the Genesee County Countywide Water Project, and

WHEREAS, The Genesee County Highway Superintendent and the County Attorney recommend the approval of the easements required for Phase 2 Water, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to execute any and all land acquisition agreements and easements required for the construction of water infrastructure as required by Phase 2 of the Countywide

Water Project.

Budget Impact Statement: It is estimated that acquisition of easements will cost approximately \$49,604. These costs will be borne by the Capital Project Established for the Countywide Water Project – Phase 2.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 109 ESTABLISH CAPITAL PROJECT/BUDGET
AMENDMENT – AIRPORT – GROUND SERVICE EQUIPMENT – APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County included Airport Ground Service Equipment in the 2019 Capital Plan, and,

WHEREAS, A state aviation grant was secured in order to aid in the purchase of this equipment, and

WHEREAS, The Genesee County Highway Superintendent recommends the establishment of a capital project from which to purchase this equipment, and

WHEREAS, The Committees on Public Service and Ways & Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to establish a capital project for Airport Ground Service Equipment in the following amount:

Airport Ground Service Equipment	\$475,000
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RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County Budget by increasing H.5997 2080.0000 Other Transportation Capital Projects - Equipment & Capital Outlay in the amount of \$475,000 offset by increasing H.5997 3897 State Aid in the amount of \$356,250 and H.5997 5031 Interfund Transfer in the amount of \$118,750 and by increasing A.9950 9000.0000 Transfer to Capital in the amount of \$118,750 offset by increasing A.1000 1110.1 1% Sales Tax in the amount of \$118,750.

Budget Impact Statement: The total project cost is \$475,000, which is funded by a state aviation grant in the amount of \$356,250 and a local match from the 1% sales tax in the amount of \$118,750.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 110 SET PUBLIC HEARING – LOCAL LAW
INTRODUCTORY NO. TWO YEAR 2019 – APPROVAL
OF**

Legislator Stein offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No. Two, Year 2019 entitled “**A LOCAL LAW REGULATING THE TRANSFER OF SECONDHAND ARTICLES-APPROVAL OF**, and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, That a public hearing shall be held on proposed Local Law Introductory No. Two, Year 2019, by the Genesee County Legislature on the 10th day of April, 2019 at 5:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, New York.

Prior to the vote Legislator Stein thanked the elected officials and others who worked on changes to the previously proposed local law.

Legislator Hilchey seconded the resolution which was adopted by 234 votes, Legislator Bausch (45) absent, Legislator Young (45) no.

RESOLUTION NO. 111 REAPPOINTMENT–FISH & WILDLIFE MANAGEMENT ACT BOARD - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Landowner member of the Fish & Wildlife Management Board has been held by Timothy J. Woodward, and

WHEREAS, a minimum 3-member board, appointed by the Legislature includes a sportsman, landowner and legislator and also the Soil & Water Chair or their designee is an automatic member, and

WHEREAS, Timothy J. Woodward is desirous of reappointment and the Committees on Public Service and Ways and Means do recommend reappointment at this time. Now, therefore, Be it **RESOLVED**, That the Genesee County Legislature does hereby reappoint the following to serve on the Fish & Wildlife Management Board;

Timothy J. Woodward Landowner Representative 1/1/19-12/31/20

Legislator Torrey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 112 REAPPOINTMENTS-GENESEE COUNTY WATER RESOURCES AGENCY–APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The term of office of Chris Thornley on the Genesee County Water Resources Agency expired December 31, 2018 and she has indicated an interest and desire for reappointment, and

WHEREAS, The term of office of David Hagelberger, The GAM representative, expired December 31, 2018 and he has indicated an interest and desire for reappointment and GAM has recommended he be named as their representative on the Water Resources Agency, and

WHEREAS, the Committees on Public Service and Ways and Means do recommend reappointment effective January 1, 2019. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Ms. Chris Thornley of the Village of Corfu and Mr. David Hagelberger, GAM representative, to serve another term on the Genesee County Water Resources Agency for the period ending on December 31, 2021.

Budget Impact Statement: None, this is an unpaid position.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 113 APPOINTMENT - GENESEE COUNTY WATER RESOURCES AGENCY – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, the Genesee County Water Resources Agency has a vacancy and Bruno DeFazio has submitted an application stating his interest and desire to serve, and

WHEREAS, the Committees on Public Service and Ways and Means do recommend appointment. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Bruno DeFazio of the Town of LeRoy to serve a term commencing January 1, 2019 through December 31, 2021 on the Genesee County Water Resources Agency.

Budget Impact Statement: None, this is an unpaid position.

Legislator Maha seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 114 RENEWAL OF CONTRACT-ELECTIONS/PRINTING SUPPLIES-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, This contract which expired June 30, 2018 provided the option for four (4) additional one (1) year renewals upon mutual agreement between both parties and must in the best interest of Genesee County, and

WHEREAS, The Genesee County Legislature did authorize the renewal of the 1st one year option at a cost of \$14,205 covering the period of July 1, 2018 thru June 30, 2019, and

WHEREAS, Both Commissioners Richard Siebert and Lorie Longhany are satisfied with services rendered by Phoenix Graphics and the company has agreed to provide the needed supplies for the period of July 1, 2019 thru June 30, 2020 which would be the 2nd one year option, and

WHEREAS, Commissioners Siebert and Longhany and the Ways & Means Committee recommend renewal of the contract for the second (2nd) additional year. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Phoenix Graphics Inc., 1525 Emerson St., Rochester, NY 14606 for the printing supplies for the 2019 Primary and General Election, per bid specifications, effective July 1, 2019 through June 30, 2020 in the amount of \$14,205 prorated by the required number of ballots per election.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 115 RENEWAL OF CONTRACT-ELECTIONS/CARTAGE OF VOTING MACHINES-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The existing contract with Clark Moving & Storage, Inc. of 3680 Buffalo Rd., Rochester, NY will terminate May 31, 2019, and

WHEREAS, This contract to move the electronic voting machines and supplies to and from the 24 polling sites used by the Genesee County Board of Elections at a cost of \$138 per polling site (delivery and pickup) did provide the provision to renew said contract for up to three (3) years, and

WHEREAS, Commissioners Lorie Longhany and Richard Siebert are satisfied with services provided by Clark Moving and Storage Inc. and they have agreed to renew at the original terms. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Clark Moving & Storage, Inc. of 3680 Buffalo Rd., Rochester, NY 14624 for moving services of \$138 per polling site for Primary and General Elections for the period of June 1, 2019 thru May 31, 2020. This fee completely covers both delivery and pickup as one total price.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 116

SETTING PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT/FY2017 – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County was awarded a FY 2017 Community Development Block Grant from the New York State Office of Community Renewal for the purpose of providing financing to support the establishment and operation of a dairy and dairy-related production facility located at 5140 Ag Park Drive, in the Town of Batavia, New York, by HP Hood LLC, and

WHEREAS, The award of such a grant requires that a public hearing be held to obtain citizen views regarding any aspect of the project’s implementation including, but not limited to any construction, financing, and employment opportunities resulting from the project. Now, therefore, Be it

RESOLVED, That a Public Hearing on the Community Development Block Grant from the New York State Office of Community Renewal for the purpose of providing financing to support the establishment and operation of a dairy and dairy-related production facility at 5140 Ag Park Drive, Batavia, New York will be held on Thursday, April 11, 2019 at 4:30pm at the Old Courthouse, 7 Main Street, Batavia, New York

Budget Impact: None

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 117 FAIR HOUSING- OCR/CDBG-SETTING PUBLIC HEARING
Legislator Torrey offered the following resolution:

WHEREAS, As a recipient of OCR/CDBG grant funds the County is required to hold an annual public meeting on fair housing to identify any concerns and issues with fair housing practices in the County, and

WHEREAS, The Committee on Ways and Means does recommend setting a public hearing on Fair Housing. Now, therefore, Be it

RESOLVED, That a Public Hearing on Fair Housing Practices will be held on Wednesday, April 10, 2019 at 5:30 p.m. at the Old County Courthouse, 7 Main Street, in the City of Batavia, New York.

Budget Impact Statement: None

Legislator Young seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 118

ADOPTION – FAIR HOUSING POLICY & DESIGNATION OF FAIR HOUSING MONTH

Legislator Maha offered the following resolution:

WHEREAS, The County of Genesee understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds, and

WHEREAS, to ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the County has developed a Fair Housing Plan describing the procedures developed to further fair housing in the community, and and

WHEREAS, The County’s Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity by appointing a Fair Housing Officer,

providing information to the public, and promoting Fair Housing Activities and available resources, and

WHEREAS, The County will provide information and assistance to individuals who feel that they have been the victims of discrimination in regard to housing by receiving complaints and contacting the Department of HUD and/or the New York State Division of Human Rights to review the particulars of the complaint, or if the complainant decides to take his/her case directly to Federal Court, the County will consult with the County Bar Association on the appropriate procedures to be followed and the procedure for securing affordable legal services if the individual is of low- or moderate income, Now, therefore, Be it

RESOLVED, The Genesee County Legislature hereby adopts the Genesee County Fair Housing Policy as the official Plan for compliance with Community Development Block Grant, and Be it Further

RESOLVED, The Genesee County Legislature hereby designates the month of April as Fair Housing month.

Legislator Dibble seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 119 LEASE AGREEMENT FOR FIBER SERVICE FROM EMPIRE ACCESS - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Director of Information Technology did present a 36-month lease agreement with Empire Access for two single-mode strands of fiber from County Building II to 153 Cedar St, and

WHEREAS, The County Attorney did review the contact and the Ways and Means Committee did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with Empire Access 34 Main Street Prattsburgh, NY 14873 for a 36-month lease effective May 1, 2019 through April 30, 2022 at a cost of \$400.00 a month

BUDGET IMPACT STATEMENT

Accounts / Funding Sources include:

\$400.00 monthly charge - A.1680.4290.0600 Internet and Bandwidth.

County IT will request a budget transfer of \$5000.00 from A.1680.4600.000 Contracted Services to A.1680.4290.0600 Internet and Bandwidth to support the 2019 monthly charges and the \$1000 installation charge.

Legislator Maha seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 120 SURPLUS PROPERTY DISPOSAL - INFORMATION TECHNOLOGY - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Information Technology Director has reviewed the list of obsolete cell phones and computer equipment that is no longer suitable for county purposes, and

WHEREAS, The Ways and Means Committee concurs the equipment is no longer usable and recommends the equipment be declared surplus county property at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby declare the computer

equipment as obsolete and surplus county property to be disposed of in an appropriate manner using a certified recycler or sold through auction.

BUDGET IMPACT STATEMENT: ESTIMATED COST OF DISPOSAL IS \$0 DOLLARS.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 121 LEASE – LEGAL AID OF ROCHESTER AGREEMENT – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Manager did present an agreement with Legal Aid of Rochester for the lease of space at County Building #2, 3837 West Main Street, Batavia, for administrative purposes for the period of April 1, 2019 – March 31, 2020, at a rate of \$2,224.80 annually, and

WHEREAS, The Committee on Ways and Means did review said agreement and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Legal Aid of Rochester and the County of Genesee for the lease of space at County Building #2, 3837 West Main Street, effective April 1, 2019 through March 31, 2020; at a cost of \$2,224.80 per year.

Budget Impact: Additional revenue of \$2,224.80 annually

Legislator Dibble seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 122 AGREEMENT OF LEASE OF SPACE/NEW YORK STATE OFFICE OF GENERAL SERVICES/OFFICE OF REAL PROPERTY SERVICES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Manager did present an Agreement of Lease with New York State Office of General Services for the continued lease space for the State's Office of Real Property Services, and

WHEREAS, The Committee on Ways and Means did review said Agreement of Lease and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the Agreement of Lease between the New York State Office of General Services and the County of Genesee for lease of space in County Building No. Two for the period effective April 1, 2019 through March 31, 2029 and an annual cost of \$96,960 for years 1-5 and \$101,808 for years 6-10.

Budget Impact Statement: Annual rental revenue will be included in the Central Services operating budget.

Legislator Dibble seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 123 SUPPORT OF HOME RULE – GENESEE COUNTY LEGISLATURE

Legislator Young offered the following resolution:

WHEREAS, the liberties, happiness and well-being of the citizens of Genesee County are often adversely affected by the laws, rules, regulations and edicts set forth by the State of New York, and

WHEREAS, unfunded mandates legislated by the State of New York consume a large portion of the budget of Genesee County regardless of their effectiveness in Genesee County which has led to higher taxes, and

WHEREAS, the excessive amount of bureaucracy and regulations has stifled economic growth and impeded small business start-up, expansion, and growth, thus adversely affecting the economic viability of many businesses in Genesee County, and

WHEREAS, certain laws, rules and regulations and edicts legislated by the State of New York have resulted in a trend of Genesee County residents leaving because they do not reflect the culture of Genesee County, thus resulting in less citizens on the tax rolls to support the efforts of said County, and

WHEREAS, Certain State of New York laws, rules, regulations and edicts are not applicable in Genesee County because of the culture found within Genesee County, now therefore Be it

RESOLVED, that the County of Genesee of the State of New York proclaimed the intension of invoking “Home Rule” within the parameters set forth by the NYS constitution to decide which laws, rules, regulations and edicts set forth by the State of New York are beneficial to Genesee County and support the Rights, Liberties and general well-being of its residents, and Be it Further

RESOLVED, that this resolution be forwarded to Governor Cuomo, NYS Senate Leader, NYS Assembly Speaker, Senator Michael Ranzenhofer, Assemblyman Steve Hawley, GAM, NYSAC and Inter County Association and any other interested parties.

Legislator Hilchey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 124 AUTHORIZATION FOR HOME RULE REQUEST – TO REQUEST SPECIAL LEGISLATION FOR A FORTY YEAR SALES TAX ALLOCATION AGREEMENT BETWEEN THE COUNTY OF GENESEE AND THE CITY OF BATAVIA - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The County of Genesee and the City of Batavia have negotiated an “Amended and Restated Sales Tax Allocation Agreement between the County of Genesee and the City of Batavia” herein after “Amended and Restated Agreement” which is acceptable to both parties, and

WHEREAS, Genesee County and the City of Batavia are desirous of making a long term commitment to Capital Project funding and controlling their respective property tax rate under the New York State Property Tax Cap Mandate, and

WHEREAS, this Amended and Restated Agreement is authorized by Section 1262© of the New York State Tax Law subject to approval of the Office of the Comptroller, and

WHEREAS, the Comptroller’s Office has had a long standing policy to deny approval of any Sales Tax Allocation Agreements for a period in excess of ten years, and

WHEREAS, the forty year length of the Amended and Restated Agreement is necessary for both the County of Genesee and the City of Batavia to provide long term sales tax stability that will allow both municipalities to enter into a forty year sharing agreement to maintain an affordable water supply with increased capacity; as well as to provide revenue for future respective infrastructure and capital projects. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. S.04247 and Assembly Bill No. A.6590 which is the legislation necessary for the County of Genesee and City of Batavia to enter into an agreement pursuant to the authority of subdivision (c) of Section 1262 to allocate and distribute a portion of net collections due the county from its taxes imposed pursuant to the authority of subdivision (a) of Section 1262, which will make the agreement for a term not to exceed forty years and the state comptroller shall not disapprove such agreement based on the length of its term, provided that such term shall not exceed forty years, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is authorized and directed to sign the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Message be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer and Assemblyman Stephen Hawley.

Legislator Maha seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 125 COUNTY AUDIT –MARCH 27 - APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Legislator Dibble, did review the following claims:

General Fund	\$	1,097,589.61
Highway		307,562.40
Water Fund		52,500.00
DSS Abstracts		82,963.23
Capital Projects		
Highway-Large Span Culverts	\$	3,610.50
Facilities Management-Energy Performance Contract		140,016.00
Payroll – General		
March 15, 2019		1,576,876.06
Medicaid		
March 19, 2019		177,332.00
March 26, 2019		<u>177,332.00</u>
Total Audit	\$	3,615,781.80

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

Vice Chair Clattenburg stated there is the matter of an out-of-state travel request tabled at the March 13, 2019 Legislature meeting. The request is for Purchasing Director Eve Hens to travel to Austin, Texas from August 24-29 for the National Institute of Government Procurement Forum at a cost to the County of \$2,490. Legislator Stein made a motion to bring it from the table seconded by Legislator Young, carried. Legislator Torrey commented that he cannot support the request due to the lack of information on the workshops, cost, time out of the office and that state-level conferences offer ample opportunity for networking and learning. Legislators

Maha, Clattenburg, Dibble and Deleo echoed his comments. Legislator Dibble stated he will encourage the Budget Officer/County Manager to carefully review - at budget time - any request for out of state travel. The request was denied, Legislators Young, Stein, Hilchey yes, Legislators Dibble, Torrey, Deleo, Clattenburg, Maha no, Legislator Bausch, absent.

The meeting adjourned at 6:03 PM upon motion of Legislator Stein seconded by Legislator Torrey, carried.

**SEVENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, April 10, 2019**

The Genesee Legislature met in Regular Session on Wednesday April 10, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Bausch assisted with the audit. Prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Bausch opened a Public Hearing on fair housing to identify any concerns and issues with fair housing practices in the County. All interested parties were invited to be heard, there were no speakers.

Chairman Bausch also opened a Public Hearing on Local Law Introductory No. 2 Year 2019, A Local Law Regulating the Transfer of Secondhand Articles. All interested parties were invited to be heard, there were no speakers.

Proclamations & Commendations included; County Day of Recognition for National Service presented to Courtney Ihuri, RSVP coordinator at OFA by Human Service Chair Andrew Young. Public Service Chair & member of Water Resources Agency Shelley Stein presented a commendation to James Vincent upon his retirement from service on the Water Resources Agency. Mr. Vincent was the first chairman of the Water Resources Agency and volunteers hundreds of hours of his time and expertise. Chairman Bausch commented that ironically, Mr. Vincent does not have municipal water at his home. Vice Chair Clattenburg presented County Government Month Proclamation to County Manager Jay Gsell and Youth Bureau Director Jocelyn Sikorski. It was noted that April 25th the Youth Bureau is hosting the annual Family Game Night at County Building #2 where families can register and pay \$5/family for a light supper and after visiting all county department booths, will receive a new board game to take home. Legislator Dibble presented a proclamation to members of the Sheriff's Office-Dispatchers Department in celebration of Telecommunicator's week. Dispatchers are the first contact for people in crisis and they are often the difference between life and death. Six dispatchers and Sheriff Sheron were present to be recognized and thanked for their work which is stressful yet rewarding. Legislators Maha and Dibble presented retiring Chief Deputy Jerry Brewster with a commendation upon his retirement from the Sheriff's Department. He was hired in 1975 as a corrections officer and moved and was promoted several times. Mr. Brewster commented that he enjoyed his work and was grateful for the people he worked with and the support of the Legislature. His last day of work is April 12, 2019.

Minutes of the March 27, 2019 Legislature Meeting were approved upon motion of Legislator Stein seconded by Legislator Torrey, carried unanimously.

Legislator Stein announced the next meeting of Inter County Association is April 19, 2019 at the Iroquois National Wildlife Refuge in the Town of Alabama. NYSAC President Chuck Nesbitt will provide comments. Legislator Maha attended the OFA Advisory Council meeting where there was a presentation regarding the YMCA/UMMC Healthy Living Corridor project. Legislator Torrey stated the joint reception and dinner meeting with GCC administrators and trustees is scheduled for May 1 following Ways & Means. Chairman Bausch attended Criminal Justice Week activities including a special presentation/discussion about the DWI tragedy when a Pembroke Central School drivers' Ed teacher and students were killed in a crash. The Water Resources Agency meeting was held on April 9, 2019 and Legislator Maha was

thanked for serving as chair of a subcommittee to develop a plan if there is a water emergency. Legislator Clattenburg stated that she and Legislator Stein attended the Youth Bureau Annual Awards Dinner where several youth and adults were recognized for their outstanding contributions. She extended thanks to Youth Bureau Director Jocelyn Sikorski for the time and effort spent on coordinating the event.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 126 ADDITIONAL INSURED AND CONTRACT - NUTRITION PROGRAM MEAL SITE AGREEMENT - OFA/ LEISURETIMERS RESIDENTIAL SERVICES, INC. 2019-APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract for the provision of a two (2) day per week meal site for senior citizens at Leisuretimers Residential Services, Inc. Apartments and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming Leisuretimers Residential Services, Inc. 364 Bloomingdale Road, Akron, NY 14001 as additional insured. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with Leisuretimers Residential Services, Inc. 364 Bloomingdale Road, Akron, NY 14001 to host a meal site meal twice per week for Genesee County Office for the Aging congregate meal program for the period of April 1, 2019 through December 31, 2019 at a stipend rate of \$450.00 per year; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Leisuretimers Residential Services, Inc. 364 Bloomingdale Road, Akron, NY 14001 as additional insured from April 1, 2019 – December 31, 2019.

Budget Impact: None. No change to 2019 County Budget. \$450 per year stipend remains the same rate in 2019. This expense is covered by Nutrition Services Incentive Program (NSIP), Title III C-1 Older Americans Act, NY State WIN funds, and participant contributions.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 127 RENEWAL OF CONTRACT – DOYLE SECURITY SYSTEMS, INC. / OFFICE FOR THE AGING FOR PERSONAL EMERGENCY RESPONSE UNITS -- APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a Renewal of Contract with Doyle Security Systems, Inc. not to exceed \$4,450 for the period July 1, 2019 – June 30, 2020 resulting from RFP 2016-105 which took effect July 1, 2016 and is renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County for the provision of personal emergency response systems for older adults in Genesee County under the federally funded New York State Family Elder Caregiver Support Program Title III E and the Expanded In-Home Services for the Elderly Program (EISEP) and the Committee on Human Services does recommend approval at this time; and

WHEREAS, This is the third of 4 (four) potential 1 (one) year renewals for provision of personal emergency response systems and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Doyle Security Systems, Inc. 792 Calkins Road, Rochester, NY 14623 for the provision of personal emergency response systems at the rate of:

Office for the Aging authorized clients:

PERS

One Time Installation Charge	\$ <u>0</u> per unit
Traditional Landline Device (aka Doyle Alert)	\$ <u>18</u> per month
Cellular Device (aka Telguard)	\$ <u>28</u> per month
Landline Auto. Fall Detection Device (aka Fall)	\$ <u>23</u> per month
Cell Fall Detection Device (aka Fall Telguard)	\$ <u>33</u> per month

PERS MOBILE GPS

One Time Activation Fee	\$ <u>10</u> per unit
Mobile GPS PERS	\$ <u>40</u> per month
Mobile GPS PERS w/Fall Detection	\$ <u>45</u> per month

Self-Identifying Private Pay Genesee County clients pricing:

PERS

One Time Installation Charge	\$ <u>0</u> per unit
Traditional Landline Device (aka Doyle Alert)	\$ <u>25</u> per month
Cellular Device (aka Telguard)	\$ <u>35</u> per month
Landline Auto. Fall Detection Device (aka Fall)	\$ <u>30</u> per month
Cell Fall Detection Device (aka Fall Telguard)	\$ <u>40</u> per month

GPS PERS

One Time Activation Fee	\$ <u>10</u> per unit
Mobile GPS PERS	\$ <u>47</u> per month
Mobile GPS PERS w/Fall Detection	\$ <u>52</u> per month

Budget Impact: Neutral. Total contract for 2019 not to exceed \$4,450 and is included in the 2019 county budget. Title III-E Caregiver Support Program and Expanded In-home Services for the Elderly (EISEP) funds 75% of the cost, with county funds providing required 25% match. Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 128 RENEWAL OF CONTRACT –OFA/ SOCIAL ADULT DAY CARE – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal for the provision of social adult day care for older adults to provide respite service under the Western New York Alzheimer’s Disease Caregiver Support Initiative (WNYADCSI), the federally funded New York State Family Elder Caregiver Support Program Title IIIIE, and to provide the

ancillary service of Social Adult Day Service for older adults enrolled in the Expanded In-Home Services for the Elderly Program; and

WHEREAS, the Committee on Human Service does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Tender Loving Family Care, Inc., 97 West Avenue, Brockport, NY 14420 for social adult day care services at the rate of :

\$80.00 per day per person for a 5 Hour Block of time

\$90.00 per day per person for a Full Day (9:00 a.m. – 4:00 p.m.)

\$115.00 per day per person for an Extended Full Day (7:00 a.m. – 6:00 p.m.)

not to exceed \$13,625 for the period July 1, 2019 through June 30, 2020.

Budget Impact: The \$13,625 budgeted for this contract is already included in the 2019 budget as respite and social day care with \$10,000 under Title III-E Respite grant and \$1,000 from Expanded In-Home Services for the Elderly grant, and \$2,625 from WNYADCSI.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 129 ACCEPTANCE OF GRANT AWARD – OFFICE FOR THE AGING – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request acceptance of a three year, annually renewable RSVP (Retired and Senior Volunteer Program) grant award totaling \$40,000 for the period of April 1, 2019 to March 31, 2020 from the Corporation for National and Community Service; and

WHEREAS, RSVP is one of the largest volunteer networks in the nation utilizing and placing the skills and talents of people 55 and over in a variety of volunteer activities within the community; and

WHEREAS, Genesee County Office for the Aging has hosted RSVP since 1985 with current program priorities in the areas of Aging in place initiatives, veterans' support, environmental stewardship, reducing food insecurity, emergency preparedness, opioid awareness; and

WHEREAS, the Committee on Human Services did review this request and does recommend acceptance of this grant. Now, Therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is authorized to accept this grant award and is authorized to enter into any and all agreements under the grant to contract for goods and services to meet the grant requirements.

Budget Impact: None. This grant award of \$40,000 was already included in the 2019 County Budget along with remaining grant funds from 2018-2019 previous three year RSVP grant. Remaining 2019-2020 grant funds will be carried into the 2020 County Budget.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 130 OFFICE FOR THE AGING BY-LAWS REVISION- ESTABLISH MEMBERSHIP REVISIONS

Legislator Deleo offered the following resolution:

WHEREAS, The Federal Older Americans Act and the New York State Elder Law concerning aging network activities require each Office for the Aging (OFA) to establish an Advisory Council to represent the interests of older adults and review and comment on community policies, programs, and responsiveness to older adults, and

WHEREAS, The Genesee County Office for the Aging Advisory Council was established by Resolution of the Genesee County Legislature July 12, 1972, to address the concerns and needs of the County's senior citizen population, and

WHEREAS, The OFA Advisory Council by-laws proposes by-laws revisions as follows:

Article II Organization (addition)

(8) Telephone presence is an acceptable form of attendance and voting. **(April 10, 2019)**

WHEREAS, The Committee on Human Services did review this request and does recommend approval of proposed revisions at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does amend OFA by-laws as proposed by OFA Advisory Council.

Budget Impact: none.

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 131 PERFORMANCE INCENTIVE ACCEPTANCE/
BUDGET AMENDMENT – HEALTH DEPARTMENT – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Public Health Department participated in the 2017-2018 Local Health Department Performance Incentive Program and completed all incentive objectives, and

WHEREAS, The New York State Department of Health has awarded the Genesee County Public Health Department \$25,000 to use this funding to support costs associated with Article 6 eligible services and,

WHEREAS, The Committees on Human Services and Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$25,000 as specified in the Local Health Department Incentive Program description and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing Appropriations A4010 4550.0000 Personnel Training by \$2,000 and A4010 4800.0000 Program Expense by \$18,000 and A4010 1010.0000 Personnel Service \$5,000 to be offset by an increase of \$25,000 in A4010 3401 State Aid, Public Health.

Budget Impact: An increase in expenditures in the amount of \$25,000 to be offset by revenue of \$25,000. No county cost.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 132 GRANT ACCEPTANCE - HEALTH DEPARTMENT/
RABIES REIMBURSEMENT PROGRAM - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health, that Genesee County's Rabies Reimbursement Program contract funds have been approved, to be used from April 1, 2019 through March 31, 2022, in the amount of \$46,983, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with rabies control activities, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Rabies Reimbursement Program for the period April 1, 2019 through March 31, 2022, and to execute any and all other documentation related to this funding.

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to accept \$15,661 annually from April 1, 2019 through March 31, 2022 from the New York State Department of Health, for Genesee County's Rabies Reimbursement Program. A grant award of \$15,661 will be included each year in the 2019 - 2022

Budgets, A4010 3472 State Aid, Anti-Rabies.

Budget Impact: The grant award each year of the multi-year contract is \$15,661.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 133 CONTRACT - HEALTH DEPARTMENT/
QUICKSERIES PUBLISHING INC. – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with Quickseries Publishing Inc. to maintain, update, and deploy all content for the Ready Genesee App. for the Health Department and Genesee County Emergency Management, and

WHEREAS, The Committee on Human Services did review the contract and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Quickseries Publishing Inc. 5100 NW 33rd Avenue, suite 247 Ft. Lauderdale, FL 33309 to provide services for the period May 1, 2019 through April 30, 2020.

Budget Impact Statement: Expenses are included in the 2019 4010 budget. This expense is split 50/50 with Genesee County Emergency Management. The cost to the county is \$0. All expenses are eligible for state aid reimbursement.

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 134 AGREEMENT – HEALTH DEPARTMENT/
MARLOWE THOMPSON, CENTER FOR DISEASE CONTROL PUBLIC
HEALTH ASSOCIATE PROGRAM (PHAP) FELLOW – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Health Department is collaborating with the Orleans County Health Department to co-host a Center for Disease Control Public Health Associate Program (PHAP) Fellow for a 2-year period, and

WHEREAS, the fellow, Marlowe Thompson, will be integrated into both Health Departments with recognition by Genesee County of the formal agreement between Orleans County and the CDC, and

WHEREAS, the Public Health Associate Program (PHAP) Agreement specifies that any in-state or local travel by an associate that is required by host agency will be paid by the host agency as well as reimbursement for expenses related to host site required or sponsored training, and

WHEREAS, The Public Health Director did present an agreement with Marlowe Thompson, Center for Disease Control Public Health Associate Program Fellow, and

WHEREAS, The Committee on Human Services and Ways & Means did review the agreement and does recommend approval at this time. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an agreement with Marlowe Thompson retroactive for the period March 1st, 2019 through October 11th, 2020 to allow for utilization of the Health Department's Fleet vehicles or be reimbursed at the County's mileage reimbursement rates when a vehicle is not available for work related travel and eligible for expenses related to required and approved meetings or trainings.

Budget Impact Statement: Mileage will be reimbursed at the current IRS rate.

Expenses related to this agreement will be equally shared with Orleans County and are eligible up to 100% for Article VI State Aid reimbursement.

Legislator Maha seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 135 GRANT ACCEPTANCE - HEALTH DEPARTMENT/
DRINKING WATER ENHANCEMENT PROGRAM - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Drinking Water Enhancement Program contract has been awarded in the amount of \$85,922, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Drinking Water Enhancement activities, and

WHEREAS, The Committee on Human Services did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Drinking Water Enhancement Program contract for the period April 1, 2019 through March 31, 2020, in the amount of \$85,922 and to execute any and all other documentation related to this funding.

Budget Impact: \$85,922 is included in the 2019 Dept. 4010 – Health Department Budget.

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 136 GRANT ACCEPTANCE - HEALTH DEPARTMENT/
TOBACCO ENFORCEMENT PROGRAM –
APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health Bureau of Community Environmental Health and Food Protection that Genesee County's Tobacco Enforcement contract will be awarded in the total amount of \$32,360, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Tobacco Enforcement Program, and

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Tobacco Enforcement contract for the period April 1, 2019 through March 31, 2020 in the amount of \$32,360, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$32,360, has been appropriated in the 2019 Dept. 4010 – Health Department Program budget.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 137 FUNDING AGREEMENT-GENESEE COUNTY CHAMBER OF COMMERCE AGREEMENT/BUSINESS EDUCATION ALLIANCE-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The 1989 “Genesee 2000” strategic planning process resulted in the formation of the Business Education Alliance as an adjunct of the Genesee County Chamber of Commerce, and

WHEREAS, The Business Education Alliance provides services and programs that promote the formation of partnerships among businesses and schools for the continuous improvement of education and employment readiness within Genesee County, and

WHEREAS, The County is desirous of supporting such a program, and

WHEREAS, The Committee on Human Services did review the agreement and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute an agreement by and between the County of Genesee and the Genesee County Chamber of Commerce, 8276 Park Road, Batavia, NY for the Business Education Alliance program during the contract term of January 1, 2019 through December 31, 2019 in the amount of \$3,107.00.

Budget Impact Statement: \$3,107 appropriation in the 2019 budget

\$3,107 appropriation in the 2018 budget

10% reduction in funding; \$3,107 appropriated in 2017

\$3,452 appropriation in the 2016 budget

\$3,452 appropriation in the 2015 budget

\$3,452 appropriation in the 2014 budget

\$3,452 appropriation in the 2013 budget

5% reduction in funding; \$3,452 appropriated in 2012 budget

15% reduction in funding; \$3,634 appropriated in 2011 budget; first funded in 2000.

5% reduction in funding; \$4,275 appropriated in 2010 budget; first funded in 2000.

2005 – 2009 funding = \$4,500/year

2000 – 2004 funding = \$5,000/year

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 138 2019 SALARY SCHEDULE AMENDMENT –
JOB DEVELOPMENT BUREAU – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The GLOW WDB Finance Committee did approve a performance based raise for the GLOW WDB Manager and funding for the rate increase is provided through the GLOW WDB, and,

WHEREAS, The County Manager did request an amendment to the 2019 Management Salary Schedule to include the performance based rate increase for the GLOW WDB Manger, and,

WHEREAS, The Committee on Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby directed to amend the 2019 Management Salary Schedule by increasing the GLOW WDB Managers base salary to \$64763 plus \$800 longevity, effective April 1, 2019.

Budget Impact Statement: Increase of \$1600 will be covered by the GLOW WDB.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 139 CONTRACT RENEWAL – COST-PER-COPY PROGRAM - APPROVAL OF

Legislator Stein offered the following resolution.

WHEREAS, the Director of Purchasing did present a contract renewal with Eagle Systems, Inc. for the provision of copy equipment under the Cost-Per-Copy program for the first additional one-year period,

WHEREAS, the Committee on Ways and Means did review the contract and does recommend approval at this time, Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Eagle Systems Inc. of Buffalo, NY for the provision of copy equipment under the Cost-Per-Copy program for the period of May 1, 2019 through April 30, 2020 at the cost of \$.0060 per copy black and white and \$0.0350 color copies.

Budget Impact: Funds were allocated in departmental budgets for 2019.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 140 BID REJECTION – BEVERAGES FOR GENESEE COUNTY JAIL BID#2019-01 – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The County of Genesee issued Bid 2019-01 for Beverages for the Genesee County Jail, and

WHEREAS, An inadequate number of vendors responded to the RFP, and

WHEREAS, The responding vendor is on State Contract and the State Contract prices are lower than the prices submitted to Genesee County, and

WHEREAS, The Purchasing Director does recommend all bid be rejected and the State Contract continue to be used, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to reject all bids received through Bid 2019-01.

Budget Impact: None. The NYS Bid will continue to be used, so the pricing for this product will remain unchanged.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 141 GENESEE COUNTY SALE OF COUNTY OWNED PROPERTY RATIFICATION OF

Legislator Clattenburg offered the following resolution

WHEREAS, Bontrager Real Estate and Auction Services, Inc., on behalf of Genesee County, conducted a sale of county-owned property on Saturday, March 30, 2019, at 10:00 a. m. at 8975 Wortendyke Road, Batavia, New York, at which time county-owned property was sold to the highest bidder, and

WHEREAS, The Committee on Ways and Means did review the bids and does recommend ratification of the sale at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby ratifies and confirms the sale of the properties listed below to the following:

<u>Purchaser</u>	<u>Parcel</u>	<u>Tax Map #</u>	<u>Town</u>	<u>Price</u>
Patrick M Mruczek	#1	15.-1-26	Alexander	\$1,100
Manner Properties LLC	#2	2.-1-51	Bethany	\$ 4,500
Nicholas Stefaniak	#3	5.-2-11.1	Byron	\$53,000
Kevin A Borth or Assigns	#4	7.-1-45	Darien	\$20,500
Leo Sitarek	#5	15.-1-31	Darien	\$101,000
James L Gloskey	#6	29.-1-69	Leroy	\$3,500
David Brumsted	#7	14.-1-20	Pavilion	\$16,000
Exeter 8124 NY LLC	#8	10.-2-23	V/Leroy	\$26,000

And, Be it further

RESOLVED, That the Genesee County Legislature hereby ratifies and confirms the sale of other County owned property listed below to the following:

<u>Purchaser</u>	<u>Parcel</u>	<u>Tax Map #</u>	<u>Town</u>	<u>Price</u>
Michael R Diehl	#9	1-1-28.112	V/Elba	\$ 18,000

And, Now therefore, Be it

RESOLVED, That payment of the net must be received from the buyer within sixty (60) days of ratification of the contract or the sale is considered void and all deposited monies will be forfeited.

Budget Impact: Total sale of foreclosed properties exceeds outstanding taxes owed by approximately \$ 137,155.14.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 142 GENESEE COUNTY LEGISLATURE, AS THE ELECTED LEGISLATIVE BODY OF GENESEE COUNTY, NEW YORK, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE GENESEE COUNTY FUNDING CORPORATION OF UP TO \$6,000,000 TAX-EXEMPT REVENUE BONDS (GENESEE COMMUNITY COLLEGE FOUNDATION HOUSING SERVICES CORPORATION PROJECT), SERIES 2019.

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Legislature (the "Legislature"), as the elected legislative body of Genesee County, New York (the "County") has been advised by the Genesee County Funding Corporation (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Genesee Community College Foundation Housing Services, Inc. (the "Company"), a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), the Issue proposes to issue, contingent upon the adoption of this Resolution, its Tax-Exempt Revenue Bonds (Genesee

Community College Foundation Housing Services, Inc.), Series 2019, in an aggregate principal amount not to exceed \$6,000,000 (the "Bonds"); and

WHEREAS, the project (the "Project") shall consist of: ((1) (a) the renovation of five (5) existing dormitory buildings containing in the aggregate approximately 51,744 square feet and containing approximately fifty (50) living units which house approximately 217 students located at 8170 Batavia-Stafford Townline Road, Town of Batavia, Genesee County, New York (the "Land"), including but not limited to, technology and safety upgrades and improvements, suite renovations, amenity renovations and renovations to address disability access, and (b) the construction of approximately 864 new feet of space on the Land to be used for building access (the collectively, the "Improvements"); (2) the acquisition and installation in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and (3) the paying of all or a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds, capitalized interest and any reserve funds as may be necessary to secure the Bonds (the costs associated with items (1) through (3) above being hereinafter collectively referred to as the "Project Costs"); and

WHEREAS, the Issuer has determined that the Project and the issuance of the Bonds constitutes a "Type II action" pursuant New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), and therefore is exempt from review under SEQRA; and

WHEREAS, pursuant to Section 147(c) of the Code, interest on the Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Bonds is approved by the County Legislature after a public hearing to consider both the issuance of the Bonds and the nature and location of the facilities financed therewith has been conducted following reasonable public notice; and

WHEREAS, on March 5, 2019, the Issuer held such a public hearing upon proper notice in compliance with the Code; and

WHEREAS, to aid the Legislature in its deliberations, the Issuer has made available to the members of the Legislature prior to this meeting (a) the Company's application to the Issuer for financial assistance; (b) the Environmental Assessment Form and related documents submitted by the Company to the Issuer; (c) the notice of public hearing published by the Issuer on February 16, 2019, in *The Daily News*, together with the affidavit of publication of such newspaper, (d) the minutes of such public hearing held on March 5, 2019; and (e) the Issuer's Official Intent Resolution, adopted on January 16, 2019, with respect to the proposed issuance of the Bonds; and

WHEREAS, the Legislature, after due consideration of the foregoing, as the "applicable elected representative" of Genesee County, New York, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Genesee County, New York and neither the State nor any political subdivision thereof including, without limitation, Genesee County, New York shall be liable thereon. **NOW, THEREFORE, BE IT RESOLVED**, by the Genesee County Legislature as follows:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code and on the recommendation of the Genesee County Ways and Means Committee, the Legislature hereby gives its approval of the issuance by the Issuer of the Bonds; *provided*, that, the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York or any political subdivision thereof including, without limitation, Genesee County, New York and neither the State of New York nor any political subdivision thereof including, without limitation, Genesee County, New York shall be liable thereon.

Section 2. The Genesee County Legislature concurs in the findings of the Issuer made in its Bond Resolution adopted on March 28, 2019, that the Project constitutes a "Type II action" pursuant SEQRA, and therefore is exempt from review under SEQRA; and

Section 3. This Resolution shall be deemed to be made for the benefit of the holders of the Bonds.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 143 POLICY AND PREVENTION PROGRAM – WORKPLACE VIOLENCE - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County is committed to the safety and security of its employees, and

WHEREAS, The Assistant County Manager, The Human Resources Director and the Compliance Officer have reviewed and updated the Genesee County Workplace Violence Policy and Prevention Program, and

WHEREAS, The Genesee County Safety Committee has reviewed and recommends approval at this time, and

WHEREAS, The Committee on Ways and Means did review the Workplace Violence Policy and Prevention Program and does recommend approval at this time. Now, therefore, Be it

RESOLVED, The Chair of the Genesee County Legislature is hereby authorized and directed to approve the Genesee County Workplace Violence Policy and Prevention Program.

Budget Impact: None

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 144 GENESSEE COUNTY LEGISLATURE- OPPOSING NEW YORK STATE SENATE BILL NO. 2837 AND ASSEMBLY BILL NO. 2750 – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Agriculture is Genesee County's number one industry where farms directly and indirectly provide valuable jobs, support local business and are a critical component of our County and Region's economy, and,

WHEREAS, Farms must compete for workers in a tight labor market, they value and respect their employees and pay over minimum wage to retain their skilled workforce, and H2A employees have a choice to work in less restrictive states, increasing stress on a shrinking labor pool, and,

WHEREAS, According to the USDA, 98 % of New York farms are family owned, and

WHEREAS, Senator Jessica Ramos and Assemblywoman Catherine Nolan introduced S2837 and A2750 which would, among other things, provide collective bargaining rights of farm workers and require overtime pay and where, advocacy groups are asking for collective bargaining, not farmworkers, and

WHEREAS, Farming is already a highly regulated industry in NYS, placing a further marketplace competitive disadvantage from surrounding states and Canada on growing food for New Yorkers, and

WHEREAS, Animal agriculture requires a workforce to care for animals 24- hours per day, 7 days per week, 365 days per year and crop, vegetable and fruit farming requires seasonal, climate sensitive and time sensitive planting and harvesting where the effects of a labor strike on a farm could destroy an entire year's worth of crops, render perishable food not edible and adversely affect the health and care of animals, and

WHEREAS, NYS minimum wage ranks among the top five in the country, minimum wage in upstate NY is currently \$3.85 higher than federal minimum wage and on average farm wages are well above minimum wage currently, and

WHEREAS, prices paid to farmers for milk and most crops produced in Genesee County are set by market conditions out of farmers' control so they have no way to recoup added costs of production by increasing the prices of their products and proposed overtime will likely result in fewer hours for workers rather than increased pay since current prices received for agricultural products at the farm level cannot justify overtime pay rates, and

WHEREAS, Genesee County farmers must compete in regional, national and global marketplaces and this legislation would place them at an even greater competitive disadvantage, according to an analysis by Farm Credit East, overtime combined with the rising minimum wage would raise labor costs on NY farms by nearly \$300 million and reduce net farm income 23.4% and

WHEREAS, family farming is already on the decline and the economic impact of these labor mandates will further reduce profitability and push further disincentive to continue family farming operations in New York State and the net effect of increasing agricultural cost solely on NY farms will simply be to drive farm families out of business or out of state, and

WHEREAS, agriculture provides and protects Genesee County's open spaces and beautiful landscapes, which are in jeopardy of falling to development and non-agriculture use if added costs force farms out of business and in that unique capacity, Genesee County's opposition to this legislation should be critically considered by State Legislators, and

WHEREAS, Governor Cuomo has invested millions in the infrastructure for dairy processing in NYS, supporting the growth and capacity of the entire dairy economy, which this proposed labor bill will directly decimate substantial economic development investment by NYS, Now, therefore, Be It

RESOLVED, That the Genesee County Legislature does pause in its deliberations to oppose S2837 / A2750 based on loss of market place, agribusiness economy loss on our farm communities and major loss of income and benefits of farm employees who will have to work a second job to make up the financial hardship, hereby requests that Genesee County's State Legislators advise us of their position and further take steps to defeat such legislation, and be it further

RESOLVED, that a copy of this resolution be forwarded to Assemblyman Steve Hawley, Senator Michael Ranzenhofer, Assemblywoman Nolan, Senator Ramos, Governor Cuomo, NYSAC and Inter County Association.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 145 GENESEE COUNTY LEGISLATURE POSITION ON
ADDITIONAL COSTS ASSOCIATED WITH EARLY VOTING LEGISLATION**

Legislator Clattenburg offered the following resolution:

WHEREAS, Governor Cuomo and the NYS Legislature has changed the NYS Election Laws regarding early voting and same day registration and voting, and

WHEREAS, there will be excessive costs to these proposed changes, including but not limited to; increased election inspection hours and training, e-polling books, internet connectivity during mandated early voting , and

WHEREAS, New York State had imposed a 2% property tax cap on municipalities with serious consequences if the tax cap is exceeded, and

WHEREAS, the currently proposed unfunded mandated costs associated with early voting and same day registration/voting will far exceed state mandated property tax cap allowance for municipalities, and

WHEREAS, the County is currently financially stressed with the imposed 2% property tax cap, Now, therefore, Be it

RESOLVED, that the Genesee County Legislature opposes any and all changes in election laws or practices that increases costs to the County, towns or villages without full funding from New York State to cover any and all costs associated with implementation of the changes in election laws and practices in the state of New York, and Be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Steve Hawley, NYSAC and any others deemed necessary and proper.

Budget Impact: None

Legislator Maha seconded the resolution which was adopted by 326 votes.

Chairman Bausch asked again if anyone wished to be heard regarding any concerns and issues with fair housing practices in the County. No one spoke and the Public Hearing was closed at 6:09 PM.

Chairman Bausch asked again if anyone wished to be heard regarding Local Law Introductory No. two year 2019 “A Local Law Regulating the Transfer of Secondhand Articles”. No one spoke on the matter and the hearing was closed at 6:10 PM.

**RESOLUTION NO. 146 LOCAL LAW INTRODUCTORY NO. 2 YEAR 2019
A LOCAL LAW REGULATING THE TRANSFER OF
SECONDHAND ARTICLES-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, There has been introduced to the Genesee County Legislature a proposed Local Law Introductory No.2, Year 2019 entitled “**A LOCAL LAW REGULATING THE TRANSFER OF SECONDHAND ARTICLES.**” Now, therefore

BE IT ENACTED by the Genesee County Legislature as follows:

Section 1. Legislative Finding & Purpose.

The purpose of this local law is to protect the residents of the County of Genesee by discouraging the theft, sale and purchase of stolen goods. Those Secondhand Dealers engaged in the sale of secondhand

goods often serve a legitimate function, but may also be used by individuals to dispose of stolen goods. This Local Law will regulate those commercial outlets by requiring Secondhand Dealers to register their businesses, to maintain records of transactions and to provide such records to the Genesee County Sheriff's Office. These requirements will serve to assist crime victims in the recovery of stolen items, assist in the detection and apprehension of law violators and discourage Secondhand Dealers from taking in articles that they suspect may be stolen, thereby reducing the market for stolen goods and discouraging theft. The Genesee County Legislature specifically finds that the rules and regulations in this local law, including the provisions for limited warrantless inspections, are applicable and allowable with regard to Secondhand Dealers as defined herein because they are closely and pervasively regulated in New York State.

Section 2. Definitions.

a. "Secondhand Dealer" means any person, company, corporation, partnership, association, limited liability corporation, and the agents, associates or employees thereof (except licensed auctioneers), engaged in the commercial exchange, purchase and/or sale of "Secondhand Articles" as defined below, if, and only if, classified and defined herein as a pawnbroker, a precious metal dealer, a jewelry and coin exchange dealer and/or a transient merchant. Such "Secondhand Dealers" shall be subject to this law with respect to any and all of their transactions, regardless of the type of merchandise involved.

b. "Transient Merchant" means a business conducted by a pawnbroker, a precious metal dealer and/or a jewelry and coin exchange dealer, in a store, hotel, building or other structure, etc. for the purchase and sale of "Secondhand Articles" as defined below, and which is intended to be conducted for a temporary period of time and not permanently. If the place in which a business is conducted is rented or leased for a period of six months or less, such fact shall be presumptive evidence that the business carried on therein is a transient business. This law shall not apply to the sale of secondhand articles at antique shows or trade shows, where such shows are advertised and/or promoted as such.

c. "Pawnbroker" means any person or business establishment who holds goods as collateral on short-term, high-interest loans or a person who qualifies as a "collateral loan broker" pursuant to § 52 of the New York General Business Law.

d. "Jewelry" means articles composed (in whole or in part) of gold, silver, or other precious metals, gems or gemstones which, as constructed, are designed to be worn for personal adornment.

e. "Jewelry, Precious Metal and Coin Exchange Dealer" means any person or business establishments engaged in the business of sale, purchase, or exchange of precious metals and/or jewelry for other objects of precious metal, jewelry, United States currency, bank drafts, other negotiable instruments as defined in the Uniform Commercial Code or any other object or thing of value. This law shall not apply to the sale of any items by a jewelry, precious metal or coin exchange dealer whose annual gross retail sales are comprised of less than fifteen percent (15%) of secondhand articles. Any jewelry or coin exchange dealer claiming an exemption to this local law, must provide written proof of its non-applicability by a certified public accountant within 20 days upon request of the Genesee County Sheriff (herein also "Sheriff") or his or her designee.

f. "Secondhand Article" means any article or object, with the exception of clothing and books, that has previously been bought or sold at retail and/or which has been previously used and/or is not in a new condition. This shall include any "gift card" or other electronic payment device that is usable at a single merchant or an affiliated group of merchants that share the same name, mark, or logo, is issued in a specific amount, and may or may not be increased in value or reloaded, or as otherwise defined in Article 26, §396(I), or Article 13, §1315, of the New York State General Business Law.

g. "Identification" means an official document issued by the United States government, or by any state, county, municipality, public agency or department thereof, provided that such document contains a photographic image of the holder.

h. "Precious metals" means gold, silver, platinum, titanium, precious and semi-precious stones and coins.

Section 3. License Required.

Effective June 1, 2019, no person, corporation, partnership, association, limited liability corporation or other entity shall operate in Genesee County as a Secondhand Dealer or hold themselves out as a Secondhand Dealer without first being licensed by the Genesee County Clerk (herein also "Clerk") as provided for herein.

Section 4. License Application.

Applicants for a license pursuant to this local law must file with the Genesee County Clerk's Office an application, supplied by such Office, containing the following information:

the exact name, address, and telephone numbers of the applicant and the principals and officers thereof and the date of incorporation or organization, as applicable;

the name, business address, residential address, and telephone numbers of the operator of such business if other than the applicant;

Where the owner is not directly involved with the day-to-day operation of said business, the operator must also be included on the application.

If a partnership, corporation or other business entity is involved, the application must designate an operator who is involved in the day-to-day operation of the business. In this situation, the secondhand dealer's license shall be issued to the operator; the names, addresses and phone numbers of the partners, officers or principals shall also be listed on the application. All addresses of persons involved shall be home addresses listing street and number. Any and all assumed names must be included in the application. The license shall be issued in the name of the business entity;

the address and telephone number where the business is to be conducted;

The application shall also include any and all e-commerce websites, including Internet storefronts, third-party sales outlets, as well as any and all written or electronic classified advertisements. The application shall further include any seller names or otherwise identifying names used within those e-commerce sites; the days and hours during which such business will be open to the public.

Section 5. License Fee.

There shall be no fees or charges for licensing or otherwise.

Section 6. Licensing.

Before the issuance of a dealer's license, the Sheriff or his or her representative shall have the right to enter once upon such premises during normal business hours for the purpose of making an inspection. After a dealer's license has been issued, the Sheriff or his or her representative shall enter upon the area open to the public within such premises at least quarterly in every calendar year, but no more than a total of twelve (12) times per calendar year, for the purpose of inspecting the records required to be maintained pursuant to Section 11 herein. Upon filing of an application for a license, if the Genesee County Clerk shall be satisfied that the application complies with the provisions of this Local Law, the Clerk shall issue a license to operate as a Secondhand Dealer. The license shall remain in effect for a period of two (2) years unless surrendered or revoked. The Clerk shall approve or deny every application within sixty (60) days from filing. In the event the location of the business changes, licensee shall notify the Clerk in writing within ten (10) days of such change. If there are changes among the principals, officers or operators of such business, licensee shall notify the Clerk within ten (10) days of such change. The form of the license shall be prescribed by the Clerk.

Section 7. Grounds for denial or revocation of license.

The Genesee County Clerk may in his discretion deny or revoke any license granted herein in any of the following situations:

Where the secondhand dealer has made a false statement in connection with its application;

Where the secondhand dealer or his or her employee or representative fails to consent to allow the Sheriff or his or her representative to enter and remain upon the areas of the premises open to the public for the

purpose of conducting an inspection of the records required to be maintained pursuant to Section 11 herein, and/or fails to produce the said records for inspection.

If it is determined that the applicant has violated either federal, state or local laws or rules and regulations, the County Clerk may in his discretion issue a conditional license. The conditional license shall state the grounds for the issuance of a conditional license and the conditions under which the applicant shall operate his or her business. Said license shall be signed by the applicant and contain a provision which provides that any violation of the terms of the conditional license shall be deemed to be grounds for the revocation of the conditional license as solely determined by the County Clerk.

Grounds for denial of a license may include but are not limited to reliable information indicating that the applicant, operator or manager of a business has in the past previously operated a business without a required secondhand dealer's license or engaged in fraudulent or deceptive business practices in a business identical to or similar to the business for which the applicant seeks a license pursuant to this chapter. The license may be denied if the investigation conducted by the Sheriff reveals a criminal conviction of the applicant, operator, employee or manager as stated above or a conviction of the applicant, operator, manager or any of its principal officers or employees of a crime involving deceit or misrepresentation or a conviction of any crime involving theft of or receiving stolen goods, whether such conviction was as a principal or an accessory before or after the fact or co-conspirator. The License may be denied if an investigation conducted by the local code enforcement officer reveals that the location of applicant's business premises is not code-compliant or a valid certificate of compliance does not exist. Additional grounds for recommending denial of a license may be the revocation of a prior secondhand dealer's license within the last 10 years.

Any license granted pursuant to this chapter may be revoked if any licensee or any of its officers, directors, members, partners, operators, managers or employees are convicted of any crime, which conviction would have resulted in the denial of the application for a secondhand dealer's license in the first instance.

b. Notice of denial or revocation of a license issued pursuant to this local law, or the granting of a conditional license, shall be given by the Clerk or his designee in writing, setting forth specifically the grounds on which such license was either denied, revoked or granted conditionally. If the Clerk denies the application or imposes conditions upon the granting of a license, the applicant shall be entitled to a hearing before the County Attorney, within 30 days of the applicant's receipt of such notice, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such decision by the County Attorney's Office. Within 15 days of the hearing, the County Attorney shall issue a written decision which sustains the County Clerk, reverses the decision of the Clerk or remands the matter to the County Clerk for further consideration. Pending a hearing and adjudication on denial or revocation of a license, no person shall operate as a Secondhand Dealer.

Section 8. Transfer of Licenses

Dealer's licenses shall not be transferred. In the event of any change involving the owner or operator of the business or the business location, a new dealer's license shall be required. A dealer's license shall not be transferred to any person who holds power of attorney.

Section 9. Expiration and renewal of licenses.

A license issued pursuant to this local law must be renewed every two (2) years, as measured from the date of the issuance of the initial license, and all renewal applications shall be submitted to the Clerk's Office no less than sixty (60) days prior to the expiration date.

Section 10. Display of license.

Every Secondhand Dealer shall cause the Secondhand Dealer license to be prominently displayed at said Secondhand Dealer's place of business.

Section 11. Records to be maintained by Secondhand Dealer.

a. Seller Information. Except as otherwise provided herein, no Secondhand Dealer shall acquire or dispose of within Genesee County any secondhand article, including but not limited to precious metals,

jewelry and gems, (whether or not acquired or disposed of within the Secondhand Dealer's physical place of business) unless such Secondhand Dealer has obtained and recorded the following information in a substantial bound book in which shall be legibly written in ink and in English at the time of every purchase or sale; and on a receipt, numbered in consecutive order and maintained in the Dealer's records as provided for herein:

1. The amount paid, advanced, or loaned for the article;
2. A detailed and accurate description of the article including any identifying marks;
3. The serial and model number (if any);
4. In the case of precious metals, jewelry and gems, a photograph of the article;
5. The Seller's or Purchaser's Identification information as required in subparagraph b below; and
6. The date, time and place of the acquisition or disposition.

Identification Information. Prior to acquiring or disposing of any secondhand article covered by this local law, every Secondhand Dealer shall be required to obtain Identification from the seller or purchaser and shall verify the identity of such individual by comparing the individual to the photographic image contained on said Identification. The Secondhand Dealer shall record the individual's name, date of birth and address (or current address if different than that listed on the Identification), and the Identification number (e.g., motorist ID number) listed on the Identification. The Secondhand Dealer shall make a photocopy of the front of the Identification. If the acquisition is made from another Secondhand Dealer, the Secondhand Dealer purchasing the item shall also record the business name and address of the Selling Dealer and the number of days the item was held by the Selling Dealer prior to acquisition.

Records Retention/Inspection.

1. Every Secondhand Dealer shall maintain for a period of 5 years all of the information required in subparagraphs a and b of this Section 11. All records required to be maintained pursuant to this local law shall be subject to examination as set forth in Section 6 herein during normal business hours by any member of the Genesee County Sheriff's Office or the Sheriff's designee.
2. Every secondhand dealer shall allow his records to be examined as set forth in Section 6 herein by any member of the Sheriff's Office or the Sheriff's designee.
3. If a secondhand dealer, pawnbroker, jewelry, precious metal dealer or coin exchange dealer, as defined above, employs more than five people at a location, the employee names, dates of birth, and dates of employment shall be kept and made available for inspection by the Sheriff or his representative during the time of such employment and for one year after termination of such employment;
4. Failure to maintain the records required by this Section 11 shall constitute presumptive evidence of a crime.

Electronic Records.

Every dealer covered by this chapter shall upload to the Genesee County Sheriff electronic records of all reportable transactions. Each transaction record shall contain all information required by this chapter and shall be uploaded via Internet connection to an electronic reporting service determined by the Genesee County Sheriff according to the following procedures:

Using point of sale software, all dealers covered by this chapter shall review the compatibility of their software with the electronic reporting service used by the Genesee County Sheriff, and dealers with compliant point of sale software shall electronically upload all required information from their point of sale software to the specified electronic reporting service via Internet connection using the upload process or reporting service; or

All dealers covered by this chapter and using point of sale software noncompliant with that utilized by the Genesee County Sheriff's office or not using point of sale software shall manually enter all reportable transactions into the electronic reporting service via Internet connection.

In the event that any dealer covered by this chapter is unable to successfully upload transaction records via the electronic reporting service within the required 48 hours, the dealer shall, within 24 hours of the

unsuccessful upload, notify the Genesee County Sheriff of the reason for the submission failure and provide the Genesee County Sheriff with an estimated time of compliance. Under these circumstances, the dealer shall provide the Genesee County Sheriff a daily electronic data table or spreadsheet of all transactions that would otherwise have been submitted via the electronic reporting service. This data shall either be hand delivered or e-mailed to the Sheriff no later than one business day after the transaction date.

Section 12. Prohibited Acts.

No secondhand dealer may purchase any secondhand property from any person who appears to be under the influence of alcohol or drugs, any person under the age of 18 years or any person obviously providing false information.

It shall be unlawful for any pawnbroker, secondhand dealer or jewelry, precious metal and coin exchange dealer to sell, dispose of, destroy, alter or remove from such dealer's premises any articles, jewelry or precious metals until the expiration of 10 calendar days after the electronic reporting by such dealer of any such articles, jewelry or precious metals.

When requested not to do so by the appropriate local law enforcement agency in connection with a law enforcement investigation, it shall be unlawful for any pawnbroker, secondhand dealer or jewelry, precious metal and coin exchange dealer to sell, dispose of, destroy, alter or remove from such dealer's premises any articles, jewelry or precious metals until the expiration of 30 calendar days from the date of the request. Upon the written request of the law enforcement agency, the property shall be held for up to two additional thirty day periods.

Secondhand dealers shall not employ any person who has been convicted of any crime related to the operation of a business or who has had a secondhand dealer's license revoked or denied nor have any such person working in conjunction with their business.

Section 13. Requirement to Report Suspicious Offers to Sell Articles.

If any individual shall offer to sell any article to a secondhand dealer under circumstances which would provide reason to believe that such article may be stolen or acquired by dishonest means, it shall be the dealer's obligation to immediately report the same to the Genesee County Sheriff's Office.

Section 14. Release of Stolen Property.

A secondhand dealer shall release to the Genesee County Sheriff's office or his or her designee any item in the secondhand dealer's possession if:

The item is established to be stolen;

The owner of the item or the victim of the theft has positively identified the item and provided an affidavit of ownership and made a report of the theft to a law enforcement agency;

The stolen property report describes the item by one or more of the following: date, initials, an insurance record, a photograph, a sales receipt, a serial number, specific damage, a unique engraving or a statement of facts that show the item is one of a kind; and

The secondhand dealer is given a receipt for the item released.

When the Genesee County Sheriff's office or other law enforcement agency no longer needs an item for evidence, it shall returned to the owner.

Section 15. Penalty.

Any Secondhand Dealer who fails to comply with any of the provisions of this local law shall, upon conviction thereof, be guilty of a Class B misdemeanor as defined in section 55.10 of the Penal Law of the State of New York as may be amended from time to time. Such violation shall be punishable as defined in the Penal Law of the State of New York as may be amended from time to time. Conviction of any offense against the provisions of this local law shall constitute grounds for denial or revocation of a license.

Section 16. Severability.

If any provision, sentence or clause of this local law is held unconstitutional, illegal or invalid by a Court of competent jurisdiction, such findings shall not affect or impair any of the remaining provisions, sentences or clauses or their application to persons and circumstances.

Section 17. Application.

This local law shall apply to all Secondhand Dealers operating in Genesee County.

Section 18. Effective Date.

The local law shall become effective June 1, 2019 and shall be filed pursuant to the provisions of the Municipal Home Rule Law.

WHEREAS, the Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin board in the Old Courthouse, and

WHEREAS, the Clerk of the Genesee County Legislature did cause to be published in *The Daily News* the Official Newspaper of the County of Genesee, the Notice of Public Hearing on Local Law Introductory Number Two year 2019, and

WHEREAS, the Public Hearing was held at 5:30 p.m. on the 10th day of April 2019, in Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, Be it

RESOLVED, That “**A LOCAL LAW REGULATING THE TRANSFER OF SECONDHAND ARTICLES**” to be known as Local Law Number 3 of the Year 2019 for the County of Genesee is hereby adopted.

Prior to the vote, Legislator Stein thanked elected officials and the county attorney who worked on making requested edits and changes as well as paring it down to be less cumbersome. Legislator Young stated the changes are an improvement. He is sensitive to crime victims and also to regulations on businesses in New York State, which he stated are too many already therefore, he stated he will vote no. Legislator Deleo agreed with Legislator Young stating there are too many rules and regulations imposed already therefore he will vote no. Legislator Maha stated this matter was first reviewed several years ago when he was Sheriff. It did not pass then but now has returned in a more focused and streamlined manner. He also commended the work group of elected officials including the Sheriff, County Clerk and DA. He is satisfied with the edits and thinks this will assist victims and law enforcement and therefore will vote in favor of the local law.

Legislator Hilchey seconded the resolution which was adopted by 253 votes, Legislators Young (47) and Deleo (26) No.

RESOLUTION NO. 147 COUNTY AUDIT –APRIL 10 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Bausch, did review the following claims:

General Fund	\$	3,644,150.82
Highway		660,439.50
Self Insurance		56,032.84
DSS Abstracts		446,503.12
Capital Projects		
Highway-Large Span Culverts	\$	6,205.74
Highway-Preventive Maintenance Bridge Painting		5,566.90
Airport-Perimeter Fence Relocation		750.32
Airport-Airport 8 Bay T-Hangar		2,500.00
Airport-Airport Taxiway “C” Reconstruction		1,176.53
Airport-Airport Reconstruct Runway 10-28		4,774.86

Payroll – General

March 29, 2019

1,117,758.85

Medicaid

April 2, 2019

177,332.00

April 9, 2019

177,332.00

Total Audit

\$ 6,300,523.48

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 326 votes.

Legislator Clattenburg made a motion to suspend the rules of the Legislature, Rule No. 19, to take up the matter of a contractual agreement for the Director of Community Mental Health Services seconded by Legislator Stein, carried unanimously.

RESOLUTION NO. 148 CONTRACTUAL AGREEMENT-COMMUNITY MENTAL HEALTH SERVICES/ DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County is in need of a Community Mental Health Services Director and,

WHEREAS, the Genesee County Mental Health Director of Clinical Services, Augusta Welsh retired March 15, 2019 but is agreeable to return on a short-term basis for 30 hours/week at a rate of \$2,500 per week for no more than twelve weeks to carry out the role and responsibilities of the Community Mental Health Services Director and,

WHEREAS, The Genesee County Legislature did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contractual agreement with Augusta Welsh for the provision of services as Director of Community Mental Health

Budget Impact Statement:

Legislator Stein seconded the resolution which was adopted by 326 votes.

The meeting adjourned at 6:15 PM upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

**EIGHTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, April 24, 2019**

The Genesee Legislature met in Regular Session on Wednesday April 24, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was offered by Legislator Maha followed by the Pledge to the Flag.

Minutes of the April 10, 2019 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Legislator Stein reported that she attended the April GAM meeting where there following was discussed; the first Jail public input meeting is May 16th, a review of the mandate monitor tool provided GAM members with information relating to the cost and percentage of County dollars for state mandated programs and services, the Town of Bethany recently joined MEGA. A summary of the April Inter County Association meeting included an update from NYSAC President Chuck Nesbitt, Veterans Director Bill Joyce regarding the planned National Cemetery in Pembroke, NYSAC Legislative Director Mark Levine and a powerpoint presentation from Biologist Paul Hess who runs the Iroquois National Wildlife Refuge. Chairman Bausch commented on the beautiful facility at the Refuge and the value of information from Veterans Director Joyce and the pre-determination process for burial in a National Cemetery. Chairman Bausch reported that he attended the Regional Planning Council meeting and shared that there is an upcoming webinar on election reform sponsored by NYSAC.

Legislature Clerk Pamela LaGrou indicated a letter was received by Legislators Stein and Torrey from the Town of Bethany regarding their opposition to a State bill that if passed will adversely impact farms, farmworkers and the Ag industry. Of specific concern was if farms leave who will be left to pay debt service on water. It was stated that the Town of Bethany is aware that the Legislature passed a resolution opposing the Farm bill.

County Manager Jay Gsell stated the County received notification the Comptroller's office scheduled an entrance conference for next week and will focus on the County's Ethics oversight. Legislators will receive notification directly from the Comptroller's office but are not able to attend the entrance conference.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 149 2019 BUDGET AMENDMENT – DISTRICT ATTORNEY/
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The District Attorney has requested an amendment to the 2019 County Budget to allow for utilization of a portion of unexpended Forfeiture of Crimes funds in the amount of \$267.00 to purchase office furniture, and

WHEREAS, the Committees on Public Service and Ways & Means concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing District Attorney Appropriation

A.1165.2010.0022 Chairs in the amount of \$267.00 to be offset by an increase in District Attorney Revenue A1000.1165.2626.0000 Forfeiture of Crimes in the amount of \$267.00.

Budget Impact Statement: Increased expense for the District Attorney's 2019 budget of \$267.00 which is totally offset by using funds allocated for the District Attorney's Office in a Forfeiture of Crimes proceeds.

Legislator Maha seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 150 SETTING PUBLIC HEARING FOR AGRICULTURAL DISTRICT NO. THREE REVIEW

Legislator Torrey offered the following resolution:

WHEREAS, The creation of Agricultural District No. 3 was approved by the Genesee County Legislature by Resolution No. 39 adopted February 25, 1976 and certified by the State of New York on August 14, 1976, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications and recommendations proposed as a result of this review. Now, therefore, Be it **RESOLVED**, That a Public Hearing shall be held as part of the eight-year review of Agricultural District No. 3 on Wednesday, May 8, 2019 at 5:30 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

Budget Impact: Funds were allocated in Planning departmental budget for 2019 including Postage \$320, Copier Cost/Copy \$100, and Printing \$50.

Legislator Stein seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 151 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES CONTRACT NO. CAFA218- PUBLIC DEFENDER-APPROVAL OF

Legislature Stein offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between Genesee County and the New York State Office of Indigent Legal Services Contract Number:CAFA218, for the compensation of attorneys who will be on call twenty-four (24) hours per day for “off hours” arraignments, for the purchase of cellphones and service and compensation for the Public Defender and his confidential secretary/office manager for creating and supervising the program and ensuring that the attorneys and courts are performing as required.

WHEREAS, the Public Service Committee did review the contract and does recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: CAFA218, with the New York State Office of Indigent Legal Services for the period January 1, 2017 through December 31, 2019.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$144,750 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

Legislator Young seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 152 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES CONTRACT NO. CSTWIDEHH18- PUBLIC DEFENDER-APPROVAL OF

Legislature Stein offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between Genesee County and the New York State Office of Indigent Legal Services Contract Number: CSTWIDEHH18, (Statewide Expansion of Hurrell-Harring) for the provision of Caseload Relief and Quality Improvement which includes but is not limited to compensation and fringe benefits

for two (2) new Assistant Public Defenders, compensation for two (2) Legal Clerks and the Confidential Secretary/Office Manager for data management services required by the State, quality improvement including reimbursement for specialists/experts, emergency client transportation and litigation support (LAS of Buffalo) and other provisions including office furniture, computers, iPads, IT expenses, licensing fees for NYSDA PDCMS, Westlaw licenses, legal reference books, attorney membership fees, attorney registration fees, continuing legal education trainings, mileage and travel, renovation feasibility study for the Engine House and off-hour arraignment stipends, and

WHEREAS, the committees on Public Service Committee and Ways & Means did review the contract and do recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: CSTWIDEHH18, (Statewide Expansion of Hurrell-Harring) with the New York State Office of Indigent Legal Services for the period April 1, 2018 through March 31, 2023.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$329,768 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

Legislator Deleo seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 153 CLOSE CAPITAL PROJECT/BUDGET AMENDMENT - FEDERAL AID BRIDGE - RIVER ST

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review established capital projects and does recommend closing one project, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Budget Amendment:

Decrease H.5197.2080.0000 Appropriation \$357,149.93

Decrease H.5197.4592 Federal Aid Revenue \$285,719.94

Decrease H.5197.5031 Interfund Transfer \$17,857.50

Decrease H.5197.3501 State Aid \$53,572.49

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to close the following capital project:

Highway - River Street Bridge

Budget Impact Statement: Proper allocation of state and federal aid allows the county to reduce its overall committed local share and therefore reduce the amount of funds obligated to capital projects.

Legislator Torrey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 154 CLOSE/AMEND CAPITAL PROJECTS/BUDGET AMENDMENT - HIGHWAY/FACILITY MAINTENANCE

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommended that said Capital Projects be closed at this time, and

WHEREAS, The Committees on Public Service and Ways and Means did review these recommendations and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County

Treasurer to close the flowing capital projects and transfer existing balances as required:

Transfer Close:

Title	Balance	Source	Transferred To
Highway – Aerial Lift Truck	\$9,457.00	1% Sales Tax	Equipment Reserve
Highway – Vibratory Roller	\$177.00	1% Sales Tax	Equipment Reserve
Highway – Work Order System	\$0.00	1% Sales Tax	CLOSE
Facilities Mgmt. - Jail: Elevator Modernization	\$1,513.00	1% Sales Tax	Park - Area D Shelter Improvements
Facilities Mgmt. - Joint Maintenance Facility	\$109,957.58	1% Sales Tax	Park - Area D Shelter Improvements
Facilities Mgmt. - Highway Facility Overhead Door	\$4,225.00	1% Sales Tax	Park - Area D Shelter Improvements
Facilities Mgmt. - Fire Alarm Upgrade At The Genesee County Court Facility	\$7,924.99	1% Sales Tax	FM – Jail Fire Alarm Upgrade

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to modify the name of the current project Facilities Management – Jail Fire Alarm Upgrade to Facilities Management - Jail/Interpretive Center Fire Alarm Upgrade.

Budget Impact: Return of \$9,634.00 to Building Equipment and Reserve.

