

**TENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, May 22, 2019**

The Genesee Legislature met in Regular Session on Wednesday May 22, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Torrey assisted with the audit. Prayer was offered by Chairman Bausch followed by the Pledge to the Flag.

Minutes of the May 8, 2019 Legislature Meeting were approved upon motion of Legislator Maha seconded by Legislator Deleo, carried unanimously.

Legislator Stein attended the GAM meeting where County Treasurer Scott German presented a financial report previously requested by GAM. Legislator Clattenburg attended the Holland Land Office Museum board meeting and conveyed their gratitude for work accomplished by the County including electrical updates, maintenance and bathroom enhancements. Chairman Bausch extended thanks to staff who was involved with the public meeting on the new jail.

County Manager Jay Gsell reported there were 39 projects completed around the County today through the United Way "Day of Caring". He also reported the County is seeking clarification from State Board of Elections regarding the switch to electronic poll books.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 182 AGREEMENT BY COUNTY OF GENESEE AND NEW
YORK GREEN, INC. FOR CONTRIBUTIONS TO
RESILIENCY PLANNING – APPROVAL OF**

Legislator Maha offered the following resolution;

WHEREAS, New York Green, Inc., has made application to the New York State Department of State for grant funds to be made available to counties in order to implement county wide resiliency planning, and

WHEREAS, the grant funds can be used to support county and municipal planning to include assessment of extreme weather events, identification of future threats and vulnerabilities, and identification of projects and strategies to support resiliency with economic co-benefits, and

WHEREAS, Genesee County intends to contribute towards this resiliency project as set forth in a proposed Agreement entitled "Agreement by County of Genesee and New York Green, Inc. for Contributions to Resiliency Planning" (hereinafter "NYG Agreement"), and this project will have benefits for all of the citizens of the County, Now therefore, Be it

RESOLVED, that the "NYG Agreement" is hereby approved, and the Chair of the Legislature is hereby authorized and directed to execute this Agreement on behalf of the County of Genesee.

Budget Impact Statement: County planning staff will provide up to 10% (or \$25,000) of planning services required for project completion. This amount will be 100% covered by grant funds. No match is required.

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

**RESOLUTION NO. 183 GRANT EXTENSION- EMERGENCY MANAGEMENT
SERVICES - FY15 PRE-DISASTER MITIGATION
COMPETITIVE GRANT – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Resolution No. 102, dated March 23, 2017, authorized the acceptance of the FY15 Pre-Disaster Mitigation Competitive (PDMC) Grant award provide funding for updates to the County's multi-jurisdictional hazard mitigation plan, and

provide additional law enforcement services at Batavia Downs Gaming for its 2018 summer concert season, and

WHEREAS, This agreement will expire on May 31, 2019, and

WHEREAS, Western Regional OTB is entering into its 2019 summer concert season and has indicated a desire to renew the law enforcement services agreement with Genesee County for an additional one-year term (June 1, 2019 through May 31, 2020) based on the same terms and conditions from 2018, with the exception of an increase in rates per the Deputy Sheriff's Association (DSA) and Sheriff's Employees' Association (SEA) *Labor Agreements*, and

WHEREAS, After discussions between the Sheriff, Chief Deputy of Road Patrol, Western Regional OTB representatives, and approval by the County Attorney, the Sheriff does recommend renewing this agreement for the term stated above, 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 Agreement Renewal for an additional one-year term (June 1, 2019 through May 31, 2020) for special/additional law enforcement services at Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020, for its 2019 summer concert season.

Budget Impact: *\$191,112 has been appropriated to account A3110.1020.0800 (Overtime – Additional Police Services), to be offset by revenue billed back to entities for additional law enforcement services.*

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

**RESOLUTION NO. 186 AGREEMENT RENEWAL AND BUDGET AMENDMENT –
SHERIFF / POLICE SERVICES FOR VILLAGE OF
BERGEN - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Village of Bergen's contract for additional police services for the Village will expire May 31, 2019, and it has requested to renew its agreement to commence June 1, 2019, through May 31, 2020, and

WHEREAS, the current Genesee County Deputy Sheriffs' Association Labor Agreement will expire December 31, 2019, and the 2020 retirement and mileage rates will not be available until late 2019, and the Village of Bergen has been made aware that these rates will change, and it will be billed separately for the difference, and

WHEREAS, the Sheriff does recommend entering into a renewal agreement, and the Committees on Public Service and Ways & Means do concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the renewal agreement by and between the Village of Bergen and the Genesee County Sheriff's Office for a period commencing June 1, 2019, through May 31, 2020, and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by increasing Sheriff's account A3110.1020.0900 (Overtime - Bergen Patrols) in the amount of \$13,500, to be offset by an increase in revenue account A3110.2804.1 (Shared Services-Additional Police Services) in a like amount.

