

**ELEVENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, June 12, 2019**

The Genesee Legislature met in Regular Session on Wednesday June 12, 2019 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was be offered by Legislator Young followed by the Pledge to the Flag.

Legislator Hilchey presented June is Dairy Month Proclamation to Genesee County Dairy Maids and Ambassadors. Ms. Amelia Brewer shared an update of Dairy activities and outreach efforts the Maids and Ambassadors have participated with this month. Ms. Natasha Sutherland, Genesee County Farm Bureau representative thanked the Legislature for passing a resolution opposing S02837 and A02750, the Farmworkers Fair Labor Practices Act which if passed, she stated will cause significant negative impact on family farms.

Minutes of the May 22, 2019 Legislature meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Maha, carried unanimously.

Legislator Maha attended the CJAC meeting where it was reported that the Jail occupancy is at 90 with 20 more males boarded out as well as 18 females boarded out. Chairman Bausch stated he is scheduled to attend the Genesee Finger Lakes Regional Planning Council meeting. His term as Chair of that Council will end. Chair Bausch also reported he has had several conversations with Assemblyman Hawley and Senator Ranzenhofer regarding the required special legislation authorizing a 40 year sales tax allocation agreement. The State Legislative Session is scheduled to end June 19, 2019. Legislator Stein commented on her day trip to Albany for a Farm-owner and Farm-worker Rally. Assemblyman Hawley stopped by the rally to demonstrate his support. Over 300 workers and owners attended. Senator Ramos, sponsor of the Farmworkers Fair Labor Practices Bill is working on a bill that will not be so punitive to farmers and fairer overall.

County Manager Jay Gsell stated the City of Batavia is establishing a crime taskforce and has reached out to the County to participate.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 216 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM RELATED SERVICES – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period July 1, 2019 through June 30, 2021 per the 2019-2021 PSSHSP rate schedule.

Alexander Central School
Aurora Audiology
Autism Learning Partners
Batavia City School District
Brown, Karen
Buffalo Hearing and Speech Center
Building Blocks Comprehensive Services, Inc.
Byron-Bergen Central School
CP Rochester

Cantalician Center for Learning
Cox, Larissa D.
DeVoe, Sandra
Elba Central School
ECMC – PEDS
Ferraro, Paula
Fisher, Mary Katherine
Gallo, Pamela
Hearing & Speech of WNY
Integrated Therapy Services of WNY, OT/PT/SLP, PLLC
Kidstart – ARC of Livingston-Wyoming Counties
LeRoy Central School
Leroy Physical Therapy and Athletic Training, PLLC
Liberty Post
Music Therapy Pathways – Creative Arts Therapy
Oakfield-Alabama Central School
Olmsted Center for the Visually Impaired
Opalecky Physical Therapy Services, PLLC
Paddock, Carol
Pembroke Central School
Rainbow Preschool – ARC of Orleans County
Rochester Hearing & Speech Center
Summit Educational Resources
Tuites, Elizabeth
WNY Speech-Language Pathology, OT, PT & Psychology
Consultants d/b/a Clinical Associates of the Finger Lakes

Budget Impact: Revenue and expenses are included in the 2019, 2020 & 2021 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 217 CONTRACTS– HEALTH DEPARTMENT/
PRESCHOOL SUPPORTIVE HEALTH SERVICES
PROGRAM – APPROVAL OF**

Legislator Deleo offered the following resolution:

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals, for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program for the period July 1, 2019 through June 30, 2021 at the rates established by State of New York.

Aspire of WNY Center for Learning
Bornhava
Buffalo Hearing & Speech Center
Building Blocks Comprehensive Services
CP Rochester
ECMC – PEDS
Gateway-Longview Therapeutic Services
Heritage Centers
Kidstart Livingston/Wyoming NYSARC
Liberty Post
Mary Cariola Children’s Center
Olmsted Center for the Visually Impaired
Rainbow Preschool ARC of Orleans County

Summit Educational Resources
The Center for Handicapped Children, Inc.
The Children's League
WNY Speech-Language Pathology, OT, PT & Psychology
Consultants d/b/a Clinical Associates of the Finger Lakes
Wayne A. Secord

Budget Impact: Revenue and expenses are included in the 2019, 2020 & 2021 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 218 AFFILIATION AGREEMENT – THE UNIVERSITY
OF WASHINGTON, SCHOOL OF PUBLIC HEALTH
- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with the University of Washington, School of Public Health, and

WHEREAS, The Committee on Human Services 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 execute the necessary documents to enter into an affiliation agreement with the University of Washington, School of Public Health, having its principal place of business located at Seattle, Washington, backdated to April 15, 2019.