Legislator Dibble seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 155 AMEND CAPITAL PROJECTS – 2019 BUDGET AMENDMENT - HIGHWAY –APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The State of New York has provided Genesee County with Consolidated Local Street and Highway Improvement Program (CHIPS) and PAVE-NY funding, and

WHEREAS, the Genesee County Superintendent of Highways has established capital projects for the repair and replacement of highways, bridges and culverts that have been completed with prior year’s funding, and

WHEREAS, The Superintendent of Highways recommends amending existing projects, for work planned for this construction season, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the following capital projects as required:

Amend Projects:

Title	Exist Balance	Source	Amendment
CR#5	\$80,757.14	PAVE-NY	Add \$381,346 from 2019 PAVE-NY
CR#51 Colby Rd	\$89,379.53	1% Sales Tax	Add \$395,000 from 1% Sales Tax
Large Span Culverts	\$343,570.45	Various	Add \$324,231 from 1% Sales Tax
Road Machinery	\$6,491.44	CHIPS	Add \$173,509 from 2019 CHIPS
Highway Chipseal	\$1,039.14	CHIPS	Add \$740,000 from 2019 CHIPS
Highway Overlay	\$28,353.66	CHIPS	Add \$379,394 from 2019 CHIPS
Hwy Surface Treatment	\$1,686.12	CHIPS	Add \$171,000 from 2019 CHIPS
Highway Recycling	\$4,211.17	CHIPS	Add \$205,000 from 2019 CHIPS

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the following CHIPS and PAVE-NY funded capital projects by increasing CHIPS Revenue D9950.3501, Transfers to Capital D9950.9900, Highway Capital Project Expense H5197.2080, and Interfund Transfer H5197.5031 in the amount of \$2,050,249.

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following capital project by increasing Highway Capital Project

Expense H5197.2080, Interfund Transfer H5197.503, 1% Sales Tax A1000.1110.1, and Transfer to Capital A9950.9 in the amount of \$719,231

Budget Impact Statement: 2019 CHIPS allocation is \$1,668,903; 2019 PAVE-NY allocation is \$381,346. Total 2018 allocation from state fund sources equals \$2,050,249. New 1% sales tax contribution for Colby Rd (PH II) per 2019 capital plan is \$395,000 and additional funding for Large Span Culverts per 2019 capital plan is \$324,231. Grand total new capital available for 2019 projects is \$2,769,480.

Legislator Stein seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 156 ACCEPT GRANT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT - NYS COMPANION ANIMAL GRANT - ANIMAL SHELTER

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Superintendent of Highways applied for state funding for improvement at the Genesee County Animal Shelter, and

WHEREAS, the NYS Department of Ag & Markets has selected Genesee County to receive a \$200,000 Companion Animal Grant, and

WHEREAS, the Superintendent of Highways recommends accepting the grant and establishing a capital project from which to expend the funds, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this recommendation and do concur at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a 2018 New York State Companion Animal Grant in the amount of \$200,000, and Be it Further

RESOLVED, The Genesee County Treasurer is hereby authorized and directed to amend the 2019 Budget by increasing Equipment and Capital Outlay State Aid H1997.3097 in the amount of \$200,000 and increase H1997.2080.0000 Equipment and Capital Outlay Capital Project Expense in the amount of \$200,000.

RESOLVED, The Genesee County Treasurer is hereby authorized and directed to create the following capital project: Facility Management – Animal Shelter Improvements in the amount of \$200,000.

Budget Impact Statement: Facility Management – Animal Shelter Improvements capital project to be funded by a \$200,000 state grant.

Legislator Dibble seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 157 SUPPLEMENTAL AGREEMENT/CAPITAL PROJECT AMENDMENT/BUDGET AMENDMENT – PRATT ROAD BRIDGE OVER TONAWANDA CREEK (PIN 4755.43) BRIDGE NY – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Pratt Road Bridge over the Tonawanda Creek, PIN 4755.43 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

Legislator Hilchey offered the following resolution:

WHEREAS, a Project for the replacement of Judge Road over Whitney Creek (BIN: 3314960), Towns of Alabama, P.I.N. 4GN0.02 (the “Project”), County of Genesee is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal Funds, 15% State Funds and 5% Local Match; and

WHEREAS, Genesee County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the total project, Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve all future supplemental agreements and the federal aid master agreement for the Project; and it is hereby further

RESOLVED, that the Genesee County Legislature hereby authorizes the Chairperson to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and it is further

RESOLVED, that the Chairperson hereby is authorized and directed to execute all agreements, supplemental agreements and reimbursement requests on behalf of the County towards the execution of the project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Judge Road over Whitney Creek in the amount of \$1,183,000 with federal aid of \$946,400, state aid of \$177,450 and a local match from 1% sales of \$59,150

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase H1000.5997.5031 Interfund Revenue	\$59,150
Increase H1000.5997.4592 Federal Aid	\$946,400
Increase H1000.5997.3897 State Aid	\$177,450
Increase H5997.2080.0000 Judge Rd over Whitney Creek	\$1,183,000

Budget Impact Statement: The capital project will be established based on the total cost of the project at \$1,183,000 with federal aid of \$946,400, state aid of \$177,450 and a 5% local match from 1% sales tax of \$59,150. Phase authorization provided under supplemental agreement.

Legislator Dibble seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 159 CONSULTANT AGREEMENT - FEDERAL AID
BRIDGE - JUDGE RD**

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to replace the Judge Road Bridge over Whitney Creek in the Town of Alabama, and

WHEREAS, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, The Superintendent of Highways has negotiated a contract with Lu Engineers and

recommends approval of a consultant agreement with them at this time, and

WHEREAS, The Committee on Public Service has reviewed this request and does concur at this time, Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with Lu Engineers, 339 East Ave, Suite 200, Rochester, NY 14604 for the design of the Judge Road Bridge over Whitney Creek in an amount not to exceed \$162,063.91.

Budget Impact: The agreement is for \$162,063.91. The capital project established for this project has \$1,183,000. The capital project is federally funded with 80% federal aid, 15% state match and 5% local share.

Legislator Clattenburg seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 160 CONTRACT RENEWAL FOR SHARED SERVICES/HIGHWAY-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Superintendent of Highways reported that the Genesee County Highway Department currently shares equipment, materials and services with other Genesee County municipalities and neighboring counties on an informal basis and to be in compliance with New York State Highway Law and General Municipal Law, Genesee County is required to adopt an agreement formalizing this arrangement, and

WHEREAS, the Superintendent of Highways reported that municipalities, including the County of Genesee, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, the Superintendent of Highways reported that it has been determined that the County of Genesee and other municipalities have machinery and equipment which are not used during certain periods and have stored materials and supplies which are not immediately needed, and

WHEREAS, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Genesee and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is the intent of the County of Genesee to give the Superintendent of County Highways the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the City/County/Town/Village governing board prior to the making of each individual arrangements, and

WHEREAS, Genesee County authorized such arrangements with other municipalities on February 27, 2006 and the Superintendent of Highways is requesting that such an arrangement be continued through an extension of the original agreement, and

WHEREAS, The Committees on Public Service and Ways and Means has determined that it will be in the best interests of the County of Genesee to continue to be a party to such shared service arrangements, and does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Highway Shared Services Agreement which shall be effective immediately through February 2020, and Be it Further

RESOLVED, The Legislative Clerk is authorized and directed to file a copy of the contract set forth in this resolution with the Supervisors/Mayors/Board Presidents of the municipalities within Genesee County.

Budget Impact Statement: None. Sharing municipal services is a cooperative effort to save money.

Legislator Maha seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 161 AWARD OF BIDS –HIGHWAY/GENESEEE COUNTY
CULVERTS (PH3)**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent commissioned a comprehensive bridge and culvert inventory and assessment that identified a significant number of bridges and large culverts that need to be replaced; and

WHEREAS, construction documents and specifications were prepared, advertised for the pre-casting of concrete culvert components to be used during bridge replacements and the County received two bids, and

WHEREAS, the bids were reviewed for accuracy and the Genesee County Highway Superintendent recommends the award of bid items; and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award the fabrication of the concrete box culvert components as specified in the bid documents to Lakeland Concrete Products Inc., 7520 East Main St, Lima, NY 14485 in a total amount not to exceed \$158,756.

Budget Impact: The total cost of the bid award is \$158,756 which will be paid from the Capital Project for Large Span Culverts. It is anticipated that the installation of these culverts will occur in the 2019 construction season.

Legislator Dibble seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 162 2019 BUDGET AMENDMENT – HIGHWAY – COUNTY
ROAD FUND (SNOW & ICE)**

Legislator Dibble offered the following resolution:

WHEREAS, The County depleted its budgeted amount for the purchase of road salt within the 2019 County Road budget, and

WHEREAS, The County Superintendent of Highways has recommended an amendment to the 2019 County Road budget in order to purchase additional salt for the treatment of snow and ice on the highways, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County Road budget through intrafund transfer by increasing Salt (D5142.4800.1005) in the amount of \$40,000.00 and decreasing Oil & Stone (D5110.4800.1001) in the amount of \$40,000.00.

Budget Impact: This is a transfer within divisions of the County Road Fund.

Legislator Stein seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 163 INTERMUNICIPAL AGREEMENT – COUNTYWIDE
WATER PHASE 2 – TOWN OF ALEXANDER**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County desires to advance certain portions of water improvements being

made by the Town of Alexander Water District #5 which benefits the County and are described in the Master Plan and Engineering Report for Phase 2 of the Countywide Water Project, and **WHEREAS**, the Genesee County Highway Superintendent and the County Attorney have prepared an agreement that provides an annual reimbursement to the Town of Alexander under terms acceptable to the County and recommend its approval at this time, and **WHEREAS**, the Genesee County Water Resources Agency recommends approval of the Intermunicipal Agreement with the Town of Alexander, and **WHEREAS**, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it **RESOLVED**, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the Intermunicipal Agreement between Genesee County and the Town of Alexander related to the Phase 2 Water Improvements.

Budget Impact Statement: Per the agreement, the County Water Fund will reimburse the Town of Alexander \$158,081 for 30 years. This annual reimbursement represents the amortized cost of the approximately \$2.7 million in improvements that the Town of Alexander is making on behalf of Genesee County.

Legislator Deleo seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 164 INTERMUNICIPAL AGREEMENT – COUNTYWIDE WATER PHASE 2 – TOWN OF ELBA

Legislator Stein offered the following resolution:

WHEREAS, Genesee County desires to advance certain portions of water improvements being made by the Town of Elba Water District #2 which benefits the County and are described in the Master Plan and Engineering Report for Phase 2 of the Countywide Water Project, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have prepared an agreement that provides a reimbursement to the Town of Elba under terms acceptable to the County and recommend its approval at this time, and

WHEREAS, the Genesee County Water Resources Agency recommends approval of the Intermunicipal Agreement with the Town of Elba, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it

RESOLVED, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the Intermunicipal Agreement between Genesee County and the Town of Elba related to the Phase 2 Water Improvements.

Budget Impact Statement: Per the agreement, the County Water Fund will reimburse the Town of Elba up to \$995,000 for upsizing transmission mains and water storage tower that benefit the countywide system.

Reimbursements will be made as the Town of Elba completes the project upgrades and they are certified complete by their Engineer. These costs will be funded from the Capital Project established for the Phase 2 Countywide Water System.

Legislator Maha seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 165 CONSULTANT AGREEMENT– GENESEE COUNTY WATER SUPPLY PROGRAM PH2 – CONSTRUCTION MANAGEMENT – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has prepared bid specifications and plans for the various projects required to advance Phase 2 of the Countywide Water Project, and

WHEREAS, The Genesee County Highway Superintendent did provide a scope of work to Clark Patterson Lee for the work required to provide Construction Management and Construction Support services related to the various projects, and

WHEREAS, The Genesee County Highway Superintendent did negotiate a contract price based on the scope provided and does recommend entering into a consultant agreement for this work, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to enter into a consultant agreement with Clark Patterson Lee, 250 St Paul Street, Suite 500, Rochester, NY 14623 in an amount of \$900,000 for the purposes of Construction Management and Construction Support.

Budget Impact: The consultant agreement is for \$900,000 and is funded from the Capital Project for Countywide Water PH2. The capital project is expected to be reimbursed from local and MCWA bond proceeds.

Legislator Torrey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 166 CITIZEN PARTICIPATION PLAN- COMMUNITY DEVELOPMENT BLOCK GRANT – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County is the recipient of Community Development Block Grant (CDBG) funds and as such is required to have a Citizen Participation Plan in place with the primary goal being to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of Genesee County's CDBG, and

WHEREAS, The Assistant County Manager and Compliance Officer have updated the Genesee County Citizen Participation Plan related to CDBG funds, and

WHEREAS, The Committee on Ways and Means did review the Citizen Participation Plan and does recommend approval at this time. Now, therefore, Be it

RESOLVED, The Chair of the Genesee County Legislature is hereby authorized and directed to approve the Genesee County Citizen Participation Plan.

Budget Impact: None

Legislator Deleo seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 167 AGREEMENT WITH ROTARY CLUB OF BATAVIA, NY, INC. FLY-IN BREAKFAST - GENESEE COUNTY AIRPORT - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Legislature did receive a request from the Rotary Club of Batavia, NY, Inc. to hold a Fly-In Breakfast at the Genesee County Airport on Sunday, June 16, 2019, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Rotary Club of Batavia, NY, Inc. for access to and use of the Genesee County Airport on June 14, 15, 16, 17 and 18, 2019 subject to the rules and regulations of the Genesee County Airport to conduct a public Fly-In Pancake Breakfast on June 16, 2018.

Budget Impact Statement: Minimal utility expense offset by Rotary Club promotion of Airport.

Legislator Dibble seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 168 COUNTY AUDIT –APRIL 24 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	945,154.12
Sales Tax		4,402,490.16
Water Fund		603,204.78
Highway		35,792.31
Self Insurance		12,180.00
DSS Abstracts		93,731.27
Capital Projects		
Highway-Large Span Culverts	\$	2,598.70
Highway-Searls Rd Bridge over Spring Creek		8,424.19
Airport-Demolish Term Bldg & Maint Hangar		6,562.00
Airport-Airport Taxiway “C” Reconstruction		1,500.00
Park-Dewitt Park Improvement-Phase IV		2,407.00
Jail-Jail Construction		25,000.00
Payroll – General		
April 12, 2019		1,138,614.21
Medicaid		
April 16, 2019		177,332.00
April 23, 2019		<u>177,332.00</u>
Total Audit	\$	7,632,322.74

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Deleo seconded the resolution which was passed by 326 votes.

Prior to adjourning, Legislator Stein stated that Highway Superintendent Tim Hens was sworn in as President of NACE. Mr. Hens commented that he is looking forward to serving in this capacity.

The meeting adjourned at 5:53 PM upon motion of Legislator Maha seconded by Legislator Hilchey, carried unanimously.

**NINETH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, May 8, 2019**

The Genesee Legislature met in Regular Session on Wednesday May 8, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Young assisted with the audit. Prayer was offered by Legislator Hilchey followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Bausch opened a Public Hearing on Agricultural District No. 3 in the Towns of Pavilion, LeRoy, Stafford and Bergen as recommended by the Agricultural and Farmland Protection Board. All interested parties were invited to be heard.

Minutes of the April 24, 2019 Legislature meeting were approved upon motion of Legislator Stein seconded by Legislator Hilchey, carried unanimously.

Legislator Stein stated that GAM members have been invited to the May 16th Public Information session on the New Jail scheduled for 5-8pm on May 16th. She indicated that Inter County Association meets on May 10, 2019 in Livingston County and that Soil & Water Conservation District has a vacancy for an agricultural environmental planner. Legislators Stein and Young commented on the increase in slow moving agricultural equipment and tractors this time of year and requested mindfulness by fellow drivers.

An Out-of-State Travel Request for Treasurer Scott German to Las Vegas, NV for Annual NACCTFO conference July 9-12, cost to the County \$447.63 was approved upon motion of Legislator Clattenburg, seconded by Legislator Maha, carried, Legislator Torrey, no.

County Manager Jay Gsell reported that there was discussion at the CJAC meeting held earlier today regarding the Jail Project and Bail Reform.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 169 AGREEMENT - HEALTH DEPARTMENT/ NYS DEPT. OF AGRICULTURE & MARKETS – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Agriculture and Markets that Genesee County's Petroleum Product Quality Program agreement has been approved in the amount of \$21,560, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the local Petroleum Product Quality Program, and

WHEREAS, The Committees on Human Services did review this agreement and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Department of Agriculture and Markets for the acceptance of the Petroleum Product Quality Program funds for the period April 1, 2019 through March 31, 2024 in the amount of \$21,560 (\$4,312 annually), and to execute any and all other documentation related to this funding

Budget Impact Statement: Revenue and Expenses are included in the 2019 6610 budget. The cost to the county for the continuation of the petroleum product quality program is \$0.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 170 AGREEMENT – HEALTH DEPARTMENT/NATIONAL ENVIRONMENTAL HEALTH ASSOCIATION – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of Public Health did present an agreement with the National Environmental Health Association, and

WHEREAS, This agreement establishes with the National Environmental Health Association to provide an intern for a (10) week period during 2019, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to establish an agreement with the National Environmental Health Association, Washington D.C.

Budget Impact Statement – Fully funded by NEHA, \$0 cost to the county.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 171 RENEWAL OF CONTRACT – OFFICE FOR THE AGING CONSUMER DIRECTED IN-HOME SERVICES FISCAL INTERMEDIARY- RFP 2018-103 WILLCARE, INC. – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract established through RFP 2018-103 with Willcare, Inc., c/o parent company, LHC Group, Inc. 901 Hugh Wallis Rd South Lafayette, LA 70508 to serve as Fiscal Intermediary for Consumer Directed In-home Services operated by Genesee County Office for the Aging; and

WHEREAS, Homecare services are in great demand with the rising number of frail and/or chronically ill elders in our county needing in-home and community support services with homecare agencies unable to fill homecare cases due to lack of in-home workers; and

WHEREAS, Under Consumer Directed In-home Services, control is shifted to the consumer (or eligible consumer representative) for budgeting, care planning, decision making, arranging for services and staffing; and

WHEREAS, This is the first renewal of a five (5) year contract with potential for three (3) additional one (1) year renewals for provision of Fiscal Intermediary services with regard to Consumer Directed In-home Services and the Committees on Human Services and Ways and Means does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to Willcare, Inc. to serve as Fiscal Intermediary for Genesee County Office for the Aging Consumer Directed In-home Services under Expanded In-home Services for the Elderly, Title III E, and other in-home services funds at a cost of \$20.51/hour for CDIS-Basic Worker and \$23.11/hour for CDIS-Enhanced Worker, not to exceed \$34,665 for the period of June 1, 2019-May 31, 2020.

Budget Impact: Neutral. All in-home services are already incorporated into our 2019 County budget. No additional County funds will be required. Rate is \$20.51 for CDIS-Basic Worker and \$23.11/hour for CDIS-Enhanced Worker. A total of \$34,665 is designated for CDIS for the period of 6/1/2019-5/31/2020.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 172 ACCEPTANCE OF GRANT /BUDGET AMENDMENT – OFFICE FOR THE AGING/UNMET NEEDS GRANT – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a Budget Amendment and acceptance of a one year, with continuation of minimum one year renewal, of Unmet Needs grant award totaling \$243,432 for the period of April 1, 2019 to March 31, 2020 from the NY State Office for the Aging with \$182,574 allocated to 2019 County budget for the period of April 1, 2019 to December 31, 2019; and

WHEREAS, New York State Office for the Aging advocated for and received distribution of \$15 million of additional funds as part of its 2019-2020 Aid to Localities budget; and

WHEREAS, The increasing aging population in Genesee County brings forth increasing needs to provide care for its Genesee County residents; and

WHEREAS, This additional funding is specifically intended to reduce reported unmet home and community-based service needs in Genesee County to help residents maintain their autonomy and reduce or eliminate the number of people who are reported to be waiting for service; and

WHEREAS, one permanent CSEA Grade 16 Case Manager (OFA) and one temporary Management Grade 114 Deputy Director (OFA) position will be created to address the service and administrative responsibilities of this funding; and

WHEREAS, the Committees on Human Services and Ways and Means did review this request and does recommend acceptance of this grant. Now, Therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is authorized to accept this grant award and is authorized to enter into any and all agreements under the grant to contract for goods and services to meet the grant requirements; and May It Further Be

RESOLVED, that the Genesee County Treasurer and Genesee County Human Resources Directors are hereby authorized and directed to amend the 2019 Employee Salary Schedule by creating one permanent Case Manager (OFA) Grade 16 position effective 7/1/2019 and the 2019 Management Salary Schedule by creating one temporary Grade 114 Deputy Director (OFA) effective 8/1/2019-1/31/2020; and May It Further Be

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Appropriations:

6772.1010.0000	Personal Services	\$	52,224
6722.2010.0020	Desk	\$	750
6722.2010.0022	Chairs	\$	125
6772.4540.0000	Personnel Mileage	\$	450
6772.4550.0000	Personnel Training	\$	250
6772.4660.0535	HomeCare	\$	92,742
6772.4700.0000	Spec Supp	\$	6,700
6772.8010.0000	Social Security Tax	\$	3,238
6772.8011.0000	Medicare Tax	\$	757
6772.8020.0000	Retirement	\$	8,251

6772.8030.0000	Medical	\$	16,718
6772.8040.0000	Dental	\$	303
6772.8070.0000	Vision	\$	66
		\$	182,574

Revenues:

1000.6772.3772 State Aid \$ **182,574**

Budget Impact: Neutral. This grant award requires no county match. Any remaining 2019-2020 grant funds will be carried into the 2020 County Budget.

Prior to the vote Legislator Young made a motion to amend the resolution to include language as outlined by OFA Director Spink seconded by Legislator Deleo, carried unanimously.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 173 GENESEE COUNTY AGRICULTURAL SOCIETY CONTRACT - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Manager did present a contract to provide funding towards the 2019 Genesee County Fair, and

WHEREAS, The Committee on Human Services did review the contract and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract by and between the County of Genesee and the Genesee County Agricultural society in the amount of \$11,000.00 to be used for 4-H Judging expense and 4-H Premiums associated with the 2019 Genesee County Fair.

Budget Impact Statement:

- 2019=\$11,000 Annual 4-H Premium funding
- 2018=\$9,900 annual 4-H Premium funding
- 2017=\$9,900 annual 4-H Premium funding (10% reduction)
- 2016= \$11,000 annual 4-H Premium funding
- 2015= \$11,000 annual 4-H Premium funding
- 2014=\$11,000 annual 4-H Premium funding
- 2013= \$6,214 annual 4-H Premium funding
- 2012 = \$6,214 annual 4-H Premium funding
- 2011= \$6,541 annual 4-H Premium funding
- 2010 = \$7,695 annual 4-H Premium funding
- 2005 - 2009 = \$8,100 annual 4-H Premium funding
- 2002 = \$15,000 to Cooperative Ext to fund fair enhancements
- 2000 - 2001 = \$25,000 to Cooperative Ext to fund fair enhancements
- 1999 = \$25,000 additional funding for fair enhancements
- 1998 - 2004 = \$9,000 annual 4-H Premium funding
- 1995 - 1997 = \$8,500 annual 4-H Premium funding
- 1993 - 1994 = \$7,500 annual 4-H Premium funding
- 1992 = \$9,000 annual 4-H Premium funding
- 1989 - 1991 = \$10,000 annual 4-H Premium funding

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 174 CONTRACT WITH MERCY FLIGHT, INC.-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Mercy Flight, Inc., is a community based, not-for-profit corporation offering regional air medical services, and

WHEREAS, Funds were incorporated into the 2019 Genesee County Budget in the amount of \$12,825 to support the continued provision of air medical transfer service on behalf of Genesee County, and

WHEREAS, The Genesee County Manager did present a contract outlining the terms and conditions of this funding and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract between the County of Genesee and Mercy Flight, Inc., 100 Amherst Villa Road, Buffalo, NY for the provision of air medical transfer service in Genesee County for the period January 1, 2019 through December 31, 2019 for a contribution from Genesee County in the amount of \$12,825.

Budget Impact Statement: 2019 annual funding = \$12,825

2018 annual funding = \$12,825

2017 annual funding = \$12,825

2016 annual funding = \$14,250

2015 annual funding = \$14,250

2014 annual funding = \$14,250

2013 annual funding = \$14,250

2012 annual funding = \$14,250

2011 annual funding = \$14,250

2006-2010 annual funding = \$15,000

1998 – 2005 annual funding = \$10,000

1997 annual funding = \$7,500

1996 annual funding = \$5,000

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 175 2019 SALARY SCHEDULE AMENDMENT/BUDGET TRANSFER- DISTRICT ATTORNEY/ SALARY INCREASE - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager did request an amendment in the 2019 Management Salary Schedule in accordance with the New York State Commission on Legislative, Judicial and Executive Compensation recommendations which mandates an increase in the full time District Attorney salary pursuant to Judiciary Law 183-a, which links judicial salaries with county district attorneys' salaries and requires district attorneys' salaries to be at least as high as the County Court Judge in the County, and

WHEREAS, Federal judges received a COLA increase on April 1, 2019, requiring Genesee County to increase the full time District Attorney's salary respectively , and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do concur with the County Manager's recommendation. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2019 Genesee County Management Salary Schedule by increasing the District Attorney's annual salary from \$197,600 to \$200,355, effective April 1, 2019.

Budget Impact: Increased salary and benefit expenses totaling \$3,402 were placed in the 2019 Budget to cover the increase. There is no State funding in place for this State mandated increase.

Prior to the vote Legislator Young stated he will vote no because this is being forced upon the County.

Legislator Stein seconded the resolution which was adopted by 297 votes, Young (47) no.

**RESOLUTION NO. 176 DISTRIBUTION OF MORTGAGE TAX-FIRST
PAYMENT 2019-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$262,518.89, and

WHEREAS, The Committee on Ways & Means did review the mortgage tax money available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

City Of	Batavia	\$58,046.37
Towns Of	Alabama	4,449.67
	Alexander	9,816.66
	Batavia	38,224.70
	Bergen	10,060.22
	Bethany	8,743.35
	Byron	17,092.85
	Darien	14,389.05
	Elba	8,910.84
	LeRoy	25,196.96
	Oakfield	5,532.89
	Pavilion	12,092.42
	Pembroke	22,770.96
	Stafford	13,904.57
Villages Of	Alexander	1,025.17
	Attica	351.70
	Bergen	1,361.74
	Elba	1,147.30
	LeRoy	7,160.85
	Oakfield	864.72
	Corfu	1,375.90
Total		\$262,518.89

Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax refund.

Budget Impact Statement: 2018 1st payment \$383,585.91

2017 1st payment \$384,918.90

2016 1st payment \$278,153.64

2015 1st Payment \$292,934.98

2014 1ST Payment \$244,843.58

2013 1st Payment \$303,549.03

2012 1st Payment \$276,484.73

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 177 APPOINTMENT-GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT
CENTER (“GCEDC”)-APPROVAL OF**

this Resolution to New York State Senator, Michael Ranzenhofer and State Assemblyman, Stephen Hawley as supporters and proponents of passage of necessary State Legislation of behalf of Seven Grice's revised New York State Retirement tier III status.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

At 5:47 PM Chairman Bausch asked if anyone wished to be heard at the Public Hearing on the eight year review of Ag District 3. No one spoke and the Public Hearing was closed.

RESOLUTION NO. 179 AGRICULTURAL DISTRICT NO. 3 - TOWNS OF PAVILION, LE ROY, STAFFORD, AND BERGEN – EIGHT YEAR REVIEW – CONTINUATION AND MODIFICATION – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The creation of Agricultural District No. 3 (formerly known as 2) was approved by the Genesee County Legislature by Resolution No. 39 adopted February 25, 1976 and certified by the State of New York on August 14, 1976, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, The County Legislative has subsequently modified Agricultural District No. 3 through reviews in 1984, 1993, 2003, and 2011, and

WHEREAS, The District was duly referred to the Agricultural and Farmland Protection Board which produced a report with the recommendation for the approval and modification of the District at its March 25, 2019 meeting, and

WHEREAS, On Wednesday the 8th day of May 2019, pursuant to public notice, a public hearing was held on the proposed District, and

WHEREAS, In accordance with the New York State Environmental Quality Review Act of 1975, and in accordance with adopted review procedures and the criteria set forth in Part 617, the Agricultural District under review has been determined to have no significant effect on the environment, and

WHEREAS, The Committee on Public Service does concur with the recommendation of the Genesee County Planning Board and the Agricultural and Farmland Protection Board. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby approve of the adoption of the proposal for the continuation and modifications of Agricultural District No. 3 in the Towns of Pavilion, LeRoy, Stafford and Bergen as recommended by the Agricultural and Farmland Protection Board for a period of eight years, and be it further

RESOLVED, That the Genesee County Legislature does hereby authorize the Chair of the Legislature to sign all necessary SEQR documentation and directs the Department of Planning to submit certified copies of this resolution, along with all required maps, reports, SEQR documentation and records pertaining to this eight-year Agricultural District review to the Commissioner of the New York State Department of Agriculture and Markets for review and certification.

Budget Impact: Funds were allocated in departmental budgets for 2019.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 180 COUNTY AUDIT –MAY 8 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Young, did review the following claims:

General Fund	\$	536,199.89
Water Fund		83.00
Highway		73,922.24
Self Insurance		50.00
DSS Abstracts		5,448.72
Capital Projects		
Highway-Large Span Culverts	\$	1,346.50
Highway-Searls Rd Bridge over Spring Creek		101,391.00
Highway-Pratt Road Bridge over Tonawanda Creek		2,412.75
Highway-Preventive Maint Bridge Painting		5,419.98
Airport-Airport Taxiway "C" Reconstruction		7,637.97
Park-Dewitt Park Improvement-Phase IV		2,517.18
Park-Area "D" Shelter Improvements		500.40
County Manager-2017 Security Enhancements		3,972.40
County Wide Water System-Phase II		140,500.00
Sheriff's-Sheriff's 800 Mghtx Radio System Upgrade		11,756.39
Payroll – General		
April 26, 2019		1,583,724.63
Medicaid		
April 30, 2019		177,332.00
May 7, 2019		<u>177,332.00</u>
Total Audit	\$	2,831,547.05

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 326 votes.

Legislator Young made a motion to suspend the Rules of the Legislature, Rule No. 19 stating that it is in the County's best interest to pass a resolution authorizing the Chair to sign required agreements to achieve tax exempt status on properties purchased for the County Water Project seconded by Legislator Torrey, carried unanimously.

RESOLUTION NO. 181 AGREEMENTS TO OBTAIN TAX EXEMPT STATUS FOR GENESEE COUNTY OWNED PARCELS LOCATED IN MONROE COUNTY

Legislator Clattenburg offered the following resolution:

WHEREAS, On December 21, 2018, Genesee County purchased a parcel of land located at 7090 West Buffalo Road located in Monroe County within the Town of Riga, and within the Churchville-Chili School District, and

WHEREAS, On February 8, 2019, the County of Genesee purchased another property located at 60 Golden Road in the Town of Chili, Monroe County, and also being within the Churchville-Chili School District, and

WHEREAS, On February 21, 2019, the County of Genesee purchased two additional adjacent parcels of land located at 1104 and 1114 Main Street in the Town of Wheatland, Monroe County, and within the Caledonia-Mumford School District, and

WHEREAS, It would be in the best interest of the citizens of Genesee County to obtain tax exempt status for all of these parcels, and

WHEREAS, pursuant to Section 406(3) of the Real Property Tax Law, in order to obtain wholly tax exempt status, it is necessary for the County of Genesee to enter into separate agreements with Monroe County, the Town of Riga, the Town of Chili, the Town of Wheatland, the Churchville-Chili School District and the Caledonia-Mumford School District, and

WHEREAS, The Genesee County Attorney has drafted a documents entitled “Agreement by County of Genesee and Town of Riga to Allow Tax Exempt Status for a Certain Real Property Parcel” (hereinafter “Riga Agreement”), and

WHEREAS, this Riga Agreement has been reviewed and approved by the Attorney for the Town of Riga, and

WHEREAS, the County Attorney is negotiating to enter into similar agreements with the Town of Riga, Monroe County, and the Churchville-Chili School District, and will be contacting the Town of Wheatland and the Caledonia-Mumford School District. Now, therefore, Be it

RESOLVED, That the Riga Agreement Is hereby approved, and the Chair of the Legislature is hereby authorized and directed to execute the Riga Agreement; together with such other and further agreements or documents that will be necessary to allow the above- named four parcels to be wholly exempt from any taxes and assessments with regard to the Town of Riga, the Town of Chili ,the Town of Wheatland, Monroe County, the Churchville-Chili School District, and the Caledonia-Mumford School District; subject to approval of all agreements as to form and content by the Genesee County Attorney.

Prior to the vote Real Property Director Kevin Andrews explained that he contacted assessors in the affected municipalities in January but experienced communication issues. County Attorney Kevin Earl stated he was circulating the agreement to the municipalities. He further stated the agreement covers the time period Genesee County has the property until Monroe County Water Authority takes ownership.

Legislator Maha seconded the resolution which was adopted by 326 votes.

At 5:54 PM the meeting adjourned upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

**TENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, May 22, 2019**

The Genesee Legislature met in Regular Session on Wednesday May 22, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Torrey assisted with the audit. Prayer was offered by Chairman Bausch followed by the Pledge to the Flag.

Minutes of the May 8, 2019 Legislature Meeting were approved upon motion of Legislator Maha seconded by Legislator Deleo, carried unanimously.

Legislator Stein attended the GAM meeting where County Treasurer Scott German presented a financial report previously requested by GAM. Legislator Clattenburg attended the Holland Land Office Museum board meeting and conveyed their gratitude for work accomplished by the County including electrical updates, maintenance and bathroom enhancements. Chairman Bausch extended thanks to staff who was involved with the public meeting on the new jail.

County Manager Jay Gsell reported there were 39 projects completed around the County today through the United Way “Day of Caring”. He also reported the County is seeking clarification from State Board of Elections regarding the switch to electronic poll books.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 182 AGREEMENT BY COUNTY OF GENESEE AND NEW YORK GREEN, INC. FOR CONTRIBUTIONS TO RESILIENCY PLANNING – APPROVAL OF

Legislator Maha offered the following resolution;

WHEREAS, New York Green, Inc., has made application to the New York State Department of State for grant funds to be made available to counties in order to implement county wide resiliency planning, and

WHEREAS, the grant funds can be used to support county and municipal planning to include assessment of extreme weather events, identification of future threats and vulnerabilities, and identification of projects and strategies to support resiliency with economic co-benefits, and

WHEREAS, Genesee County intends to contribute towards this resiliency project as set forth in a proposed Agreement entitled “Agreement by County of Genesee and New York Green, Inc. for Contributions to Resiliency Planning” (hereinafter “NYG Agreement”), and this project will have benefits for all of the citizens of the County, Now therefore, Be it

RESOLVED, that the “NYG Agreement” is hereby approved, and the Chair of the Legislature is hereby authorized and directed to execute this Agreement on behalf of the County of Genesee.

Budget Impact Statement: County planning staff will provide up to 10% (or \$25,000) of planning services required for project completion. This amount will be 100% covered by grant funds. No match is required.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 183 GRANT EXTENSION- EMERGENCY MANAGEMENT SERVICES - FY15 PRE-DISASTER MITIGATION COMPETITIVE GRANT – APPROVAL OF

Legislator Stein offered the following resolution:

RESOLUTION NO. 185 AGREEMENT RENEWAL – SHERIFF / SPECIAL/ADDITIONAL LAW ENFORCEMENT SERVICES FOR WESTERN REGIONAL OTB – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County entered into an agreement with Western Regional OTB pursuant to Resolution 235 that was adopted on June 27, 2018, whereby the Sheriff’s Office would provide additional law enforcement services at Batavia Downs Gaming for its 2018 summer concert season, and

WHEREAS, This agreement will expire on May 31, 2019, and

WHEREAS, Western Regional OTB is entering into its 2019 summer concert season and has indicated a desire to renew the law enforcement services agreement with Genesee County for an additional one-year term (June 1, 2019 through May 31, 2020) based on the same terms and conditions from 2018, with the exception of an increase in rates per the Deputy Sheriff’s Association (DSA) and Sheriff’s Employees’ Association (SEA) *Labor Agreements*, and

WHEREAS, After discussions between the Sheriff, Chief Deputy of Road Patrol, Western Regional OTB representatives, and approval by the County Attorney, the Sheriff does recommend renewing this agreement for the term stated above, and

WHEREAS, The Committees of Public Service and Ways & Means did review this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to execute the Agreement Renewal for an additional one-year term (June 1, 2019 through May 31, 2020) for special/additional law enforcement services at Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020, for its 2019 summer concert season.

Budget Impact: *\$191,112 has been appropriated to account A3110.1020.0800 (Overtime – Additional Police Services), to be offset by revenue billed back to entities for additional law enforcement services.*

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 186 AGREEMENT RENEWAL AND BUDGET AMENDMENT – SHERIFF / POLICE SERVICES FOR VILLAGE OF BERGEN - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Village of Bergen’s contract for additional police services for the Village will expire May 31, 2019, and it has requested to renew its agreement to commence June 1, 2019, through May 31, 2020, and

WHEREAS, the current Genesee County Deputy Sheriffs’ Association Labor Agreement will expire December 31, 2019, and the 2020 retirement and mileage rates will not be available until late 2019, and the Village of Bergen has been made aware that these rates will change, and it will be billed separately for the difference, and

WHEREAS, the Sheriff does recommend entering into a renewal agreement, and the Committees on Public Service and Ways & Means do concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the renewal agreement by and between the Village of Bergen and the Genesee County Sheriff’s Office for a period commencing June 1, 2019, through May 31, 2020, and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Sheriff's account A3110.1020.0900 (Overtime - Bergen Patrols) in the amount of \$13,500, to be offset by an increase in revenue account A3110.2804.1 (Shared Services-Additional Police Services) in a like amount.

Budget Impact: *Appropriation of \$13,500 offset by revenue billed back to entities for additional law enforcement services.*

Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 187 SALARY SCHEDULE AMENDMENT – SHERIFF/
CREATION OF FIVE (5) SEASONAL DEPUTY SHERIFF POSITIONS —APPROVAL
OF**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Sheriff's Office will be providing additional law enforcement services to Darien Lake and its Performing Arts Center for the 2019 operating season and beyond, and

WHEREAS, the Genesee County Sheriff is requesting the creation of five (5) additional seasonal Deputy Sheriff positions for the period beginning May 15 through September 30 of each year, for a total of 20 seasonal Deputy Sheriffs, and

WHEREAS, the Committees on Public Service and Ways & Means did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature is authorized and directed to amend the 2019 Employee Salary Schedule by creating five (5) additional seasonal Deputy Sheriff positions in DSA Grade 12.

Budget Impact: *Costs associated with seasonal Deputy Sheriffs will be offset by revenue.*

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 188 INTERMUNICIPAL AGREEMENT– SHERIFF / MONROE
COUNTY DEPARTMENT OF PUBLIC SAFETY CRIME LABORATORY –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, the current agreement for forensic laboratory services with Monroe County expired December 31, 2018; and

WHEREAS, the Sheriff did present an agreement backdated to commence January 1, 2019, and continue through December 31, 2019, and

WHEREAS, the forensic laboratory, as of May 1, 2018, no longer provided *Driving Under the Influence* drug testing of blood samples and alcohol testing, which resulted in a decrease of this year's agreement to \$117,626.00, and

WHEREAS, after careful review by the Sheriff and County Attorney, it is recommended the County Legislature approve this contract backdated to January 1, 2019, through December 31, 2019, and

WHEREAS, the Committee on Public Service did review this agreement and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is authorized and directed to execute the agreement between the County of Genesee and the County of Monroe for forensic laboratory services for the period backdated to January 1, 2019, through December 31, 2019, at a cost of \$117,626.00.

Budget Impact: Appropriation of \$117,626.00 was included in the 2019 Sheriff's budget for this contracted service.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 189 IN SUPPORT OF H.R. 1629 BILL; SUPPORTING ACCURATE VIEWS OF EMERGENCY SERVICES ACT (911 SAVES ACT)– APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, the 911 Saves Act directs the US Office of Management and Budget to reclassify public safety telecommunicators from “Office and Administrative Support Occupations” to the category of “Protective Service Occupations”; and

WHEREAS, the federal government’s Standard Occupational Classification System (SOCS) sorts workers into occupational categories for statistical purposes, according to the nature of the work performed and, in some cases, on the skills, education, or training needed to perform the work; and

WHEREAS, America’s 9-1-1 telecommunicators are currently incorrectly categorized in the SOCS as an “Office and Administrative Support Occupation,” a category which includes secretaries, office clerks, and taxicab dispatchers; and

WHEREAS, classifying 9-1-1 telecommunicators as an “Office and Administrative Support Occupation” fails to recognize their central role in public safety and homeland security; their specialized training and skills; and their uniquely stressful work environment; and

WHEREAS, classifying public safety telecommunicators as “Protective Service Occupations” – alongside police, firefighters, security guards, lifeguards, and others whose job it is to protect our communities – would better reflect the work they perform, and align the SOCS with related classification systems;

RESOLVED, that the Genesee County Legislative body calls upon all members of The State of New York’s U.S. House delegation to co-sponsor H.R. 1629, the Supporting Accurate Views of Emergency Services Act of 2019 (911 SAVES Act), which would direct the White House Office of Management and Budget (OMB) to reclassify public safety telecommunicators as a "Protective Service Occupation"; and we also call upon our U.S. Senators to support the companion legislation; and

FURTHER, members of the Genesee County Legislature will continue to advocate for an accurate statistical classification for 9-1-1 professionals to support critical research into the nature and impacts of 9-1-1 jobs, which differ substantially from those encountered by non-public-safety “Office and Administrative Support Occupations.”

Budget Impact: *None*

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 190 RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE COMMUNICATIONS TO SET ASIDE SUFFICIENT 911 FUNDING TO COUNTIES IN ORDER TO PROPERLY MAINTAIN EXISTING SYSTEMS AND BECOME COMPLIANT WITH FEDERAL FCC FUNDING OPTIONS

Legislator Stein offered the following resolution:

WHEREAS, the funding mechanism that New York State counties use to help operate, maintain and upgrade 911 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes, and

WHEREAS, The FCC found that, in 2017, New York State diverted \$170.9 million (90.35%) of E911 consumer fees generated for non 911-related programs thus shifting the bulk of Next Generation 911 (NG911) readiness financing to counties and other local governments PSAPs in New York State, and

WHEREAS, The diversion of E911 funds results in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement NG911 technology required under federal law, and

WHEREAS, under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the State Interoperable Communications Grants (SICG) program, administered by the Division of Homeland Security, and

WHEREAS, due to the designation of said E911 fees by New York State for non 911-related expenses, New York State PSAPs are not eligible for any of the \$115 million federal grant funding for E911 and NG911 enhancements and IP based advanced networks, and

WHEREAS, the goal of upgraded NG911 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering, and

WHEREAS, NG911 upgraded systems will be able to better pinpoint an emergency call that may be in a remote area of the state or in a multi-storied building in one of our communities, and

WHEREAS, Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state, now therefore, be it

RESOLVED, the Genesee County Legislature calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized ensure eligibility for Federal FCC E911/Next Generation 911 (NG911) resources and to ensure that future authorizations are released in full in the budget year they are appropriated, and be it further

RESOLVED, releasing these funding obligations on a regular schedule will provide certainty and build continuity as counties upgrade and maintain existing systems and prepare for NG911 development and implementation, and be it further

RESOLVED, that the County of Genesee shall forward copies of this Resolution to Governor Andrew M. Cuomo, the Commissioner of the Division of Homeland Security and Emergency Services; Senate Majority Leader Andrea Stuart-Cousins; Senate Minority Leader John J. Flanagan; Senator Michael Ranzenhofer; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian Kolb; Member of the Assembly Stephen Hawley and all others deemed necessary and proper.

Legislator Maha seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 191 GENESEE COUNTY WATER EMERGENCY PLAN –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Water Resources Agency did form a subcommittee to review County policies to put in place during a water emergency or shortage, and

WHEREAS, The subcommittee prepared a Genesee County Water Emergency Plan, and
WHEREAS, The Genesee County Water Resources Agency did review this plan and does recommend its adoption at this time, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby adopt and approve the Genesee County Water Emergency Plan as recommended by the Genesee County Water Resources Agency.

Budget Impact Statement: There is no budget impact associated with the adoption of this emergency plan. The Water Resources Agency and/or the legislature can request a review or update of the plan which is a fluid document requiring changes when the City of Batavia goes retail among other activities and progress.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 192 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – SHARRICK ROAD BRIDGE OVER MURDER CREEK (PIN 4BNY.25) BRIDGE NY – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Sharrick Road Bridge over the Murder Creek, PIN 4BNY.25 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Sharrick Road over Murder Creek in the amount of \$1,137,650 with federal aid of \$1,080,768 and a local match from 1% sales of \$56,882.

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase H 5197.5031 Interfund Revenue	\$56,882
Increase H 5197.4592 Federal Aid	\$1,080,768
Increase H 5197.2080.0000 Sharrick Rd over Murder Creek	\$1,137,650

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within THREE years of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this resolution shall take effect immediately

Budget Impact: A capital project for the Sharrick Road Bridge over Murder Creek be established with a total cost of the project at \$1,137,650 with federal aid of \$1,080,768 and a 5% local match from 1% sales tax of \$56,882. Phase authorization provided under supplemental agreement.

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 193 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – TOWER HILL ROAD BRIDGE OVER SPRING CREEK (PIN 4BNY.27) BRIDGE NY – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Tower Hill Road Bridge over the Spring Creek, PIN 4BNY.27 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Tower Hill Road over Spring Creek in the amount of \$954,400 with federal aid of \$906,680 and a local match from 1% sales of \$47,720.

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase H 5197.5031 Interfund Revenue	\$47,720
Increase H 5197.4592 Federal Aid	\$906,680
Increase H 5197.2080.0000 Tower Hill Rd over Spring Creek	\$954,400

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within thirty months of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this resolution shall take effect immediately

Budget Impact: A capital project for the Tower Hill Road Bridge over Spring Creek be established with a total cost of the project at \$954,400 with federal aid of \$906,680 and a 5% local match from 1% sales tax of \$47,720. Phase authorization provided under supplemental agreement.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 194 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – MEADVILLE ROAD BRIDGE OVER CANAL CREEK (PIN 4BNY.24) BRIDGE NY – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Meadville Road Bridge over the Canal Creek, PIN 4BNY.24 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Meadville Road over Canal Creek in the amount of \$828,860 with federal aid of \$787,417 and a local match from 1% sales of \$41,443.

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase H 5197.5031 Interfund Revenue	\$41,443
Increase H 5197.4592 Federal Aid	\$787,417
Increase H 5197.2080.0000 Meadville Rd over Canal Creek	\$828,860

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within THREE years of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this resolution shall take effect immediately

Budget Impact: A capital project for the Meadville rd over Canal Creek be established with a total cost of the project at \$828,860 with federal aid of \$787,417 and a 5% local match from 1% sales tax of \$41,443. Phase authorization provided under supplemental agreement.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 195 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – UPTON ROAD BRIDGE OVER BOWEN CREEK (PIN 4BNY.22) BRIDGE NY – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Upton Road Bridge over the Bowen Creek, PIN 4BNY.22 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Upton Road over Bowen Creek in the amount of \$1,139,300 with federal aid of \$1,082,335 and a local match from 1% sales of \$56,965.

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase H 51997.5031 Interfund Revenue	\$56,965
Increase H 5197.4592 Federal Aid	\$1,082,355
Increase H 5197.2080.0000 Upton Rd over Bowen Creek	\$1,139,300

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within thirty months of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s

first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this resolution shall take effect immediately

Budget Impact: A capital project for the Upton Road Bridge over Bowen Creek be established with a total cost of the project at \$1,139,300 with federal aid of \$1,082,335 and a 5% local match from 1% sales tax of \$56,965. Phase authorization provided under supplemental agreement.

Prior to the vote Legislator Stein commented on how we were able to leverage funding for two of the four bridge projects by engaging the towns and having them apply directly.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 196 2019 SALARY SCHEDULE AMENDMENT-HIGHWAY-FACILITIES MANAGEMENT/AFSCME-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has requested eliminating a Building Maintenance Mechanic position from the Facilities Management Budget and creating a Building Maintenance Worker position in the Facilities Management Budget, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend the change be implemented at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the Salary Schedule to eliminate the Building Maintenance Mechanic position (Grade 11) and create a Building Maintenance Worker position (Grade 6) effective immediately.

Budget Impact: Savings to the budget of approximately \$6,240 per year.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 197 AWARD OF BIDS – HIGHWAY/PREVENTATIVE MAINTENANCE BRIDGE PAINTING

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County received a federal aid pass-thru project to assist in the painting of three bridges in the County; and

WHEREAS, the Genesee County Highway Superintendent advertised bids for the painting of these bridges and did request a consultant proposal to inspection the painting to comply with state and federal standards, and

WHEREAS, the bids were reviewed for accuracy and the Genesee County Highway Superintendent recommends the award of a bid and the approval of a consultant agreement to progress the project through construction; and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award a construction contract as specified in the bid documents for Preventative Maintenance Bridge Painting to Niagara Coatings Services, Inc, 8025 Quarry Rd, Niagara Falls, NY 14304 in a total amount not to exceed \$230,936.40.

RESOLVED, The Genesee County Legislature does hereby authorize and direct the Chairperson

of the Legislature to enter into a Consultant Agreement with Popli Design Group, 555 Penbrooke Dr, Penfield, NY 14526 for the construction inspection and construction support of the Preventative Maintenance Bridge Painting project in an amount not to exceed \$91,700.

Budget Impact: The total cost of the two contracts is \$322,636.40. The contracts will be funded from the capital project established for Preventative Maintenance Bridge Painting which is funded with federal aid 80%, state aid 15% and local match of 5%. The existing project balance is approximately \$348,000.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 198 AWARD OF BIDS – HIGHWAY/COUNTYWIDE WATER
PH2 VALLANCE RD TRANSMISSION MAIN**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County advertised plans and specifications for the construction of a new water transmission main along portions of Vallance Rd and North Rd in the Town of LeRoy in order to advance Phase 2 of the Countywide Water Project; and

WHEREAS, the Genesee County Highway Superintendent reviewed the accuracy of these bids and does recommend an award at this time, and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award a construction contract as specified in the bid documents for the Vallance Road Water Transmission Main to Randsco Pipeline, Inc., 672 Frey Rd, Macedon, NY 14502 in a total amount not to exceed \$5,286,200.

Budget Impact: The total cost of the contract is \$5,286,200. The contract will be funded from the capital project established for Phase 2 Water until such time that the County can be reimbursed from the Monroe County Water Authority bonding which is anticipated in early 2020. The contractor expects to start work in September 2019 so there will be a few pay requests that will need to be covered from the capital project.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 199 AWARD OF BIDS-HIGHWAY/ GENESEE COUNTY
LARGE SPAN CULVERTS (GROUP 3A)**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent commissioned a comprehensive bridge and culvert inventory and assessment that identified a significant number of bridges and large culverts that need to be replaced; and

WHEREAS, construction documents and specifications were prepared, advertised for the installation of concrete culvert components for two large span culverts and one bridge location throughout the county, and

WHEREAS, the bids were reviewed for accuracy and the Genesee County Highway Superintendent recommends the award of bid items; and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award the installation and construction of the large span culverts and bridge as specified in the bid documents to Keeler Construction, 13519 West Lee Rd, Albion, NY in a total amount not to exceed \$635,614.41.

Budget Impact: The total cost of the bid award is \$635,614.41 which will be paid from the Capital Project for Large Span Culverts. It is anticipated that the installation of these culverts will occur in the 2019 construction season.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 200 AWARD OF BID –HIGHWAY/EQUIPMENT PURCHASE-
WHEEL LOADER**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and Purchasing Department did receive bids for the purchase of a new or lightly used Wheel Loader for use within the Road Machinery Fund, and

WHEREAS, The Genesee County Highway Superintendent did review the bids for accuracy and recommends that a bid be awarded at this time, and

WHEREAS, The Committees on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to lease-purchase a 2018 Hyundai HL970XT Wheel Loader from George and Swede Sales & Service, Inc., 7155 Big Tree Rd, Pavilion, NY 14525 in (5) five annual amounts not to exceed \$41,500 with first payment shall be made in advance.

Budget Impact: Purchase of this equipment has been budgeted in the 2019 Road Machinery Fund at \$45,000 per year for a 5-year lease. Actual bid price of the annual lease is \$41,500.

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 201 CONSULTANT AGREEMENT - FEDERAL AID BRIDGE -
UPTON RD**

Legislator Young offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to replace the Upton Road Bridge over Bowen Creek in the Town of Batavia, and

WHEREAS, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, The Superintendent of Highways has negotiated a contract with C&S Engineers and recommends approval of a consultant agreement with them at this time, and

WHEREAS, The Committee on Public Service has reviewed this request and does concur at this time, Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with C&S Engineers, 150 State St, Rochester, NY 14614 for the design of the Upton Road Bridge over Bowen Creek in an amount not to exceed \$170,000.

Budget Impact: The agreement is for a maximum amount payable of \$170,000. The capital project established for this project has \$1,139,300. The capital project is federally funded with 95% federal aid and 5% local share.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 202 SURPLUS EQUIPMENT-HIGHWAY-ROAD MACHINERY
FUND/AIRPORT-GENERAL FUND/FACILITIES MANAGEMENT-GENERAL FUND-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

Road Machinery

1981, 1250 Vermeer Chipper (#6050)

Coats Tire Changer
Coats Wheel Balancer

Facilities Management

Troy – Bilt Snow King Snow blower; Model #42012, Serial #420120301030

White – Snow blower; Model #81AE663H190, Serial #1F2471390278

Troy – Bilt Push Lawnmower; Model #34022, Serial #340220213178

Echo SRM 2100 Weed Whipper; Model #245582

Echo SRM 2100 Weed Whipper; Serial #612610

Echo SRM 210 Weed Whipper; Serial #08183210

Weed Eater Weed Whipper, Model GTI 19T

Black-n-Decker Hedge Trimmer; Model #HT500, Serial #9822F

RYOBI Hedge Trimmer; Model #HT620DR

2 Sections of Scaffolding

1 Plastic Truck Tool Box

1 Aluminum Truck Tool Box

Budget Impact: The Road Machinery Equipment surplus funds will be received as revenue in the DM5130 Fund. The revenue from Facility Maintenance items is a General Fund revenue, and the airport items are booked as revenue for the Airport.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 203 RESCIND RESOLUTION #160 (CONTRACT RENEWAL FOR SHARED SERVICES) - HIGHWAY –APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has requested that Resolution #160, dated April 25, 2019, be rescinded because prior Resolution #230, dated June 28, 2018, extended the Shared Services agreement through June of 2020,

WHEREAS, The Committee on Public Service has reviewed this request and does concur at this time, Now, Therefore, Be It,

RESOLVED, that the Genesee County Legislature does hereby rescind Resolution #160 dated April 25, 2019.

Budget Impact: None

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 204 AMEND RESOLUTION #157-2019

MASTER/SUPPLEMENTAL AGREEMENT/CAPITAL PROJECT

AMENDMENT/BUDGET AMENDMENT – PRATT ROAD BRIDGE OVER

TONAWANDA CREEK (PIN 4755.43) BRIDGE NY – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Legislature adopted Resolution #157-2019 at their meeting on April 24, 2019 and that resolution requires modification; and

WHEREAS, The following language shall amend and restate Resolution #157-2019:

WHEREAS, Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Pratt Road Bridge over the Tonawanda Creek, PIN 4755.43 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, That a Capital Project for the Pratt Road Bridge over Tonawanda Creek be increased in the amount of \$1,841,000, with \$1,469,650 funded from federal aid and \$372,400 funded by state aid and a decrease in local match required of \$1,050; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to make the following budget amendment: Increase H5197 4592 Federal Aid in the amount of \$1,469,650 and Increase State Aid H1000.5997.3897 in the amount of \$372,400. Decrease H.5197.5031 Interfund Transfer in the amount of \$1,050. Increase H5197 2080.0000 Highway Capital Project Expense \$1,841,000.

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this resolution shall take effect immediately

Budget Impact: A capital project for the Pratt Road Bridge over Tonawanda Creek be increased to a total amount of \$2,032,000 with federal aid share at \$1,651,100, state share at \$372,400 and local match from 1% sales tax at \$8,500.

Legislator Maha seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 205 AMEND CAPITAL PROJECT/2019 BUDGET
AMENDMENT JAIL CONSTRUCTION – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Resolution 2019-70 did establish the Jail Construction Capital Project, and
WHEREAS, Genesee County has begun the process of procuring a construction manager for the project, and

WHEREAS, the intention of the County is to ultimately bond all applicable construction costs over the useful life of the jail, and

WHEREAS, there will be an accumulation of design, engineering, and consulting costs before the County is in the position to successfully issue long term bonds, and

WHEREAS, the County has sufficient funds in the Building and Equipment Reserve (Infrastructure) to pay for construction manager costs until the County is able to issue long term bonds, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, the Genesee County Treasurer is hereby authorized and directed to increase Capital Project – Jail Construction by \$1,228,533 using funds from the Building and Equipment Reserve (Infrastructure), and Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Budget by increasing A.9950.9 – Transfer to Capital Fund in the amount of \$1,228,533 to be offset by an increase in A1000.9999 – Balancing in a like amount utilizing the Building & Equipment Reserve (Infrastructure) and by increasing H3397.2080.0000 – Capital Project Expense in the amount of \$1,228,533 to be offset by an increase in H3397.5301 – Interfund Transfers in a like amount, and be it further

RESOLVED, that the Genesee county Treasurer is hereby authorized and directed to upon long-term borrowing to replenish all incurred expenses to the Building and Equipment Reserve (Infrastructure).

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 206 CONTRACT AWARD – THE PIKE COMPANY-
CONSTRUCTION MANAGEMENT SERVICES FOR
THE GENESEE COUNTY JAIL PROJECT – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County issued RFP #2019-103 for Construction Management Services for the County Jail Project, and

WHEREAS, The Jail Steering Committee did review the proposals, interview the vendors and determine which vendor would best fit the County’s needs, and

WHEREAS, The Committee on Public Service and the Ways and Means committee has reviewed the recommendation and does concur at this time, Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to execute a contract with The Pike Company, 1 Circle Street, Rochester, New York 14607, in the amount of \$1,228,533 for the Construction Management Services for the Genesee County Jail Construction Project

Budget Impact: Funding for the project will come from the Building and Equipment Reserve (Infrastructure) until such time that the County does long term borrowing. At that time the initial expense will go back the Reserve.

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 207 APPOINTMENT - GENESEE COUNTY WATER RESOURCES AGENCY – CUMMINS -APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, the term of Terry Starowitz expired on December 31, 2018 and Ms. Starowitz is not seeking reappointment to the Genesee County Water Resources Agency and Danielle Cummins has submitted an application stating her interest and desire to serve, and

WHEREAS, the Committees on Public Service and Ways and Means do recommend appointment. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Danielle Cummins of Bergen, New York to serve a term on the Genesee County Water Resources Agency for the period ending on December 31, 2021.

Budget Impact Statement: None, this is an unpaid position.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 208 REAPPOINTMENTS - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The terms of office of Laraine Caton and Robert Bennett on the Genesee County Planning Board have expired and they have indicated an interest and desire for reappointment, and

WHEREAS, These candidates are in compliance with the training requirements required by New York State for reappointment under Chapter 662 of the Laws of 2006, and

WHEREAS, the Committees on Public Service and Ways & Means do recommend they be reappointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Ms. Laraine Caton of Batavia and Mr. Robert Bennett of LeRoy to serve another term on the Genesee County Planning Board for the period ending on May 31, 2022.

Budget Impact Statement: None.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 209 APPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Planning Board due to the expiring term of Kevin Clary of Pavilion, and

WHEREAS, the Committees on Public Service and Ways & Means recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That Ms. Jill Gould of Pavilion, NY is hereby appointed to the Genesee County Planning Board for a term effective June 1, 2019 through May 31, 2022.

Budget Impact Statement: None. Planning Board members receive no salary or compensation.

Prior to the vote, Ms. Gould introduced herself and shared pertinent experience and background. She has attended several meetings and a daylong required training. Legislator Torrey stated that Ms. Gould is the daughter of his cousin, Maureen Torrey-Marshall.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 210 A RESOLUTION AUTHORIZING PHASE 2 OF THE WATER SUPPLY PROJECT IN AND FOR THE COUNTY OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$3,500,000, AND

AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,500,000 BONDS OF SAID COUNTY TO PAY COSTS THEREOF

Legislator Clattenburg offered the following resolution:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; **NOW, THEREFORE, BE IT**

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Genesee, New York, as follows:

Section 1. Phase 2 of the water supply project is hereby authorized in and for the County of Genesee, New York, including water storage tank upgrades, transmission lines and incidental improvements and costs in connection therewith.

Section 2. The plan for the financing of the aforesaid purpose shall be by the issuance of \$3,500,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Genesee, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 211 DESIGNATION OF COUNTY SURPLUS PROPERTY –
PURCHASING – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Purchasing Director did request that the following list of county property, from various county departments and that is no longer used or needed by those county departments or other county departments, be declared surplus property:

Metal coat rack with attached hangers (approx. 4ft. wide by 5 ft. tall)

2 – 32 gallon plastic rolling garbage cans

Wood rolling microwave cart/side table

4 – Manilla paper rolls

Metal side table – drop tray arm

Printer desk

6 – boxes full of miscellaneous sized/colored binders

2 – portable white board/flip chart holders

Outdoor ashtray pole

Volleyball net

Overhead projector

Overhead projector transparency film

Overhead projector mounting frames

In/Out box trays (multiple)

2 – Wood suggestion boxes

2 - Disk holder storage boxes

MP3/CD Player

4 boxes file fasteners – 2 hole files

Plastic file trays

2 – Staplers

Roll up movie/projector screen

2 – Entertainment centers

VHS player - Hitachi

21” TV - RCA

WHEREAS, The Committee on Ways and Means did review this request and do so recommend approval at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Purchasing Department is hereby authorized to declare the following items as surplus which are to be disposed of through public auction or junked as appropriate.

Budget Impact Statement: Proceeds from any items sold at auction will go back into the County's General Fund.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 212 AGREEMENT WITH GATES-CHILI CENTRAL SCHOOL DISTRICT/ TAX EXEMPT STATUS FOR GENESEE COUNTY OWNED PARCEL IN MONROE COUNTY

Legislator Stein offered the following resolution:

WHEREAS, on February 8, 2019, the County of Genesee purchased a parcel of real property located at 60 Golden Road in the Town of Chili, Monroe County, being within the Gates-Chili School District, and

WHEREAS, it would be in the best interest of the citizens of Genesee County to obtain tax exempt status for this parcel, and

WHEREAS, pursuant to Section 406(3) of the Real Property Tax Law, in order to obtain wholly tax exempt status, it is necessary for the County of Genesee to enter into separate agreements with Monroe County, the Town of Chili, and the Gates-Chili School District, and

WHEREAS, the Genesee County Attorney has drafted a documents entitled "Agreement by County of Genesee and Town of Riga to Allow Tax Exempt Status for a Certain Real Property Parcel" (hereinafter "Riga Agreement") with regard to another parcel located in the Town of Riga purchased by the County as part of the same water capacity expansion project, and

WHEREAS, this Riga Agreement has been reviewed and approved by the Attorney for the Town of Riga, and

WHEREAS, the County Attorney is negotiating to enter into a similar agreement with the Town of Chili and Monroe County, and will be contacting the Gates-Chili Central School District.

Now, therefore, Be it

RESOLVED, that the Chair of the Legislature is hereby authorized and directed to execute an Agreement with the Gates-Chili Central School District, with terms and conditions similar to the "Riga Agreement"; together with such other and further documents that will be necessary to allow the above- named parcel to be wholly exempt from any taxes and assessments with regard to the Gates-Chili School District; subject to approval as to form and content by the Genesee County Attorney.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 213 HOLD HARMLESS AGREEMENT/GENESEE COUNTY AND CITY OF BATAVIA

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County desires to participate in the City of Batavia Memorial Day parade on May 27, 2019, and

WHEREAS, the City of Batavia requires a certificate of insurance or a hold harmless agreement, now therefore be it

RESOLVED, the Chair of the Genesee County Legislature is authorized and directed to sign the Hold Harmless Agreement for participation in the City of Batavia Memorial Day Parade on May 27, 2019.

Prior to the vote Legislator Hilchey noted that April 27 was listed on the resolution and made a motion to amend to May 27 seconded by Legislator Torrey, carried unanimously.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 214 TO REVISE THE 2019 GENESEE COUNTY ETHICS AND DISCLOSURE LAW-DESIGNATION OF POLICY MAKING POSITIONS AND BOARDS-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Local Law No. One Year 1992 did create the Genesee County Ethics and Disclosure Law which requires the Legislature to determine annually additional County Officers and Employees holding policy-making positions, and

WHEREAS, On January 9, 2019, the Genesee County Legislature adopted a resolution entitled “Genesee County Ethics and Disclosure Law-Designation of Policy Making Positions and Boards-Approval Of” that designated certain policy making boards and positions, and

WHEREAS, The Committee on Ways and Means did review the positions and boards listed in the prior resolution and does recommend revisions be immediately made as set forth below.

Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby designate the following boards and additional positions as policy-making, thereby obligated to complete and file an annual statement of financial disclosure on or before May 31 of each year, to be effective immediately for the current deadline of May 31, 2019.

GCC Board of Trustees

GCEDC Board

GGLDC Board

Genesee County Funding Corporation Board

GCEDC President/CEO, Sr. VP of Operations, VP Business Dev., CFO, Dir. Of Marketing

Genesee County Board of Health

Genesee County Community Services Board

Genesee County Planning Board

Genesee County Soil & Water Directors

Genesee County Ethics Board

Genesee County Water Resources Agency Board

Deputy County Attorney

Assistant District Attorney – 1st

Assistant County Manager

Senior Assistant Public Defender,

and Be it further

RESOLVED, That the positions of County Assistant Attorneys and Assistant District Attorneys that were previously listed in the prior resolution of January 9, 2019, shall not be required to file an annual statement of financial disclosure by the deadline of May 31, 2019 or any year thereafter, unless the Genesee County Legislature adds any of these positions to future designating resolutions.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 215 COUNTY AUDIT –MAY 22 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Torrey, did review the following claims:

General Fund	\$	996,445.74
Water Fund		88,600.28
Highway		45,756.21
Self Insurance		2,458.46

DSS Abstracts		548,915.89
Capital Projects		
Highway-Large Span Culverts	\$	34,823.40
Airport-Airport Obstruction Removal & Perimeter Fence		2,869.52
Park-Dewitt Park Improvement-Phase IV		339.59
Park-Area "D" Shelter Improvements		5,765.95
Sheriff's-Sheriff's/Highway Firing Range Upgrades		15,000.00
Payroll – General		
May 10, 2019		1,123,309.55
Medicaid		
May 14, 2019		177,332.00
May 21, 2019		<u>177,332.00</u>
Total Audit	\$	3,218,948.59

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 326 votes.

At 6:03 pm the meeting adjourned upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

ELEVENTH DAY

GENESEE COUNTY LEGISLATURE

Batavia, New York

Wednesday, June 12, 2019

The Genesee Legislature met in Regular Session on Wednesday June 12, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was be offered by Legislator Young followed by the Pledge to the Flag.

Legislator Hilchey presented June is Dairy Month Proclamation to Genesee County Dairy Maids and Ambassadors. Ms. Amelia Brewer shared an update of Dairy activities and outreach efforts the Maids and Ambassadors have participated with this month. Ms. Natasha Sutherland, Genesee County Farm Bureau representative thanked the Legislature for passing a resolution opposing S02837 and A02750, the Farmworkers Fair Labor Practices Act which if passed, she stated will cause significant negative impact on family farms.

Minutes of the May 22, 2019 Legislature meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Maha, carried unanimously.

Legislator Maha attended the CJAC meeting where it was reported that the Jail occupancy is at 90 with 20 more males boarded out as well as 18 females boarded out. Chairman Bausch stated he is scheduled to attend the Genesee Finger Lakes Regional Planning Council meeting. His term as Chair of that Council will end. Chair Bausch also reported he has had several conversations with Assemblyman Hawley and Senator Ranzenhofer regarding the required special legislation authorizing a 40 year sales tax allocation agreement. The State Legislative Session is scheduled to end June 19, 2019. Legislator Stein commented on her day trip to Albany for a Farm-owner and Farm-worker Rally. Assemblyman Hawley stopped by the rally to demonstrate his support. Over 300 workers and owners attended. Senator Ramos,

sponsor of the Farmworkers Fair Labor Practices Bill is working on a bill that will not be so punitive to farmers and fairer overall.

County Manager Jay Gsell stated the City of Batavia is establishing a crime taskforce and has reached out to the County to participate.

The Clerk proceeded with the Resolutions:

RESOLUTION NO. 216 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM RELATED SERVICES – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present contracts for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period July 1, 2019 through June 30, 2021 per the 2019-2021 PSSHSP rate schedule.

Alexander Central School
Aurora Audiology
Autism Learning Partners
Batavia City School District
Brown, Karen
Buffalo Hearing and Speech Center
Building Blocks Comprehensive Services, Inc.
Byron-Bergen Central School
CP Rochester
Cantalician Center for Learning
Cox, Larissa D.
DeVoe, Sandra
Elba Central School
ECMC – PEDS
Ferraro, Paula
Fisher, Mary Katherine
Gallo, Pamela
Hearing & Speech of WNY
Integrated Therapy Services of WNY, OT/PT/SLP, PLLC
Kidstart – ARC of Livingston-Wyoming Counties
LeRoy Central School
Leroy Physical Therapy and Athletic Training, PLLC
Liberty Post
Music Therapy Pathways – Creative Arts Therapy
Oakfield-Alabama Central School
Olmsted Center for the Visually Impaired
Opalecky Physical Therapy Services, PLLC
Paddock, Carol
Pembroke Central School
Rainbow Preschool – ARC of Orleans County
Rochester Hearing & Speech Center
Summit Educational Resources
Tuites, Elizabeth

WNY Speech-Language Pathology, OT, PT & Psychology

Consultants d/b/a Clinical Associates of the Finger Lakes

Budget Impact: Revenue and expenses are included in the 2019, 2020 & 2021 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Dibble seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 217 CONTRACTS– HEALTH DEPARTMENT/
PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals, for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program for the period July 1, 2019 through June 30, 2021 at the rates established by State of New York.

Aspire of WNY Center for Learning
Bornhava
Buffalo Hearing & Speech Center
Building Blocks Comprehensive Services
CP Rochester
ECMC – PEDS
Gateway-Longview Therapeutic Services
Heritage Centers
Kidstart Livingston/Wyoming NYSARC
Liberty Post
Mary Cariola Children’s Center
Olmsted Center for the Visually Impaired
Rainbow Preschool ARC of Orleans County
Summit Educational Resources
The Center for Handicapped Children, Inc.
The Children’s League
WNY Speech-Language Pathology, OT, PT & Psychology
 Consultants d/b/a Clinical Associates of the Finger Lakes
Wayne A. Secord

Budget Impact: Revenue and expenses are included in the 2019, 2020 & 2021 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Stein seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 218 AFFILIATION AGREEMENT – THE UNIVERSITY
OF WASHINGTON, SCHOOL OF PUBLIC HEALTH - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with the University of Washington, School of Public Health, and

WHEREAS, The Committee on Human Services did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an affiliation agreement with the University of Washington, School of Public Health, having its principal place of business located at Seattle, Washington, backdated to April 15, 2019.

Budget Impact: There is no direct cost associated with this agreement.

Legislator Hilchey seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 219 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM – APPROVAL
OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director Has received notification from the New York State Department of Health and Health Research, Inc. that Genesee County’s Public Health Emergency Preparedness Program has been awarded in the amount of \$49,625, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Public Health Emergency Preparedness Program Activities, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, now therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with Health Research, Inc. 150 Broadway, Suite 560, Menands, New York 12204 for the acceptance of the Public Health Emergency Preparedness contract for the period July 1, 2019 through June 30, 2020 in the amount of \$49,625, and to execute any and all other documentation related to this funding.

Budget Impact: \$49,625 is included in the 2019 Dept. 4010 – Health Department Budget.