Budget Impact: *Appropriation of \$13,500 offset by revenue billed back to entities for additional law enforcement services.*

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

**RESOLUTION NO. 187 SALARY SCHEDULE AMENDMENT – SHERIFF/
CREATION OF FIVE (5) SEASONAL DEPUTY SHERIFF
POSITIONS —APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Sheriff's Office will be providing additional law enforcement services to Darien Lake and its Performing Arts Center for the 2019 operating season and beyond, and

WHEREAS, the Genesee County Sheriff is requesting the creation of five (5) additional seasonal Deputy Sheriff positions for the period beginning May 15 through September 30 of each year, for a total of 20 seasonal Deputy Sheriffs, and

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

RESOLVED, that the Genesee County Legislature is authorized and directed to amend the 2019 Employee Salary Schedule by creating five (5) additional seasonal Deputy Sheriff positions in DSA Grade 12.

Budget Impact: *Costs associated with seasonal Deputy Sheriffs will be offset by revenue.*

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

**RESOLUTION NO. 188 INTERMUNICIPAL AGREEMENT– SHERIFF / MONROE
COUNTY DEPARTMENT OF PUBLIC SAFETY CRIME
LABORATORY – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, the current agreement for forensic laboratory services with Monroe County expired December 31, 2018; and

WHEREAS, the Sheriff did present an agreement backdated to commence January 1, 2019, and continue through December 31, 2019, and

WHEREAS, the forensic laboratory, as of May 1, 2018, no longer provided *Driving Under the Influence* drug testing of blood samples and alcohol testing, which resulted in a decrease of this year's agreement to \$117,626.00, and

WHEREAS, after careful review by the Sheriff and County Attorney, it is recommended the County Legislature approve this contract backdated to January 1, 2019, through December 31, 2019, and

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

RESOLVED, that the Chair of the Genesee County Legislature is authorized and directed to execute the agreement between the County of Genesee and the County of Monroe for forensic laboratory services for the period backdated to January 1, 2019, through December 31, 2019, at a cost of \$117,626.00.

Budget Impact: Appropriation of \$117,626.00 was included in the 2019 Sheriff's budget for this contracted service.

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

**RESOLUTION NO. 189 IN SUPPORT OF H.R. 1629 BILL; SUPPORTING
ACCURATE VIEWS OF EMERGENCY SERVICES ACT
(911 SAVES ACT)– APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, the 911 Saves Act directs the US Office of Management and Budget to reclassify public safety telecommunicators from “Office and Administrative Support Occupations” to the category of “Protective Service Occupations”; and

WHEREAS, the federal government’s Standard Occupational Classification System (SOCS) sorts workers into occupational categories for statistical purposes, according to the nature of the work performed and, in some cases, on the skills, education, or training needed to perform the work; and

WHEREAS, America’s 9-1-1 telecommunicators are currently incorrectly categorized in the SOCS as an “Office and Administrative Support Occupation,” a category which includes secretaries, office clerks, and taxicab dispatchers; and

WHEREAS, classifying 9-1-1 telecommunicators as an “Office and Administrative Support Occupation” fails to recognize their central role in public safety and homeland security; their specialized training and skills; and their uniquely stressful work environment; and

WHEREAS, classifying public safety telecommunicators as “Protective Service Occupations” – alongside police, firefighters, security guards, lifeguards, and others whose job it is to protect our communities – would better reflect the work they perform, and align the SOCS with related classification systems;

RESOLVED, that the Genesee County Legislative body calls upon all members of The State of New York’s U.S. House delegation to co-sponsor H.R. 1629, the Supporting Accurate Views of Emergency Services Act of 2019 (911 SAVES Act), which would direct the White House Office of Management and Budget (OMB) to reclassify public safety telecommunicators as a "Protective Service Occupation"; and we also call upon our U.S. Senators to support the companion legislation; and

FURTHER, members of the Genesee County Legislature will continue to advocate for an accurate statistical classification for 9-1-1 professionals to support critical research into the nature and impacts of 9-1-1 jobs, which differ substantially from those encountered by non-public-safety “Office and Administrative Support Occupations.”

