

**FOURTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, February 26, 2020**

The Genesee Legislature met in Regular Session on Wednesday, February 26, 2020 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Dibble conducted the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

Minutes of the February 12, 2020 Legislature meeting were approved upon motion of Legislator Hilchey seconded by Legislator Dibble, carried unanimously.

Committee and Special Assignment Reports: Legislator Maha and Clattenburg attended WNY Inter County Association monthly meeting at Houghton College, Allegany County. Assemblyman Joe Gilio described the state budget process. Also discussed was the Governor's proposal pertaining to the Medicaid Cap and the significant costs counties will be left to bear if his proposal goes through. Chair Stein stated the US Census complete count committee had a meeting this week and voted to support an application from Community Action to assist with providing services and activities to increase Census completion rates among hard to reach populations. She further explained there will be volunteer opportunities with increasing awareness and helping residents complete and submit Census documentation.

The following out-of-state travel requests were presented:

Out of state travel request-dispatcher Robert Tripp/Sheriff's Office to Orlando, FL for Tyler Connects Conference April 26-29, 2020 cost to the County \$2,791. Motion to approve by Legislator Clattenburg seconded by Legislator Maha, carried unanimously.

Out-of-state travel request Highway Superintendent Tim Hens to Washington DC for NACE Exec Comm Mtg & NACo Legislative Conference February 26-29, no additional cost \$0. Motion to approve by Legislator Yunker seconded by Legislator Hilchey, carried unanimously.

Out-of-State travel request Highway Superintendent Tim Hens to Las Vegas, NV for CONEXPO March 10-14, no additional cost \$0. Motion to approve by Legislator Clattenburg seconded by Legislator Maha, carried unanimously.

County Manager Jay Gsell reported that he represented Genesee County at the NYSAC sponsored Lobby Day in Albany held on February 12, 2020. He commented that educating county residents about the Census and encouraging participation will be emphasized for the next few months. Mr. Gsell announced he is retiring August 14, 2020 after working in government for 45 years, 27 as county manager. He further shared the succession plan outlined by the Legislature to appoint Assistant County Manager Matt Landers to county manager upon his retirement. Mr. Gsell commented that his work as county manager is considered government work however he thinks it is all about people, not necessarily buildings or projects. He is the second person to hold the position of county manager.

Out-of-State travel request Highway Superintendent Tim Hens to Las Vegas, NV for CONEXPO March 10-14, no additional cost \$0. Motion to approve by Legislator Clattenburg seconded by Legislator Maha, carried unanimously.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 72 2020 BUDGET AMENDMENT – DISTRICT ATTORNEY/
APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The District Attorney has requested an amendment to the 2020 County Budget to allow for utilization of a portion of the forfeiture crime funds in the amount of \$2,100.00 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 2020 Genesee County Budget by increasing District Attorney Appropriation A1165.2010.0020 Desk in the amount of \$1,639.00 and A1165.2010.0019 Bookcase in the amount of \$461.00 to be offset by an increase in District Attorney Revenue A1165.2626 Forfeiture of Crimes in the amount of \$2,100.00.

Budget Impact Statement: Increased expense for the District Attorney's 2020 budget of \$2,100.00 which is totally offset by using funds allocated for the District Attorney's Office in a Forfeiture of Crimes proceeds.

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

**RESOLUTION NO. 73 2020 CENSUS OUTREACH GRANT APPLICATION-
PLANNING DEPARTMENT-APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Department of Planning has been notified of the availability of grant funding in the amount of \$84,558 from New York State for outreach to hard-to-count populations in the 2020 Census in Genesee County, and

WHEREAS, A signed Grant Disbursement Agreement is a requirement of the grant application, and

WHEREAS, The Genesee County 2020 Census Complete County Committee recommended the County apply for this grant and the county attorney has reviewed the agreement, and

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

RESOLVED, That the Genesee Legislature does hereby authorize the Legislature Chair to execute such documents as are deemed necessary to apply for the county census grant.

Budget Impact: Amendments to the Planning Dept. Budget will be required and expected in a separate resolution with grant acceptance and contract with service provider. No net county cost. Legislator Dibble seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 74 GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL BUDGET - FINANCIAL SUPPORT FOR 2020 -
APPROVAL OF**

Legislator Dibble 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 2020 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 2020 Budget, Account A8025.4660.0000.

Budget Impact: The 2020 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 Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 75 OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL - APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The County of Genesee has appropriated the sum of \$9,970 as its share of the 2020 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 2020 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 326 votes.

RESOLUTION NO. 76 BUDGET AMENDMENT - SHERIFF/K-9 PROGRAM- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Sheriff is planning to add a second K9 to the department, and

WHEREAS, The total estimated cost of purchasing a K9, training for the officer and K9, outfitting a vehicle with a K9 transport system, veterinary services, and basic supplies and food for the K9, are estimated at \$25,000, 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 2020 budget as follows:

\$17,780 to A3110.4800.3317 (Program Exp-Canine Program)

\$7,220 to A3110.4340.0000 (Vehicle Maintenance and Repair)

To be offset by increasing the following revenue account:

\$25,000 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 2020 appropriations in the amount of \$25,000; offset by an increase in revenue in a like amount. Funds will come from the K9 Donations Reserve Account.