Legislator Clattenburg seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 220 INSURANCE CERTIFICATE – TOWN OF ALABAMA
FIRE DEPARTMENT, INC. - APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Town of Alabama Fire Department, Inc., 2230 Judge Road,

Oakfield, NY 14125 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Thursday, October 17, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Towns of Oakfield/Alabama and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Town of Alabama Fire Department, Inc., 2230 Judge Road Oakfield, NY 14125 as additional insured on Thursday, October 17, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

Legislator Stein seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 221 INSURANCE CERTIFICATE – OUR LADY OF MERCY
PARISH- APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Our Lady of Mercy Parish, 44 Lake Street, LeRoy, NY 14482 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Tuesday, November 5, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Towns of LeRoy/Stafford and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Our Lady of Mercy Parish, 44 Lake Street, LeRoy, NY 14482 as additional insured on Thursday, November 5, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

Legislator Maha seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 222 INSURANCE CERTIFICATE –DARIEN CENTER CHEMICAL FIRE COMPANY, INC. - APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Darien Center Chemical Fire Company, Inc., PO Box 135 (10537 Alleghany Road) Darien Center, NY 14040 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Wednesday, November 20, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Towns of Corfu/Darien and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Darien Center Chemical Fire Company, Inc., PO Box 135 (10537 Alleghany Road) Darien Center, NY 14040 as additional insured on Wednesday, November 20, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

Prior to the vote Legislator Stein thanked OFA Director Ruth Spink for scheduling workshops throughout the County for seniors to have access to information about health insurance options. Legislator Clattenburg seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 223 INSURANCE CERTIFICATE – BATAVIA FIRST UNITED METHODIST CHURCH - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Batavia First United Methodist Church, 8221 Lewiston Road, Batavia, NY 14020 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Tuesday, December 3, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Town & City of Batavia and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Batavia First United Methodist Church, 8221 Lewiston Road, Batavia, NY 14020 as additional insured on Tuesday, December 3, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

Legislator Deleo seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 224 AGREEMENT AMENDMENT/CERTIFICATE OF INSURANCE - OFA/NEW YORK QUALITY HEALTHCARE CORPORATION, NEW YORK STATE CATHOLIC HEALTH PLAN, INC.–HOME DELIVERED & CONGREGATE MEALS - APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement amendment for meal service rate increase with New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. for the provision of home delivered and congregate meals for members eligible and authorized by New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. to receive Medicaid-covered home delivered and congregate meals; and such meals to be provided by Genesee County Office for the Aging’s Nutrition Services Program; and

WHEREAS, The agreement is automatically renewable on an annual basis; and

WHEREAS, The agreement requires a certificate of insurance indicating general liability insurance in the amount of at least One (1) Million Dollars per occurrence with Three (3) Million Dollars in the aggregate naming New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc., 95-25 Queens Boulevard, Rego Park, NY 11374, as additional insured; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. as additional insured; and may it further be

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to amend the existing agreement with New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. for an ongoing period until such time as either party gives written notice of termination to the other party at least sixty (60) calendar days in advance of such termination of agreement. Effective 6/1/2019, rates established for meals provided are as follows:

Regular Home Delivered Meal	\$9.25 per meal increase to \$11.75 per meal
Congregate Meal	\$8.25 per meal increase to \$11.25 per meal

Budget Impact: Based on the number of meals anticipated for 2019, revenue of \$20,000 is projected for all Medicaid-funded Home Delivered and Congregate Meal contracts; and is already incorporated into our 2019 county budget. Rate is \$11.75 per meal for home delivered meals and \$11.25 for congregate meals, effective 6/1/2019.

Legislator Torrey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 225 RENEWAL OF CONTRACT – ARC OF GENESEE ORLEANS/OFFICE FOR THE AGING FOR MEAL PREPARATION SERVICES- APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract with The Arc of Genesee Orleans for the provision of Meal Preparation Services for Office for the Aging for the congregate and home delivered meal programs administered by the Office for the Aging resulting from RFP 2017-107 which took effect July 1, 2017; and

WHEREAS, This contract is renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County under the federally funded Title IIIC1, Title IIIC2, and Nutrition Services Incentive Program and New York State Wellness in Nutrition and Medicaid Managed Long Term Care programs; and

WHEREAS, This is the second of 4 (four) potential 1 (one) year renewals and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with The Arc of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020, at a cost of \$6.73 per meal for regular home delivered meals; \$6.67 per meal for congregate meals; \$5.25 for 2nd meal (Cold or Sandwich Meal); and \$6.73 for frozen home delivered meals; with a total contract not to exceed \$223,927 for the period of July 1, 2019-June 30, 2020.

Budget Impact: Neutral. A \$.25 per meal cost increase, but maintains the overall food service contract budget at \$223,927 already in the 2019 County budget. Federal Title III C-1, Title III C-2, WIN, NSIP grant funds, and State Medicaid Managed Long Term Care revenue funds pay for the cost of this contract, with the county paying an additional 10% of required matching funds on federal nutrition program Title III C grants.

Legislator Young seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 226 2019 BUDGET/SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/MENTAL HEALTH CLINICAL THERAPIST-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Employee Salary Schedule to eliminate one (1) Mental Health Clinical Therapist, F.T., in CSEA-General, Grade 19, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Employee Salary Schedule by eliminating one (1) Mental Health Clinical Therapist F.T., in CSEA-General, Grade 19, effective June 13, 2019 and be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by:

Decreasing A4310.	.4090.0000	Federal Aid	\$68,720.00
Decreasing A4310.	.1010.0000	Personnel Services by	\$40,100.00
Decreasing A4310.	.8010.0000	Social Security Tax by	\$ 2,770.00
Decreasing A4310.	.8011.0000	Medicare Tax by	\$ 770.00
Decreasing A4310.	.8020.0000	Retirement by	\$ 4,700.00
Decreasing A4310.	.8030.0000	Medical by	\$12,550.00
Decreasing.A4310.	.8040.0000	Dental	\$ 330.00
Decreasing.A4310.	.2022.0001	Computer	\$ 3,000.00
Decreasing.A4310	.2010.0020	Desk	\$ 3,000.00
Decreasing.A4310.	.2010.0022	Chairs	\$ 1,500.00

Budget Impact Statement: Budget amendment required: Decrease by \$68,720.00 with a net County cost of \$0, offset by revenues.

Legislator Maha seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 227 2019 BUDGET AMENDMENT/SALARY SCHEDULE
AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/REGISTERED
PROFESSIONAL NURSE**

-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Employee Salary Schedule to eliminate one (1) Registered Professional Nurse F.T., in CSEA-General, Grade 16N and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Employee Salary Schedule by eliminating one (1) Registered Professional Nurse F.T., in CSEA-General, Grade 16N in Employee Salary Schedule effective March 18, 2019 and be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by:

Decreasing A4310.	.4090.0000	Federal Aid	\$ 79,520.00
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AND

Decreasing A4310.	.1010.0000	Personnel Services by	\$ 50,200.00
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Decreasing A4310.	.8010.0000	Social Security Tax by	\$ 3,010.00
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Decreasing A4310.	.8011.0000	Medicare Tax by	\$ 830.00
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Decreasing A4310.	.8020.0000	Retirement	\$ 5,100.00
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Decreasing A4310.	.8030.0000	Medical	\$ 12,550.00
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Decreasing A4310.	.8040.0000	Dental	\$ 330.00
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AND

Decreasing.A4310.	.2022.0001	Computers	\$ 3,000.00
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Decreasing.A4310.	.2010.0020	Desk	\$ 3,000.00
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Decreasing.A4310.	.2010.0022	Chairs	\$ 1,500.00
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Budget Impact Statement: Decrease by \$79,250, offset by Federal Aid.

Legislator Deleo seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 228 AUTHORIZATION FOR HOME RULE REQUEST-
LEGISLATION GRANTING MUNICIPALITIES WITHIN GENESEE COUNTY THE
OPTION TO ACCEPT BIDS FOR COMPETITIVELY SOLD MUNICIPAL BONDS VIA
AN ELECTRONIC OPEN AUCTION**

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State law permits municipal debt officers to sell bonds electronically in a closed auction format only where the bidder does not receive information with respect to the status or rank of its bid prior to the conclusion of the bid submission period and has no opportunity to improve its bid based on its rank compared to other bidders; and

WHEREAS, in an open auction format a bidder learns the rank of its bid at the instant the bid is submitted and is permitted to improve its bid, multiple times, until the conclusion of the bid submission period; and

WHEREAS, S04804-B and A07266-A Establishes an electronic open auction public bond sale pilot program for certain municipalities, to be administered by the municipality's chief fiscal

officer and call for an evaluation of the program annually, and

WHEREAS, NYS Senator Michael Ranzenhofer is the Senate sponsor and Assemblyman Steve Hawley is the Assembly sponsor and the Genesee County Legislature supports the enactment of this state legislation that would grant municipal debt officers practicing within Genesee County the additional option to sell municipal bonds via an electronic open auction, now be it

RESOLVED, That the Chair of the Genesee County Legislature is authorized and directed to sign the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Message be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer and Assemblyman Stephen Hawley.

Legislator Torrey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 229 INTER-MUNICIPAL AGREEMENT INFORMATION TECHNOLOGY AND CITY OF BATAVIA – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Information Technology Director did receive a request from the City of Batavia to perform an IT Assessment and assist with upgrading their desktop Windows-7 environment to Windows-10, and

WHEREAS, The County Attorney and City of Batavia Attorney did create and review this Inter-Municipal Agreement, and

WHEREAS, The County Manager and the Ways and Means Committee did review this agreement and do recommend approval at this time. Now, therefore Be it.

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chair of the Genesee County Legislature to execute an Inter-Municipal Agreement with the City of Batavia to provide IT Consulting Services.

BUDGET IMPACT STATEMENT: Execution of this Inter-Municipal Agreement will generate an estimated \$27,125 in revenue in account A.1680:2803 Other Revenue

Prior to the vote Legislator Clattenburg stated this is a new shared service between two municipalities, the County and City and she thanked IT Director Steve Zimmer for his work.

Legislator Maha seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 230 MASTER SERVICE AGREEMENT – INFORMATION TECHNOLOGY/MERIDIANIT - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Attorney, County Information Technology Director and the Ways and Means Committee did review and approve the Master Services Agreement with MeridianIT, Now, therefore Be it.

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chair of the Genesee County Legislature to sign the Master Services Agreement with MeridianIT Inc. Nine Parkway North Suite 500 Deerfield IL 60015.

BUDGET IMPACT STATEMENT: There is no budget impact.

Legislator Dibble seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 231 2019 BUDGET AMENDMENT – STOP-DWI – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County STOP-DWI program was asked by the City of Batavia Police Department to fund the purchase of a MARIJUANA Driving Experience (MARDE) – Campaign Kit and accessories totaling \$3,778.18 and

WHEREAS, the MARDE Campaign Kit would be utilized for community outreach initiatives, educating youth about the dangers of driving impaired. The Kit would be stored and secured by the City Police Department, but available for use by the Sheriff’s Office, Genesee County Youth Bureau or any other local municipal agency or department that requests it.

WHEREAS, the STOP-DWI Advisory Board met and unanimously voted to approve of this mid-year expenditure, and

WHEREAS, the Governor’s Traffic Safety Committee has approved of this budget amendment and purchase, and

WHEREAS, The Ways and Means Committee did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by Increasing A.3315.4660.0478 (Education Programs) \$3,779 to be offset by an increase in revenue account A.3315.9999 (Balancing) in the amount of \$3,779.

Budget Impact Statement: Increase in expense funded by STOP-DWI reserve.

Legislator Hilchey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 232 RESOLUTION OPPOSING DRIVER’S LICENSE ACCESS AND PRIVACY ACT CONCERNING UNDOCUMENTED INDIVIDUALS

Legislator Young offered the following resolution:

WHEREAS, holding a driver’s license in New York State is a privilege, not a right; and

WHEREAS, the Driver’s License Access and Privacy Act (the “Act”), if passed, would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver’s license; and

WHEREAS, New York State presently suspends or revokes driver’s licenses for various illegal acts, including non-payment of child support, delinquent taxes, and refusal to submit to a breath test, yet this Act would reward entry into the United States with a driver’s license; and

WHEREAS, New York State REAL ID compliant documents cannot be issued to an undocumented individual under federal law; and

WHEREAS, adoption of the Act would create unacceptable security risks because:

There is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act’s proposed privacy protections may frustrate federal immigration enforcement efforts.

Local DMV Offices do not have the resources to translate, nor the considerable expertise needed to determine the authenticity of foreign birth certificates, foreign passports, or consular cards, nor to verify evidence of undocumented individual’s residency in the state.

Driver Licenses can be used to obtain additional official identification documents intended only for United States citizens.; and

WHEREAS, every day the Genesee County Motor Vehicle Office is forced to deny driver’s licenses and Enhanced Driver’s Licenses to legal citizens due to their inability to produce the exact documentation currently required for the issuance of a license, yet the Act would mandate that undocumented individuals receive licenses despite their inability to produce the same documentation; and

WHEREAS, undocumented immigrants would have the opportunity to answer “Yes” to whether they are U.S. citizens for the purpose of electronically registering to vote, and if they falsely answer “Yes” they would automatically be able to illegally register to vote, despite both actions being in violation of state and/or federal law; and

WHEREAS, the Act would prohibit any motor vehicle representative witnessing such criminal acts from notifying the Board of Elections or state or federal law enforcement agencies; and

WHEREAS, there is no guarantee that passage would make New York State roads safer.

NOW THEREFORE upon recommendation of the Ways and Means Committee of this body, it is hereby

RESOLVED, that this Legislature hereby opposes the adoption of the Driver’s License Access and Privacy Act as it concerns issuance of licenses to undocumented individuals, because of security risks and because driving is a privilege, not a right, and it is further

RESOLVED, that the Clerk of the Legislature shall send a copy of this resolution to the Governor of the State of New York, State Senator Michael Ranzenhofer, Assemblyman Stephen Hawley, Speaker of the Assembly Carl Heastie, and Majority Leader of the Senate Andrea Stewart-Cousins.

Legislator Stein seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 233 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES DISTRIBUTION GRANT # 8- PUBLIC DEFENDER-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between Genesee County and the New York State Office of Indigent Legal Services Contract Number: C800018 Distribution Grant # 8 for the provision of salary and fringe benefits for one (1) current full-time assistant public defender, one (1) new part-time assistant public defender, one (1) current full-time investigator and one (1) new part-time paralegal plus the associated costs related to new hires. In addition, the contract will pay for an upgrade to the PD case management database, renovations to the PD office to upgrade security and to create more office space. The contract will also continue the funding for data service for our iPads and one investigator cellphone, and

WHEREAS, the Ways and Means Committee did review the contract and does recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: C800018, Distribution # 8 with the New York State Office of Indigent Legal Services for the period of January 1, 2018 through December 31, 2020.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$113,805 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

Legislator Young seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 234 AUTHORIZING THE CHAIRMAN OF THE GENESEE COUNTY LEGISLATURE TO SIGN THE GENESEE COUNTY JOB DEVELOPMENT BUREAU CONTRACTOR’S AGREEMENT WITH LIVINGSTON COUNTY ON BEHALF OF THE GLOW WORKFORCE DEVELOPMENT BOARD FOR THE WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) PROGRAM

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Job Development Bureau has been approved by the GLOW Workforce Development Board as a Contractor to provide WIOA Adult, Dislocated Worker, and Youth Services. The grant is a one-year agreement that may be extended based on performance for (3) three additional one-year periods with a budget of \$220,000.00. And

WHEREAS, The Genesee County Job Development Bureau has entered into contracts with Livingston County on behalf of the GLOW Workforce Development Board in order to receive these funds. Now, therefore Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign said contract with Livingston County on behalf of the GLOW Workforce Development Board in order for the Job Development Bureau to provide WIOA Services.

Legislator Deleo seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 235 BUDGET AMENDMENT - COUNTY ATTORNEY/
CASUALTY LIABILITY INSURANCE RESERVE – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The County Attorney does request an amendment to the 2019 County Budget due unanticipated endorsements to the policy, and

WHEREAS, There is sufficient money in the Casualty Liability Insurance Reserve to cover this unexpected expense. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

Increase in Revenue	MS.1000.9999	Balancing-Appropriated	\$20,000
To be offset by an			
Increase in MS.9907.9000.0000	Transfer to General Fund		\$20,000
And an increase in A.1000.5031	Interfund Revenue		\$20,000
To be offset by an			
Increase Expense	A. 1910.4660.0000	Unallocated Insurance	\$20,000

Budget Impact: There is \$528,938.00 in the reserve

Legislator Deleo seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 236 SET PUBLIC HEARING-GENESEE COMMUNITY
COLLEGE/2019-2020 BUDGET-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The President and Trustees of the Genesee Community College have prepared a proposed operating budget for academic year 2019-2020 in the amount of \$40,157,000 with a sponsors share of \$2,636,374, and

WHEREAS, Pursuant to law, it is necessary to hold a public hearing on said budget prior to adoption. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the proposed operating budget for Genesee Community College for academic year 2019-2020 at 5:30PM on Wednesday, June 26, 2019 at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislator Clattenburg seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 237 CONTRACT WITH U.S. BANKRUPTCY COURT -
WESTERN DISTRICT OF NEW YORK - RENEWAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The United States Bankruptcy Court for the Western District of New York has

contracted with Genesee County since 1997 for use of space within the Old County Courthouse in Batavia, NY to conduct proceedings of the Court, and

WHEREAS, The United States Bankruptcy Court has presented the County with an amendment to their Revocable License for Federal Use of Real Property space in the Old County Courthouse to extend the term of this Agreement to September 30, 2020 and

WHEREAS, The Committee on Ways and Means did review this Amendment to the Revocable License and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That Genesee County will maintain with New York Municipal Insurance Reciprocal General Liability Insurance coverage in the amount of \$1 million for only the Old Courthouse, 7 Main Street, Batavia, NY, and Be it Further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Amendment of License Agreement for the extension of the Revocable License for Federal Use of Real Property with the United States Bankruptcy Court, Western District of New York, 300 Pearl Street, Suite 250, Buffalo, NY for the use of the Courtroom in the Old Genesee County Courthouse, Batavia, NY for the period October 1, 2019 through September 30, 2020 at \$850 per month for utilities, general liability insurance and maintenance of space.

Budget Impact Statement: Extends current agreement at current monthly rate; revenue for period \$10,200.

Legislator Maha seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 238 SALARY SCHEDULE AMENDMENT – GENESEE COUNTY CLERK/DMV – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Motor Vehicle Office has seen a significant increase in both lobby foot traffic, as well as the volume of automobile dealer transactions, and

WHEREAS, the Genesee County Manager and Genesee County Clerk did request an amendment in the 2019 Salary Schedule to effectively process dealer work, registrations, license renewals and have sufficient staff coverage, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend changes be implemented at this time. Now, therefore, Be it

RESOLVED, The Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2019 Genesee County Employee Salary Schedule by creating one temporary full time position of Motor Vehicle Service Representative, CSEA Grade 8, effective June 12, 2019 – November 12, 2019.

Budget Impact Statement: The temporary full-time position will not have benefits as it is less than 6 months. Funding for the position will be covered by currently budgeted part-time salaries and income from dealership work.

Legislator Hilchey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 239 APPOINTMENT-GENESEE COMMUNITY COLLEGE BOARD OF TRUSTEES -APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee Community College Board of Trustees is the policy making body of the College, and

WHEREAS, The GCC Board of Trustees is responsible for a wide range of College business including approval of new curricula, appointing a new president and review and approval of the college budget and recommending its adoption to the Genesee County Legislature, and

WHEREAS, Trustees Peter Call and Diane Torcello have terms set to expire June 30, 2019 and are not seeking reappointment, and

WHEREAS, Mary Alice Panek submitted an application requesting appointment by the Genesee County Legislature for a seven year term, and

WHEREAS, The Committee on Ways and Means does recommend Mary Alice Panek be appointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Mary Alice Panek of LeRoy, New York to the Genesee Community College Board of Trustees effective July 1, 2019 through June 30, 2026.

Budget Impact Statement: none.

Legislator Maha seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 240 COUNTY AUDIT –JUNE 12 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	1,000,606.09
Water Fund		96,511.58
Highway		128,166.38
Self Insurance		2,116.00
DSS Abstracts		473,262.52
Capital Projects		
Highway-Searls Road Bridge/Spring Creek	\$	4,020.31
Highway-Pratt Road Bridge/Tonawanda Creek		243,658.31
Highway-Preventive Maintenance Bridge Painting		2,253.18
Airport-Airport 8 Bay T-Hangar		1,286.88
Park-Area “D” Shelter Improvements		1,496.04
Jail-Jail Construction		25,000.00
Water-County Wide Water System Phase II		5,000.00
Payroll – General		
May 24, 2019		1,586,944.96
June 7, 2019		1,155,503.82
Medicaid		
May 28, 2019		177,332.00
June 4, 2019		177,332.00
June 11, 2019		<u>177,332.00</u>
Total Audit	\$	5,257,822.07

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was passed by 326 votes.

Legislator Young stated that the New York Legislative Session is scheduled to end June 19, 2019 and a Home Rule Request for retroactive retirement status is required for Steven Grice.

Legislator Young made a motion to suspend the rules of the legislature and add a resolution authorizing home rule request for retroactive retirement status, seconded by Legislator Deleo,

carried unanimously.

**RESOLUTION NO. 241 AUTHORIZATION FOR HOME RULE REQUEST –
RETROACTIVE RETIREMENT STATUS - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Steven Grice became Deputy County Clerk, an appointed full-time position under Michael Cianfrini on February 16, 2016, and

WHEREAS, Mr. Grice had started working as a County employee June 22, 1981 but was not offered the opportunity to join the NYS Public Employee Retirement System which would have established his status as a Tier III retirement system employee, and

WHEREAS, The New York State Comptroller, sole trustee of the New York State Retirement System has ruled favorably on Mr. Grice's petition to be granted Tier III retroactive status to his initial 1981 employment date, and

WHEREAS, the Genesee County Legislature did pass Resolution No. 178-2019 authorizing a one-time contribution of approximately \$5,660 to satisfy Mr. Grice's status as a "current" Tier III contributor for immediate past service. Now therefore, Be it

RESOLVED, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. S.6382 and Assembly Bill No. A.8261 which is the legislation necessary to grant Tier III retroactive status to Steven Grice to his initial 1981 employment date, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is authorized and directed to sign and file the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Request be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley.

Budget Impact Statement: A charge of \$5,660 will be charged to the retirement benefits line of the County Cler
Legislator Torrey seconded the resolution which was passed by 326 votes.

The meeting adjourned at 6:05 pm upon motion of Legislator Stein seconded by Legislator Hilchey, carried unanimously.

**TWELFTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, June 26, 2019**

The Genesee Legislature met in Regular Session on Wednesday June 26, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Clattenburg assisted with the audit. Prayer was offered by Legislator Stein followed by the Pledge to the Flag.

In addition to our regular meeting, Chairman Bausch opened a public hearing on the Genesee Community College proposed operating budget and sponsor share for 2019-2020 academic year. All interested parties were invited to be heard.

NYS Sheriffs' Association Executive Director Peter Kehoe presented the Sheriff's Office 911/PSAP Center and Civil Division Re-accreditation. The following were present to hear comments and receive the plaque: Sheriff William Sheron, Civil Sergeant Thomas Sanfratello, Civil Principal Financial Clerk Deborah Shea, Financial/Records Clerk Tracy Ranney, Director of Emergency Communications Seven Sharpe, Asst. Director of Emergency Communications Frank Riccobono, Senior Emergency Services, Dispatcher Robert Tripp. Mr. Kehoe commented on the outstanding accomplishment of reaccreditation. Two separate boards of assessors reviewed 160 elements of operations and the Sheriff's Office met or exceeded every one of the standards. Sheriff Sheron commented that the process is long and arduous and it demonstrated everyone is dedicated to their job and division. Legislator Maha, former sheriff, congratulated Sheriff Sheron and members of both divisions and commented on the extension process and thorough review.

Minutes of the June 12, 2019 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

Legislator Maha reported he is participating on the interview committee for the Office for the Aging Deputy Director position. The committee has conducted some interviews and has more scheduled. Legislator Stein reported on attendance at the June GAM meeting where attendees had a historic preservation presentation. Inter County Association met last week and had a NYSAC update, 14,000 bills were introduced this session and 750 passed.

The Clerk reported on an invitation received by the Legislature to participate in the Genesee County Fair Parade on July 17, 2019.

Legislator Stein commented on Batavia Resident David Bellavia who was awarded the Medal of Honor by President Trump earlier in the week. Chairman Bausch stated that he had contacted Assemblyman Hawley and Senator Ranzenhofer to thank them for their work with moving the Home Rule request for the special legislation for a 40 year sales tax allocation agreement.

County Manager Jay Gsell stated the special legislation passed both the Assembly and Senate and now needs to be delivered to the Governor for signature. The Senate passed the bill first therefore they deliver to the Governor or the Governor requests the bill be delivered to him.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 242 APPLICATION RENEWAL – OFFICE OF EMERGENCY MANAGEMENT SERVICES–NYS BUREAU OF EMERGENCY MEDICAL SERVICES (BEMS) - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Office of Emergency Management Service has been a course sponsor for Basic Life Support (CFR/EMT) and Advanced Emergency Medical Technician (AEMT) program for over ten years, and

WHEREAS, The New York State Department of Health requires periodic renewal of course sponsorship to continue providing emergency medical training, and

WHEREAS, Clinical affiliation agreements with LeRoy Ambulance Service, Mercy EMS and United Memorial Medical Center to provide clinical and internship experience for students of the emergency service training and credentialing programs of Genesee County Emergency Management Services shall also require renewal, and

WHEREAS, Complying with these requirement, the Office of Emergency Management Services does request approval from the Genesee County Legislature to renew application and agreements at this time. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the application with the New York State Department of Health, Bureau of EMS , 87 Central Avenue, Albany, NY 12206 for renewal of course sponsorship, and be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute clinical affiliation agreements with LeRoy Ambulance Service of 1 Tountas Avenue, LeRoy, NY 14482; Mercy Flight Inc. d/b/a Mercy EMS, 100 Amherst Villa Road, Buffalo, NY 14225 and United Memorial Medical Center of 127 North Street, Batavia, NY 14020.

Budget Impact: None.

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 243 2019 BUDGET AMENDMENT-GENESEE JUSTICE/ CRIMINAL JUSTICE DAY TRAINING REVENUE/EXPNESES –APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee Justice Program Coordinator has made a request to amend the 2019 Genesee Justice budget in order to accommodate revenue and expenses associated with a recent Crime Victims’ Rights Week and Criminal Justice Day training, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend acceptance of the budget amendment and line item additional revenue and expense at this time. Now, therefore, Be it

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to make the following budget item amendments to the 2019 Genesee Justice Budget as follows:

Increase revenue:

A.3151 1289 – General Department Income: \$ 695.00

A.3151 2705 – Gifts and Donations: 325.00

Total: \$1,020.00

Increase expense line item:

A.3151 4800.0000 – Program Expense: \$1,020.00

-: Program Expenses are offset by increased revenue so there is no impact on the 2019 Genesee County Budget and no county funding is affected by this amendment.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 244 BUDGET AMENDMENT - SHERIFF/K-9 PROGRAM- APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Sheriff's Office is purchasing a K9 containment area, fan, and rear cargo storage management system for the department's K9 vehicle at a cost of \$8,013.80, which includes installation of the system, and

WHEREAS, Funds are available in the K-9 Donations Reserve Account from the gifts and donations that have been made to the K9 Program to cover the cost of this, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

\$8,014 to A3110.4800.3317 (Program Exp-Canine Program)

To be offset by increasing the following revenue account:

\$8,014 to A3110.2705 (Gifts and Donations), with funds to come from A915.6 (K-9 Assigned Unappropriated Funds)

Budget Impact Statement: Increase in Sheriff's 2019 appropriations in the amount of \$8,014; offset by an increase in revenue in a like amount. Funds will come from the K9 Donations Reserve Account.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 245 AGREEMENT RENEWAL – SHERIFF / JUSTICE BENEFITS, INC. – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County entered into an agreement with Justice Benefits, Inc., for the provision of professional assistance with revenue enhancement services, pursuant to Resolution 175, dated May 28, 2014, for an initial term of one year (July 1, 2014 through June 30, 2015, with the option to renew for four (4) additional one-year periods, approved each year, at the same terms and conditions, upon written mutual agreement of both parties), and

WHEREAS, this agreement will expire on June 30, 2019, and

WHEREAS, after careful review and approval by the County Attorney, the Sheriff does recommend renewing the agreement, with Justice Benefits being compensated at the rate of 12.5% of all revenue paid to the county, for an initial term of one year commencing July 1, 2019, through June 30, 2020, at which time the contract may be renewed for four (4) additional one-year renewals, at the same terms and conditions, and

WHEREAS, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Justice Benefits, Inc., 1711 East Betline Road, Coppell, Texas 75019, for professional assistance with revenue enhancement services.

BUDGET IMPACT: Increase in Jail revenue; appropriated to the 2019 budget.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 246 MOU RENEWALS – SHERIFF / SCHOOL RESOURCE OFFICERS FOR ALEXANDER, PEMBROKE, OAKFIELD,

BYRON-BERGEN, AND PAVILION CENTRAL SCHOOL DISTRICTS - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Alexander, Pembroke, Oakfield-Alabama, Byron-Bergen, and Pavilion Central School Districts desire to renew their Memorandums of Understanding with Genesee County and the Genesee County Sheriff for a School Resource Officer (SRO) for each of its Districts for the following periods:

School District	Time Period		Reimbursement *
Alexander	10 months	9/1/19 – 6/30/20	\$83,346.30
Pembroke	10 months	9/1/19 – 6/30/20	\$83,346.30
Oakfield-Alabama	10 months	9/1/19 – 6/30/20	\$83,346.30
Byron-Bergen	12 months	9/1/19 – 8/31/20	\$115,622.64
Pavilion	12 months	7/1/19 – 6/30/20	\$100,152.38

Reimbursement from each District includes the hourly rate for a Deputy Sheriff, fringe benefits and insurances.

** The Genesee County Deputy Sheriffs’ Association 2017-2019 Labor Agreement expires on December 31, 2019. The hourly rate for 2020 will not be known until it is ratified; therefore, a 2.5% projected increase was included in the estimated total. Additionally, the yearly retirement and medical rates are not available until late fall; therefore, a county-projected total for the 2020 medical rate and the 2019 retirement rate were included in the estimated total.*

Once all the rates have been confirmed, the rates will be modified, and, if applicable, the difference will be billed under a separate invoice or a credit will be applied, and

WHEREAS, after careful review by the Sheriff and County Attorney, and **WHEREAS**, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature and Genesee County Sheriff are authorized to sign the MOUs.

Budget Impact: Costs for each School District’s School Resource Officer are offset by revenue in the same amount.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 247 2019 BUDGET AMENDMENT – DISTRICT ATTORNEY/ PERSONNEL TRAINING -APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The District Attorney has requested an amendment to the 2019 County Budget to allow for utilization of a portion these unexpended funds in the amount of \$750.00 and the Committees on Public Service and Ways & Means concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing District Attorney Appropriation A.1165.4550.0000 Personnel Training in the amount of \$750.00 to be offset by an increase in District Attorney Revenue A1000.1165.2626.0000 Forfeiture of Crimes in a like amount.

Budget Impact Statement: Increased expense for the District Attorney’s 2019 budget of \$750.00 which is totally offset by using funds allocated for the District Attorney’s Office in a Forfeiture of Crimes proceeds.

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 248 2019 BUDGET AMENDMENT – DISTRICT ATTORNEY/
PROGRAM EXPENSE-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The District Attorney has requested an amendment to the 2019 County Budget to allow for utilization of a portion these unexpended funds in the amount of \$2,000 and the Committees on Public Service and Ways & Means concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing District Attorney Appropriation

A.1165.4800.0000 Program Expense in the amount of \$2,000 to be offset by an increase in District Attorney Revenue A1000.1165.2626.0000 Forfeiture of Crimes in a like amount.

Budget Impact Statement: Increased expense for the District Attorney’s 2019 budget of \$2,000 which is totally offset by using funds allocated for the District Attorney’s Office in a Forfeiture of Crimes proceeds.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 249 CONTRACT EXTENSION- PUBLIC DEFENDER/ NYS
DEFENDERS ASSOCIATION -CASE MANAGEMENT SYSTEM AND INCREASE OF
SOFTWARE LICENSES –APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Public Defender’s Office does recommend the Public Defense Case Management System Maintenance and Software Agreement between Genesee County and New York State Defenders Association, Inc. be extended for a period through May 3, 2020 with the increase in their software licenses, and the Committee on Public Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to extend the Public Defense Case Management System Maintenance and Software Agreement between Genesee County and New York State Defenders Association, Inc., Albany, New York for the period from May 4, 2019 through May 3, 2020 and increase their software licenses from five (5) to eight (8) for a total cost of \$4,000.

Budget Impact: Funds for this contract are budgeted in the 2019 budget.

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 250 AGREEMENT RENEWAL – HIGHWAY/ FACILITIES
MANAGEMENT/CENTRAL SERVICES – WORK CLOTHING – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Department is currently under contract with Cintas Corporation and this agreement allows for 3 – 1 year extensions, the Genesee County Highway Superintendent recommends renewing the contract agreement with Cintas Corporation, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a renewal agreement with Cintas Corporation, 5740 Genesee Street, Lancaster, New York 14086 for the work clothing as per bid specifications, effective September 1, 2019 through August 31, 2020 with one more one year renewal as per bid prices.

Budget Impact Statement: Work clothing is budgeted in County Road and Road Machinery Funds, Facilities Management Operating Budget and Central Services Operating Budget

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 251 CONTRACT RENEWAL–HIGHWAY FUEL–APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Department is currently under contract with NOCO Energy Corp. and this agreement allows for 3 – 1 year extensions, the Genesee County Highway Superintendent recommends renewing the contract agreement with NOCO Energy Corp., and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County legislature is hereby authorized and directed to extend the contract with NOCO Energy Corp., 2440 Sheridan Drive, Tonawanda, NY 14150, for the sale and delivery of fuels to the Genesee County Highway Department fuel farms, effective September 1, 2019 through August 31, 2020.

Budget Impact Statement: Purchase of fuel is a budgeted item in the Road Machinery Fund. The bids are based on the rack price differential system.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 252 2019 SALARY SCHEDULE AMENDMENT-HIGHWAY-FACILITIES MANAGEMENT/AFSCME-APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has requested the creation of a Seasonal (19 hours per week/6 month) Groundskeeper position in the Facilities Management Budget, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend the change be implemented at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Human Resources Director is hereby authorized and directed to amend the Salary Schedule to create a Seasonal Groundskeeper position effective immediately and ending by December 31, 2019.

Budget Impact: None. The funds are in A1620 1010.0000 due to the elimination of a Building Maintenance Mechanic position in April 2019.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 253 AMENDMENT TO RESOLUTION NO. 155 CAPITAL PROJECTS – 2019 BUDGET AMENDMENT -- HIGHWAY –APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, the Genesee County Superintendent of Highways had Resolution #155 from April 2019 approved by the County Legislature that contained funding and account number errors, and

WHEREAS, The Superintendent of Highways recommends amending Resolution #155 to correct the funding and account number errors, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby authorize and directs the County Treasurer to amend Resolution # 155 of April 2019 as required:

Amend Projects:

Title	Exist Balance	Source	Amendment	
CR#5 Stroh Rd	\$80,757.14		PAVE-NY	Add \$380,283.41 from 2019 PAVE-NY
CR#51 Colby Rd	\$89,379.53		R&B Reserve	Add \$395,000 from Reserve – R&B
Large Span Culverts	\$343,570.45		R&B Reserve	Add \$324,231 from Reserve – R&B
Road Machinery	\$6,491.44		CHIPS	Add \$173,509 from 2019 CHIPS
Highway Chipseal	\$1,039.14		CHIPS	Add \$737,107.23 from 2019 CHIPS

Highway Overlay	\$28,353.66	CHIPS	Add \$379,394 from 2019 CHIPS
Hwy Surface Treatment	\$1,686.12	CHIPS	Add \$171,000 from 2019 CHIPS
Highway Recycling	\$4,211.17	CHIPS	Add \$205,000 from 2019 CHIPS

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the CHIPS and PAVE-NY funded capital projects by increasing Highway Capital Project Expense H.5112.2080 in the amount of \$2,046,293.64 and Increase H.5112.3501 CHIPS in a like amount, and Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to Increase A.1000.9999 Balancing (utilizing the Building & Equipment Reserve – Roads & Bridges) in the amount of \$719,231 and Increase Transfers to Capital A9950.9 in a like amount. Increase capital projects by Increasing Interfund Transfers H5197.5031 in the amount of \$719,231 and by Increasing Highway Capital Project Expense H.5197.2080 in a like amount.

Budget Impact Statement: 2019 CHIPS allocation is \$1,666,010.23; 2019 PAVE-NY allocation is \$380,283.41. Total 2019 allocation from state fund sources equals \$2,046,293.64. Reserve for Roads & Bridges for Colby Rd (PH II) per 2019 capital plan is \$395,000 and additional funding for Large Span Culverts per 2019 capital plan is \$324,231. Grand total new capital available for 2019 projects is \$2,765,524.64.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 254 AIRPORT CONSTRUCT NEW TERMINAL AND MAINTENANCE HANGAR - CAPITAL PROJECT/BUDGET AMENDMENT/CLOSE – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review established capital projects at the Genesee County Airport and does recommend closing one project, and

WHEREAS, the County received \$4,350.00 from NYSERDA, and

WHEREAS, The County borrowed money for this project and any leftover money is required to be used for the outstanding debt, freeing up the 1% Sales Tax, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following Budget Amendment:

Increase H5997 3897 State Aid in the amount of \$4,350.00 to be offset by the same amount in H5997 2080 Capital Expense

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to close the following capital project:

AIP #34-14, Construct New Terminal and Maintenance Hangar

Budget Impact Statement: Return of \$115,386.84 to the General Fund to help cover the 2020 debt payment.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 255 AMENDMENT TO RESOLUTION NO. 20-2019-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Resolution No. 20-2019 authorized a 2019 Budget Amendment and Salary Schedule Amendment for Highway/Facilities Management and Parks, and

WHEREAS, That resolution included the elimination of the Park Supervisor/Forester position and created a Deputy Highway Superintendent position in the Parks Department Budget, and,

WHEREAS, The following language was not included in Resolution No. 20-2019; The Deputy Highway Superintendent position can act for and in place of the Highway Superintendent, Now,

therefore, Be it,

RESOLVED, That all provisions of Resolution No. 20-2019 remain in effect and the Deputy Highway Superintendent position can act for and in place of the Highway Superintendent.

Budget Impact Statement: None

Legislator Dibble seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 256 CONSULTANT AGREEMENT - FEDERAL AID
BRIDGE-NY – MEADVILLE RD, SHARRICK RD & TOWER HILL RD**

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County has been awarded federal aid grants to replace the Meadville Rd over Canal Feeder, Sharrick Rd over Murder Creek and Tower Hill Rd over Spring Creek, and

WHEREAS, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, The Superintendent of Highways has negotiated a contract with CHA Engineers and recommends approval of a consultant agreement with them at this time, and

WHEREAS, The Committees on Public Service and Ways & Means have reviewed this request and do concur at this time, Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with CHA Engineers, 150 State St, Rochester, NY 14614 for the design of the three bridges covered under the BRIDGE-NY program in an amount not to exceed \$420,400.

Budget Impact: The cost of the Consultant Agreement is \$420,400. A Capital Project has already been established for each bridge. Each project will be charged a portion of the total fee in the following amounts: Meadville (\$138,000), Sharrick(\$144,000) and Tower Hill (\$140,000).

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 257 RETAIL LEASE AGREEMENT–MONROE COUNTY
WATER AUTHORITY – TOWN OF PAVILION – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Town of Pavilion has requested that the Monroe County Water Authority extend and renew their existing Retail Lease Agreement with the town, and

WHEREAS, the Monroe County Water Authority has presented a Retail Lease for the operation and maintenance of the water districts in Pavilion, and

WHEREAS, The operating agreement between Genesee County and the Monroe County Water Authority requires Genesee County to concur with Retail Leases within the County, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have reviewed the proposed lease and do recommend its approval at this time, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it

RESOLVED, that Genesee County Legislature does hereby concur and approve of the proposed Retail Lease Agreement between the Town of Pavilion and the Monroe County Water Authority.

Budget Impact Statement: No direct budget impact, but does facilitate water delivery within Pavilion which results in net water surcharge revenue to Genesee County.

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 258 APPOINTMENT –PARKS, RECREATION AND
FORESTRY ADVISORY COMMITTEE - APPROVAL OF**

Legislator Dibble offered the following resolution:

Bid Sheet 2: (Batavia Area)

	Vehicle Type		Vehicle Type		Monitor		1 on 1 Aide		EVALUATION TOTAL
	EVAL #	SMALL BUS	EVAL#	VAN	EVAL #	Four (4) or more children	EVAL#	Any Size Veh.	
FULL DAY	1	\$ 228.00	1	\$ 428.00	1	\$ 20.00	N/A	N/A	\$ 676.00
ROUND TRIP	1	\$ 228.00	2	\$ 428.00	1	\$ 20.00	1	\$ 20.00	\$ 1,124.00
									\$ 1,800.00

Bid Sheet 3: (Buffalo Area)

	Vehicle Type		Vehicle Type		Monitor		1 on 1 Aide		EVALUATION TOTAL
	EVAL #	SMALL BUS	EVAL#	VAN	EVAL #	Four (4) or more children	EVAL#	Any Size Veh.	
FULL DAY	1	\$ 178.00	1	\$ 178.00	1	\$ 20.00	N/A	N/A	\$ 376.00
ROUND TRIP	1	\$ 178.00	3	\$ 478.00	1	\$ 20.00	1	\$ 20.00	\$ 1,652.00
									\$ 2,028.00

Bid Sheet 4: (Geneseo-Mt. Morris Area)

	Vehicle Type		Vehicle Type		Monitor		1 on 1 Aide		EVALUATION TOTAL
	EVAL #	SMALL BUS	EVAL#	VAN	EVAL #	Four (4) or more children	EVAL#	Any Size Veh.	
FULL DAY	1	\$ 478.00	1	\$ 338.00	1	\$ 1.00	N/A	N/A	\$ 817.00
ROUND TRIP	1	\$ 338.00	1	\$ 438.00	1	\$ 1.00	1	\$ 1.00	\$ 778.00
									\$ 1,595.00

Bid Sheet 5: (Lockport Area)

	Vehicle Type		Vehicle Type		Monitor		1 on 1 Aide		EVALUATION TOTAL
	EVAL #	SMALL BUS	EVAL#	VAN	EVAL #	Four (4) or more children	EVAL#	Any Size Veh.	
FULL DAY	1	\$ 228.00	1	\$ 228.00	1	\$ 1.00	N/A	N/A	\$ 457.00
ROUND TRIP	1	\$ 498.00	1	\$ 498.00	1	\$ 1.00	1	\$ 1.00	\$ 998.00
									\$ 1,455.00

Bid Sheet 6: (Rochester Area)

	Vehicle Type		Vehicle Type		Monitor		1 on 1 Aide		EVALUATION TOTAL
	EVAL #	SMALL BUS	EVAL#	VAN	EVAL #	Four (4) or more children	EVAL#	Any Size Veh.	
FULL DAY	1	\$ 338.00	1	\$ 438.00	1	\$ 1.00	N/A	N/A	\$ 777.00
ROUND TRIP	1	\$ 438.00	2	\$ 438.00	1	\$ 1.00	1	\$ 1.00	\$ 1,316.00
									\$ 2,093.00

***These routes include children from both Genesee and Orleans County on the same run. Costs will be allocated by splitting the round trip or full day based on the number of children from each county on the run.*

Budget Impact: Estimated annual expenses in the 2019 A 2960 Preschool Supportive Health Service budget are \$400,000. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment for Medicaid eligible children.

Budget Impact: Estimated annual expenses in the 2019 A 4059 Early Intervention budget are \$47,000. Expenses are offset, up to 100% by revenue generated from Medicaid.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 263 APPOINTMENT-GENESEE COMMUNITY COLLEGE BOARD OF TRUSTEES/NOBLE-MOAG -APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee Community College Board of Trustees is the policy making body of the College, and

WHEREAS, The GCC Board of Trustees is responsible for a wide range of College business including approval of new curricula, appointing a new president and review and approval of the college budget and recommending its adoption to the Genesee County Legislature, and

WHEREAS, Trustees Peter Call and Diane Torcello have terms set to expire June 30, 2019 and are not seeking reappointment, and

WHEREAS, Sarah Noble-Moag submitted an application requesting appointment by the Genesee County Legislature for a seven year term, and

WHEREAS, The Committee on Ways and Means does recommend Sarah Noble-Moag be appointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Sarah Noble-Moag of Pavilion, New York to the Genesee Community College Board of Trustees effective July 1, 2019 through June 30, 2026.

Budget Impact Statement: none.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 264 APPOINTMENT-GENESEE COMMUNITY COLLEGE BOARD OF TRUSTEES/DIMARTINO -APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee Community College Board of Trustees is the policy making body of the College, and

WHEREAS, The GCC Board of Trustees is responsible for a wide range of College business including approval of new curricula, appointing a new president and review and approval of the college budget and recommending its adoption to the Genesee County Legislature, and

WHEREAS, Trustee Robert Boyce of LeRoy resigned February 19, 2019 from his term which does not expire until June 30, 2021, and

WHEREAS, Phillip DiMartino submitted an application requesting appointment by the Genesee County Legislature, and

WHEREAS, The Committee on Ways and Means does recommend Phillip DiMartino be appointed to fulfill the unexpired term, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Phillip DiMartino of Batavia, New York to the Genesee Community College Board of Trustees effective July 1, 2019 through June 30, 2021.

Budget Impact Statement: none.

Legislator Maha seconded the resolution which was adopted by 326 votes.

At 5:56 PM Chairman Bausch closed the public hearing. There were no comments made.

RESOLUTION NO. 265 2019-2020 OPERATION BUDGET-GENESEE COMMUNITY COLLEGE/SPONSOR'S SHARE-ADOPTION OF

Legislator Torrey offered the following resolution:

WHEREAS, The President and Trustees of Genesee Community College have presented to the Genesee County Legislature the proposed operating budget of Genesee Community College for the academic year 2019-2020 in the amount of \$40,157,000 and

WHEREAS, The Board of Trustees has approved the amount of \$2,636,374 as the sponsor's share of the proposed current operating budget for Genesee Community College. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve of the proposed 2019/2020 operating budget of the Genesee Community College in the amount of \$40,157,000

for academic year 2019-2020, and Be it further

RESOLVED, That the Genesee County Legislature does hereby approve of the sponsor's share of the operating budget of the Genesee Community College for the fiscal year September 1, 2019 through August 31, 2020 in the amount of \$2,636,374 and cause the same to be included in the County Tax levy for the year 2019.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 266 COUNTY AUDIT –JUNE 26 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Clattenburg, did review the following claims:

General Fund	\$	955,107.11
Water Fund		40,537.66
Highway		164,731.26
DSS Abstracts		87,957.70
Capital Projects		
Highway-Searls Road Bridge/Spring Creek	\$	853.42
Highway-Large Span Culverts		10,936.00
Highway-Preventive Maintenance Bridge Painting		903.95
Sheriff/Highway-Firing Range Upgrade		750.88
Airport-Airport Taxiway "C" Reconstruction		187,249.49
Park-Area "D" Shelter Improvements		697.71
Sheriff's-Sheriff's 800 MGHTZ Radio System Upgrade		5,700.00
Water-County Wide Water System Phase II		12,900.00
Payroll – General		
June 21, 2019		1,596,412.30
Medicaid		
June 18 2019		177,332.00
June 25, 2019		<u>177,332.00</u>
Total Audit	\$	3,419,401.48

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 326 votes.

Chairman Bausch stated the next scheduled committee meeting is July 15, 2019 and encouraged legislators to participate in the Fair Parade.

The meeting adjourned at 5:58 PM upon motion of Legislator Deleo seconded by Legislator Clattenburg.

**THIRTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, July 24, 2019**

The Genesee Legislature met in Regular Session on Wednesday July 24, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Torrey followed by the Pledge to the Flag.

Minutes of the June 26, 2019 Legislature meeting were approved upon motion of Legislator Hilchey seconded by Legislator Stein, carried unanimously.

Legislator Stein announced that this is Pre-Trial, Probation and Parole week which increases recognition to those serving in the field. Chairman Bausch commented on the Key to the City Ceremony hosted by Batavia for SSG David Bellavia. The event was well organized and SSG Bellavia was presented with a Key to the City and proclamations from the County and State representatives. Chairman Bausch also commented on the attendance and participation at the Genesee County Fair and commended the Fair Board for their efforts with making improvements that have resulted in extending the Fair and getting more participation. Chair Bausch attended the ribbon cutting ceremony for the newly renovated dorms at GCC.

Out-of-State Travel request for Gregg Torrey to go to Washington DC for the Northeast Regional White House Conference July 16, 2019 at a cost to the County of \$369.00 was approved upon motion of Legislator Hilchey seconded by Legislator Young, carried unanimously.

Out-of-State Travel request for Carla Wahls, Health Department to Newark, NJ for TB intensive workshop Sept 24-27, 2019 at a cost to the County of \$28.00 was approved upon motion of Legislator Stein seconded by Legislator Young, carried unanimously.

County Manager Jay Gsell commented on the NYSAC County Profile recently made available to legislators. The document provides comparisons and can be used as a tool for planning.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 267 CONTRACTUAL AGREEMENT – COMMUNITY MENTAL HEALTH SERVICES/DIRECTOR OF COMMUNITY MENTAL HEALTH

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County is in need of a Community Mental Health Services Director and,
WHEREAS, The current Orleans County Director of Community Mental Health Services, Mark O'Brien has agreed to carry out the role and responsibilities of the Genesee County Mental Health Services Director for 12 weeks at a rate not exceed \$9,600, and

WHEREAS, The Genesee County Human Services Committee and Ways & Means Committee did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contractual agreement with Mark O'Brien for the provision of services as Genesee County Director of Community Mental Health

Budget Impact: Funds are available in the Mental Health Personal Services account to cover this expense

Legislator Young seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 268 INSURANCE CERTIFICATE – GENESEE COUNTRY FARMERS' MARKET, BATAVIA IMPROVEMENT DISTRICT, & CITY OF BATAVIA- 2019 APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars and naming the Genesee Country Farmers' Market, the Batavia Improvement District, and the City of Batavia as additional insured, for the purpose of distributing NY State Department of Health Farmers' Market Coupons and manning an information table at the Genesee Country Farmers' Market, held at Bank Street & Alva Place, Batavia, NY on Friday, August 9, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on senior services to residents in the Batavia and Genesee County area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary documents to name the following:

Genesee Country Farmers Market

Bank/Alva Place

Batavia, NY 14020

Mailing address is PO Box 303, Gasport, NY 14067

Batavia Improvement District (BID)

200 East Main Street

Batavia, NY 14020

City of Batavia

City Hall, 1 City Centre

Batavia, NY 14020

as additional insured for Friday, August 9, 2019 from the hours of 9:00 a.m. – 5:00 p.m.

Budget Impact: None

Legislator Maha seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 269 2019 BUDGET AMENDMENT - OFFICE FOR THE AGING
– APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a budget amendment to the 2019 OFA County Budget due to updated service provision needs relevant to RESOLUTION NO. 172 for a net total of \$0 to support the growing need for aging services and programs for older adults; and

WHEREAS, New York State Office for the Aging advocated for and received distribution of \$15 million of additional funds as part of its 2019-2020 Aid to Localities budget; and

WHEREAS, The increasing aging population in Genesee County brings forth increasing needs to provide care for its Genesee County residents; and

WHEREAS, This updated service provision needs budget amendment is specifically intended to address home modification needs of eligible clients reduce reported unmet home and community-based service needs in Genesee County to help residents maintain their autonomy and reduce or eliminate the number of people who are reported to be waiting for service; and

WHEREAS, the Committees on Human Services and Ways and Means did review this request and do recommend approval of this budget amendment. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Budget by adjusting Office for the Aging Appropriations by the following amounts:

Appropriations:

A.	6772.4660.0535	HomeCare	\$	(24,000)
A.	6772.2010.0029	Handicapped Equipment	\$	24,000

TOTAL \$ -

Budget Impact: None

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 270 AMENDMENT TO AGREEMENT - HEALTH DEPARTMENT/ GCASA – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Public Health Director did present an amendment to the agreement with the Genesee/Orleans Council on Alcoholism and Substance Abuse (GCASA) to complete activities outlined in the Opioid Crisis Grant work plan, and

WHEREAS, The Committee on Human Services did review the amendment and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an amendment to the agreement with GCASA, 430 East Main Street, Batavia, NY 14020 to provide services under the guidelines of the Opioid Crisis Grant not to exceed \$75,000 backdated to September 1, 2018 and extending through **August 31, 2019**.

Budget Impact Statement: Expenses and offsetting revenues for this contract are included in the 2019 4010 budget; the cost to the county is \$0.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 271 CONTRACT RENEWAL– HEALTH DEPARTMENT/ SEXUALLY TRANSMITTED DISEASE (STD) DIAGNOSIS AND TREATMENT SERVICES/WORKFIT– APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Sexually Transmitted Disease (STD) diagnosis and treatment services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Workfit Medical, LLC, 178 Washington Avenue, Batavia, New York 14020 to provide Sexually Transmitted Disease (STD) Diagnosis and Treatment Services retroactive to January 1, 2019 through December 31, 2019.

Budget Impact: \$1,200 is allocated for Workfit STD services in the 2019 A 4010 Public Health Department Budget.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 272 CONTRACT– HEALTH DEPARTMENT/SEXUALLY TRANSMITTED DISEASE (STD) DIAGNOSIS AND TREATMENT SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of Public Health did present a contract for provision of Sexually Transmitted Disease (STD) diagnosis and treatment services, and

WHEREAS, The Committees on Human Services and Ways & Means did review the request and do recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to establish a contract with Batavia Primary Care, 16 Bank Street, Batavia, New York 14020, to provide Sexually Transmitted Disease (STD) Diagnosis and Treatment Services retroactive to January 1, 2019 through December 31, 2019.

Budget Impact: \$1,200 is allocated for Batavia Primary Care STD services in the 2019 A 4010 Public Health Department Budget.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 273 BUDGET AMENDMENT – SURPLUS – SALE OF VEHICLE - EMERGENCY MANAGEMENT SERVICES - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The NYS Office of Fire Prevention and Control requires the Office of Emergency Management Services to provide numerous fire training programs to our local emergency responders, and

WHEREAS, Resolution No. 16, dated January 24, 2019, authorized the surplus and disposition of the 1986 Ford Fire Engine and acceptance of a gifted 1991 Pierce Dash Fire Engine, and

WHEREAS, The 1991 Pierce Dash Fire Engine is in need of maintenance and minor repairs, the Coordinator of Emergency Management Service does request revenue from the sale of said surplus property be used for the general maintenance and repair cost, and

WHEREAS, The Committee on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County budget by Increasing appropriation A.3640.4340 Vehicle Maintenance in the amount of \$2,675 to be offset by Increasing Revenue A.1000.2650 Sale of Scrap in like amount with said revenue coming from the sale of the surplus 1986 Ford Fire Engine.

Budget Impact Statement: None as revenue in the amount of \$2,675 from the sale of the surplus vehicle will offset the cost of maintenance and repairs of the 1991 Fire Engine.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 274 GENESEE, LIVINGSTON AND WYOMING COUNTIES - INTERMUNICIPAL CONTRACT/GLOW SOLID WASTE MANAGEMENT COMMITTEE- APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee, Livingston and Wyoming Counties (GLOW) Region Solid Waste Management Program Intermunicipal Cooperation Contract is scheduled to expire on December 31, 2019, and

WHEREAS, The GLOW Region Solid Waste Management Committee does recommend the continuation of the contract, and

WHEREAS, The Committees on Public Safety and Ways and Means did review said recommendation and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the Intermunicipal Cooperation Contract through December 31, 2021, and Be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized and directed to execute the Intermunicipal Cooperation Contract on behalf of the County of Genesee.

Budget Impact Statement: \$25,805 is the projected annual contribution for 2020. In 2012 this contribution was reduced by 4.4%. From 1997 until 2011 the contribution was \$27,000. Each year the actual County Contribution is approved by the County Legislature through the annual Budget Process.

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 275 CERTIFICATES OF INSURANCE- GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE EVENTS: BRICK HOUSE CORNERS FAIR APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in the Brick House Corners Fair sponsored Pembroke Historical Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Public Service Committee does concur with these recommendations. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in the Brick House Corners Fair event to be held at the Pembroke Town Hall on September 7, 2019.

Budget Impact: There is no cost this event.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 276 2019 BUDGET AMENDMENT – COUNTY PARKS - INTERPRETIVE CENTER/YOUTH BUREAU GRANT AWARD APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent does request an amendment to the 2019 Genesee County Budget to allow the acceptance of Youth Bureau grant funds from the NYS Office of Child and Family Services, and

WHEREAS, The budget increase will allow the Deputy Highway Superintendent to use the funding to administer an Environmental summer program for Genesee County youth through the Environmental Education programming at the Genesee County Park and Forest Interpretive Nature Center in Bethany, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing Appropriation A.7110 INTC 4660.0000 County Park, Contractual in the amount of \$6,550 to be offset by an increase in Revenue A.7110 INTC 2002 Programs in a like amount.

Budget Impact: Increase to 2019 budget expense in amount of \$6,550 - offset by revenue in like amount. Cost to County \$0.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 277 SURPLUS EQUIPMENT-HIGHWAY-FACILITIES MANAGEMENT-GENERAL FUND - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it, **RESOLVED**, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

2 – 2” x 31.5”W x 88.75”H oak hardwood doors w/glass window

2 – 2” x 30”W x 90”H oak hardwood doors – 1 with glass window, 1 without glass window

1 – Husky 5hp 26 gal upright air compressor; MDL# VT631502AJ, Serial #L7/8/2005-01293

Budget Impact: Revenue for General Fund

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 278 GRANT ACCEPTANCE/ESTABLISH CAPITAL PROJECT AIRPORT – DESIGN APRON RECONSTRUCTION AND OBSTRUCTION REMOVAL (AIP 42-19) /2019 BUDGET AMENDMENT- APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has been offered an Airport Improvement Program (AIP) grant by the Federal Aviation Administration for the Design of the Apron Reconstruction and Obstruction Removal (T-Hangar Demo), and

WHEREAS, The County Superintendent of Highways has reviewed this grant agreement and recommends accepting the grant to plan for the reconstruction of the main apron and demolition of the old T-Hangars, and

WHEREAS, The County Superintendent of Highways recommends establishing a capital project for this grant, and

WHEREAS, The Committees on Public Service and Ways & Means did review these requests and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve the grant offer as prepared by the Federal Aviation Administration, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to establish a capital project AIP 42-19, Apron Reconstruction and Obstruction Removal (Design) for a total of \$138,630 as per the following:

Federal Funds	\$124,767
State Funds	\$6,931
County Funds	\$6,932 (1% Sales Tax)

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2019 Budget:

Increase H.5997 5031 Interfund Revenue	\$6,932
Increase H.5997 4592 Federal Aid	\$124,767
Increase H.5997 3897 State Aid	\$6,931
Increase H.5997 2080.0000 Terminal Apron	\$138,630

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2019 Budget:

Increase A.1000 1110.1 Sales Tax 1%	\$6,932
Increase A.9950 9000.0000 Transfer to Capital	\$6,932

Budget Impact: Federal Aid of 90%, state aid of 5% and local share of 5%. The local share is funded from 1% sales tax.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 279 2019 ENVIRONMENTAL PROTECTION FUND – GRANT APPLICATION

Legislator Maha offered the following resolution:

WHEREAS, Genesee County is applying for up to \$500,000 in funding under the 2019 Environmental Protection Fund Historic Preservation Grant Program for construction of the Genesee County Jail Masonry Improvements Project; and

WHEREAS, a minimum of 25% of the project costs must be matched by cash or in-kind contributions. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby commits to providing the local share of project costs with a combination of cash and in-kind services as specified in the grant application submitted to the NYS Office of Parks, Recreation and Historic Preservation; and be it further

RESOLVED, that the County Legislature understands that this is a reimbursement grant program that may include progress payments; and be it further

RESOLVED, that the Genesee County Legislature hereby commits to maintaining the improvements.

Budget Impact: The grant application will be up to \$500,000 to be matched by an existing capital project that is currently funded from 1% sales tax. The capital project will be further amended to reflect the new project amount and funding shares when the County is in receipt of an actual grant.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 280 INTERMUNICIPAL AGREEMENT-OATKA CREEK WATERSHED-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Oatka Creek Watershed Committee was awarded grants to aid in the development of an Oatka Creek Watershed Management Plan and the Genesee Finger Lakes Regional Planning Council and the Oatka Creek Watershed Committee completed the plan in 2014, and

WHEREAS, The Genesee County Soil & Water Conservation District agrees it is in the best interest of the water quality of Oatka Creek to form an Intermunicipal Organization of four Counties; Monroe, Genesee, Wyoming and Livingston to implement the recommendations of the Oatka Creek Watershed Management Plan, and

WHEREAS, Genesee County recognizes the Oatka Creek Watershed encompasses all or part of the towns of Bethany, LeRoy, Pavilion, Stafford, Byron and Bergen and the Village of LeRoy and that the land uses in these municipalities have an impact on water quality within the Oatka Creek Watershed, and

WHEREAS, The Committees on Public Service and Ways & Means did review the document and do recommend entering into an agreement at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Intermunicipal Agreement Regarding the Oatka Creek Watershed for the period of November 1, 2018 through December 31, 2021, with the option to renew for two (2) additional three-year extensions.

Budget Impact: No county cost.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 281 2019 BUDGET TRANSFER/GRANT WRITING SERVICE – APPROVAL OF

Legislator Clattenburg offered the following resolution

WHEREAS, RFQ 2015-301 awarded a grant writing services contract to LaBella Associates, DPC for a total expenditure not to exceed \$5,000. The County has utilized \$3,375 of these funds to apply for funding for other County projects, and

WHEREAS, As a result of sweeping changes that are part of the new Bail and Discovery Laws that will take effect on January 1, 2020, the Genesee County District Attorney's Office will need additional staff in order to be able to fulfill their very significant added responsibilities, and

WHEREAS, The District Attorney's Office wishes to use LaBella Associates at a cost of \$3,800 to assist in applying for Edward Byrne Justice Assistance Grant (JAG) funding for an additional Assistant District Attorney, an Investigator and a paralegal, and

WHEREAS, it is necessary to reallocate funds in the 2019 budget to pay for the grant writing services, and

WHEREAS, Ways and Means Committee did review this proposal and do recommend approval at this time, Now, therefore, be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following budget transfers:

\$2,175 from A.1990.4800.0000 Contingency, Program Expense

\$2,175 to A.8989.4660.0046 Home & Community, Grant Writing Services

Budget Impact: Contingency balance after this transaction = \$46,856

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 282 2019 BUDGET TRANSFER- COUNTY MANAGER – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Compliance Officer recently resigned, effective July 11, 2019, and

WHEREAS, The County Manager's Office has found a qualified candidate to fill the vacancy, beginning in September 2019, but at a slightly higher salary, which reflects the candidate's significant experience, and

WHEREAS, A budget transfer is needed to accommodate the increase in personal services and associated benefits, and

WHEREAS, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2019 budget transfers:

\$2,438.00 from A.1990.4800.0000 Contingency, Program Expense

\$4,522.00 from A.1230.1010.0000 County Manager, Personal Services

\$6,857.00 to A.1230.8030.0000 County Manager, Medical

\$ 99.00 to A.1230.8040.0000 County Manager, Dental

\$ 4.00 to A.1230.8070.0000 County Manager, Vision

Budget Impact: Funds are available in the 2019 Contingency Fund. Balance of Contingency after this transaction = \$44,418

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 283 COMMEMORATION OF 50 YEAR ANNIVERSARY OF INCORPORATION OF RETIRED PUBLIC EMPLOYEES (RPEA)

Legislator Dibble offered the following resolution:

WHEREAS, The year 2019 marks the 50 year anniversary of the incorporation of the Retired Public Employees Association (RPEA), and

WHEREAS, RPEA is the only organization whose sole purpose is to protect and promote the benefits of retired public employees, and

WHEREAS, RPEA has a record of advocacy success throughout its years, including: enacting a permanent Cost of Living Adjustment (COLA); protecting health insurance benefits available to retirees; protecting the assets of the Retirement Fund from being diverted for budget balancing or other purposes; and most recently, defeating the 2017 ballot proposal to convene a constitutional convention, and

WHEREAS, there are 470,000 state and local retirees and beneficiaries in the New York State Retirement System, and

WHEREAS, nearly 80% of those retirees still reside in New York State, including 2,359 in Genesee County, and

WHEREAS, those retirees are responsible for \$12 billion in economic activity statewide, thereby creating 73,000 jobs, and

WHEREAS, public sector retirees help create the strong social fabric of communities, and also pay \$2 billion in real property taxes, Now therefore Be it

RESOLVED, in recognition of Retired Public Employees Association's 50 years of service in support of retired public employees, the Genesee County Legislature hereby adopts this resolution to commemorate and congratulate the Retired Public Employees Association for its successful endeavors on behalf of its members.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 284 COUNTY AUDIT –JULY 24 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Stein, did review the following claims:

General Fund	\$	2,846,568.11
Water Fund		555,360.96
Highway		365,597.81
Self Insurance		17,574.72
Sales Tax Distribution		5,440,930.64
DSS Abstracts		599,344.66

Capital Projects

Highway-Searls Road Bridge/Spring Creek	\$	156,458.26
Highway-Large Span Culverts		6,502.22
Highway-CR 51, Colby Road		55,807.81
Highway-Pratt Road Bridge Over Tonawanda Creek		264,720.05
Highway-Stroh Road, CR #5		304,219.95
Highway-Highway Recycling		78,318.14
Airport-Construct 8 Bay T-Hangar		25,725.62
Airport-Airport Taxiway "C" Reconstruction		517,171.43
Park-Area "D" Shelter Improvements		19,526.95
Sheriff's-Sheriff's 800 MGHTZ Radio System Upgrade		18,588.33
Sheriff's/Jail-Jail Construction		151,000.00
County Manager-Co Manager 2017 Security Enhancements		44,376.31
County Manager-County Bldg #2 Security Update		2,016.22

Payroll – General

July 5, 2019	1,244,620.22
July 19, 2019	1,596,380.58

Medicaid

July 2, 2019	177,332.00
July 9, 2019	177,332.00
July 16, 2019	177,332.00
July 23, 2019	<u>177,332.00</u>

Total Audit \$ 15,020,136.99

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which was adopted by 326 votes.

Legislator Stein made a motion to suspend the Rules of the Legislature stating that it is in the County’s best interest to pass a resolution tonight authorizing the purchase of a needed equipment system replacement for the Highway Department seconded by Legislator Clattenburg, carried unanimously.

**RESOLUTION NO. 285 2019 BUDGET AMENDMENT-COUNTY
PARK/EQUIPMENT-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Highway Department and County Parks and Forestry are in need of an equipment system replacement due to the unavailability of replacement parts, and

WHEREAS, Funds are available in deferred revenue for the County Park that are available for use in A.7110 INTC 2652 Forestry Harvest, and

WHEREAS, The Committees of Public Service and Ways & Means concur, Now, Therefore be it

RESOLVED, That the Genesee County Parks purchase through Johnson Controls a new alarm system for the price of \$9,973.72, and

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following budget amendment: Increase A.7110 INTC 2080.0080 Emergency Equipment in the amount of \$9,974 and Increase Revenue A.7110 INTC 2652 Forestry Harvest in a like amount utilizing deferred revenue.

Budget Impact: An increase in expenditures of \$9,973.72 utilizing deferred revenue to offset the expense.

Legislator Hilchey seconded the resolution which was adopted by 326 votes.

At 5:48 PM the meeting adjourned upon motion of Legislator Deleo seconded by Legislator Clattenburg, carried unanimously.

**FOURTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, August 28, 2019**

The Genesee Legislature met in Regular Session on Wednesday August 28, 2019 at **3:00PM** at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Torrey assisted with the audit. Prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

Minutes of the July 24, 2019 Legislature meeting were approved upon motion of Legislator Stein seconded by Legislator Maha, carried unanimously.

Legislator Stein stated that members of the New Jail Committee traveled to St. Lawrence County for a tour of their jail. There was an exchange of a lot of detailed information and questions answered. Chairman Bausch commented that he attended a meeting with City officials and the Mexican Consulate General for a meet & greet and discussion about employment, agricultural workers and citizenship matters.

An Out-of-State Travel request for Stg. Thomas Sanfratello of the Sheriff's Department to Troy, MI for the Tyler Fall Advisory Group Meeting 9/22-9/25/19 County cost \$688 was approved upon motion of Legislator Maha seconded by Legislator Deleo, carried unanimously.

Chairman Bausch requested questions relating to the New Jail be sent to the County Manager and Assistant County Manager by October 1st to ensure enough time to get answers by the October 9th Committee of the Whole meeting when the Jail will be discussed.

County Manager Jay Gsell echoed Chairman Bausch's comments regarding preparation of answers to questions about the New Jail.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 286 AWARD OF BID #2019-10– OFFICE FOR THE AGING
RAMP EQUIPMENT –EZ RAMPZ, INC. – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of Bid #2019-10 to EZ Rampz, Inc., 5119 Hollins Road, Roanoke, VA 24019 to provide modular ramp equipment; and

WHEREAS, Home accessibility has been identified as a need in Genesee County and is in greater demand with the increasing number of frail and/or chronically ill elders in our county needing in-home and community support services in order to remain in the home of their choice; and

WHEREAS, a Modular Ramp Loan system is being implemented by the Office for the Aging to help address home accessibility needs for eligible older adults; and

WHEREAS, This is a five year contract effective June 24, 2019 through June 23, 2024. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to EZ Rampz, Inc. 5119 Hollins Road, Roanoke, VA 24019 to serve as supplier for modular ramp equipment for the period of June 24, 2019 through June 23, 2024.

Budget Impact: Neutral. All ramp equipment is already incorporated into our 2019 County Budget.

Legislator Young seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 287 LEASE AGREEMENT RENEWAL WITH LIFESPAN/OFFICE FOR THE AGING – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request approval of a lease agreement renewal with Lifespan of Greater Rochester, Inc., 1900 Clinton Avenue S., Rochester, N.Y. 14618 for the period of July 1, 2019 – June 30, 2020 for rental of one 80 square foot office space to house a Lifespan employee working in the Muriel H. Marshall Fund for the Aging in Genesee funded Financial Management Program at a cost of \$14.76 per square foot, for an annual rent of \$1,180.80; and

WHEREAS; The Rochester Area Community Foundation has renewed the grant with Lifespan of Greater Rochester, Inc. to provide financial management services; and the program coordinates with other Marshall Fund grantee services as well as Genesee County Office for the Aging programs and services; and to facilitate such coordination it is mutually beneficial to be housed in the Office for the Aging which has available office space available; and

WHEREAS; the Committee on Human Services did review this request and does recommend approval of this lease agreement. Now, Therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to renew a lease agreement with Lifespan of Greater Rochester, Inc., 1900 Clinton Avenue S., Rochester, N.Y. 14618 for the period of July 1, 2019 – June 30, 2020 for a yearly cost of \$1,180.80, paid in quarterly installments of \$295.20 per quarter.

Budget Impact: Neutral. Rental income is already included as revenue in 2019 County Budget.

Legislator Hilchey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 288 OPIOID CRISIS FUNDING ACCEPTANCE– HEALTH DEPARTMENT – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Department has been chosen to receive \$72,000 annually in funding to address the opioid crisis in their communities and

WHEREAS, The New York State Department of Health has awarded the Genesee County Public Health Department \$72,000 annually, to use this funding to support costs associated with the opioid crisis and,

WHEREAS, The Committee on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Opioid Crisis Funding contract for the period September 1, 2019 through August 31, 2022 in the amount of \$72,000, and to execute any and all other documentation related to this funding.

Budget Impact: \$0 cost to the county, as revenue and expenses will offset.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 289 GRANT ACCEPTANCE -- HEALTH DEPARTMENT/ RADON PROGRAM - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Radon Program contract has been awarded in the amount of \$3,356, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Radon activities, and

WHEREAS, The Committee on Human Services did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Radon Program grant for the period July 1, 2019 through June 30, 2020 in the amount of \$3,356, and to execute any and all other documentation related to this funding and,

Budget Impact: \$3,356 is included in the 2019 Dept. 4010 – Health Department Budget.

Legislator Torrey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 290 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Public Health Director did present contracts for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committees on Human Services and Ways & Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period September 1, 2019 through June 30, 2021 per the 2019-2021 PSSHSP rate schedule.

Pavilion Central School

Melissa Caputi

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Maha seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 291 CONTRACT– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM/STEPPING STONES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committees on Human Services and Ways & Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Stepping Stones Therapeutics, 92 Riverview Court, Grand Island, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) backdated to January 1, 2019 and extending through June 30, 2021 per the

2019-2021 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 292 CONTRACT - HEALTH DEPARTMENT/ GCASA – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with the Genesee/Orleans Council on Alcoholism and Substance Abuse (GCASA) to complete activities outlined in the Opioid Crisis Grant work plan, and

WHEREAS, The Committees on Human Services and Ways & Means did review the contract and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with GCASA, 430 East Main Street, Batavia, NY 14020 to provide services under the guidelines of the Opioid Crisis Grant not to exceed \$72,000 for the period September 1, 2019 through August 31, 2020.

Budget Impact Statement: Expenses and offsetting revenues for this contract are included in the 2019 & 2020 4010 budget. The cost to the county is \$0.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 293 AFFILIATION AGREEMENT –HEALTH DEPARTMENT/ GENESEE COMMUNITY COLLEGE - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with Genesee Community College, and

WHEREAS, The Committees on Human Services did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an affiliation agreement with Genesee Community College, having its principal place of business located at One College Road, Batavia, New York 14040, effective September 1, 2019 – December 31, 2022.