Budget Impact: *None*

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

RESOLUTION NO. 190 RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE COMMUNICATIONS TO SET ASIDE SUFFICIENT 911 FUNDING TO COUNTIES IN ORDER TO PROPERLY MAINTAIN EXISTING SYSTEMS AND BECOME COMPLIANT WITH FEDERAL FCC FUNDING OPTIONS

Legislator Stein offered the following resolution:

WHEREAS, the funding mechanism that New York State counties use to help operate, maintain and upgrade 911 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes, and

WHEREAS, The FCC found that, in 2017, New York State diverted \$170.9 million (90.35%) of E911 consumer fees generated for non 911-related programs thus shifting the bulk of Next Generation 911 (NG911) readiness financing to counties and other local governments PSAPs in New York State, and

WHEREAS, The diversion of E911 funds results in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement NG911 technology required under federal law, and

WHEREAS, under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the State Interoperable Communications Grants (SICG) program, administered by the Division of Homeland Security, and

WHEREAS, due to the designation of said E911 fees by New York State for non 911-related expenses, New York State PSAPs are not eligible for any of the \$115 million federal grant funding for E911 and NG911 enhancements and IP based advanced networks, and

WHEREAS, the goal of upgraded NG911 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering, and

WHEREAS, NG911 upgraded systems will be able to better pinpoint an emergency call that may be in a remote area of the state or in a multi-storied building in one of our communities, and

WHEREAS, Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state, now therefore, be it

RESOLVED, the Genesee County Legislature calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized ensure eligibility for Federal FCC E911/Next Generation 911 (NG911) resources and to ensure that future authorizations are released in full in the budget year they are appropriated, and be it further

RESOLVED, releasing these funding obligations on a regular schedule will provide certainty and build continuity as counties upgrade and maintain existing systems and prepare for NG911 development and implementation, and be it further

RESOLVED, that the County of Genesee shall forward copies of this Resolution to Governor Andrew M. Cuomo, the Commissioner of the Division of Homeland Security and Emergency Services; Senate Majority Leader Andrea Stuart-Cousins; Senate Minority Leader John J. Flanagan; Senator Michael Ranzenhofer; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian Kolb; Member of the Assembly Stephen Hawley and all others deemed necessary and proper.

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

**RESOLUTION NO. 191 GENESEE COUNTY WATER EMERGENCY PLAN –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Water Resources Agency did form a subcommittee to review County policies to put in place during a water emergency or shortage, and

WHEREAS, The subcommittee prepared a Genesee County Water Emergency Plan, and

WHEREAS, The Genesee County Water Resources Agency did review this plan and does recommend its adoption at this time, and

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

RESOLVED, That the Genesee County Legislature does hereby does hereby adopt and approve the Genesee County Water Emergency Plan as recommended by the Genesee County Water Resources Agency.

Budget Impact Statement: There is no budget impact associated with the adoption of this emergency plan. The Water Resources Agency and/or the legislature can request a review or update of the plan which is a fluid document requiring changes when the City of Batavia goes retail among other activities and progress.

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

RESOLUTION NO. 192 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – SHARRICK ROAD BRIDGE OVER MURDER CREEK (PIN 4BNY.25) BRIDGE NY – APPROVAL OF

Legislator Young offered the following resolution:

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

WHEREAS, A Project for the Sharrick Road Bridge over the Murder Creek, PIN 4BNY.25 (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 95% federal funds and 5% 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 the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Sharrick Road over Murder Creek in the amount of \$1,137,650 with federal aid of \$1,080,768 and a local match from 1% sales of \$56,882.

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

Increase H 5197.5031 Interfund Revenue	\$56,882
Increase H 5197.4592 Federal Aid	\$1,080,768
Increase H 5197.2080.0000 Sharrick Rd over Murder Creek	\$1,137,650

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 twenty-four (24) 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, Supplemental 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 Sharrick Road Bridge over Murder Creek be established with a total cost of the project at \$1,137,650 with federal aid of \$1,080,768 and a 5% local match from 1% sales tax of \$56,882. Phase authorization provided under supplemental agreement.