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

**RESOLUTION NO. 77 BUDGET AMENDMENT - SHERIFF/2019 SLETPP GRANT
AWARD ACCEPTANCE– APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, Per Resolution No. 338, dated 9/26/19, grant funding in the amount of \$114,967 was accepted from the NYS DHSES, and

WHEREAS, 25% of those grant funds, which totals \$28,742, must be utilized for law enforcement terrorism prevention activities, and

WHEREAS, That portion of the grant funds will be used to purchase interoperable communications equipment, and mobile data terminals, and

WHEREAS, The Sheriff is requesting a budget amendment to incorporate the grant funds into the Sheriff's 2020 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 2020 budget as follows:

\$28,742 to A3110.4800.0503 (Program Expense Homeland Security)

To be offset by increasing the following revenue account:

\$28,742 to A3110.4305.2 (Fed Aid Homeland Security)

Budget Impact Statement: Increase in Sheriff's 2020 appropriations in the amount of \$28,742 from a NYS DHSES grant award; offset by an increase in revenue in a like amount.

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

**RESOLUTION NO. 78 REAPPOINTMENTS – SHERIFF / TRAFFIC SAFETY
BOARD – APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, reappointments do exist on the Genesee County Traffic Safety Board and the Committees on Public Service and Ways & Means do recommend reappointing the following three-year terms:

Bradley D. Mazur 2/29/2020 – 2/28/2023 Genesee Co. Sheriff's Office

Emily J. McNamara 2/29/2020 – 2/28/2023 Village of LeRoy Police Dept.

James Uebelhoer 2/29/2020 – 2/28/2023 Citizen Representative

Thomas A. Graham 2/29/2020 – 2/28/2023 Magistrates' & Court Clerks' Association

Now, therefore, be it

RESOLVED, that the above three-year reappointments for the Genesee County Traffic Safety Board are approved at this time.

Budget Impact: None.

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

**RESOLUTION NO. 79 AGREEMENT AMENDMENT – SHERIFF'S
OFFICE / WILMAC DIGITAL VOICE
RECORDER MAINTENANCE – APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County requested a Next-Generation 9-1-1 digital voice recording system maintenance agreement from The Wilmac Company, who is currently on New York State Contract and our current digital voice recorder vendor per Resolution 343, dated September 28, 2017, and

WHEREAS, Our current maintenance contract expires February 28, 2021, and

WHEREAS, Genesee County received a NYS Statewide Interoperable Communications Grant which included funds for radio system maintenance, including recording systems, and

WHEREAS, The Wilmac Company provided a three-year service contract with an annual cost of \$29,300 per New York State OGS Contract, and

WHEREAS, Both parties agreed to adjust the commencement date to January 1, 2021, 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 digital voice recorder maintenance agreement with The Wilmac Company located at 73 State Street, Rochester, NY 14614, at a cost not to exceed \$29,300 per year for the period of January 1, 2021 to December 31, 2023, 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 digital voice recorder maintenance agreement with The Wilmac Company located at 73 State Street, Rochester, NY 14614, at a cost not to exceed \$29,300 per year for the period of January 1, 2021 to December 31, 2023.

Budget Impact: None.

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

RESOLUTION NO. 80 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT SERVICES – FY19 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT – APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the FY19 Hazardous Materials Emergency Preparedness (HMEP) Grant Program award in the amount of \$5,172.00 administered by the New York Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, the Hazardous Materials Emergency Preparedness program grant funds are provided by the U. S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, and

WHEREAS, the HMEP grant program prioritizes efforts that lead to the prevention of serious hazmat transportation related incidents, principally those of high consequences to people and the environment, and

WHEREAS, The Committees on Public Service 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 Division of Homeland Security and Emergency Services (DHSES), 1220 Washington Avenue, Building 7A, Albany, NY 12242 for the acceptance of FY 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant - (October 1, 2019 through September 30, 2020) and to execute any and all other documentation related to this funding.

Budget Impact Statement No County cost. Grant funds in the amount of \$5,172.00 have been appropriated in the 2020 Emergency Management Services (EMS) budget. (Appropriation Account A.3640.4800.0501 offset by Revenue Account. A.3640.4305.1000)

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

RESOLUTION NO. 81

**JUSTICE FOR CHILDREN ADVOCACY CENTER
GRANT AWARD ACCEPTANCE-NATIONAL
CHILDREN'S ALLIANCE-APPROVAL OF**

Legislator Clattenburg 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 one-year grant award from the National Children's Alliance to establish a Parent-Child Interaction Therapy program 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 \$21,121.00 from the National Children's Alliance; and

WHEREAS, The contract term runs from January 1, 2020 through December 31, 2020; and

WHEREAS, This award will enable the Justice for Children Advocacy Center to implement a highly successful and evidence-based treatment model that will enhance our services to children and families impacted by violence; and

WHEREAS, The Committee on Public Service did review this request and does approve this request 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 January 1, 2020 through December 31, 2020 in the amount of \$21,121.00.

Budget Impact: Grant funding from the National Children's Alliance will fund 100% of the cost of establishing a Parent-Child Interaction Therapy program at the Justice for Children Advocacy Center.