Budget Impact: There is no direct cost associated with this agreement.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 294 2019 SALARY SCHEDULE AMENDMENT – HEALTH DEPARTMENT – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the Public Health Director did request an amendment to the 2019 Employee Salary Schedule to better utilize the personnel in the Health Department, and

WHEREAS, The Public Health Director has requested the creation of one full time management position of Lead Program Coordinator, and

WHEREAS, The Committees on Human Services and Ways and Means did review the request and do recommend approval at this time, now therefore, be it

RESOLVED, That the Genesee County Treasurer and Personnel Officer are hereby authorized and directed to amend the Genesee County Management Salary Schedule by creating one full time position of Lead Program Coordinator, Management Grade 112 effective 10/01/2019.

Budget Impact: The creation of one full time Position of Lead Program Coordinator will result in a \$0 increase to the 2019 Health Department Budget. This position will be a shared position with Orleans County, 50% of the salary, Fringe, and misc. expense will be charged back to Orleans County Health Dept.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 295 AWARD OF BID – HIGHWAY – SODIUM CHLORIDE – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and Purchasing Officer did advertise for bids for the purchase and delivery of Sodium Chloride to the Genesee County Highway Department for the control of snow and ice on county roads, and

WHEREAS, The Highway Superintendent does recommend awarding this contract to American Rock Salt LLC, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with American Rock Salt LLC, PO Box 190, Mt Morris, NY 14510 for the sale of sodium chloride at a cost of \$51.29 per ton, FOB delivery to Batavia for the period of October 1, 2019 thru September 30, 2020, with an option for an additional one-year renewal.

Budget Impact Statement: Increase in price of \$2.53 per ton from the previous year. This is a 5% increase and will result in higher costs to treat County roads and parking lots. The salt price increase will also affect the rates paid to Towns for plowing County roads

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 296 AWARD OF BID-HIGHWAY/LIVE BOTTOM TRAILER

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed state bids on trailers for use at the County Highway Department and do recommend awarding the bid to the lowest responsible bidder, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused OLB32NGH Trail King Heavy Duty Live Bottom Trailer fr om Trail King Industries, Inc., 300 E Norway Ave, Mitchell, SD 57301 in an amount not to exceed \$100,622.

Budget Impact: The equipment will be purchase using state-provided CHIPS capital funds. A capital project has been established for the purchase of Road Machinery Equipment.

Legislator Maha seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

**RESOLUTION NO. 297 AMEND CAPITAL PROJECTS/2019 BUDGET
AMENDMENT & PROJECT TRANSFERS – HIGHWAY – EXTREME WINTER
RECOVERY FUNDS – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Superintendent of Highways has requested to amend capital projects to accept Extreme Winter Recovery funding from New York State and make budget amendments and transfers to other projects to better utilize CHIPS funds, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this recommendation and do concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following transfers to existing capital projects:

Transfer \$240,498.21 of CHIPS funding from Project Highway Chipseal to Large Span Culverts, Transfer \$1,686.12 of Extreme Winter Recovery funding from Project Highway Surface Treatment to Highway Chipseal and, Be it Further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Capital Projects by Increasing Project Highway Chipseal in the amount of \$240,498.21 by Increasing Appropriation H.5197.2080.0000 Highway Capital Expense in the amount of \$240,498.21 offset by an Increase in Revenue H.1000.5197.3501 State Aid Extreme Weather Recovery in a like amount.

Budget Impact: New 2019 State EWR funding of \$240,498.21. The resolution also transfers \$1,686.12 in rollover 2018 EWR funds from Highway Surface Treatment Capital Project to the Highway Chipseal Capital Project. This combines EWR funds in one project and frees up \$240,498.21 in CHIPS funds for use in the Large Span Culvert Capital Project.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

**RESOLUTION NO. 298 SURPLUS EQUIPMENT –
HIGHWAY/COUNTY PARKS – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

2009 Exmark 52” Mower, Model #ZZ27KC526; Serial #804587

Budget Impact: Revenue for General Fund

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

**RESOLUTION NO. 299 GRANT ACCEPTANCE – COUNTY AIRPORT –
8-BAY T-HANGAR (PHASE IV) – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has been offered an AIR-99 State Aviation Grant from the New York State Department of Transportation for the design and construction of a multi-bay T-Hangar at the Genesee County Airport, and

WHEREAS, The County Superintendent of Highways has reviewed this grant agreement and recommends accepting the grant to plan for the addition of this hangar, and

WHEREAS, The Committee on Public Service did review this requests and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve the grant offer as prepared by the New York State Department of Transportation.

Budget Impact: The total project is \$875,000 with \$656,250 in state aid and a \$218,750 local match. A capital project is scheduled to be established in 2020 to allow for the execution of this project.

Legislator Hilchey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 300 ACCEPTANCE OF GRANT FUNDS - BUDGET AMENDMENT/SHERIFF-POLICE TRAFFIC SERVICES PROGRAM-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Sheriff requested authorization to accept grant funding from the NYS Governor's Traffic Safety Committee, in the amount of \$25,056, to participate in the statewide Police Traffic Services Program, for the time period of October 1, 2019 through September 30, 2020, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Sheriff's account A3110.1020.0700 (Overtime – STEP) in the amount of \$25,056, to be offset by an increase in revenue account A3110.4511 (Federal Aid Traffic Safety) in a like amount.

Budget Impact: Increase in Sheriff's 2019 appropriations in the amount of \$25,056 from a NYS GTSC Police Traffic Services Program Grant Award; offset by an increase in revenue in a like amount.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 301 2019 BUDGET TRANSFER – SHERIFFS OFFICE (JAIL) / MALE INMATE HOUSING – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The number of male inmates, to date, being housed out in other county jails due to the lack of bed space in the Genesee County Jail has created a shortage in the budget line item used to cover the cost of housing male inmates, and

WHEREAS, There are funds available to cover this expense in the Jail Personal Services line item, and

WHEREAS, The Sheriff has requested a budget transfer to transfer funds to cover this expense, and

WHEREAS, The Committees on Public Service and Ways & Means did review this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2019 budget transfer:

\$100,000 from A3150.1010.0000 (Personal Services)

\$100,000 to A3150.4660.0019 (Male Housing)

Budget Impact: There is no budget impact. Funds are being transferred within the Jail budget. Legislator Maha seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 302 LEASE RENEWAL – SHERIFF’S OFFICE / SPOK, INC. – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County entered into a lease agreement with Spok Inc. (formerly USA Mobility) pursuant to Resolution #499 dated December 13, 2007 and renewed that lease pursuant to Resolution #431, dated November 26, 2016, and

WHEREAS, Spok Inc. desires to enter into a lease renewal with a 3% increase for each of the four (4) years of the contract commencing January 1, 2020, at the cost of \$1,283.96.00 per month for 2020. There is also a negotiated a flat rate of a \$900.00 per year generator fee, and

WHEREAS, Spok will have the annual option to renew or terminate the lease 30 days prior to the beginning of each annual term, and

WHEREAS, after discussion between the Sheriff, Director of Emergency Communications, and County Attorney, it is recommended the County approve a lease renewal with Spok Inc., and

WHEREAS, the Committee on Public Service did review this proposal and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a site lease agreement with Spok Inc., 3000 Technology Drive, Suite 400W, Plano, TX 75074, for their lease of space on the Genesee County telecommunications tower located at 153 Cedar Street, Batavia, NY for the period January 1, 2020, through December 31, 2023, as specified in the terms of the agreement.

BUDGET IMPACT: None.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 303 GRANT ACCEPTANCE-GENESEEE JUSTICE/NYS OFFICE OF VICTIM SERVICES-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Program Coordinator of the Genesee Justice Program did receive notification of the award of grant funding from the New York State Office of Victim Services (OVS) for the continuation of the Victim Assistance Program for a one-year contract term starting October 1, 2019 through September 30, 2020, and

WHEREAS, The Public Service Committee did review and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby accept grant funding from the New York State Office of Victim Services in the amount of \$112,481.80 for the continuation of the Victim Assistance Program for 2019-2020, and Be it further,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary form for the acceptance of funds for the period of October 1, 2019 through September 30, 2020 in the amount of \$112,481.80.

Budget Impact: At this time, there is no impact on the 2019 County Budget and no County funding is affected by this grant.

Legislator Young seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 304 2019 SALARY SCHEDULE AMENDMENT – GENESEE JUSTICE-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, two part-time Community Service/Victim Assistants have recently resigned, resulting in vacancies to be filled at Genesee Justice as of June 22 and August 2, 2019, and

WHEREAS, it has become difficult to retain employees in these two part-time positions, resulting in continual employee turnover, and

WHEREAS, after careful consideration by the Sheriff, Undersheriff, and the Genesee Justice Program Coordinator, and in consultation with the Director of Human Resources and Genesee Justice Financial Management Assistant, it has been determined that the most efficient and cost-effective way to address this continual employee turnover is to eliminate one grant funded, part-time Community Service/Victim Assistant position, CSEA Grade 9 pos. #295-005 (19.5 hours per week) and increase the hours of the other grant funded, part-time Community Service/Victim Assistant position, CSEA Grade 9 pos. #295-006, from 19.5 hours per week to 37.5 hours per week, effective October 1, 2019, and

WHEREAS, this increase in hours will be 100% funded by grant awards from the NYS Office of Victim Services and the Department of Criminal Justice Services, and

WHEREAS, the Public Service and Ways & Means Committees did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2019 Employee Salary Schedule by eliminating one grant funded, part-time Community Service/Victim Assistant position, CSEA Grade 9, pos. #295-005 (19.5 hours per week), and increasing the hours of the other grant funded, part-time Community Service/Victim Assistant position, CSEA Grade 9 pos. #295-006 from 19.5 hours per week to 37.5 hours per week, effective October 1, 2019.

Budget Impact: There is no impact to the Genesee County budget. Grants from the NYS Office of Victim Services and Department of Criminal Justice Services fully fund this position.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 305 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES DISTRIBUTION GRANT # 7- PUBLIC DEFENDER-APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between Genesee County and the New York State Office of Indigent Legal Services Contract Number: Distribution Grant # 7 for the provision of salary and fringe benefits for one (1) current full-time assistant public defender and one (1) full-time investigator, for the medical expenses and ½ of the retirement benefits of (1) full-time Legal Clerk-Typist and for a 12 month data service plan for

IPads/iPhone service and 12 month phone service for 1 telephone.

WHEREAS, the Public Service Committee did review the contract and does recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: C700018, Distribution # 7 with the New York State Office of Indigent Legal Services for the period of January 1, 2017 through December 31, 2019.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$167,100 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

Legislator Torrey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 306 2019 SALARY SCHEDULE AMENDMENT – PUBLIC DEFENDER INVESTIGATOR– APPROVAL OF

Legislator Torrey offered the following resolution:

WHERE AS, The Public Defender requests an amendment to the 2019 Employee Salary schedule to increase the Investigator position from Sixty (60) hours to Seventy-Five (75) hours bi-weekly effective August 28, 2019, and

WHERE AS, The Public Service and Ways and Means Committee did review the request and recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2019 Genesee County Employees Salary Schedule by increasing the Investigator position from Sixty (60) hours to seventy-five (75) hours bi-weekly effective August 28, 2019, And Be it, Further

RESOLVED, That no budget transfer is requested as there are enough funds in the 2019 Personal Services, Expense line A1170.0000 to cover this increase in salary.

Budget Impact: Neutral. No impact on County Funds-Grant Funding in the amount of \$4,806 is included in the 2019 Budget.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 307 GRANT ACCEPTANCE-JUSTICE FOR CHILDREN ADVOCACY CENTER/ NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Legislator Stein offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator has been notified that an existing grant contract from the New York State Office of Children and Family Services will be renewed for the grant year running from October 1, 2019 to September 30, 2020, and

WHEREAS, The Justice for Children Program Coordinator has requested that the County accept an award in the amount of \$163,408.00 from the New York State Office of Children and Family Services, and

WHEREAS, This award represents a modest increase over the 19-20 award, which was \$155,350.00, and

WHEREAS, Funds from this grant will enable to Justice for Children Advocacy Center to meet the growing demand for the services in the Batavia, Warsaw, and Albion offices, and

WHEREAS, The Public Service Committee did review this request and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents for acceptance of this grant funding for the period of October 1, 2019 through September 30, 2020 in the amount of \$163,408.00.

Budget Impact: The New York State Office of Children and Family Services funds direct victim services at the Justice for Children Advocacy Center, including victim advocacy, mental health treatment, and medical care.

Legislator Maha seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 308 GRANT ACCEPTANCE- JUSTICE FOR CHILDREN ADVOCACY CENTER/ NYS OFFICE OF VICTIM SERVICES

Legislator Maha offered the following resolution:

WHEREAS, The Justice for Children Program coordinator has been notified that the Justice for Children Advocacy Center has been selected to receive a three-year grant award from the New York State Office of Victim Services to support direct victim services at the Justice for Children Advocacy Center, and

WHEREAS, The Justice for Children Program Coordinator is requesting that the County accept an award in the amount of \$395,387.50 from the New York State Office of Victim Services, and

WHEREAS, The contract term runs from October 1, 2019 through September 30, 2022, and

WHEREAS, The annual award amount for the 19-20 grant year will be \$197,212.71, 20-21 grant year will be \$185,101.86, and 21-22 grant year will be \$193,072.93, and

WHEREAS, This award will enable the Justice for Children Advocacy Center to continue to provide counseling, forensic interviewing, mental health, medical, and victim advocacy services to children and families who have impacted by violence, and

WHEREAS, The Public Service Committee did review this request and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents for acceptance of this grant funding for the period of October 1, 2019 through September 30, 2022 in the amount of \$395,387.50.

Budget Impact: The New York State Office of Victim Services funds direct victim services at the Justice for Children Advocacy Center, including victim advocacy, mental health treatment, forensic interviewing, and medical care.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 309 GRANT ACCEPTANCE – EMERGENCY MANAGEMENT SERVICES – STATE & MUNICIPAL FACILITIES PROGRAM (SAM) GRANT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the State and Municipal Facilities Program (SAM) grant funding in the amount of \$60,000 as awarded by the State of New York, and

WHEREAS, Grant funding is to be used for the construction of a multi-jurisdictional public safety training house enabling first responder to drill within the settings and situational challenges confronted in the field, and

WHEREAS, Additional funding must be secured for this training house which has an estimated project cost of approximately \$130,000, and

WHEREAS, The Committee on Public did review this request and does concur. Now therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State, 515 Broadway, Albany, NY 12207-2964 for the acceptance of State and Municipal Facilities Program (SAM) grant funding in the amount of \$60,000 and to execute any and all other documentation related to this funding, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute documentation related to a grant extension as additional project funding is secured.

Budget Impact Statement No County cost. A grant extension will be requested until additional project funding is secured.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 310 2019 BUDGET TRANSFER– COLLECTIVE BARGAINING –APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Human Resources Director did request a budget amendment to cover a shortfall of funds in the contractual legal line due to ongoing legal expenses related to disciplinary actions, and

WHEREAS, Additional funds are necessary for the remainder of 2019 to cover complex legal issues that may arise.

WHEREAS, The County Manager recommends using funds budgeted in the Contingency account to cover the unexpected expenses, and

WHEREAS, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2019 budget transfers:

\$15,000.00	from	A.1990.4800.0000	Contingency, Program Expense
\$15,000.00	to	A.1435.4640.0000	Collective Bargaining, Contracted Legal

Budget Impact: Funds are available in the 2019 Contingency Fund. Balance of Contingency after this transaction = \$29,418

Legislator Hilchey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 311 RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES – TREASURER – AUTHORIZATION FOR

Legislator Young offered the following resolution:

WHEREAS, The Real Property Tax Law requires that, by November 15, 2019, all rural Genesee County School Districts return their respective unpaid 2019-2020 school taxes to the County Treasurer for inclusion in the following year's town and county levy, and

WHEREAS, The Legislature entered into an agreement with the various villages within the county that upon notification to the county by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the town and county levy. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Genesee immediately upon receipt by the County Treasurer's Office.

Budget Impact Statement: None

Legislator Torrey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 312 CONTRACT FOR PREPARATION OF TAX BILLS – APPLIED BUSINESS SYSTEMS, INC. – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County does contract for the preparation of tax bill laser printing and inserting into window envelopes, and

WHEREAS, The Director of Real Property has solicited quotes from vendors to provide this service and does recommend approval for entering into a contract with Applied Business Systems, Inc., the best value vendor, and

WHEREAS, The Committee on Ways & Means did review this contract and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to enter in a contract with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020, for the processing of tax bills for all municipalities located in Genesee County at a cost of up to \$0.188 per tax bill for the period September 1, 2019 through August 31, 2020, with four additional one year extensions which may be opted into at a later date.

Budget Impact Statement: Approximate yearly expense of \$16,000 which is charged back to the various municipalities.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 313 2019 GENESEE COUNTY CHARGEBACKS TO TOWNS AND CITY OF BATAVIA – TREASURER / REAL PROPERTY – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has submitted a list of chargebacks to the several Towns and City of Batavia for assessment rolls, tax rolls, tax bills, supplies, and assessment update services, and

WHEREAS, The Committee on Ways and Means does recommend apportionment of this expense, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the following amounts to be billed to the several Towns and City of Batavia:

2019 Chargebacks Applied to 2020 Town / City Budgets

TOWN	PARCELS	ASSESSMENT ROLLS/BILLS	NYSORPTS LICENSE FEE	TOTAL
Alabama	1,126	\$3,378.00	\$1,000.00	\$4,378.00
Alexander	1,448	\$4,344.00	\$1,000.00	\$5,344.00
Batavia(T)	3,088	\$9,264.00	\$627.13	\$9,891.13
Bergen	1,672	\$5,016.00	\$1,000.00	\$6,016.00

Bethany	1,019	\$3,057.00	\$287.10	\$3,344.10
Byron	1,347	\$4,041.00	\$563.79	\$4,604.79
Darien	1,828	\$5,484.00	\$515.02	\$5,999.02
Elba	1,504	\$4,512.00	\$1,000.00	\$5,512.00
LeRoy	3,485	\$10,455.00	\$1,045.71	\$11,500.71
Oakfield	1,520	\$4,560.00	\$636.21	\$5,196.21
Pavilion	1,514	\$4,542.00	\$454.29	\$4,996.29
Pembroke	2,477	\$7,431.00	\$697.88	\$8,128.88
Stafford	1,579	\$4,737.00	\$1,000.00	\$5,737.00
Batavia(C)	5,529	\$16,587.00	\$1,122.87	\$17,709.87
TOTALS	29,136	\$87,408.00	\$10,950.00	\$98,358.00

and, Be it further

RESOLVED, That the amounts to be paid to the County Treasurer are credited to Revenue A.1325 2226 Sales / Supplies to Other Governments, in the current budget year.

Budget Impact Statement: Licensing fee revenue of \$10,950.00 is paid to the NYSORPTS for software licensing. Assessment services and roll / bill revenue of \$87,408.00 covers salary and all other expenses incurred in providing these services to the municipalities. The 2018 chargebacks totaled \$98,067.00.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 314 APPOINTMENT TO THE GLOW WORKFORCE DEVELOPMENT BOARD MEMBERSHIP/MCGOWAN

Legislator Torrey offered the following resolutions:

WHEREAS, The Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

WHEREAS, The Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

John M. McGowan, Psy. D. who represents Higher Education and works for Genesee Community College has been nominated as a GLOW Workforce Representative for the Public Sector to serve an ongoing term at the discretion of the GLOW CEOs.

RESOLVED, That the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 315 APPOINTMENT TO THE GLOW WORKFORCE DEVELOPMENT BOARD MEMBERSHIP/REQUA

Legislator Young offered the following resolutions:

WHEREAS, The Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

WHEREAS, The Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

Jason ReQua, Vice President for International Union of Bricklayers and Allied Craftworker Local 3NY has been nominated as a GLOW Workforce Representative for Apprenticeship/Labor Organizations to serve an ongoing term at the discretion of the GLOW CEOs.

RESOLVED, That the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 316 AUTHORIZATION FOR DISTRIBUTION PAYMENTS TO ENUMERATED GENESEE COUNTY TOWNS AND VILLAGES-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, in recognition and consideration of the cooperation of the Towns and Villages acting as partners with the County of Genesee to be able to provide for the health, safety and welfare of all of the communities in the County, to include supporting new commercial, residential and industrial growth, the County intends to distribute annual payments in quarterly amounts to certain Towns and Villages located in Genesee County, as set forth herein. Now, therefore, Be it

RESOLVED, that the time period of January 1 through December 31 (hereinafter the “calendar year”) for 2018 is hereby designated as the base year, and Be it further

RESOLVED, that during the calendar year of 2021, the County shall distribute payments to be paid in quarterly amounts to all of the Genesee County Towns and Villages in the same annual and quarterly amounts as were paid in the base year, except as specifically differentiated as set forth hereinafter, and Be it further

RESOLVED, that at the County’s sole discretion, it may reduce payments to a Town or Village for outstanding obligations or where applicable to ensure water surcharge revenues are collected at a uniform rate, and Be it further

RESOLVED, that in the event the County’s sales tax distribution is reduced by New York State, as a result of a cost shift, such as the Aid and Incentives for Municipalities (AIM) program cost shift, the County may reduce the 2021 revenue distribution payments by an amount to offset the cost shift, and Be it further

RESOLVED, that there shall be no distribution payments made in the calendar year of 2021 to the Village of Attica, and Be it further

RESOLVED, that on or before September 1, 2020, the Genesee County Legislature shall advise and notify all of the Genesee County Towns and Villages, of the amounts of the annual

distribution payments to be made by the County to them in the calendar year of 2022, and Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to make quarterly payments pursuant to the terms and conditions set forth in this Resolution.

Legislator Young seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 317 APPOINTMENT – HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) PRIVACY OFFICER – APPOINTMENT OF

Legislator Stein offered the following resolution:

WHEREAS, It is necessary for Genesee County to appoint a Privacy Officer to effectuate the County’s compliance with provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), and

WHEREAS, The County has designated the Genesee County Compliance Officer position to act as the Genesee County Privacy Officer, and

WHEREAS, The Committee on Ways and Means does recommend this appointment be made at this time. Now, therefore, Be it

RESOLVED, That Ms. Tammi Ferringer, Genesee County Compliance Officer be and hereby is appointed as Genesee County Privacy Officer effective September 3, 2019.

Legislator Maha seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 318 AUTHORIZE AN OPTION TO PURCHASE REAL PROPERTY/ W. MAIN ST. RD. TOWN OF BATAVIA – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County is currently conducting the planning and design for the potential construction of a new County jail facility to be located upon real property currently owned by the County, which is located on W. Main Street Road in the Town of Batavia, and

WHEREAS, it may be necessary for the County to purchase an adjacent parcel of land (hereinafter “parcel”), consisting of approximately 2.8 acres, which is part of approximately 17.4 acres located on W. Main Street Road designated with tax map no. 7.-1-10.11 as outlined in the attached map, and

WHEREAS, the Owner of this parcel is willing to grant to the County an Option for 180 days for the amount of one dollar (\$1.00), with the ultimate purchase price and consideration, if the County timely exercises this Option, to pay five thousand dollars (\$5,000) per acre; together with the County to be obligated to furnish at its sole expense a survey and appraisal of the parcel, and

WHEREAS, The Assistant County Manager and the County Attorney recommend that this Option be signed. and

WHEREAS, the Committee on Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to:

execute an “Option to Purchase Real Property”, with regard to the above described 2.8 acre parcel owned by Legacy Lands, LLC for the total amount of one dollar (\$1.00), with the ultimate consideration to purchase said parcel if the Legislature timely exercises its Option to be as

described above.

execute all necessary and related documents as approved by the County Attorney to record the Option or otherwise

Budget Impact Statement: Currently the only obligation is for the Option price of \$1.00.

Legislator Stein seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 319 CONTRACT FOR FORECLOSURE PROCEEDINGS OF DELINQUENT REAL PROPERTY TAXES - COUNTY TREASURER-APPROVAL OF

Legislator offered the following resolution:

WHEREAS, The Genesee County Treasurer did present a three year contract for legal counsel to assist with the In Rem tax foreclosure proceedings of delinquent 2017 - 2019 Town and County Taxes, and

WHEREAS, The Committee on Ways and Means did review this contract and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to enter into contract with Phillips, Lytle, Hitchcock, Blain and Huber, 1400 First Federal Plaza, Rochester, NY 14614 for the representation, counsel and assistance in duly conducting the tax enforcement proceedings for the County of Genesee at a cost of \$425.00 per redeemed parcel plus expenses as outlined in the contract for tax years 2017 - 2019 Town and County Real Property Taxes.

Budget Impact: Expenses are paid by the delinquent tax payers, only cost to the county are for the properties actually foreclosed on @ \$425.00 + expenses each.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 320 ADOPTION OF STOP-DWI PLAN FOR 2020 – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The STOP-DWI Coordinator did present a plan for 2020 for the continuance of efforts to reduce the number of drinking and drug impaired drivers in our community through education, enforcement and rehabilitation, and

WHEREAS, The Committee on Ways and Means did review said plan and does recommend approval at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the STOP-DWI Plan for 2020, as presented, in the amount of \$165,121, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute all necessary documents for the implementation of the 2020 Genesee County STOP-DWI Plan.

Budget Impact: All STOP-DWI activities are funded 100% from fine collections and have no impact on the County General Fund

Legislator Torrey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 321 LEASE RENEWAL-GENESEE COMMUNITY COLLEGE/VET TECH PROGRAM – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, In 2011 Genesee County did enter into an agreement with Genesee Community College for lease of space at County Building No. Two for the Veterinary Technology Program

through Genesee Community College, and

WHEREAS, Genesee Community College has expressed their desire to renew the lease for an additional year to include only the storage area, and

WHEREAS, The Genesee County Manager and County Attorney have reviewed the said agreement and do recommend the one year lease renewal agreement and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Genesee Community College and the County of Genesee for the lease of space in County Building No. Two effective August 1, 2019 through July 31, 2020; at a cost of \$2,183.60

Budget Impact: Rent for 212 sq. ft. at \$10.30/sq. ft. = \$2,183.60.

Legislator Deleo seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 322 BUDGET AMENDMENT – CHAMBER OF COMMERCE- APPROVAL OF

Legislator Young offered the following resolution

WHEREAS, The Genesee County Chamber of Commerce did request the use of bed tax reserve for an illuminated I Love NY Photo Op Sign, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to use \$36,900 from Miscellaneous Reserve- Bed Tax to amend the 2019 Budget by increasing Revenue A1000.1113 Tax – Hotel in the amount of \$36,900 to be offset by an increase in A6410.4800.0000 Publicity-Tourism in a like amount, and Be it further

RESOLVED, That the Chamber contract as approved by Resolution #57-2019 be amended to include this appropriation for an illuminated I Love NY Photo Op Sign.

Budget Impact: Increase of \$36,900 in the 2019 budget for Chamber of commerce with no impact on tax levy due to the use of reserve funds.

Legislator Stein seconded the resolution which passed by 227 votes, Maha (28) No, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 323 REAPPOINTMENT - HUMAN RESOURCES DIRECTOR – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Local Law Number One of the Year 1976 did establish the position of Personnel Officer with a six-year term and Resolution 203-2009 did retitle the position to Human Resources Director, and

WHEREAS, Anita Cleveland has served as Human Resources Director since her appointment on September 23, 2013, and

WHEREAS, The six-year term is set to expire September 23, 2019 and Ms. Cleveland has requested reappointment, and

WHEREAS, The Ways and Means Committee does recommend her reappointment be made at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Anita Cleveland of Alabama, New York as Genesee County Human Resources Director for a six year term effective September 23, 2019 through September 22, 2025.

Budget Impact: Position has been budgeted in the 2013 Human Resources Department Budget.

Legislator Maha seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 324 REAPPOINTMENT - DIRECTOR OF REAL PROPERTY TAX SERVICES III –APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The term for the Director of Real Property Tax Services III expires on September 30, 2019, and

WHEREAS, Kevin J. Andrews has served as the Director of Real Property Tax Services III since appointment starting October 1, 2013, and

WHEREAS, The six-year term is set to expire September 30, 2019 and Mr. Andrews is requesting appointment, and

WHEREAS, The Committee on Ways and Means recommend reappointment at this time. Now, therefore, Be it

RESOLVED, That Kevin J. Andrews of LeRoy, NY shall hereby be reappointed as Director of Real Property Tax Services III effective October 1, 2019.

Budget Impact Statement: No impact.

Legislator Torrey seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

RESOLUTION NO. 325 COUNTY AUDIT –AUGUST 28 - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Legislator Torrey, did review the following claims:

General Fund	\$	1,784,461.15
Water Fund		1,031,788.60
Highway		171,827.78
Self Insurance		41,762.65
DSS Abstracts		596,256.81

Capital Projects

Highway-Searls Road Bridge/Spring Creek	\$	183,673.12
Highway-Large Span Culverts		42,700.61
Highway-Judge Road Bridge Over Whitney Creek		46,013.64
Highway-Pratt Road Bridge Over Tonawanda Creek		191,846.05
Highway-Highway Chip Seal		132,170.97
Highway-Highway Recycling		119,210.53
Highway-Highway Overlay		234,248.60
Highway-Preventive Maintenance Bridge Painting		4,496.53
Park-Area “D” Shelter Improvements		11,651.93
Park-Park Boardwalk		1,887.47
Airport-Reconstruct Taxiway “C”		796,115.41
Sheriff’s-Sheriff’s 800 MGHTZ Radio System Upgrade		17,167.50
Sheriff’s/Jail-Jail Construction		106,000.00
Water-Countywide Water System Phase II		42,563.02
County Manager-Co Manager 2017 Security Enhancements		960.00
Facilities Management-EMS Training Ground		888.88

Facilities Management-Jail Fire Alarm	27,571.28
Payroll – General	
August 2, 2019	1,149,320.03
August 16, 2019	1,658,048.29
Medicaid	
July 30, 2019	177,332.00
August 6, 2019	177,332.00
August 13, 2019	177,332.00
August 20, 2019	177,332.00
August 27, 2019	<u>177,332.00</u>
Total Audit	\$ 9,279,290.85

Now, therefore, Be it **RESOLVED**, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Young seconded the resolution which passed by 255 votes, Dibble (43) and Clattenburg (28) absent.

The Meeting adjourned at 3:28PM upon motion of Legislator Hilchey seconded by Legislator Young.

**FIFTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, September 11, 2019**

The Genesee Legislature met in Regular Session on Wednesday September 11, 2019 at 5:30 pm at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was offered by Legislator Clattenburg with special remembrance of the date 9/11 and those who lost their lives and the tragedy our nation suffered. Pledge to the Flag followed the prayer.

Legislator Gordon Dibble presented a resolution to Retired Public Employees Association representatives Jan Beutner and local member Suzette Langston commemorating the fifty year anniversary of Incorporation. Ms. Beutner stated that RPEA is a not-for-profit advocacy agency that works on behalf of public retirees.

Minutes of the August 28, 2019 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Legislator Maha attended the Criminal Justice Advisory Council meeting where it was reported that 77 males are currently housed in the jail and 18 female prisoners are boarded out at other jails. Chairman Bausch announced that the NYS Department of Transportation recently announced the planned round-about for Route 77 & Ledge Road in the Town of Alabama has been changed to a light upon hearing opposition from residents and local officials. Chair Bausch attended the open house hosted by Excelsior Energy regarding the proposed 280 megawatt solar array proposed for Byron. Legislator Stein attended the evening session open house. Both sessions had many in attendance. Chairman Bausch stated four names will be submitted to the Governor on September 23, 2019 for consideration on the Public Siting Board.

An out-of-state travel request for Kerry Ohlson of the Health Department to attend a TB Intensive Workshop September 24-27, 2019 in Newark, NJ with a County cost of \$28 was approved upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

An out-of-state travel request for Jocelyn Sikorski, Youth Bureau Director to attend 2019 Youth Thriving Convention and National Meeting on Social Policy for Youth November 10-13, 2019 in New Orleans, LA County with a County cost of \$308 was approved upon motion of Legislator Maha seconded by Legislator Torrey, carried unanimously.

County Manager Jay Gsell explained that County Probation Officers have a secured cabinet used for demonstration purposes with a toy gun and a real gun. They are working to educate the public on the similarities in terms of appearance. He asked that anyone interested in scheduling a demonstration for their group should contact Probation.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 326 2019 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/TEMPORARY REGISTERD PROFESSIONAL NURSE -APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, one full-time Registered Professional Nurse at Community Mental Health Services in the Continuing Day Treatment department, has recently resigned leaving an emergent need for coverage, and

WHEREAS, The Interim Director of the Community Mental Health Services is requesting an amendment to the 2019 CSEA Employee Salary Schedule to create one (1) Temporary Part-Time Registered Professional Nurse, in the CSEA-General, Grade 16-5N, to cover the duties of the Registered Professional Nurse one day a week during physician time in the Continuing Day Treatment program, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2019 CSEA Employee Salary Schedule by **creating** one (1) Temporary Part-time Registered Professional Nurse, in the CSEA-General, Grade 16-5N Salary Schedule, effective September 16, 2019 and ending December 31, 2019.

Budget Impact Statement: No Budget impact due to current vacancy.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 327 MEMORANDUM OF AGREEMENT – COMMUNITY MENTAL HEALTH SERVICES/COORDINATED CARE SERVICES, INC.-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County Community Mental Health currently has a contract with Coordinated Care Services, Inc. (CCSI), Resolution No. 460-2018, for various services, and

WHEREAS, This Memorandum of Agreement between CCSI and Genesee County Community Mental Health will be to cover specific services described in the attached Memorandum of Agreement for the Suicide Prevention Coalition Coordinator, and

WHEREAS, Genesee County Department of Mental Health agrees to pay CCSI for an estimated 5 hours per week at a rate of \$25.00 per hour for this position plus an Administrative fee of 10% of the costs, and

WHEREAS, the acting Director of Mental Health is recommending an agreement with CCSI and the County Attorney has reviewed said agreement, and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and do concur. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Bldg. J, Rochester, NY 14611 for the provision of the Suicide Prevention Coalition Coordinator for the period of September 12, 2019 through December 31, 2019 in an amount not to exceed the current contract between CCSI and Genesee County Department of Mental Health for 2019.

Budget Impact: Funds have been budgeted in the 2019 mental health budget for the existing contract with Coordinated Care Services, Inc..

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 328 CONTRACT COMMUNITY MENTAL HEALTH SERVICES/TEMITOPE OYEGBILE, M.D. - 2019 - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committees on Human Services and Ways & Means do recommend approval of a contract with Temitope Oyegbile, M.D. as presented by the Interim Director of Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized

and directed to execute the necessary documents to implement a contract between the County of Genesee and Temitope Oyegbile, M.D. for the provision of consulting psychiatric services at a rate of \$250 per hour for a maximum of 500 hours for the period of August 1, 2019 through December 31, 2019 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$250 per hour; No budget impact due to funding availability within the 2019 budget.

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 329 AWARD OF BID – DESKTOP SCANNERS –
DEPARTMENT OF SOCIAL SERVICES – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee County Department of Social Services received a one-time SNAP bonus award of \$50,000 funding to be used towards the purchase of desktop scanners, and

WHEREAS, Genesee County advertised bid specifications in BID #2019-14 for the purchase of twenty-eight (28) Kodak Alaris S2050 scanners, six (6) Kodak Alaris S2070 scanners and one (1) Kodak Alaris i4250 scanner, and

WHEREAS, The Genesee County Purchasing Department has reviewed the bids to determine the lowest responsible bidder, and

WHEREAS, The Committee on Human Services have reviewed these recommendations and do concur at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with HMB Information Systems Developers, 570 Polaris Parkway, Suite 200, Westerville, Ohio 43082 for the purchase of desktop scanners with the bid approved price of \$29,861 for offices occupied by DSS at 5130 East Main Street, Suite #3, Batavia, NY 14020.

Budget Impact Statement: Cost for these scanners will be 50% Federal/50% State share. There is no local levy share.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 330 2019 SALARY SCHEDULE AMENDMENT –
MENTAL HEALTH – APPROVAL OF**

Legislator Dibble offered the following resolution

WHEREAS, The County has solicited applications and conducted interviews with qualified candidates for the full time position of Genesee County Director of Community Mental Health Services, and

WHEREAS, The talent pool and competitive compensation market is above the 7 year old MAG Management Salary Schedule in today's competitive and highly selective labor market, and

WHEREAS, Both the Genesee County Mental Health Community Services Board and Genesee County Legislature Human Services Committee have recognized same and wish to retain the best available talent for providing new leadership and organizational control and integrity for the County's full service span of Mental Health services both in-house and contractual, and

WHEREAS, The most qualified candidate who will also pass muster with the NYSOMH regional and statewide overseers, and

WHEREAS, The County Manager has requested an upgrade of the Director of Community Mental Health Services position from Grade 118 to Grade 121 on the Management Salary Schedule, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it,

RESOLVED, The Genesee County Human Resources Director is hereby authorized and directed to amend the 2019 Management Salary Schedule by upgrading the Director of Community Mental Health Services from Grade 118 to Grade 121 effective September 11, 2019. Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 331 2019 BUDGET ITEM TRANSFER - MENTAL HEALTH - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the position of Director of Mental Health was vacant and was temporarily filled by Augusta Welsh and now temporarily filled with Mark O'Brien, and the Temporary Director of Mental Health is requesting a budget item transfer to cover those costs, and

WHEREAS, The Temporary Director of Mental Health does recommend a budget item transfer be completed to properly charge the expenses by moving monies from Personnel Services to the Contractual lines, and

WHEREAS, The Committees of Human Services and Ways and Means do concur. Now, therefore Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer funds from A.4310.1010 Personnel Services in the amount of \$15,000 to A.4310.4650.0003 Contracted Services in a like amount.

Budget Impact: To properly charge \$15,000 for administration.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 332 REAPPOINTMENT – STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The term of office has expired for Ellen Bachorski, citizen member of the STOP-DWI Advisory Board and she has indicated a desire and ability to continue service, and

WHEREAS, The Genesee County STOP DWI Advisory Board approved the recommendation to reappoint Ellen Bachorski to the Advisory Board, and

WHEREAS, The Committee on Ways and Means does recommend the reappointment of citizen Ellen Bachorski. Now, therefore, Be it

RESOLVED, That Ellen Bachorski of Batavia, New York be reappointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve another term effective January 1, 2019 through December 31, 2021

Budget Impact: None – these are volunteer Board Members

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 333 2019 BUDGET ITEM TRANSFERS – JUSTICE FOR CHILDREN ADVOCACY CENTER - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator did receive approval for grant budget modifications from the New York State Office of Children and Family Services and New York State Office of Victim Services grants for the contract period running from October 1, 2018 through September 30, 2019; and

WHEREAS, These budget modifications were requested due to the fact that there was staff turnover in 2018 which resulted in significant surplus in expenses related to staffing; and

WHEREAS, The Justice for Children Program Coordinator has made a request to modify the 2018 Justice for Children Advocacy Center County Budget to reflect the changes in expense related to these adjustments; and

WHEREAS, The Public Service and Ways and Means Committees did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2019 Budget Item Transfers:

FROM:

A.3152 1010.0000	Personal Services	\$13,680
A.3152 4110.0011	Copier Cost/Copy	\$ 250
A.3152 4130.0000	Paper	\$ 50
A.3152 4140.0000	Postage	\$ 100
A.3152 4150.0000	Printing	\$ 150
A.3152 4160.0000	Publications	\$ 150
A.3152 4290.0300	Long Distance	\$ 75
A.3152 4290.0400	Ny Phone-Basic Srvc	\$ 20
A.3152 4800.0018	Prog Exp-Client Ins	\$ 75
A.3152 8010.0000	Social Security Tax	\$ 847
A.3152 8011.0000	Medicare Tax	\$ 198
A.3152 8020.0000	Retirement	\$ 1,530
A.3152 8030.0000	Medical	\$25,280
A.3152 8040.0000	Dental	\$ 330
A.3152 8070.0000	Vision	\$ 72
		\$42,807

TO:

A.3152 2010.0020	Desks	\$ 1,500
A.3152 2010.0023	Waiting Room Furn	\$13,020
A.3152 4110.0000	Gen Office Supplies	\$ 200
A.3152 4240.0000	Facility Gas	\$ 200
A.3152 4550.0000	Pers. Training	\$ 2,800
A.3152 4660.0000	Contractual	\$ 500
A.3152 4800.0000	Program Expense	\$23,287
A.3152 8030.0001	Medical BuyBack	\$ 1,250
A.3152 8040.0001	Dental BuyBack	\$ 50
		\$42,807

Budget Impact: Appropriations to the 2019 Justice for Children Advocacy Center budget are offset by revenue from the New York State Office of Victim Services and New York State Office of Children and Family Services.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 334 2020 BUDGET & APPORTIONMENT – GENESEE COUNTY SELF-INSURANCE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Executive Secretary of the Genesee County Self-Insurance Plan did submit the Budget and Apportionment of Expenses for fiscal year 2020, and

WHEREAS, The Committee on Ways and Means did review said budget and apportionment and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Budget and Apportionment of the Genesee County Self-Insurance Plan, as submitted, is hereby adopted for the year 2020, and Be it further

RESOLVED, That a certified copy of the budget and resolution be forwarded to all participants of the Genesee County Self-Insurance Plan.

Budget Impact: All costs are apportioned to the participants.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 335 CONTRACT – SELF INSURANCE/EXCESS INSURANCE – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Self Insurance Plan did purchase excess insurance through Midwest Employers Casualty Company through July 31, 2019, and

WHEREAS, The County Manager’s Office did submit a proposal for continuing this coverage through July 31, 2020, and

WHEREAS, The Committee on Ways and Means did review this proposal and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Midwest Employers Casualty Company, 14755 North Outer Forty Drive, Chesterfield Missouri, 63017 to provide Excess Insurance for the Genesee county Self Insurance Plan effective August 1, 2019 through July 31, 2020 for a total premium of \$138,409

Budget Impact: \$61,738 premium reduction over the 2018-2019 policy due to the County choosing a higher deductible plan option

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 336 MEMORANDUM OF UNDERSTANDING – GENESEE/ORLEANS SHARED SERVICES – DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County executed a 90 day contract for services with Mark O’Brien, Orleans County Director of Mental Health Services for interim management action to comply with New York State OMH statutory provisions, and

WHEREAS, Mark O’Brien is still an employee of the County of Orleans and they would like affirmation of same by Genesee County per the attached Memorandum of Understanding, and

WHEREAS, The Genesee County Attorney has reviewed the Memorandum of Understanding and does approve as to form, and

WHEREAS, The Ways and Means Committee did review the Memorandum of Understanding and does recommend approval at this time, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the Memorandum of Understanding with the County of Orleans for the Shared Services of the Director of Community Mental Health Services.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 337 COUNTY AUDIT –SEPTEMBER 11 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	437,102.64
Water Fund		62,089.50
Highway		215,005.23
DSS Abstracts		525,936.07
Capital Projects		
Highway-Searls Road Bridge/Spring Creek	\$	16,023.24
Highway-Large Span Culverts		143,652.29
Highway-Pratt Road Bridge Over Tonawanda Creek		453,394.05
Highway-Highway Chip Seal		525,515.87
Highway-Highway Overlay		21,435.74
Highway-Highway Surface Treatment		12,016.00
Park-Area "D" Shelter Improvements		1,577.96
Payroll – General		
August 30, 2019		1,159,392.31
Medicaid		
September 3, 2019		177,332.00
September 10, 2019		<u>177,332.00</u>
Total Audit	\$	3,927,804.90

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Young seconded the resolution which passed by 326 votes.

At 5:47 PM the meeting adjourned upon motion of Legislator Stein seconded by Legislator Deleo, carried unanimously.

**SIXTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, September 25, 2019**

The Genesee County Legislature met in Regular Session on Wednesday September 25, 2019, at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Hilchey followed by the Pledge to the Flag.

A Proclamation was presented by Legislator Stein to Sheriff William Sheron and Under Sheriff Bradley Mazur extending the Genesee County Legislators heart felt gratitude for their service to the County and to hereby proclaim September 22-28, 2019, Sheriff's Week in Genesee County.

Minutes of the September 11, 2019, Legislature meeting were approved upon motion of Legislator Clattenburg, seconded by Legislator Maha, carried unanimously.

Legislator Clattenburg attended the Youth Board Meeting, where there was discussion of the Liberty Center's opening and she expressed her gratitude to Joselyn and the County Staff for their hard work. It will be an asset for the youth of Batavia when the Center is fully operational. Legislator Clattenburg attended the GLOW Work with Your Hands event at the Genesee County Fairgrounds along with Legislators Stein and Young sponsored by the Workforce Development Board. The event was a resounding success. The business and trades from Genesee County were well represented, and over one thousand (1,000) kids attended the event. Legislator Clattenburg, stated that is imperative we continue to expand this program in the upcoming years. Legislator Clattenburg announced that the Holland Land Office Museum will be sponsoring a Dinner Theater at the Red Osier on Friday, September 27, 2019, dealing with the mystery death of William Morgan. The Holland Land Museum are in the planning stages of the Wonderland of the Trees Event and also planning a fund raiser to restore the cannons in front of the museum. Chairman Bausch, added that the Holland Land Museum had one of the lead articles in the Buffalo newspaper today.

Legislator Stein announced that she along with Legislators Bausch, Maha and Torrey attended the NYSAC Conference. The resolutions presented at the conference from the Agricultural and Rural Affairs Committee and Public Safety Committee were passed and accepted into the Conference Bylaws. Participation by the County is key as this is our voice back to Albany. Legislator Stein announced that there was a Joint Intercounty meeting with the Adirondack Group and Western New York group. There was a presentation on the Massenet by the University of Albany, which is a weather station in each County and along the New York State Thruway. They spoke on the definite weather pattern changes and how they can relay the impact back to public safety as well as to the agricultural markets, which is a prime industry and economy in New York. GAM met last week and there was a presentation on the 2020 Census, as well as Assistant District Attorney Cianfrini spoke on the Criminal Justice Reforms that will be effective January 1, 2020, and its impact on the new work responsibilities for the local court justices and clerks.

Legislator Young wanted to add his accolades for the volunteers and trades involved in the GLOW Work with your Hands events. It was a major undertaking and hope to see it come back bigger and better next year. Legislator Maha commented that he attended several seminars

at the NYSAC conference and voiced his concerns as to what benefits, if any, are going to be seen for the County.

Legislator Dibble attended the County Park Dedication of the new shelter and wanted to commend the volunteers for the work they had done.

Chairman Bausch agreed and restated Legislator Maha's concerns with NYSAC. He stated that they have completed their last jail tour (Sullivan County Jail) and will be moving forward on the Jail Project. Chairman Bausch wanted to add his gratitude to the County employees that built a substantial part of the shelter and commend what a great job was done by employees and volunteers. The shelter is able to accommodate approximately 184 people. County Parks are host and home to approximately 20 – 30 weddings per year.

County Manager, Jay Gsell, endorsed the outstanding turn out and success of the GLOW Work with your Hands event and stated that there were over 600 volunteers at the event. Opportunities were given to the kids to have a hands-on experience with the different trades represented. He agreed that the program should be expanded in future years; as well as, be open to middle school and early high school children to increase their awareness for possible career options. He also stated that the Legislators may have seen an announcement about Genesee County receiving \$1.3 million for the remediation of lead based paint from homes within Genesee County. No details have been given to the County regarding the regulations of this award.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 338 GRANT – EMERGENCY MANAGEMENT SERVICES & SHERIFF'S OFFICE - FY19 STATE HOMELAND SECURITY PROGRAM (SHSP) – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to accept the FY19 State Homeland Security Program (SHSP) grant funding in the amount of \$114,967 from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA); administered by the NYS Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, Grant funding priorities have been identified as the advancement of regional partnerships to build on capabilities, development of citizen preparedness efforts, development of cyber security programs and policies; law enforcement information-sharing capabilities, emergency management planning efforts and sustainment of effective programs and existing capabilities, and

WHEREAS, 25% of the total grant award or \$28,742 must be utilized for law enforcement terrorism prevention activities, and

WHEREAS, The Committee on Public Service did review this request and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY19 State Homeland Security Program (SHSP) funds in the amount of \$114,967 and to execute any and all other documentation related to this funding, and

Budget Impact Statement: No County cost. Grant funds in the amount of \$28,742 will be appropriated in the 2020 Genesee County Sheriff budget. SHSP funds in the amount of \$86,225 will be appropriated in 2020 EMO operating budget.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 339 GRANT AGREEMENT-DISTRICT ATTORNEY/AID TO PROSECUTION GRANT - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The District Attorney has been notified of the award of grant funding from the New York State Division of Criminal Justice Services for prosecution services aid in the amount of \$30,200.00, and

WHEREAS, The Committee on Public Services does recommend acceptance of these funds at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$30,200.00 for Aid to Prosecution in Genesee County, and Be it further

RESOLVED, That funds for said grant have been appropriated in the 2019/2020 Genesee County Budget.

Budget Impact: None - funds have been appropriated.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 340 CONTRACT AGREEMENT-GENESEEE COUNTY PROBATION/NYS DIVISION OF CRIMINAL JUSTICE SERVICES-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Probation Director did receive notification of the approval of a grant contract from the New York State Division of Criminal Justice Services (DCJS) for reimbursement of Raise the Age (RTA) expenses relating to the Genesee County Probation Department, and

WHEREAS, The Public Service Committee did review and does recommend acceptance of the grant contract at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby accept a grant contract from the New York State Division of Criminal Justice Services (DCJS) for reimbursement of Raise the Age (RTA) expenses relating to the Genesee County Probation Department, and Be it further,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the grant contract so the Genesee County Probation Department can submit requests for reimbursement of Raise the Age (RTA) expenses incurred.

Budget Impact: None. Anticipated expenses and revenues were included in the 2019 budget.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 341 CONTRACT – LEXISNEXIS/PUBLIC DEFENDER – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Public Defender’s Office does recommend the three-year contract between LexisNexis and the Genesee County Public Defender, and the Committee on Public Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to approve the contract between LexisNexis and the Genesee County Public Defender at a monthly fee of \$140.00 starting on October 1, 2019 for the use of “Accurint for Government” services.

Budget Impact: Funds for this contract are budgeted in the 2019 budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 342 AWARD OF BID – FACILITY MAINTENANCE – FIRE SUPPRESSION INSPECTIONS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Purchasing Officer did research New York State Office of General Services Contracts relating to inspection and maintenance of fire suppression systems, and

WHEREAS, The Highway Superintendent does recommend awarding a contract to Johnson Controls Fire Protection LP, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Johnson Controls Fire Protection LP, 90 Goodway Dr, Rochester, NY 14623 as per the terms of NYSOGS Contract PT63104 effective October 1, 2019 through September 30, 2022.

Budget Impact Statement: Estimated annual cost of this contract is \$16,113.29. This amount is factored into the Facility Maintenance budget (A1620) in the Contracted - Other line item. This is a recurring annual cost.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 343 AWARD OF CONTRACT – HIGHWAY/ GENERATOR MAINTENANCE

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed three written quotes for the purpose of maintaining and inspecting the facility backup generators at the various county facilities, and

WHEREAS, The Highway Superintendent does recommend awarding a contract to Milton CAT, and

WHEREAS, The Committees on Public Service and Ways & Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to enter into a service contract with Milton CAT, East Saile Dr, Batavia, NY 14020 as per the terms of contract service content guide effective October 1, 2019 through September 30, 2021.

Budget Impact: Estimated annual cost of this contract is \$4,250. This amount is factored into the Facility Maintenance budget (A1620) in the Contracted - Other line item. This is a recurring annual cost.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 344 AGREEMENT – AIRPORT/DESIGN OF APRON RECONSTRUCTION AND OBSTRUCTION REMOVAL (T-HANGAR DEMO) – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to design the Apron Reconstruction and Obstruction Removal (T-Hangar Demo) at the Genesee County Airport, and **WHEREAS**, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work, and

WHEREAS, The Superintendent of Highways has negotiated a contract with C&S Engineers and recommends approval of consultant agreements with them at this time, and

WHEREAS, The Committees on Public Service AND Ways & Means have reviewed this request and do concur at this time. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve consultant agreements with C&S Engineers, 499 Col. Eileen Collins Blvd. Syracuse, NY 13212 for the design of the Apron Reconstruction and Obstruction Removal (T-Hangar Demo) in an amount not to exceed \$135,000.

Budget Impact: The total of the consultant agreements are \$135,000. The capital project established for this project has \$138,360 available.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 345 LEASE AGREEMENT-HIGHWAY/WHEELLOADER
ADDENDUM TO RESO. NO. 200-2019-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Resolution 200-2019 authorized the Highway Superintendent to lease-purchase a 2018 Hyundai HL970XT Wheel Loader from George and Sweede Sales & Service, Inc. in 5 annual amounts not to exceed \$41,500 with the first payment made in advance, and

WHEREAS, The lender requires additional language and the County Attorney has reviewed, and

WHEREAS, A resolution authorizing the negotiation, execution, and delivery of Lease No. 001-0772249-100 dated August 23, 2019 (the "Lease"), in principal amount not to exceed \$255,000.00, between Genesee County, 15 Main Street, Batavia, NY 14020 and ROC Leasing LLC dba Real Lease, 1387 Fairport Road, Ste 1000B-1, Fairport, NY 14450; and prescribing other details in connection therewith.

WHEREAS, Genesee County, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of New York; and

WHEREAS, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

WHEREAS, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in the Lease is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, ROC Leasing LLC dba Real Lease, (the "Lessor") shall act as Lessor under said Lease; and

WHEREAS, The Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State. Now, therefore, Be It

RESOLVED BY THE GOVERNING BODY OF Genesee County:

Section 1. The Lease, in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the of the Lessee, is hereby authorized to negotiate,

enter into, execute, and deliver the Lease and related documents in substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and which Lease will be available for public inspection at the offices of Lessee.

Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.

Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of New York.

Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.

Section 5. This resolution shall take effect immediately upon its adoption and approval.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 346 LEASE AGREEMENT RENEWAL– JUSTICE FOR CHILDREN ADVOCACY CENTER/ALBION SATELLITE OFFICE – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/19 to 9/30/20; and

WHEREAS, Included in the acceptance of the 2019-20 NYS Office of Children and Family Services is funding for a lease agreement for a satellite office in Albion; and

WHEREAS, The office space in Albion is located in the Arnold Gregory Complex at 243 South Main Street, Albion, New York, 14411 and is managed by the DeGeorge Property Group; and

WHEREAS, The agreed upon rate per month is \$1016.00, including heat, water, and electric utilities; and

WHEREAS, The landlord has offered a discount of \$366.00 if payment for the year is provided at the time of lease renewal; and

WHEREAS, The lease with the DeGeorge Acquisition Group, LLC will be for a period of one year, to commence on October 15, 2019; and

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement, to be paid in full at the beginning of the lease, with DeGeorge Acquisition Group, LLC, 1067 Gateway Drive, Farmington, New York 14425 for the rental of the office located at 243 South Main Street, Suite 156, Albion, New York 14411 effective October 15, 2019 through October 15, 2020.

Budget Impact: Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease

agreement are fully covered by grants from the NYS Office of Children and Family Services and are included in the 2019 and 2020 Justice for Children Advocacy Center budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 347 LEASE AGREEMENT RENEWAL – JUSTICE FOR CHILDREN ADVOCACY CENTER/WARSAW SATELLITE OFFICE – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/19 to 9/30/20, and

WHEREAS, Included in the acceptance of the 2019-20 NYS Office of Children and Family Services is funding for a lease agreement for a satellite office in Warsaw, and

WHEREAS, The office space in Warsaw is located at 31 Duncan Street, Warsaw, New York, 14569 and is managed by Warsaw Redevelopment, LLC, and

WHEREAS, The agreed upon rate per month is \$1015.00, and includes gas, electric, water/sewer, and garbage utilities, and

WHEREAS, The lease with Warsaw Redevelopment, LLC will be for a period of one year, to commence on October 15, 2019, and

WHEREAS, The Committees on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement with Warsaw Redevelopment, LLC, 2071 Crittenden Road, Alden, New York, 14004 for the rental of the office located at 31 Duncan Street, Warsaw, New York, 14569 effective October 15, 2019 through October 15, 2020

Budget Impact: Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 348 CONTRACTUAL AGREEMENT RENEWAL- JUSTICE FOR CHILDREN ADVOCACY CENTER/ FORENSIC INTERVIEWER COLGAN- APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Coordinator of the Justice for Children Advocacy Center did submit for renewal a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to renew a contractual agreement with Kathy Colgan with residence at 16 Country Meadow Drive, Honeoye Falls, NY 14472 for forensic interviewing, peer review, and training for the Justice for Children Advocacy Center/Team for the period of October 1, 2019 through September 30, 2020 at a cost of \$80.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 349 CONTRACTUAL AGREEMENT RENEWAL-JUSTICE FOR CHILDREN ADVOCACY CENTER/ FORENSIC INTERVIEWER MITCHELL - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Coordinator of the Justice for Children Advocacy Center did request to renew a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Jessica Mitchell with residence at 971 Redman Road, Hamlin, NY for forensic interviewing at the Justice for Children Advocacy Center for the period of October 1, 2019 through September 30, 2020 at a cost of \$43.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 350 CONTRACTUAL AGREEMENT RENEWAL- JUSTICE OR CHILDREN ADVOCACY CENTER/ MENTAL HEALTH CLINICAL THERAPIST CZWORKA - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator did request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center;

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contractual agreement with Amanda Czworka with residence at 7810 East Main Road, Leroy, NY to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY and 31 Duncan Street, Warsaw, NY for the period of October 1, 2019 through September 30, 2020 at a cost of \$35.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from NYS Office of Victim Services and NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 351 CONTRACTUAL AGREEMENT RENEWAL- JUSTICE FOR CHILDREN ADVOCACY CENTER/ MENNTAL HEALTH CLINICAL THERAPIST WALSH -APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator did submit a contractual agreement for clinical supervision for the JFCAC Mental Health Clinical Therapists who provide services to children alleged to be abused and/or neglected; and

WHEREAS, The Committees on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Julie A. Walsh, LCSW-R, with residence at 43 Sarah Circle, Spencerport, New York 14559, for clinical supervision for the JFCAC Mental Health Clinical Therapists, 304 East Main Street, Batavia, NY for the period of October 1, 2019 through September 30, 2020 at a cost of \$60.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 352 CONTRACTUAL AGREEMENT RENEWAL-JUSTICE FOR CHILDREN ADVOCACY CENTER/ MENTAL HEALTH CLINICAL THERAPIST MCQUILLEN -APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator did request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center; and

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contractual agreement with Brenda McQuillan with residence at 5283 Oak Orchard Road, Albion, NY to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY and 243 South Main Street, Albion, NY for the period of October 1, 2019 through September 30, 2020 at a cost of \$38.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from NYS Office of Victim Services and NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 353 2019 FUND EQUITY TRANSFER
TREASURER'S OFFICE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Treasurer and County Manager have previously discussed an error from the Mental Health Department for not notifying the Treasurer's Office of monies to be deferred in prior years, and

WHEREAS, The 2018 year end Fund Balance contains \$853,778 of funds that should have been deferred, and

WHEREAS, The Genesee County Treasurer recommends a fund equity shift to correct the situation, and

WHEREAS, The Committee on Ways & Means has reviewed this request and does concur.

Now, therefore Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to do a 2019 Fund Equity Transfer from A.917 Unappropriated Fund Balance in the amount of \$853,778 to A.915.3 Assigned Unappropriated Fund Balance in a like amount.

Budget Impact: None, Fund Equity Shift. Reduces Unappropriated Fund Balance from \$16,264,156 to \$15,410,378

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 354 CONTRACT AMENDMENT-PREMIER CONSULTING ASSOCIATES, LLC NAME CHANGE-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 92-2017 duly adopted on March 8, 2017 did award a contract with Premier Consulting Associates, LLC to be the County's health benefit plan consultant, and

WHEREAS, Premier Consulting Associates, LLC has created a new business entity as the result of an asset purchase agreement with AP Benefit Advisors, LLC where the health benefit plan consultant's current contract with Genesee County will fall, and

WHEREAS, The Ways and Means Committee does recommend that Genesee County agree to the assignment of the contract with AP Benefit Advisor, LLC. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement assigning a contract with AP Benefit Advisor, LLC, 1416 Sweet Home Road, Suite 5 & 6, Amherst, NY 14228.

Budget Impact: No budget impact as funds are available in the County Health Plan 2019 budget.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 355 AMENDED LEASE RENEWAL-GENESEE COMMUNITY COLLEGE/VET TECH PROGRAM – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Per Resolution No. 321 duly adopted on August 28, 2019, Genesee County did enter into an agreement with Genesee Community College for lease of storage space at County Building No. Two for the Veterinary Technology Program through Genesee Community College, and

WHEREAS, Genesee County has reduced the amount of storage space from 212 sq. ft. to 75 sq. ft. the current agreement must be amended to reflect this change, and

WHEREAS, The Committee on Ways and Means does approve the amended agreement. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Genesee Community College and the County of Genesee for the lease of space in County Building No. Two effective August 1, 2019 through July 31, 2020; at a cost of \$772.50

Budget Impact: Rent for 75sq. ft. at \$10.30/sq. ft. = \$772.50.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 356 APPOINTMENT TO BOARD OF ETHICS-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Board of Ethics due to the resignation of Ms. Elaine Hensel who was appointed May 13, 1992, and

WHEREAS, Ms. Michelle Dills is desirous of serving on the Ethics Board and the Committee on Ways & Means does recommend an appointment be made at this time. Now, therefore, Be it **RESOLVED**, That Michelle Dills of East Bethany, NY is hereby appointed to the Genesee County Board of Ethics effective September 25, 2019.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 357 COUNTY AUDIT –SEPTEMBER 25 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Stein, did review the following claims:

General Fund	\$	992,453.35
Water Fund		44,000.00
Highway		370,393.64
Self Insurance		5,142.47
DSS Abstracts		122,368.21

Capital Projects

Airport-Airport Taxiway “C” Reconstruction	\$	297,806.91
Airport-Design Apron Reconstruction & Obstruction Removal		1,500.00
Highway-Judge Road over Whitney Creek		9,303.62
Highway-Highway Recycling		8,700.00
Highway-Highway Large Span Culverts		22,688.95
Highway-Highway Surface Treatment		149,696.82
Highway-Preventive Maintenance Bridge Painting		12,184.97
Park-Area “D” Shelter Improvements		2,354.50
Sheriff’s-Sheriff’s 800 Mghtz Radio System Upgrade		2,499.00

Payroll – General

September 25, 2019		1,182,825.37
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Medicaid

September 17, 2019		177,332.00
September 24, 2019		177,332.00

Total Audit	\$	3,578,581.81
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Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Maha seconded the resolution which passed by 326 votes.

MOTION TO SUSPEND THE RULES / LEGISLATURE RULE 19

A motion was made by Legislator Dibble to suspend the Rules/Legislature Rule 19 to take up the matter of appointing Lynda Battaglia to the position of Mental Health Director. The Community Services Board and the Legislature agree that the appointment of Ms. Battaglia is appropriate at this time.

Upon motion of Legislator Dibble, seconded by Legislator Hilchey, carried unanimously.

RESOLUTION NO. 358 APPOINTMENT – COMMUNITY MENTAL HEALTH SERVICES/DIRECTOR – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County has been using the services of Mark O'Brien as Interim Director of Community Mental Health Services until a qualified replacement could be found, and
WHEREAS, Members of the Genesee County Mental Health Community Services Board and Genesee County Administration vetted and interviewed qualified candidates, and
WHEREAS, The Genesee County Mental Health Community Services Board has recommended that Ms. Lynda M. Battaglia, Hamburg NY be considered for appointment of Genesee County Director of Community Mental Health Services, and
WHEREAS, The Committees on Human Services and Ways and Means do agree with this recommendation at this time. Now, therefore, Be it
RESOLVED, That the Genesee County Legislature does hereby appoint Lynda M. Battaglia as Genesee County Director of Community Mental Health Services effective October 7, 2019 at Grade 121 on the Genesee County Management Salary Schedule.
Legislator Clattenburg seconded the resolution which passed by 326 votes.
At 6:10 PM the meeting adjourned upon motion of Legislator Stein seconded by Legislator Clattenburg, carried unanimously.

**SEVENTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, October 9, 2019**

The Genesee Legislature met in Regular Session on Wednesday October 9, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Dibble assisted with the audit. Prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

District #3 Legislator Gordon Dibble presented a commendation to Ms. Elaine Hensel of Corfu upon her retirement from the Ethics Board. Ms. Hensel was appointed to the Ethics Board in 1992 and served as Chair of the Board since 1996. Upon receipt of the commendation Ms. Hensel commented that she enjoyed serving on the board. She stated that if she did not have health and mobility limitations, she would have continued serving on the board.

The minutes of the September 25, 2019 Legislature meeting were approved upon motion of Legislator Deleo seconded by Legislator Stein, carried unanimously.

Legislator Young attended an Office for the Aging event where volunteers were recognized for their contributions. He was astounded by the number of senior volunteers and the volume of hours donated.

An Out of State Travel Request for Kayla Shuknecht, Health Department travel to Washington, DC for SCRIPT training October 27, 2019 – October 28, 2019 with a County cost of \$1,211.00 was approved upon motion of Legislator Young seconded by Legislator Clattenburg, carried unanimously.

County Manager Jay Gsell commented that the newly hired Mental Health Director started work on October 7, 2019. Mr. Mark O'Brien, who is the full-time Orleans County Mental Health director is working with her to help with the transition.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 359 CONTRACT RENEWAL – DSS/MH SECURITY SERVICES
– APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, Resolution No. 375 adopted November 12, 2014 did authorize a contract for the provision of security services for the Department of Social Services, and

WHEREAS, Resolution No. 57 adopted February 11, 2015 did authorize an amendment to the above-noted contract to allow for the provision of security services for the Mental Health Department, and

WHEREAS, Resolution No. 288 adopted August 10, 2016 did authorize renewal of the above-noted contract for the period of September 1, 2016 through August 31, 2017, and

WHEREAS, Resolution No. 273 adopted August 10, 2017 did authorize renewal of the above-noted contract for the period of September 1, 2017 through August 31, 2018, and

WHEREAS, Resolution No. 274 adopted August 8, 2018 did authorize renewal of the above-noted contract for the period of September 1, 2018 through August 31, 2019, and

WHEREAS, Allied Universal bought out U.S Security Associates in early 2019 and that U.S. Security Associates transferred all personnel and services to Allied Universal and that Allied Universal continued to provide all the security services for the DSS/MH building at 5130 East Main Street, Batavia, and

WHEREAS, Pursuant to Genesee County Request for Bids #2014-15, it is the mutual desire of the Genesee County Commissioner of Social Services, the Acting Director of Mental Health and Allied Universal to renew said contract for a four-month period under the current rate of \$24.30 per man hour with the same terms and conditions, and

WHEREAS, the Committee on Human Services has reviewed this request and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with Allied Universal, 180 South Clinton Avenue, Suite 110, Rochester, NY 14602 for the provision of Security Services at offices occupied by DSS and Mental Health at 5130 East Main Street, Batavia for the period September 1, 2019 through December 31, 2019 at the rate of \$24.30 per man hour.

Budget Impact Statement: The annual DSS cost of the program is \$113,600 with a local share of approximately \$28,445. The annual MH cost of the program is \$94,000 with a local share of approximately \$90,000. The funds for the remainder of 2019 are already included in each Department's current budget, and the funds for 2020 will be included in their requested 2020 Departmental budgets. The 2020 budget projections will be based on the outcome of the Request for Bid proposal for security services.

Legislator Maha seconded the resolution which passed by 300 votes, Deleo (26) abstain.

RESOLUTION NO. 360 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present contracts for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) retroactively for the period September 1, 2019 through June 30, 2021 per the 2019-2021 PSSHSP rate schedule
Paula Harper
Beth Wolcott

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 361 GRANT ACCEPTANCE – HEALTH DEPARTMENT/ EARLY INTERVENTION ADMINISTRATION PROGRAM – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Early Intervention Administration contract has been awarded in the amount of \$25,681, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the administration of the Early Intervention Program, and

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Early Intervention Administration contract for the period October 1, 2019 through September 30, 2020 in the amount of \$25,681, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses are appropriated in the 2019 & 2020 Dept. 4059 – Early Intervention Budgets

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 362 GRANT ACCEPTANCE – HEALTH DEPARTMENT/CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County’s Children with Special Health Care Needs Program contract has been awarded in the total amount of \$19,064, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Children with Special Health Care Needs Program, and

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Children with Special Health Care Needs Program contract for the period October 1, 2019 through September 30, 2020 in the total amount of \$19,064, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses are appropriated to the 2019 and 2020 4010 Health Dept. Budgets.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 363 2019 SALARY SCHEDULE AMENDMENT – HEALTH DEPARTMENT – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did request an amendment to the 2019 Employee Salary Schedule to better utilize the personnel in the Health Department, and

WHEREAS, The Public Health Director has requested the creation of one temporary full time position of Public Health Technician, and

WHEREAS, The Committees on Human Services and Ways and Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Personnel Officer are hereby authorized and directed to amend the Genesee County Management Salary Schedule by creating one temporary full time position of Public Health Technician effective 10/10/2019 thru 12/31/2019. **Budget Impact:** The creation of one temporary full time position of Public Health Technician will result in a \$0 increase to the 2019 Health Department Budget. The temporary PH Technician position costs (\$9,246) will be offset by using available funds from the seasonal PH Tech position (\$6,823), unpaid leave (\$1,129) and performance funds (\$1,294). Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 364 CONTRACT RENEWAL – HEALTH
DEPARTMENT/LEAD INVESTIGATION SERVICES –
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, Genesee County does contract with Monroe County for the provision of elevated blood lead investigation services, and

WHEREAS, The Director of Public Health did recommend renewal of the existing contract and the Committee on Human Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Monroe County for Elevated Blood Lead Investigation services backdated to August 1, 2019 and extending through July 31, 2020 at the following rates:

Administrative Fee	\$40.00/case
Public Health Sanitarian (LP Investigator)	\$40.00/hour
Water	\$39.00/sample
Dust Wipe	\$ 5.25/sample
Soil Sample	\$ 5.25/sample
Mileage	based on most current IRS mileage rate

Budget Impact: Anticipated expense for this contract is \$2,800 which is reimbursed up to 100% through Article 6, State Aide for General Public Health Works.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 365 OFFICE FOR THE AGING ADVISORY COUNCIL-
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, A vacancy has occurred and we offered invitation to an individual to fill the vacancy based on NYSOFA regulations regarding OFA Aging Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and recommend appointment at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a three year term effective January 1, 2020 through December 31, 2022.

Community Member:

Gina R. Stella-LeRoy-New York

Budget Impact Statement: None

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 366 NON-DISCLOSURE AGREEMENT BETWEEN OFA/WESTERN NEW YORK INTEGRATED CARE COLLABORATIVE, INC. (WNYICC) -APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present the necessary documents for entering into a non-disclosure Agreement with Western New York Integrated Care Collaborative (WNYICC) Inc., 742 Delaware Avenue, Buffalo, New York 14209, a network of agencies and community based organizations which work together collaboratively to bring sustainability and health outcomes to the WNY region; and

WHEREAS, the Non-disclosure Agreement with WNYICC permits both parties to share certain financial, business, legal, or other information in connection with discussions relating to possible business arrangements and may, from time to time, enter into such business arrangements for provision of Office for the Aging programs and services; and

WHEREAS, the Committees on Human Services and Ways & Means do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents for Genesee County Office for the Aging to enter in to a Non-disclosure Agreement with Western New York Integrated Care Collaborative, Inc., 742 Delaware Avenue, Buffalo, New York 14209.

Budget Impact: Neutral. This non-disclosure agreement allows for the ability to explore potential contract opportunities for provision of OFA services.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 367 TO EXERCISE AN OPTION TO PURCHASE REAL PROPERTY FOR THE JAIL PROJECT

Legislator Young offered the following resolution:

WHEREAS, the County of Genesee Legislature is in the process of planning for the construction of a new jail facility; and

WHEREAS, it is being proposed that this jail facility be located upon a portion of real property already owned by the County of Genesee located on West Main Street Road, East of County Building 2; and

WHEREAS, in order to complete this jail construction project it will be necessary for the County to purchase a parcel of real property located on West Main Street Road, immediately adjacent to the East of the aforesaid current County property, consisting of approximately 2.81 acres, (hereinafter “2.81 parcel”) being part of approximately 17.4 acres that is designated by tax map No. 7.1-10.11; and

WHEREAS, this 2.81 parcel is owned by Legacy Lands, LLC (hereinafter “Owner”); and

WHEREAS, the Owner and the County have executed an “Option to Purchase Real Property” dated September 11, 2019, with certain terms and conditions contained within this Option; as

well as contained within a “Purchase and Sale Contract for Lots and Vacant Land” that is annexed to the Option as Exhibit A; and

WHEREAS, the engineers working on behalf of the County for the Jail project have conducted site testing upon the 2.81 parcel without uncovering any problems thereof; and

WHEREAS, the New York State Commission of Corrections approved the proposed County owned site with the addition of the adjacent 2.81 parcel. Now, therefore, Be it

RESOLVED, that the Chair of the County of Genesee Legislature is hereby authorized and directed to sign a letter to the Owner of the above approximately 2.81 acre parcel in order to provide notification that the County is exercising its Option; and be it further

RESOLVED, that the Chair is further authorized and directed to sign on behalf of the County of Genesee a proposed “Purchase and Sale Contract for Lots and Vacant Land” that was annexed as Exhibit A to the “Option to Purchase Real Property” dated September 11, 2019; together with such other and further documents or forms that the Chair needs to sign on behalf of the County of Genesee to complete the transfer and sale of the 2.81 parcel to the County, including obtaining approval from the Town of Batavia for a minor subdivision.

