

**EIGHTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, April 24, 2019**

The Genesee Legislature met in Regular Session on Wednesday April 24, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was offered by Legislator Maha followed by the Pledge to the Flag.

Minutes of the April 10, 2019 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Legislator Stein reported that she attended the April GAM meeting where there following was discussed; the first Jail public input meeting is May 16th, a review of the mandate monitor tool provided GAM members with information relating to the cost and percentage of County dollars for state mandated programs and services, the Town of Bethany recently joined MEGA. A summary of the April Inter County Association meeting included an update from NYSAC President Chuck Nesbitt, Veterans Director Bill Joyce regarding the planned National Cemetery in Pembroke, NYSAC Legislative Director Mark Levine and a powerpoint presentation from Biologist Paul Hess who runs the Iroquois National Wildlife Refuge. Chairman Bausch commented on the beautiful facility at the Refuge and the value of information from Veterans Director Joyce and the pre-determination process for burial in a National Cemetery. Chairman Bausch reported that he attended the Regional Planning Council meeting and shared that there is an upcoming webinar on election reform sponsored by NYSAC.

Legislature Clerk Pamela LaGrou indicated a letter was received by Legislators Stein and Torrey from the Town of Bethany regarding their opposition to a State bill that if passed will adversely impact farms, farmworkers and the Ag industry. Of specific concern was if farms leave who will be left to pay debt service on water. It was stated that the Town of Bethany is aware that the Legislature passed a resolution opposing the Farm bill.

County Manager Jay Gsell stated the County received notification the Comptroller's office scheduled an entrance conference for next week and will focus on the County's Ethics oversight. Legislators will receive notification directly from the Comptroller's office but are not able to attend the entrance conference.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 149 2019 BUDGET AMENDMENT – DISTRICT ATTORNEY/
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The District Attorney has requested an amendment to the 2019 County Budget to allow for utilization of a portion of unexpended Forfeiture of Crimes funds in the amount of \$267.00 to purchase office furniture, and

WHEREAS, the Committees on Public Service and Ways & Means concur. Now, therefore, Be it

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

A.1165.2010.0022 Chairs in the amount of \$267.00 to be offset by an increase in District Attorney Revenue A1000.1165.2626.0000 Forfeiture of Crimes in the amount of \$267.00.

Budget Impact Statement: Increased expense for the District Attorney's 2019 budget of \$267.00 which is totally offset by using funds allocated for the District Attorney's Office in a Forfeiture of Crimes proceeds.

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

RESOLUTION NO. 150 SETTING PUBLIC HEARING FOR AGRICULTURAL DISTRICT NO. THREE REVIEW

Legislator Torrey offered the following resolution:

WHEREAS, The creation of Agricultural District No. 3 was approved by the Genesee County Legislature by Resolution No. 39 adopted February 25, 1976 and certified by the State of New York on August 14, 1976, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications and recommendations proposed as a result of this review. Now, therefore, Be it **RESOLVED**, That a Public Hearing shall be held as part of the eight-year review of Agricultural District No. 3 on Wednesday, May 8, 2019 at 5:30 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

Budget Impact: Funds were allocated in Planning departmental budget for 2019 including Postage \$320, Copier Cost/Copy \$100, and Printing \$50.

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

RESOLUTION NO. 151 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES CONTRACT NO. CAFA218- PUBLIC DEFENDER- APPROVAL OF

Legislature Stein offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between Genesee County and the New York State Office of Indigent Legal Services Contract Number:CAFA218, for the compensation of attorneys who will be on call twenty-four (24) hours per day for “off hours” arraignments, for the purchase of cellphones and service and compensation for the Public Defender and his confidential secretary/office manager for creating and supervising the program and ensuring that the attorneys and courts are performing as required.