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

RESOLUTION NO. 82

**CONTRACT-JUSTICE FOR CHILDREN
ADVOCACY CENTER/INTERNATIONAL
INSTITUTE OF BUFFALO-APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator requests permission to enter into a contract with the International Institute of Buffalo for foreign language services, specifically in-person interpretation; and

WHEREAS, Services will be provided at a rate of \$50.00 per hour for a minimum of two hours; and

WHEREAS, The Justice for Children Advocacy Center is required to provide interpretation services by the NYS Office of Victim Services and as a standard of accreditation through the National Children's Alliance, and

WHEREAS, 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 a contract with the International Institute of Buffalo for foreign language services.

Budget Impact: Grant funding from the NYS Office of Victim Services will fund 100% of the cost of providing foreign language services at the Justice for Children Advocacy Center.

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

RESOLUTION NO. 83

**ESTABLISH CAPITAL PROJECTS/BUDGET
AMENDMENT – AIRPORT- APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Superintendent of Highways recommends establishing two capital projects at the Genesee County Airport that were included in the 2020 Capital Plan, 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 establish the following capital projects:

Title	Amount	State Aid	Amount/Source of Local Match
T-Hangar Construction (AIR-99)	\$875,000	\$656,250	\$218,750 from 1% Sales Tax
Equipment Storage Building	\$125,000	\$0.00	\$125,000 from 1% Sales Tax

and Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to amend the Genesee County Budget by increasing Appropriation H.5997.2080 Capital Project Expense in the amount of \$1,000,000, Increase Revenue H.5997.3897 State Aid in the amount of \$656,250 and H.5997.5031 Interfund Transfers in the amount of \$343,750 and Increase Revenue A.1000.1110.1 1% Sales Tax in the amount of \$343,750 and Increase Appropriation A.9950.9 Transfers to Capital in a like amount.

Budget Impact Statement: Both projects were included in the 2020 County Capital Plan. The T-Hangar Construction (AIR-99) project is funded at \$875,000 with \$656,250 in state aid and \$218,750 in local match from 1% sales tax. The Equipment Storage Building is funded with 1% Sales Tax in the amount of \$125,000.

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

RESOLUTION NO. 84

**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 concurs 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 a part of Lots 7 and 8 of Section 14, Township 12, Range 1 of the Holland Land Purchase and being a part of Parcel "B" as shown on a map of the "M.J. Doyle - Land Separation" filed in the Genesee County Clerk's Office on October 28, 2005 in Map Cabinet 3, Slide No. 8, Map No. 1647 and part of Parcel "B" as shown on a map of the "Gateway II Industrial Park - Land Separation" filed in the Genesee County Clerk's Office on April 25, 2006 in Map Cabinet 3, Slide No. 10, Map No. 1688 and further described as follows.

Beginning at a point on the southerly bounds of West Saile Drive (99.0' wide) at the northwest corner or parcel "B" as shown on filed Map No. 1647 also being the northwest corner of lands described in a deed to Genesee Gateway Local Development Corporation, recorded in Liber 848 of deeds at 940, said point being 1,772.21 feet easterly from the intersection of the southerly bounds of West Saile Drive with the easterly bounds of Oak Orchard Rd; thence

1) S 89°-02'-15" E along the southerly bounds of West Saile Drive, a distance of 76.66 feet to a northeast corner of said Parcel "B" of Filed Map No. 1647; thence

2) S 00°-27'-52" W along the easterly bounds of Parcel "B" of Filed Map No. 1647, a distance of 583.10 feet to a southeast corner thereof; thence

3) N 89°-50'-43" W along the southerly bounds of said lands described in Liber 848 of Deeds at Page 940, a distance of 10.66 feet to a northeast corner of said Parcel "B" as shown on Filed Map No. 1688; thence

4) S 00°-27'-52" W along the easterly bounds of Parcel "B" of Filed Map No. 1688, a distance of 1,410.02 feet to the southwest corner thereof, thence

5) N 89°-50'-43" W along the southerly bounds of Parcel "B" of Filed Map No. 1688, a distance of 222.94 feet to a point; thence

6) N 00°-09'-17" E a distance of 66.00 feet to an angle point in the northwesterly bounds of said Parcel "B" of Filed Map No. 1688; thence the following two courses along the northwesterly and westerly bounds of said Parcel "B"

7) N 43°-02'-56" E a distance of 232.44 feet to a point; thence

8) N 00°-27'-52" E a distance of 1,173.73 feet to the northwest corner of Parcel "B" of Filed map No. 1688 also being the southwest corner of Parcel "B" of Filed Map No. 1647; thence

9) N 00°-27'-52" E along the westerly bounds of Parcel "B" of Filed Mpa No. 1647, a distance of 584.22 feet to the point of beginning.

Containing 3.709 acres. And be it further

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. 2020 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 .33 miles in length. Preventative maintenance will be not required on the roadway for several years.

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

RESOLUTION NO. 85

ESTABLISH CAPITAL PROJECT AND APPROVAL OF FEDERAL AID MASTER AGREEMENT/ BUDGET AMENDMENT – MCCLERNON RD OVER BLACK CREEK – PIN 4GN0.03 – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, a Project for the McClernon Road over the Black Creek Bridge Replacement, Town of Bethany, P.I.N. 4GN0.03 (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 and 20% 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 to 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 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 for McClernon Rd over Black Creek with federal aid in the amount of \$202,400 with a local match from 1% sales of \$50,600, and it is further
RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to make the following budget amendment. Increase A.1000.1110.1 1% Sales Tax in the amount of \$50,600 to be offset by an increase in appropriation A.9950.9 Transfers to Capital in a like amount. Increase H.5197.4592 Federal Aid in the amount of \$202,400, Increase H.5197.5031 Interfund Transfers \$50,600 and increase H.5197.2080.0000 Highway Capital Project Expense \$253,000.