Budget Impact Statement: The total amount not to exceed \$20,000 (\$5,000 per acre plus closing costs) will be applied to Capital Project – Jail Construction

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 368 TO AUTHORIZE THE COUNTY ATTORNEY TO USE ARBITRATION FORUMS, INC. FOR DEFENDING WORKERS COMPENSATION SUBROGATION CLAIMS

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State has established an exclusive Arbitration process using an online platform named Arbitration Forums, Inc.; and

WHEREAS, the County Attorney has requested permission to enroll with Arbitration Forums, Inc., in order to defend a subrogation claim currently pending against the County, and

WHEREAS, there is no fee to become a signatory in order to use Arbitration Forums, Inc., but there will be a case by case charge thereafter of approximately \$40.00 each. Now, therefore, Be it

RESOLVED, that the County Attorney is hereby authorized to sign-up to use the Workers Compensation Subrogation process administered by Arbitration Forums, Inc., and be it further

RESOLVED, that the County Attorney is hereby authorized to pay any future expenses, which shall be in the range of approximately \$40 per claim, to be paid from the County Attorney budget.

Budget Impact Statement: No current impact on the budget. Future costs will be deducted from the County Attorney budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 369 JAIL CONSTRUCTION/CAPITAL PROJECT CONTRACT – APPRAISAL SERVICES – APPROVAL OF

Legislator Stein offered the following resolution

WHEREAS, Resolution 318 duly adopted on August 28, 2019, did authorize the County to enter into an “Option to Purchase Real Property” for a parcel of land on West Main Street Road, Batavia, New York; and

WHEREAS, As part of the agreement, the County is obligated to furnish an appraisal of the

parcel; and

WHEREAS, The Assistant County Manager is recommending an agreement with Bruckner, Tillett, Rossi, Cahill and Associates for the appraisal services at a rate not to exceed \$1,200; and

WHEREAS, The Ways and Means Committee did review this request and does concur at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract for appraisal services with Bruckner, Tillett, Rossi, Cahill & Associates at a rate not to exceed \$1,200.

Budget Impact: \$1,200 expense will be applied to Capital Project – Jail Construction
Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 370 DEFERRED COMPENSATION PLAN ADMINISTRATOR –
AWARD OF CONTRACT**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County did establish a Deferred Compensation Plan for County employees by Resolution 240 adopted September 10, 1986, and

WHEREAS, The contract for Deferred Compensation services will expire December 31, 2019 and

WHEREAS, the Deferred Compensation Committee did accept and review proposals for the administration of the Deferred Compensation Plan and the committee recommends awarding a five year contract with two one year optional renewals to ICMA-RC and the Committee on Ways & Means concurs, now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a five year contract with ICMA-RC of Washington, DC for administration services and as trustee for the Deferred Compensation Plan for Genesee County for the period of January 1, 2020 through December 31, 2024 with two one year optional renewals.

Budget Impact: County will receive \$15,000 from ICMA to pay for 457 plan audit.
Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 371 DESIGNATION OF COUNTY SURPLUS PROPERTY –
PURCHASING – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Purchasing Director did request that the following list of county property, from various county departments and that is no longer used or needed by those county departments or other county departments, be declared surplus property:

Department of Social Services

Table- no identification

Wooden chair- no identification

Vinyl (green), Grey framed Chair purchased 9/24/1974 for \$26.50, Manufacturer: United

Task Chair, green purchased 12/5/05 for \$327.23, Manufacturer: Knoll-RPM

Task Chair, green purchased 5/31/05 for \$304.50, Manufacturer: Knoll-RPM

Black Vinyl Chair purchased for \$65.00, Manufacturer: Nightingale Ind. Ltd

Health Department

2 old liquid measuring cans with cases

1 old baby scale with case – unable to calibrate

1 broken drolley

Examination Table

Examination Light

County Manager

4 Desk Chairs- old (age unknown)

WHEREAS, The Committee on Ways and Means did review this request and do so recommend approval at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Purchasing Department is hereby authorized to declare the following items as surplus which are to be disposed of through public auction or junked as appropriate.

Budget Impact Statement: Proceeds from any items sold at auction will go back into the County's General Fund.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 372 APPOINTMENT - GENESEE COUNTY CORONER

Legislator Maha offered the following resolution:

WHEREAS, a vacancy has been created for one of the four positions of County of Genesee Coroner based upon the passing of Donald Coleman, and

WHEREAS, pursuant to Section 400 (7) of the County Law, a vacancy in the Office of Coroner shall be filled by the County of Genesee Legislature, and such appointee shall hold office until the thirty-first day of December following the first annual election at which the vacancy can be filled by election, and

WHEREAS, the deadline for being able to be placed on the 2019 election ballot to fill the vacancy starting January 1, 2020, was August 5, 2019 (3 months before the election date of November 5, 2019), the appointee will be on the November 2020 ballot to be elected for a four year term starting January 1, 2021. Now, therefore, Be it

RESOLVED, that Adam L. Palumbo residing at 7 Soccio Street, Batavia, New York, is hereby appointed as the County of Genesee Coroner to fill a current vacancy to serve until December 31, 2020.

Prior to the vote Legislator Clattenburg stated Mr. Palumbo was present. Mr. Palumbo introduced himself and his wife and stated that he appreciates the support and looks forward to serving the residents of Genesee County. He has lived in Batavia for seven years. He stated he will visit the County Clerk tomorrow for the Oath of Office.

Legislator Hilchey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 373 COUNTY AUDIT –OCTOBER 9 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Dibble, did review the following claims:

General Fund	\$	526,135.81
Highway		38,871.35
Self Insurance		34,602.25
DSS Abstracts		451,231.01

Capital Projects

Highway-Highway Cr #5	\$	123,636.25
Highway-Pratt Road Bridge Over Tonawanda Creek		292,428.34
Highway-Highway Overlay		70,889.10
Highway-Highway Large Span Culverts		272,002.12

Highway-Highway CR #51, Colby Road	8,400.00
Highway-Preventive Maintenance Bridge Painting	184,645.88
Park-Area "D" Shelter Improvements	568.93
Park-Dewitt Park Improvements Phase IV	995.15
Water-County Wide Water System Upgrade	41,466.00
Payroll – General	
September 27, 2019	1,612,099.37
Medicaid	
October 1, 2019	177,332.00
October 8, 2019	<u>177,332.00</u>
Total Audit	\$ 4,012,635.56

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Deleo seconded the resolution which passed by 326 votes.

The meeting adjourned at 5:49PM upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

**EIGHTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, October 23, 2019**

The Genesee Legislature met in Regular Session on Wednesday October 23, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Hilchey assisted with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

Minutes of the October 9, 2019 Legislature meeting were approved upon motion of Legislator Torrey seconded by Legislator Maha, carried unanimously.

Legislator Clattenburg reported that she attended the Holland Land Office Museum board meeting and explained that the two cannons that are slated to be refurbished will be sent out next week. Fundraising is underway for covering the cost of this project. Legislator Deleo stated he attended the Genesee County Farm Bureau Annual meeting and commented that our upstate farm bureaus and farmers are engaged in a battle with downstate representatives who do not have a clear understanding of the business of farming.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 374 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT SERVICES - FY18 HAZ MAT FUNDS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the FY18 HazMat grant funds in the amount of \$196,000 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

WHEREAS, Grant funds have been allocated for the sustainment of WMD trailers assigned to the Counties within the grant partnership; personal protection equipment; detection, mitigation and deacon equipment; the maintenance, repair and calibration of hazmat equipment in addition to the training of response personnel from the regional partnership, and

WHEREAS, The Committee on Public Service does concur with the Emergency Management Service Coordinator's recommendation. Now therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY18 HazMat Grant Program (October 1, 2019 through August 31, 2021) in the amount of \$196,000, and to execute any and all other documentation related to this funding.

Budget Impact Statement: NONE. A portion of the FY18 HazMat grant funds will be appropriated in the 2020 Emergency Management Services (EMS) budget, offset by revenue in like amount.

Legislator Young seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 375 AGREEMENT – OFFICE OF EMERGENCY MANAGEMENT SERVICES–ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY- APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Rochester Genesee Regional Transportation Authority (RGRTA) is a Public Authority created by the State of New York for the purpose of providing transportation within its authorized area, and

WHEREAS, The County of Genesee does not manage its own public transportation system, and

WHEREAS, The Coordinator of Emergency Management Service, in planning and preparing for and responding to a disaster and/or other emergency situation, does recommend a Memorandum of Understanding between the County of Genesee and RGRTA for the purpose of providing emergency transportation services at the request of the County of Genesee, and

WHEREAS, emergency transportation services provided will be compensated at the then prevailing wage rate, and

WHEREAS, The Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator's recommendation. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Memorandum of Understanding with the Rochester Genesee Regional Transportation Authority whose address is 1372 East Main Street Rochester, New York 14609.

Budget Impact: In the event of a disaster or other emergency situation, emergency transportation services provided will be compensated at the then prevailing wage rate.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 376 PLAN ADOPTION – EMERGENCY MANAGEMENT SERVICES/ HAZARD MITIGATION PLAN - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County Office of Emergency Management Services, assisted by the Genesee County Planning Department with consultant services provided by Tetra Tech, Inc. have prepared a Genesee County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000 and said plan was developed under the direction and auspices of the Federal Emergency Management Agency's FY15 Pre-Disaster Mitigation Competitive (PDMC) Grant Program, and

WHEREAS, The Genesee County Hazard Mitigation Plan has been reviewed by the NYS Emergency Management Office (SEMO) and approved by the Federal Emergency Management Agency (FEMA), and

WHEREAS, The Genesee County Office of Emergency Management Coordinator does report that the Genesee County Hazard Mitigation Plan shall be updated no less than every five (5) years and does request adoption of the plan, and

WHEREAS, The Committee on Public Service did review this request and does concur with the Coordinator of Emergency Management Services recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature does hereby adopt the Genesee County Hazard Mitigation Plan as an official plan of Genesee County and the Legislature affirms that this plan will be updated no less than every five (5) years.

Budget Impact: NONE

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 377 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT SERVICES –FY2019 EMERGENCY MANAGEMENT PERFORMANCE (EMP) GRANT PROGRAM – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept grant funding in the amount of \$26,939 from the U.S. Department of Homeland Security and Emergency Services (DHSES), Federal Emergency Management Agency (FEMA) to be administered by New York State Division of Homeland Security and Emergency Services (DHSES) on behalf of FEMA, and

WHEREAS, the purpose of the Emergency Management Performance (EMP) Grant is to provide funds in support of efforts to build and sustain a comprehensive, all-hazard emergency preparedness system, and

WHEREAS, The Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator's recommendation. Now therefore be it **RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Office of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY19 Local Emergency Management Performance Grant (LEMP) in the amount of \$26,939, and to execute any and all other documentation related to this funding.

Budget Impact Statement: None. Grant Funds help to offset a part of the 2018/2019 OEM operating expenses.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 378 SURPLUS EQUIPMENT – SHERIFF'S OFFICE/2005 VEHICLE – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Sheriff's Office has taken ownership of a 2005 Dodge Stratus (Vehicle Identification Number 1B3EL46T65N591890), pursuant to an investigation, and

WHEREAS, the Genesee County Sheriff did request this 2005 Dodge Stratus be declared surplus property, and

WHEREAS, the Committees on Public Service and Ways & Means did review this request and do recommend this vehicle be declared surplus property at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby declare the 2005 Dodge Stratus (Vehicle Identification Number 1B3EL46T65N591890) surplus property to be disposed of through scrap processing, and be it further,

RESOLVED, that the proceeds from the sale of this vehicle be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

Budget Impact: Revenue from the scrap of this vehicle to be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

Legislator Maha seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 379 BUDGET AMENDMENT - SHERIFF-JAIL/STATE CRIMINAL ALIEN ASSISTANCE PROGRAM – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The County of Genesee has received funding in the amount of \$1,881 from the State Criminal Alien Assistance Program (SCAAP), which requires funding be used for correctional purposes only, and

WHEREAS, Per our agreement with Justice Benefits, Inc., 12.5% of these funds in the amount of \$235.13 will be paid to Justice Benefits for their professional assistance in acquiring this award, and the remaining \$1,645 will be used to help cover inmate medical expenses at the Genesee County Jail, and

WHEREAS, The Sheriff is requesting a budget amendment in the amount of \$1,881, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Jail appropriations as follows:

\$1,645 to Jail Account A.3150.4650.0000 (Contracted Medical)

\$236 to Jail Account A3150.4660.0010 (Contracted Services-SCAAP)

to be offset by an increase in Jail Revenue Account

A3150.4089.1 (OJP - SCAAP) in the amount of \$1,881.

Budget Impact Statement: Increase in Jail appropriations of \$1,881 from SCAAP funding.

Funds will be used to help cover Jail inmate medical expenses. 12.5% of the funds will pay for professional services used to acquire the funding. This will be offset by an increase in Jail revenue in a like amount.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 380 MOU ADDENDUMS – SHERIFF / SCHOOL RESOURCE OFFICERS FOR ALEXANDER, PEMBROKE, OAKFIELD, BYRON-BERGEN, AND PAVILION CENTRAL SCHOOL DISTRICTS, ALONG WITH GENESSEE VALLEY EDUCATIONAL PARTNERSHIP (BOCES) - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, Pursuant to new legislation passed by New York State (see attached New York Codes, Rules and Regulations, Section 155.17 School Safety Plans) relative to the use of School Resource Officers, the Alexander, Pembroke, Oakfield-Alabama, Byron-Bergen, and Pavilion Central School Districts, along with Genesee Valley Educational Partnership (BOCES), require an addendum to existing Memorandums of Understanding approved pursuant to Resolution 64 on February 27, 2019, and

WHEREAS, after careful review by the Sheriff and County Attorney, and

WHEREAS, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature and Genesee County Sheriff are authorized to sign the MOUs.

Budget Impact: None.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 381 CONTRACT RENEWAL – SHERIFF / NEW YORK STATE UNIFIED COURT SYSTEM – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Sheriff did present a contract renewal with the New York State Unified Court System for the provision of Security Services at the Genesee County Courts Facility for a five-year period commencing April 1, 2019, through March 31, 2024 (divided into

annual periods, approved each year with the first period being April 1, 2019, to March 31, 2020), and

WHEREAS, the Public Service Committee did review this contract renewal and does recommend renewal at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract renewal between the County of Genesee and the New York State Unified Court System for the provisions of security services at the Genesee County Courts facility for the first period of April 1, 2019, through March 31, 2020, at a cost not to exceed \$702,721.

Budget Impact: Costs for security services at the Courts Facility are offset by revenue from the New York State Unified Court System.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 382 ACCEPTANCE OF GRANT FUNDS/BUDGET AMENDMENT - SHERIFF/NYSDHSES GRANT AWARD – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The NYS Division of Homeland Security and Emergency Services has awarded Genesee County grant funding in the amount of \$4,394 to cover the cost of Sheriff's Department personnel participation in emergency preparedness exercises, and

WHEREAS, The Sheriff is requesting acceptance of these grant funds and an amendment to the 2019 budget, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

\$3,291 to A3110.1020.0000 (Overtime Salaries)

\$199 to A3110.8010.0000 (Social Security Tax)

\$47 to A3110.8011.0000 (Medicare Tax)

\$857 to A3110.8020.0000 (Retirement)

To be offset by increasing the following revenue account:

\$4,394 to A3110.4305.2 (Federal Aid/Homeland Security)

Budget Impact Statement: Increase in Sheriff's 2019 appropriations in the amount of \$4,394, from NYSDHSES grant funding; offset by an increase in revenue in a like amount.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 383 LEASE AGREEMENT – SHERIFF'S OFFICE / LLOYD LANE, INC. (WCJW-AM) – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Lloyd Lane, Inc. entered into a lease agreement for space on the county's telecommunications tower located at 153 Cedar Street, Batavia NY, 14020, pursuant to Resolution 374, dated October 23, 2008, and

WHEREAS, Lloyd Lane, Inc. wishes to upgrade its equipment on the tower which requires entering into a new lease agreement for a four (4) year contract commencing January 1, 2020, beginning at the cost of \$850.00 per month for the first year, with a 3% increase each year,

ending December 31, 2023, appropriated to the Genesee County Sheriff Communications Revenue Account: Sheriff EMS Tower Rental, and

WHEREAS, Lloyd Lane, Inc. will have the option to extend the lease for three (3) consecutive four- (4) year terms, subject to the approval of the County.

WHEREAS, The agreement imposes a \$75.00 per month generator fee for the term of the contract designated to the Genesee County Highway Department Shared Services Account, and

WHEREAS, The Sheriff, Director of Emergency Communications, and County Attorney recommend entering into a new lease agreement as outlined above for the period of January 1, 2020 to December 31, 2023, and

WHEREAS, The Committees on Public Service and Ways & Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Chair of the Legislature is hereby authorized and directed to enter into a site lease agreement with Lloyd Lane, Inc., 3258 Merchant Road, Warsaw, NY 14569, for the lease of space on the Genesee County telecommunications tower located at 153 Cedar Street, Batavia, NY for a period beginning January 1, 2020 and ending December 31, 2023.

Budget Impact: None.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 384 ACCEPTANCE OF GRANT FUNDS / SHERIFF - COMMUNICATIONS – PUBLIC SAFETY ANSWERING POINT (PSAP) OPERATIONS GRANT - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications (NYS DHSES/OIEC) has awarded Genesee County grant funding in the amount of \$195,740 from the Public Safety Answering Point (PSAP) Operations Grant, and

WHEREAS, These funds will be used to offset a portion of the 2020 Communications budget in a like amount, and

WHEREAS, The Genesee County Sheriff and the Director of Emergency Communications recommend the acceptance of such grant funds, and

WHEREAS, The Committees on Public Service and Ways & Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Chair of the Legislature is hereby authorized and directed to accept the Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications Public Safety Answering Point (PSAP) Operations Grant in the amount of \$195,740.

Budget Impact: None. The grant funds will be incorporated into the 2020 Communications budget submission.

Legislator Maha seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. ESTABLISHMENT OF CAPITAL PROJECT - TOWER / PUBLIC SAFETY RADIO SYSTEM UPGRADES – SHERIFF’S OFFICE – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County has significant coverage gaps in the south central portion of the county that would be remediated by an additional public safety communications tower, and **WHEREAS**, Genesee County has identified property to build a new tower / radio site, and **WHEREAS**, The budgetary cost for the tower, shelter, public safety radio equipment, engineering, consultant fees, and associated civil work is \$1,625,999.00 through 2021, and **WHEREAS**, There are at least \$83,000.00 unallocated capital project funds remaining in the 800 MHz Capital Project account and

WHEREAS, There are at least \$84,327.17 remaining from the NY Statewide Interoperable Communications Grant (SICG) Round 4 currently allocated to the existing project, and

WHEREAS, Genesee County was awarded SICG Round 7 funding in the amount of \$664,778.00 in 2018, and

WHEREAS, Genesee County has applied for SICG Round 8 funding that is expected to be awarded before the end of the year and will need to apply for SICG Round 9 funding in 2020, and

WHEREAS, After discussion between the E911 Operations Board, Sheriff and Director of Emergency Communications, we recommend the County Legislature approve the establishment of a new capital project in the amount of \$1,693,902.00 to be offset by existing capital funds and revenues as follows:

\$83,000.00	H 3397.2080.0000	Unallocated
\$84,327.17	H 3397.2080.0000	SICG Round 4 (remaining)
\$134,000.00	N/A	SICG Round 6 (remaining)
\$664,778.00	N/A	SICG Round 7 (unallocated)
\$335,000.00	N/A	SICG Round 8 (applied)
\$324,893.83	N/A	SICG Round 9 (apply 2020), and

WHEREAS, The Committees on Public Service and Ways & Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to establishment of a new capital project in the amount of \$1,625,999.00 to be offset by existing capital funds and revenues as indicated above.

Budget Impact: The cost of the new tower / public safety radio upgrades will be covered using existing capital funds and revenues as indicated above.

Prior to the vote, Legislator Maha made a motion to amend as stated below:

RESOLUTION NO. 385 ESTABLISHING CAPITAL PROJECT/SHERIFF – PUBLIC SAFETY COMMUNICATIONS TOWER – BUDGET AMENDMENT/BUDGET TRANSFER - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County has significant radio coverage gaps in the south central portion of the county that would be remediated by an additional public safety communications tower, and

WHEREAS, Genesee County has identified property to build a new tower/radio site, and have an estimated budgetary cost of \$1,625,999, which would include the tower, shelter, radio equipment, engineering and consultant fees, and associated civil work, through 2021, and

WHEREAS, Revenue sources have been identified to cover the cost of this project, with sources being as follows: funds that remain in the 800 MHz Radio System Upgrade Capital Project totaling \$167,327; and Statewide Interoperable Communications Grant Funding, which includes

funds currently available totaling \$798,778, as well as funds expected from future grant awards totaling \$659,894, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to establish a Capital Project for a Public Safety Communications Tower in the amount of \$966,105 as follows:

Decrease Revenue A.3020.3390.SICG (State Aid SICG) in the amount of \$6,000 and Reduce Appropriation A.3020.4230.0000 (Facility Electric) in a like amount;

Increase in H3397.2080.0000 (Capital Project Expense) of \$798,778, offset by an increase in Revenue Account H3397.3097 (State Aid-Communications Grant) in a like amount;

Transfer of \$167,327 from the 800 MHz Radio System Upgrade Capital Project into the Public Safety Communications Tower Capital Project.

Budget Impact Statement: Establishment of a new Capital Project entitled Public Safety Communications Tower in the amount of \$966,105 with an increase in Capital Project appropriations of \$798,778; a decrease in Communications appropriations and revenues in the amount of \$6,000; and a transfer of \$167,327 from the 800 MHz Radio Upgrade Capital Project to the Public Safety Communications Tower Capital Project.

Legislator Dibble seconded the amended resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 386 PROPERTY PURCHASE AGREEMENTS – SHERIFF / NEW EMERGENCY SERVICES COMMUNICATIONS TOWER - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The County of Genesee is in the planning stages to construct a self-supporting emergency services communications tower that will be approximately 185 feet high within a fenced equipment compound located in the Town of Attica, just south of the Genesee County line in Wyoming County (hereinafter “Tower”), and

WHEREAS, the Tower will be constructed on a lot approximately 180 feet by 200 feet, which is owned by Edward and Linda Snyder, being part of Tax Map No. 8.-1-11.111 for a cost of \$4,000.00, and

WHEREAS, the county will also need to purchase a lot approximately 30 feet by 1200 feet, which is owned by Thomas Snyder, and will be used to construct an access road to the Tower location, being part of Tax Map No. 8.-1-11.121, in return for the improvement of his driveway, and

WHEREAS, Edward and Linda Snyder have signed a “Purchase and Sale Contract for Lots and Vacant Land” regarding the parcel of land they own, and

WHEREAS, Thomas Snyder has signed a “Purchase and Sale Contract for Lots and Vacant Land” regarding the parcel of land he owns, and

WHEREAS, The Committees on Public Service and Ways & Means did review the agreements and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to sign on behalf of the County of Genesee a proposed “Purchase and Sale Contract for Lots and Vacant Land” by and between Edward and Linda Snyder with the County of Genesee; together with such other and further documents or forms that the Chair needs to sign on behalf of

the County of Genesee to complete the transfer and sale of the parcel of land of approximately 180 feet by 200 feet owned by these Sellers, and be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to sign on behalf of the County of Genesee a proposed “Purchase and Sale Contract for Lots and Vacant Land” by and between Thomas Snyder with the County of Genesee; together with such other and further documents or forms that the Chair needs to sign on behalf of the County of Genesee to complete the transfer and sale of the parcel of land of approximately 30 feet by 1200 feet owned by this Seller.

Budget Impact: The cost of the property purchases will be covered using funds from the newly established Tower / Public Safety Radio Systems capital project.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 387 DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT – SHERIFF / MOLASSES HILL ROAD EMERGENCY SERVICES COMMUNICATIONS TOWER

Legislator Maha offered the following resolution:

WHEREAS, the County of Genesee, New York (the “County”) is considering undertaking a project (the “Project”) consisting of the construction of an emergency services communication tower (the “Tower”) on Molasses Hill Rd. in the Town of Attica, Wyoming, New York, and

WHEREAS, the Project is considered an action subject to Article 8 of the Environmental Conservation Law of the State of New York and the State Environmental Quality Review Act (SEQRA) and implementing regulations, 6 NYCRR Part 617 (the “Regulations”), and

WHEREAS, a Short Environmental Assessment Form (“EAF”) dated July 16, 2019, a copy of which is attached hereto as Exhibit A, was prepared by the County’s Planning Department to facilitate a review of the potential environmental impacts of the Project; now therefore, be it **RESOLVED**, That upon review of the Regulations, the County Legislature determines that the Project should be classified as an “Unlisted Action” as that term is defined in Part 617.2 of the Regulations, and be it further

RESOLVED, That the County Legislature hereby declares itself lead agency to undertake an uncoordinated review pursuant to Part 617.6(b)(4) of the Regulations, and be it further

RESOLVED, That the aforementioned EAF includes sufficient information on which to base its determination of significance and all the facts and circumstances, and be it further

RESOLVED, That after careful consideration of the EAF and all the facts and circumstances, the County Legislature hereby finds and declares that the proposed construction of the Tower will not have a significant impact on the environment as defined by the Regulations, and therefore, issues a Negative Declaration with respect to the Project.

Budget Impact: None.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 388 HIGHWAY CAPITAL PROJECTS – BUDGET TRANSFER/CLOSE-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review established capital projects and does recommend closing one project, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Capital Project Transfers:

Transfer \$75,223.06 from Capital Project - Stroh Road Bridge Over Tonawanda Creek to Capital Project - Large Span Culverts

Transfer \$10,169 from Capital Project – Highway Overlay to Capital Project Road Machinery Equipment

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to close the following capital project:

Stroh Road Bridge Over Tonawanda Creek

Budget Impact Statement: The resolution moves the remaining balance of the Stroh Rd Bridge project to the Large Span Culvert Project. The amount transferred is \$75,223.06 which closes the Stroh Rd Bridge capital project. The CHIPs transfer is \$10,169 which moves funding from the Highway Overlay Capital Project to the Road Machinery Capital Project. This transfer will allow for the planned purchase of a new backhoe.

Legislator Young seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 389 CONTRACT RENEWAL – CENTRAL SERVICES
AND HIGHWAY DEPARTMENT – GARBAGE AND REFUSE REMOVAL --
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Department and the Genesee County Purchasing Department are currently under contract with Waste Management of New York, and this agreement allows for three, one year extensions, the Genesee County Highway Superintendent and the Genesee County Purchasing Director recommend renewing the contract agreement with Waste Management of New York, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Waste Management of New York, LLC., 100 Ransier Drive, West Seneca, NY 14224 for the removal of garbage and refuse as per bid specifications, effective January 1, 2020 through December 31, 2020 at a price of \$18,910.08 per year.

Budget Impact Statement: The Central Services Fund includes \$14,500 for the removal of garbage and refuse from certain County Facilities. Both the Road Machinery Fund (DM5130) and Airport budget fund trash removal separately.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 390 CONTRACT RENEWAL – FACILITIES
MANAGEMENT/ELEVATOR MAINTENANCE – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The County of Genesee does contract with Thyssenkrupp Elevator Corp. for the maintenance and repair of elevators located in various county facilities, and

WHEREAS, Said contract does provide for three additional one year renewal options, and

WHEREAS, The Highway Superintendent does recommend the contract be renewed and the Committee on Public Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the second year of three one-year renewals with Thyssenkrupp Elevator Corp. for the maintenance and repair of elevators located at various county facilities for the period of January 1, 2020 through December 31, 2020 at a cost not to exceed \$19,680.

Budget Impact Statement: Facilities Management budgets for this contract in its operating budget.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 391 CONSULTANT AGREEMENT – ANIMAL SHELTER IMPROVEMENTS – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has established a capital project for improvements to be made at the Genesee County Animal Shelter related to the NYS Ag & Markets Companion Animal Grant accepted by the County, and

WHEREAS, The Genesee County Highway Superintendent selected a consultant based on recent experience in this facility, and

WHEREAS, The Genesee County Highway Superintendent did negotiate a proposal regarding the project and does recommend approving a consultant agreement at this time, and

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to enter into a Consultant Agreement with the CPL Team, 26 Mississippi St, Buffalo, NY 14203 for the design and preparation of bid documents for the Animal Shelter Improvements in a cost not to exceed \$19,000.

Budget Impact: The total cost of the consultant agreement is \$19,000. A capital project has been established in the amount of \$200,000 for the Animal Shelter Improvements.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 392 AWARD OF BID –HIGHWAY/BACKHOE LOADER – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed state bids on backhoe loaders for use at the County Highway Department and do recommend awarding the bid to the lowest responsible bidder, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused Case 580N Backhoe Loader from Monroe Tractor, 1001 Lehigh Station Rd, Rochester, NY 14467 in an amount not to exceed \$89,546.50.

Budget Impact: The equipment will be purchase using state-provided CHIPS capital funds. A capital project has been established an amended that allows for the purchase of Road Machinery Equipment.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 393 AWARD OF BID-HIGHWAY/COUNTYWIDE WATER PH2 CHESTNUT RIDGE RD TRANSMISSION MAIN-APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County advertised plans and specifications for the construction of a new water transmission main along portions of Chestnut Ridge Rd, Paul Rd (NYS Route 252A), and Chili Ave (NYS Route 33A) in the Town of Chili, Monroe County in order to advance Phase 2 of the Countywide Water Project; and

WHEREAS, the Genesee County Highway Superintendent reviewed the accuracy of these bids and does recommend an award at this time, and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award a construction contract as specified in the bid documents for the Chestnut Ridge Road Water Transmission Main to Villager Construction, Inc., 425 Old Macedon Center Rd, Fairport, NY 14502 in a total amount not to exceed \$3,796,700.

Budget Impact: The total cost of the contract is \$3,796,700. The contract will be funded from the capital project established for Phase 2 Water until such time that the County can be reimbursed from the Monroe County Water Authority bonding which is anticipated in early 2020. The contractor expects to start work in November 2019 so there will be a few pay requests that will need to be covered from the capital project.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 394 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – HUNDREDMARK RD OVER DRAINAGE DITCH – BIN 3315150 – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, a Project for the replacement of Hundredmark Rd over Drainage (BIN 3315150), in the Town of Elba, P.I.N. 4GN0.01 (the “Project”), County of Genesee is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal Funds, 15% State Funding and a 5% Local Match; and

WHEREAS, Genesee County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the total project, Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve all future supplemental agreements and the federal aid master agreement for the Project; and it is hereby further

RESOLVED, that the Genesee County Legislature hereby authorizes the Chairperson to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and it is further

RESOLVED, that the Chairperson hereby is authorized and directed to execute all agreements, supplemental agreements and reimbursement requests on behalf of the County towards the execution of the project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee

County Treasurer to establish a capital project Hundredmark Rd Bridge in the amount of \$261,000 with federal aid of \$208,800, state Marchiselli aid of \$39,150 and a local match from 1% sales in the amount of \$13,050 and be it further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase A.1000.1110.1	1% Sales Tax	\$ 13,050
Increase A.9950.9000	Transfers to Capital	\$ 13,050
Increase H.5197.5031	Interfund Revenue	\$ 13,050
Increase H.5197.3597	State Aid Marchiselli	\$ 39,150
Increase H.5197.4592	Federal Aid	\$208,800
Increase H.5197.2080.0000	Hundredmark Rd over Drainage	\$261,000

Budget Impact Statement: The capital project will be established based on the total cost of the project at \$261,000 with federal aid of \$208,800, 15% state Marchiselli aid of \$39,150 and a local match from 1% sales tax of \$13,050. The Construction Phase authorization will be provided under future supplemental agreement.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 395 HIGHWAY DEDICATION – CALL PARKWAY (CR#53) – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Economic Development Center did develop a roadway into the Gateway II Business Park according to County Specifications, and

WHEREAS, The roadway had been constructed and complete to the satisfaction of the Superintendent of Highways, and

WHEREAS, A proposed legal description of the right-of-way to be dedicated has been established by a Licensed Surveyor, and

WHEREAS, The Superintendent of Highways did inspect the roadway, review the proposed legal description, and recommends dedication of the highway and its right-of-way at this time, and

WHEREAS, The Public Service Committee has reviewed the recommendation of the County Highway Superintendent and concur with it at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby dedicate the right-of-way delineated as follows:

All that tract or parcel of land, situate in the Town of Batavia, County of Genesee, State of New York, being part of Lot 7, Section 14, Township 12, Range 1 of the Holland Purchase and further described as follows.

Beginning at a point in the east bounds of Oak Orchard Road (66.0 feet wide) (New York State Route 98) at the southwest corner of lands conveyed to Genesee Gateway Local Development Corporation, as recorded in liber 842 of deeds at page 547, said point being 446.48 feet northerly from the southwest corner of Lot 7, as measured along the east bounds of Oak Orchard Road; thence

- 1) N 00°-52'-23" W along the east bounds of Oak Orchard Road, being the west line of Lot 7, a distance of 66.00 feet to a point; thence
- 2) N 89°-14'-45" E a distance of 200.00 feet to a point; thence
- 3) N 75°-13'-41" E a distance of 641.59 feet to a point; thence

- 4) N 89°-14'-45" E a distance of 789.99 feet to a point in the west bounds of Call Parkway (County Road 53), as conveyed to the County of Genesee in liber 907 of deeds at page 573 and dedicated as a public right of way by the Genesee County Legislature in Resolution No. 30, adopted January 23, 2013; thence
 - 5) S 00°-45'-15" E along the west bounds of Call Parkway, a distance of 66.00 feet to the southwest corner thereof, being a point in the south bounds of the aforesaid lands conveyed to Genesee Gateway Local Development Corporation; thence the remaining 3 courses being along the south bounds of said lands of the Genesee Gateway Local Development Corporation.
 - 6) S 89°-14'-45" W a distance of 781.88 feet to a point; thence
 - 7) S 75°-13'-41" W a distance of 641.59 feet to a point; thence
 - 8) S 89°-14'-45" W a distance of 207.98 feet to the point of beginning.
- Containing 2.472 acres.

The above described parcel intending to describe a 66.00 foot wide parcel of land to be used as a continuation of "Call Parkway", partially shown on a map of the "Batavia Farms Route 98 Land Separation", recorded May 22, 2017 and filed in Plat Cabinet 3, Slide 65 as Map No. 2465. Bearings in the above description are derived from Grid North as shown on Filed Map No. 2465.

RESOLVED, That the roadway shall be dedicated as County Road 53 and shall be known as Call Parkway, and be it further

RESOLVED, That the right-of-way shall be filed with the Genesee County Clerk and the Commissioner of the Department of Transportation.

Budget Impact: The costs for maintaining the road and associated right-of-way shall be included in the County Road Fund. 2019 costs for snowplowing are approximately \$7,000 per mile based on plowing and mowing. The roadway is approximately .31 miles in length. Preventative maintenance will be not required on the roadway for several years.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 396 HIGHWAY DEDICATION – STAMP DRIVE (CR#57) – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Economic Development Center did develop a roadway into the STAMP Business Park according to County Specifications, and

WHEREAS, The roadway had been constructed and complete to the satisfaction of the Superintendent of Highways, and

WHEREAS, A proposed legal description of the right-of-way to be dedicated has been established by a Licensed Surveyor, and

WHEREAS, The Superintendent of Highways did inspect the roadway, review the proposed legal description, and recommends dedication of the highway and its right-of-way at this time, and

WHEREAS, The Public Service Committee has reviewed the recommendation of the County Highway Superintendent and concur with it at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby dedicate the right-of-way

delineated as follows:

All that tract or parcel of land situate in the Town of Alabama, County of Genesee, State of New York, being part of Lots 12 & 13, Township 13, Range 4 of the Tonawanda Reservation and further described as follows.

Commencing at a point in the east line of Lot 12, being the centerline of Allegany Road (N.Y.S. Routes 63 & 77), said point being S 01°-05'-40" W a distance of 1214.75 feet from the northeast corner of Lot 12; thence N 88°-54'-20" W a distance of 33.00 feet to a point in the west bounds of Allegany Road and the point of beginning of the parcel to be described; thence

- 1) S 73°-16'-10" W a distance of 105.04 feet to a point; thence
- 2) N 88°-55'-20" W a distance of 655.60 feet to a point of curvature; thence
- 3) Westerly following a curve to the right having a radius of 950.00 feet for an arc length distance of 215.92 feet to a point of tangency; thence
- 4) N 75°-54'-00" W a distance of 461.69 feet to a point of curvature; thence
- 5) Westerly following a curve to the left having a radius of 1050.00 feet for an arc length distance of 241.20 feet to a point; thence
- 6) N 00°-00'-25" E a distance of 234.14 feet to a point; thence
- 7) N 89°-59'-35" W a distance of 100.00 feet to a point; thence
- 8) S 00°-00'-25" W a distance of 234.00 feet to a point; thence
- 9) N 89°-59'-35" W a distance of 1497.45 feet to a point in the east bounds of Crosby Road (49.5 feet wide); thence
- 10) S 01°-00'-45" W along the east bounds of Crosby Road, a distance of 100.02 feet to a point; thence
- 11) S 89°-59'-35" E along a line 100.00 feet southerly from and parallel to course 9, a distance of 1582.14 feet to a point of curvature; thence
- 12) Easterly following a curve to the right having a radius of 950.00 feet for an arc length distance of 233.67 feet to a point of tangency; thence
- 13) S 75°-54'-00" E a distance of 461.69 feet to a point of curvature; thence
- 14) Easterly following a curve to the left having a radius of 1050.00 feet for an arc length distance of 238.64 feet to a point of tangency; thence
- 15) S 88°-55'-20" E a distance of 296.58 feet to a point of curvature; thence
- 16) Easterly following a curve to the right having a radius of 365.00 feet for an arc length distance of 76.37 feet to a point of tangency; thence
- 17) S 76°-56'-00" E a distance of 21.91 feet to a point of curvature; thence
- 18) Easterly following a curve to the left having a radius of 435.00 feet for an arc length distance of 91.02 feet to a point of tangency; thence
- 19) S 88°-55'-20" E a distance of 171.39 feet to a point; thence
- 20) S 71°-05'-00" E a distance of 105.03 feet to a point in the west bounds of Allegany Road; thence
- 21) N 01°-05'-40" E along the west bounds of Allegany Road, a distance of 186.30 feet to the point of beginning.

Containing 8.308 acres. And be it further

RESOLVED, That the roadway shall be dedicated as County Road 57 and shall be known as STAMP Drive, and be it further

RESOLVED, That the right-of-way shall be filed with the Genesee County Clerk and the Commissioner of the Department of Transportation.

Budget Impact: The costs for maintaining the road and associated right-of-way shall be included in the County Road Fund. 2019 costs for snowplowing are approximately \$6,500 per mile and the costs for summer mowing and shoulder maintenance are \$465 per mile. The roadway is approximately 0.70 miles in length. Preventative maintenance will be not required on the roadway for several years.

Prior to the vote Legislator Clattenburg stated there was discussion at the committee meeting pertaining to the road being deemed seasonal which would not require plowing year round. County Manager Jay Gsell indicated that GCEDC staff agreed that the road would not require regular plowing but will need to be accessible when potential tenants are brought to the site. Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 397 ADOPTION OF GENESEE COUNTY SMART GROWTH PLAN - 2019 REVIEW REPORT

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Legislature by Resolution No. 122 of 1999 did include the development of a Smart Growth Plan as a mitigation measure contained in its Findings Statement as part of the State Environmental Quality Review (SEQR) of the County-wide Water Supply System, and

WHEREAS, The Genesee County Legislature adopted a Smart Growth Plan on May 9, 2001, and

WHEREAS, The Genesee County Legislature adopted reviews of the Smart Growth Plan in 2003, 2005, 2007, 2010, 2013, and 2016, and

WHEREAS, The latest Triennial Review period has ended including a series of public meetings and presentations before the County Planning Board, the County Agricultural and Farmland Protection Board and the Water Resources Agency, and

WHEREAS, The County Water Resources Agency has reviewed the proposed 2019 revisions and voted to recommend adoption by the County Legislature, and

WHEREAS, A Short Environmental Assessment Form (EAF) was completed in compliance with the State Environmental Quality Review Act (SEQR). Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby finds that the proposed 2019 revisions to the Smart Growth Plan is classified as an Unlisted Action, accepts the draft Short EAF, makes a determination that such revision does not pose any significant adverse impacts (Negative Declaration), and authorizes the Chair of the Legislature to sign all relevant documentation with respect to SEQR, and Be it further

RESOLVED, That the Genesee County Legislature hereby adopts the Genesee County Smart Growth Plan - 2019 Review Report.

Budget Impact: The Smart Growth Plan is a required mitigation action identified in the Final Environmental Impact Statement (FEIS) for the County Water System and is primarily administered through the operation budget of the Department of Planning.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 398 CHARGE BACKS-ELECTIONS/INSPECTOR PAY- APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, It has been previously determined by the Ways & Means Committee that

beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

WHEREAS, The Real Property Department will notify all municipalities of the charges in 2019 so that the Genesee County Treasurer can bill and collect these charges in 2020. Now, therefore, Be it

RESOLVED, That the following charges be levied to the 13 Towns and the City of Batavia as follows and the amounts to be paid to the County Treasurer are credited to revenue A1450 2215 Election Expense-Other Govts in the current budget year:

2018 Election Expenses per Town/City for Chargebacks

	Training	Local Primary 9/13/18	Local Primary 9/13/18	General Election 11/6/18	General Election 11/6/18	
	\$35.00	Inspectors \$135	Coordinators \$210	Inspectors \$215	Coordinators \$290	Total
City	\$2,100.00	\$3,240.00	\$3,360.00	\$7,310.00	\$5,220.00	\$21,230.00
Alabama	\$315.00	\$270.00	\$420.00	\$1,075.00	\$580.00	\$2,660.00
Alexander	\$350.00	\$270.00	\$420.00	\$1,075.00	\$580.00	\$2,695.00
Batavia	\$665.00	\$810.00	\$1,260.00	\$2,365.00	\$1,740.00	\$6,840.00
Bergen	\$455.00	\$270.00	\$420.00	\$1,014.56	\$580.00	\$2,739.56
Bethany	\$245.00	\$405.00	\$420.00	\$645.00	\$580.00	\$2,295.00
Byron	\$245.00	\$270.00	\$420.00	\$1,075.00	\$580.00	\$2,590.00
Darien	\$245.00	\$405.00	\$420.00	\$1,075.00	\$580.00	\$2,725.00
Elba	\$210.00	\$270.00	\$420.00	\$860.00	\$580.00	\$2,340.00
LeRoy	\$910.00	\$1,350.00	\$840.00	\$3,655.00	\$1,160.00	\$7,915.00
Oakfield	\$350.00	\$270.00	\$420.00	\$1,290.00	\$580.00	\$2,910.00
Pavilion	\$315.00	\$405.00	\$420.00	\$1,075.00	\$580.00	\$2,795.00
Pembroke	\$560.00	\$810.00	\$1,260.00	\$1,720.00	\$1,740.00	\$6,090.00
Stafford	\$315.00	\$405.00	\$420.00	\$1,505.00	\$580.00	\$3,225.00
						\$69,049.56

**Town of Bergen had one inspector who worked 11.5 hours

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 399 CHARGE BACKS-ELECTIONS/EARLY VOTING INSPECTOR PAY-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, It has been previously determined by the Ways & Means Committee that per diem fees for election inspectors will be charged back to the various Genesee County Towns and the City of Batavia,

WHEREAS, New York State Legislation now requires the Genesee County Board of Elections to conduct early voting for 9 days for a total of 60 hours which will require the Board of Elections to employ inspectors for a total estimated cost of \$4500. Now, therefore, Be it

RESOLVED, To be consistent with previous policy the Genesee County Board of Elections will again allocate these additional expenses by charging back such costs incurred to the various Genesee County Towns and the City of Batavia using as a basis the registered voters in each municipality.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 400 CONTRACT & BUDGET AMENDMENT - ELECTIONS/KNOWINK INNOVATIVE ELECTION SOLUTIONS-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, With the new requirement of early voting passed by the New York State Legislature and to maintain the integrity of our current voting system, the Genesee County Board of Elections is now required to purchase electronic poll books and on demand printers, and

WHEREAS, With reviewing the Board of Elections requirements and relying on the experience and expertise of our IT Director, Stephen Zimmer, Commissioners Lorie Longhany and Richard Siebert determined that the County needs to purchase 57 electronic poll books with related material and 3 on-demand printers at a cost of \$89,237, and

WHEREAS, The required poll books and printers are provided by Knowink Innovative Election Solutions and all quotations are on state contract. Now, therefore, Be it

RESOLVED, The Chairman of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Knowink Innovative Election Solutions of 2111 Olive Street, St. Louis, MO 63103 for the purchase of 57 electronic poll books and relative material and 3 on demand printers at a total cost of \$89,237 (\$76,230 poll books, \$13,007 on demand printers) and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by Increasing Revenue A.1450.4989.1 Federal Aid in the amount of \$9,000 and Increasing Revenue A.1450.3089.7 State Aid in the amount of \$80,585 and Increasing Appropriations A.1450.2070.0082 Electronic Poll Books in the amount of \$89,585.

Budget Impact: Grants available – E Poll Book Capital \$46,369, Early Voting Aid to Localities \$34,216, HAVA Shoebox available \$9,000 for a total of \$89,585

Legislator Clattenburg made a motion to amend the resolution to include the second whereas and the term “Budget Amendment” in the title seconded by Legislator Maha, carried unanimously.

Legislator Maha seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 401 LEASE AGREEMENT-INFORMATION TECHNOLOGY/ FIBER SERVICE FROM EMPIRE ACCESS - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Information Technology did present a 36-month lease agreement with Empire Access for one single-mode strand of fiber from County Building II to 587 East Main Street (Job Development), and

WHEREAS, The County Attorney did review the contact and the Ways and Means Committee did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with Empire Access 34 Main Street Prattsburgh, NY 14873 for a 36-month lease effective when the fiber is installed at a cost of \$300.00 a month

BUDGET IMPACT STATEMENT: Accounts / Funding Sources include:

\$300.00 monthly charge - A.1680.4290.0600 Internet and Bandwidth.

County IT 2020 Proposed Budget includes the \$3600 annual expense. The \$1000 installation fee will be charged to Consulting Services in the year the installation happens.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 402 CONTRACT EXTENSION-INFORMATION TECHNOLOGY/ WINDSTREAM TELEPHONE SERVICES - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Information Technology did present a 36-month contract extension with Windstream Communications to continue providing telephone services to Genesee County, and

WHEREAS, The County Attorney and the Committee on Ways and Means did review the request and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with Windstream Communications 245 East Main Street, Rochester NY 14604

BUDGET IMPACT STATEMENT: THE ADDENDUM TO THE CURRENT CONTRACT FREEZES THE MONTHLY EXPENSE IN ACCOUNT A.1680.4290.0400 BASIC OFFICE PHONES AT \$2801.01 FOR 36-MONTHS AND PROVIDES THE COUNTY WITH AN \$11,497.95 CREDIT.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 403 GRANT ACCEPTANCE/2019 BUDGET AMENDMENT – STOP-DWI/SHERIFF – APPROVAL OF

Legislator Maha offered the following resolution

WHEREAS, The Genesee County STOP-DWI program did apply for and has been approved to receive grant funding from the Governor’s Traffic Safety Council for a High Visibility Road Check/Saturation Patrols/DRE Call Out program in the amount of \$19,700, and

WHEREAS, the grant period runs October 1, 2019 through September 30, 2020

WHEREAS, local police agencies will coordinate special crackdown details to receive the additional funding, and

WHEREAS, since the grant period runs October 1, 2019 through September 30, 2020, the additional funding to reimburse the STOP-DWI program for the expense of the special detail was not budgeted for in the current year and is above the budgeted revenue for the STOP-DWI program, and

WHEREAS, The Ways and Means Committee did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by

Increasing	A.3315.4660.0502 (Enforcement Nights - Sheriff)	\$3,768
	A.3315.4660.0503 (Enforcement Nights – City Police)	\$2,734
	A.3315.4660.0504 (Enforcement Nights – LeRoy Police)	\$ 813

to be offset by an increase in revenue account A.3315.3389.2 (St Aid -Govt Traffic Safety Council) in the amount of \$7,315 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Sheriff’s account A.3110.1020.0150 (Overtime DWI) in the amount of \$3,768 to be offset by an increase in revenue account A.3110.2804 (Shared Services) in the amount of \$3,768.

Budget Impact Statement: No net impact on County Budget. Increase in revenue and expense funded by GTSC grant. Expenses for extra road patrols are increased \$7,315 but offset by grant revenues.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 404 CONSENTING TO THE USE OF CERTAIN PAYMENTS IN LIEU OF TAXES BY THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER FOR THE TOWN OF PEMBROKE AND VILLAGE OF CORFU SEWER INFRASTRUCTURE PROJECT AND AUTHORIZING THE CHAIR OF THE LEGISLATURE OF THE COUNTY TO EXECUTE AND DELIVER ANY AGREEMENTS IN FURTHERANCE OF SAME

Legislator Dibble offered the following resolution:

WHEREAS, Yancey’s Fancy, Inc. (the “Company”) submitted an application to the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the “Agency”) requesting the Agency’s assistance with respect to a certain project consisting of: (A) the acquisition by the Agency of title to or a leasehold interest in a parcel or parcels of land located on Main Road, Town of Pembroke, Genesee County, New York (the “Land”); (B) the construction and equipping by the Company, as agent for the Agency, on the Land of an expansion to an existing facility utilized by the Company for the manufacture, packaging and distribution of cheese products (the “Improvements”) and (C) the acquisition of and installation in and around the Improvements by the Company, as agent of the Agency, of certain items of equipment and other tangible personal property (the “Equipment”; and, collectively with the Land and the Improvements, the “Facility”); and

WHEREAS, in connection with the Application and in furtherance of the Project’s positive financial impact within the Town of Pembroke (the “Town”) and the County of Genesee, New York (the “County”), the Company desires for the Town and the Village of Corfu, New York (the “Village”) to improve the existing sewer infrastructure servicing the Facility and other Town and Village properties through an expansion to the existing, or the construction of an additional, wastewater treatment plant, located at the Town and Village’s existing wastewater treatment plant, with associated improvements to Murder Creek for wastewater discharge (the “Town of Pembroke and Village of Corfu Sewer Infrastructure Project”); and

WHEREAS, the Company has requested the Agency’s support in establishing a PILOT Increment Financing (“PIF”) structure whereby the Agency, in accordance with General Municipal Law Section 858(15) and with the consent of the Town, the School District and the County (collectively, the “Affected Taxing Jurisdictions”), would receive from the Company, during the term of the that certain Payment in lieu of Tax Agreement by and between the Agency and the Company, dated March 1, 2014 (the “PILOT”) all amounts due and payable under the PILOT to pay the costs of planning, designing, constructing and equipping the Town of Pembroke and Village of Corfu Sewer Infrastructure Project; and

WHEREAS, after considering the positive impact of the Town of Pembroke and Village of Corfu Sewer Infrastructure Project on the Affected Tax Jurisdictions, including the expansion of needed sewer infrastructure within the Town and the Village, the County desires to consent to the above described use of the PILOT payments pursuant to and in accordance with General Municipal Law Section 858(15), now, therefore, Be it

RESOLVED,

Section 1. The County hereby authorizes the Agency to retain all amounts payable under the PILOT for purposes of paying the costs expended on the Town of Pembroke and Village of Corfu Sewer Infrastructure Project. The County hereby waives its right to receive any amounts due and payable under the PILOT.

Section 2. The Chair of the Legislature of the County is hereby authorized to execute and deliver any and all agreements necessary or related to the foregoing.

Section 3. This Resolution shall take effect immediately.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 405 APPOINTMENT TO ROCHESTER/GENESEE REGIONAL TRANSPORTATION AUTHORITY-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, A vacancy does exist on the Rochester/Genesee Regional Transportation Authority for a Genesee County Representative, and

WHEREAS, Pursuant to Section 1299-dd, Par. 1 of the Public Authorities Law, a minimum of two names shall be submitted to the Governor for consideration, and

WHEREAS, the following two Genesee County residents have completed and submitted an application for appointment. Now therefore Be it

RESOLVED, the following two names be submitted to the Honorable Andrew Cuomo, Governor of New York State, for his consideration in making an appointment to the Rochester/Genesee Regional Transportation Authority to represent Genesee County:

Kathleen Saville, 10963 Starr Road, Pavilion, NY 14525

Cynthia L. Anderson, 6132 Sautell Road, Bergen, NY 14416

Budget Impact: None

Legislator Young seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

RESOLUTION NO. 406 COUNTY AUDIT –OCTOBER 23 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Hilchey, did review the following claims:

General Fund	\$	1,278,935.72
Highway		52,771.14
Self Insurance		3,290.35
Water		540,821.65
Sales Tax		6,003,860.08
DSS Abstracts		97,122.20
Capital Projects		
Highway-Large Span Culverts	\$	60,781.00
Highway-Searls Road Bridge Over Spring Creek		3,696.04
Park-Dewitt Park Improvements Phase IV		366.09
Sheriff/Jail-Jail Construction		49,155.77
Sheriff-800 Megahertz Radio System Upgrade		23,178.98
Water-County Wide Water System Upgrade Phase II		375.00
Payroll – General		
October 11, 2019		1,143,392.84

Medicaid

October 15, 2019	177,332.00
October 22, 2019	<u>177,332.00</u>
Total Audit	\$ 9,612,410.86

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

Legislator Clattenburg made a motion to suspend the rules of the Legislature (Rule 19) to add a resolution setting the public hearing on the 2020 County Budget seconded by Legislator Maha, carried.

RESOLUTION NO. 407 2020 BUDGET - SETTING PUBLIC HEARING

Legislator Clattenburg offered the following resolution:

WHEREAS, The Tentative Budget for 2020 is being prepared by the Genesee County Budget Director and will be duly filed with the Clerk of the County Legislature, and

WHEREAS, The Committee on Ways and Means does recommend setting a public hearing for the 2020 Budget. Now, therefore, Be it

RESOLVED, That a Public Hearing on the 2020 Genesee County Budget will be held on Wednesday, November 6, 2019 at 6:00 p.m. at the Old County Courthouse, 7 Main Street, in the City of Batavia, New York.

Budget Impact Statement: None

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

At 5:55 PM the meeting adjourned upon motion of Legislator Deleo seconded by Legislator Torrey, carried.

**NINETEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, November 13, 2019**

The Genesee Legislature met in Regular Session on Wednesday November 13, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Young assisted with the audit. Prayer was offered by Legislator Stein followed by the Pledge to the Flag.

Minutes of the October 23, 2019 Legislature meeting were approved upon motion of Legislator Dibble seconded by Legislator Torrey, carried unanimously.

Legislator Maha stated he attended the Criminal Justice Advisory Committee meeting where it was reported that there is a lull in jail population, at present there are only 7 females. Legislator Stein announced Soil & Water Conservation District is celebrating 75 years of conservation and 1.4 million has been invested in best practices in Genesee County. Legislator Young shared that the Chamber of Commerce annual luncheon is scheduled for November 14th.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 408 LETTER OF INTENT – DEPARTMENT OF SOCIAL SERVICES/ NY OFFICE OF INFORMATIONAL TECHNOLOGY SERVICES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, Genesee County Department of Social Services needs to upgrade their current computer network system, and

WHEREAS, the New York Office of Informational Technology Services (NYOITS) made sight visits and determined that the need for computer network upgrades exist in Genesee County, and

WHEREAS, The Genesee County DSS has the necessary funds to cover the estimated costs for the RITM3057415 computer network upgrade request, and

WHEREAS, The Committee on Human Services has reviewed the information provided regarding this request and recommendation and does concur at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to accept, approve and sign the Letter of Intent and enter into an agreement with the NYOITS for the upgrade of the computer network system at the Genesee County DSS at 5130 East Main Street, Suite #3, Batavia, NY 14020 with an estimated cost of \$29,755.91.

Budget Impact Statement: Expenditures related to this agreement are eligible for Federal reimbursement up to 50% Federal aid. A budget appropriation transfer for the 2019 budget was done to cover the estimated \$29,755.91 cost for this upgrade. An ongoing annual service fee of \$19,067.00 has been included in the 2020 proposed budget. The total cost of this project is an estimate only. The actual amounts invoiced may vary from estimates and will be calculated in accordance with approved State service rates and actual utilization and/or actual costs incurred by NYOITS. Genesee County DSS obligation will include any change affecting estimated or actual costs that may arise during the fulfillment of this request.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 409 AGREEMENT – COMMUNITY MENTAL HEALTH SERVICES/LOCUM TENENS- APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County Community Mental Health Services is required to provide psychiatric services by a licensed psychiatrist, and

WHEREAS, The Mental Health Department has only one psychiatrist on staff and is working on recruiting more, and

WHEREAS, the Locum Tenens Program, Consilium Staffing, provides psychiatric services for evaluation and treatment by licensed psychiatrists, and

WHEREAS, the Department of Mental Health will continue to pursue recruiting a psychiatrist, however, the immediate need for additional hours still exists, and

WHEREAS, the Mental Health Director is recommending an agreement with Consilium and the County Attorney has reviewed said agreement, and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and do concur. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with Consilium Staffing, 6225 North State Highway 161, Suite 400, Irving, TX 75038 for the provision of psychiatric mental health services for the period of one year, per contract, October 10, 2019 through October 9, 2020 in an amount not to exceed the current budgeted amount for psychiatric services for this term.

Budget Impact: Funds have been budgeted in the 2019 mental health budget for the provision of psychiatric services.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 410 AGREEMENT RENEWAL- YOUTH BUREAU/INTER-MUNICIPAL AGREEMENT WITH ORLEANS YOUTH BUREAU OPERATION- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Youth Bureau Director did present an agreement with Orleans County for the operation of the Youth Bureau for 2020, and

WHEREAS, The Committee of Human Services did review the agreement and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Orleans and the County of Genesee for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$7,369.50 per quarter from January 1, 2020 through December 31, 2020 for a total of \$29,478.

Budget Impact: Operation of the Orleans Youth Bureau is included in the 2020 Youth Bureau proposed budget. The expense is \$1,400 with the remaining \$28,078 of the revenue as an offset to county expense for personnel.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 411 AGREEMENT RENEWAL-YOUTH BUREAU/INTER-MUNICIPAL AGREEMENTW WITH ORLEANS FOR STOP-DWI PUBLIC INFO AND EDUCATION -APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Youth Bureau Director did present an agreement with Orleans County for the operation of the STOP-DWI Public Information and Education Component for 2020 and

WHEREAS, The Committee of Human Services did review the agreement and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Orleans and the County of Genesee for the operation of the STOP-DWI Public Info and Education Program by Genesee County at a cost not to exceed \$10,375 to the Orleans County STOP-DWI Program for January 1, 2020 through December 31, 2020.

Budget Impact: Operation of the Orleans STOP-DWI Public Info and Education is included in the 2020 Youth Bureau proposed budget. The expenses and personnel time are offset by revenue. There is no county cost.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 412 2019 BUDGET AMENDMENT-YOUTH BUREAU – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Executive Director of the Genesee County Youth Bureau did request a budget amendment as program revenue and donations have been received to support two programs, and

WHEREAS, The Committees of Human Services and Ways and Means reviewed the request and recommend approval at this time. Now, therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing Revenue Account A.7310.2705 – Gifts & Donations in the amount of \$1,200 to be offset by an increase in Expenditure Accounts as follows:

7310.4800.0019	Program Expense Youth Events	\$525
7310.SDPP.4800.0000	Program Expense	\$675

Budget Impact: All increased appropriations accompanied by matching increased revenue. No net county cost.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 413 APPOINTMENTS – GENESEE COUNTY YOUTH BOARD - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committees on Human Service and Ways and Means do recommend appointments to the Genesee County Youth Board at this time. Now, therefore, be it

RESOLVED, That the following individuals is hereby appointed to the Genesee County Youth Board with a term and representation as noted.

New Appointment

City of Batavia	Julie Wasilewski	12/1/19-11/30/22
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Reappointment

Town of Batavia	Tammi Ferringer	12/1/19-11/30/22
Bethany/Stafford	Jessica Torrey	12/1/19-11/30/22

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 414 REAPPOINTMENT- OFFICE FOR THE AGING ADVISORY COUNCIL -APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, Current member Anita Dziekan’s term is set to expire December 31, 2019 and she

is a member in good standing and is seeking a third term; and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and recommend reappointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint the following to the Genesee County Office for the Aging Advisory Council to serve another three year term effective January 1, 2020 through December 31, 2022.

Community Members:

Anita Dziekan, Batavia, New York

Budget Impact Statement: None

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 415 APPOINTMENT-OFFICE FOR THE AGING ADVISORY COUNCIL-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, There is a vacancy and we offered invitation to an individual to fill a vacancy based on NYSOFA regulations regarding OFA Aging Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and recommend appointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a three year term effective January 1, 2020 through December 31, 2022.

Community Member:

Arthur W. Mruczek Sr. MD Batavia, New York

Budget Impact Statement: None

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 416 CONTRACT- OFFICE FOR THE AGING/CENTER FOR ELDER LAW & JUSTICE, INC. LEGAL SERVICES 2020- APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract award to Center for Elder Law & Justice, Inc., 438 Main Street, Suite 1200, Buffalo, New York, 14202 for the provision of Legal Services for the Elderly in Genesee County and the Committee on Human Service does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to Center for Elder Law & Justice, Inc. for the provision of Title III- B legal services through the Office for the Aging at a cost not to exceed \$8,400.00 per year with legal service rate of \$75 per hour for the period January 1, 2020 through December 31, 2020; and mileage reimbursement at the IRS rate for home visits to GCOFA legal service clients or program site locations, other than the Office for the Aging, within Genesee County.

Budget Impact Statement: None. \$8,400 for this contract is already included in the 2020 budget. The contract

amount is the same as 2019, plus continuation of approximately \$150 in mileage reimbursement for legal service/para-legal contractor staff for home visits or other site locations within Genesee County. 2020 hourly rates change from 2019 para-legal service \$40/ hour and attorney rate of \$55/hour to straight \$75/ hour. Federal Title III-B grant funds pay for this service.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 417 ADDITIONAL INSURED AND CONTRACT RENEWAL- OFA/NUTRITION PROGRAM MEAL SITE AGREEMENT - CORFU PRESBYTERIAN CHURCH 2020-APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Office for the Aging desires to continue the congregate meal site program at the Corfu Presbyterian Church location at an annual stipend rate of \$600 per year, and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured, and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 for the provision of using designated space within the church facility to hold a once weekly congregate meal site operated by the Genesee County Office for the Aging, at the stipend rate of \$600 for the period January 1, 2020 through December 31, 2020; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured from January 1, 2020 – December 31, 2020.

Budget Impact: None. This stipend rate remains the same at \$600 per year; is covered by Federal NSIP Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2020 proposed budget.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 418 ADDITIONAL INSURED AND CONTRACT RENEWAL- OFA/NUTRITION PROGRAM MEAL SITE AGREEMENT EAST BETHANY PRESBYTERIAN CHURCH 2020 APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Office for the Aging desires to continue the congregate mealsite program at the East Bethany Presbyterian Church location at an annual stipend rate of \$600 per year, and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 as additional insured, and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with East Bethany Presbyterian

Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 for the provision of using designated space within the church facility to hold a once weekly congregate meal site operated by the Genesee County Office for the Aging, at the stipend rate of \$600 for the period January 1, 2020 through December 31, 2020, and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 as additional insured from January 1, 2020 – December 31, 2020.

Budget Impact: None. This stipend rate remains the same at \$600 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2020 proposed budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 419 ADDITIONAL INSURED AND CONTRACT RENEWAL- OFA/ NUTRITION PROGRAM MEAL SITE AGREEMENT AT LEISURETIMERS APARTMENTS 2020-APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal for the provision of a two (2) day per week meal site for senior citizens at Leisuretimers Apartments and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 as additional insured. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 to host a meal site meal twice per week for Genesee County Office for the Aging congregate meal program for the period of January 1, 2020 through December 31, 2020 at a stipend rate of \$450.00 per year; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 as additional insured from January 1, 2020 – December 31, 2020.

Budget Impact Statement: None. This stipend rate remains the same at \$450 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2020 proposed budget.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 420 CONTRACT RENEWAL- OFA/NUTRITION PROGRAM MEAL SITE -GENESEE VALLEY RURAL PRESERVATION COUNCIL, INC. AT HAVENWOOD CONGREGATE APARTMENTS 2020-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract for the provision of meal site operation, and the Committee on Human Services does recommend approval at this time; and

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to enter into any and all agreements with the Genesee Valley Rural Preservation Council, Inc. 5861 Groveland Station Road, Mount Morris, NY 14510, for a senior meal site operation at Havenwood Congregate Apartments under the terms and conditions of the agreement for the period of January 1, 2020 – December 31, 2020, with no payment to Genesee Valley Rural Preservation Council, Inc. for services rendered or received. Participant contributions will be forwarded to the Office for the Aging for meals provided.

Budget Impact Statement: None. Contributions received from participants, Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act grant funds, and contributions received from participants will pay for the costs of providing meals at this meal site.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 421 CONTRACT RENEWAL-OFA/ ARC OF GENESEE ORLEANS COUNTIES NYSARC CHAPTER, INC. ROOM SET UP- APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal with Arc of Genesee Orleans Counties NYSARC Chapter, Inc. for the provision of labor and supervision to set up rooms at the Office for the Aging for various meeting and activities for recreation, education and health promotion programs and services held in the 2 Bank Street facility; with the rate of \$30 per day for a morning and/or mid-day set up depending on the needs of the Office for the Aging activity schedule; and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contact with Arc of Genesee Orleans Counties NYSARC Chapter, Inc., 64 Walnut Street, Batavia, NY 14020, at a rate of \$30 per day, not to exceed \$5,040 for the period of January 1, 2020 – December 31, 2020.

Budget Impact: None. \$5,040 expense is included in the proposed 2020 Office for the Aging Recreation Program budget. This is an increase from the 2019 budget by \$840, as minimum wage increased.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 422 CONTRACT- OFFICE FOR THE AGING/ GENESEE SENIOR FOUNDATION, INC. SALARY, GENERAL AND MAINTENANCE, AND MEALS ON WHEELS SUPPORT-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement with the Genesee Senior Foundation, Inc., to accept revenue to provide clerical and administrative salary, general and maintenance support for activities of the Genesee Senior Foundation, Inc., a not-for-profit foundation serving seniors in Genesee County and meals on wheels support, and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be It

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an agreement with the Genesee Senior Foundation, Inc., to accept revenue of up to \$5,450 for clerical and administrative support services rendered from January 1, 2020 – December 31, 2020.

Budget Impact: None. This \$5,450 in revenue is included in 2020 county budget. No change from 2019 revenue. Revenue will go towards offsetting existing salary expenses for the Senior Financial Clerk Typist, Services Administrator, and Director positions, office expenses, and support for the Meals on Wheels program.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 423 CONTRACT –OFA/ RFP-2019-106
TENDER LOVING FAMILY CARE, INC.–
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract to Tender Loving Family Care Inc, resulting from RFP 2019-106 to take effect January 1, 2020 with option of four (4) one-year renewal periods for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Western New York Alzheimer’s Disease Caregiver Support Initiative; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award a contract with Tender Loving Family Care, Inc. 1270 Creek Street, Suite 3, Webster, NY 14580 for the provision of in-home health care at the rate of \$35.00 per hour for Housekeeping/Chore (PC Level 1); \$38.00 per hour for Personal Care/Homecare (PC Level 2); and \$195.00 per visit for Nursing Supervision, not to exceed \$130,233 for the period January 1, 2020 – December 31, 2020.

Budget Impact: None. Total contract for 2020 not to exceed \$130,233 and is included in the 2020 county budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 424 CONTRACT – OFA/ RFP-2019-106 COMMUNITY CARE
OF WESTERN NEW YORK/HOMECARE & HOSPICE -APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract to Community Care of Western New York, Inc. dba Home Care & Hospice, resulting from RFP 2019-106 to take effect January 1, 2020 with option of four (4) one-year renewal periods for the provision of in-home health care services to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Alzheimer’s Disease Caregiver Support Initiative; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award a contract with Community Care of Western New York, Inc. dba Home Care & Hospice, 1225 W. State Street, Olean, NY 14760 for the provision of in-home health care at the rate of \$28.00 per hour for Housekeeping/Chore (PC Level 1); \$28.90 per hour for Personal Care/Homecare (PC Level 2); and \$95.00 per visit for Nursing Supervision, not to exceed \$130,233 for the period January 1, 2020 – December 31, 2020.

Budget Impact: None. Total contract for 2020 not to exceed \$130,233 and is included in the 2020 county budget.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 425 CONTRACT – OFA/ RFP 2019-106 WILLCARE, INC.–
APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract to Willcare. Inc./dba Willcare, resulting from RFP 2019-106 to take effect January 1, 2020 with option of four (4) one-year renewal periods for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Alzheimer's Disease Caregiver Support Initiative; and **WHEREAS**, The Committee on Human Services did review this request and does recommend approval of this contract at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award a contract with LHC Group, Inc/dba Willcare Inc, 346 Delaware Ave. Buffalo, NY 14202 for the provision of in-home health care at the rate of \$23.67 per hour for Housekeeping/Chore (PC Level 1); \$24.27 per hour for Personal Care/Homecare (PC Level 2); and \$120.00 per visit for Nursing Supervision, not to exceed \$130,233 for the period January 1, 2020 – December 31, 2020.

Budget Impact: None. Total contract for 2020 not to exceed \$130,233 and is included in the 2020 county budget.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 426 AWARD OF CONTRACT RFP #2019-110 OFFICE FOR THE AGING/ DMJ SAFE CLEANING – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of RFP #2019-110 to DMJ Safe Cleaning, Dawn Judd 7762 Black Street Rd. Leroy, NY 14482 to provide in-home cleaning services; and

WHEREAS, Due to the lack of personal aide services for those eligible for such services, in-home cleaning service has been identified as a need in Genesee County and is in greater demand with the increasing number of frail and/or chronically ill elders in our county needing in-home and community support services in order to remain in the home of their choice; and

WHEREAS, a cleaning service has been identified by the Office for the Aging to help address home cleanliness needs for eligible older adults; and

WHEREAS, This initial contract is effective November 14, 2019-October 31, 2021 with a renewal option for five additional one year periods. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award the contract to DMJ Safe Cleaning, Dawn Judd, 7762 Black Street Rd. Leroy, NY 14482, to serve as an in-home cleaner at a cost of \$30 per hour, not to exceed \$21,200, for basic home cleaning such as: sweeping, vacuuming, mopping, cleaning tubs, showers, sinks, toilets, kitchen counters and appliances, and dusting, for the period of November 14, 2019 through October 31, 2021.

Budget Impact: None. Contract total not to exceed \$21,200. Service costs are already incorporated into 2019 and 2020 county budgets.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 427 CONTRACT RENEWAL – HEALTH DEPARTMENT /COURIER SERVICES – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal with 3D Delivery Inc. for the provision of courier services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to renew a contract with Genesee 3D Delivery Inc., 58 Kingsbury Avenue, Batavia, New York, 14020, for the provision of courier services at the rate of \$1.80 per mile, for the period January 1, 2020 through December 31, 2020.

Budget Impact Statement: Anticipated expense for this contract is \$3,300. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Funding for General Public Health Works.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 428 CONTRACT RENEWAL HEALTH/ ENVIRONMENTAL HEARING OFFICER – THOMAS GRAHAM - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Environmental Hearing Officer services, and

WHEREAS, New York State Public Health Law does allow the Genesee County Board of Health to appoint one or more health officers to hold and conduct hearings for fact finding and recommendations to the board, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Thomas Graham, 32 Farnsworth Avenue, Oakfield, NY 14125 for the provision of hearing officer services for the Public Health Department at the all-inclusive rate of \$25.00 per hour for the period January 1, 2020 through December 31, 2020, in accordance with the terms of the contract.

Budget Impact: Anticipated expense for this contract is \$400. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 429 CONTRACT RENEWAL – HEALTH DEPARTMENT/ LABORATORY SERVICES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Clinical and Environmental Laboratory Services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Erie County Public Health Laboratory, 503 Kensington Avenue, Buffalo, New York 14214 to provide Clinical and Environmental Laboratory Services for the period of January 1, 2020 through December 31, 2020 at the rates as outlined in the agreement.