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

RESOLUTION NO. 193

MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – TOWER HILL ROAD BRIDGE OVER SPRING CREEK (PIN 4BNY.27) BRIDGE NY – APPROVAL OF

Legislator Torrey offered the following resolution:

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

WHEREAS, A Project for the Tower Hill Road Bridge over the Spring Creek, PIN 4BNY.27 (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 95% federal funds and 5% 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 the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Tower Hill Road over Spring Creek in the amount of \$954,400 with federal aid of \$906,680 and a local match from 1% sales of \$47,720.

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

Increase H 5197.5031 Interfund Revenue	\$47,720
Increase H 5197.4592 Federal Aid	\$906,680
Increase H 5197.2080.0000 Tower Hill Rd over Spring Creek	\$954,400

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 twenty-four (24) months after award and that the project shall be completed within thirty months 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, Supplemental 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 Tower Hill Road Bridge over Spring Creek be established with a total cost of the project at \$954,400 with federal aid of \$906,680 and a 5% local match from 1% sales tax of \$47,720. Phase authorization provided under supplemental agreement.

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

RESOLUTION NO. 194 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – MEADVILLE ROAD BRIDGE OVER CANAL CREEK (PIN 4BNY.24) BRIDGE NY – APPROVAL OF

Legislator Hilchey offered the following resolution:

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

WHEREAS, A Project for the Meadville Road Bridge over the Canal Creek, PIN 4BNY.24 (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 95% federal funds and 5% 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 the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Meadville Road over Canal Creek in the amount of \$828,860 with federal aid of \$787,417 and a local match from 1% sales of \$41,443.

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

Increase H 5197.5031 Interfund Revenue	\$41,443
Increase H 5197.4592 Federal Aid	\$787,417
Increase H 5197.2080.0000 Meadville Rd over Canal Creek	\$828,860

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 twenty-four (24) 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, Supplemental 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 Meadville rd over Canal Creek be established with a total cost of the project at \$828,860 with federal aid of \$787,417 and a 5% local match from 1% sales tax of \$41,443. Phase authorization provided under supplemental agreement.

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

RESOLUTION NO. 195 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT – UPTON ROAD BRIDGE OVER BOWEN CREEK (PIN 4BNY.22) BRIDGE NY – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and
WHEREAS, A Project for the Upton Road Bridge over the Bowen Creek, PIN 4BNY.22 (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 95% federal funds and 5% 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 the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Upton Road over Bowen Creek in the amount of \$1,139,300 with federal aid of \$1,082,335 and a local match from 1% sales of \$56,965.

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

Increase H 51997.5031 Interfund Revenue	\$56,965
Increase H 5197.4592 Federal Aid	\$1,082,355
Increase H 5197.2080.0000 Upton Rd over Bowen Creek	\$1,139,300

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 twenty-four (24) months after award and that the project shall be completed within thirty months 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, Supplemental 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 Upton Road Bridge over Bowen Creek be established with a total cost of the project at \$1,139,300 with federal aid of \$1,082,335 and a 5% local match from 1% sales tax of \$56,965. Phase authorization provided under supplemental agreement.

Prior to the vote Legislator Stein commented on how we were able to leverage funding for two of the four bridge projects by engaging the towns and having them apply directly.

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

RESOLUTION NO. 196 **2019 SALARY SCHEDULE AMENDMENT-
HIGHWAY- FACILITIES
MANAGEMENT/AFSCME-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has requested eliminating a Building Maintenance Mechanic position from the Facilities Management Budget and creating a Building Maintenance Worker position in the Facilities Management Budget, and

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

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the Salary Schedule to eliminate the Building Maintenance Mechanic position (Grade 11) and create a Building Maintenance Worker position (Grade 6) effective immediately.

Budget Impact: Savings to the budget of approximately \$6,240 per year.

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

RESOLUTION NO. 197 **AWARD OF BIDS – HIGHWAY/PREVENTATIVE
MAINTENANCE BRIDGE PAINTING**

Legislator Hilchey offered the following resolution:

WHEREAS, Genesee County received a federal aid pass-thru project to assist in the painting of three bridges in the County; and

WHEREAS, the Genesee County Highway Superintendent advertised bids for the painting of these bridges and did request a consultant proposal to inspection the painting to comply with state and federal standards, and

WHEREAS, the bids were reviewed for accuracy and the Genesee County Highway Superintendent recommends the award of a bid and the approval of a consultant agreement to progress the project through construction; and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award a construction contract as specified in the bid documents for Preventative Maintenance Bridge Painting to Niagara Coatings Services, Inc, 8025 Quarry Rd, Niagara Falls, NY 14304 in a total amount not to exceed \$230,936.40.

