

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

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

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

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

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

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

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

Legislator Stein seconded by Legislator Dibble, carried.

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

The Clerk proceeded with the Resolutions:

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

Legislator Deleo offered the following resolution:

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

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

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

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

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

**Provider Member:**

Nathan Varland, Executive Director-Batavia Housing Authority

**Budget Impact Statement:** None

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

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

Legislator Young offered the following resolution:

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

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

**RESOLVED**, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract with Ellen E. Foster, Consultant Dietitian for the provision of Title III C-1, Title III C-2, WIN and other nutrition

funded services provided through the Genesee County Office for the Aging for 8 hours of dietitian services per week at a rate of \$36 per hour, not to exceed \$14,976 annually, April 1, 2019 – March 31, 2020.

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

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

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

Legislator Clattenburg offered the following resolution:

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

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

**WHEREAS,** Guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Genesee County Youth Bureau and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it **RESOLVED,** That the Genesee County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2019 Genesee County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

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

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

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

Legislator Torrey offered the following resolution:

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

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

**Reappointment**

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

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

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

Legislator Dibble offered the following resolution:

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

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

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

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

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

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

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

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

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

Legislator Dibble offered the following resolution:

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

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

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

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

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

Increasing A4310.	.1010.0000	Personnel Services by	\$ 50,200.00
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Increasing A4310.	.8010.0000	Social Security Tax by	\$ 3,010.00
Increasing A4310.	.8011.0000	Medicare Tax by	\$ 830.00
Increasing A4310.	.8020.0000	Retirement	\$ 5,100.00
Increasing A4310.	.8030.0000	Medical	\$ 12,550.00
Increasing A4310.	.8040.0000	Dental	\$ 330.00
AND			
Increasing.A4310.	.2022.0001	Computers	\$ 3,000.00
Increasing.A4310.	.2010.0020	Desk	\$ 3,000.00
Increasing.A4310.	.2010.0022	Chairs	\$ 1,500.00

**Budget Impact Statement:** Increase by \$79,250, offset by Federal Aid.

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

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

Legislator Deleo offered the following resolution:

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

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

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

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

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

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

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

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

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

Legislator Young offered the following resolution:

**WHEREAS**, The full-time Licensed Practical Nurse at Community Mental Health Services is currently out on permanent disability due to a workman’s compensation injury, and

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

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

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

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

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

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

Legislator Deleo offered the following resolution:

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

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

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

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

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

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

Legislator Young offered the following resolution:

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

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

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Department of Health for the acceptance of the Immunization Action Plan contract for the period April 1, 2019 through March 31, 2020 in the amount of \$31,050, and to execute any and all other documentation related to this funding

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

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

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

Legislator Torrey offered the following resolution:

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

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

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

**Budget Impact Statement:** 2019 = \$6,500  
2018= \$6,500  
2017= \$6,300; 10% reduction in funding  
2016 = \$7,000  
2015 = \$6,905  
2014 = \$6,905  
2013 = \$6,905  
2012 = \$6,905; 5% reduction in funding  
2011 = \$7,268; 15% reduction in funding  
2010 = \$8,550; 5% reduction in funding  
2005 – 2009 funding = \$9,000/year  
1997 – 2004 funding = \$10,000/year (in 2001 received \$4,000 extra as matching funds for state grant)  
1994 -1996 funding = \$3,000/year  
1993 funding = \$2,500/year

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

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

Legislator Clattenburg offered the following resolution:

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

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

**WHEREAS**, in an open auction format a bidder learns the rank of its bid at the instant the bid is submitted and is permitted to improve its bid, multiple times, until the conclusion of the bid submission period; and

**WHEREAS**, previous attempts to authorize the additional option of an electronic open auction format for municipal debt officers statewide to sell municipal bonds have unanimously passed in

the NYS Senate and never made it out of Local Government Committee in the NYS Assembly (A.2536/S.3849), and

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

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

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

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

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

Legislator Stein offered the following resolution

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

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

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

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

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

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

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

to be offset by an increase in revenue account A.3315.4389 (Federal Aid-Other Pub Safety) in the amount of \$10,555