WHEREAS, the Public Service Committee did review the contract and does recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: CAFA218, with the New York State Office of Indigent Legal Services for the period January 1, 2017 through December 31, 2019.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$144,750 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

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

RESOLUTION NO. 152 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES CONTRACT NO. CSTWIDEHH18- PUBLIC DEFENDER- APPROVAL OF

Legislature Stein offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between Genesee County and the New York State Office of Indigent Legal Services Contract Number: CSTWIDEHH18, (Statewide Expansion of Hurrell-Harring) for the provision of Caseload Relief and Quality Improvement which includes but is not limited to compensation and fringe benefits for two (2) new Assistant Public Defenders, compensation for two (2) Legal Clerks and the

Confidential Secretary/Office Manager for data management services required by the State, quality improvement including reimbursement for specialists/experts, emergency client transportation and litigation support (LAS of Buffalo) and other provisions including office furniture, computers, iPads, IT expenses, licensing fees for NYSDA PDCMS, Westlaw licenses, legal reference books, attorney membership fees, attorney registration fees, continuing legal education trainings, mileage and travel, renovation feasibility study for the Engine House and off-hour arraignment stipends, and

WHEREAS, the committees on Public Service Committee and Ways & Means did review the contract and do recommend acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: CSTWIDEHH18, (Statewide Expansion of Hurrell-Harring) with the New York State Office of Indigent Legal Services for the period April 1, 2018 through March 31, 2023.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$329,768 is within the 2019 Adopted Budget in line A.1170.3025 Indigent Legal Services.

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

**RESOLUTION NO. 153 CLOSE CAPITAL PROJECT/BUDGET AMENDMENT -
FEDERAL AID BRIDGE - RIVER ST**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review established capital projects and does recommend closing one project, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Budget Amendment:

- Decrease H.5197.2080.0000 Appropriation \$357,149.93
- Decrease H.5197.4592 Federal Aid Revenue \$285,719.94
- Decrease H.5197.5031 Interfund Transfer \$17,857.50
- Decrease H.5197.3501 State Aid \$53,572.49

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to close the following capital project:

Highway - River Street Bridge

Budget Impact Statement: Proper allocation of state and federal aid allows the county to reduce its overall committed local share and therefore reduce the amount of funds obligated to capital projects.

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

**RESOLUTION NO. 154 CLOSE/AMEND CAPITAL PROJECTS/BUDGET
AMENDMENT - HIGHWAY/FACILITY
MAINTENANCE**

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommended that said Capital Projects be closed at this time, and

WHEREAS, The Committees on Public Service and Ways and Means did review these recommendations and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to close the flowing capital projects and transfer existing balances as required:

Transfer Close:

Title	Balance	Source	Transferred To
Highway – Aerial Lift Truck	\$9,457.00	1% Sales Tax	Equipment Reserve
Highway – Vibratory Roller	\$177.00	1% Sales Tax	Equipment Reserve
Highway – Work Order System	\$0.00	1% Sales Tax	CLOSE
Facilities Mgmt. - Jail: Elevator Modernization	\$1,513.00	1% Sales Tax	Park - Area D Shelter Improvements
Facilities Mgmt. - Joint Maintenance Facility	\$109,957.58	1% Sales Tax	Park - Area D Shelter Improvements
Facilities Mgmt. - Highway Facility Overhead Door	\$4,225.00	1% Sales Tax	Park - Area D Shelter Improvements
Facilities Mgmt. - Fire Alarm Upgrade At The Genesee County Court Facility	\$7,924.99	1% Sales Tax	FM – Jail Fire Alarm Upgrade

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to modify the name of the current project Facilities Management – Jail Fire Alarm Upgrade to Facilities Management - Jail/Interpretive Center Fire Alarm Upgrade.

Budget Impact: Return of \$9,634.00 to Building Equipment and Reserve.

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

**RESOLUTION NO. 155 AMEND CAPITAL PROJECTS – 2019 BUDGET
AMENDMENT - HIGHWAY –APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The State of New York has provided Genesee County with Consolidated Local Street and Highway Improvement Program (CHIPS) and PAVE-NY funding, and

WHEREAS, the Genesee County Superintendent of Highways has established capital projects for the repair and replacement of highways, bridges and culverts that have been completed with prior year’s funding, and

WHEREAS, The Superintendent of Highways recommends amending existing projects, for work planned for this construction season, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the following capital projects as required:

Amend Projects:

Title	Exist Balance	Source	Amendment
CR#5	\$80,757.14	PAVE-NY	Add \$381,346 from 2019 PAVE-NY
CR#51 Colby Rd	\$89,379.53	1% Sales Tax	Add \$395,000 from 1% Sales Tax
Large Span Culverts	\$343,570.45	Various	Add \$324,231 from 1% Sales Tax
Road Machinery	\$6,491.44	CHIPS	Add \$173,509 from 2019 CHIPS
Highway Chipseal	\$1,039.14	CHIPS	Add \$740,000 from 2019 CHIPS
Highway Overlay	\$28,353.66	CHIPS	Add \$379,394 from 2019 CHIPS
Hwy Surface Treatment	\$1,686.12	CHIPS	Add \$171,000 from 2019 CHIPS
Highway Recycling	\$4,211.17	CHIPS	Add \$205,000 from 2019 CHIPS

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the following CHIPS and PAVE-NY funded capital projects by increasing CHIPS Revenue D9950.3501, Transfers to Capital D9950.9900, Highway Capital Project Expense H5197.2080, and Interfund Transfer H5197.5031 in the amount of \$2,050,249.

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following capital project by increasing Highway Capital Project Expense H5197.2080, Interfund Transfer H5197.503, 1% Sales Tax A1000.1110.1, and Transfer to Capital A9950.9 in the amount of \$719,231

Budget Impact Statement: 2019 CHIPS allocation is \$1,668,903; 2019 PAVE-NY allocation is \$381,346. Total 2018 allocation from state fund sources equals \$2,050,249. New 1% sales tax contribution for Colby Rd (PH II) per

2019 capital plan is \$395,000 and additional funding for Large Span Culverts per 2019 capital plan is \$324,231. Grand total new capital available for 2019 projects is \$2,769,480.

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

RESOLUTION NO. 156 **ACCEPT GRANT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT - NYS COMPANION ANIMAL GRANT - ANIMAL SHELTER**

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Superintendent of Highways applied for state funding for improvement at the Genesee County Animal Shelter, and

WHEREAS, the NYS Department of Ag & Markets has selected Genesee County to receive a \$200,000 Companion Animal Grant, and

WHEREAS, the Superintendent of Highways recommends accepting the grant and establishing a capital project from which to expend the funds, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a 2018 New York State Companion Animal Grant in the amount of \$200,000, and Be it Further

RESOLVED, The Genesee County Treasurer is hereby authorized and directed to amend the 2019 Budget by increasing Equipment and Capital Outlay State Aid H1997.3097 in the amount of \$200,000 and increase H1997.2080.0000 Equipment and Capital Outlay Capital Project Expense in the amount of \$200,000.

RESOLVED, The Genesee County Treasurer is hereby authorized and directed to create the following capital project: Facility Management – Animal Shelter Improvements in the amount of \$200,000.

Budget Impact Statement: Facility Management – Animal Shelter Improvements capital project to be funded by a \$200,000 state grant.

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

RESOLUTION NO. 157 **SUPPLEMENTAL AGREEMENT/CAPITAL PROJECT AMENDMENT/BUDGET AMENDMENT – PRATT ROAD BRIDGE OVER TONAWANDA CREEK (PIN 4755.43) BRIDGE NY – APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, A Project for the Pratt Road Bridge over the Tonawanda Creek, PIN 4755.43 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, That a Capital Project for the Pratt Road Bridge over Tonawanda Creek be increased in the amount of \$1,842,050, with \$1,469,650 funded from federal aid and \$389,400 funded by state aid; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to make the following budget amendment: Increase H5197 4592 Federal Aid in the amount of \$1,469,650 and Increase State Aid H1000.5997.3897 in the amount of \$389,200. Increase H5197 2080.0000 Highway Capital Project Expense \$1,842,050.

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this resolution shall take effect immediately

Budget Impact: A capital project for the Pratt Road Bridge over Tonawanda Creek be increased to a total amount of \$2,033,050 with federal aid share at \$1,651,100, state share at \$389,200 and local match from 1% sales tax at \$9,550.