Budget Impact: There is no direct cost associated with this agreement.

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

**RESOLUTION NO. 219 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
PUBLIC HEALTH EMERGENCY PREPAREDNESS
PROGRAM – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director Has received notification from the New York State Department of Health and Health Research, Inc. that Genesee County's Public Health Emergency Preparedness Program has been awarded in the amount of \$49,625, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Public Health Emergency Preparedness Program Activities, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with Health Research, Inc. 150 Broadway, Suite 560, Menands, New York 12204 for the acceptance of the Public Health Emergency Preparedness contract for the period July 1, 2019 through June 30, 2020 in the amount of \$49,625, and to execute any and all other documentation related to this funding.

Budget Impact: \$49,625 is included in the 2019 Dept. 4010 – Health Department Budget.

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

**RESOLUTION NO. 220 INSURANCE CERTIFICATE – TOWN OF ALABAMA
FIRE DEPARTMENT, INC. - APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Town of Alabama Fire Department, Inc., 2230 Judge Road,

Oakfield, NY 14125 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Thursday, October 17, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Towns of Oakfield/Alabama and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Town of Alabama Fire Department, Inc., 2230 Judge Road Oakfield, NY 14125 as additional insured on Thursday, October 17, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

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

RESOLUTION NO. 221 INSURANCE CERTIFICATE – OUR LADY OF MERCY PARISH- APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Our Lady of Mercy Parish, 44 Lake Street, LeRoy, NY 14482 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Tuesday, November 5, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Towns of LeRoy/Stafford and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Our Lady of Mercy Parish, 44 Lake Street, LeRoy, NY 14482 as additional insured on Thursday, November 5, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

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

RESOLUTION NO. 222 INSURANCE CERTIFICATE –DARIEN CENTER CHEMICAL FIRE COMPANY, INC. - APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Darien Center Chemical Fire Company, Inc., PO Box 135 (10537 Alleghany Road) Darien Center, NY 14040 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Wednesday, November 20, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Towns of Corfu/Darien and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Darien Center Chemical Fire Company, Inc., PO Box 135 (10537 Alleghany Road) Darien Center, NY 14040 as additional insured on Wednesday, November 20, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

Prior to the vote Legislator Stein thanked OFA Director Ruth Spink for scheduling workshops throughout the County for seniors to have access to information about health insurance options. Legislator Clattenburg seconded the resolution which was passed by 326 votes.

**RESOLUTION NO. 223 INSURANCE CERTIFICATE – BATAVIA FIRST
UNITED METHODIST CHURCH - APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming Batavia First United Methodist Church, 8221 Lewiston Road, Batavia, NY 14020 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Health Insurance Vendor Fair on Tuesday, December 3, 2019; and

WHEREAS, The Office for the Aging desires to distribute information on health insurance options and senior services to residents in the Town & City of Batavia and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Batavia First United Methodist Church, 8221 Lewiston Road, Batavia, NY 14020 as additional insured on Tuesday, December 3, 2019 from the hours of 8:30 AM – 5:00 PM in the amount of at least one million dollars.

Budget Impact: None

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

**RESOLUTION NO. 224 AGREEMENT AMENDMENT/CERTIFICATE OF
INSURANCE - OFA/NEW YORK QUALITY
HEALTHCARE CORPORATION, NEW YORK STATE
CATHOLIC HEALTH PLAN, INC.–HOME DELIVERED &
CONGREGATE MEALS - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement amendment for meal service rate increase with New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. for the provision of home delivered and congregate meals for members eligible and authorized by New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. to receive Medicaid-covered home delivered and congregate meals; and such meals to be provided by Genesee County Office for the Aging's Nutrition Services Program; and

WHEREAS, The agreement is automatically renewable on an annual basis; and

WHEREAS, The agreement requires a certificate of insurance indicating general liability insurance in the amount of at least One (1) Million Dollars per occurrence with Three (3) Million Dollars in the aggregate naming New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc., 95-25 Queens Boulevard, Rego Park, NY 11374, as additional insured; and

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

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. as additional insured; and may it further be

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to amend the existing agreement with New York

Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. for an ongoing period until such time as either party gives written notice of termination to the other party at least sixty (60) calendar days in advance of such termination of agreement. Effective 6/1/2019, rates established for meals provided are as follows:

Regular Home Delivered Meal	\$9.25 per meal increase to \$11.75 per meal
Congregate Meal	\$8.25 per meal increase to \$11.25 per meal

Budget Impact: Based on the number of meals anticipated for 2019, revenue of \$20,000 is projected for all Medicaid-funded Home Delivered and Congregate Meal contracts; and is already incorporated into our 2019 county budget. Rate is \$11.75 per meal for home delivered meals and \$11.25 for congregate meals, effective 6/1/2019.