Budget Impact Statement - Revenue and expenses are included in the 2020 A 4010 Public Health Program Budget. Anticipated expenses are reimbursed through State Aid and Private Pay Fees.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 430 2019 SALARY SCHEDULE AMENDMENT – HEALTH DEPARTMENT – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director has requested the creation of one full time management position of Epidemiologist, and

WHEREAS, The Committees on Human Services and Ways and Means did review the request and do recommend approval at this time, now therefore, be it

RESOLVED, That the Genesee County Treasurer and Personnel Officer are hereby authorized and directed to amend the 2019 Genesee County Management Salary Schedule by creating one full time position of Epidemiologist, Management Grade 112 effective 11/13/2019.

Budget Impact: The creation of one full time Position of Epidemiologist will take effect 11/13/2019 and will start in the position after 1/1/2020 The Epidemiologist's salary and fringe are allocated for in the 2020 Health Department budget. The position is fully funded by the Healing Communities grant until 2023.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 431 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
HEALING COMMUNITIES – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Department has been chosen to receive \$191,300 annually in funding to address the opioid crisis in their communities and

WHEREAS, The Trustees of Columbia University has awarded the Genesee County Public Health Department \$191,300 annually, to use this funding to support costs associated with the opioid crisis and,

WHEREAS, The Committees on Human Services And Ways & Means did review this grant award and do recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the Trustees of Columbia University for the acceptance of the Healing Communities Grant contract for the period October 1,2019 through March 31,2023 in the amount of \$191,300 annually, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses of \$191,300 are appropriated in the 2020 Budget

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 432 CORONER LAPTOP ACCEPTANCE-/ HEALTH
DEPARTMENT/NYSDOH & CDC- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Health Department has been awarded 4 laptops equipped with software through a New York State Department of Health lead program in conjunction with the Centers for Disease Control and Prevention (CDC) at no cost to our county; and

WHEREAS, The software included in the Laptops will ease the burden of required Coroner reports for programs such as the NYS Department of Motor Vehicles Fatal Accident Reporting System (FARS), the NYSDOH National Violent Death Reporting System along with assisting in easily creating counts of specific types of deaths when requested;

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, that the County Administrator is hereby authorized to accept the 4 laptops for The Genesee County Health Department and provide them to the County Coroners in order to assist their vital work.

Budget Impact: No cost to the county for (4) coroner laptops.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 433 CONTRACT– HEALTH DEPARTMENT/ PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committees on Human Services and Ways & Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with the Batavia City School District for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program for the period of October 15, 2019 through June 30, 2021 at the rates established by State of New York.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 434 CONTRACT - HEALTH DEPARTMENT/ NEWBIRD INC. OPIOID TREATMENT APP – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with Newbird Inc. to design and develop an app. to provide linkage to care outlined in the Opioid Crisis Grant work plan, and

WHEREAS, The Committees on Human Services and Ways & Means did review the contract and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Newbird Inc. at 2495 Main St #348, Buffalo, NY 14214 to provide services not to exceed \$6,418 for the period October 1, 2019 through August 31, 2020.

Budget Impact Statement: Expenses of \$6,418 and offsetting revenues for this contract are included in the 2019 & 2020 4010 budget. All expenses associated with this contract will be paid for by the Opioid Crisis Funding Grant. The cost to the county is \$0.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 435 CONTRACT RENEWAL– HEALTH DEPARTMENT/ SEXUALLY TRANSMITTED DISEASE (STD) DIAGNOSIS AND TREATMENT SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Sexually Transmitted Disease (STD) diagnosis and treatment services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Workfit Medical, LLC, 178 Washington Avenue, Batavia, New York 14020 to provide Sexually Transmitted Disease (STD) Diagnosis and Treatment Services for the term January 1, 2020 through December 31, 2020.

Budget Impact: \$1,200 is allocated for Workfit STD services in the 2020 A 4010 Public Health Department Budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 436 CONTRACT RENEWAL– HEALTH DEPARTMENT/SEXUALLY TRANSMITTED DISEASE (STD) DIAGNOSIS AND TREATMENT SERVICES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for provision of Sexually Transmitted Disease (STD) diagnosis and treatment services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to establish a contract with Batavia Primary Care, 16 Bank Street, Batavia, New York 14020, to provide Sexually Transmitted Disease (STD) Diagnosis and Treatment Services for the period of January 1, 2020 through December 31, 2020.

Budget Impact: \$1,200 is allocated for Batavia Primary Care STD services in the 2020 A 4010 Public Health Department Budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 437 CONTRACT RENEWAL– HEALTH DEPARTMENT/ CLINICAL LABORATORY AND MEDICAL TREATMENT SERVICES UMMC– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for provision of Clinical Laboratory and Medical Treatment Services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with United Memorial Medical Center, 127 North Street, Batavia, New York 14020 to provide Clinical Laboratory and Medical Treatment Services for the period of January 1, 2020 through December 31, 2020.

Budget Impact: Anticipated expenses in the amount of \$5,500 have been built into the 2020 A 4010 Public Health Department Budget

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 438 CONTRACT RENEWAL– HEALTH DEPARTMENT/ MEDICAL CONSULTANT SERVICES BARCOMB – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Medical Consultant Services, and

WHEREAS, based upon the current organizational structure of the Health Department medical consultation services must be available as outlined in the New York State Codes, Rules, and Regulations, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Alan Barcomb, M.D., 1 Dennis Drive, Batavia , NY 14020 for the provision of Medical Consultant services for the Genesee County Health Department at the all- inclusive rate of \$2,500/annually, paid in quarterly installments of \$625.00 for the period January 1, 2020 through December 31, 2020.

Budget Impact Statement: Anticipated expense for this contract is \$2,500/year. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 439 CONTRACT RENEWAL– HEALTH DEPARTMENT/ 3-5 PRESCHOOL SPECIAL EDUCATION PROGRAM- COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MUNICIPALITY REPRESENTATIVE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present a contract renewal for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) of the Genesee County School Districts, and

WHEREAS, The Committee on Human Services did review the contract and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Laura Calla, 1550 Genesee Street, Corfu, NY 14036 at the rate of \$42.00 per hour plus mileage, at the current IRS rate, for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) in the 3-5 Preschool Special Education Program for the period January 1, 2020 through December 31, 2020.

Budget Impact Statement: Expenses for this service are included in the 2020 A 2960 3-5 Preschool Program budget. Genesee County receives annual state aid reimbursement of \$75 per child for the administrative costs of the program.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 440 INTERMUNICIPAL AGREEMENT RENEWAL - HEALTH DEPARTMENT/ SHARED PUBLIC HEALTH SERVICES – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful collaboration pursuant to an agreement dated January 1, 2015, which will expire on December 31, 2019, that has provided both programmatic and fiscal improvements to public health in both counties. and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service, and

WHEREAS, the Genesee County Public Health Director did present an intermunicipal agreement renewal with Orleans County to provide Shared Public Health Services, and

WHEREAS, The Committees on Human Service and Ways and Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the County of Orleans with offices at 3 South Main Street, Suite 2, Courthouse Square, Albion, NY 14411, for the provision of providing Shared Public Health Services for the period January 1, 2020 through December 31, 2024.

Budget Impact Statement: Expenses related to this contract are included in the 2020 Health Budgets and will be included in the 2021-2024 Program Budgets. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 441 INTERMUNICIPAL AGREEMENT RENEWAL– HEALTH DEPARTMENT/ SHARED PUBLIC HEALTH ADMINISTRATIVE STAFF – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful collaboration pursuant to an agreement dated January 1, 2015, which will expire on December 31, 2019 that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service, and

WHEREAS, the Genesee County Public Health Director did present an intermunicipal agreement with Orleans County to share Public Health Administrative Staff, and

WHEREAS, The Committees on Human Service and Ways and Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the County of Orleans with offices at 3 South Main Street, Suite 2, Courthouse Square, Albion, NY 14411, for the provision of sharing the following administrative positions between Genesee and Orleans County: Director of Public Health, Director of Community Health Services, Director of Environmental Health, Emergency Preparedness Coordinator, Director for Children with Special Needs, and Deputy Public Health Director for the period January 1, 2020 through December 31, 2024.

Budget Impact Statement: Expenses related to this contract are included in the 2020 Health Budgets and will be included in the 2021-2024 Program Budgets. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 442 CONTRACT RENEWAL–HEALTH DEPARTMENT / LEAD INVESTIGATION SERVICES –APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County does contract with Monroe County for the provision of elevated blood lead investigation services, and

WHEREAS, The Director of Public Health did recommend renewal of the existing contract and the Committee on Human Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Monroe County for Elevated Blood Lead Investigation services backdated to August 1, 2019 through July 31, 2020 at the following rates:

Administrative Fee	\$40.00/case
Public Health Sanitarian (LP Investigator)	\$40.00/hour
Water	\$39.00/sample
Dust Wipe	\$ 5.25/sample
Soil Sample	\$ 5.25/sample
Mileage	based on most current IRS mileage rate

Budget Impact: Anticipated expense for this contract is \$2,800 which is reimbursed up to 100% through Article 6, State Aide for General Public Health Works.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 443 SERVICE AGREEMENT RENEWAL – HEALTH DEPARTMENT/MEDICAL WASTE SERVICES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a service agreement renewal for the provision of Medical Waste Services, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a service agreement with Biosan Disposal, 155 Great Arrow Avenue, Buffalo, NY 14207, to provide Medical Waste Services for the term 11/01/19 – 11/01/2021 at the cost of \$58 per box.

Budget Impact Statement – The anticipated cost of \$348 for 6 pickups is included in the 2020 4010 Public Health Budget and will be included in the 2021 budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 444 APPOINTMENT- GENESEE COUNTY BOARD OF HEALTH – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, a vacancy does exist on the Genesee-Orleans County Board of Health due to a resignation, and

WHEREAS, The Committee on Human Service and Ways and Means do recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Dr. Thomas Madejski of 100 Ohio Street, Medina, NY 14411 to fill an unexpired term on the Genesee-Orleans County Board of Health effective immediately through December 31, 2020.

Budget Impact: A \$20 stipend is available for each Board member per meeting attended. This expense is included in the 2019 and 2020 Dept. 4010 – Public Health Budgets.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 445 CANCELLATION OF TAX LIEN - APPROVAL OF

Legislator Clattenburg offered the resolution:

WHEREAS, Article 11 of the Real Property Tax Law substantially revised the enforcement of the collection of delinquent real property taxes as well as established a procedure for the withdrawal of and/or cancellation of tax liens, and

WHEREAS, There are two parcels in the Town of Byron that no longer have any real property remaining for the County to foreclose on due to the fact that mobile homes were removed from the parcels, and

WHEREAS, It is the recommendation of the County Treasurer and Real Property Tax Director and the Ways and Means Committee concurs that the tax liens canceled. Now, therefore, Be it

RESOLVED, That the tax liens for Tax Map # 5.-1-24./L and 5.-1-24./46 in the Town of Byron are hereby cancelled, and, Be it further

RESOLVED, That the cancelled taxes attributable to the Town of Byron in the amount of \$80.30 and to the Byron-Bergen Central School District in the amount of \$370.83 be charged back to each respective taxing jurisdiction.

Budget Impact: \$699.73 will be written off of which \$451.13 will be charged back leaving a net County impact of \$248.60.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 446 CONTRACT RENEWAL–SELF-INSURANCE WORKERS COMPENSATION/ACTUARIAL SERVICES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County Self-Insurance did contract with S.G. Risk, LLC for actuarial services for the period January 1, 2016 through December 31, 2018 with two one-year extensions upon mutual agreement, at a cost of \$5,250 for 2019 and \$6,000 for 2020 and

WHEREAS, Said contract allowed for two additional one-year extensions and the Assistant County Manager has recommended that the contract be renewed for the second one-year extension at this time, and

WHEREAS, The Committee on Ways and Means did review the recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a second one-year extension to the contract by and between the Genesee County Self-Insurance Plan and S.G. Risk, LLC, 1050 Wall Street, West, Suite 610, Lyndhurst, NY 07071 for the provision of actuarial services for the Genesee County Self-insurance plan through December 31, 2020 at a cost of \$6,000.00.

Budget Impact: All costs are in the 2020 budget and apportioned to the participants.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 447 CONTRACT RENEWAL –SELF-INSURANCE WORKERS COMPENSATION/COST ALLOCATION SERVICES – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Self-Insurance Plan did receive proposals for the provision of cost allocation services used for allocating participant premiums for the plan for a three-year period 2017-2019 with two one-year options for renewal, and

WHEREAS, Said contract allowed for two additional one-year extensions and the Assistant County Manager has recommended that the contract be renewed for the first one-year extension at this time, and

WHEREAS, The Committee on Ways and Means did review the recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the first one-year extension to the contract by and between the Genesee County Self-Insurance Plan and OneGroup NY, Inc., 706 North Clinton Street, Syracuse, NY 13204 for the provision of cost allocation services for the period March 1, 2020 through February 27, 2021 at the same annual cost of the original contract, \$5,500 per year with the option of an additional \$2,000 to gather necessary data from participants and \$1,000 additional for auditing the data collected.

Budget Impact: All costs are in the 2020 budget and apportioned to the participants.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 448 ADOPTION OF GENESEE COUNTY CORPORATE COMPLIANCE PLAN – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Departments of Mental Health, Public Health and County Nursing Home did develop and implement a Corporate Compliance Plan in 2007, and
WHEREAS, The Genesee County Compliance Officer did present amendments to said Plan, setting forth updated guidelines for compliance functions of the County of Genesee, and
WHEREAS, The Genesee County Corporate Compliance Committee, which is comprised of the Public Health Director, Mental Health Director, IT Director, Human Resources Director, Assistant County Manager, Human Services Committee Chair, and additional County support staff, did review the plan and does recommend the County adopting said plan, and
WHEREAS, The Committee on Ways and Means did review the Genesee County Corporate Compliance Plan and does recommend approval at this time. Now, therefore, Be it
RESOLVED, That the Genesee County Legislature does hereby approve the Genesee County Corporate Compliance Plan, as presented by the Genesee County Compliance Officer.

Budget Impact: zero budget impact

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 449 AGREEMENT AMENDMENT – SHERIFF’S OFFICE
/HARRIS CORPORATION PUBLIC SAFETY RADIO TOWER AND SYSTEM
UPGRADES – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County contracted with Harris Corporation RF Communications Division, located at 1680 University Avenue, Rochester, NY 14610, to provide a public safety radio system pursuant to Resolution No. 157, dated April 25, 2013, and

WHEREAS, Genesee County has significant radio coverage gaps in the south central portion of the county that would be remediated by an additional public safety communications tower, and

WHEREAS, Genesee County received NYS Statewide Interoperable Communications Grants (SICG) which included funds to build an additional tower to improve coverage in selected areas and upgrade our public safety radio system, and

WHEREAS, Harris and the County have negotiated a price of the additional work specified in Change Order 9 of the original purchase Agreement for a total cost not to exceed \$1,425,000.00 pursuant to NYS OGS Contract pricing, and

WHEREAS, Genesee County currently has \$883,105.00 in NYS SICG funding allocated to the Public Safety Communications Tower capital project, and, and

WHEREAS, Genesee County anticipates receiving additional SICG funding in 2020 and 2021 to cover the remaining \$541,895.00 for the Harris additional work, and

WHEREAS, After careful discussion, the E911 Operations Board, Sheriff, County Attorney, and Director of Emergency Communications recommend the County Legislature approve the contract amendment with Harris to be offset by revenue from the NYS Statewide Interoperable Communications Grants, and

WHEREAS, The Committees on Ways & Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to approve the amendment to the Harris Corporation agreement, Change Order 9, at a cost not to exceed \$1,425,000.00 to be offset by revenues from the NYS Statewide Interoperable Communications Grant program.

Budget Impact: The cost of \$1,425,000.00 for Harris Change Order 9 will be offset using existing (\$883,105.00) and anticipated (\$541,895.00) Statewide Interoperable Communications Grant revenues.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 450 AWARD OF BID-COUNTYWIDE WATER PH2 CONTRACTS 3A AND 3B PUMP SATATIONS

Legislator Stein offered the following resolution:

WHEREAS, Genesee County advertised plans and specifications for the construction of new pump stations in Mumford and Churchville in order to advance Phase 2 of the Countywide Water Project; and

WHEREAS, the Genesee County Highway Superintendent reviewed the accuracy of these bids and does recommend an award at this time, and

WHEREAS, the Ways & Means Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award General Contract 3A in the amount of \$1,488,000 and Alternate Bid 1G in the amount of \$35,000 to C.P.Ward Inc. 100 West River Road, PO Box 900, Scottsville, NY 14546 for a total amount not to exceed \$1,523,000.00.

The Genesee County Legislature also does hereby award Electrical Contract 3B in the amount of \$729,000 and Alternate Bid 1E in the amount of \$30,000 to Suburban Electric Inc. 225 East Bank Street, Albion, NY 14411 for a total amount not to exceed \$759,000.

Budget Impact: The total cost of both contracts is \$2,282,000. The contracts will be funded from the capital project established for Phase 2 Water until such time that the County can be reimbursed from the Monroe County Water Authority bonding which is anticipated in early 2020. The contractor expects to start work in December 2019 so there will be a few pay requests that will need to be covered from the capital project.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 451 AUTHORIZATION TO ADD USER –COUNTY ATTORNEY/NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES LICENSE EVENT NOTIFICATION SERVICES —APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County's risk management program includes a review of employee drivers' license and driving history on a regular basis, and

WHEREAS, New York State, through its Department of Motor Vehicles, offers a License Event Notification Service (LENS) which provides automatic notifications of driver license events as they occur and this would greatly enhance the County's employee driver risk management program, and

WHEREAS, The Genesee County Attorney is seeking authorization for the Confidential Secretary to the County Attorney as the County's authorized user, and

WHEREAS, The Committee on Ways and Means has reviewed this request and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby designate Cindy Palmer, Confidential Secretary to the County Attorney, to act as the County's authorized user of the New York State Department of Motor Vehicles' License Event Notification Services (LENS) and hereby directs her to execute the State required Certification verifying her adherence to the Federal Driver's Privacy Protection Act and other State regulations.

Budget Impact Statement: None

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 452 SETTLEMENT-COUNTY ATTORNEY/ MCKEIRNAN V. GENESEE COUNTY, ET AL.

Legislator Clattenburg offered the following resolution:

WHEREAS, on September 24, 2015, a lawsuit was commenced by McKeirnan (Plaintiff) against Genesee County, *et al.* (Defendants); and

WHEREAS, the parties have entered into a tentative agreement to settle this lawsuit; and

WHEREAS, The Ways and Means Committee did review this request and recommend approval at this time. Now, therefore, Be it

RESOLVED, that the County of Genesee Legislature does hereby approve of settling the lawsuit for McKeirnan v. Genesee County, *et al.* and be it further

RESOLVED, that the County of Genesee Treasurer is hereby authorized and directed to make a payment, which will be payable as directed by the County Attorney to Plaintiff pursuant to the terms of a General Release in favor of the Defendants, executed by the Plaintiff on September 24, 2019, and be it further

RESOLVED, that the Chair of the County of Genesee Legislature and/or the County of Genesee Attorney are hereby authorized and directed to execute any documents needed to settle the above-named civil action and all claims by the Plaintiff against the Defendants.

Legislator Stein made a motion to amend the resolution to remove “and her attorneys” seconded by Legislator Clattenburg, carried unanimously.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 453 2019 BUDGET AMENDMENT – COUNTY ATTORNEY/PERSONAL INJURY LAWSUIT SETTLEMENT-APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the County Attorney does request an amendment to the 2019 County Budget due to personal injury lawsuit settlement; and

WHEREAS, there is sufficient money in the Casualty Liability Insurance Reserve to cover this settlement; and

WHEREAS, The Ways and Means Committee did review this request and recommend approval at this time. Now, therefore, Be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget at follows:

Increase in Revenue MS.1000.9999 Balancing-Appropriated	\$400,000
To be offset by an	
Increase in MS.1930.4800.0100 – Claims	\$400,000

Budget Impact: There is \$1,359,484.00 in the reserve.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 454 SECOND AMENDED AND RESTATED COUNTY OF GENESEE AND CITY OF BATAVIA OPERATION FACILITIES LEASE AGREEMENT – APPROVAL OF

Legislator Stein offered the following Resolution:

WHEREAS, the County of Genesee (hereinafter “County”) and the City of Batavia (hereinafter “City”) have entered into an “Amended and Restated County of Genesee and City of Batavia Operation and Facilities Lease Agreement”, dated December 13, 2018; and

WHEREAS, said Amended and Restated Operation and Facilities Lease Agreement was for a one year period starting January 1, 2019 and ending December 31, 2019; and

WHEREAS, a proposed “Second Amended and Restated County of Genesee and City of Batavia Operation and Facilities Lease Agreement” would run for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029; and

WHEREAS, the parties intend to simultaneously enter into forty (40) year Agreements for the distribution of sales tax and for water supply; as well as ten (10) year Agreements for the lease by the County of the City of Batavia water facilities, and for the operation and maintenance of said Batavia water facilities. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County, a proposed “Amended and Restated County of Genesee and City of Batavia Operation and Facilities Lease Agreement” for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029, and be it further;

RESOLVED, that this approval and execution of the Second Restated Agreement is subject to approval and execution by the City of all three Agreements for Water Supply, Lease of the Batavia Water Facilities, and Operation and Maintenance of Batavia Water Supply Facilities. Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 455 SECOND AMENDED AND RESTATED COUNTY OF GENESEE AND CITY OF BATAVIA OPERATION AND MAINTENANCE AGREEMENT – APPROVAL OF

Legislator Young offered the following Resolution:

WHEREAS, the County of Genesee (hereinafter “County”) and the City of Batavia (hereinafter “City”) have entered into an “Amended and Restated County of Genesee and City of Batavia Operation and Maintenance Agreement”, dated December 13, 2018; and

WHEREAS, said Amended and Restated Operation and Maintenance Agreement was for a one year period starting January 1, 2019 and ending December 31, 2019; and

WHEREAS, a proposed “Second Amended and Restated County of Genesee and City of Batavia Operation and Maintenance Agreement” would run for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029; and

WHEREAS, the parties intend to simultaneously enter into forty (40) year Agreements for the distribution of sales tax and water supply; as well as ten (10) year Agreements for the lease by the County of the City of Batavia water facilities, and for the operation and maintenance of said Batavia water facilities. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County, a proposed “Second Amended and Restated County of Genesee and City of Batavia Operation and Maintenance Agreement” for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029, and be it further;

RESOLVED, that this approval and execution of the Second Restated Agreement is subject to approval and execution by the City of all three Agreements for Water Supply, Lease of the Batavia Water Facilities, and Operation and Maintenance of Batavia Water Supply Facilities.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 456 SECOND AMENDED AND RESTATED WATER SUPPLY AGREEMENT BETWEEN COUNTY OF GENESEE AND CITY OF BATAVIA – APPROVAL OF

Legislator Clattenburg offered the following Resolution:

WHEREAS, the County of Genesee (hereinafter “County”) and the City of Batavia (hereinafter “City”) have entered into an “Amended and Restated Water Supply Agreement between County of Genesee and City of Batavia”, dated December 13, 2018; and

WHEREAS, said Amended and Restated Water Supply Agreement was for a one year period starting January 1, 2019, and ending December 31, 2019; and

WHEREAS, part of the plan to provide supply of water to the residents to the City of Batavia would require an Agreement for forty (40) year in length; and

WHEREAS, the County and the City have requested that the New York State Senate and New York State Assembly adopts special legislation, which would allow the parties to enter into such a forty (40) year Sales Tax Allocation Agreement; and

WHEREAS, this Legislation has been enacted; and

WHEREAS, a proposed “Second Amended and Restated Water Supply Agreement Between County of Genesee and City of Batavia” would run for a period of forty (40) years commencing January 1, 2020, and ending December 31, 2059; and

WHEREAS, the parties intend to simultaneously enter into forty (40) year Agreements for the distribution of sales tax and for water supply; as well as ten (10) year Agreements for the lease by the County of the City of Batavia water facilities, and for the operation and maintenance of said Batavia water facilities. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County of Genesee, a proposed “Second Amended and Restated Water Supply Agreement Between County of Genesee and City of Batavia” for a period of forty (40) years, commencing January 1, 2020, and ending December 31, 2059, and be it further;

RESOLVED, that this approval and execution of the Second Restated Agreement is subject to approval and execution by the City of all three Agreements for Water Supply, Lease of the Batavia Water Facilities, and Operation and Maintenance of Batavia Water Supply Facilities.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 457 AWARD OF CONTRACT – CENTRAL SERVICES/UTILITY BILL AUDIT – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has not contracted with an external auditing service to ensure the accuracy of the Genesee County utility bills within the past 3 years, and

WHEREAS, The opportunity exists for external auditors to identify billing errors on Genesee County utility bills and collect refunds for up to 3 years of previous service, as well as prevent future costs associated with utility bill errors, and

WHEREAS, Rockland County did award a contract for a Utility Bill Auditing Service, and

WHEREAS, Rockland County included the Piggyback Clause in their RFP-RC-2012-024, advertised the RFP, and awarded it based on Best Value, and

WHEREAS, The vendor under contract for this service, Troy & Banks, Inc. , did agree to extend this contract to Genesee County and submitted an agreement for said services, and

WHEREAS, The Committee on Ways and Means did review the Genesee County agreement and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Troy & Banks, Inc, 2216 Kensington Avenue, Buffalo, NY 14226 to provide Genesee County with a Utility Bill Auditing Service for the period December 1, 2019 through November 30, 2020. This contract contains the option for an additional three (3) one-year renewal periods upon written agreement of both parties.

Budget Impact: Genesee County will pay a percentage of any savings or refunds that are identified by Troy and Banks. If they don't identify any savings then Genesee County will have no payment due. While we have no way of estimating what the savings or refunds may be until the audit is complete, as it varies for each municipality, it will not cost the County anything to complete this audit. There will be a small amount of time spent by County employees collecting the information for Troy and Banks to use in their audit, but they only need 1 bill for each account, so the time invested will be minimal. The only potential impact to our budget is positive.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 458 CONTRACT AMENDMENT – CENTRAL SERVICES/UNIFIED COURT SYSTEM – APPROVAL OF

Legislator Stein offered the following resolution

WHEREAS, 2018 Resolution No. 483 authorized Genesee County to enter into an agreement with the New York State Unified Court System for the Court Facilities Incentive Aid Program for the period of April 1, 2018 through March 31, 2023, and

WHEREAS, This Aid Program allows for the State reimbursement for Genesee County expenses associated with the cleaning and minor repairs of the courts facilities, and

WHEREAS, The New York State Unified Court System has presented the Genesee County Manager with a revised Appendix B Court Cleaning and Minor Repairs Proposed Budget Form for the period of April 1, 2019 through March 31, 2020, Now therefore, Be it

RESOLVED, That the Genesee County Legislature Chairperson is hereby authorized and directed to execute the Contract Amendment letter which amends the County's agreement with the New York State Unified court System for expense reimbursement to include Appendix B, Unified Court System Cleaning and Minor Repairs Proposed Budget Form, for the period April 1, 2019 through March 31, 2020.

Budget Impact: Proposed maximum State reimbursement of \$156,188 has been budgeted as revenue in the 2019 Central Services and Facilities Management operating budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 459 DISTRIBUTION OF MORTGAGE TAX-SECOND PAYMENT 2019-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$392,051.45, and

WHEREAS, The Committee on Ways & Means did review the mortgage tax money available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

City Of	Batavia	\$ 74,094.93
Towns Of	Alabama	13,206.30
	Alexander	12,763.98
	Batavia	47,948.05
	Bergen	22,014.81
	Bethany	10,283.05

	Byron	11,079.97
	Darien	20,781.53
	Elba	13,108.37
	LeRoy	62,329.43
	Oakfield	13,893.54
	Pavilion	10,565.42
	Pembroke	28,629.94
	Stafford	23,258.90
Villages Of	Alexander	1,324.09
	Attica	454.13
	Bergen	2,941.08
	Elba	1,611.84
	LeRoy	17,898.67
	Oakfield	2,141.28
	Corfu	1,722.14
Total		\$392,051.45

Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax account.

Budget Impact Statement: 2018 2nd payment \$408,348.50

2017 2nd payment \$411,573.27

2016 2nd payment \$379,929.40

2015 2nd Payment \$340,055.66

2014 2nd Payment \$272,880.58

2013 2ND Payment \$326,302.91

2012 2nd Payment \$313,581.21

2011 2nd payment \$264,130.74

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 460 APPOINTMENT-GENESEE TOBACCO SECURITIZATION CORPORATION/ INDEPENDENT DIRECTOR-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee Tobacco Asset Securitization Corporation (TASC) due to the death of Independent Director Travis Minor, and

WHEREAS, Mr. Charles W. Hoover of Ford Road, Elba, New York has indicated an interest in appointment to the TASC, and

WHEREAS, the Member of the Corporation, Legislature Chairman Robert Bausch, is recommending appointment at this time and the Committee on Ways & Means does concur.

Now, therefore, Be it

RESOLVED, That Charles W. Hoover is appointed to the Genesee Tobacco Asset Securitization Corporation as the independent director effective November 13, 2019.

Budget Impact: None.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 461 2019 BUDGET AMENDMENT- GENESEE COMMUNITY COLLEGE-VETERINARY TECHNOLOGY AND CRIMINAL JUSTICE PROGRAMS- ONE TIME CAPITAL ALLOCATION-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee Community College requests a one-time capital allocation of \$100,000 to support academic program renovation projects for the Veterinary Technology and Criminal Justice Programs, and

WHEREAS, The enhancements will meet new areas of demand in the criminal justice career field and provide clinical lab experience in surgical procedures that are part of the Vet Tech program, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the County Treasurer to make a one-time capital allocation to the Genesee Community College in the amount of \$100,000 to be paid in the County's 2019 fiscal year, and Be it further

RESOLVED, The County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing A.1000 1110 Sales and Use Tax-Co 3% by \$100,000 and increasing A.2495 4800.0000 County Share of GCC by \$100,000.

Budget Impact: Additional \$100,000 expense covered by the County's 3% share of sales tax revenue.

Prior to the vote Legislator Stein stated she was pleased the Legislature is able to support two capital projects that will impact programs that are in high demand at GCC. Legislator Maha agreed that both the Vet Tech and Criminal Justice Programs are in high demand and the capital projects will be well utilized.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 462 COUNTY AUDIT –NOVEMBER 13 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Young, did review the following claims:

General Fund	\$	1,431,508.06
Highway		213,238.39
Self Insurance		50,769.40
Water		85,557.62
DSS Abstracts		476,357.55

Capital Projects

Highway-Large Span Culverts	\$	50,593.66
Highway-Pratt Road Bridge Over Tonawanda Creek		38,851.34
Highway-Highway Overlay		14,700.00
Highway-Highway CR #5		30,641.25
Highway-Highway CR #51, Colby Road		14,474.25
Highway-Preventive Maintenance Bridge Painting		2,184.71
Highway-Highway Chip Seal		82,145.65
Park-Dewitt Park Improvements Phase IV		177.52
Facilities Management-EMS Training Ground		2,700.00
Sheriff/Jail-Jail Construction		153,400.00
Sheriff-800 Megahertz Radio System Upgrade		7,049.19
Airport-Airport Taxiway "C" Construction		20,173.51
Water-County Wide Water System Upgrade Phase II		1,320,862.96

Payroll – General

October 25, 2019	1,599,144.09
November 8, 2019	1,259,960.54
Medicaid	
October 29, 2019	177,332.00
November 5, 2019	177,332.00
November 12, 2019	<u>177,332.00</u>
Total Audit	\$ 7,386,485.69

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Maha seconded the resolution which passed by 326 votes.

Legislator Clattenburg made a motion to suspend the rules of the Legislature to add two resolutions to the agenda. The first matter needs immediate action because an Exclusion Request Form needs to be signed on behalf of Genesee County and submitted to its litigation counsel on or before November 22, 2019. The second matter is setting three required public hearings on the Shared Services Plan that will be submitted to the Department of State by December 31, 2019 seconded by Legislator Young, carried unanimously.

RESOLUTION NO. 463 OPT OUT OF A NATIONAL NEGOTIATING CLASS REGARDING OPIOID LITIGATION

Legislator Clattenburg offered the following resolution:

WHEREAS, the County of Genesee has hired the Napoli Shkolnik, PLLC law firm to represent the County of Genesee in litigation involving damages sustained by the County as a result of the opioid epidemic, and

WHEREAS, the County's law firm has commenced a lawsuit in the Supreme Court for Genesee County, and is also representing numerous other counties and municipalities throughout New York State, and

WHEREAS, all of the litigation involving New York State counties has been coordinated in Suffolk County, and

WHEREAS, Federal Judge Polster of the United States District Court, Northern District of Ohio, has preliminarily approved a request to certify a negotiating class setting forth the framework to assist this Court to negotiate and potentially obtain a resolution of all of the opioid litigation throughout the United States, and

WHEREAS, the Napoli Shkolnik, law firm has recommended that the County of Genesee opt out of this negotiation class to continue litigation in Suffolk County, and

WHEREAS, the County Attorney concurs with this recommendation, and

WHEREAS, to opt out of the class, a document entitled "Exclusion Request Form" needs to be signed on behalf of the County of Genesee and submitted to its litigation attorneys on or before November 22, 2019. Now, therefore, Be it

RESOLVED, that the Chair of the County of Genesee Legislature is hereby authorized and directed to execute the "Exclusion Request Form" to opt out of the negotiating class as has been recommended by the County's legal counsel in this matter.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 464 SETTING PUBLIC HEARING-SHARED SERVICES PLAN

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State continues another mandate on all local governments to discuss, develop and update shared services ideas and plans for submittal to the County Legislature in November/December 2019 and submittal to New York State Department of State by December 31, 2019, and

WHEREAS, Part of the process for discussing and developing said shared services plan is to have public meetings/opportunities for citizen input and to take suggestions on possible public sector shared services opportunities that have not already occurred and are in place, and

WHEREAS, The Committee on Ways and Means does recommend setting public hearings for shared services discussion. Now, therefore, Be it

RESOLVED, That Public Hearings on the 2020 Shared Services Plan will be held on Wednesday, November 20, 2019 at 4:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, NY, Thursday November 21, 2019 at 7:00 p.m. at 3837 West Main Street Road, Batavia, New York and on Monday, November 25, 2019 at 5:30 p.m. at the Old Courthouse, 7 Main Street, in the City of Batavia, New York.

Budget Impact Statement: None

Legislator Young seconded the resolution which passed by 326 votes.

The meeting adjourned at 6:01 PM upon motion of Legislator Torrey seconded by Legislator Deleo, carried unanimously.

**TWENTIETH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, November 25, 2019**

The Genesee Legislature met in Regular Session on Monday, November 25, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Torrey followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Bausch opened a public hearing on the mandated public sector shared services plan. All interested parties were invited to be heard.

Minutes of the November 13, 2019 Legislature meeting were approved upon motion of Legislator Hilchey seconded by Legislator Stein, carried unanimously.

Legislator Stein commented on the last Inter County Association meeting of the year held at the Elmira Corning Regional Airport where NYSAC staff stated the Governor indicates he is willing to delay criminal justice reform but the legislature is leaning toward moving ahead and providing funding. Chairman Bausch reported he attended GAM where the discussion revolved around fire protection and issues communities are facing due to limited volunteers.

County Manager Jay Gsell commented on the statewide press event held on November 21, 2019 relating to Criminal Justice reform. Part of the message was that public safety is not in the forefront and victims won't be seeing offenders held. Participants and supporters included the Sheriffs Association and Police Chiefs Association.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 465 BUDGET AMENDMENT - SHERIFF/K-9 PROGRAM-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, A transfer of funds is needed to the Sheriff's K9 Program budget to help cover the cost of a bulletproof vest for K9 Frankie, as well as his food and incidentals through year end, and

WHEREAS, Funds are available in the K-9 Donations Reserve Account from the gifts and donations that have been made to the K9 Program to help cover these costs, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

\$400 to A3110.4800.3317 (Program Exp-Canine Program)

To be offset by increasing the following revenue account:

\$400 to A3110.2705 (Gifts and Donations), with funds to come from A915.6 (K-9

Assigned Unappropriated Funds)

Budget Impact Statement: Increase in Sheriff's 2019 appropriations in the amount of \$400; offset by an increase in revenue in a like amount. Funds will come from the K9 Donations Reserve Account.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 466 2019 BUDGET AMENDMENT – SHERIFF/ STOP-DWI
PATROLS - APPROVAL OF**

Legislator Maha offered the following resolution

WHEREAS, The Genesee County STOP DWI Coordinator did reallocate funds within the 2019 STOP DWI budget to allow for the Sheriff's Office to run additional STOP DWI patrols, and

WHEREAS, The Public Service Committee did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing A.3110.1020.0150 – Overtime DWI in the amount of \$1,450 to be offset by an increase in revenue A.3110.2804 – Shared Services in a like amount.

Budget Impact: None. Unused funds within the existing STOP DWI budget will be used to accommodate the Sheriff's Office request to run additional STOP DWI patrols

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 467 BUDGET AMENDMENT - SHERIFF-OVERTIME/OFFICE OF COURT ADMINISTRATION-APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The courthouse security overtime costs have exceeded the amount budgeted for 2019 due to staff changes and an officer out on extended sick leave, and

WHEREAS, An additional \$27,000 is needed to cover court security overtime through the end of 2019, and

WHEREAS, The Office of Court Administration will reimburse all court security overtime costs, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Sheriff's appropriations as follows:

\$27,000 to Sheriff's Account A.3110.1020.0500 (OT-Office of Court Admin)

to be offset by an increase in Sheriff's Revenue Account

A3110.3330 (St Aid, Unified Court) in the amount of \$27,000.

Budget Impact Statement: Increase in Sheriff's appropriations of \$27,000 to cover courthouse security overtime costs; offset by an increase in revenue in a like amount from Office of Court Administration reimbursement.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 468 CONTRACT AMENDMENT – SHERIFF / UNINTERRUPTED POWER SUPPLY MAINTENANCE AGREEMENT – EATON CORPORATION-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County did contract with Eaton Corporation, represented by Lynn Associates, Inc., 6622 Main Street, Suite 4, Buffalo, New York 14221 for the purchase, installation and maintenance of the Uninterrupted Power Supply (UPS) supporting the Genesee County Emergency Dispatch Center at 165 Park Rd, Batavia, NY 14020, pursuant to Resolution #292 on August 13, 2014, and

WHEREAS, The current, three-year maintenance agreement will expire on July 26, 2020, and

WHEREAS, Genesee County received a NYS Statewide Interoperable Communications Grant (SICG) which included funds for radio system maintenance, including uninterrupted power supply systems, and

WHEREAS, Eaton Corporation and the County negotiated a four-year maintenance agreement renewal with an annual cost of \$6,000.00 each year, and

WHEREAS, Both parties agreed to adjust the commencement date to January 1, 2020, in order to align with SICG funding, and

WHEREAS, After careful review, the Genesee County Sheriff, County Attorney, and Director of Emergency Communications recommend the County amend the maintenance agreement with Eaton Corporation for the period of January 1, 2020, through December 31, 2023, at a cost not to exceed \$24,000.00, to be paid in four annual payments of \$6,000.00, and

WHEREAS, The Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to approve the amendment to the UPS maintenance agreement with Eaton Corporation, represented by Lynn Associates, Inc., for the period of January 1, 2020, through December 31, 2023, at a cost not to exceed \$24,000.00, to be paid in four annual payments of \$6,000.00.

Budget Impact: The 2020 cost of \$6,000.00 for UPS maintenance and offsetting SICG revenues were incorporated into the 2020 Communications Budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 469 AGREEMENT AMENDMENT–PUBLIC DEFENDER/
UNIFIED COURT SYSTEM CONTRACT C250403 – APPROVAL OF**

Legislature Maha offered the following resolution:

WHEREAS, The Public Defender does recommend acceptance of an Amendment # 1 to Agreement between Genesee County and the Unified Court System of the State of New York, Contract No. C250403, to extend the term of the Agreement for nine (9) months, from December 31, 2019 to September 30, 2020.

WHEREAS, the Public Service Committee did review the Amendment # 1 to Agreement and does recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Amendment # 1 to Agreement between Genesee County and the Unified Court System of the State of New York, Contract No. C250403, to extend the term of the Agreement for nine (9) months, from December 31, 2019 to September 30, 2020, and it be further

Budget Impact: The contract for grants extension will have no effect on the budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 470 2019 BUDGET TRANSFER-PUBLIC
DEFENDER/CONTRACTED OTHER AND ILS-SCAFA**

Legislator Hilchey offered the following resolution:

WHEREAS, currently there are no funds in the On-Call Pay expense line and a deficiency in the Social Security Tax, Medicare Tax and Retirement expense lines, but the funds to pay for these expenses were included in the 2019 budget revenue line and the related expenses were included in the Contracted Other line containing Hurrell-Harring Reform Grant funds (Contract # CSTWIDEHH18) and in the ILS-SCAFA line containing Counsel at First Appearance grant funds (Contract # CAFA218).

WHEREAS, The Public Service and Ways and Means Committees did review the request and recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer funds as follows:

Increase A1170.1040.0020	Pay On-Call	\$59,750
Increase A1170.8010.0000	Social Security Tax	\$ 3,705
Increase A1170.8011.0000	Medicare Tax	\$ 867
Increase A1170.8020.0000	Retirement	\$ 9,441

Offset with funds to be transferred from:

A1170.4660.0000 – Contracted Other in the amount of \$9,259; and

A1170.4660.2600 - ILS-SCAFA in the amount of \$64,504.

Budget Impact: There is no budget impact. Funds are being transferred within the Public Defender’s 2019 Budget

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 471 2019 BUDGET TRANSFER – PUBLIC DEFENDER-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, there is currently a deficiency in the Public Defender’s Desk, Chair and Bookcase expense lines to pay for the remaining Easton Office Supply furniture expense thus necessitating a transfer of funds from the Contracted Other line.

WHEREAS, The Public Service and Ways and Means Committees did review the request and recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer funds as follows:

Increase A1170.2010.0020	Desk	\$28
Increase A1170.2010.0022	Chair	\$23
Increase A1170.2010.0019	Bookcase	\$19

Offset with funds to be transferred from:

A1170.4660.0000 – Contracted Other in the amount of \$70.

Budget Impact: There is no budget impact. Funds are being transferred within the Public Defender’s 2019 Budget

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 472 PLAN ADOPTION -EMERGENCY MANAGEMENT SERVICES - GENESEE COUNTY FIRE INVESTIGATION TEAM ARSON CONTROL PLAN – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Office of Emergency Management Services Coordinator did present and recommend the Genesee County Fire Investigation Team Arson Control Plan, as required by NYS General Municipal Law – GMU § 204-c Plan for Arson Investigation, and

WHEREAS, The proposed plan has been reviewed by the New York State Office of Fire Prevention and Control, and

WHEREAS, The proposed plan establishes a plan of cooperative efforts of fire, law enforcement and prosecutorial services and provides guidelines, policies and regulations to ensure a thorough, safe and systematic investigation and analysis of fire and explosive incidents, and

WHEREAS, The Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator’s recommendation at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby adopt the Genesee County Fire Investigation Team Arson Control Plan as an official plan of Genesee County.

Budget Impact Statement: NONE

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 473 2019 SALARY SCHEDULE AMENDMENT – DISTRICT ATTORNEY – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The District Attorney has requested the creation of one full time position of a Paralegal which is included in the 2020 Genesee County Budget, due to the Discovery obligations recently imposed on prosecutors by the State of New York, and

WHEREAS, There is a need for the position of a Paralegal beginning in December 2019, and

WHEREAS, The Committees on Public Service and Ways and Means did review the request and do recommend approval at this time, now therefore, be it

RESOLVED, That the Genesee County Treasurer and Personnel Officer are hereby authorized and directed to amend the 2019 Genesee County Management Salary Schedule by creating one full time position of a Paralegal Grade 13 effective 12/2/2019.

Budget Impact: Due to vacancies, there is enough money in our Personal Services Account and Medical Account to start the Paralegal position in December 2019.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 474 2019 BUDGET TRANSFER – HIGHWAY/ CAPITAL PROJECTS – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review his construction budgets for the 2019 construction season and recommends completing additional work, and

WHEREAS, A capital project transfer would be required to fund this work, and

WHEREAS, The Genesee County Highway Superintendent recommends transferring local funds from a road project to the Large Span Culvert project to allow for this work, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Capital Project Transfers:

Transfer \$195,000 from Capital Project – Colby Rd (CR#51) to Capital Project - Large Span Culverts

Budget Impact Statement: The resolution moves \$195,000 in funding from the Colby Rd capital project to the Large Span Culvert capital project. This additional funding will allow another culvert to be installed along Bloomingdale Rd in the Town of Alabama.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 475 CHANGE ORDER – HIGHWAY/ LARGE SPAN CULVERTS-KEELER CONSTRUCTION -- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent recommends authorizing additional bridge and culvert work with Keeler Construction as part of the Large Span Culvert project, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature does hereby authorize change

orders in the amount of \$235,277.70 for Keeler Construction related to discovered conditions on bridge replacements in the original contract as well as adding an additional bridge replacement to the contract.

Budget Impact Statement: The capital project for Large Span Culverts will be amended to allow for the additional work. The original contract with Keeler Construction was for \$635,614.14 and the change orders will bring the total contract amount to \$870,892.11. The original scope called for the replacement of Bridges 405, 917 and 1010. The change order will add the replacement of Bridge 112 to the contract.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 476 APPOINTMENT - GLOW WORKFORCE DEVELOPMENT BOARD MEMBERSHIP

Legislator Clattenburg offered the following resolutions:

WHEREAS, The Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

WHEREAS, The Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

Molly Haungs, Marketing Manager of LandPro Equipment has been nominated as a GLOW Workforce Representative for Private Sector Business to serve a term from 11/19/2019 – 11/19/2021.

RESOLVED, That the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 477 CONTRACT – CENTRAL SERVICES/CONSTELLATION NEW ENERGY AGREEMENT– APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Purchasing Office did sponsor a bid through MEGA in 2018, and

WHEREAS, As a result of this bid Constellation was awarded the contract for supplying electricity to Genesee County buildings, and

WHEREAS, Constellation NewEnergy, Inc. has offered us a fixed price contract for the supply of electricity in concordance with the MEGA contract, and

WHEREAS, The EnergyNext Consultant for MEGA determined that this contract should generate a savings for Genesee County of approximately \$6000 per over a 36-month period, and

WHEREAS, The Genesee County Attorney and the EnergyNext Consultant have both reviewed and approved the contract, and

WHEREAS, The Committee on Ways and Means did review the fixed price contract with Constellation and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a three-year fixed price contract with Constellation NewEnergy, Inc., 1001 Louisiana St. Constellation Suite 2300, Houston, TX 77002, Attn: Contract Administration, to

provide Genesee County with a fixed price contract for electricity service to take us through the remainder of the MEGA contract, from the period of January 14, 2020 through October 2023.

Budget Impact: The previous contract was based on the market price of electricity, whereas this contract is fixed price and will not vary based on the market. Our Energy consultant estimated that this contract will save Genesee County approximately \$6,000 on our electrical costs over a 36-month contract term.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 478 AWARD OF CONTRACT-INFORMATION TECHNOLOGY/ RFP2019-111 TELEPHONE SYSTEM MAINTENACE - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Information Technology Director is recommending Genesee County award RFP2019-111 Telephone System Maintenance to MeridianIT to provide 24x7 monitoring, remote and on-site service of all equipment including handsets and incremental software upgrades for the IP Office servers installed at every County location, and

WHEREAS, The Ways and Means Committee did review this request and recommend the approval of the Telephone System Maintenance contract, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Telephone System Maintenance contract with MeridianIT, 2110 S. Clinton Ave Rochester NY 14168 with an amount not to exceed \$24,943

BUDGET IMPACT STATEMENT: The contract cost of \$24,943 for Telephone Systems Maintenance is within the 2019 Adopted Budget in line item A.1680.4290.0100 PBX / Telephone Systems Maintenance and is included in the 5-year projected budget. The Telephone Systems Maintenance services provided by MeridianIT supplement the I.T. staff and provide a level of expertise that in-house staff do not have. The telephone system is a critical component to supporting County Departments and this outsourced service is necessary to ensure its availability and reliability.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 479 CONTRACT RENEWAL- THIRD PARTY ADMINISTRATOR OF SELF-FUNDED PHARMACY BENEFIT MANAGER SERVICES/INDEPENDENT HEALTH/PHARMACY BENEFIT DIMENSIONS, LLC - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 409 duly adopted on November 9, 2017 did award a contract to Independent Health/Pharmacy Benefit Dimensions, LLC for Pharmacy Benefit Manager services for the County's Self-Funded Prescription Drug Plan, and

WHEREAS, The RFP issued in 2017 and the 2017 Resolution No. 409 did allow for two additional one-year period renewals and the Genesee County Human Resources Director has recommended the renewal of this contract for 2020, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the final one-year contract with Independent Health/Pharmacy Benefit Dimensions, LLC., 511 Farber Lakes Drive, Buffalo, New York for the provision of Pharmacy Benefit Manager services for the County's Self-Funded Health Plan effective January 1, 2020 through December 31, 2020.

Per Prescription

Pharmacy Administration Fee: \$1.00

Budget Impact Statement: \$24,000 is budgeted in the 2020 budget for the Self-Funded Health Plan
Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 480 CONTRACT RENEWAL– THIRD PARTY
ADMINISTRATOR OF SELF-FUNDED HEALTH PLAN/INDEPENDENT HEALTH –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 408 duly adopted on November 9, 2017 did award a contract to Independent Health as the Third Party Administrators for Genesee County’s Self-Funded Health Plan, and

WHEREAS, The RFP issued in 2017 and the 2017 Resolution No. 408 did allow for two additional one-year period renewals and the Genesee County Human Resources Director has recommended the renewal of this contract for 2020, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the final of three one-year renewal contract with Independent Health, 511 Farber Lakes Drive, Buffalo, New York for the provision of third party administration services for the County’s Self-Funded Health Plan effective January 1, 2020 through December 31, 2020.

	<u>Per Member Per Month</u>
2020 Medical/Vision and COBRA Administration Fee:	\$39.75
2020 Claims Fiduciary – Second Level Appeals	<u>1.00</u>
Total	\$40.75

Budget Impact Statement: \$347,000 is budgeted in the 2020 budget for the Self-Funded Health Plan
Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 481 CONTRACT RENEWAL– FLEXIBLE BENEFITS
MANAGEMENT/ ADMINISTRATOR – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 426 duly adopted on November 24, 2015 did award a contract to Heath Economics Group for administration services for the County’s Flexible Benefits Plan, and

WHEREAS, The RFP issued in 2015 and the 2015 Resolution No. 426 did allow for three additional one year renewals and the Genesee County Human Resources Director has recommended the renewal of this contract for 2020 and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the final one-year renewal contract with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of Flexible Benefits Program Administration effective January 1, 2020 through December 31, 2020 under the same terms and conditions upon mutual consent between the parties.

Flexible Benefits Program Administration Fee Per Member Per Month:	\$2.50
Debit Card Administration	\$1.00

Budget Impact Statement: Flex Plan Administration costs are paid utilizing the County’s FICA savings generated by employee participation in the flexible benefits program.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 482 AWARD OF CONTRACT – HEALTH BENEFITS/THIRD PARTY ADMINISTRATOR/DENTAL – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2019-107 for third party administration services for the County’s self-funded dental benefits plan, and the County’s Health Benefits Consultant, Compliance Officer and Human Resources Director did review and analyze proposals that were submitted in response to this RFP, and

WHEREAS, It is the recommendation of the Health Benefits Consultant, Compliance Officer and Human Resources Director to award third party administration services for the County’s dental plan to Health Economics Group, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into contract with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of third party administration services at the following rates effective January 1, 2020 through December 31, 2020 with a provision of four additional one-year renewals.

2020 Dental Administration Fee Per Member Per Month:	\$2.35
2020 COBRA Administration Per COBRA Participant Per Month:	\$2.35 + 2% of premium
2021-2024 Dental Administration Fee Per Member Per Month:	\$2.40
2021-2024 COBRA Administration Per COBRA Participant Per Month:	\$2.40 + 2% of premium

Budget Impact Statement: No increase in the Administration Fee 2020. Annual cost estimated to be \$21,000.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 483 CONTRACT RENEWAL– SELF INSURED HEALTH BENEFITS PLAN CONSULTANT – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 92 duly adopted on March 8, 2017 did award a contract to AP Benefit Advisor, LLC formally Premier Consulting Associates, LLC to be the County’s health benefit plan consultant, and

WHEREAS, The RFP issued in 2016 and the 2017 Resolution No. 92 did allow for three additional one year renewals and the Genesee County Human Resources Director has recommended the renewal of this contract for 2020, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the second of three one-year renewal contracts with AP Benefit Advisor, LLC, 1416 Sweet Home Road, Amherst, New York to provide Health Benefits Plan Consulting services at a cost of \$50,000 per contract year with said contract to commence February 1, 2020 through January 31, 2021.

Budget Impact Statement: The 2020 budget includes \$50,000 for this service.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 484 SCHEDULE “A” 2020 EMPLOYEE SALARY SCHEDULE – ADOPTION OF

Legislator Young offered the following resolution:

WHEREAS, It is necessary to establish a schedule for payment of wages in 2020 for positions covered in negotiated agreements and for other positions not included in the Genesee County Schedule “A” Employee Salary Schedule, and

WHEREAS, The Committee on Ways and Means did review the schedule as presented by the Human Resources Director and does recommend adoption at this time. Now, therefore, Be it **RESOLVED**, That the Genesee County Treasurer and the Human Resources Director be and hereby are authorized and directed to implement payroll certifications, effective January 1, 2020 based upon the recommended Genesee County Employee Salary Schedule.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 485 SCHEDULE “B” 2020 MANAGEMENT SALARY
SCHEDULE – ADOPTION OF**

Legislator Stein offered the following resolution:

WHEREAS, The Committee on Ways and Means did review the Management Salary Schedule “B” for 2020 and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the County Supervisory and Non-Union Salary Schedule for 2020 be and hereby is adopted, and Be it further

RESOLVED, That the Genesee County Treasurer and the Human Resources Director be and hereby are authorized and directed to implement payroll certifications and payments based on the titles and salaries contained in Schedule “B” 2020 Management Salary Schedule, effective January 1, 2020.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 486 CONTRACT RENEWAL -GRANTS WRITING
CONSULTANT SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, RFQ 2015-301 was awarded to Labella Associates, DPC for Grant Writer Services for Genesee County for the period January 1, 2016 through December 31, 2017, with an option to renew the contract for three (3) additional one year periods, and

WHEREAS, The County Manager does recommend the renewal of this contract for the third and final one year term, which would continue the contract for the period January 1, 2020 through December 31, 2020, under the same terms and conditions as the original Agreement, and

WHEREAS, The Committee on Ways and Means has reviewed this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the firm of LaBella Associates, DPC, 300 State Street, Suite 201, Rochester, NY for grants writer consultant services for Genesee County at the rate of \$90 per hour of service for a total expenditure not to exceed of \$5,000 for grant preparation, facilitation and application services for the period January 1, 2020 through December 31, 2020.

Budget Impact Statement: Annual appropriation allocation of \$5,000 has remained the same since fiscal year 2002.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 487 BUDGET AMENDMENT – RISK RETENTION/
CLAIMS/HEALTH PLAN – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County 2019 Risk Retention/ Health Plan Budget has experienced significantly higher medical and prescription claims than anticipated and does not contain sufficient funds to cover claims for the remainder of the fiscal year, and

WHEREAS, The self-insurance health plan has a reserve fund and it is recommended that a portion of these funds be utilized to cover the 2019 budget overage, and

WHEREAS, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County Budget by increasing Risk Retention – Claims, Healthcare MS. 9060.8030.0000 (Medical) in the amount of \$925,000 and Risk Retention – Claims, Healthcare MS.9060.8030.1000 (Pharmacy) in the amount of \$285,000 to be offset by an increase in revenue Risk Retention MS.9060.9999 Balancing – Appropriated in a like amount with funds coming from the Health Plan Reserve

Budget Impact: Health Plan Reserve will be at \$1,533,131 after this transfer. This does not include the Accrued Liability amount that is budgeted in a separate line item.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 488 HEALTH BENEFITS PLAN 2020 PREMIUM RATES - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager and Self-Funded Health Benefits Plan Consultant did review the self-insured health plan and monthly participation fee and does recommend monthly premium rates be adjusted effective January 1, 2020, and

WHEREAS, The Genesee Community College plan rates will be determined at a later date, and

WHEREAS, The Committee on Ways and Means did review the rates proposed and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the following rates for the Genesee County Self-Insured Health Benefits Plan be adopted, effective January 1, 2020:

<u>Health and Wellness Plan Classification</u>	<u>Rate per Month</u>
Single	\$592
2 Members (1 Adult/1 Child or 2 Adults)	\$1,183
Family, 3 or more	\$1,923
Retired, single	\$592
Retired, 2 Members	\$1,183
Retired, Family 3 or more	\$1,923
<u>Dental Classification</u>	<u>Rate per Month</u>
Dental, single	\$ 11
Dental, family	\$ 27.50
<u>Vision Classification</u>	<u>Rate per Month</u>
Vision, single	\$ 4
Vision, family	\$ 6

Budget Impact Statement: medical/Rx premium rates are increasing 10% over the 2019 rate for the Health and Wellness Plan.

Legislator Clattenburg made a motion to amend the resolution to remove Partnership Plus and Traditional Plans Classification, Health and Wellness with Rx Plan Classification and GCC \$5/\$10 Drug Card Classification rates seconded by Legislator Stein, carried unanimously. County Manager Jay Gsell stated those rates are not ready.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 489 AMENDMENTS TO THE 2020 TENTATIVE

BUDGET - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The 2020 Tentative Budget was reviewed by the Legislature and certain amendments to the Tentative Budget were recommended. Now, therefore Be it **RESOLVED**, That the Genesee County Legislature does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2020 Budget:

INCREASE IN GENERAL FUND REVENUES

A.1000.9999	Balancing Appropriated	\$	50,035
A.1170.3090	Public Defender – St. Aid, Juvenile	\$	3,074

DECREASE IN GENERAL FUND REVENUES

A.1170.3025	Public Defender – Indigent Legal Services	\$	88,145
A.1230.5031	County Manager – Interfund Transfer	\$	10,000
A.1420.5031	County Attorney – Interfund Transfer	\$	8,500

DECREASE IN GENERAL FUND APPROPRIATIONS

A.1170.1010.0000	Public Defender, Personal Services	\$	324
A.1170.4660.2600	Public Defender, ILS, SCAFA	\$	3,642
A.1170.8010.0000	Public Defender, Social Security	\$	20
A.1170.8011.0000	Public Defender, Medicare Tax	\$	5
A.1170.8020.0000	Public Defender, Retirement	\$	53
A.4310.1010.0000	Mental Health, Personal Services	\$	15,244
A.4310.1010.0000	Mental Health, Social Security	\$	945
A.4310.8011.0000	Mental Health, Medicare Tax	\$	221
A.9902.9000.0000	Transfer to County Road, Transfers	\$	18,500

DECREASE IN COUNTY ROAD FUND REVENUES

D.5010.5031	County Road – Admin. -Interfund Transfer	\$	18,500
D.5010.5031.1	County Road – Admin. – Interfund Transfer – Water	\$	56,500

DECREASE IN COUNTY ROAD FUND APPROPRIATIONS

D.5110.4420.0000	County Road Maint – Roads & Bridges – Equip Ren	\$	75,000
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INCREASE IN ROAD MACHINERY FUND REVENUES

DM.5130.2665	Sale of Equipment	\$	50,000
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DECREASE IN ROAD MACHINERY FUND REVENUES

DM.1000.9999	Balancing – Appropriated	\$	38,285
DM.5130.2801.1	Trans from Cap Proj	\$	25,000
DM.5130.2802.1	Trans from Cty Rd- Mach Rent	\$	75,000

INCREASE IN ROAD MACHINERY FUND APPROPRIATIONS

DM.5130.4660.0000	Contracted – Other	\$	10,000
DM.5130.4410.1002	Repair to Cap Equip	\$	10,000

DECREASE IN ROAD MACHINERY FUND APPROPRIATIONS

DM.5130.2030.0020	Highway Equipment	\$	108,285
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DECREASE IN WATER FUND REVENUES

EW.8320.2140	Water Source – Supply, Power, Pumping – Metered Sales	\$	56,500
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DECREASE IN WATER FUND APPROPRIATIONS

EW.9902.9000.0000	Transfer to County Road – Transfers	\$	56,500
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INCREASE IN WORKERS COMPENSATION FUND APPROPRIATIONS

S.1720.4800.0000 Benefits & Awards – Program Expense \$ 18,500

DECREASE IN WORKERS COMPENSATION FUND APPROPRIATIONS

S.9907.9000.0000 Transfer to General Fund – Transfers \$ 18,500

Budget Impact Statement: General Fund net appropriation and revenue changes offset to -\$92,490 from the Budget Officers Tentative Budget

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 490 2020 GENESEE COUNTY BUDGET - ADOPTION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, A public hearing was held on the Tentative Budget for the year 2020 on Wednesday, November 6, 2019, at which time all interested persons were heard, and

WHEREAS, Amendments to the 2020 Tentative Budget have been presented and duly adopted by Resolution No.489 on November 25, 2019, and

WHEREAS, The Committee on Ways and Means does recommend adoption at this time. Now, therefore be it

RESOLVED, That the 2020 Tentative Budget presented by the Budget Officer, as amended, be and hereby is adopted as the Budget for the County of Genesee for 2020 with a total amount to be raised by property tax of \$31,051,658 and a tax rate equivalent to \$10.11.

Budget Impact Statement: 2020 property tax levy represents an increase of \$759,567 over 2019's. The 2020 budget is within the NYS mandated tax levy limit.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 491 MAKING APPROPRIATIONS FOR THE CONDUCT OF COUNTY GOVERNMENT FOR FISCAL YEAR 2020

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature adopted a Budget for fiscal year 2020 by Resolution No.490 dated November 25, 2019. Now, therefore, Be it

RESOLVED, That the adopted amounts in the 2020 Budget be and hereby are appropriated for the objects and purposes specified, effective January 1, 2020, and Be it further

RESOLVED, That the sum of \$31,051,658 is hereby levied against the taxable property in the County and the Director of Real Property Tax Services is hereby authorized and directed to apportion and spread the said sum against the properties within the county which are subject to taxation.

Budget Impact Statement: 2020 property tax levy represents a tax levy increase of \$759,567 over 2019's. The 2020 budget is within the NYS mandated tax levy limit.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 492 IMPLORING THE STATE OF NEW YORK TO IMMEDIATELY AMEND OR DELAY IMPLEMENTATION OF BAIL AND DISCOVERY REFORM LAWS THAT WILL ENDANGER THE PEOPLE OF NEW YORK AND REVERSE DECADES OF BIPARTISAN PROGRESS IN REDUCING CRIME

Legislator Stein offered the following resolution:

WHEREAS, the Genesee County Legislature recognizes the need for statewide bail and discovery reform, and

WHEREAS, protecting the people from harm by enforcing the rule of law is the foundational role of government, and

WHEREAS, County governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children, and

WHEREAS, no group is more vulnerable than the victims of crime, and a just society demands that crime victims should be recognized as key participants within the criminal justice system and be treated with dignity, fairness, and respect, and,

WHEREAS, for the past twenty-five years the State of New York has committed itself to reducing crime, and has succeeded as evidenced by official U.S. Department of Justice Uniform Crime Reporting Statistics showing that New York transformed from the second most dangerous state in America in the early 1990s to the safest large state in America by the early 2000s, and

WHEREAS, in the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors, and

WHEREAS, under bail reform, beginning January 1, 2020, judges will be stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants will be released back into the general public, and

WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families, and

WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support of Terrorism in the Third and Fourth degree, resulting in those alleged to have supported terrorism in this manner, or who have threatened to commit acts of terrorism, being released immediately from police custody, and

WHEREAS, these crimes include Promoting an Obscene Sexual Performance by a Child; Possessing an Obscene Sexual Performance by a Child; Failure to Register as a Sex Offender; and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community, and

WHEREAS, these crimes include Aggravated Assault Upon a Person Less than Eleven Years Old; Reckless Assault of a Child by a Daycare Provider; Criminal Sale of a Controlled Substance to a Child; Abandonment of a Child; and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody, and

WHEREAS, these crimes include Female Genital Mutilation; Stalking in the Second Degree; and Aggravated Harassment, resulting in those suspected of violating victims in this manner being returned to the community of their victims, and

WHEREAS, these crimes include Endangering the Welfare of a Vulnerable Elderly Person or an Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals, and

WHEREAS, these crimes include Aggravated Cruelty to Animals; Torturing Animals and Injuring Animals, resulting in the immediate release of those suspected of deliberately injuring, torturing and killing animals, and

WHEREAS, these crimes include Assault in the Third Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people, and

WHEREAS, these crimes include Burglary of a Residence, resulting in the immediate release of these individuals back into the neighborhoods they are suspected of targeting, and

WHEREAS, these crimes include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a propensity to evade the law, and

WHEREAS, all of the offenders mentioned heretofore are at risk of not showing up for court, thereby placing a burden on state, county and local public employees who, under this law, are required to send multiple court appearance reminders to these offenders, as well as law enforcement and District Attorneys who must commit resources to tracking and pursuing those who evade prosecution, and

WHEREAS, all offenders who are currently being held in custody for non-qualifying crimes including those mentioned heretofore will be eligible for release from custody on January 1, 2020, and

WHEREAS, the discovery mandates imposed by the State of New York will require law enforcement and District Attorneys, beginning January 1, 2020, to turn over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants, and

WHEREAS, the office of New York State's chief law enforcement officer, Attorney General Letitia James, testified at a state legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state presently lack the resources required to fully comply with discovery mandates, and

WHEREAS, the Attorney General's office further testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and therefore consequently needs an additional \$10 million in state funding, and

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to crime scenes that may include a victim's residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims' homes the right to return to those same homes, and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals, and

WHEREAS, these bail and discovery laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime, and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these laws be remedied prior to their effective date of January 1, 2020, now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby implores the State of New York to immediately amend or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed legal/ possible by the State, and to do so before December 31, 2019, and be it further

RESOLVED, that the following improvements to these laws be implemented as soon as possible:

Give judges the discretion to impose bail when appropriate for all of the crimes enumerated in this resolution;

Increase the discovery timeline from 15 days to a minimum of 45 days;

Phase in discovery reform by applying these new mandates only to misdemeanors effective January 1, 2020, and then to felonies effective January 1, 2021, and repeal the provision that makes the new discovery mandates applicable to violations of the Vehicle and Traffic Law;

Require that court appearance reminders are sent not only to defendants but also to the victims of their crimes; and

Extend appropriate dignity, fairness and respect to crime victims by soliciting input from victim advocate organizations and considering their suggestions for improving these laws, and be it further

RESOLVED, that the Genesee County Legislature asks all counties in New York State to urge their state representatives to take immediate action on the foregoing issues, and be it further

RESOLVED, that copies of this resolution be provided to every member of the New York State Legislature including Senator Michael Ranzenhofer and Assemblyman Stephen Hawley, Attorney General Letitia James, Lieutenant Governor Kathy Hochul, Governor Andrew Cuomo, Senator Kirsten Gillibrand, Senator Charles Schumer, the New York State Association of Counties, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Defenders Association, the New York State Probation Officers Association, the New York Council of Probation Administrators, the Association of Justices of the Supreme Court of the State of New York, the New York State Association of City Court Judges, the County Judges Association of the State of New York, and the County Attorneys' Association of the State of New York.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 493 SETTING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 YEAR 2019 – SALARIES OF COUNTY FIXED TERM OFFICERS- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law entitled: **“A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE ELECTED OR APPOINTED FOR A FIXED TERM,”** and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a Public Hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the Proposed Local Law Introductory No. 3, Year 2019 on Wednesday, December 11, 2019 at 5:30 p.m. at the Genesee County Courthouse, 7 Main Street, Batavia, New York.

Legislator Young seconded the resolution which passed by 326 votes.

NO. 494 RESCIND RESOLUTION NO. 463-2019

Legislator Clattenburg offered the following resolution:

WHEREAS, the County of Genesee has hired the Napoli Shkolnik, PLLC law firm to represent the County of Genesee in litigation involving damages sustained by the County as a result of the opioid epidemic, and

WHEREAS, Federal Judge Polster of the United States District Court, Northern District of Ohio, has preliminarily approved a request to certify a negotiating class setting forth the framework to assist this Court to negotiate and potentially obtain a resolution of all of the opioid litigation throughout the United States, and

WHEREAS, the Napoli Shkolnik law firm originally recommended that the County of Genesee opt out of this negotiation class to continue litigation in Suffolk County, and

WHEREAS, based upon a change in circumstances and further clarifications made regarding Judge Polster’s Order, early last week, the Napoli Shkolnik law firm revised its recommendation in order to allow the County of Genesee to remain in the Federal negotiating class, and

WHEREAS, the County Attorney concurs with this revised recommendation, and

WHEREAS, the County of Genesee Legislature adopted Resolution No. 463 on November 14, 2019, authorizing the Chair of the Legislature to sign a document entitled “Exclusion Request Form” to be filed on or before the deadline of November 22, 2019, in order to confirm the decision to opt out, and

WHEREAS, on November 20, 2019, the County of Genesee Legislators gave direction to the County Attorney to contact the Napoli Shkolnik law firm and request that the “Exclusion Request Form” not be filed with the Federal Court, which was done by the County Attorney in an email on November 21, 2019. Now, therefore, Be it

RESOLVED, that Resolution No. 463 is hereby rescinded, and thereby, the County of Genesee will continue to participate in the negotiating class in the United States District Court, Northern District of Ohio.

Prior to the vote the County Attorney stated the firm originally recommended New York Counties opt out but then reversed their recommendation after getting further clarification on the judge’s orders. Ways & Means Committee Chair Clattenburg stated the County Attorney was given direction to withdraw our opt-out action and this resolution formalizes that directive.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 495 COUNTY AUDIT –NOVEMBER 25 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Stein, did review the following claims:

General Fund	\$	1,066,451.08
Highway		272,373.82
Water		6,000.00
DSS Abstracts		32,395.23
Capital Projects		
Highway-Large Span Culverts	\$	268,233.20
Highway-Pratt Road Bridge Over Tonawanda Creek		123,206.41
Highway-Highway Judge Road Bridge Over Whitney Creek		27,398.23
Highway-Highway Sharick Road Bridge Over Murder Creek		6,250.00

Highway-Highway Meadville Road Bridge Over Canal Creek	6,711.55
Highway-Highway Tower Hill Road Bridge Over Spring Creek	11,080.00
Highway-Highway Searls Road Bridge Over Spring Creek	5,370.37
Highway-highway Preventive Maintenance Bridge Painting	12,323.31
Water-County Wide Water System Upgrade Phase II	51,900.00
Payroll – General	
November 22 2019	1,604,572.57
Medicaid	
November 12, 2019	<u>177,332.00</u>
Total Audit	\$ 3,671,597.77

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Prior to the vote Legislator Stein commented that when legislators conduct the audit they have the opportunity to ask questions and check for errors

Legislator Dibble seconded the resolution which passed by 326 votes.

At 6:05 pm Chairman Bausch closed the Public Hearing on Shared Services Plan. There were no speakers or comments.

The meeting adjourned at 6:05 PM upon motion of Legislator Stein seconded by Legislator Young, carried unanimously.

**TWENTY-FIRST DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, December 11, 2019**

The Genesee Legislature met in Regular Session on Wednesday, December 11, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Chairman Bausch assisted with the audit. Prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Bausch opened a public hearing on Local Law Introductory No. 3, Year 2019; A Local Law in Relation to the Salaries of County Officers of the County of Genesee, Elected or Appointed for a Fixed Term. All interested parties were invited to be heard.

Legislature Chair Robert Bausch was presented with a retirement commendation and pen certificate for the Sales Tax Allocation 40 Year bill signed into law by the Governor from Assemblyman Hawley. Mr. Don Read, former County Clerk and Vice Chair of the Genesee County Republican Committee presented Mr. Bausch with a framed print of the Old Courthouse. Chairman Bausch commented that he has served on the Genesee County Legislature for ten years, the past two as Chair. Senator Ranzenhofer was unable to be present due to road conditions.

Minutes of the November 25, 2019 meeting were approved upon motion of Legislator Stein seconded by Legislator Maha, carried unanimously.

Legislator Maha reported that he attended CJAC meeting where it was stated the jail population is down. There was a robust discussion on criminal justice reform. Chairman Bausch reported that an appointment to the NYS Board of Electric Generation Siting and the Environment in relation to the application of Excelsior Energy Center; Norman Pawlak of Bergen. Chair Bausch also commented that he has had contact with the NYS Comptroller's Office regarding the status of our Sales Tax Allocation Agreement. He stated that he was told they expect to approve the agreement before 12/31/19.