RESOLVED, The Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to enter into a Consultant Agreement with Popli Design Group, 555 Penbrooke Dr, Penfield, NY 14526 for the construction inspection and construction support of the Preventative Maintenance Bridge Painting project in an amount not to exceed \$91,700.

Budget Impact: The total cost of the two contracts is \$322,636.40. The contracts will be funded from the capital project established for Preventative Maintenance Bridge Painting which is funded with federal aid 80%, state aid 15% and local match of 5%. The existing project balance is approximately \$348,000.

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

RESOLUTION NO. 198 **AWARD OF BIDS – HIGHWAY/COUNTYWIDE
WATER PH2 VALLANCE RD TRANSMISSION
MAIN**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County advertised plans and specifications for the construction of a new water transmission main along portions of Vallance Rd and North Rd in the Town of LeRoy in

order to advance Phase 2 of the Countywide Water Project; and
WHEREAS, the Genesee County Highway Superintendent reviewed the accuracy of these bids and does recommend an award at this time, and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award a construction contract as specified in the bid documents for the Vallance Road Water Transmission Main to Randsco Pipeline, Inc., 672 Frey Rd, Macedon, NY 14502 in a total amount not to exceed \$5,286,200.

Budget Impact: The total cost of the contract is \$5,286,200. The contract will be funded from the capital project established for Phase 2 Water until such time that the County can be reimbursed from the Monroe County Water Authority bonding which is anticipated in early 2020. The contractor expects to start work in September 2019 so there will be a few pay requests that will need to be covered from the capital project.

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

RESOLUTION NO. 199 **AWARD OF BIDS-HIGHWAY/ GENESEE COUNTY
LARGE SPAN CULVERTS (GROUP 3A)**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent commissioned a comprehensive bridge and culvert inventory and assessment that identified a significant number of bridges and large culverts that need to be replaced; and

WHEREAS, construction documents and specifications were prepared, advertised for the installation of concrete culvert components for two large span culverts and one bridge location throughout the county, and

WHEREAS, the bids were reviewed for accuracy and the Genesee County Highway Superintendent recommends the award of bid items; and

WHEREAS, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award the installation and construction of the large span culverts and bridge as specified in the bid documents to Keeler Construction, 13519 West Lee Rd, Albion, NY in a total amount not to exceed \$635,614.41.

Budget Impact: The total cost of the bid award is \$635,614.41 which will be paid from the Capital Project for Large Span Culverts. It is anticipated that the installation of these culverts will occur in the 2019 construction season.

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

RESOLUTION NO. 200 **AWARD OF BID –HIGHWAY/EQUIPMENT
PURCHASE-WHEEL LOADER**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and Purchasing Department did receive bids for the purchase of a new or lightly used Wheel Loader for use within the Road Machinery Fund, and

WHEREAS, The Genesee County Highway Superintendent did review the bids for accuracy and recommends that a bid be awarded at this time, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to lease-purchase a 2018 Hyundai HL970XT Wheel Loader from George and Swede Sales & Service, Inc., 7155 Big Tree Rd, Pavilion, NY 14525 in (5) five annual amounts not to exceed \$41,500 with first payment shall be made in advance.

Budget Impact: Purchase of this equipment has been budgeted in the 2019 Road Machinery Fund at \$45,000 per year for a 5-year lease. Actual bid price of the annual lease is \$41,500.

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

**RESOLUTION NO. 201 CONSULTANT AGREEMENT - FEDERAL AID
BRIDGE - UPTON RD**

Legislator Young offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to replace the Upton Road Bridge over Bowen Creek in the Town of Batavia, 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 C&S 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 C&S Engineers, 150 State St, Rochester, NY 14614 for the design of the Upton Road Bridge over Bowen Creek in an amount not to exceed \$170,000.

Budget Impact: The agreement is for a maximum amount payable of \$170,000. The capital project established for this project has \$1,139,300. The capital project is federally funded with 95% federal aid and 5% local share.