Budget Impact Statement: Total cost of the design and right of way phase of this project is \$253,000, funded with 80% federal aid and a 20% match from local 1% sales tax. Future phases of the project will be funded by federal aid in the same manner and state Marchiselli funding of 15% when it becomes available.

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

RESOLUTION NO. 86

**ESTABLISH CAPITAL PROJECT AND APPROVAL
OF FEDERAL AID MASTER AGREEMENT/
BUDGET AMENDMENT – SOUTH LYONS STREET
OVER TONAWANDA CREEK – PIN 4GN0.04 –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, a Project for the South Lyons Street over Tonawanda Creek Bridge Replacement, City of Batavia, P.I.N. 4GN0.04 (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 and 20% 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 to 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 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

WHEREAS, The Genesee County Water Resources Agency reviewed this proposal and did recommend that the Genesee County Legislature consider requesting the Monroe County Water Authority to review the feasibility of establishing a countywide water rate, and

WHEREAS, The Public Service Committee reviewed and concurs with this recommendation. Now, therefore, Be it,

RESOLVED, That Genesee County Legislature does hereby authorize and request the Monroe County Water Authority to determine the feasibility of a unified water rate between the current Out-of-County Class and the Western Genesee County Class.

Budget Impact: There is no cost to study the proposed rate.

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

RESOLUTION NO. 94 RESCIND RESOLUTION NO. 528 OF 2019/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 Hilchey offered the following resolution:

WHEREAS, the Genesee County Legislature wishes to rescind Resolution No. 528 of 2019 and restate its support of abandoning and transferring a portion of the New York State Route 20 right-of-way to the Village of Alexander, in order to make the only change as requested by the New York Department of Transportation of the square footage of the parcel from approximately 1,000 +/- square feet as set forth in the first **WHEREAS** clause in Resolution No. 528 to the figure below of 2,485 +/- square feet, and

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 2,485+/- 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 Genesee County Legislature hereby rescinds Genesee County Resolution No. 528 of 2019, and Be it further

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 Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 95 APPOINTMENT/REAPPOINTMENT - GENESEE COUNTY WATER RESOURCES AGENCY –APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, the Water Resources Agency terms of Earl C. LaGrou and Steve Mountain expired on December 31, 2019 and the Genesee Association of Municipalities (GAM) representative (Dave Hagelberger) is no longer an elected official, and

WHEREAS, Mr. LaGrou and Mr. Mountain are desirous of reappointment to another term and GAM submitted a recommendation letter and application for Mr. Steve Ferry, Jr., and

WHEREAS, the Committees on Public Service and Ways and Means do recommend the reappointments of Mr. LaGrou and Mr. Mountain and the appointment of Mr. Ferry as the GAM representative. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Earl C. LaGrou of Alabama, New York, Steve Mountain of Batavia, New York and Steve Ferry, Jr. of Darien, New York serving as GAM representative to Water Resources Agency to serve a term on the Genesee County Water Resources Agency for the period ending on December 31, 2022.

Budget Impact Statement: None, these are unpaid positions.

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

RESOLUTION NO. 96 CERTIFICATE OF INSURANCE –GENESEE COUNTY YOUTH BUREAU/YOUTH CONFERENCE – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Youth Bureau is hosting the annual 7th & 8th Grade Youth Conference at Genesee Community College for the purpose of providing education to youth in our community through workshop sessions and a keynote speaker, and is requesting a certificate of insurance on behalf of GCC, and

WHEREAS, The Ways and Means Committee does approve the request. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance to Genesee Community College for the Genesee County Youth Conference, taking place March 10, 2020.

Budget Impact: The event is supported by funding through funds received by the Youth Bureau through Genesee County STOP-DWI and OCFS YDP funding. There is no cost to the county.

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

RESOLUTION NO. 97 APPOINTMENT-GLOW WORKFORCE DEVELOPMENT BOARD MEMBERSHIP

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 appointments to the GLOW Workforce Development Board:

Bethanne Guest-Bergum, District Office Manager, NYSED Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR), to replace Dennis Martinez of Access-VR representing Vocational Rehabilitation Programs on the GLOW Workforce Development Board to serve an on-going term at the discretion of the GLOW CEO's.

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 Dibble seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 98 AUTHORIZING CHAIRPERSON OF THE GENESEE
COUNTY LEGISLATURE TO SIGN THE FINGER LAKES
REGIONAL PLAN**

Legislator Torrey offered the following resolutions:

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014, requires each Region to develop and submit to the State a comprehensive regional plan with the appropriate Chief Elected Officials. And,

WHEREAS, The State will be submitting, a new Plan to USDOL. As such, the Regional Workforce Development Areas are to submit a revised regional plan to NYSDOL, in order to be eligible to receive WIOA funds for administering the One Stop System and delivering services to its customers. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chair of the Genesee County Legislature to sign the Finger Lakes Regional Plan on behalf of Genesee County.