County Manger Jay Gsell reported the State is projected to have a \$6 billion deficit in 2020 and he anticipates the Counties will be hit with more funding cuts. Mr. Gsell thanked Chairman Bausch for his leadership, communication and service as a legislator and chairman.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 496 CONTRACT EXTENSION – DSS/MH SECURITY SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Resolution No. 375 adopted November 12, 2014 did authorize a contract for the provision of security services for the Department of Social Services, and

WHEREAS, Resolution No. 57 adopted February 11, 2015 did authorize an amendment to the above-noted contract to allow for the provision of security services for the Mental Health Department, and

WHEREAS, Resolution No. 288 adopted August 10, 2016 did authorize renewal of the above-noted contract for the period of September 1, 2016 through August 31, 2017, and

WHEREAS, Resolution No. 273 adopted August 10, 2017 did authorize renewal of the above-noted contract for the period of September 1, 2017 through August 31, 2018, and

WHEREAS, Resolution No. 274 adopted August 8, 2018 did authorize renewal of the above-noted contract for the period of September 1, 2018 through August 31, 2019, and

WHEREAS, Resolution No. 359 adopted October 10, 2019 did authorize renewal of the above-noted contract for the period of September 1, 2019 through December 31, 2019

WHEREAS, Allied Universal bought out U.S Security Associates in early 2019 and that U.S. Security Associates transferred all personnel and services to Allied Universal and that Allied Universal continues to provide all the security services for the DSS/MH building at 5130 East Main Street, Batavia, and

WHEREAS, Pursuant to Genesee County Request for Bids #2014-15, it is the mutual desire of the Genesee County Commissioner of Social Services, the Director of Community Services and Allied Universal to extend said contract for a one-month period January 1, 2020 through January 31, 2020 under the current rate of \$24.30 per man hour with the same terms and conditions, and

WHEREAS, the Committee on Human Services has reviewed this request and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with Allied Universal, 180 South Clinton Avenue, Suite 110, Rochester, NY 14602 for the provision of Security Services at offices occupied by DSS and Mental Health at 5130 East Main Street, Batavia for the period January 1, 2020 through January 31, 2020 at the rate of \$24.30 per man hour.

Budget Impact Statement: The annual DSS cost of the program is \$113,600 with a local share of approximately \$28,445. The annual MH cost of the program is \$94,000 with a local share of approximately \$90,000. The funds for the remainder of 2019 are already included in each Department's current budget, and the additional funds for 2020 will be included in the approved 2020 Departmental budgets. The 2020 budget projections are based on the outcome of the Request for Bid proposal for security services that are currently under review.

Prior to the vote Legislator Deleo stated he will be abstaining due to a conflict since he works part-time for Allied Universal.

Legislator Young seconded the resolution which passed by 300 votes, Deleo (26) abstain.

RESOLUTION NO. 497 2019 AUTHORIZATION TO DECREASE PETTY CASH - MENTAL HEALTH SERVICES/CLIENT SERVICES ACCOUNT- APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Resolution No. 89, duly adopted on April 11, 1989, did create a Petty Cash Fund for the Case Management Program in the Community Mental Health Services Department, and

WHEREAS, Said Resolution was amended on October 14, 1992, January 26, 1994, October 8, 1997, February 10, 2000, August 10, 2000, February 21, 2002, March 14, 2007, and May 11, 2012 to adjust petty cash to the present amount of \$5,000.00, and

WHEREAS, The Community Services Director did request that the amount be decreased to \$1,500 due to the implementation of checks and balances related to petty cash procedures, and

WHEREAS, The Committee on Human Services and the Committee on Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to decrease Petty Cash in the Genesee County Mental Health Department for Client Services Funds to the amount of One Thousand Five Hundred Dollars (\$1,500.00) effective immediately.

Budget Impact Statement: Funded by 100% State Aid; funds are already approved.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 498 2019 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/FILE ROOM ATTENDANT-APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Employee Salary Schedule to eliminate one (1) Part-time, File Room Attendant in CSEA-General, Grade 7-1, and

WHEREAS, The Committee on Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Employee Salary Schedule by eliminating one (1) Part-time, File Room Attendant in CSEA-General, Grade 7-1, effective end of business day December 13, 2019.

Budget Impact Statement: Net County budget impact; \$700 savings due to previous budgeted position for 2019.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 499 CONTRACT - MENTAL HEALTH/VIRGINIA
WOHLTMANN, M.D. - 2020- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Virginia Wohltmann, M.D. as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Virginia Wohltmann, M.D. for the provision of consulting psychiatric services at a rate of \$175 per hour for a maximum of 1,500 hrs., for the period January 1, 2020 through December 31, 2020 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$175 – increased by \$5.00/hr. – Increased Total Hours by 300 hrs.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 500 CONTRACT COMMUNITY MENTAL HEALTH
TEMITOPE OYEGBILE, M.D. - 2020- APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Temitope Oyegbile, M.D. as presented by the Director of Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Temitope Oyegbile, M.D. for the provision of consulting psychiatric services at a rate of \$250 per hour for a maximum of 600 hours for the period of January 1, 2020 through December 31, 2020 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$250 per hour – no change; increase in hours by 100.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 501 CONTRACT- COMMUNITY MENTAL HEALTH/
WILLIAM E. MITCHELL, PSY.D. – 2020- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with William E. Mitchell, Psy.D. as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of

Genesee and William E. Mitchell, Psy.D. for the provision of consulting psychological services at a rate of \$160 per hour for a maximum of 225 hrs. for the period January 1, 2020 through December 31, 2020 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$160 – no change; Hours – increased by 150 hrs.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 502 CONTRACT - COMMUNITY MENTAL HEALTH/TRICA L. PETERSON, Ph.D, ABPP. – 2020- APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Trica L. Peterson, Ph.D., ABPP. as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Trica L. Peterson, Ph.D, ABPP. for the provision of consulting psychological services at a rate of \$190 per hour for a maximum of 100 hrs. for the period January 1, 2020 through December 31, 2020 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$190 – no change; Hours – increase in hours by 50.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 503 CONTRACT - COMMUNITY MENTAL HEALTH/ DANIELLE SIMMONS, NPP – 2020- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Danielle Simmons, NPP as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Danielle Simmons, NPP for the provision of consulting psychiatric nurse practitioner services at a rate of \$98.00 per hour for a maximum of 500 hours for the period of January 1, 2020 through December 31, 2020 in accordance with the terms of said contract.

Budget Impact Statement: Rate - \$98/hr.; Newly established contract

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 504 CONTRACT- COMMUNITY MENTAL HEALTH/AJL NP IN PSYCHIATRY, PLLC (AMANDA J. LEWIS)–2020- APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with AJL NP in Psychiatry, PLLC (Amanda J. Lewis, RN, NPP) as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and AJL NP in Psychiatry, PLLC (Amanda J. Lewis, RN, NPP) for the provision of consulting psychiatric nurse practitioner services at a rate of \$104.00 per hour for a maximum of 1,300 hours for the period of January 1, 2020 through December 31, 2020 in accordance with the terms of said contract.

Budget Impact Statement: Rate - \$104 – increase by \$5.00/hr; Hours – 400 hour Increase

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 505 CONTRACT - COMMUNITY MENTAL HEALTH/THE RESTORATION SOCIETY (ACE EMPLOYMENT SERVICES) 2020 APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Restoration Society, Inc. as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and The Restoration Society, Inc. for the provision of the ACE Supported Employment Services at a cost not to exceed \$338,781 for the period January 1, 2020 through December 31, 2020, and Be it further

RESOLVED, That there is no county cost in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of The Restoration Society, Inc. and approved as to form by the Genesee County Attorney.

Budget Impact Statement: 2020 County Cost - \$0 - No Change

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 506 CONTRACT - COMMUNITY MENTAL HEALTH/ARC OF GENESEE ORLEANS - 2020- APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Genesee County Chapter, NYSARC, Inc., as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and ARC Genesee Orleans for the provision of Vocational Programs and related services for individuals with developmental disabilities at a cost not to exceed \$68,532 for the period January 1, 2020 through December 31, 2020 in accordance with the terms of said contract, and Be it further

RESOLVED, That the county agrees to contribute a total sum not to exceed \$41,745 in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of Directors of ARC of Genesee Orleans, and approved as to form by the Genesee County Attorney.

Budget Impact Statement: 2020 County Cost – \$41,745

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 507 CONTRACT- COMMUNITY MENTAL HEALTH/ GENESEE ORLEANS COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE, INC. - 2020 - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Genesee Orleans Council on Alcoholism and Substance Abuse, Inc. as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Genesee Orleans Council on Alcoholism and Substance Abuse, Inc. for the provision of alcohol and substance abuse prevention and treatment services at a cost not to

exceed \$1,776,308 for the period January 1, 2020 through December 31, 2020 in accordance with the terms of said contract, and Be it further

RESOLVED, That pursuant to the provisions of said contract, the county agrees to contribute a total sum not to exceed \$35,536 in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of Directors of Genesee Orleans Council on Alcoholism and Substance Abuse, Inc. and approved as to form by the Genesee County Attorney.

Budget Impact Statement: 2020 County Cost. \$35,536.00.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 508 CONTRACT- COMMUNITY MENTAL HEALTH/LIVING OPPORTUNITIES OF DEPAUL – 2020- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Living Opportunities of DePaul as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Living Opportunities of DePaul for the provision of the Supportive Housing Services at a cost not to exceed \$44,531 for the period January 1, 2020 through December 31, 2020, and Be it further

RESOLVED, That there is no county cost in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of Living Opportunities of DePaul and approved as to form by the Genesee County Attorney.

Budget Impact Statement: 2020 County Cost - \$0 - No Change; All State Aid

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 509 CONTRACT - COMMUNITY MENTAL HEALTH SERVICES/THE MENTAL HEALTH ASSOCIATION OF GENESEE & ORLEANS COUNTIES – 2020- APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with The Mental Health Association of Genesee & Orleans Counties as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and The Mental Health Association of Genesee & Orleans Counties for the provision of social rehabilitation services at a cost not to exceed \$467,701 for the period January 1, 2020 through December 31, 2020, in accordance with the terms of said contract, and Be it further

RESOLVED, That there is no county cost in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of Directors of the Mental Health Association of Genesee & Orleans Counties and approved as to form by the Genesee County Attorney.

Budget Impact Statement: 2020 County Cost - \$0; All State Aid

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 510 CONTRACT- COMMUNITY MENTAL HEALTH SERVICES/ INTEGRITY PARTNERS FOR BEHAVIORAL HEALTH, INC. – 2020-

APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Integrity Partners for Behavioral Health, Inc. (IPBH) as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and IPBH for the provision of all services relating to New York State Behavioral Healthcare Collaborative Initiative at a cost not to exceed \$1,100,000 for the period January 1, 2020 through December 31, 2020, in accordance with the terms of said contract, and Be it further

RESOLVED, That there is no county cost in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of Directors of IPBH and approved as to form by the Genesee County Attorney.

Budget Impact Statement: 2020 County Cost - No Change - \$0

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 511 CONTRACT - COMMUNITY MENTAL HEALTH/COORDINATED CARE SERVICES, INC. - 2020- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Coordinated Care Services, Inc. as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Coordinated Care Services, Inc., 1099 Jay Street, Bldg. J, Rochester, NY 14611 for specialized fiscal, information management, and quality assurance services at a cost not to exceed \$12,540 for the period January 1, 2020 through December 31, 2020 unless amended, in accordance with the terms of said contract.

Budget Impact Statement: 2020 Gross Budget – \$38,250 – Decrease in Contract from 2019

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 512 CONTRACT AMENDMENT- COMMUNITY MENTAL HEALTH SERVICES/VIRGINIA WOHLTMANN, M.D. - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Community Mental Health Services is requesting an amendment to the contract with Virginia Wohltmann, M.D due to a need for additional psychiatric hours, And

WHEREAS, the requested increase is for 200 additional hours from 1,200 to 1,400 and the Committee on Human Services does concur, Now therefore Be It

RESOLVED that the Chairman of the Genesee County Legislature is authorized and directed to execute the necessary documents to implement a contract amendment between the County of Genesee and Virginia Wohltmann, M.D. for the provision of consulting psychiatric services at a rate of \$170 per hour for up to 25-30 hours per week for the period November 1, 2019 through December 31, 2019 in accordance with the terms of said contract.

Budget Impact Statement: Rate - \$170 per hour, no change. Gross Budget – No Change; County Cost - \$0

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 513 CONTRACT AMENDMENT-COMMUNITY MENTAL HEALTH SERVICES/WILLIAM E. MITCHELL, PSY. D.- APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Community Mental Health Services is requesting an amendment to the contract with William E. Mitchell, PSY.D. due to a need for additional psychological hours, And

WHEREAS, the requested increase is from 75 to 425 hours and the Committee on Human Services does concur, Now therefore Be It

RESOLVED that the Chairman of the Genesee County Legislature is authorized and directed to execute the necessary documents to implement a contract amendment between the County of Genesee and William E. Mitchell, PSY.D. for the provision of consulting psychological services at a rate of \$160 per hour for up to 20-30 hours per month for the period May 1, 2019 through December 31, 2019 in accordance with the terms of said contract.

Budget Impact Statement: Rate - \$160 per hour, no change. Gross Budget – No Change; County Cost - \$0
Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 514 COMMUNITY MENTAL HEALTH SERVICES
CONTRACT WITH TRICA L. PETERSON, PhD, ABPP – AMENDED - 2019-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Community Mental Health Services is requesting an amendment to the contract with Trica L. Peterson, PhD., ABPP due to a need for additional psychological hours, And

WHEREAS, the requested increase is from 50 to 125 hours and the Committee on Human Services does concur, Now therefore Be it

RESOLVED that the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract amendment between the County of Genesee and Trica L. Peterson, PhD, ABPP for the provision of consulting psychological services at a rate of \$190 per hour for up to 10-15 hours per month for the period May 1, 2019 through December 31, 2019 in accordance with the terms of said contract.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 515 MEMORANDUM OF AGREEMENT WITH
COOPERATIVE EXTENSION - APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, A Memorandum of Agreement has been prepared between the County of Genesee and the Cornell Cooperative Extension Association of Genesee County for the expenditure of funds appropriated in the 2020 Genesee County Budget in the amount of \$338,548. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute said Memorandum of Agreement between the County of Genesee and Cornell Cooperative Extension Association of Genesee County for the year 2020 in the amount of \$338,548.

Budget Impact Statement: 2020 funding = \$338,548

2019 funding = \$338,548

2018 funding = \$338,548; same level as 2017

2017 funding = \$338,548; 10% reduction

2016 funding = \$376,164; same level as 2015

2015 funding = \$376,164; same level as 2014

2014 funding = \$376,164; same level as 2013

2013 funding = \$376,164; same level as 2012

approx. 5% reduction; \$17,454 less than 2011's funding
2011 funding = \$393,618; 15% reduction in funding; \$69,462 less
2010 funding = \$463,080; 5% reduction in funding or \$24,373 less
2009 and 2008 funding = \$487,453; 2007 to 2002 = \$478,320

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 516 AWARD OF SERVICES/HOUSING PROGRAM
CONSULTANT SERVICES AND CONTRACT /PATHSTONE, INC. – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, Genesee County retains the services of a consultant on behalf of the Genesee Region Housing Initiatives Committee to provide grant writing services for and administration of affordable housing programs for very low, low and moderate income households within the County, and

WHEREAS, A Request for Proposals #2019-109 was issued in 2019 for said services and PathStone Corporation, the sole respondent, and

WHEREAS, It is the Assistant County Manager's recommendation to award the contract with PathStone Corporation for January 1, 2020 – December 31, 2020, with 3 one year renewal options, and

WHEREAS, The Human Services Committee has reviewed this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract by and between the County of Genesee and PathStone Corporation, 400 East Avenue, Rochester, New York for the provision of consultant housing grant writing services and housing program administration services for the amount not to exceed of \$12,150 for the period January 1, 2020 through December 31, 2020.

Budget Impact Statement: County has been providing funding for this service since 1999.

2020 funding = \$12,150

2019 funding = \$12,150

2018 funding = \$12,150

2017 funding = \$12,150 – 10% reduction

2016 funding = \$13,500

2015 funding = \$13,500

2014 funding = \$13,500

2013 funding = \$13,775; 5% reduction was submitted

2012 funding = \$14,499; 5% reduction

2011 funding = \$15,262; 15% reduction + United Way funding

2010 funding = \$17,955; 5% reduction + United Way funding

2005-2009 funding = \$18,900/year; 10% reduction in 2005 + United Way funding

1999-2004 funding = \$21,000/year + United Way funding

1995-1998 funding = 100% United Way

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 517 AGREEMENT RENEWAL WITH HOLLAND PURCHASE
HISTORICAL SOCIETY FOR OPERATION OF HOLLAND LAND OFFICE MUSEUM
- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Holland Land Office Museum is a registered National Historic Landmark and serves as a history museum housing the collections of the Holland Purchase Historical Society for the purpose of preserving, displaying and interpreting the history and culture of the County of Genesee, and

WHEREAS, The Genesee County Legislature in 1999 divested the County from the day-to-day operation of a County History Museum by allowing the Holland Purchase Historical Society to assume this responsibility, and

WHEREAS, The Genesee County Manager did present a proposed agreement with the Holland Purchase Historical Society for the continuation of their services, and

WHEREAS, The Committee on Human Services has reviewed this agreement and does recommend approval of said agreement at this time. Now, therefore Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Holland Purchase Historical Society, Inc. for the purpose of presenting programs of historical events and concern and for maintaining and operating a public museum for the period January 1, 2020, through December 31, 2020 at an annual cost of \$33,554.

Budget Impact Statement: 2020 funding = \$33,554
2019 funding = \$33,554
2018 funding = \$33,554
2017 funding = \$33,554
2016 funding = \$37,282
2015 funding = \$37,282
2014 funding = \$37,282
2013 funding = \$37,282; same funding as 2012
5% reduction in funding; \$1,962 less than 2011's funding
2011 funding = \$39,245 ; 15% reduction in funding; \$6,925 less than 2010's funding
2010 funding = \$46,170; 5% reduction in funding or \$2,430 less
2009 to 2005 funding = \$48,600 each year
2002 through 2004 = \$54,000; 2001 = \$60,000

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 518 CONTRACT AMENDMENTS – PUBLIC DEFENDER/INDIGENT LEGAL SERVICES CONTRACT NO. C700018 AND CAFA218- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of contracts amendments between Genesee County and the New York State Office of Indigent Legal Services (ILS) for Contract No.: C700018 (Distribution No. 7 grant) and Contract No.: CAFA218 (Second Counsel at First Appearance grant) to extend the original contracts and change the termination dates on each contract from December 31, 2019 to December 31, 2020.

WHEREAS, the Public Service Committee did review the contracts amendments and does recommend acceptance at this time. now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contracts amendments for Contract No.: C700018 (Distribution No. 7 grant) and Contract No.: CAFA218 (Second Counsel at First Appearance grant) to extend the original contracts and change the termination dates on each contract from December 31, 2019 to December 31, 2020.

Budget Impact: The amendments to these contracts will have no effect on the budget.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 519 ACCEPTANCE OF GRANT FUNDS-SHERIFF'S OFFICE/ CHILD PASSENGER SAFETY PROGRAM

Legislator Hilchey offered the following resolution:

WHEREAS, the Sheriff requested authorization to accept grant funding in the amount of \$2,000 from the Governor’s Traffic Safety Committee, to participate in the statewide “Child Passenger Safety” program, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Sheriff has approval to accept GTSC grant funding in the amount of \$2,000, and the grant funding will be appropriated in the Sheriff’s 2020 budget.

Budget Impact Statement: No budget impact. GTSC grant funding in the amount of \$2,000 will be appropriated in the Sheriff’s 2020 budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 520 BUDGET AMENDMENT - SHERIFF/2018 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT FUNDING-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, There is \$3,775 remaining in the Sheriff’s 2018 Statewide Interoperable Communications Grant funding that is unallocated, and

WHEREAS, The funds are to be used toward the purchase of a portable radio, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by Increasing Expense A3020.4660.SICG (Contractual Other-SICG) in the amount of \$3,775 and Increasing Revenue A3020.3390.SICG (State Aid-SICG) in a like amount.

Budget Impact Statement: Increase in Communications 2019 appropriations in the amount of \$3,775, with funds coming from unallocated 2018 Statewide Interoperable Communications grant funding; offset by an increase in revenue in a like amount.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 521 INTERMUNICIPAL AGREEMENT RENEWAL – SHERIFF / MONROE COUNTY DEPARTMENT OF PUBLIC SAFETY CRIME LABORATORY – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, the current agreement for forensic laboratory services with Monroe County will expire December 31, 2019; and

WHEREAS, the Sheriff did present an agreement renewal, approved by the County Attorney, for the time period of January 1, 2020, through December 31, 2020, at a cost of \$113,020, and

WHEREAS, it is recommended the County Legislature approve this contract for this time period and cost, and

WHEREAS, the Committee on Public Service did review this agreement and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is authorized and directed to execute the agreement between the County of Genesee and the County of Monroe for forensic laboratory services for the period of January 1, 2020, through December 31, 2020, at a cost of \$113,020.

Budget Impact: *Appropriation of \$113,020 was included in the 2020 Sheriff’s budget for this contracted service.*

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 522 AGREEMENT – SHERIFF / PLANIT SCHEDULE – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Sheriff did present an Agreement with PlanIt Schedule for the purchase of personnel scheduling software for public safety services, and

WHEREAS, the County Attorney and County IT Director have reviewed and approved the terms of this Agreement, and

WHEREAS, the Committees on Public Service and Ways & Means did review this contract and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature authorizes the Genesee County Sheriff to execute the agreement between the Genesee County Sheriff's Office and PlanIt Schedule for the purchase of personnel scheduling software for a one-year period to begin on December 1, 2019, and continuing through November 30, 2020, at a cost not to exceed \$4,070.

Budget Impact: *Funds have been appropriated to the 2020 budget.*

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 523 BUDGET ITEM TRANSFER – GENESEE JUSTICE / 2019 MEDICAL INSURANCE COVERAGE - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee Justice Program Coordinator has made a request to make transfers within the 2019 Genesee Justice budget from Personal Services to cover an employee's change from the 2-person medical coverage to the family plan and also to accommodate a new employee's medical and dental buyback.

WHEREAS, The Committees of Public Service and Ways and Means did review this request and do recommend acceptance of the budget item transfers. Now, therefore, be it

RESOLVED That the Genesee County Treasurer is hereby authorized and directed to make the following budget item transfers to the 2019 Genesee Justice Budget as follows:

Transfer funds from A.3151.1010.0000 Personal Services in the amount of \$3,394 to:

A.3151.8030.0000 Medical in the amount of \$2,960

A.3151.8030.0001 Medical Buyback in the amount of \$417

A.3151.8040.0001 Dental Buyback in the amount of \$17

Budget Impact: There is no impact on the 2019 Genesee County Budget and no additional county funding is required by this transfer

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 524 SPECIAL EVENT – MUTT STRUT 5K DOG WALK - GENESEE COUNTY PARK & FOREST - GENESEE COUNTY PARKS - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, A Special Events application was received from Adrienne Penders to use the Genesee County Park and Forest for a 5K trail walk fundraiser on April 19, 2020, and

WHEREAS, The Genesee County Highway Superintendent did review and recommends approval of, and

WHEREAS, The Committee on Public Service does concur with these requests. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby grant permission to Adrienne Penders to use the Genesee County Park and Forest for a 5K trail walk fundraiser on April 19, 2020 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 525 CLOSE CAPITAL PROJECT – 8-BAY T-HANGAR – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review established capital projects at the Genesee County Airport and does recommend closing a project at this time, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to close capital project Construct Airport 8 Bay T-Hangar.

Budget Impact Statement: None. The project has a zero balance.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 526 2019 BUDGET AMENDMENT – ROAD MACHINERY FUND – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review the Road Machinery Fund, and

WHEREAS, In order to complete schedules purchases, the Road Machinery Fund requires an intrafund transfer to account for unplanned expenses earlier this year, and

WHEREAS, The Genesee County Highway Superintendent does recommend moving funds from the contractual portion of the Road Machinery Fund to the equipment portion of the same fund, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to close make the following amendments to the 2019 County Budget:

Increase	DM5130.2030.0020 Equipment	\$400.00
Decrease	DM5130.4310.1001 Gas-Unleaded	(\$400.00)

Budget Impact Statement: None. Transfer occurs intrafund only.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 527 DISPOSAL OF A PARCEL OF ABANDONED NYS ROUTE 20 RIGHT-OF-WAY (ROW) – DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

Legislator Torrey offered the following resolution:

WHEREAS, In accordance with Article 8 of the Environmental Conservation law of the State of New York and the State Environmental Quality Review Act (SEQRA), the Genesee County Legislature announced its intention to serve as lead agency for the purpose of conducting an environmental review of the proposed disposal of abandoned NYS Route 20 ROW in the Village of Alexander and received no objections to this designation from the other involved agency, NYS Department of Transportation (NYSDOT), and

WHEREAS, The aforementioned statute and regulations require that the designated lead agency make a determination of significance regarding the action upon completion of the environmental reviews, and

WHEREAS, The Genesee County Legislature has determined that the disposal of the this abandoned piece of ROW is an “Unlisted Action” as defined under SEQRA, and

WHEREAS, Genesee County, in accordance with the project reviews, has prepared and evaluated a Short Form Environmental Assessment Form (EAF) for this action. Now, therefore, Be it

RESOLVED, That upon consideration and review of the EAF, the Genesee County Legislature, as Lead Agency, hereby finds and declares the proposed disposal of 1,000 square feet of abandoned ROW at the intersection of NYS Rt 20 and Buffalo Street in the Village of Alexander will not have significant impact on the environment as defied by Article 8 of the Environmental Conservation Law and its underlying regulations, and Be it further

RESOLVED, That the Genesee County Legislature directs that a Negative Declaration – Notice of Determination of Non-Significance to be filed pursuant to Article 8 of the Environmental Conservation Law and its underlying regulations

Budget Impact Statement: None.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 528 ACCEPTING JURISDICTION OF A PORTION OF THE NEW YORK STATE ROUTE 20 RIGHT-OF-WAY AND AUTHORIZING ABANDONMENT AND TRANSFER TO THE VILLAGE OF ALEXANDER- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Gadd Properties, LLC dba Alexander Equipment, owner of real property located at 3266 Buffalo Street in the Village of Alexander, New York (Tax Map No. 2.-1-36.1), has contacted the New York State Department of Transportation and the Genesee County Highway Superintendent, requesting the transfer of a parcel consisting of approximately 1,000 square feet in the Village of Alexander, and

WHEREAS, the Genesee County Legislature has initiated and completed the necessary process pursuant to the State Environmental Quality Review Act (SEQRA), by completing a short environmental assessment form, and simultaneously herewith will adopt a Resolution to direct that a negative declaration be entered based upon a determination that there will be no significant environmental impact, and

WHEREAS, the Highway Superintendent and the County Attorney having reviewed all pertinent information, recommend moving forward with the acceptance of jurisdiction of said right-of-way and the transfer thereof to the adjoining property owner. Now, therefore, Be it

RESOLVED, that the County of Genesee hereby requests the transfer of jurisdiction from the State of New York to the County of Genesee and accepts the transfer of jurisdiction regarding said parcel, and Be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County of Genesee the short evaluation assessment form that has been completed regarding said parcel, and Be if further

RESOLVED, that said parcel is hereby declared to be surplus since it is not needed for any Genesee County public purpose, and thereby shall be abandoned, and Be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Quit Claim Deed of said parcel, together with such other necessary recording documents, in order to transfer title to said parcel to the Village of Alexander, and Be it further

RESOLVED, that certified copies of this resolution and the SEQRA resolution together with the accompanying documents, be sent by the Clerk of the Legislature or her designee to the appropriate office of Region 4 of the New York State Department of Transportation.

Budget Impact Statement: None.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 529 BUDGET AMENDMENT – ASSIGNED COUNSEL
-APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Assigned Counsel, Criminal program has experienced higher than expected contracted legal expenses for 2019 causing a shortage in the Public Defender – Assign Co. line item, and

WHEREAS, The County Treasurer has advised there are funds available in the Gain on Sales of Foreclosure that could be used to cover the shortage, and

WHEREAS, The Public Services Committee and Ways and Means Committee have reviewed this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 County Budget by increasing A.1171.4640.0000 – Contracted Legal in the amount of \$50,000 offset by an increase in A.1000.1051 – Gain-Sale of Tax Acq Prop in a like amount

Budget Impact: Increasing 2019 expenditures by \$50,000

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 530 REAPPOINTMENT –FISH & WILDLIFE MANAGEMENT
ACT BOARD - APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The term of office for one member of the Fish & Wildlife Management Board will expire on December 31, 2019, and

WHEREAS, a minimum 3-member board, appointed by the Legislature includes a sportsman, landowner and legislator and also the Soil & Water Chair or their designee is an automatic member, and

WHEREAS, Michael Ciociola submitted a completed application for reappointment to serve a full two-year term, and

WHEREAS, The Committees on Public Service and Ways and Means do recommend that a reappointment of the Sportsman seat on the board be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint the following to serve a full two-year term on the Fish & Wildlife Management Board;

Michael Ciociola Sportsman Representative 1/1/20-12/31/21

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 531 SOIL & WATER CONSERVATION DISTRICT
DIRECTORS/ETHINGTON-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Soil & Water Conservation District was established according to State Law known as the Soil Conservation Districts Law (1940) on October 16, 1944 and the first Directors

were appointed by Resolution No. 63-1945, and
WHEREAS, The Board of Directors sets policy and guides District employees with types of conservation problems in the county, and
WHEREAS, a \$40 stipend per meeting will be paid to members excepting Legislature Liaisons, the stipend is in lieu of mileage reimbursement, and whereas Resolution 183-2016 establishes the length of term for a Director be three years, and
WHEREAS, The Committees on Public Service and Ways & Means do recommend Marirose Ethington be re-appointed as a Director. Now, therefore, Be it
RESOLVED, That the Genesee County Legislature does hereby re-appoint Marirose Ethington of East Bethany, New York to the Genesee County Soil & Water Conservation District Directors though December 31, 2022.

Budget Impact Statement: none.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 532 AGREEMENT FOR COUNTY TREASURER TO COLLECT 2020 TOWN/COUNTY TAXES FOR THE TOWN OF STAFFORD - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, A recommendation was made by the auditing firm of Freed Maxick in Batavia to the Town Board in Stafford NY to find an alternate method of collecting taxes for the near future, and

WHEREAS, the Genesee County Treasurer has offered to collect the 2020 Town/County taxes on behalf of the Town of Stafford for a fee of \$2,500 plus expenses, and

WHEREAS, the County Attorney drafted such agreement and the Town of Stafford Supervisor has signed the agreement, and

WHEREAS, The Committee on Ways and Means does concur. Now, therefore Be it

RESOLVED, The Chair of the Genesee County Legislature is hereby authorized and directed to sign the agreement allowing the County Treasurer to collect the 2020 Town/County taxes on behalf of the Town of Stafford.

Budget Impact: An increase in revenue of \$2,500 in Treasurer's fees.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 533 2019-2020 EQUALIZATION TABLES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Director of Real Property did submit the 2019-2020 Equalization Tables for Genesee County and the Committee on Ways and Means does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby adopt the 2019-2020 Equalization Tables as submitted.

2019-2020 Equalization Table

<u>Town</u>	<u>County Taxable</u>	<u>Fixed Vets</u>	<u>Clergy</u>	<u>Total Taxable</u>	<u>Eq. Rate</u>	<u>Equalized Value</u>	<u>Ratio</u>
Alabama	\$97,304,564	600	0	\$97,305,164	100.00	\$97,305,164	0.031688
Alexander	\$125,576,204	8,700	0	\$125,584,904	100.00	\$125,584,904	0.040898
Batavia	\$420,673,570	12,450	1,500	\$420,687,520	100.00	\$420,687,520	0.137001

Bergen	\$168,343,449	1,600	1,500	\$168,346,549	100.00	\$168,346,549	0.054824
Bethany	\$98,945,599	0	1,500	\$98,947,099	98.00	\$100,966,428	0.032881
Byron	\$116,804,281	0	1,500	\$116,805,781	100.00	\$116,805,781	0.038039
Darien	\$238,827,902	0	0	\$238,827,902	98.00	\$243,701,941	0.079364
Elba	\$117,314,987	0	1,500	\$117,316,487	100.00	\$117,316,487	0.038205
LeRoy	\$381,962,296	1,550	6,000	\$381,969,846	100.00	\$381,969,846	0.124392
Oakfield	\$125,875,030	550	0	\$125,875,580	100.00	\$125,875,580	0.040993
Pavilion	\$134,273,007	0	0	\$134,273,007	100.00	\$134,273,007	0.043727
Pembroke	\$273,207,162	6,400	0	\$273,213,562	98.00	\$278,789,349	0.090790
Stafford	\$155,464,503	5,000	1,500	\$155,471,003	100.00	\$155,471,003	0.050631
City	\$603,587,678	5,700	3,000	\$603,596,378	100.00	\$603,596,378	0.196567
TOTALS	\$3,058,160,232	42,550	18,000	\$3,058,220,782		\$3,070,689,937	1.000000

Budget Impact: None

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 534 2019-2020 TAXABLE ASSESSED VALUATION TABLES – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The 2019-2020 Taxable Assessed Valuation Tables have been presented by the Director of Real Property Tax Services to the Genesee County Legislature for approval, and

WHEREAS, The Committee on Ways and Means did review the tables as presented and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the taxable assessed valuation of the County of Genesee for the year 2019-2020 as presented by the Director of Real Property Tax Services.

2019-2020 TAXABLE ASSESSED VALUATION TABLE

<u>Town</u>	<u>RS 1 Taxable</u>	<u>Special Franchise & Utilities</u>	<u>Railroad Ceiling</u>	<u>Total County Taxable</u>	<u>Total Town Taxable</u>
Alabama	\$79,292,733	\$18,011,831	\$0	\$97,304,564	\$99,187,810
Alexander	\$115,094,581	\$9,124,543	\$1,357,080	\$125,576,204	\$126,992,946
Batavia	\$387,852,146	\$28,232,760	\$4,588,664	\$420,673,570	\$426,262,976
Bergen	\$152,753,732	\$13,701,059	\$1,888,658	\$168,343,449	\$168,155,906
Bethany	\$92,361,833	\$6,085,961	\$497,805	\$98,945,599	\$98,869,614
Byron	\$101,462,822	\$13,484,728	\$1,856,731	\$116,804,281	\$116,765,268
Darien	\$223,728,737	\$12,209,341	\$2,889,824	\$238,827,902	\$240,336,693
Elba	\$103,387,834	\$13,927,153	\$0	\$117,314,987	\$117,675,784
LeRoy	\$350,405,082	\$29,964,932	\$1,592,282	\$381,962,296	\$382,442,965
Oakfield	\$113,273,124	\$12,601,906	\$0	\$125,875,030	\$127,652,767
Pavilion	\$120,137,770	\$13,369,195	\$766,042	\$134,273,007	\$135,335,020
Pembroke	\$254,801,226	\$15,436,052	\$2,969,884	\$273,207,162	\$274,482,589
Stafford	\$143,353,959	\$10,386,225	\$1,724,319	\$155,464,503	\$155,398,217

City	\$571,868,548	\$29,555,636	\$2,163,494	\$603,587,678	\$602,467,871
TOTALS	\$2,809,774,127	\$226,091,322	\$22,294,783	\$3,058,160,232	\$3,072,026,426

Budget Impact: None

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 535 2019-2020 DELINQUENT WATER AND SEWER ACCOUNTS – RELEVY OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature has been advised that there exists delinquent water/sewer accounts in several Towns of Genesee County which may be added to the 2020 tax levy pursuant to section 198, part 3(d) of Town Law. Now, therefore, Be it

RESOLVED, That the Director of Real Property Tax Services is hereby authorized and directed to add the following sums for delinquent water/sewer accounts to said town tax levies:

<u>Town</u>	<u>Unpaid Sewer/Water</u>
Alabama	\$4,002.05
Alexander	\$720.98
Batavia	\$98,963.24
Bergen	\$1,749.37
Byron	\$38,380.37
Darien	\$14,058.78
Elba	\$1,981.98
Pavilion	\$9,827.57
Pembroke	\$2,508.79
Stafford	\$110.00
Total	\$172,303.13

Budget Impact: The County’s share of the total amount collected is \$11,272.23. The 2019 total was \$98,728.75 with \$6,458.88 being the County’s share.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 536 2019-2020 TABLE OF RETURNED SCHOOL TAXES – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Real Property Tax Law requires that, by November 15, 2019, all rural Genesee County School Districts return their respective unpaid 2019-2020 school taxes to the County Treasurer for inclusion in the 2020 County and Town tax levy. Now, therefore, Be it

RESOLVED, That the following amounts be and hereby are relieved against the various Towns of the County of Genesee as specified:

<u>Town</u>	<u>Unpaid School Taxes</u>
Alabama	\$103,188.70
Alexander	\$179,332.69

Batavia	\$105,670.37
Bergen	\$132,494.10
Bethany	\$170,109.39
Byron	\$111,554.95
Darien	\$240,187.97
Elba	\$105,230.26
LeRoy	\$541,775.44
Oakfield	\$92,276.66
Pavilion	\$119,567.22
Pembroke	\$243,060.69
Stafford	\$121,449.20
Total	\$2,265,897.64

Budget Impact: The County makes the School Districts whole for their portion and retains a 7% fee. The 2019 total was \$2,056,675.42.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 537 2019-2020 TABLE OF RETURNED VILLAGE TAXES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Legislature entered into an agreement with the various villages within the county that, upon notification to the county, by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the 2020 town and county levy. Now, therefore, Be it

RESOLVED, That the following amounts be and hereby are relieved against the various Villages in the County of Genesee as follows:

Town	Unpaid Village Taxes
Alexander	\$789.91
Attica	\$156.51
Bergen	\$13,480.91
Elba	\$3,827.84
LeRoy	\$164,002.01
Oakfield	\$7,269.92
Corfu	\$10,204.73
Total	\$199,731.83

Budget Impact: The County makes the Villages whole for their portion and retains a 7% fee. The 2019 total was \$172,104.80.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 538 2020 TAX WARRANTS – AUTHORIZATION FOR

Legislator Clattenburg offered the following resolution:

WHEREAS, Taxes have been computed and extended on the 2019 assessment rolls of the several Towns of the County of Genesee for County and Town purposes in the following amounts:

Town	Warrant Amount
Alabama	\$1,614,876.24
Alexander	\$2,138,764.71
Batavia	\$7,197,201.17
Bergen	\$2,549,174.38
Bethany	\$1,697,803.80
Byron	\$2,373,924.22
Darien	\$3,130,313.09
Elba	\$2,269,102.68
LeRoy	\$5,929,332.63
Oakfield	\$2,419,519.90
Pavilion	\$2,041,525.81
Pembroke	\$3,814,429.06
Stafford	\$2,243,387.75

Total \$39,419,355.44

Now, therefore, Be it

RESOLVED, That the taxes as extended upon the 2019 assessment rolls of the aforementioned Towns be and the same are hereby approved, confirmed and adopted by the Genesee County Legislature, and Be it further

RESOLVED, That warrants in due form be issued under the seal of the County of Genesee, signed by the Chair and the Clerk of the Legislature, and directed to the Collectors of the several Towns for collection of taxes therein for the 2020 tax year.

Budget Impact: The County's share of the total amount collected is \$27,734,757.10. The 2019 total was \$37,876,866.60 with \$26,850,085.58 being the County's share.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 539 2020 CITY OF BATAVIA TAX LEVY – AUTHORIZATION FOR

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature does recommend approval of the tax levy for the City of Batavia. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby direct that the following amount for the purpose stated be levied and assessed against the City of Batavia as said City's share of the tax levy of the County of Genesee for taxes levied for County purposes for the year 2020 and chargeable to said City as follows:

Total County Tax \$6,120,684.58

Budget Impact: 2019 County Tax Levy \$5,908,562.13

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 540 LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSES OF ANNUAL BUDGETS OF THE TOWNS OF GENESEE COUNTY – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, There has been presented to the Legislature a duly certified copy of the annual budget of each of the several towns in the County of Genesee for the fiscal year beginning January 1, 2020. Now, therefore, Be it

RESOLVED, That there shall be and hereby is assessed and levied upon and collected from the taxable property situated in the towns including any incorporated Village wholly or partially located therein the amounts indicated in the following table for Highway Fund (town wide), and Be it further

RESOLVED, That the amounts to be raised by tax for all other purposes as specified in same annual budgets as presented to this Legislature, and which are on file in the Office of the Clerk thereof, shall be and hereby are assessed and levied upon and collected from all taxable property in the Towns as enumerated in the following table, except as other provided by law, which will include general fund and special district, and Be it further

RESOLVED, That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law:

Town	General Fund / Library	Highway	Special Districts	Total
Alabama	\$119,799.00	\$179,458.00	\$225,886.12	\$525,143.12
Alexander	\$366,096.00	\$153,355.00	\$167,235.00	\$686,686.00
Batavia	\$1,046,000.00	\$0.00	\$1,689,955.81	\$2,735,955.81
Bergen	\$381,389.00	\$0.00	\$313,660.00	\$695,049.00
Bethany	\$103,887.00	\$263,261.00	\$140,128.00	\$507,276.00
Byron	\$209,349.00	\$294,565.00	\$521,599.00	\$1,025,513.00
Darien	\$0.00	\$0.00	\$365,103.00	\$365,103.00
Elba	\$141,691.00	\$235,000.00	\$581,736.80	\$958,427.80
LeRoy	\$289,372.00	\$124,826.00	\$772,952.00	\$1,187,150.00
Oakfield	\$378,493.00	\$380,000.00	\$290,420.00	\$1,048,913.00
Pavilion	\$159,627.00	\$60,000.00	\$315,565.00	\$535,192.00
Pembroke	\$0.00	\$0.00	\$716,631.71	\$716,631.71
Stafford	\$0.00	\$55,000.00	\$470,527.00	\$525,527.00
Total	\$3,195,703.00	\$1,745,465.00	\$6,571,399.44	\$11,512,567.44

Budget Impact: These amounts are retained by the Towns so there is no impact to the County. The 2019 combined total was \$10,934,511.15.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 541 ORLEANS COUNTY TAX MAP MAINTENANCE – MEMORANDUM OF UNDERSTANDING – TREASURER / REAL PROPERTY – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Orleans County wishes to enter into a Memorandum of Understanding with Genesee County for tax map maintenance of all real property parcels, and

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 544 CONTRACT RENEWAL - GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (GCEDC) - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committee on Ways and Means has reviewed the proposed contract for 2020 between the County of Genesee and the Genesee County Economic Development Center (GCEDC) and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract with the Genesee County Economic Development Center

(GCEDC) for a period beginning January 1, 2020 through December 31, 2020 and Be it further

RESOLVED, That the sum of \$233,513 shall be paid in regular installments, pursuant to the Agreement, upon submission by the Agency of vouchers in proper form.

Budget Impact Statement: 2020 = \$233,513
2019 = \$233,513
2018 = \$193,513
2017=\$193,513 – 10% reduction in funding or \$21,501 less
2016=\$215,014
2015=\$215,014
2014= \$215,014
2013= \$215,014
2012 = \$215,014; 5% reduction in funding or \$11,317 less
2011 = \$226,330; 15% reduction in funding or \$29,942 less
2010 = \$266,271; 5% reduction in funding or \$14,014 less
2009 to 2006 funding = \$280,285
2005 to 2003 = \$275,285
2002 = \$245,000

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 545 HEALTH BENEFITS PLAN 2020 PREMIUM RATES - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager and Self-Funded Health Benefits Plan Consultant did review the self-insured health plan and monthly participation fee and does recommend monthly premium rates for Genesee Community College Plan members be adjusted effective January 1, 2020, and

WHEREAS, The Committee on Ways and Means did review the rates proposed and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the following rates for the Genesee County Self-Insured Health Benefits Plan be adopted for Genesee Community College, effective January 1, 2020:

<u>Partnership Plus and Traditional Plans Classification</u>	<u>Rate per Month</u>
Single	\$713
2 Members (1 Adult/1 Child or 2 Adults)	\$1,426
Family, 3 or more	\$2,315
Retired, single	\$713
Retired, 2 Members	\$1,426
Retired, Family 3 or more	\$2,315
<u>Health and Wellness Plan Classification</u>	<u>Rate per Month</u>
Single	\$592
2 Members (1 Adult/1 Child or 2 Adults)	\$1,183
Family, 3 or more	\$1,923
Retired, single	\$592

Retired, 2 Members	\$1,183
Retired, Family 3 or more	\$1,923
<u>GCC \$5/\$20 Drug Card Classification</u>	<u>Rate per Month</u>
Single	\$154
2 Members (1 Adult/1 Child or 2 Adults)	\$308

Family \$508

<u>Dental Classification</u>	<u>Rate per Month</u>
Dental, single	\$ 11
Dental, family	\$ 27.50

<u>Vision Classification</u>	<u>Rate per Month</u>
Vision, single	\$ 4
Vision, family	\$ 6

Budget Impact Statement: medical/Rx premium rates are increasing 10% over the 2019 rate for the Health and Wellness Plan and 20% increase for Partnership Plus and Traditional Plans. GCC Drug Plan rates are increasing 54%.

Legislator Young seconded the resolution which passed by 326 votes.

At 6:14 PM Chairman Bausch closed the Public Hearing. There were no speakers or comments pertaining to Local Law Introductory No. 3 Year 2019.

**RESOLUTION NO. 546 LOCAL LAW INTRODUCTORY NO. 3, YEAR 2019
- ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The following proposed Local Law Introductory No 3, Year 2019 was duly introduced to the Genesee County Legislature in accordance with the Law:

**LOCAL LAW INTRODUCTORY NO. 3, YEAR 2019
COUNTY OF GENESEE, NEW YORK**

**A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE
COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED TERM**

BE IT ENACTED by the Genesee County Legislature as follows:

Section 1. The salary of County Officers set forth below shall be as follows:

Commissioner of Elections (2)	\$ 49,037
Highway Superintendent	\$ 113,421
Director of Real Property Tax Services	\$ 65,410
Director of Human Resources	\$ 78,676
Sheriff	\$ 106,518
Treasurer	\$ 99,393
Commissioner of Social Services	\$ 87,999

Section 2. The above salary shall take effect January 1, 2020.

Section 3. This Local Law is subject to referendum on petition pursuant to the provisions of Section 24 of the Municipal Home Rule Law.

Section 4. This Local Law shall take effect upon proper filing with the Office of the Secretary of State, and,

WHEREAS, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin boards in the Old Courthouse, and

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public

Hearing on Local Law Introductory NO. 3, Year 2019 and
WHEREAS, A Public Hearing was held at 5:30 p.m. on the 11th day of December, 2019 in Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore Be it

RESOLVED, That “**A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED TERM**” to be known as Local Law Number One, Year 2020, for the County of Genesee as introduced on December 11, 2019 be and hereby is adopted.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 547 COUNTY AUDIT –DECEMBER 11- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Bausch, did review the following claims:

General Fund	\$	763,432.05
Highway		285,217.89
Self Insurance		2,318.99
Water		148,328.36
DSS Abstracts		512,785.27

Capital Projects

Public Safety-Public Safety Communication Tower	\$	285,000.00
Highway-Highway Searls Road Bridge Over Spring Creek		43,891.63
Highway-highway Preventive Maintenance Bridge Painting		6,894.80
Airport-Airport Taxiway “C” Reconstruction		110.00
Airport-Obstruction Removal & Perimeter Fence		858.81
Airport-Airport Reconstruct Runway 10-28		110.00
Park-Area “D” Shelter Improvements		3,660.53
Park-Dewitt Park Improvements Phase IV		122.83
Sheriff/Jail-Jail Construction		2,600.00
GCC-GCC Wellness & Event Center		15,042.62
GCC-GCC Backup Power Improvements		330,086.73
Water-County Wide Water System Upgrade Phase II		130,044.70

Payroll – General

December 6 2019		1,604,572.57
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Medicaid

November 26, 2019		177,332.00
December 3, 2019		177,332.00
December 10, 2019		<u>177,332.00</u>

Total Audit	\$	4,667,073.78
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Now, therefore, Be it **RESOLVED**, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Stein seconded the resolution which passed by 326 votes.

At 6:15 PM the meeting adjourned upon motion of Legislator Stein seconded by Legislator Deleo, carried unanimously.

Rule V. 30 of the Genesee County Legislature states, “All departments of the County shall conclude their fiscal year and be prepared to present the annual report of their department to the County Legislature by the last scheduled meeting in January of each year. A one-page summary report is required for publication in the Annual Proceedings.” Received reports follow.

Pamela LaGrou, Clerk

Genesee County Legislature

GENESEE COUNTY OFFICE FOR THE AGING (OFA)

Director: Ruth Spink

2019 proved to be an extremely busy year with updated policy and program regulations, additional funding streams and as well as subsequent increases in collection and reporting with for the clients we serve. Financial and living situations of the increasing population of our older adults are changing with trends toward longer life, financial constraints, multi-generational housing, etc. Much time must be spent with our clients in order to obtain mandated “Informed Consent” to include them on the NYSOFA (New York State Office for the Aging) secure, web-based, statewide client database system. Some services without this consent. Additionally, anxiety, depression, substance abuse screenings continue to add to the time it takes to serve our clients. This has been a trend for the past few years, making it more and more challenging to keep up with demand. With all these opportunities comes the need for sustainable and growing staff resources. Unmet Needs, EISEP and NY Connects Expansion and Enhancement funds have helped to retain increased staffing to manage these additional long term care screening, information, assistance, and referral deliverables, but we are beginning to outgrow capacity to keep up with it all.

NY Connects Genesee Care Options provides information, screening, assistance, and referral using a network of local access points to provide one stop access to free, objective and comprehensive Information and Assistance on long term care services. With NY Connects Expansion and Enhancement funds from NYSOFA, NY Connects is expanding and evolving to become the ultimate “No Wrong Door” (NWD) service. In Genesee County, we worked closely with the Orleans and Wyoming County OFA’s and the Independent Living of Genesee Region to continue standardizing how intake services are delivered and learn more about one another’s services in order to make appropriate referrals. In 2019, 3,280 individuals (1,441 of which were in person) were assisted by Genesee County OFA’s NY Connects system.

HEAP (Home Energy Assistance Program) OFA processed **311** applications from Aug. – Dec. 2019. This number is down **97** from last years’ (2018) amount. The average benefit was **\$485** per household. The decrease in the amount of applications processed is likely due to more people receiving SNAP (Supplemental Nutrition Assistance Program—formerly known as Food Stamps). Those who receive SNAP have a HEAP benefit automatically calculated and issued by Genesee County DSS. **Transportation and transportation coordination** requests continue to rise; RTS-Genesee through the OFA Medical Transportation contract in **Genesee County** provided **868** total rides for medical transports in 2019. The Muriel H. Marshall Fund Community Action Transportation Services (CATS) provided **1568** specialized, round trip, door-through-door service rides including out-of-county medical or non-medical service in 2019. The Volunteer Transportation Program in 2019 provided approximately 362 two-way rides and 1 one-way ride to out of county medical appointment. **Handyman Intake:** Pathstone’s Handyman

Program completed **143** work orders in 2019 calendar year. The work provided to seniors in our county consists of small repairs in and around their home. The main objective is to ensure that their home is safe and livable. **Farmers' Market Coupons** OFA distributed 800 Farmers' Market Coupon booklets in 2019, offering older adults who are income eligible a packet of coupons providing a total \$16,000 benefit to residents (\$20 each). The program offers older adults more access to fresh produce from local farmers. **HIICAP (Health Insurance Information and Assistance program)** Served 1493 individuals – 281 of which were also assisted with low income program applications; held (9) Medicare 101 classes that were attended by a total of 350 individuals; held (6) dates for MyMedicare.gov sign-up assistance; held (4) vendor fairs during Medicare Open Enrollment that assisted close to 400 individuals in choices for the upcoming year.

Legal Services – Continue to work with the Center for Elder Law and Justice (CELJ) to provide legal services to Genesee County residents 60 years and older. Legal services provided a community training this year at an offsite location. Assisted several clients with legal matters, the main request was to complete Power of Attorney.

In home and respite care there continues to be a critical need for a viable homecare workforce. In recognition of this, the state has provided additional funding under EISEP and the new Unmet Needs programs. The additional funding for EISEP has allowed us to provide some additional PERS units. Many of the clients who are waitlisted for EISEP services due to aide shortages, are now being served under the Unmet Needs funding in various ways. For instance, some are receiving housekeeping/cleaning services, laundry service, incontinence supplies, and in a few cases, a ramp or a stairlift.

EISEP (Expanded In-Home Services for the Elderly Program) – 21 clients receiving services.

- 18 of those clients receiving in home aide service.
- 13 of those clients are receiving PERS (Personal Emergency Response System) through the program.
- Over 55 clients on the EISEP waitlist – 31 of those clients were picked up for the Unmet Needs funding while others will be assessed ongoing.
- Unmet Needs funding was provided to our office to address clients' needs until they are able to receive assistance through EISEP.
 - Provided two ramps allowing clients access safely in and out of their home.
 - Provided one stair lift so a client could bring groceries up to her home.
 - Also provided incontinence supplies and PERS units.
- Title III – to assist in reducing caregiver stress:
 - Providing funding for one client to attend Social Adult Day Program twice a week and one client to attend once a week.
 - Providing two clients a PERS.

Nutrition Program We have seen a steady increase in the number of individuals receiving Home Delivered Meals each day; fewer short-term clients and an increase in those receiving long-term services which facilitates their ability to stay in their home. This is another indicator of the impact our local aging population has begun to have on our resources. Genesee ARC continues to prepare quality home cooked meals. 217 Older adults received Home Delivered Meals and 191 received Congregate Meals, serving 33,588 meals in total. An additional 962 meals were provided under contract for Medicaid Managed Long Term Care meal services.

RSVP (Volunteer Placement Program) of Genesee County . In 2019, 310 older adult volunteers (age 55 to 95+) made significant contributions through 35,000 hours of service, primarily focused in community based programs which help older adults remain supported in their homes. Without these volunteers, programs that deliver food, library materials, financial assistance and companionship to more isolated, vulnerable residents, would not be possible. New in 2019, RSVP has partnered with the Opioid Task Force to promote education and awareness to combat the Opioid Epidemic in our community. **Wellness and Recreation Programs.** The Office for the Aging continues to offer daily opportunities for residents 60+ to join card groups, develop artistic skills and improve physical fitness through classes run by volunteers, who meet them at their level, but perhaps most importantly, the opportunity to meet with friends who are often like an extended family. Two sessions of the National Council on Aging's (NCOA) Aging Mastery Program® (AMP) were provided in 2019. There were 29 participants. This evidence-informed program encourages the development of sustainable behaviors across many dimensions that lead to improved health, stronger economic security, enhanced well-being, and increased societal participation. **Caregiver Services** – continued partnership with the Alzheimer's Association – WNY Chapter and 6 other Offices for the Aging in WNY for the Alzheimer's Disease Caregiver Support Initiative. During 2019, our office provided over 460 care consultations to over 160 unduplicated caregivers who are caring for a loved one with Alzheimer's Disease or other type of dementia. Our office continued the partnership with the Genesee County Sheriff's Department for persons with dementia in the Project Lifesaver program. If an enrolled client goes missing, the caregiver notifies the Genesee County Sheriff's Office immediately and a trained emergency team responds to the wanderer's area.

CENTRAL SERVICES

Director: Eve Hens

Key Accomplishments and Highlights 2019

- Updated Purchasing Policy and Procedures for 2019 to include:
 - Reorganization of guide for better referencing
 - New policy regarding meals and food at training
- Worked with IT to further implement the County-wide document management system—
Volunteered to be the test site for the implementation and then help train other departments on the use of this system
- Encouraging departments to include the option for contract renewals in their Bids and RFP's
- Pursuing opportunities for blanket contracts for commodities and services that can be shared with other municipalities
- Meeting with City of Batavia financial officer to determine ways in which we can share procurement services
- Improved Custodial Processes:
 - Annual Custodial Services Survey (September)
 - Monthly Custodial meetings to create opportunity for teamwork, staff feedback, inclusion of all staff members
 - Transitioned and trained a new Head Custodian
 - New electronic scheduling tools to better track work participation
 - Standardized paper dispensers and soap dispensers to lower costs throughout the county and to reduce and eliminate waste due to products not working in all dispensers
 - Upgraded equipment in the buildings to increase efficiency and reduce risk of injury
 - Installed product dispensers in each building
 - Cleaning products are measured and mixed with water automatically
 - Reduces waste—always have the ideal dilution
 - All chemicals are labeled with SDS stickers
 - Created systems to improve services at some of our higher usage buildings.

GENESEE County Clerk

Clerk: Michael Cianfrini

Pursuant to Section 406 of the NYS County Law, I, MICHAEL T. CIANFRINI, Clerk of the County of Genesee, do herewith certify and transmit this statement of all funds received by the Recording and Motor Vehicle Offices for the fiscal year ending December 31st, 2019.

Recording Fees	\$ 265,752.50
Cover Page Fees	29,805.00
NYS Real Estate Transfer Tax	526,341.00
Mortgage Tax	1,853,167.89
Pistol Permit Transaction Fees	34,136.00
Uniform Commercial Code Transactions	9,000.00
Passport Applications/Photos	20,970.00
Searches, Certificates & Copies	42,492.95
Office of Court Administration Fees	261,111.60
Fines Collected: Criminal Court	37,694.78
Clerk Fees, Filing & Other Services	412,909.49
Interest Earned on Funds Deposited	<u>11.70</u>

Total Recording Office Funds Received **\$ 3,493,392.91**

Motor Vehicle Transactions	5,023,726.42
Sales Tax Collected(State Sales Tax)	1,243,655.95
Sales Tax Collected(County Retention)	6,008.50
Recycled Plates/Bad Check Fees	<u>1,264.68</u>

Total Motor Vehicle Office Receipts **\$ 6,274,655.55**

TOTAL FUNDS RECEIVED BY COUNTY CLERK OFFICES **\$ 9,768,048.46**

Respectfully submitted,
MICHAEL T. CIANFRINI
Genesee County Clerk

2019 Detailed Annual Report of Revenues
County Clerk: Recording Office

Recording Fees: All Documents	295,557.50
Real Estate Transfer Tax: New York State	526,341.00
County Transfer Tax Retention	1,787.00
Real Property Transfer Reports [RP-5217]: New York State	195,378.00
County Transfer Report Retention	13,122.00
Combined Tax Affidavit Filing [TP-584]: County	8,356.00
Mortgage Tax Affidavits Filed	110.00
Records Management Program Fees: New York State	131,347.00
County Records Management Fee Retention	6,913.00
Office of Court Administration Fees: New York State	261,111.60
County Retention of Court Adm. Fees	21,010.00
Notary Public License Fees: New York State	6,440.00
Notary Public: Oath, Authentication & Certification Fees: County	3,540.00
Rental: Abstract and Title Companies	3,180.00
Fines, Surcharges & Restitution: County Court Fines	5,360.00
DWI & Related Motor Vehicle Fines	32,334.78
Pistol Permit Transaction Fees	34,136.00
Passport Agent Application Fees & Photographs	20,970.00
Uniform Commercial Code Filing Fees	9,000.00
Business Names: Corporation, Partnership, & Assumed Name Filing Fees	8,323.00
Judgment & Federal Tax Lien Filing & Execution Issuance Fees	4,805.00
Separation Agreements & Marriage Dissolution Certificate Filing Fees	565.00
EZ Pass County Clerk & DMV	4,825.00
Copies, Certified Copies & Exemplification Fees	42,492.95
Miscellaneous Filing Fees & Other Services Provided	<u>3,208.49</u> 1,640,213.32
Mortgage Tax Collected: All Districts	1,743,167.89
Mortgage Tax Expenses: County Retention	<u>110,000.00</u> 1,853,167.89

TOTAL REVENUES RECEIVED **\$ 3,493,381.21**

Interest Earned on Bank Account [Bank of Castile] 11.70

TOTAL REVENUES RECEIVED & PROCESSED IN 2019
\$3,493,392.91

2019 Detailed Annual Report of Disbursements

Genesee County Treasurer

County Clerk General Revenues & Retention Fees	\$591,671.19
General Court Fines	3,860.00
DWI & Related Motor Vehicle Fines	32,334.78
Sheriff's Fees from Pistol Permit Revenues	1,735.00
Mortgage Tax: Municipalities of Genesee County	721,704.99
Genesee County Local Mortgage Tax.....	360,530.25
[Total Funds Transmitted to the County Treasurer: \$1,711,836.21]	

New York State Commissioner of Taxation & Finance

Real Estate Transfer Tax Receipts	\$526,341.76
Records Management Program Fees.....	131,347.27
Office of Court Administration Fees	261,112.31

New York State Board of Real Property Services

Real Property Transfer Report Filing Fees	\$195,378.00
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New York State Department of State

Notary Public License Fees	\$6,440.00
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State of New York Mortgage Agency

Mortgage Tax: SONYMA	\$309,147.14
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Rochester-Genesee Regional Transportation Authority

Mortgage Tax: RGRTA	\$345,531.95
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Mortgage Tax Apportionments: Other Counties

Rogue Solutions LLC Mtg Tax refund	234.16
Lucian Visone Jr Mtg Tax refund	1,195.80
Wyoming County Clerk	45.11
Erie County Clerk	4,783.20

**1. TOTAL 2019 DISBURSEMENTS TRANSMITTED
\$3,493,392.91**

DISTRICT ATTORNEY'S OFFICE
District Attorney: Lawrence Friedman

No District Attorney in this state was aware that the state legislature would pass a sweeping change in discovery laws as part of its 2020 budget, which would fundamentally change how criminal law is practiced in this state. The impact of this law has sent all 62 District Attorneys scrambling to determine how they will meet their new and onerous obligations.

The nature of the job of a Prosecuting Attorney has changed dramatically under the new discovery laws. In essence, a prosecutor will be doing trial preparation work in all of the cases assigned to him or her and this will need to be done within 15 days of the Defendant's arraignment.

As the statute is drafted, the prosecutor cannot simply rely on what law enforcement has provided, but must make inquiry in every case to ascertain the existence and insure production of all discoverable materials.

These new laws also necessitated the re-tooling and re-training of law enforcement. The District Attorney's office met with each agency to assist them with the changes in the law.

Given the heightened attention and work that must be given to every file, the District Attorney's office was not able to meet its obligations under the new discovery law or prosecute their cases with their existing staff. These changes necessitated budgeting for an additional Assistant District Attorney, two Paralegals and a part-time Legal Clerk-Typist, the latter being funded by the City of Batavia.

Finally, in order to meet their new Discovery obligations, the District Attorney's office needed to contract with the New York Prosecutors Training Institute ("NYPTI") for the use of their Digital Evidence Management System ("DEMS"), which is software that works in conjunction with Prosecutor's Case Management System ("PCMS"), the database used by the office to track their cases.

DEPARTMENT OF SOCIAL SERVICES

Commissioner: David Rumsey

The Department of Social Services primary mission is providing protection, care, assistance and support to the vulnerable citizens of Genesee County. In 2019, the Department served individuals and families providing Temporary Assistance, SNAP, HEAP and Medicaid services, and provided protection and support for children and families in Child Protective Services, Children's Services and Adult Services. The Department remains challenged daily by the increasing complexity of cases, as well as, meeting the mandates these program and service areas require. Despite the challenges, the Department remained within the limits of the approved 2019 departmental budget.

The 2019 Family Assistance caseload averaged 118 cases per month, a decrease of 16 cases from 2018. The 2019 Safety Net program caseload averaged 158 cases per month, a decrease of 19 cases from 2018. The Employment Unit work continues to facilitate self-sufficiency for these clients. The SNAP caseload decreased to 2,566, a 4.2% decrease from 2018. Expenditures for the SNAP program indicate that our clients redeemed \$6,225,667 in SNAP benefits during 2019. In our county 4,002 households received regular, renter's or emergency benefits under the Home Energy Assistance Program [HEAP] totaling \$1,279,687 in the 2018–2019 heating season. The State continues to further expand eligibility for SNAP and HEAP benefits, while steadily decreasing the amount of State reimbursement provided to facilitate the local administration of these programs. The Program and Fraud units work closely in investigating and monitoring front end detection, computer matches and intentional program violations, to ensure that only the truly needy/eligible individuals and families receive on-going cash assistance. The Child Support Unit has met and is exceeding their goal of an 80% collection rate for 2019.

Medicaid is the biggest expense faced by our County. Even with the Medicaid cap, the local share of the program is approximately \$9.5 million annually. Currently 3,104 individuals are recipients whose benefits are managed locally, while the NYS of Health indicates that they have enrolled 8,182 individuals from Genesee County (as of 7/31/19). The State continues to talk about a take-over of all Medicaid Program Administration within the next several years. The many delays to the take-over plan make it seem unlikely that it will be accomplished by the end of 2020. There is little hope of fiscal relief from Medicaid costs, as the County will remain responsible for the current weekly local shares for Medicaid services, even when administrative duties are removed, absent any legislative funding changes at the State level.

The Child Protective Services unit received 967 reports in 2019, a decrease of 66 reports from the 2018 total. Adult Protective Services referrals for 2019 totaled 178 compared to 159 referrals in 2018. The Mandated Preventive Service unit has worked with 358 children this year a 23.9% increase from 2018. Of these 358 children, 14 of them ended up in a foster placement. Efforts to reduce the numbers (and costs) of children in out-of-home placements continue. At the close of 2019, 75 youth from Genesee County are anticipated to be in out-of-home placements for which DSS is financially responsible, a slight decrease from 2018. Of the 75 youth currently in foster care placements, 41 youth are in regular foster care, 6 youth are in cluster care, 9 youth are in

therapeutic foster care, 13 youth in residential placement, 4 youth in OCFS placement, 1 youth in CSE placement and 1 youth in college. A total of 8 adoptions were finalized in 2019 with 6 pending. There are 8 children freed for adoption. Many hours of planning for Raise the Age and the effect it has at DSS and other County agencies occurred in 2019 with the addition of the 17-year old age group. This work and effort will carry over to 2020.

Staff attended 779 training deliveries during 2019, a decrease of 20.9% from 2018.

2019 staff turnover: 9 resignations, 8 retirements, 1 termination, 1 No-show. Note: Of the 9 resignations 4 went to work with other County departments. We have been unable to fill the vacated Director of Fiscal Operations and Child Support position since September 3, 2019.

BOARD OF ELECTIONS

Lorie Longhany, Commissioner

Richard Siebert, Commissioner

In reviewing the 2019 election year we started out with a local Primary Election on June 25th which included a race in the City of Batavia along with races in Alexander, Bergen, Bethany, Byron and Pembroke. These races went very smoothly with no waiting for voters and no machine or site issues.

We implemented Early Voting for the 9 days prior to the General Election and used the paper poll books. We will be transitioning to electronic poll books in 2020. Turnout was light with around 1.5% of our registered voters participating, which we expected in a low turnout local election year. We used local media to get the information out about the location, dates and hours of Early Voting. Our Deputy Commissioners did a great job and worked 19 days in a row to execute all of the obligations and procedures of Early Voting in a bi-partisan fashion. All of the hand-picked poll workers did a great job acclimating to the Early Voting job duties. Our technicians also worked very hard and did a wonderful job with ballot preparation and were on call during Early Voting. All of our staff pitched in to deliver the poll books from Early Voting out to all of the Election District sites before Election Day. There were no machine issues during the 9 days of Early Voting.

Election Day went very smoothly with no complaints and no machine issues. We addressed the parking lot lighting at our poll site at the Salvation Army by installing temporary lighting fixtures with the help of our Buildings and Grounds Dept. and we believe the poll workers and the voting public appreciated our response to that need from 2018.

We are preparing for a vigorous 2020 election year beginning with training of the electronic poll books and then 3 elections beginning with the Presidential Primary on April 28th, the Local, State and National Primary on June 23rd and the General Election on November 3rd. 2020 is a monumental transition for this office and we are working with the IT Dept. and the County Manager's office to make sure that we have a successful transition into Early Voting, E- Poll Books and what will be a high turnout Presidential Election Year.

GENESEE COUNTY HEALTH DEPARTMENT

Director: Paul Pettit

The Genesee County Health Department (GCHD) operates a “full service” health department that provides services in the five core public health areas of preventing epidemics and the spread of disease, protect against environmental hazards and prevent injuries, promote and encourage healthy behaviors, assure the quality and accessibility of health services and to respond to disasters and assist communities in recovery.

The mission of the GCHD is to work collaboratively ensuring conditions that promote optimal health, safety and consumer protection for individuals and the communities we serve. This mission is carried out through the core divisions of the department which include: Environmental Health, Public Health Nursing, Children’s with Special Health Care Needs, Emergency Preparedness, Administration, Coroners/Medical Examiners and Weights and Measures. In carrying out this mission, from a fiscally conservative perspective, all divisions within the department are being challenged to think critically of their services and scope while focusing on efficiency and quality improvement opportunities.

We are now over seven years working collaboratively with Orleans County through cross-jurisdictional sharing, and the health department continues to drive enhancement to service delivery and operational efficiencies while realizing fiscal savings and programmatic benefits. The cross jurisdictional sharing continues to expand and has been extremely successful in the original goals over the years by continually showing both savings and enhanced services. This innovative project has allowed Genesee and Orleans County to be nationally recognized for innovation and leading when it comes to creative service delivery through a shared service model.

In 2019, there were several highlights that drove successful service delivery to county residents. The county’s community health assessment (CHA) and community health improvement plan (CHIP) were updated in 2019. These documents provide the blueprint for our focus under the state’s prevention agenda. This process was a three county (Genesee, Orleans, Wyoming) collaborative effort involving many stakeholders including all the health systems within the counties. Our focus areas continue to target chronic disease issues (diabetes and cancer screenings) along with mental health and substance abuse issues (heroin and opioids). The tri-county opioid task force wrapped up its third year and continues to bring several disciplines and stakeholders together in an intentional coordinated effort to address the opioid crisis. As of December, 2019 there are over 450 individuals engaged in the taskforce that are working on workgroups that focus on education, access to care, data, naloxone, law enforcement and folks in the recovery community in our three county area. Program costs for the preschool and early intervention program continue to remain high, busing is a significant driver for these costs. In 2020, the department will continue to analyze the preschool program (services and transportation) to identify any opportunities to deliver these services in the most cost effective and efficient way. Drones continue to be an emerging technology for the department. This new technology is beginning to lead the way in providing new information and capturing data for public health applications. The community health division continued to push out educational

information through PSAs and weekly columns. The division also continued to expand services in the jail and to seasonal farmworkers in the county. The Medical Reserve Corps (MRC) in Orleans County expanded into Genesee, rebranding and formal engagement activities are underway for 2020. The department completed its second year with the oversight of Weights and Measures with significant efficiencies identified (a shared director will be overseeing the program starting January 2020). The department has begun the accreditation process and will work towards achieving this status in 2020. These highlights only provide a snapshot of the great work the staff at the health department do on a daily basis, often working behind the scenes to make sure our residents are safe and healthy.

As we enter 2020, I'm encouraged by the positive movement our intentional strategic decisions have produced and look forward to continued improvements in the way public health services are delivered in Genesee County

GENESEE COUNTY HIGHWAY DEPARTMENT

Highway Superintendent: Tim Hens, P.E.

Genesee County continues to implement a shoulder widening strategy across the county road system. This involves the milling of a 4 foot shoulder at 4 inches of depth and replacing the removed material with either pugmilled recycled asphalt reclaimed from either the airport improvement projects or highway work or base asphalt when the pricing is favorable. The County completed over 16.7 miles of shoulder widening in 2019. Due to weather limitations in the fall, many of these new shoulders were sealed to protect them from winter conditions. They will be followed over with a full asphalt overlay or paver-placed surface treatment in 2020 to complete the project.

Preservation treatment in the form of NOV Achip was performed on 3.21 miles of County Road. Fiber reinforced oil and stone maintenance was completed on over 8.51 miles of road. Both Colby Rd and County Rd 5 were overlaid with Hot Mix Asphalt for a total of over 7 miles. The bridge crew replaced 2 bridge-culverts and performed heavy maintenance on three others. Construction work was completed on the replacement of both the Searls Rd Bridge and the Pratt Rd bridge which were both funded by the 2018 BRIDGE-NY program. The County contracted with Keeler Construction who completed the replacement of 4 large span culverts.

The County Highway Department equipment purchases in 2019 were a lowboy trailer, a single axle dump truck and a new wheel loader. The Road Machinery Fund continued to make annual payments on lease-purchases from previous years. Payments included the interim payments on the Dozer, Wheeled Excavator and Wheel Loader.

The County continued with the implementation of the Mobile 311 work order tracking system for highway related projects. The total labor and equipment cost towards road and bridge maintenance for 2019 was \$1,070,605.22 on over 252 work orders. The largest work category was Ditching and Driveways which totaled \$226,411.33.

It was another poor year for construction due to a very wet spring. The spring prep work slid almost a full month with a wetter than normal May, which saw rain on 21 of 31 days. Early in the season, it was decided to drop several roads from the 2019 schedule to make up for the schedule slippage. An early winter setting up in October and November exacerbated a short season. Drier weather in late November and early December allowed for the completion of the Ellicott Trail Bridge within the DeWitt Recreation Area and for more progress to be made on both the Firing Range and new Training Area at the EMS Facility on State Street Rd. It is anticipated that the Firing Range will be fully seeded and complete in the spring of 2020.

Public Health Engineering reviewed 58 sanitary projects, 1 swimming pool, and 16 backflow prevention devices; and 17 approvals were given to new water districts and water district extensions; which was on pace with what had been reviewed in 2018.

