

**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 25<sup>th</sup> where it was determined this is a complex and involved issue. Next subcommittee meeting is February 26<sup>th</sup> 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:

- A. 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.
- B. 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.
- C. 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.
- D. 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%.
- E. 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**

**By:** \_\_\_\_\_  
Eugene Jankowski, Jr.  
President, City Council  
Legislator Deleo seconded the resolution which was adopted by 297 votes, Legislator Young (47) absent.

**COUNTY OF GENESEE**

**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:

702. 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 Consttruct 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>

<b>Total Audit</b>	\$	3,829,193.95
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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 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.