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

**RESOLUTION NO. 99 AWARD OF INTERNET LEASE AGREEMENT-
INFORMATION TECHNOLOGY/EMPIRE ACCESS-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Ways and Means Committee did review this request for internet circuits provided by Empire Access at County Bldg-II and 165 Park Rd and recommend the approval of, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a 36-month lease agreement with Empire Access, 34 Main Street Prattsburgh NY, 14873 for an internet circuit at County Building-II at a cost of \$360 / month and, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a 36-month lease agreements with Empire Access, 34 Main Street Prattsburgh NY, 14873 for an internet circuit at 165 Park Rd at a cost of \$360 / month.

BUDGET IMPACT STATEMENT: Account A.1680.4290.0600 Internet & Bandwidth has the funding available to support this request. This was expected at some point in 2020 so the contingency amount in this account covers the 2020 increase.

- \$2680 annual increase for Bldg-II
- \$3600 annual increase for Park Rd.

The 2021 Budget will include \$8640 to support the two 100/100 circuits. This is a \$6720 increase from the 2020 budget.

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

**RESOLUTION NO. 100 TREASURER/ 2019 BUDGET ITEM TRANSFERS
COUNTY DEPARTMENTS- APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Treasurer did present transfers to be recommended in the 2019 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 2019 budget transfers:

<u>To /</u> <u>From</u>	<u>Dept</u> <u>Code</u>	<u>G/L Code for</u> <u>Journals</u>	<u>Dept Name</u>	<u>Account Category</u>	<u>Amount</u>
To	A.1185	1010.0000	Medical Ex & Coroners	Personnel Services	730
From	A.1185	4650.0000	Medical Ex & Coroners	Contractual	730
To	A.1420	4160.0000	County Attorney	Contractual	410
From	A.1420	1010.0000	County Attorney	Personnel Services	410
To	A.1450	1030.0000	Elections	Personnel Services	6,400
To	A.1450	4660.0000	Elections	Contractual	22,000
To	A.1450	8030.0000	Elections	Benefits	15,000
From	A.1430	1010.0000	Human Resources	Personnel Services	28,400
From	A.1430	8030.0000	Human Resources	Benefits	15,000
To	A.1620	1020.0000	Facilities Management	Personnel Services	10,000
To	A.1620	8030.0000	Facilities Management	Benefits	8,000
From	A.1620	4660.0000	Facilities Management	Contractual	18,000
To	A.1950	4295.0000	Tax & Assessment of County Properties	Contractual	200
From	A.1362	4800.0000	Tax Advertising	Contractual	200
To	A.2960	1010.0000	3-5 Preschool	Personnel Services	40
To	A.2960	4660.0311	3-5 Preschool	Contractual	75,000
From	A.4010	4800.0000	Public Health	Contractual	75,040
To	A.3151	8020.0000	Genesee Justice	Benefits	2,905
From	A.3151	1010.0000	Genesee Justice	Personnel Services	2,905
To	A.3510	8030.0000	Control of Animals	Benefits	1,900
From	A.3510	1010.0000	Control of Animals	Personnel Services	1,900
To	A.4311	4660.0000	Mental Health Court Committed	Contractual	105,000
From	A.4310	4650.0001	Mental Health	Contractual	105,000

To	A.6421	4660.1000	GCEDC PILOT/PIF	Contractual	180
From	A.1362	4800.0000	Tax Advertising	Contractual	180
To	A.6610	8020.0000	Weights & Measures	Benefits	219
From	A.6610	4330.0000	Weights & Measures	Contractual	219
To	A.7310	8020.0000	Youth Bureau	Benefits	785
From	A.7310	4170.0000	Youth Bureau	Contractual	785
To	A.8090	1010.0000	GLOW	Personnel Services	1
From	A.8090	4110.0000	GLOW	Contractual	1
To	D.3310	1010.0000	Traffic Control	Personnel Services	1,100
To	D.3310	4340.0000	Traffic Control	Contractual	1,100
To	D.5110	1010.0000	Maintenance Roads & Bridges	Personnel Services	8,100
From	D.5110	4660.0000	Maintenance Roads & Bridges	Contractual	8,100
To	D.5142	4800.1005	Snow Removal	Contractual	21,000
To	D.5142	8010.0000	Snow Removal	Benefits	1,000
From	D.5110	4700.1002	Maintenance Roads & Bridges	Contractual	37,000
From	DM.5130	4240.0000	Road Machinery	Contractual	80
To	DM.5130	2030.0000	Road Machinery	Equipment	80

Budget Impact: None, transfers made from other appropriations.

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

**RESOLUTION NO. 101 TREASURER - 2019 YEAR-END BUDGET AMENDMENTS-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Treasurer is recommending two budget amendments in order to close the books for 2019 and utilizing fund balance and/or reserves for the amendments, and **WHEREAS**, the new water agreement dated 12/13/18 the county of Genesee agreed to close the reserve in the water fund in the amount of \$100,000 and pay it over to the City of Batavia which occurred on August 30,2019, and

WHEREAS, Medical Claims and a significant increase in the year end accrued liabilities of \$482,330 provided by the county; health care consultant AP Benefit Advisors has resulted in the need to amend the budget to satisfy these expenses, 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 2019 budget by:

Increasing Appropriation EW.8320.4660.0534 Contractual in the amount of \$100,000 and Increase EW.1000.9999 Balancing in a like amount.
Increasing Appropriation MS.9060.8030.0000 Medical Claims in the amount of \$1,262,323 and Increasing MS.1000.9999 Balancing in a like amount.