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

RESOLUTION NO. 158 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT - FEDERAL AID BRIDGE - JUDGE RD

Legislator Hilchey offered the following resolution:

WHEREAS, a Project for the replacement of Judge Road over Whitney Creek (BIN: 3314960), Towns of Alabama, P.I.N. 4GN0.02 (the "Project"), County of Genesee is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal Funds, 15% State Funds and 5% Local Match; and

WHEREAS, Genesee County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the total project, Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve all future supplemental agreements and the federal aid master agreement for the Project; and it is hereby further

RESOLVED, that the Genesee County Legislature hereby authorizes the Chairperson to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and it is further

RESOLVED, that the Chairperson hereby is authorized and directed to execute all agreements, supplemental agreements and reimbursement requests on behalf of the County towards the execution of the project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Judge Road over Whitney Creek in the amount of \$1,183,000 with federal aid of \$946,400, state aid of \$177,450 and a local match from 1% sales of \$59,150

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase H1000.5997.5031	Interfund Revenue	\$59,150
Increase H1000.5997.4592	Federal Aid	\$946,400
Increase H1000.5997.3897	State Aid	\$177,450
Increase H5997.2080.0000	Judge Rd over Whitney Creek	\$1,183,000

Budget Impact Statement: The capital project will be established based on the total cost of the project at \$1,183,000 with federal aid of \$946,400, state aid of \$177,450 and a 5% local match from 1% sales tax of \$59,150. Phase authorization provided under supplemental agreement.

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

**RESOLUTION NO. 159 CONSULTANT AGREEMENT - FEDERAL AID
BRIDGE - JUDGE RD**

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to replace the Judge Road Bridge over Whitney Creek in the Town of Alabama, and

WHEREAS, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, The Superintendent of Highways has negotiated a contract with Lu Engineers and recommends approval of a consultant agreement with them at this time, and

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with Lu Engineers, 339 East Ave, Suite 200, Rochester, NY 14604 for the design of the Judge Road Bridge over Whitney Creek in an amount not to exceed \$162,063.91.

Budget Impact: The agreement is for \$162,063.91. The capital project established for this project has \$1,183,000. The capital project is federally funded with 80% federal aid, 15% state match and 5% local share. Legislator Clattenburg seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 160 CONTRACT RENEWAL FOR SHARED SERVICES/HIGHWAY—APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Superintendent of Highways reported that the Genesee County Highway Department currently shares equipment, materials and services with other Genesee County municipalities and neighboring counties on an informal basis and to be in compliance with New York State Highway Law and General Municipal Law, Genesee County is required to adopt an agreement formalizing this arrangement, and

WHEREAS, the Superintendent of Highways reported that municipalities, including the County of Genesee, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, the Superintendent of Highways reported that it has been determined that the County of Genesee and other municipalities have machinery and equipment which are not used during certain periods and have stored materials and supplies which are not immediately needed, and

WHEREAS, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Genesee and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is the intent of the County of Genesee to give the Superintendent of County Highways the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the City/County/Town/Village governing board prior to the making of each individual arrangements, and

WHEREAS, Genesee County authorized such arrangements with other municipalities on February 27, 2006 and the Superintendent of Highways is requesting that such an arrangement be continued through an extension of the original agreement, and

WHEREAS, The Committees on Public Service and Ways and Means has determined that it will be in the best interests of the County of Genesee to continue to be a party to such shared service arrangements, and does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Highway Shared Services Agreement which shall be effective immediately through February 2020, and Be it Further

RESOLVED, The Legislative Clerk is authorized and directed to file a copy of the contract set forth in this resolution with the Supervisors/Mayors/Board Presidents of the municipalities within Genesee County.

Budget Impact Statement: None. Sharing municipal services is a cooperative effort to save money.

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

RESOLUTION NO. 161 AWARD OF BIDS –HIGHWAY/GENESEE COUNTY CULVERTS (PH3)

RESOLVED, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the Intermunicipal Agreement between Genesee County and the Town of Alexander related to the Phase 2 Water Improvements.

Budget Impact Statement: Per the agreement, the County Water Fund will reimburse the Town of Alexander \$158,081 for 30 years. This annual reimbursement represents the amortized cost of the approximately \$2.7 million in improvements that the Town of Alexander is making on behalf of Genesee County.

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

**RESOLUTION NO. 164 INTERMUNICIPAL AGREEMENT – COUNTYWIDE
WATER PHASE 2 – TOWN OF ELBA**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County desires to advance certain portions of water improvements being made by the Town of Elba Water District #2 which benefits the County and are described in the Master Plan and Engineering Report for Phase 2 of the Countywide Water Project, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have prepared an agreement that provides a reimbursement to the Town of Elba under terms acceptable to the County and recommend its approval at this time, and

WHEREAS, the Genesee County Water Resources Agency recommends approval of the Intermunicipal Agreement with the Town of Elba, and

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

RESOLVED, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the Intermunicipal Agreement between Genesee County and the Town of Elba related to the Phase 2 Water Improvements.