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

**RESOLUTION NO. 225 RENEWAL OF CONTRACT – ARC OF GENESEE
ORLEANS/OFFICE FOR THE AGING FOR MEAL
PREPARATION SERVICES- APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract with The Arc of Genesee Orleans for the provision of Meal Preparation Services for Office for the Aging for the congregate and home delivered meal programs administered by the Office for the Aging resulting from RFP 2017-107 which took effect July 1, 2017; and

WHEREAS, This contract is renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County under the federally funded Title IIIC1, Title IIIC2, and Nutrition Services Incentive Program and New York State Wellness in Nutrition and Medicaid Managed Long Term Care programs; and

WHEREAS, This is the second of 4 (four) potential 1 (one) year renewals and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with The Arc of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020, at a cost of \$6.73 per meal for regular home delivered meals; \$6.67 per meal for congregate meals; \$5.25 for 2nd meal (Cold or Sandwich Meal); and \$6.73 for frozen home delivered meals; with a total contract not to exceed \$223,927 for the period of July 1, 2019-June 30, 2020.

Budget Impact: Neutral. A \$.25 per meal cost increase, but maintains the overall food service contract budget at \$223,927 already in the 2019 County budget. Federal Title III C-1, Title III C-2, WIN, NSIP grant funds, and State Medicaid Managed Long Term Care revenue funds pay for the cost of this contract, with the county paying an additional 10% of required matching funds on federal nutrition program Title III C grants.

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

**RESOLUTION NO. 226 2019 BUDGET/SALARY SCHEDULE AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/MENTAL
HEALTH CLINICAL THERAPIST-APPROVAL OF**

Legislator Dibble offered the following resolution:

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

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Employee Salary Schedule by eliminating one (1) Mental Health Clinical Therapist F.T., in CSEA-General, Grade 19, effective June 13, 2019 and be it further,

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

Decreasing A4310.	.4090.0000	Federal Aid	\$68,720.00
Decreasing A4310.	.1010.0000	Personnel Services by	\$40,100.00
Decreasing A4310.	.8010.0000	Social Security Tax by	\$ 2,770.00
Decreasing A4310.	.8011.0000	Medicare Tax by	\$ 770.00
Decreasing A4310.	.8020.0000	Retirement by	\$ 4,700.00
Decreasing A4310.	.8030.0000	Medical by	\$12,550.00
Decreasing A4310.	.8040.0000	Dental	\$ 330.00
Decreasing A4310.	.2022.0001	Computer	\$ 3,000.00
Decreasing A4310.	.2010.0020	Desk	\$ 3,000.00
Decreasing A4310.	.2010.0022	Chairs	\$ 1,500.00

Budget Impact Statement: Budget amendment required: Decrease by \$68,720.00 with a net County cost of \$0, offset by revenues.

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

**RESOLUTION NO. 227 2019 BUDGET AMENDMENT/SALARY SCHEDULE
AMENDMENT - COMMUNITY MENTAL HEALTH
SERVICES/REGISTERED PROFESSIONAL NURSE
-APPROVAL OF**

Legislator Dibble offered the following resolution:

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

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

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

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

Decreasing A4310.	.4090.0000	Federal Aid	\$ 79,520.00
AND			
Decreasing A4310.	.1010.0000	Personnel Services by	\$ 50,200.00
Decreasing A4310.	.8010.0000	Social Security Tax by	\$ 3,010.00
Decreasing A4310.	.8011.0000	Medicare Tax by	\$ 830.00
Decreasing A4310.	.8020.0000	Retirement	\$ 5,100.00
Decreasing A4310.	.8030.0000	Medical	\$ 12,550.00
Decreasing A4310.	.8040.0000	Dental	\$ 330.00
AND			
Decreasing A4310.	.2022.0001	Computers	\$ 3,000.00
Decreasing A4310.	.2010.0020	Desk	\$ 3,000.00
Decreasing A4310.	.2010.0022	Chairs	\$ 1,500.00

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

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

**RESOLUTION NO. 228 AUTHORIZATION FOR HOME RULE REQUEST-
LEGISLATION GRANTING MUNICIPALITIES WITHIN
GENESEE COUNTY THE OPTION TO ACCEPT BIDS FOR
COMPETITIVELY SOLD MUNICIPAL BONDS VIA AN
ELECTRONIC OPEN AUCTION**