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

**RESOLUTION NO. 202 SURPLUS EQUIPMENT-HIGHWAY-ROAD MACHINERY
FUND/AIRPORT-GENERAL FUND/FACILITIES
MANAGEMENT-GENERAL FUND-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

Road Machinery

1981, 1250 Vermeer Chipper (#6050)

Coats Tire Changer

Coats Wheel Balancer

Facilities Management

Troy – Bilt Snow King Snow blower; Model #42012, Serial #420120301030

White – Snow blower; Model #81AE663H190, Serial #1F2471390278

Troy – Bilt Push Lawnmower; Model #34022, Serial #340220213178

Echo SRM 2100 Weed Whipper; Model #245582

Echo SRM 2100 Weed Whipper; Serial #612610

Echo SRM 210 Weed Whipper; Serial #08183210

Weed Eater Weed Whipper, Model GTI 19T

Black-n-Decker Hedge Trimmer; Model #HT500, Serial #9822F

RYOBI Hedge Trimmer; Model #HT620DR

2 Sections of Scaffolding

1 Plastic Truck Tool Box

1 Aluminum Truck Tool Box

Budget Impact: The Road Machinery Equipment surplus funds will be received as revenue in the DM5130 Fund. The revenue from Facility Maintenance items is a General Fund revenue, and the airport items are booked as revenue for the Airport.

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

RESOLUTION NO. 203

**RESCIND RESOLUTION #160 (CONTRACT
RENEWAL FOR SHARED SERVICES) - HIGHWAY
-APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has requested that Resolution #160, dated April 25, 2019, be rescinded because prior Resolution #230, dated June 28, 2018, extended the Shared Services agreement through June of 2020,

WHEREAS, The Committee on Public Service has reviewed this request and does concur at this time, Now, Therefore, Be It,

RESOLVED, that the Genesee County Legislature does hereby rescind Resolution #160 dated April 25, 2019.

Budget Impact: None

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

RESOLUTION NO. 204

**AMEND RESOLUTION #157-2019
MASTER/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, The Genesee County Legislature adopted Resolution #157-2019 at their meeting on April 24, 2019 and that resolution requires modification; and

WHEREAS, The following language shall amend and restate Resolution #157-2019:

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

RESOVLED, That a Capital Project for the Pratt Road Bridge over Tonawanda Creek be increased in the amount of \$1,841,000, with \$1,469,650 funded from federal aid and \$372,400 funded by state aid and a decrease in local match required of \$1,050; 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 \$372,400. Decrease H.5197.5031 Interfund Transfer in the amount of \$1,050. Increase H5197 2080.0000 Highway Capital Project Expense \$1,841,000.

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 \$2,032,000 with federal aid share at \$1,651,100, state share at \$372,400 and local match from 1% sales tax at \$8,500.

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

**RESOLUTION NO. 205 AMEND CAPITAL PROJECT/2019 BUDGET
AMENDMENT JAIL CONSTRUCTION – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Resolution 2019-70 did establish the Jail Construction Capital Project, and

WHEREAS, Genesee County has begun the process of procuring a construction manager for the project, and

WHEREAS, the intention of the County is to ultimately bond all applicable 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 construction manager 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, the Genesee County Treasurer is hereby authorized and directed to increase Capital Project – Jail Construction by \$1,228,533 using funds from the 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 \$1,228,533 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 \$1,228,533 to be offset by an increase in H3397.5301 – 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 Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 206

**CONTRACT AWARD – THE PIKE COMPANY-
CONSTRUCTION MANAGEMENT SERVICES FOR
THE GENESEE COUNTY JAIL PROJECT –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County issued RFP #2019-103 for Construction Management Services for the County Jail Project, and

WHEREAS, The Jail Steering Committee did 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 The Pike Company, 1 Circle Street, Rochester, New York 14607, in the amount of \$1,228,533 for the Construction Management Services 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.

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

RESOLUTION NO. 207

**APPOINTMENT - GENESEE COUNTY WATER
RESOURCES AGENCY – CUMMINS -APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, the term of Terry Starowitz expired on December 31, 2018 and Ms. Starowitz is not seeking reappointment to the Genesee County Water Resources Agency and Danielle Cummins has submitted an application stating her interest and desire to serve, and

WHEREAS, the Committees on Public Service and Ways and Means do recommend appointment. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Danielle Cummins of Bergen, New York to serve a term on the Genesee County Water Resources Agency for the period ending on December 31, 2021.