Genesee County Airport

The Taxiway Reconstruction was completed this summer and, as predicted, was very disruptive to operations. Despite horrible weather, the project was completed on-time and under budget. This was the second season in a row where major construction impacted operations and fuel sales reflected the impact, especially in jet traffic.

The county completed and occupied a new set of 8-Bay T-Hangars. Another grant for an additional set of hangars was also secured. This grant will allow for the design and construction of an additional set in 2020 which will replace the units being demolished as part of the FAA's continuing effort to clear the airport of obstructions. The hangar units to be torn down in 2020 represent the last facility on the airport that predates 1994.

Total fuel sales actually rose 3 percent thanks to increased sales of 100LL, but sales of Jet A dropped another 10 percent due mainly taxiway construction as well as poor weather in the spring/winter of 2019.

Genesee County Parks, Recreation, Forestry Reservations

Pavilion rentals and special event requests increased from 2018, especially with the new Shelter that was constructed and available at Area A.

Interpretive Nature Center

The County continues to receive funds through the NYS OPRHP ZBGA program. This year's grant was for \$37,372.42. The Park was also awarded an OCFS Grant in the amount of \$6,550.

The ACORNS, park volunteer organization, continues to support the County Parks system through their volunteer efforts in programs, Nature center greeting, park cleanup, program promotion, program delivery, and various fundraising activities. They hosted their seventh 5K trail run/walk in October with over 220 participants and approximately \$6,500 raised. Proceeds from the race will be used by ACORNS to continue their tremendous support of the Park. The ACORNS volunteers represent an astounding \$69,581.98 savings to Genesee County. Combined with other volunteers and community service, the County saves enough to replace nearly 3 seasonal groundskeepers. The County also employed a Student Conservation Association (SCA) intern again. The position continues to be funded by contributions and donations from the ACORNS group.

School and student outreach from the Interpretive Center increased 33% from 2018. Environment and Science Camp registrants doubled from last year and there was an increase of 180 adults in environmental programming held at the Park.

Genesee County Park and Forest

The Business Education Alliance and BOCES continued to host Camp Hard Hat at the County Park and the students in camp constructed additional boardwalks and footbridges along the trails.

Park Staff made several improvements throughout the Park, the most meaningful and important was the replacement of the Picnic Shelter at Area D. The design and construction of the new shelter was a joint effort of Parks staff, Highway engineering and crews as well as Facility Maintenance employees. The new pavilion is much larger and the site grading allows for accessibility and safety. It is hopefully the first of many shelters to be upgraded in a joint effort.

DeWitt Recreation Area

The ice rink was setup again at DRA and Kiwanis helped operate the rink on Fridays offering extended hours and hot cocoa as well.

The high lake levels at DRA finally subsided and the Highway and Parks crews were finally able to get the Ellicott Trail bridge constructed over the wetland areas on the east end of the Park. The bridge is constructed from all low-maintenance materials and is quite stunning. The Ellicott Trail connects through the DRA and provides access from Seven Springs Rd all the way through the City to Williams Park.

Genesee County Water

Things started to happen in 2019! Multiple pieces were finally in place to begin construction on Phase 2 of the Countywide Water Project. Water Agreements, minus Darien, Corfu & Pembroke, along with Sales Tax Agreements were in place; Genesee County borrowed \$3.5 million and MCWA was planning on borrowing \$20 million at year's end to move ahead on all Phase 2 subprojects.

The Vallance Rd/North Rd Water Transmission project was well under way by late fall. This piece of the project provides a valuable connection to the North Rd Booster station and crosses the New York Thruway. This project is a valuable connection for the future Phase 3 project and the size of the pipeline was already figured into this construction.

Chestnut Ridge Water Transmission Mains were awarded in October and it is estimated that this work in Monroe County will begin in March 2020. This provides another important connection into the MCWA system to allow more water supplies from Shoremont WTP in Greece.

Also awarded at the end of the year were contracts for both the Mumford and Churchville pump stations. These projects are needed to provide additional supply capacity into Genesee County. These contracts were designed to allow for delivery of at least a portion of the work and possibly the entire project by the time summer demands hit.

The County continues to face a near-term shortage of supply as district expansions continue throughout the County. New districts were completed or planned in several towns including Alabama, Elba, Byron, Stafford, Alexander and Bethany. With additional industrial use planned in 2020 and continued adoption of public water by large farms, it is imperative that the County continue to move ahead with plans to construct the additional pumps stations and mains to bring at least an additional 2.4 MGD from MCWA sources. The goal is to provide a large portion of this relief prior to June 2020.

Genesee County Facility Maintenance

The County was unsuccessful in its third state grant application to repair the failing masonry at the Jail. This facility continues to deteriorate as funding is sought for masonry repairs.

Design work commenced on the Animal Shelter Improvements. The County was successful in obtaining a grant from NYS Ag & Markets to fund improvements at the shelter. It is expected that construction will begin in the summer of 2020.

The County completed two huge projects in 2019. The Energy Performance Contract with Johnson Controls wrapped up and is scheduled to save the County over \$210,000 per year over the next twenty year. The County also wrapped up a countywide facility security plan with LinStar. This project brought swipe card and video access to most facilities.

The County commenced on the design of a new Jail in 2019. This is probably the largest public works project the County has ever undertaken. It is expected to be a \$50 to 60 million project and it is planned for construction sometime in the next 12-18 months.

The County also operated fully under the Dude Solutions work order system in 2019 which allowed facility operation and maintenance costs to be tracked. The top facilities in order of total cost were:

Jail	\$55,895.19
Courts Facility	\$35,934.67
Sheriff Admin	\$17,893.39
Bldg #2	\$15,906.80
Bldg #1	\$13,277.95
Old Courthouse	\$12,403.23
Fire Training Center	\$10,833.20
Office for Aging	\$10,680.91
Holland Land Office	\$10,263.75
Airport Main Hangar	\$9,181.58

HISTORY DEPARTMENT & RECORDS MANAGEMENT

Director: Michael Eula, LL.M., Ph.D.

The History Department staff working in the Research Library in 2019 assisted approximately 1,645 people interested in our local history, and generated about \$940 in revenue. Our team of dedicated and talented volunteers donated 2,820 hours, and reached an impressive total of eleven in number. These volunteers contribute enormously to the work of the History Department, which only has two full-time members (the County Historian, who also doubles as the Records Management Officer and the Research Assistant) and one part-time member who works in the Records Center. In conjunction with the full-time staff, volunteers assist with the indexing of records, the filing of historical documents, and the processing and storage of those primary historical documents.

The promotion of local history was facilitated through a total of thirty-six presentations, tours, and display exhibitions, along with responses to 373 information requests on topics ranging from genealogy through naturalization records to a variety of local history inquiries. The County Historian provided eight public presentations to a total of about 240 guests. Throughout the year, the History Department maintained booths at community events within our county designed to promote the Department and the projects of the Genesee County Historians Association. The Genesee County Federation of Historical Agencies also completed its tenth year of existence.

The Records Center activities included the removal and shredding of 363 cubic feet of obsolete records, and the transfer of 784 cubic feet of inactive records from county departments. The Records Management program also responded to 286 requests for records. Finally, the Microfilm Lab produced 82 rolls of film for county departments.

HUMAN RESOURCES

Director: Anita Cleveland

The passage of the New York State 2018-2019 budget resulted in two projects for Human Resources as the State's Sexual Harassment and Civil Service Laws were both revised. Under the amended Sexual Harassment Law, all employers in New York State were required to adopt a sexual harassment prevention policy and provide annual training that meets or exceeds the law's minimum standards. The amendment to Section 208 of the NYS Civil Service Law set forth new requirements regarding membership data transfer and union dues deductions. Also in 2018, probably the biggest Supreme Court decision in labor relations (Janus vs. AFSCME) had a huge impact on the HR Department which is responsible for administering union dues.

Another huge project that the Human Resources staff took on was the new employee badging system and building security system access. Although, there was a lot of preparation up front planning and work to get the system up and running, it has greatly improved the onboarding of new employees.

In addition, Human Resources performed many diverse and interesting tasks in the areas of staffing and employment, labor and relations, and training.

The Human Resources staff continues to work with the County Manager's office, Independent Health, and Premier Consulting Associates regarding the requirements and implementation of the Health Care Reform.

The Human Resources Director continues to be an active participant on the management team in union contract negotiations including assisting with the development of the County's proposals and analyzing the proposals of each union.

AFSCME- contract expired 12/31/19; in negotiations for a successor agreement.

CSEA General Unit – contract expired 12/31/19; tentative agreement anticipated to be ratified January 2020.

Deputy Sheriff's Association – contract expired 12/31/19; negotiations expected to begin in early 2020.

Sheriff's Employee Association – contract expired 12/31/19; in negotiations for a successor agreement.

Another primary task is preparation of employee data sheets for each bargaining union, including hire and longevity dates, leave time accrued and taken, health insurance enrollment information, etc.

INFORMATION TECHNOLOGY

Director: Steve Zimmer

Information Technology continues to focus on providing a secure, stable and reliable infrastructure that supports all County departments and external clients, including town assessors, volunteer fire departments, Village of LeRoy, City of Batavia and Corfu Police Departments, and County residents and businesses that access the web site for general information, forms, applications, County Real Property (GIS) data, and the connection to various NYS web sites for Public Health Information, NY Connects (Long Term Care), Purchasing Bids and RFPs, Emergency Preparedness, and many others.

The 2020 Budget provides County IT with the needed financial resources to address department requirements and focus on critical security initiatives. Major 2020 initiatives include:

- Implement a Security as a Service outsourcing agreement with SophosMTR. This program provides 7x24x365 monitoring of the County's network. If security related anomalies, viruses or ransomware are discovered, a team of Security Analysts from Sophos contact the County but in parallel remediate the threat. This service is not something County IT staff can provide.
- Implement two-factor authentication for all critical applications. This added layer of security prevents an account from being hacked and used to insert malware or steal sensitive / confidential / financial data from County equipment.
- Encrypt the hard drive on all portable Windows devices to ensure the data stored on the drive cannot be breached if the device is lost or stolen.
- Continue the working relationship with Social Services rolling out Document Management.
- Complete the Windows-10 upgrade for all connected Windows based devices.
- Segment the Board of Elections network from the County as recommended by the NYSBOE 'Best Practices' report.
- Support the County BOE as they are responsible for rolling out iPad's for all 2020 Elections under the ePoll-books mandate and on-demand electronic voter registration.
- Support the Sheriff and DA's Office working through the requirements for the newly mandated eDiscovery laws.
- Work with the County Compliance Officer and address the requirements for the newly mandated NYS Shield Act.
- Address the deficiencies with PCI Compliance throughout the County.
- The Applications team will continue to apply updates to the Public Safety, Financial, Human Resources and GIS applications to ensure they are compliant and current with supported vendor releases.
- The Technical Services team will continue to keep critical infrastructure patched to ensure compliance and meet minimum security standards for Windows based servers.
- Continue to support the County Wide Security project.
- Once again, reload the Document Management project, training more IT staff to assist departments with moving to Docuware and eliminating paper as much as possible.

The workload for 2020 is significant and the loss of a key technician in late 2019 complicates distributing the workload among the technical team. The challenge, as always, is the balancing act allocating time between department requests, Help Desk tickets and project work ensuring our customer's needs are met in a timely manner but we don't neglect the necessary care and feeding of the infrastructure.

JOB DEVELOPMENT BUREAU

Director: Teresa Van Son

2019 ACCOMPLISHMENTS:

Received 8,033 visits and 682 folks began receiving service with the Career Center this year. There were 3,881 new job orders from 309 employers.

Provided financial assistance to 31 individuals enrolled in occupational training at area training facilities, providing \$40,900 for tuition, books, and other support. An additional 6 individuals were served and enrolled in occupational training using Trade Act Assistance.

Sponsored 29 people for work experiences and on-the-job training at Genesee County businesses, paying a portion of the trainee's wages during the training period and providing more than \$34,900 in training subsidies.

Placed 43 youth in summer jobs at 27 local businesses and non-profit agencies. Subsidized over \$44,000 in wages to Genesee County youth during the summer program.

Held 5 job fairs, connecting 198 job seekers to 101 employers/service providers that attended the fairs.

Hosted 85 dedicated employer recruitment campaigns. Services provided included pre-screening and skill assessment for job seekers, based on the individual business's selection criteria.

Conducted 245 workshops covering topics such as resume writing, interviewing skills, navigating the civil service system, Federal employment, using LinkedIn as a job search tool, basic computer skills, Job Search Club, Job Fair Success, Life Skills, Veteran's Job Club, and Business Forum for job seekers.

Accommodated 48 free computer trainings with the NIOGA Library System; using high speed E-services, our 77 inch SMART Board, and the project's fourteen (14) Wi-Fi connected portable laptops. Topics included basic computer, email, file management, internet for job seekers, basic internet, mail merge, Microsoft Power Point, Microsoft Access, Microsoft Excel, and Microsoft Word.

Teamed up with Buffalo Niagara SCORE Counselors who provided mentoring on business operation and startup for 48 local entrepreneurs.

Continued to provide fee for service programming to the Department of Social Security Ticket to Work, the Department of Education Access Core Rehabilitation Services, the Department of Social Services Job Readiness Training Classes and Independent Living Skills for Foster Youth, NY Inspire Program, and Customized Assessment Services.

Contributed to the organization of the inaugural GLOW with Your Hands Event; providing over 800 youth an opportunity to experience local businesses with hands on jobs that are in demand locally.

GENESEE COUNTY MANAGER

Manager: Jay Gsell

2019 was a momentous year for the County of Genesee and the County Manager's Office. Our new Compliance Officer, Tammi Ferringer replaced Kim Mills, the County's first compliance officer, in Sept/October 2019 and has expanded the programs' outreach and utility to the departments of County government.

The County Legislature ongoing committed to the eventual replacement of the current Genesee County Jail by appointing a task force co-chaired by Assistant County Manager, Matt Landers and County Sheriff, William Sheron. Outside consultants in the form of SMRT and Pike Engineering were retained to facilitate a strategic analysis plan of action and aid the task force in what has become a \$60 million/186 bed male/female state of the art facility on land east of County Building II in the Town of Batavia.

The County finally achieved approval by all involved entities in the State of New York government for a new 40 year sales tax sharing agreement with the City of Batavia and thereby the ability to also put in place a revenue distribution process to the Towns and Villages based on 2018 sales tax shares that therein after will be frozen at said 2018 levels so the County can begin a strategic debt fund for the new jail and other infrastructure, i.e. 260+ bridges owned by the County. Final NYS OSC literally occurred during the final two weeks of 2019.

The 2020 County General Fund budget was a true collaboration with the various departments, agencies, the County Legislature and the County Manager's Office which resulted in a tax cap compliant new fiscal year financial plan with a \$0.07/\$1,000 of assessed value rate increase. On a side note, the ongoing accelerating expenses in our 1700 covered lives self-funded health care plan will likely result in a focused and educational labor-management dialogue with our health care consultants- Premier Consulting and TPA – Independent Health to hopefully introduce more cost savings and possible health plan benefit designs in the face of 8-12% annual cost escalation.

Our office facilitated the replacement of our County Mental Health Director and OFA Director with the Legislative appointments of Lynda Battaglia and Diana Fox which said smooth transition bodes well for the future. We also helped ensure that our two County Health Department collaboration with Orleans County delivered more efficiency and effectiveness with the absorption of the Genesee County Weights and Measures function into the County Health Environmental Division and one professional will now oversee both counties' New York State Ag and Markets "device" compliance.

One of four presently expiring union collective bargaining agreements was successfully renegotiated at the end of 2019 with our largest employee union – CSEA. Two of the three other units are in active negotiations with teams of County management persons lead by the County Manager's Office staff.

The office has also continued our "routine" involvement in the Housing Initiatives Committee, STOP DWI, County Comprehensive Plan Steering Committee and Government Administration

Focus Group, Lake Plains Community Care Network, Home Care and Hospice, UMMC/YMCA wellness center transformative project, City of Batavia DRI/opportunity zones redevelopment, and Crime Task Force working group, the Kiwanis and Rotary clubs and their community betterment projects like the CAC foundation, K-kids, United Way Day of Caring and Holiday Tote project.

We continue to serve as a resource and fact gathering partner with the County Legislature and various County departments and pledge our commitment and dedication to the citizens and taxpayers of Genesee County and the honesty, integrity and fiscal solvency of Genesee County government.

GENESEE COUNTY COMMUNITY MENTAL HEALTH SERVICES

Director: Lynda Battaglia, LCSW

Genesee County Mental Health has seen an overhaul within its administrative department. These necessary changes have provided an opportunity for the department to move forward in a positive direction.

GCMH has expanded in providing services within the county. With approval from the New York State Office of Mental Health (NYS OMH), satellite clinics have been growing in various organizations. One satellite clinic has been approved on the grounds of GCASA, allowing for MH services to be available for those clients seeking Substance Abuse Treatment. Additionally, satellite clinics are expanding into school districts. Byron-Bergen school district has a satellite clinic for their student population. Oakfield-Alabama and LeRoy school districts are in the starting phase of a satellite clinic with the hope that each school will have an approved satellite clinic by the end of the school year. It is the goal of Genesee County Mental Health to have a satellite clinic in every school district.

The department will be going live with an updated and more user friendly Electronic Medical Record (EMR), TenEleven. Staff has weekly calls and webinars, with the developer, allowing the program to be specifically tailored to our needs. Developing this EMR to fit the needs of the agency will allow for more efficient billing and the capability to pull data so the agency can identify trends in service.

The clinic continues to see a need for open access. Although numbers were slightly lower than 2018 by 16%, the need for such services remains vital. During 2019, the clinic provided services to 848 individuals whom, walked in, without an appointment and were seen promptly; some of these individuals were in immediate crisis and the clinic provided immediate response.

Due to a nationwide shortage of psychiatrists, the department has acquired tele-mental health equipment and is in the final stages of approval by NYS OMH, to provide such service. This service will adhere to regulations set forth by NYS OMH and will allow for patients to have a reduced waiting time in between appointments, as well as allowing the clinic to broaden their scope of psychiatric availability.

At the tail end of 2019, safety within the building has tightened. Areas identified as vulnerable or higher risk, have been addressed. This will continue to be assessed and we will progress in tightening security, as we move through the New Year.

GCMH continues to focus on Managed Care and the Federal Delivery System Re-investment Incentive Project (DSRIP). Focus remains on reduced emergency and hospitalization use, increased efficiencies in treatment and cost and joining of Behavioral and Physical Health Practice.

COUNTY PLANNING

Director: Felipe Oltramari, AICP, CNUa

The Planning Department continued its assistance with a number of County projects often times working with other County Agencies to accomplish important tasks as follows:

Comprehensive Planning Process

Steering Committee and ten Focus Groups

SEQR/NEPA Reviews

Genesee Region Housing Initiatives Committee

County Planning Board

Housing Assistance and Information Directory

Water Resources Agency

Regional Planning Coordinating Committee

Geographic Information System

Web Mapping Application

GGLDC Foreign-Trade Zone Advisory Board

EagleView (Pictometry)

Capital and Asset Acquisition Budget and Program

Water System Hookup Administrative Review Committee

Sheriff's E911 Address Maintenance

Ellicott Trail Steering Committee

Agricultural & Farmland Protection Board

Agricultural District No. 3 Review

Agricultural District Annual Enrollment Period

NYS Association of County Planning Directors

Chamber's Business Development Committee

County Local Emergency Planning Committee

County Parks Advisory Council

LeRoy Downtown & Waterfront Committee

Genesee/Finger Lakes Regional Planning Council

Water Quality Coordinating Committee

County Traffic Safety Board

STAMP Architectural Review Committee

Beertavia Steering Committee

Local Update of Census Addresses Program

Partners for Livable WNY

Census 2020 Complete Count Committee

American Planning Association

Census 2020 New Construction Program

Congress for the New Urbanism

County Hazard Mitigation Plan Update

New York Green

FEMA Community Rating System

Smart Growth Plan Triennial Review

Genesee-Finger Lakes Scenario Planning Tool Project

Access and Functional Needs Committee

LOCAL TECHNICAL ASSISTANCE

The Planning Department continued to provide assistance to local planning, zoning, and legislative boards. The scope of this assistance ranged from providing information regarding the development and revision of various land use regulations to the preparation of amendments and GIS/mapping assistance. Planning staff sponsored zoning and land use training for the County Planning Board and all municipalities. Assistance with project reviews and/or zoning text and map amendments was provided to the local municipalities. Planning Staff also continued to assist various municipalities in the process of planning for the impacts of the proposed Western New York Science Technology and Advanced Manufacturing Park (WNY STAMP). Comprehensive Planning assistance was provided to the Village of Bergen, Towns of Darien and Bethany.

SOLID WASTE MANAGEMENT

The Director of Planning supervises GLOW staff and continued to serve on the GLOW Region Solid Waste Management Committee and its Planning and Advisory Subcommittees.

PROBATION DEPARTMENT

Director: Timothy Michalak

During calendar year 2019, the Probation Department filled one Probation Officer vacancy after veteran Probation Officer Sarah Welker was hired as the new Batavia Treatment Court Coordinator. Throughout the year we continued to work cohesively with our criminal justice partners to deliver higher quality and more cost effective services. We participated in several net details with members of local law enforcement and continue to seek out ways our Department can assist with the management of the County Jail population. With STOP DWI funding, we also continued our "Alcohol Blitz Program" which is a mandatory alcohol/substance abuse testing program for DWI offenders.

In 2019, Probation Officers prepared 736 Investigations for the Courts. The Department also received 452 new cases on probation. The average number of persons on probation at any one time was 556. Rehabilitation of the offender is paramount in reducing recidivism and 100 offenders were successfully discharged from probation supervision in 2019. However, community protection and offender accountability are also important components of community supervision. In 2019, the Probation Department filed 124 violation petitions with the Courts. These petitions led to 86 cases being revoked, usually resulting in incarceration.

In 2019 Probation Eligible Diversion (PED) was continued in the Probation Department. Eligible offenders were diverted from the New York State Department of Corrections. As a result of this initiative, the Department was reimbursed by the Office of Probation and Correctional Alternatives as a part of a Block Grant. In an effort to help reduce the high cost of housing offenders in jail, the Probation Department continued to offer the Confinement Option Program to the Courts in Genesee County as an alternative to incarceration for probation violators.

Intake services are an important part of the juvenile justice system in Genesee County. Youth and their families are referred to the Probation Department on a regular basis for diversion services. In 2019, 93 cases were opened for intake diversion and 42 cases were successfully diverted from Family Court intervention.

The Probation Department also serves as a collection agency for the Courts by collecting and disbursing restitution to victims. Fines are also collected as a courtesy to the Courts for individuals sentenced to probation supervision. In 2019 the Probation Department collected a total of \$223,227.68 in restitution and fines. The Department also collected DWI Supervision Fees in the amount of \$29,800.00. In all, a total of \$253,027.68 was collected by the Probation Department.

The Probation Department was in full compliance with New York State's staff development standards for Probation professionals in 2019 and we received commendation for our contribution to public safety and offender accountability for collecting DNA from offenders sentenced to Probation.

Probation remains the most cost effective alternative to incarceration program in New York State. This Department continues to identify the greatest risk offenders and allocate resources appropriately. The criminogenic needs of these offenders are continually assessed in an attempt to change offender behavior and reduce recidivism, creating a better quality of life for all our citizens while making Genesee County a more desirable place to live and work.

OFFICE OF THE GENESEE COUNTY SHERIFF

Sheriff: William Sheron

Undersheriff Bradley Mazur

JAIL DIVISION

- Average daily population (ADP): Males: 2018 – 82.5 Females: 2018 – 18.3
(max count 25)
2019 – 82.8 2019 – 14.9
Remained at an all-time high for males and a slightly reduced number for females.
- Part-time officers' hours: 2018 – 842
2019– 982
- Personnel: Hired 7 full-time Correction Officers and completed training for 2 of them.
Hired 1 part-time Correction Officer who completed training.
7 full-time Correction Officers retired or resigned.
2 different Correction Officers were on extended leave due to illness or injuries.
- Instituted an inmate tablet system with our phone system provider which has increased revenue to the county at no expense to the county.
- Jail Project: SMRT hired for planning and design.
Construction manager hired.
Schematic design of a 184-bed, 4-pod facility was proposed to the State Commission of Correction for approval.
- Inmate meals: Cost per meal: 2018 - \$1.2545
2019 - \$1.2804
Meals served: 2018 - 91,524 \$114,847.71
2019 – 91,492 \$117,151.50

ROAD PATROL DIVISION

- Personnel: Hired 5 Deputy Sheriffs.
Promoted 1 Sergeant.
Added 1 School Resource Officer position within the Oakfield-Alabama School District.
Completed approximately 8,182 hours of training.
Trained/Certified 1 Deputy in Instructor Development School.
- Graduated a new K-9.
- DWI arrests: 2019 - 121
- Responded to 1,927 motor vehicle accidents, resulting in 1,237 accident reports.
- Issued 3,129 traffic tickets.
- 1,672 Incident Reports were taken.
- Awarded \$126,462 in police services grants.
- Attended numerous community events with a Safe Child ID booth to provide children with photo IDs in the event of an emergency.
- Presented numerous Civilian Response to Active Shooter Event (CRASE) trainings throughout the community, providing education regarding active attacks.

INVESTIGATIVE DIVISION

- Investigations: Felony - 440 Misdemeanor – 73 Non-Criminal - 554
- Promoted 1 Investigator.
- Promoted Drug Task Force Sergeant.
- 1 Investigator position was vacant from July 2019 through December 2019.
- Established an agreement with the Monroe County Crime Analysis Center working together for crime intelligence sharing.

Notable Events:

1/13/19 – Grand Larceny 4th / Conspiracy 5th arrest of suspect engaged in multiple larcenies from retail stores throughout New York State.

4/30/19 – Arrest of suspects for Promoting Prison Contraband following investigation of Suboxone being smuggled into the Genesee County Jail within the binding of books.

4/22/19 – Subject charged with Grand Larceny 3rd / Identity Theft 2nd following investigation into a check washing scheme where several checks drafted from a Darien business were cashed.

4/25/18 – Subjects arrested for Grand Larceny 3rd / Burglary 3rd following investigation into an overnight larceny of all-terrain vehicles at a Town of Batavia business.

4/15/19 – Investigation into a domestic altercation and what was determined to be an intentional motor vehicle collision led to the arrest of a subject for Vehicular Assault 2nd in the Town of Elba.

5/27/19 – Arrested two subjects for Criminal Possession of Stolen Property 4th / Criminal Possession of a Weapon 4th following what began as an investigation into a suspicious vehicle parked roadside in the Town of Pavilion. Subjects were found to be in possession of several articles of stolen property including a firearm and had been involved in numerous larcenies in adjoining counties.

7/7/19 – Two subjects charged with Offering False Instrument for Filing following investigation into what began as an erratic driving complaint. While patrols were enroute to the area, a witness reported that the vehicle had struck a parked car in the Town of Oakfield and left the scene. A similar vehicle as described in the erratic driving complaint was later reported as stolen. In the following days, the reported stolen vehicle was discovered submerged in a creek in Elba. Investigation led to the arrest of subjects for making a false report of the vehicle being stolen.

7/22/19 – Investigation into a damaged vehicle in a parking lot in the Town of Darien which was initiated by a Facebook post with no suspect information led to the arrest of a subject for Criminal Mischief 3rd.

7/25/19 - Arrest of a subject in the Town of Darien for Sexual Abuse 1st after subject discovered to be inappropriately touching numerous children at a local venue.

7/31/19 – Subject charged in the Town of Darien for Unlawful Surveillance 2nd following investigation into an individual secretly recording another person while they were in an intimate setting.

9/24/19 – Arrest of subject for Assault 2nd in the Town of Batavia after investigation into a child abuse complaint.

10/2/19 – Arrest of three subjects in the Town of Batavia for Criminal Possession of a Weapon 2nd after a traffic stop and further investigation led to the discovery of a handgun which the subjects were determined to be in illegal possession of.

10/16/19 – Arrest of a subject for Burglary 2nd following investigation into several residential burglaries in the Town of Alexander and Wyoming County.

11/15/19 – Investigated a home invasion in the Town of Stafford where a subject forcibly entered a residence, threatened the homeowners with a weapon, and was later charged with Burglary 1st.

12/9/19 – Forensic fingerprint evidence recovered at a crime scene in the Town of Oakfield led to the arrest of a subject on Burglary 2nd charge after investigation into a residential burglary.

12/29/19 – Subject charged with Strangulation 2nd after investigation into a violent domestic incident occurring in the Village of Corfu.

Drug Task Force Statistics:

Drug Cases Initiated	70	Drug Search Warrants	8
Drug Arrests	142	Confidential Informants Developed	12
Drug Investigations/Arrests Pending.....	30	Yellow Tip Cards	70

Additional Genesee County Vice Investigations Performed:

Homicides	Robberies	Burglaries
Larcenies stolen property	Terroristic Threats	Possession of
Assaults (shooting, stabbing)	Criminal Possession of a Weapon	Parole checks
Warrant Arrests	Drug Identification & Field Testing	Fatal MVA
Investigations		
Overdose Investigations	Vehicle & Traffic Law Arrests	

- 31 cases with 9 arrests
- Total cases initiated - 101
- Total Search Warrants - 8
- Total Arrests - 151
- The Drug Task Force was only staffed with 2 Investigators until July 16 when Sergeant Diehl was promoted and assigned to it.

COMMUNICATIONS DIVISION

(Genesee County Emergency Services Dispatch Center)

- Calls for Service: 78,673 (consisting of 89,445 dispatch events for police, fire and emergency medical services)
- 9-1-1 calls: 27,210
- Administrative calls: 86,690 (62,239 inbound and 24,451 outbound)
- Personnel: Hired 1 new Assistant Director
Hired 1 full-time Emergency Services Dispatcher
Hired 3 part-time Emergency Services Dispatchers
(Assistant Director position filled using existing part-time employee)
Trained 3 new Emergency Services Dispatchers to meet current staffing requirements.
Final part-time vacancy candidate was in background at end of 2019.
- Started Harris core radio system upgrades as part of NY Statewide Interoperable Communications (SICG) targeted grant to allow public safety radio roaming across multiple counties.
- Created capital project using SICG funding from four different grants to fund new tower site on Molasses Hill with a proposed budget of \$1,625,999.
- Fiscally closed NYS Interoperable Communications Grant (SICG Round 4) award of \$3,065,120 (vouchered \$3,065,120) used to purchase the Le Roy Tower site, partially fund new tower site on Molasses Hill, install bi-directional antenna systems at three sites, purchase public safety radio infrastructure equipment, purchased multi-band subscriber equipment, maintain public safety communications systems and offset operational costs.
- Fiscally closed a two-year NYS Interoperable Communications Grant (FY17 SICG Round 6) award of \$679,558 (vouchered \$679,558) used to partially fund the new tower site on Molasses Hill, purchase public safety radio infrastructure equipment, purchased multi-band subscriber equipment, maintain public safety communications systems and offset operational costs.
- Vouchered \$69,803 of the two-year NYS Interoperable Communications Grant (FY18 SICG Round 7) award of \$662,778 with a performance period of January 1, 2019, to December 31, 2020. The entire award is allocated for the new tower site on Molasses Hill.
- Applied and received a two-year NYS Interoperable Communications Grant (FY19 SICG Round 8) award of \$698,572 with a performance period of January 1, 2020, to December 31, 2020. \$306,979 is allocated to offset a portion of the 2020 Communications Budget and \$391,593 is allocated to the new tower site on Molasses Hill.
- Fiscally closed PSAP Operations grant of \$204,071 to offset 2019 operating costs of the Emergency Services Dispatch Center.

GENESEE JUSTICE

	2019	2018
New Release Under Supervision (RUS) cases	196	196
DWI CD cases	133	146
Community Service cases <i>(Approximately 73% were successful completions. Completion cases include those cases carried over from 2018.)</i>	260	213
Ignition Interlock Device monitoring cases	32	49
Bail evaluations	400	445
Offenders being monitored	1,021	1,127
New comprehensive victim assistance cases <i>(Contacted 353 victims - 253 new cases were opened.)</i>	350	352
Crime victims served	359	396

- **Personnel:** Hired 1 full-time Community Services / Victim Assistant to fill a vacancy created by the resignation of two part-time positions.
- Victim Assistance grants from the NYS Office of Victim Services increased with the new RFA for the 2019-2020 grant year to \$112,481.80. This allowed us to place a full-time victim counselor at the District Attorney’s office, as well as our main office which has increased outreach to victims.
- STOP DWI funding increased from \$33,671 to \$34,449. Staffing remains at 17 hours per week for 2 grant-funded employees, as well as 1 County-funded part-time position.
- Received level funding of \$1,800.30 per quarter for Ignition Interlock monitoring, bringing the yearly total to \$7,011.20.
- DCJS Community Service and RUS funding remained the same from 2018 to 2019 at \$41,876 total per grant year. This is our only performance based contract paying \$228.56 per successful completion of Community Service and \$26.26 for each bail evaluation performed until the funding reaches the maximum grant amount.
- Received 2 one-time donations from the closing of our Genesee Justice foundation and from the Northgate Free Methodist Church in the total amount of \$4,362. These funds were mainly used for staff trainings in restorative justice, victim advocacy with National Certification, and bail reform.

JUSTICE FOR CHILDREN ADVOCACY CENTER (JFCAC)

- Renovations at the 304 East Main Street location were completed at the end of July 2019. The renovations were financed 100% by grant funds and donations from the community. The project doubles the amount of square footage available to provide direct services, makes the entire first floor ADA compliant, and creates an environment that is more conducive to the department’s mission and values.
- Satellite offices at 31 Duncan Street, Warsaw, and 243 South Main Street, Albion, continue to be well-received by the community and multi-disciplinary team.

Personnel: Hired 1 full-time Lead Family Advocate (a new position).

Hired 1 contractual, 30-hour-per-week Licensed Mental Health Therapist in January. This contractor resigned in November, and the position remains vacant due to lack of qualified candidates.

- A slight decrease in revenue from the NYS Office of Victim Services was offset by a modest increase from the NYS Office of Children and Family Services, netting a 2% increase in revenue from the 2018-2019 to the 2019-2020 grant years.

	2019	2018
New Cases Opened	241	247
Children, Caregivers, and Family Members Served	550	608
Forensic Interviews Conducted	217	232
Mental Health Screenings Completed	60	69
Medical Exams Provided	44	51

GENESEE COUNTY TREASURER

Treasurer: Scott German

Deputy Treasurer: Kevin Andrews

Sales tax revenues increased slightly in 2019 to just over \$42.2 million, an increase of approximately 0.23% over 2018 sales tax revenues. Half of that revenue is shared with the City of Batavia and the towns and villages in the County. Based on the last statewide sales tax report provided by the New York State Association of Counties (NYSAC) as of the end of the 3rd quarter 2019 statewide collections (excluding New York City) were up by approximately 3.8%.

The County Treasurer continued working with Three + One to increase the County's interest earnings. This relationship has proven to be very beneficial as the County's interest earnings increased substantially in 2019. Interest earnings in the General Fund alone increased by just shy of \$500,000 from what was earned in 2018, an increase of over 73%.

The Treasurer's Office worked with the County's bond counsel to borrow \$3,500,000 as part of Phase II of the County's water supply expansion. The Monroe County Water Authority is expected to borrow additional funds in 2020 as part of Phase II as well. The County's bond rating through S&P was reaffirmed at AA- with a stable outlook.

The Treasurer's Office collaborated with many of the local Town Clerks to allow taxpayers to start making online tax payments during the town's initial tax collection period of January to March.

YOUTH BUREAU

Director: Jocelyn Sikorski

The Genesee County Youth Bureau has been serving the community for 48 years. We provide positive youth development and have an undeterred commitment to the youth and families of Genesee County.

The partnership with the City of Batavia and Orleans County has continued with 2019 assigning 20% of the Executive Director's time for the City Youth Bureau and 15% of the Executive Director's time for Orleans. These collaborations are beneficial to all parties this past year. These contracts reduce expense and are mutually beneficial to all involved while maintaining the focus on youth development.

The Genesee County Youth Bureau brought \$221,419 of revenue into the county to support youth services during 2019, with a county cost of \$94,833. The Youth Bureau administers population-based funding made available by the NYS Office of Children and Family Services.

Programs that received Youth Development Program (YDP) funds in 2019 were Volunteer Training-CASA for Children, Genesee County Park, Genesee Youth Lead, R2R Ministries, Underground Youth Center, United Way Backpack Program and Youth Bureau Outreach Programming. These programs served 1,592 youth. The following municipal recreation and youth service programs served 1,234 youth: Alexander, Bergen, Byron, Batavia Youth Services and Recreation, and Gillam-Grant Recreation and Youth Service.

New in 2019, the Youth Bureau received Sexually Exploited Youth (SEY) funding through OCFS as a precursor to Safe Harbour; a five year funding cycle. The goals of this program is to enhance the capacity of youth serving professionals to better identify and provide appropriate services to trafficked, exploited or at-risk youth; raise awareness of trafficking and youth locally; meet the need of trafficked, exploited and at-risk youth to support healing and prevent victimization through youth services; and enhance the capacity of local partnerships to support this work.

Our contract with STOP-DWI Program puts the youth bureau as the primary education and prevention agency for STOP-DWI. The display circulated to eight schools, businesses and community agencies in 2019. The annual Night at the Ballpark took place in July hosting agencies from the community to educate the attendees, more than 1,000 people attended. Our fourth annual STOP-DWI Luncheon recognized nine young people for their efforts in a poster contest as well as honoring our Top Cops for going above and beyond with DWI arrests in a twelve month period. Our adult/holiday campaign concluded the year; with a billboard of our grand prize winner of the poster contest, distribution of 5,300 liquor bags, and safe messaging in the local media.

The Youth Bureau established a tribunal Youth Court in conjunction with DSS in 2008. We have successfully trained to date 116 youth as members representing all school districts to run the court. We received 30 referrals in 2019 and 28 were processed for the program year. We have processed 230+ cases since the inception of the Youth Court.

Genesee Youth Lead is a leadership development program for youth in Genesee County. This eight month long program focuses on developing the leadership skills within an individual

through each specific session and the hands on experience you will have. There are 9 youth participating in the 19-20 program representing six school districts. The youth are grouped based on results of an assessment and work together during each session. The sessions cover an array of focusses in our community and leadership. Each month the youth utilize the 3 I's; Investigate, Identify, and Innovate within the system addressed.

The Youth Bureau also takes the lead in a number of collaborative events with other agencies and organizations through Youth Bureau Outreach which includes; the Annual 7th & 8th Grade Youth Conference, 9th Grade Youth Leaders Conference, the Safe Summer Children's Carnival and Family Game Night as part of County Government Week. Ten youth, two adult youth workers, and an adult volunteer were honored at the 2019 Annual Youth Recognition Awards Banquet. 35 youth received back to school supplies through a collaborative effort with DSS Preventive Services, and 113 children received Halloween Costume through their school districts.

2019 RESOLUTION INDEX

Resolution No. Date

AGING-OFFICE FOR

Agreements

Amendment Home Delivered & congregate meals	224	6/12
Non-Disclosure Agreement	366	10/9
VNA Homecare Options-Home Delivered & Congregate Meals	34	2/13
ICircle Services- Home Delivered & Congregate Meals	35	2/13
Renewal-Registered Dietitian Services	82	3/13
Renewal-Doyle Security Systems	127	4/10
Renewal – Social Adult Day care	128	4/10
Renewal-Consumer Directed In-Home Care- WillCare	171	5/8
Bid Award-EZ Rampz	286	8/28
Bid Award-JMJ Safe Cleaning	426	11/13
Budget Amendment	269	7/24
Budget Amendment and Grant Acceptance-Unmet needs grant	172	5/8
Budget Transfer		
By-Laws revision	130	4/10
Consolidation		
Contract		
Community Care of WNY	424	11/13
Genesee Senior Foundation	422	11/13
Tender Loving Family Care	423	11/13
Willcare, Inc.	425	11/12
Contract Renewal w/ ARC of Genesee & Orleans	225	6/12
Contract/Center for Elder Law & Justice	416	11/13
Contract Renewal/Corfu Mealsite	417	11/13
Contract Renewal/East Bethany Mealsite	418	11/13
Contract Renewal/Leisuretimers Mealsite	419	11/13
Contract Renewal/Havenwood Mealsite	420	11/13
Contract Renewal – ARC of Genesee Orleans	421	11/13
Mealsite Agreement	126	4/10
Grant Agreement/RSVP Grant Award	129	4/10
Insurance certificate-Alabama Fire Department	220	6/12
Insurance certificate – Our Lady of Mercy	221	6/12
Insurance certificate – Darien Center Chemical Fire Co.	222	6/12
Insurance Certificate-Batavia First Methodist Church	223	6/12
Insurance Certificate –LeRoy Farmers Market		
Insurance Certificate-Genesee Country Farmers’ Market	268	7/24
Insurance Certificate-Pembroke Community Center		
Lease Agreement-LifeSpan	287	8/28
Public Hearing-		
Salary Schedule Amendment		

AGRICULTURAL DISTRICTS

Set Public Hearing
Ag District No. 3-Eight Year Review and Approval 179 5/8

AGRICULTURAL & FARMLAND PROTECTION BOARD

See Appointments

AGRICULTURAL SOCIETY

Contract – Approval of 173 5/8

AIRPORT

Agreement
Facility Use by Rotary Club of Batavia 167 4/24
Grant Agreement

ALEXANDER

Disposal of Abandoned Property Route 20 Right-of-way 527 12/11
Accept Jurisdiction of Route 20 Right-of-way 528 12/11

AMERICAN DISABILITY ACT (ADA)

APPOINTMENTS

Aging Advisory Council 81 3/13
Aging Advisory Council 365 10/9
Aging Advisory Council – Reappointments 414 11/13
Aging Advisory Council 415 11/13
Community Mental Health Director 358 9/25
Coroner Appointment 372 10/9
Ethics Board 356 9/25
Fish & Wildlife Management Board 111 3/27
Fish & Wildlife Management Board 530 12/11
GCC Board of Trustees 239 6/12
GCC Board of Trustees/Noble-Moag 263 6/26
GCC Board of Trustees/DiMartino 264 6/26
GCEDC Board 177 5/8
GLOW Workforce Development Board 1 1/9
GLOW Workforce Development/McGowan 314 8/28
GLOW Workforce Development/Requa 315 8/28
GLOW Workforce Development/Haungs 476 11/25
Health Board 36 2/13
Health Board 444 11/13
Health Board-Reappointment 543 12/11
HIPAA Privacy Officer 317 8/28
Human Resources Director 323 8/28

Parks Advisory Committee Reappointments	106	3/27
Parks Advisory Committee Appointment	258	6/26
Planning Board-Reappointment	208	5/22
Planning Board	209	5/22
Real Property Director	324	8/28
Rochester/Genesee RTA	405	10/23
Soil & Water Conservation District Director	531	12/11
STOP-DWI	94	3/13
STOP-DWI reappointment	332	9/11
Tobacco Securitization Corporation/Independent Director	460	11/13
Water Resources Agency	72	2/27
Water Resources Agency Reappointments	112	3/27
Water Resources Agency	113	3/27
Water Resources Agency	207	5/22
Youth Board	84	3/13
Youth Board	413	11/13

ARTS COUNCIL

Funding Agreement	91	3/13
-------------------	----	------

ASSIGNED COUNCIL

Budget Amendment	529	12/11
------------------	-----	-------

AUDIT

Approval of	9	1/9
Approval of	33	1/23
Approval of	59	2/13
Approval of	80	2/27
Approval of	98	3/13
Approval of	125	3/27
Approval of	147	4/10
Approval of	168	4/24
Approval of	180	5/8
Approval of	215	5/22
Approval of	240	6/12
Approval of	266	6/26
Approval of	284	7/24
Approval of	325	8/28
Approval of	337	9/11
Approval of	357	9/25
Approval of	373	10/9
Approval of	406	10/23
Approval of	462	11/13
Approval of	495	11/25
Approval of	547	12/11

BATAVIA-CITY OF

Hold Harmless City of Batavia	213	5/22
Intermunicipal Agreement-IT	229	6/12
Operation and Facilities Lease Agreement	454	11/13
Operation and Maintenance Agreement	455	11/13
Water Supply Agreement	456	11/13

BANKRUPTCY COURT-WESTERN DISTRICT OF NEW YORK

Contract-Bankruptcy Court	237	6/12
---------------------------	-----	------

BUDGET

Amendments to the 2020 Tentative Budget	489	11/25
Budget 2020-Adoption	490	11/25
Making Appropriations for the Conduct of County Govt.	491	11/25

BUSINESS EDUCATION ALLIANCE

Funding Agreement	137	4/10
-------------------	-----	------

CAPITAL PROJECT

Amend Capital Project & Budget Amendment Jail Construction	205	5/22
Amend Capital Project-Extreme Winter Recovery Funds	297	8/28
Budget Amendment	155	4/24
Budget Transfers/Close	388	10/23
Budget Transfer-Highway Large Span Culverts	474	11/25
Consultant Agreement		
Close Capital Project-River Street Bridge	153	4/24
Close Capital Project-8-Bay T Hangar	525	12/11
Close/Amend Capital Projects	154	4/24
Close Capital Project & Budget Amendment/Airport Establish	254	6/26
And Budget Amendment	70	2/27
And Budget Amendment	107	3/27
And Budget Amendment	23	1/23
And Budget Amendment	109	3/27
And Budget Amendment	156	4/24
And Budget Amendment	158	4/24
And Budget Amendment & Master Agreement	192	5/22
And Budget Amendment & Master Agreement	193	5/22
And Budget Amendment & Master Agreement	194	5/22
And Budget Amendment & Master Agreement	195	5/22
And Budget Amendment & Grant Acceptance	278	7/24
And Budget Amendment & Transfer-Communications Tower	385	10/23
And Budget Amendment & Master Agreement	394	10/23

Supplemental agreement and Budget Amendment Pratt Rd Bridge	157	4/24
<u>CDBG</u>		
Authorizing use of CDBG grant funds-Yancy's Fancy	95	3/13
Set Public Hearing-CDBG HP Hood	116	3/27
Set Public Hearing – CDBG	77	2/27
Citizen Participation Plan	166	4/24
<u>CENTRAL SERVICES</u>		
Contract Amendment-Unified Court System	458	11/13
Contract /Utility Bill Audit	457	11/13
Contract/Constellation New Energy	477	11/25
Contract Renewal-Cost Per Copy	139	4/10
Contract Renewal-Garbage and Refuse Removal	389	10/23
Surplus Property	211	5/22
<u>CHAMBER OF COMMERCE</u>		
Agreement	57	2/13
Budget Amendment/Bed Tax Reserves	322	8/28
Terminate Agreements with Chamber of Commerce	5	1/9
Official Tourism Agency-Designation	56	2/13
<u>COOPERATIVE EXTENSION</u>		
Memorandum of Agreement	515	12/11
<u>CORPORATE COMPLIANCE</u>		
Plan Adoption	448	11/13
<u>COUNTY ATTORNEY</u>		
Agreements for Tax Exempt Status	181	5/8
Authorize Co. Attny to use Arbitration Forums	368	10/9
Authorization to Add User-LENS program	451	11/13
Budget Amendment/Casualty Liability Insurance Reserve	235	6/12
Budget Amendment/Personal Injury Lawsuit	453	11/13
Contract Renewal-Broker Risk Management	96	3/13
Hold Harmless City of Batavia	213	5/22
Mock Trial Facility Use	52	2/13
Opt-Out National Class Action Opioid Litigation	463	11/13
Rescind Reso #463- Opt-Out	494	11/25
Settlement-McKeirnan	452	11/13
<u>COUNTY CLERK/AUTO BUREAU</u>		
Salary Schedule Amendment	238	6/12

COUNTY MANAGER

Budget Amendment-Health Plan Reserve	487	11/25
Budget Transfer/Grant Writing Services	281	7/24
Budget Transfer/Personnel Services	282	7/24
Contract Renewal-Grants Writing Consultant	486	11/25
Donation Acceptance-Lighting Equipment Old Courthouse	260	6/26
Lease of Property at CB#2-Legal Aid	121	3/27
Lease of Property at CB#2-Office of Real Property	122	3/27

COUNTY OWNED PROPERTY

Disposal of Abandoned Property Route 20 Right-of-way	527	12/11
Accept Jurisdiction of Route 20 Right-of-way	528	12/11

COUNTY PARK

Agreement-Parks/Student Conservation Association	60	2/27
Fee Schedule Update	27	1/23
Budget Amendment-ACORNS Donation	28	1/23
Budget Amendment/Equipment	285	7/24
Budget Amendment/Interpretive Ctr	276	7/24
Donation Acceptance	29	1/23
Salary Schedule Amendment And Budget Amendment & Item Transfer	20	1/23
Special Event-ACORNS Trail Run	30	1/23
Special Event – Mutt Strut 5K Dog Walk	524	12/11
Surplus Equipment	298	8/28

DISTRICT ATTORNEY

Budget Amendment	149	4/24
Budget Amendment/Personnel Training	247	6/26
Budget Amendment/Program Expense	248	6/26
Budget Transfer 2018	13	1/23
Grant Acceptance-Aid to Prosecution	339	9/25
Salary Schedule Amendment and budget Transfer	175	5/8
Salary Schedule Amendment	473	11/25

ELECTIONS

Chargebacks-Inspector Pay 2018	398	10/23
Chargebacks-Early Voting	399	10/23
Contract Renewal-Printing Supplies	114	3/27

Contract Renewal-Cartage of Voting Machines	115	3/27
Contract and Budget Amendment/Knowink	400	10/23

EMERGENCY MANAGEMENT SERVICES

Agreement-QuickSeries	69	2/27
Agreement-RGRTA	375	10/23
Application renewal	242	6/26
Budget Amendment/Surplus sale of Vehicle	273	7/24
Budget Transfer 2018	15	1/23
Donation Acceptance – Fire Engine	16	1/23
Grant Acceptance/SAM Grant	309	8/28
Grant Acceptance-SHSP	338	9/25
Grant Acceptance-Haz Mat	374	10/23
Grant Acceptance-Emergency Management Performance	377	10/23
Grant Extension-FY15 Pre-Disaster Mitigation	183	5/22
Plan Adoption –Hazard Mitigation Plan	376	10/23
Plan Adoption- Arson Control Plan	472	11/25

ETHICS

Designation of Policy Making Positions	7	1/9
Revise Designation of Policy Making Positions	214	5/22

FACILITIES MANAGEMENT

Contract Renewal-Elevator Maintenance	390	10/23
---------------------------------------	-----	-------

FAIR HOUSING

Set Public Hearing-Fair Housing –OCR	117	3/27
Adoption of Fair Housing Policy	118	3/27

FISH & WILDLIFE MANAGEMENT BOARD

Fish & Wildlife Management Board	111	3/27
----------------------------------	-----	------

GENESEE COMMUNITY COLLEGE

Budget Amendment/Vet Tech & Criminal Justice Capital Allocation	461	11/13
Lease Renewal-Vet Tech Program	6	1/9
Lease Renewal-Vet Tech	321	8/28
Lease Renewal-Amendment to/Vet Tech	355	9/25
Operating Budget-approval of	265	6/26
Tax-Exempt Revenue Bonds	142	4/10

GENESEE JUSTICE

Budget Amendment & Donation Acceptance	67	2/27
Budget Amendment/Criminal Justice Day Training	243	6/26
Budget Transfer	523	12/11
Grant Award-DCJS	102	3/27
Grant Acceptance/NYS Office of Victim Services	303	8/28

Salary Schedule Amendment	66	2/27
Salary Schedule Amendment	304	8/28

GCEDC

Agreement	544	12/11
Authorizing use of CDBG grant funds-Yancy's Fancy	95	3/13
Authorizing PILOT	404	10/23

GENESEE COUNTY FUNDING CORPORATION

GO-ART

Funding Agreement	91	3/13
-------------------	----	------

G/FLRPC

Blanket Bond-Genesee/Finger Lakes Regional Planning Council	18	1/23
Financial Support	17	1/23

GLOW SOLID WASTE

Certificate of Insurance	19	1/23
Certificate of Insurance	275	7/24
Contract	68	2/27
Intermunicipal Contract	274	7/24

HEALTH BENEFITS

Budget Amendment-Health Plan Reserve	487	11/25
Health Benefits 2020 Premium Rates	488	11/25
Health Benefits Plan 2020 Premiums	545	12/11

HEALTH BOARD

See appointments

HEALTH DEPARTMENT

Agreement		
Affiliation with University of Washington	218	6/12
With Center for Disease Control-Public Health Associate Fellow	134	4/10
With Ag & Markets	169	5/8
With National Environmental Health Association	170	5/8
With Genesee Community College	293	8/28
Amendment/GCASA	270	7/24
Agreement Renewal-Medical Waste Services	443	11/13
Budget Amendment		
And Grant Acceptance HEP A Outreach and Education	39	2/13
And Grant Acceptance NER Retail Food Protection	40	2/13
And Grant Acceptance FDA Temp Event Kit	41	2/13
And Performance Incentive	131	4/10
And Grant Acceptance-Rabies Reimbursement	132	4/10
Budget Transfer		

Contract		
Diagnostic & Treatment Center Cost Report	38	2/13
GCASA/Opioid Crisis Grant	292	8/28
Opioid Treatment App	434	11/13
Paratransit Services	262	6/26
Preschool Supportive Health Services Program-Cox	42	2/13
Preschool Supportive Health Services Program-Batavia Schools	45	2/13
Preschool Supportive Health Services Program	46	2/13
Preschool Supportive Health Services Program	89	3/13
Preschool Supportive Health Services Program	216	6/12
Preschool Supportive Health Services Program	217	6/12
Preschool Supportive Health Services Program	290	8/28
Preschool Supportive Health Services Program	360	10/9
Preschool Supportive Health Services/Stepping Stones	291	8/28
Preschool Supportive Health Services Program	433	11/13
Priority Medical Billing	47	2/13
Quickseries Publishing-Ready Genesee App	133	4/10
VMC Group	78	2/27
STD Diagnosis and treatment/Batavia Primary Care	272	7/24
Contract Renewal		
Clinical Lab & Medical Tx Svs UMMC	437	11/13
Courier Services	427	11/13
CPSE Municipal Rep	439	11/13
Environmental Hearing Officer	428	11/13
Laboratory Services	429	11/13
Lead Investigation Services	364	10/9
Lead Investigation Services	442	11/13
Medical Consultant Services-Barcomb	438	11/13
Monroe County Forensic Pathology	37	2/13
Tuberculosis Consultative and Educational Services	44	2/13
STD Diagnosis & Treatment Services	271	7/24
STD Diagnosis & Treatment-WorkFit	435	11/13
STD Diagnosis & Treatment-Batavia Primary Care	436	11/13
Funding Acceptance-Opioid Crisis	288	8/28
Grant Acceptance		
And Budget Amendment/HEP A Outreach & Education	39	2/13
And Budget Amendment NER Retail Food Protection	40	2/13
And Budget Amendment FDA Temp Event Kit	41	2/13
Children with Special Health Care Needs Program	362	10/9
Drinking Water Enhancement Program	135	4/10
Early Intervention Administration Program	361	10/9
Healing Communities	431	11/13
Immunization Action Plan	90	3/13
Laptops for Coroners	432	11/13
Public Health Emergency Preparedness	219	6/12
Radon Program	289	8/28

Inter Municipal Agreement Renewal/Shared Public Health Services	440	11/13
Inter Municipal Agreement Renewal/Shared Admin Staff	441	11/13
Tobacco Enforcement Program	136	4/10
Resolution Modification No. 195-2018	43	2/13
Salary Schedule Amendment		
2019 Salary Schedule Amendment	294	8/28
2019 Salary Schedule Amendment	363	10/9
2019 Salary Schedule Amendment	430	11/13

HIGHWAY DEPARTMENT

Agreement		
Airport-Design Apron Reconstruction	344	9/25
Supplemental Consultant Agreement-Pratt Rd. Bridge	21	1/23
Consultant Agreement-Judge Rd	159	4/24
Consultant-Upton Road	201	5/22
Renewal/Work Clothing	250	6/26
Consultant –Federal Aid Bridge NY	256	6/26
Consultant-Animal Shelter Improvements	391	10/23
Amend Resolution 157	204	5/22
Amend Resolution 20	255	6/26
Award of Bids		
2 ½ Ton Dump Truck	24	1/23
½ Ton Pick-up Truck	25	1/23
Backhoe Loader	392	10/23
Culverts	161	4/24
Equipment Lift	26	1/23
Pavement Markings	103	3/27
Construction Materials	104	3/27
Jail Fire Control Panel	105	3/27
Fire Suppression Inspections	342	9/25
Generator Maintenance	343	9/25
Live Bottom Trailer	296	8/28
Preventative Maintenance Bridge Painting	197	5/22
Countywide Water-Phase 2 Vallance Road Transmission	198	5/22
Large Span Culverts	199	5/22
Equipment Purchase-Wheel Loader	200	5/22
Equipment Purchase-Addendum to reso 200	345	9/25
Sodium Chloride	295	8/28
Water Phase 2 Chestnut Ridge Transmission Main	393	10/23
Budget Amendment		
And Item transfer and Salary Schedule Amendment	20	1/23
County Road Fund-Snow & Ice	162	4/24
Road Machinery Fund	526	12/11
Capital Project Amendment		
And Budget Amendment	23	1/23
Change Order – Large Span Culverts	475	11/25

Contract		
Renewal-Aviation Fuel Products	22	1/23
Renewal – Shared Services	160	4/24
Renewal/Highway Fuel	251	6/26
Dedication-Call Parkway	395	10/23
Dedication-STAMP Drive	396	10/23
Easements-Countywide Water System –Phase 2	108	3/27
Grant Application/Environmental Protection Fund	279	7/24
Grant Acceptance-Airport/8-Bay T-Hanger		
Rescind Resolution 160	203	5/22
Reso Amendment to No. 155	253	6/26
Retail Lease Agreement/MCWA & Pavilion	257	6/26
Salary Schedule Amendment-Facilities Management	196	5/22
Salary Schedule Amendment/Seasonal Groundskeeper	252	6/26
Surplus Equipment	202	5/22
Surplus Equipment	277	7/24
Parks		
Agreement-Parks/Student Conservation Association	60	2/27
Fee Schedule Update	27	1/23
Budget Amendment-ACORNS Donation	28	1/23
Budget Amendment/Equipment	285	7/24
Budget Amendment/Interpretive Ctr	276	7/24
Donation Acceptance	29	1/23
Salary Schedule Amendment		
And Budget Amendment & Item Transfer	20	1/23
Special Event-ACORNS Trail Run	30	1/23
Special Event – Mutt Strut 5K Dog Walk	524	12/11
Surplus Equipment	298	8/28

HISTORY DEPARTMENT

HOLLAND LAND OFFICE MUSEUM

Agreement	517	12/11
-----------	-----	-------

HOMERULE

Authorization-Electronic Open Auction for Municipal Bonds	228	6/12
Authorization- Retroactive Retirement Status	241	6/12
Request for Electronic Open Auction Bond	92	3/13
Request for 40 Year Sales Tax Allocation –Special Legislation	124	3/27

HOUSING

Contract-PathStone Corporation	516	12/11
--------------------------------	-----	-------

HUMAN RESOURCES

Budget Transfer/Collective Bargaining	310	8/28
Contract Award-Third Party Administrator Dental	482	11/25

Contract Amendment-Premier Name Change	354	9/25
Contract Renewal-Flex Benefits	481	11/25
Contract Renewal-Pharmacy Administration	479	11/25
Contract Renewal-Self-funded Health Plan	480	11/25
Contract Renewal-Self Insured Health Benefits Consultant	483	11/25
Policy Update-Workplace Violence	143	4/10
Reappointment Human Resources Director	323	8/28
Schedule "A" 2020 Employee Salary Schedule	484	11/25
Schedule "B" 2020 Management Salary Schedule	485	11/25

INFORMATION TECHNOLOGY

Agreement - Hamer ETAX Hosting	49	2/13
Contract Extension/Windstream	402	10/23
Contract-Telephone System Maintenance	478	11/25
Lease Agreement-Fiber Service Empire Access	119	3/27
Lease Agreement	401	10/23
Intermunicipal Agreement-IT	229	6/12
Master Agreement-MeridianIT	230	6/12
Surplus Property Disposal	120	3/27

JOB DEVELOPMENT

Agreement/WIOA	234	6/12
Appointment/McGowan	314	8/28
Appointment/Requa	315	8/28
GLOW Workforce Development/Haungs	476	11/25
Elimination of Petty Cash Fund	31	1/23
Salary Schedule Amendment	138	4/10

JUSTICE FOR CHILDREN ADVOCACY CENTER

Budget Amendment	74	2/27
Budget Item Transfer	333	9/11
Contract Agreement	73	2/27
Contract Renewal-Forensic Interviewer	348	9/25
Contract Renewal-Forensic Interviewer	349	9/25
Contract Renewal-Mental Health Therapist	350	9/25
Contract Renewal-Mental Health Therapist	351	9/25
Contract Renewal-Mental Health Therapist	352	9/25
Contract Renewal-Cleansing Services	12	1/23
Grant Acceptance/OCFS	307	8/28
Grant Acceptance/Office of Victim Services	308	8/28
Lease Renewal-Albion Satellite	346	9/25
Lease Renewal-Warsaw Satellite	347	9/25
Salary Schedule Amendment 2019	11	1/23

LEGISLATURE

Official Newspaper	8	1/9
--------------------	---	-----

LOCAL LAW

Adoption

LL Intro No. 1 Bed Tax Extension	58	2/13
LL Intro No. 2 Secondhand Dealers	146	4/10
LL Intro No. 3 Salaries of County Officers	546	12/11

MEMORIALIZATION

Commemoration of 50 Yr Anniversary/RPEA	283	7/24
Delay Implementation of Bail and Discovery Reform	492	11/25
Opposing Shift in AIM Funding	79	2/27
Opposing S2837 & A2750	144	4/10
Opposing Driver's License Access and Privacy Act	232	6/12
Position on Additional Costs for Early Voting	145	4/10
Resolution Opposing A1261 & S1947	99	3/13
Revising NYS Retirement Tier Status	178	5/8
Support Home Rule	123	3/27
Support 911 Saves Act	189	5/22
Support Sufficient 911 Funding	190	5/22

MENTAL HEALTH

Agreement-Locum Tenens	409	11/13
Appointments		
Community Mental Health Director	358	9/25
Authorization-Decrease Petty Cash (Client Svs Acct)	497	12/11
Award of Contract/Electronic Health Record	261	6/26
Budget Amendment and Salary Schedule Amendment	86	3/13
Budget Amendment & Salary Schedule Amendment	226	6/12
Budget Amendment & Salary Schedule Amendment	227	6/12
Budget Transfer	331	9/11
Contractual Agreement-Director of Mental Health	148	4/10
Contractual Agreement-Director of Mental Health	267	7/24
Contractual Agreement	328	9/11
Contract Amendment/Wohltmann	512	12/11
Contract Amendment/Mitchell	513	12/11
Contract Amendment/Peterson	514	12/11
Contract/Virginia Wohltmann	499	12/11
Contract/Temitope Oyegbile	500	12/11
Contract/William Mitchell	501	12/11
Contract/Trica Peterson	502	12/11
Contract/Danielle Simmons	503	12/11
Contract/AJL NP in Psychiatry	504	12/11
Contract/Restoration Society-ACE Employment	505	12/11
Contract/ARC of Genesee & Orleans	506	12/11
Contract/GCASA	507	12/11
Contract/Living Opportunities of DePaul	508	12/11

Contract/Mental Health Association	509	12/11
Contract/Integrity Partners	510	12/11
Contract/CCSI	511	12/11
MOU-Coordinated Care Services	327	9/11
MOU-Shared Services Orleans County	336	9/11
Resolution Modification of 136-2018	87	3/13
Salary Schedule Amendment	85	3/13
Salary Schedule Amendment	88	3/13
Salary Schedule Amendment	326	9/11
Salary Schedule Amendment	330	9/11
Salary Schedule Amendment/File Rm Attendant	498	12/11

MERCY FLIGHT

Contract – Approval of	174	5/8
------------------------	-----	-----

MORTGAGE TAX

Distribution of Mortgage Tax-1st Payment	176	5/8
Distribution of Mortgage Tax- 2 nd Payment	459	11/13

NEW JAIL PROJECT

Amend Capital Project & Budget Amendment Jail Construction	205	5/22
Contract Award-Pike Co	206	5/22
Contract Award-SMRT Planning & Design New Jail	71	2/27
Option to Purchase Real Property	318	8/28
Option to purchase Real Property	367	10/9
Appraisal Services	369	10/9

OFFICIAL NEWSPAPER

Designation of Official Newspaper	8	1/9
-----------------------------------	---	-----

PLANNING

Adoption-SmartGrowth Plan-2019 Review	397	10/23
Agreement Genesee County and New York Green	182	5/22
Blanket Bond-Genesee/Finger Lakes Regional Planning Council	18	1/23

PEACE GARDEN

POLICY

PROBATION DEPARTMENT

Contract Agreement-DCJS	340	9/11
Contract-LexisNexis	341	9/25

PUBLIC DEFENDER

Agreement Amendment-Unified Court System	469	11/25
Appointment		

Budget Transfer 2018 Medical Expenses	14	1/23
Budget Transfer – Contracted Other	470	11/25
Budget Transfer – Furniture	471	11/25
Budget Amendment		
Contract Amendment-Indigent Legal Svs	518	12/11
Contract Extension/NYS Defenders Assoc.	249	6/26
Grant – Indigent Legal Services	233	6/12
Contract-Grants/Indigent Legal Services	305	8/28
Grant	100	3/27
Grant	151	4/24
Grant	152	4/24
Salary Schedule Amendment	306	8/28

PUBLIC HEARING

Set Public Hearing-LL Intro #1 Bed Tax Extension	32	1/23
Set Public Hearing – CDBG	77	2/27
Set Public Hearing LL Intro #2 Year 2019	110	3/27
Set Public Hearing-CDBG-HP Hood	116	3/27
Set Public Hearing-Fair Housing –OCR	117	3/27
Set Public Hearing-Ag District #3	150	4/24
Set Public Hearing-GCC Budget	236	6/12
Set Public Hearing – 2020 Budget	407	10/23
Set Public Hearing-Shared Services Plan	464	11/13
Set Public Hearing-LL Intro #3-Salaries of fixed term Officers	493	11/25

PURCHASING DEPARTMENT

Procedures - Revised– Purchasing Card Procedures	75	2/27
Procedures – Revised-Purchasing P & P	76	2/27
Surplus Property	371	10/9

REAL PROPERTY/ASSESSMENT

Agreement Gates-Chili SC Tax Exempt Status	212	5/22
Appointment-Real Property Director	324	8/28
Cancellation of Tax Lien-Town of Byron	445	11/13
Contracts-Preparation of Tax Bills	312	8/28
Correction to Tax Rolls		
Chargebacks to Towns and City of Batavia	313	8/28
Delinquent Water & Sewer Accounts-ReLevy	535	12/11
Equalization Tables	533	12/11
Levying taxes for Annual Budgets of the Towns	540	12/11
Inter-Municipal Agreement	4	1/9
MOU-Orleans Tax Map Maintenance	541	12/11
Relevy Unpaid School and Village Taxes	311	8/28
Table of Returned School Taxes	536	12/11
Table of Returned Village Taxes	537	12/11

Taxable Assessed Valuation Tables	534	12/11
Tax Levy-City of Batavia	539	12/11
Tax Warrants-Authorization for	538	12/11
Sale of Property	141	4/10

RECORDS MANAGEMENT-See Historian

RETIREMENT

Standard Work Day Reporting	97	3/13
Revising NYS Retirement Tier Status	178	5/8

RULES

Adoption of Temporary Rules
Rules

SALES TAX AGREEMENT

Request Special Legislation for Forty Year Agreement	50	2/13
Amended and Restated Sales Tax Agreement/40 Years	51	2/13
Authorization for Distribution Payments	316	8/28

SELF-INSURANCE/WORKERS COMPENSATION

Award of Contract-Deferred Compensation Plan Administrator	370	10/9
Award of Contract-Safety Consultant	542	12/11
Budget & Apportionment	334	9/11
Contract-Midwest Employers Casualty Company	335	9/11
Contract Renewal-Actuarial Services	446	11/13
Contract Renewal-Cost Allocation Services	447	11/13

SHERIFF

Acceptance of Grant Funds-DHSES Grant	382	10/23
Acceptance of Grant Funds/Child Passenger Safety	519	12/11
Agreement-PlanIt Schedule	522	12/11
Agreement		
Renewal Law Enforcement Services for Darien Lake	184	5/22
Renewal Law Enforcement Services Western Region OTB	185	5/22
Renewal Police Services Village of Bergen	186	5/22
Renewal/ Justice Benefits	245	6/26
Agreement Amendment-Harris/Radio Tower and System Upgrades	449	11/13
Budget Amendment		
Federal Asset Forfeiture	10	1/23
Remaining Grant Funds	61	2/27
Jail/State Criminal Alien Assistance Program	379	10/23
K-9 Program	101	3/27
K-9 Program	244	6/26
K-9 Program	465	11/25

Overtime-Office of Court Administration	467	11/25
Statewide Inter operable Communications	520	12/11
STOP-DWI Patrols	466	11/25
Budget Transfer		
Communications		
Maintenance Agreement/Frontier Communications	63	2/27
Contract		
Prisoner Housing/Livingston County	65	2/27
Contract Acceptance/STOP-DWI	403	10/23
Contract Amendment-Eaton Corporation	468	11/25
Contract Renewal-Unified Court System	381	10/23
Grant		
Acceptance of Grant Funds/DCJS	62	2/27
Acceptance/Police Traffic Services	300	8/28
Acceptance-PSAP Operations Grant	384	10/23
Intermunicipal Agreement-Monroe Co. Crime Lab	188	5/22
Inter Municipal Agreement Renewal-Monroe Co. Crime Lab	521	12/11
Lease Agreement-Lloyd Lane, Inc.	383	10/23
Lease Renewal/SPOK	302	8/28
MOU Renewals for SRO's	246	6/26
MOU Addendums for SRO's	380	10/23
Property Purchase Agreements-Communications Tower	386	10/23
Determination of No Significant Impact-Communications Tower	387	10/23
Salary Schedule Amendment-5 seasonal deputies	187	5/22
Surplus Equipment-2005 Vehicle	378	10/23

Jail

Bid Rejection	140	4/10
Budget Transfer/Male Inmate Housing	301	8/28
Contract Award-SMRT Planning & Design New Jail	71	2/27
Salary Schedule Amendment		
And MOU School Resource Officer	64	2/27
Surplus Equipment		

SMART GROWTH

SOCIAL SERVICES

Agreement		
Award of Bid-Desktop Scanners	329	9/11
Budget Transfer		
Contract Extension-Security Services	496	12/11
Contract Renewal-Security Services	359	10/9
Letter of Intent/NY Office of IT Services	408	11/13
Salary Schedule Amendment		

SOIL & WATER

Intermunicipal Agreement/Oatka Creek Watershed	280	7/24
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STAFFORD

Agreement-Collection of Town Taxes by County	532	12/11
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STOP-DWI

Adoption of Plan 2020	320	8/28
Appointment	94	3/13
2019 Budget Amendment	231	6/12
Grant Acceptance	93	3/13

SURPLUS PROPERTY-DESIGNATION/DISPOSITION OF**TRAFFIC SAFETY BOARD****TREASURER**

Bond Issuance \$3.5 M – Phase 2 Water	210	5/22
Budget Amendment 2018 Year-End	55	2/13
Budget Item Transfer		
Transfer 2018 & 2019 Fund Equity	53	2/13
Transfer 2018 Budget Items	54	2/13
Contract for Foreclosure Proceedings of Delinquent Taxes	319	8/28
Contract Renewal-Deferred Comp	2	1/9
Contract Renewal/M&T Bank P Card program	259	6/26
Fund Equity Transfer	353	9/25
Real Property Tax Refunds	3	1/9
Request for Electronic Open Auction Bond	92	3/13
Salary Schedule Amendment		
Tax-Exempt Revenue Bonds	142	4/10
Taxes		

UNIONS

Contract		
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VETERANS SERVICE

Salary Schedule Amendment	48	2/13
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WATER

Agreement Gates-Chili SC Tax Exempt Status	212	5/22
Award of Bid-PH2; Pump Station	450	11/13
Bond Issuance-\$3.5 M Phase 2 Water	210	5/22
Consultant Agreement-Phase 2-Construction Management	165	4/24
Easements-Countywide Water System-Phase 2	108	3/27
Emergency Water Plan	191	5/22

Intermunicipal Agreement-Alexander	163	4/24
Intermunicipal Agreement-Elba	164	4/24

WATER RESOURCES BOARD

See Appointments

WORKFORCE INVESTMENT BOARD (WIB)

See Appointments

YOUTH BOARD

See Appointments

YOUTH BUREAU

Agreement		
Agreement Renewal/Orleans Co. Operations	410	11/13
Agreement Renewal/Orleans STOP-DWI	411	11/13
Budget Amendment	412	11/13
Contracts		
Grant Acceptance		
Resource Allocation Plan	83	3/13