Budget Impact: Increases expenditures in the water fund of \$100,000 and closes the reserve for the City of Batavia. The increase in medical claims and the increase in the medical liability will reduce the medical reserve to \$743,193.08. This represents a \$1,999,937.89 reduction in the reserve in 2019.

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

**RESOLUTION NO. 102 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 Young 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, S4804-B and A7266-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 Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 103 2019 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES – ARC OF
GENESEE ORLEANS– APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Arc of Genesee Orleans contract and budget, and

WHEREAS, These additional funds are the result of a cost of living adjustment (COLA), and minimum wage enhancement increase from New York State Office of Mental Health with no additional county cost, 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 be and hereby is authorized and directed to execute the necessary documents to amend the 2019 contract and budget between the County of Genesee and Arc of Genesee Orleans, and Be it further

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

Increasing A4322.4660.0000 Arc of Genesee Orleans by \$ 1,560.00

AND

Increasing A.4322.3495 State Aid, OMRDD by \$ 1,560.00

Budget Impact Statement: Increasing the budget by \$1,560, offset by an increase in State Aid in the amount of \$1,560.

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

**RESOLUTION NO. 104 2019 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/GCASA
– APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 GCASA contract and budget, 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

WHEREAS, These additional funds are the result of a cost of living adjustment (COLA), and minimum wage enhancement increase in program funding from New York State Office of Alcohol & Substance Abuse Services (OASAS) with no additional county cost. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2019 contract and budget between the County of Genesee and GCASA, 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.4313.4660.0000 GCASA \$ 3,941

AND

Increasing A.4313.3494 State Aid, OASAS by \$ 3,941

Budget Impact Statement: Increasing the budget by \$3941, offset by an increase in State Aid in the amount of \$3941.

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

**RESOLUTION NO. 105 2019 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/
RESTORATION SOCIETY (ACE EMPLOYMENT
SERVICES) – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Restoration Society contract and budget, 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

WHEREAS, These additional funds are the result of a cost of living adjustment (COLA) and minimum wage enhancement from New York State Office of Mental Health with no additional county cost. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2019 contract and budget between the County of Genesee and the Restoration Society, 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.4323.4660.0000 Restoration Society \$3,660

AND

Increasing A.4323.3490 State Aid, Mental Health by \$3,660

Budget Impact Statement: Increasing the budget by \$3,660, offset by an increase in State Aid in the amount of \$3,660.

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

**RESOLUTION NO. 106 2019 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/THE
MENTAL HEALTH ASSOCIATION IN GENESEE
COUNTY – APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Mental Health Association in Genesee County contract and budget, 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

WHEREAS, These additional funds are the result of a cost of living adjustment (COLA), and minimum wage enhancement increase from New York State Office of Mental Health with no additional county cost. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2019 contract and budget between the County of Genesee and the Mental Health Association in Genesee County, 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.4321.4660.0000 Mental Health Association In Genesee County \$1,373

AND

Increasing A.4321.3490 State Aid, Mental Health by \$1,373

Budget Impact Statement: Increasing the budget by \$1,373, offset by an increase in State Aid in the amount of \$1,373.

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

**RESOLUTION NO. 107 MORTGAGE TAX INCREASE EXTENSION – REQUEST
FOR AUTHORIZING LEGISLATION – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee has imposed an additional one-quarter of one percent (0.25%) local tax on mortgages for real property situated within the County of Genesee in addition to the tax imposed on said mortgages with the local tax of one-quarter of one percent to be used for the purpose of offsetting expenses of the Recording/County Clerk's Office or any County General Fund purpose in Genesee County, and

WHEREAS, the legislation authorizing such additional mortgage tax will expire October 31, 2020 and the County Legislature wishes to extend its provisions. Now, therefore, Be it **RESOLVED**, that the Genesee County Legislature does hereby petition State Senator Michael Ranzenhofer and Assemblyman Stephen M. Hawley to draft and introduce such legislation and further requests the New York State Legislature to support the legislation necessary to continue a one-quarter of one percent (0.25%) increase in Genesee County's mortgage tax rate for the maximum period of three (3) years allowed by Section 253-k(6) of the Tax Law to expire on October 31, 2023, and Be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer and Assemblymen Stephen M. Hawley and any other agency as indicated by the Chair of the Genesee County Legislature.

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

**RESOLUTION NO. 108 REQUEST FOR AUTHORIZING LEGISLATION-SALES
TAX/CONTINUATION OF ONE PERCENT (1%)
INCREASE EXTENSION -APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, State Legislation authorizing Genesee County to continue its imposition of an additional one percent (1%) Local Sales Tax expires on November 30, 2020, and

WHEREAS, The Committee on Ways & Means does recommend requesting approval for continuation at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby request New York State Senator Michael Ranzenhofer and Assemblyman Stephen Hawley to draft and introduce Legislation authorizing Genesee County to renew the additional one percent (1%) Sales Tax, for an additional three (3) years ending on November 30, 2023, and Be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley, NYSAC and GAM.

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

**RESOLUTION NO. 109 DESIGNATION OF COUNTY SURPLUS PROPERTY –
PURCHASING – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Purchasing Director did request that the attached list of county property, from the Job Development Bureau and that is no longer used or needed by that county department or other county departments, be declared surplus property.