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

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

RESOLUTION NO. 208

**REAPPOINTMENTS - GENESEE COUNTY PLANNING
BOARD - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The terms of office of Laraine Caton and Robert Bennett on the Genesee County Planning Board have expired and they have indicated an interest and desire for reappointment, and

WHEREAS, These candidates are in compliance with the training requirements required by New York State for reappointment under Chapter 662 of the Laws of 2006, and

WHEREAS, the Committees on Public Service and Ways & Means do recommend they be reappointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Ms. Laraine Caton of Batavia and Mr. Robert Bennett of LeRoy to serve another term on the Genesee County Planning Board for the period ending on May 31, 2022.

Budget Impact Statement: None.

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

RESOLUTION NO. 209 APPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Planning Board due to the expiring term of Kevin Clary of Pavilion, and

WHEREAS, the Committees on Public Service and Ways & Means recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That Ms. Jill Gould of Pavilion, NY is hereby appointed to the Genesee County Planning Board for a term effective June 1, 2019 through May 31, 2022.

Budget Impact Statement: None. Planning Board members receive no salary or compensation.

Prior to the vote, Ms. Gould introduced herself and shared pertinent experience and background.

She has attended several meetings and a daylong required training. Legislator Torrey stated that Ms. Gould is the daughter of his cousin, Maureen Torrey-Marshall.

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

RESOLUTION NO. 210 A RESOLUTION AUTHORIZING PHASE 2 OF THE WATER SUPPLY PROJECT IN AND FOR THE COUNTY OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$3,500,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,500,000 BONDS OF SAID COUNTY TO PAY COSTS THEREOF

Legislator Clattenburg offered the following resolution:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Genesee, New York, as follows:

Section 1. Phase 2 of the water supply project is hereby authorized in and for the County of Genesee, New York, including water storage tank upgrades, transmission lines and incidental improvements and costs in connection therewith.

Section 2. The plan for the financing of the aforesaid purpose shall be by the issuance of \$3,500,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Genesee, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same

respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

RESOLUTION NO. 211 DESIGNATION OF COUNTY SURPLUS PROPERTY – PURCHASING – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Purchasing Director did request that the following list of county property, from various county departments and that is no longer used or needed by those county departments or other county departments, be declared surplus property:

Metal coat rack with attached hangers (approx. 4ft. wide by 5 ft. tall)

- 2 – 32 gallon plastic rolling garbage cans
- Wood rolling microwave cart/side table

- 4 – Manilla paper rolls
- Metal side table – drop tray arm
- Printer desk
- 6 – boxes full of miscellaneous sized/colored binders
- 2 – portable white board/flip chart holders
- Outdoor ashtray pole
- Volleyball net
- Overhead projector
- Overhead projector transparency film
- Overhead projector mounting frames
- In/Out box trays (multiple)
- 2 – Wood suggestion boxes
- 2 - Disk holder storage boxes
- MP3/CD Player
- 4 boxes file fasteners – 2 hole files
- Plastic file trays
- 2 – Staplers
- Roll up movie/projector screen
- 2 – Entertainment centers
- VHS player - Hitachi
- 21” TV - RCA

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

RESOLVED, That the Genesee County Purchasing Department is hereby authorized to declare the following items as surplus which are to be disposed of through public auction or junked as appropriate.

Budget Impact Statement: Proceeds from any items sold at auction will go back into the County’s General Fund.

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

RESOLUTION NO. 212 AGREEMENT WITH GATES-CHILI CENTRAL SCHOOL DISTRICT/ TAX EXEMPT STATUS FOR GENESEE COUNTY OWNED PARCEL IN MONROE COUNTY

Legislator Stein offered the following resolution:

WHEREAS, on February 8, 2019, the County of Genesee purchased a parcel of real property located at 60 Golden Road in the Town of Chili, Monroe County, being within the Gates-Chili School District, and

WHEREAS, it would be in the best interest of the citizens of Genesee County to obtain tax exempt status for this parcel, and

WHEREAS, pursuant to Section 406(3) of the Real Property Tax Law, in order to obtain wholly tax exempt status, it is necessary for the County of Genesee to enter into separate agreements with Monroe County, the Town of Chili, and the Gates-Chili School District, and

WHEREAS, the Genesee County Attorney has drafted a documents entitled “Agreement by County of Genesee and Town of Riga to Allow Tax Exempt Status for a Certain Real Property Parcel” (hereinafter “Riga Agreement”) with regard to another parcel located in the Town of Riga purchased by the County as part of the same water capacity expansion project, and

WHEREAS, this Riga Agreement has been reviewed and approved by the Attorney for the Town of Riga, and

WHEREAS, the County Attorney is negotiating to enter into a similar agreement with the Town of Chili and Monroe County, and will be contacting the Gates-Chili Central School District.