Budget Impact Statement: Per the agreement, the County Water Fund will reimburse the Town of Elba up to \$995,000 for upsizing transmission mains and water storage tower that benefit the countywide system.

Reimbursements will be made as the Town of Elba completes the project upgrades and they are certified complete by their Engineer. These costs will be funded from the Capital Project established for the Phase 2 Countywide Water System.

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

**RESOLUTION NO. 165 CONSULTANT AGREEMENT – GENESEE COUNTY
WATER SUPPLY PROGRAM PH2 –
CONSTRUCTION MANAGEMENT – APPROVAL
OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has prepared bid specifications and plans for the various projects required to advance Phase 2 of the Countywide Water Project, and

WHEREAS, The Genesee County Highway Superintendent did provide a scope of work to Clark Patterson Lee for the work required to provide Construction Management and Construction Support services related to the various projects, and

WHEREAS, The Genesee County Highway Superintendent did negotiate a contract price based on the scope provided and does recommend entering into a consultant agreement for this work, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to enter into a consultant agreement with Clark Patterson Lee, 250 St Paul Street, Suite 500, Rochester, NY 14623 in an amount of \$900,000 for the purposes of Construction Management and Construction Support.

Budget Impact: The consultant agreement is for \$900,000 and is funded from the Capital Project for Countywide Water PH2. The capital project is expected to be reimbursed from local and MCWA bond proceeds.
Legislator Torrey seconded the resolution which was passed by 326 votes.

RESOLUTION NO. 166 CITIZEN PARTICIPATION PLAN- COMMUNITY DEVELOPMENT BLOCK GRANT – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County is the recipient of Community Development Block Grant (CDBG) funds and as such is required to have a Citizen Participation Plan in place with the primary goal being to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of Genesee County’s CDBG, and

WHEREAS, The Assistant County Manager and Compliance Officer have updated the Genesee County Citizen Participation Plan related to CDBG funds, and

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

RESOLVED, The Chair of the Genesee County Legislature is hereby authorized and directed to approve the Genesee County Citizen Participation Plan.

Budget Impact: None

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

RESOLUTION NO. 167 AGREEMENT WITH ROTARY CLUB OF BATAVIA, NY, INC. FLY-IN BREAKFAST - GENESEE COUNTY AIRPORT - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Legislature did receive a request from the Rotary Club of Batavia, NY, Inc. to hold a Fly-In Breakfast at the Genesee County Airport on Sunday, June 16, 2019, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Rotary Club of Batavia, NY, Inc. for access to and use of the Genesee County Airport on June 14, 15, 16, 17 and 18, 2019 subject to the rules and regulations of the Genesee County Airport to conduct a public Fly-In Pancake Breakfast on June 16, 2018.

Budget Impact Statement: Minimal utility expense offset by Rotary Club promotion of Airport.

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

RESOLUTION NO. 168 COUNTY AUDIT –APRIL 24 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	945,154.12
Sales Tax		4,402,490.16
Water Fund		603,204.78
Highway		35,792.31
Self Insurance		12,180.00
DSS Abstracts		93,731.27

Capital Projects

Highway-Large Span Culverts	\$	2,598.70
Highway-Searls Rd Bridge over Spring Creek		8,424.19
Airport-Demolish Term Bldg & Maint Hangar		6,562.00

Airport-Airport Taxiway "C" Reconstruction	1,500.00
Park-Dewitt Park Improvement-Phase IV	2,407.00
Jail-Jail Construction	25,000.00
Payroll – General	
April 12, 2019	1,138,614.21
Medicaid	
April 16, 2019	177,332.00
April 23, 2019	<u>177,332.00</u>
Total Audit	\$ 7,632,322.74

Now, therefore, Be it

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

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

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

Prior to adjourning, Legislator Stein stated that Highway Superintendent Tim Hens was sworn in as President of NACE. Mr. Hens commented that he is looking forward to serving in this capacity.

The meeting adjourned at 5:53 PM upon motion of Legislator Maha seconded by Legislator Hilchey, carried unanimously.