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 Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 110 RESOLUTION OPPOSING ELIMINATION OF VIDEO
LOTTERY TERMINAL (VLT) REVENUE**

Legislator Clattenburg offered the following resolution:

WHEREAS, Video Lottery Terminal (VLT) revenue in the Genesee County Budget is an important source of revenue within the General (A) Fund along with property taxes and sales tax, and

WHEREAS, the Governor of the State of New York in his proposed budget has recommended that Video Lottery Revenue for host municipalities such as Genesee throughout New York State, with the exception of Yonkers, be terminated, and

WHEREAS, If the Governor's budget as proposed is adopted the County will lose \$200,392 in VLT revenue in the tax year 2021, and

WHEREAS, a revenue loss of that magnitude would result in a general County tax rate increase of \$0.064/\$1,000 and would consume 26% of our tax cap compliant growth cap levy, and

WHEREAS, a property owner who owns property with an assessed valuation of \$100,000 would pay \$64.00 more per year simply in order to keep the same level of services that the property owner currently enjoys, and

WHEREAS, the Governor's proposed elimination of this revenue stream would offer no reimbursement to the County of Genesee for the significant expenses it incurs in conjunction with hosting the Batavia Downs Racino, and

WHEREAS, normal inflationary pressures upon the budget, notwithstanding, the County would be forced to raise A fund taxes to a level that would be intolerable, and

WHEREAS, alternatively the County would be forced to consider substantial cuts in Countywide, non-mandated services, the number of employees and employee benefits to offset this significant loss in revenue, Now, therefore, Be it

RESOLVED, That the County of Genesee categorically opposes the elimination of the Video Lottery Terminal revenue, and, Be it Further

RESOLVED, that the maintenance of the sum of \$200,392 must be sustained in order to preserve the standard of living and the quality of life that the citizens/tax payers of Genesee have every right to expect, and, Be it Further

RESOLVED, that Clerk Certified copies of this resolution shall be sent to the Governor of the State of New York, the Lieutenant Governor of the State of New York, New York State Senator Ranzenhofer, Assembly Member Hawley, Chair of the Batavia Downs/WROTB Board, Henry Wojtaszek, Senate Minority Leader Flanagan, Assembly Minority Leader Barclay, Senate President and Majority Leader Stewart-Cousins, Assembly Speaker Heastie.

Prior to the vote Legislator Clattenburg commented that the elimination of this revenue source is devastating to the City and County and the governor is denying funding for needed services.

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

**RESOLUTION NO. 111 RESOLUTION CALLING ON THE GOVERNOR AND
STATE LEGISLATIVE LEADERS TO PROVIDE
COUNTIES WITH PERMANENT LOCAL AUTHORITY
OVER THEIR EXISTING SALES TAX**

Offered by Legislator Young:

WHEREAS, like many counties in New York State, Genesee County continues to face significant challenges in balancing its budgets while also meeting the goals of the property tax cap; and

WHEREAS, the two primary revenue sources for Genesee County are its real property tax and local sales tax; and

WHEREAS, it is critically important for Genesee County to have confidence and stability in its revenue projections in order to efficiently and prudently develop its annual operating budgets, as

well as to develop and implement long-term capital and infrastructure plans; and
WHEREAS, the State has made the property tax cap permanent, therefore limiting a key county revenue in the face of rising costs and service needs in our community; and
WHEREAS, in recent years, five counties have seen their home rule revenue authority held hostage in unrelated state policy fights, resulting in the temporary lapse of local sales and mortgage recording tax collections; and
WHEREAS, NYSAC at its annual winter conference has continually asked for the same blanket current sales tax approval for all of the counties in New York State with Genesee presently being at 4%, and
WHEREAS, the loss of these revenues caused fiscal stress and budget uncertainty for these counties while increasing pressure on property tax rates, and this threat extends to all counties, including Genesee, under the current state sales tax renewal process; and
WHEREAS, in addition to addressing local quality of life services expected by its taxpayers, Genesee County must also administer and pay for more than 40 State and federal programs that regularly consume close to two thirds of its entire budget; and
WHEREAS, Genesee County's elected officials rely on their home rule authority to determine what balance of local taxes works best in their community; and
WHEREAS, New York City was granted permanent local authority over their sales tax rate a decade ago, while county requests for the same authority have been repeatedly denied; and
WHEREAS, Genesee County must share its sales tax revenues with its constituent city to help pay for services they deliver; and
WHEREAS, the pass-through of local sales tax revenue from Genesee County to its constituent city will likely exceed \$7 million in 2020; and
WHEREAS, it appears that all counties, including Genesee, will be further required to use some of their sales tax revenues to make up for the elimination of AIM funding to their constituent municipalities; and
WHEREAS, making Genesee County's existing local sales tax rate permanent would still allow for appropriate State legislative review in the future upon any change; and
WHEREAS, permanent home rule sales tax authority will provide more budget certainty and stability for counties, including Genesee; and
WHEREAS, permanent home rule sales tax authority at existing rates will reduce administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the State and local levels; now therefore be it
RESOLVED, on recommendation of the Ways & Means Committee, That Genesee County calls upon the Governor and State Legislature to provide parity with New York City by granting permanent home rule sales tax authority to counties at their current tax rates; and, be it further
RESOLVED, that the home rule process should be reformed so it works as efficiently as possible for local taxpayers and eliminates unnecessary and duplicative legislative activity at the State and local level, while retaining state legislative review; and, be it further
RESOLVED, that the Clerk of the Legislature forward copies of this Resolution to Governor Andrew Cuomo, Temporary President of the Senate Andrea Stewart-Cousins, Senator Michael Ranzenhofer, Assembly Speaker Carl Heastie, Assembly Member Steve Hawley, Assembly Minority Leader Barclay, Senate Minority Leader Flanagan, Comptroller Tom DiNapoli.
Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 112 STANDARD WORK DAY AND REPORTING
RESOLUTION FOR ELECTED AND APPOINTED
OFFICIALS-NEW YORK STATE RETIREMENT SYSTEM-
CORONER-APPROVAL OF**