**Budget Impact Statement:** No impact on County Budget. Increase in revenue and expense funded by GTSC grant

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

**RESOLUTION NO. 94      APPOINTMENT– STOP-DWI ADVISORY BOARD –  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Vacancies do exist on the STOP-DWI Advisory Board for Citizen Member representation, and

**WHEREAS**, The Genesee County STOP DWI Coordinator has identified an individual Christopher Blossom, who has expressed interest in serving on the Advisory Board as a citizen member, and



**WHEREAS**, The Genesee County STOP DWI Advisory Board approved the recommendation to appoint Christopher Blossom to the Advisory Board, and

**WHEREAS**, The Committee on Ways and Means does recommend the appointment of citizen, Christopher Blossom. Now, therefore, Be it

**RESOLVED**, That Christopher Blossom of Batavia New York be appointed as citizen members of the Genesee County STOP-DWI Advisory Board to serve a term effective immediately through December 31, 2021.

**Budget Impact:** None – these are volunteer Board Members

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

At 6:00 PM the Public Hearing was closed. No one spoke on the matter.

**RESOLUTION NO. 95      AUTHORIZING THE USE OF COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM INCOME  
FUNDS TO ASSIST YANCEY’S FANCY, INC.**

Legislator Dibble offered the following resolution:

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

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

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

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

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

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

**WHEREAS**, the County wishes to utilize the Program Income to make a grant to Yancey’s Fancy, Inc. to be used to fund the purchase of a piece of equipment which will allow the company to expand its artisanal cheese production, and

**WHEREAS**, the County has held a public hearing regarding the proposed use of Program Income to provide assistance to Yancey's Fancy, Inc. and **NOW THEREFORE BE IT**

**RESOLVED**, that, subject to the approval of OCR, the County utilize its Program Income, as remitted to the County by the Chamber, in an amount not to exceed \$ 70,421.62 to provide a grant (the "Grant") to Yancey's Fancy, Inc. (the "Company") to be used to fund the purchase of equipment, and be it further

**RESOLVED**, that the County enter into a Grant Agreement with the Company which shall provide for the disbursement and use of the Grant proceeds to fund the purchase of equipment in a manner consistent with CDBG program requirements and which Grant Agreement shall include and be subject to the requirements of the CDBG program, including requirements for the creation and reporting of employment, such Grant Agreement to be subject to the approval of the County Attorney, and be it further

**RESOLVED**, that following the County Attorney's review, the Chair of the Legislature be, and hereby is, authorized to execute the Grant Agreement with the Company and such other documentation as is required to effectuate the actions approved in this Resolution, and be it further

**RESOLVED**, that the Chair of the Legislature is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the project.

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

**RESOLUTION NO. 96            CONTRACT RENWAL –COUNTY ATTORNEY-BROKER  
RISK MANAGEMENT SERVICES/APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, In 2016 Genesee County did contract with Lawley Genesee for Broker/Risk Management Services to review and evaluate the County's risks and appropriateness of various coverages, and

**WHEREAS**, The County Attorney does wish to continue this contract with Lawley Genesee and the Committee on Ways and Means reviewed this recommendation and does concur at this time. Now, therefore, Be it

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized to renew a contract to Lawley Genesee, 20 Jefferson Square, Batavia, NY 14020, for the provision of Broker/Risk Management Services in the amount of \$22,000 for the period March 1, 2019 through February 28, 2020.

**Budget Impact:** The cost for this service has stayed flat at \$22,000 since 2016.

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

**RESOLUTION NO. 97            STANDARD WORK DAY AND REPORTING  
RESOLUTION FOR ELECTED AND APPOINTED  
OFFICIALS-NEW YORK STATE RETIREMENT SYSTEM-  
APPROVAL OF**

Legislator Stein offered the following resolution:

**RESOLVED**, That the County of Genesee hereby establishes the following as standard work day for this title and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

Title	Standard Work Day (hrs/day)	Name	Tier 1	Current Term begin & end	ROA results	ROA not submitted
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Elections

Commissioner-D	6 hrs	Lorie Longhany	no	1/1/19-12/31/22	24.45	
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Legislator Torrey seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) absent.