Now, therefore, Be it

RESOLVED, that the Chair of the Legislature is hereby authorized and directed to execute an Agreement with the Gates-Chili Central School District, with terms and conditions similar to the “Riga Agreement”; together with such other and further documents that will be necessary to allow the above- named parcel to be wholly exempt from any taxes and assessments with regard to the Gates-Chili School District; subject to approval as to form and content by the Genesee County Attorney.

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

**RESOLUTION NO. 213 HOLD HARMLESS AGREEMENT/GENESEE COUNTY
AND CITY OF BATAVIA**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County desires to participate in the City of Batavia Memorial Day parade on May 27, 2019, and

WHEREAS, the City of Batavia requires a certificate of insurance or a hold harmless agreement, now therefore be it

RESOLVED, the Chair of the Genesee County Legislature is authorized and directed to sign the Hold Harmless Agreement for participation in the City of Batavia Memorial Day Parade on May 27, 2019.

Prior to the vote Legislator Hilchey noted that April 27 was listed on the resolution and made a motion to amend to May 27 seconded by Legislator Torrey, carried unanimously.

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

**RESOLUTION NO. 214 TO REVISE THE 2019 GENESEE COUNTY ETHICS
AND DISCLOSURE LAW-DESIGNATION OF
POLICY MAKING POSITIONS AND BOARDS-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Local Law No. One Year 1992 did create the Genesee County Ethics and Disclosure Law which requires the Legislature to determine annually additional County Officers and Employees holding policy-making positions, and

WHEREAS, On January 9, 2019, the Genesee County Legislature adopted a resolution entitled “Genesee County Ethics and Disclosure Law-Designation of Policy Making Positions and Boards-Approval Of” that designated certain policy making boards and positions, and

WHEREAS, The Committee on Ways and Means did review the positions and boards listed in the prior resolution and does recommend revisions be immediately made as set forth below.

Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby designate the following boards and additional positions as policy-making, thereby obligated to complete and file an annual statement of financial disclosure on or before May 31 of each year, to be effective immediately for the current deadline of May 31, 2019.

GCC Board of Trustees

GCEDC Board

GGLDC Board

Genesee County Funding Corporation Board
 GCEDC President/CEO, Sr. VP of Operations, VP Business Dev., CFO, Dir. Of Marketing
 Genesee County Board of Health
 Genesee County Community Services Board
 Genesee County Planning Board
 Genesee County Soil & Water Directors
 Genesee County Ethics Board
 Genesee County Water Resources Agency Board
 Deputy County Attorney
 Assistant District Attorney – 1st
 Assistant County Manager
 Senior Assistant Public Defender,

and Be it further

RESOLVED, That the positions of County Assistant Attorneys and Assistant District Attorneys that were previously listed in the prior resolution of January 9, 2019, shall not be required to file an annual statement of financial disclosure by the deadline of May 31, 2019 or any year thereafter, unless the Genesee County Legislature adds any of these positions to future designating resolutions.

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

RESOLUTION NO. 215 COUNTY AUDIT –MAY 22 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Torrey, did review the following claims:

General Fund	\$	996,445.74
Water Fund		88,600.28
Highway		45,756.21
Self Insurance		2,458.46
DSS Abstracts		548,915.89
Capital Projects		
Highway-Large Span Culverts	\$	34,823.40
Airport-Airport Obstruction Removal & Perimeter Fence		2,869.52
Park-Dewitt Park Improvement-Phase IV		339.59
Park-Area “D” Shelter Improvements		5,765.95
Sheriff’s-Sheriff’s/Highway Firing Range Upgrades		15,000.00
Payroll – General		
May 10, 2019		1,123,309.55
Medicaid		
May 14, 2019		177,332.00
May 21, 2019		<u>177,332.00</u>
Total Audit	\$	3,218,948.59

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 326 votes.

At 6:03 pm the meeting adjourned upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.