Legislator Torrey 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
Coroner	6 hrs	Adam Palumbo	no	10/9/19-12/31/20	2.58	

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

**RESOLUTION NO. 113 2020-2021 RULES FOR GENESEE COUNTY
LEGISLATURE-ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature did review the Rules for the Legislature and the Committee on Ways & Means does recommend adoption. Now, therefore, Be it

RESOLVED, That the Rules for the Legislature be and hereby are approved as the Rules which will govern the Genesee County Legislature for its operation for the term 2020-2021.

Budget Impact Statement: None

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

RESOLUTION NO. 114 COUNTY AUDIT –FEBRUARY 26- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Dibble, did review the following claims:

General Fund	\$	1,212,274.58
Highway		63,081.19
Self Insurance		1,250.00
DSS Abstracts		126,804.89
Capital Projects		
Facilities Management-Animal Shelter Improvements	\$	1,800.00
Park-DeWitt Park Improvements Phase IV		25.75
Airport-Airport Taxiway "C" Reconstruction		74,610.91
Airport-Apron Reconstruction & Obstruction Removal		5,923.20
Sheriff's/Jail-Jail Construction		154,870.00
Public Safety-Communication Tower		7,002.74
Payroll – General		
February 14, 2020		1,164,454.23
Medicaid		
February 18, 2020		177,332.00
February 25, 2020		177,332.00
Total Audit	\$	3,166,761.49

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 was adopted by 326 votes.

Legislator Clattenburg made a motion to suspend the rules of the Genesee County Legislature to add a resolution that amends Resolution No. 147 of the Year 2016 seconded by Legislator Maha, carried unanimously. She further explained that the MEGA Executive Board approved resolutions to extend their agreements to October 31, 2020. The following resolution corrects the date from March 31, 2020 to October 31, 2020.

**RESOLUTION NO. 115 AMEND RESOLUTION 147-2016/ AUTHORIZATION TO
AMEND AND EXTEND EXISTING AGREEMENTS FOR
ELECTRICITY, RENEWABLE ENERGY CREDITS, NATURAL
GAS**

Legislator Clattenburg offered the following resolution:

WHEREAS, on February 11, 2015, the Genesee County Legislature approved Resolution No. 2013-117, to issue an Invitation to Bid on behalf of the Municipal Electric and Gas Alliance for the supply of electricity and renewable energy credits for municipal and other customers located in National Grid, New York State Electric and Gas, and Rochester Gas and Electric utility territories, and an Invitation to Bid on behalf of the Municipal Electric and Gas Alliance for the supply of natural gas for municipal and other customers located National Grid, New York State Electric and Gas, Rochester Gas and Electric, National Fuel and Consolidated Edison utility territories, all in accordance with provisions of New York State Law, and

WHEREAS, Resolution No. 147 of year 2016 provided for a two-year extension of such agreements so they terminated on March 31, 2020, and

WHEREAS, Municipal Electric and Gas (MEGA) Executive Committee meet on March 25, 2016 and passed resolutions extending the Program Agreement with Direct Energy and Constellation for a term through October 31, 2020, and

WHEREAS, All political subdivisions and districts within the State of New York were authorized by the same resolution to participate in the contracts awarded as a result of this procurement, and

WHEREAS, Program Agreements with Constellation Energy Services for electricity supplies, and with Direct Energy Business for natural gas supplies were executed and implemented beginning April 1, 2015, and

WHEREAS, Market conditions have provided an opportunity for MEGA customers to benefit from current low pricing, and customers have expressed a desire to do so for longer than the present Agreements would otherwise provide, and

WHEREAS, Because such customer desires make it efficacious at this time to extend these Agreements as provided for in Paragraph 2.4 a) of such electricity agreement with Constellation, and in Paragraph 4.1 of such natural gas agreement with Direct Energy Business, it is the desire of the County, MEGA and the suppliers to do so, and

WHEREAS, MEGA has appropriately monitored both suppliers' performance under the agreement, found them to be exemplary, and has affirmed that suppliers' pricing will not be changed as a result of this proposed extension, and

WHEREAS, the MEGA board of Directors has formally requested the County to agree to a two-year extension of the existing agreements, as provided for in the Agreements and due to favorable market conditions and customer desires, now therefore be it.

RESOLVED, the Legislature hereby recommends the Chairman of the Genesee County Legislature approve the extension of the existing Program Agreements with Constellation Energy Services and Direct Energy in cooperation with MEGA, as appropriate to provide for a two-year extension of such Agreements so that they terminate October 31, 2020.

SEQR Action: Type II

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

The meeting adjourned at 6:15 pm upon motion of Legislator Young seconded by Legislator Hilchey, carried unanimously.