**RESOLUTION NO. 98 COUNTY AUDIT –MARCH 13 - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Legislator Stein, did review the following claims:

General Fund	\$ 847,141.42
Self Insurance	1,469.11
Highway	69,229.89
Water Fund	57,481.38
DSS Abstracts	504,356.02
<b>Capital Projects</b>	
Highway-Large Span Culverts	\$ 42,194.64
Airport-Reconstruct Taxiway “C” Design	9,525.00
Airport-Reconstruct Taxiway “C”	982.35
Airport-Reconstruct Runway 10-28	7,684.63
GCC- Wellness & Event Center	89,144.81
<b>Payroll – General</b>	
March 1, 2019	1,103,894.90
<b>Medicaid</b>	
March 5, 2019	177,332.00
March 12, 2019	<u>177,332.00</u>
<b>Total Audit</b>	<b>\$ 3,087,768.15</b>

Now, therefore, Be it

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

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

Prior to the vote, Legislator Stein commented on the diligent work of the Treasurer’s office staff and thanked them.

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

Legislator Young stated that a bill was introduced in the NYS Senate and Assembly that if passed will adversely affect economic development in the County. He made a motion to suspend the rules of the Legislature to place **A Resolution Opposing Assembly Bill Number 1261 and Senate Bill Number 1947** on the agenda for consideration seconded by Legislator Clattenburg, carried.

**RESOLUTION NO. 99 A RESOLUTION OPPOSING ASSEMBLY BILL NO. 1261/SENATE BILL NO. 1947**

Legislator Young offered the following resolution:

**WHEREAS**, the Genesee County Legislature supports the continued growth of business expansion, retention and attraction; and investments into workforce development, housing and healthy living projects, and

**WHEREAS**, Genesee County has used financial incentives to secure significant private sector investments amid competitive site selection searches; to allow Genesee County businesses to pursue projects expanding their workforce, production, and facilities; and to overcome competitive disadvantages from New York State's expensive business climate, and

**WHEREAS**, such public-private partnerships are necessary to enable revitalization of our downtowns, expand markets for agricultural products, create rewarding career pathways for our existing workforce and youth, and fulfill the delivery of transformational projects at the WNY STAMP campus in the town of Alabama, and

**WHEREAS**, projects assisted by the Genesee County Economic Development Center have returned a significant benefit to Genesee County, enabling pledges of \$33 million in capital investment, 99 new jobs, and construction of over 189,000 square feet of facilities in 2018; and over the past 17 years have enabled \$1.3 billion in capital investment, over 4,500 new jobs, and new construction and renovations totaling over 3.5 million square feet of facilities, and

**WHEREAS**, legislation is currently under consideration by the State Senate of New York and the State Assembly of New York which redefines public works projects to include private sector projects; and would impose prevailing wage requirements on all private sector investments receiving any incentives, grants, loans or assistance from Genesee County or the State of New York; including those to expand manufacturing, affordable and market rate housing, downtown revitalization, historic preservation and projects undertaken by non-profit organizations, and

**WHEREAS**, studies have projected a prevailing wage mandate would increase project costs by an additional 25 to 30 percent, resulting in fewer projects, fewer new jobs, and fewer investments into community needs in Genesee County; and past use of prevailing wage requirements in Ulster County and the City of Yonkers arrested economic development in those communities, therefore be it

**RESOLVED**, that the Genesee County Legislature reaffirms its support for the continued growth of Genesee County's economy and quality of life, and goes on record opposing Senate Bill 1947 and Assembly Bill 1261.

**RESOLVED**, that the clerk of the Legislature shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senator Mike Ranzenhofer, Speaker of the New York State Assembly Carl Heastie, Assemblyman Steve Hawley, the Inter County Association and NYSAC.

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

The meeting adjourned at 6:09 PM upon motion of Legislator Stein seconded by Legislator Deleo, carried.