

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

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

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

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

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

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

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

The Clerk proceeded with the Resolutions:

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

Legislator Torrey offered the following resolution:

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

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

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

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

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

Budget Impact: None

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

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

Legislator Hilchey offered the following resolution:

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

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

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

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

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

- \$23,929 to A3110.1020.0700 (Overtime STEP Grant)
- \$6,363 to A3110.1020.0900 (Overtime Bergen)
- \$7,253 to A3110.2030.0030 (Sheriff’s Equipment)
- \$46,000 to A3110.4800.0503 (Program Expense Homeland Security)

To be offset by increasing the following revenue accounts:

- \$23,929 to A3110.4511 (Fed Aid Traffic Safety)
- \$6,363 to A3110.2804.1 (Shared Services-Additional Police Services)
- \$7,253 to A3110.3324 (State Aid Law Enf)
- \$46,000 to A3110.4305.2 (Fed Aid Homeland Security)

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

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

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

Legislator Young offered the following resolution:

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

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

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

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

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

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

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

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

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

Legislator Stein offered the following resolution:

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

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

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

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

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

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

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

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

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

Legislator Hilchey offered the following resolution:

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

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

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

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

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

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

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

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

Increase Sheriff's appropriations:

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

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

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

Prior to the vote Legislator Hilchey stated that he has family members who teach in the Oakfield-Alabama Central School District and grandchildren are students in the district. They have shared positive comments and given feedback on the new SRO and how he is fitting in at the school. He commended Sheriff Sheron and Undersheriff Mazur for fostering the SRO program and expanding it to so many school districts throughout the County.

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

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

Legislator Torrey offered the following resolution:

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

WHEREAS, the County Attorney has reviewed and approved the terms of this Agreement, and **WHEREAS**, the Committee on Public Service did review this contract and does recommend approval at this time. Now, therefore, be it

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

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

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

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

Legislator Stein offered the following resolution:

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

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

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

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

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

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

Legislator Young offered the following resolution:

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

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

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

Increase revenue:

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

Increase expense line item:

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

Budget Impact: Program Expenses are offset by increased revenue so there is no impact on the 2019 Genesee County Budget and no county funding is required by this amendment. Legislator Maha seconded the resolution which was adopted by 298 votes, Legislator Clattenburg (28) absent.

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

Legislator Hilchey offered the following resolution:

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

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

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

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

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

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

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

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

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

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

Legislator Maha offered the following resolution:

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

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

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

WHEREAS, the Genesee County Office of Emergency Management Services will provide QuickSeries Publishing, Inc. with all required permissions and access privileges to its Apple Developer, App Store Connect and Google Play Console accounts so that QuickSeries

Publishing, Inc. may act as an “ADMIN” of the App. As such QuickSeries Publishing, Inc. will be responsible for deploying and maintaining the App in all respects, and

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

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

Now, therefore be it

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

Budget Impact: No Budget impact, No cost.

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

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

RESOLUTION NO. 70

ESTABLISH 2019 CAPITAL PROJECT/2019 BUDGET AMENDMENT – JAIL CONSTRUCTION - APPROVAL OF

Legislator Stein offered the following resolution:

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

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

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

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

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

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

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

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

and, Be it further

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

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

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

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

Legislator Stein offered the following resolution:

WHEREAS, Genesee County issued RFP #2018-106 for Architectural and Engineering Planning, Design and Construction Administration Services for the County Jail Project, and **WHEREAS**, A Steering Committee was created to review the proposals, interview the vendors and determine which vendor would best fit the County’s needs, and **WHEREAS**, The Committee on Public Service and the Ways and Means committee has reviewed the recommendation and does concur at this time, Now, therefore, Be it **RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized to execute a contract with SMRT Architects and Engineers, PC, 11 Century Hill Drive, Suite 207, Latham, New York 12110 in the amount not to exceed \$2,360,000 for Basic Architectural and Engineering Planning, Design and Construction Administration Services as outlined in RFP #2018-106 and an amount not to exceed \$140,000 for Additional Architectural and Engineering Planning, Design and Construction Administration Services as outlined in RFP #2018-106 for the Genesee County Jail Construction Project

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

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

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

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

Legislator Torrey offered the following resolution:

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

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

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

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

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

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

Legislator Stein offered the following resolution:

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

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

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

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

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

RESOLUTION NO. 74

**BUDGET AMENDMENT - JUSTICE FOR
CHILDREN ADVOCACY CENTER
-APPROVAL OF**

Legislator Young offered the following resolution:

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

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

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

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

An increase in:

Revenue Account A.3152 3321	State Aid-Victim Asst	\$10,689
Revenue Account A.3152 3323	St Aid-DSS/Just for Child	<u>\$7201</u>
TOTAL REVENUE:		\$17,890

An increase in:

Expense Account A.3152 1010.0000	Personal Services	\$6000
Expense Account A.3152 8010.0000	Social Security Tax	\$365
Expense Account A.3152 8011.0000	Medicare Tax	\$85
Expense Account A.3152 8020.0000	Retirement	\$558
Expense Account A.3152 4660.0000	Contracted-Other	<u>\$10,882</u>
TOTAL EXPENSES:		\$17,890

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

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

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

Legislator Young offered the following resolution:

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

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

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

Budget Impact: None

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

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

Legislator Stein offered the following resolution:

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

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

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

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

Budget Impact: None

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

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

Legislator Young offered the following resolution:

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

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

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

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

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

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

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

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

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

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

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

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

Legislator Young offered the following resolution:

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

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

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

Budget Impact Statement: Expenses are included in the 2019 2960 (3-5 Preschool/Transportation budget). The cost to the county in 2019 will be approx. \$24,550. In 2020 & 2021 the cost to the county would be approx. \$64,783 per year.

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

RESOLUTION NO. 79 OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND

**INCENTIVES TO MUNICIPALITIES AND STATE COST
SHIFTS TO COUNTIES – APPROVAL OF**

Legislator Stein offered the following resolution:

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

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

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

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

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

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

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

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

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

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

RESOLVED, that Genesee County shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Legislative Leaders, Inter County Association, Senator Michael Ranzenhofer, Assemblyman Steve Hawley, and all others deemed necessary and proper.

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

RESOLUTION NO. 80 COUNTY AUDIT –FEBRUARY 27 - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, Legislator Hilchey, did review the following claims:

2018 General Fund	\$	116,834.41
2019 General Fund		984,714.56
Highway		58,690.85
Water Fund		80,000.00
DSS Abstracts		12,175.97

Capital Projects

Highway-Large Span Culverts	\$	4,855.88
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Highway-Preventative Maint Bridge Painting	21,366.46
Highway-Highway-Searls Road Bridge/Spring Creek	11,391.91
Payroll – General	
February 15, 2019	1,579,976.26
Medicaid	
February 19, 2019	177,332.00
February 26, 2019	<u>177,332.00</u>
Total Audit	\$ 3,224,670.30

Now, therefore, Be it

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

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

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

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