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State law permits municipal debt officers to sell bonds electronically in a closed auction format only where the bidder does not receive information with respect to the status or rank of its bid prior to the conclusion of the bid submission period and has no opportunity to improve its bid based on its rank compared to other bidders; and

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

WHEREAS, S04804-B and A07266-A Establishes an electronic open auction public bond sale pilot program for certain municipalities, to be administered by the municipality's chief fiscal officer and call for an evaluation of the program annually, and

WHEREAS, NYS Senator Michael Ranzenhofer is the Senate sponsor and Assemblyman Steve Hawley is the Assembly sponsor and the Genesee County Legislature supports the enactment of this state legislation that would grant municipal debt officers practicing within Genesee County the additional option to sell municipal bonds via an electronic open auction, now be it

RESOLVED, That the Chair of the Genesee County Legislature is authorized and directed to sign the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Message be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer and Assemblyman Stephen Hawley.

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

**RESOLUTION NO. 229 INTER-MUNICIPAL AGREEMENT INFORMATION
TECHNOLOGY AND CITY OF BATAVIA – APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Information Technology Director did receive a request from the City of Batavia to perform an IT Assessment and assist with upgrading their desktop Windows-7 environment to Windows-10, and

WHEREAS, The County Attorney and City of Batavia Attorney did create and review this Inter-Municipal Agreement, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chair of the Genesee County Legislature to execute an Inter-Municipal Agreement with the City of Batavia to provide IT Consulting Services.

BUDGET IMPACT STATEMENT: Execution of this Inter-Municipal Agreement will generate an estimated \$27,125 in revenue in account A.1680:2803 Other Revenue

Prior to the vote Legislator Clattenburg stated this is a new shared service between two municipalities, the County and City and she thanked IT Director Steve Zimmer for his work.

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

RESOLUTION NO. 230 MASTER SERVICE AGREEMENT – INFORMATION TECHNOLOGY/MERIDIANIT - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Attorney, County Information Technology Director and the Ways and Means Committee did review and approve the Master Services Agreement with MeridianIT, Now, therefore Be it.

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chair of the Genesee County Legislature to sign the Master Services Agreement with MeridianIT Inc. Nine Parkway North Suite 500 Deerfield IL 60015.

BUDGET IMPACT STATEMENT: There is no budget impact.

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

RESOLUTION NO. 231 2019 BUDGET AMENDMENT – STOP-DWI – APPROVAL OF

Legislator Maha offered the following resolution

WHEREAS, The Genesee County STOP-DWI program was asked by the City of Batavia Police Department to fund the purchase of a MARijuana Driving Experience (MARDE) – Campaign Kit and accessories totaling \$3,778.18 and

WHEREAS, the MARDE Campaign Kit would be utilized for community outreach initiatives, educating youth about the dangers of driving impaired. The Kit would be stored and secured by the City Police Department, but available for use by the Sheriff’s Office, Genesee County Youth Bureau or any other local municipal agency or department that requests it.

WHEREAS, the STOP-DWI Advisory Board met and unanimously voted to approve of this mid-year expenditure, and

WHEREAS, the Governor’s Traffic Safety Committee has approved of this budget amendment and purchase, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by Increasing A.3315.4660.0478 (Education Programs) \$3,779 to be offset by an increase in revenue account A.3315.9999 (Balancing) in the amount of \$3,779.

Budget Impact Statement: Increase in expense funded by STOP-DWI reserve.

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

RESOLUTION NO. 232 RESOLUTION OPPOSING DRIVER’S LICENSE ACCESS AND PRIVACY ACT CONCERNING UNDOCUMENTED INDIVIDUALS

Legislator Young offered the following resolution:

WHEREAS, holding a driver’s license in New York State is a privilege, not a right; and

WHEREAS, the Driver’s License Access and Privacy Act (the “Act”), if passed, would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver’s license; and

WHEREAS, New York State presently suspends or revokes driver’s licenses for various illegal acts, including non-payment of child support, delinquent taxes, and refusal to submit to a breath test, yet this Act would reward entry into the United States with a driver’s license; and

WHEREAS, New York State REAL ID compliant documents cannot be issued to an undocumented individual under federal law; and

WHEREAS, adoption of the Act would create unacceptable security risks because:

- There is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act's proposed privacy protections may frustrate federal immigration enforcement efforts.
- Local DMV Offices do not have the resources to translate, nor the considerable expertise needed to determine the authenticity of foreign birth certificates, foreign passports, or consular cards, nor to verify evidence of undocumented individual's residency in the state.
- Driver Licenses can be used to obtain additional official identification documents intended only for United States citizens.; and

WHEREAS, every day the Genesee County Motor Vehicle Office is forced to deny driver's licenses and Enhanced Driver's Licenses to legal citizens due to their inability to produce the exact documentation currently required for the issuance of a license, yet the Act would mandate that undocumented individuals receive licenses despite their inability to produce the same documentation; and

WHEREAS, undocumented immigrants would have the opportunity to answer "Yes" to whether they are U.S. citizens for the purpose of electronically registering to vote, and if they falsely answer "Yes" they would automatically be able to illegally register to vote, despite both actions being in violation of state and/or federal law; and

WHEREAS, the Act would prohibit any motor vehicle representative witnessing such criminal acts from notifying the Board of Elections or state or federal law enforcement agencies; and

WHEREAS, there is no guarantee that passage would make New York State roads safer.

NOW THEREFORE upon recommendation of the Ways and Means Committee of this body, it is hereby

RESOLVED, that this Legislature hereby opposes the adoption of the Driver's License Access and Privacy Act as it concerns issuance of licenses to undocumented individuals, because of security risks and because driving is a privilege, not a right, and it is further

RESOLVED, that the Clerk of the Legislature shall send a copy of this resolution to the Governor of the State of New York, State Senator Michael Ranzenhofer, Assemblyman Stephen Hawley, Speaker of the Assembly Carl Heastie, and Majority Leader of the Senate Andrea Stewart-Cousins.

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

RESOLUTION NO. 233 CONTRACT FOR GRANTS-INDIGENT LEGAL SERVICES DISTRIBUTION GRANT # 8- PUBLIC DEFENDER-APPROVAL OF

Legislator 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: C800018 Distribution Grant # 8 for the provision of salary and fringe benefits for one (1) current full-time assistant public defender, one (1) new part-time assistant public defender, one (1) current full-time investigator and one (1) new part-time paralegal plus the associated costs related to new hires. In addition, the contract will pay for an upgrade to the PD case management database, renovations to the PD office to upgrade security and to create more office space. The contract will also continue the funding for data service for our iPads and one investigator cellphone, and

WHEREAS, the Ways and Means 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: C800018, Distribution # 8 with the New York State Office of Indigent Legal Services for the period of January 1, 2018 through December 31, 2020.

BUDGET IMPACT STATEMENT: Total contract revenue for 2019 in the amount of \$113,805 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. 234 AUTHORIZING THE CHAIRMAN OF THE GENESEE COUNTY LEGISLATURE TO SIGN THE GENESEE COUNTY JOB DEVELOPMENT BUREAU CONTRACTOR'S AGREEMENT WITH LIVINGSTON COUNTY ON BEHALF OF THE GLOW WORKFORCE DEVELOPMENT BOARD FOR THE WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) PROGRAM

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Job Development Bureau has been approved by the GLOW Workforce Development Board as a Contractor to provide WIOA Adult, Dislocated Worker, and Youth Services. The grant is a one-year agreement that may be extended based on performance for (3) three additional one-year periods with a budget of \$220,000.00. And

WHEREAS, The Genesee County Job Development Bureau has entered into contracts with Livingston County on behalf of the GLOW Workforce Development Board in order to receive these funds. Now, therefore Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign said contract with Livingston County on behalf of the GLOW Workforce Development Board in order for the Job Development Bureau to provide WIOA Services.

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

RESOLUTION NO. 235 BUDGET AMENDMENT - COUNTY ATTORNEY/ CASUALTY LIABILITY INSURANCE RESERVE – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The County Attorney does request an amendment to the 2019 County Budget due unanticipated endorsements to the policy, and

WHEREAS, There is sufficient money in the Casualty Liability Insurance Reserve to cover this unexpected expense. Now, therefore, Be it

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

Increase in Revenue	MS.1000.9999	Balancing-Appropriated	\$20,000
To be offset by an			
Increase in MS.9907.9000.0000	Transfer to General Fund		\$20,000
And an increase in A.1000.5031	Interfund Revenue		\$20,000
To be offset by an			
Increase Expense	A. 1910.4660.0000	Unallocated Insurance	\$20,000

Budget Impact: There is \$528,938.00 in the reserve

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

RESOLUTION NO. 236 SET PUBLIC HEARING-GENESEE COMMUNITY COLLEGE/2019-2020 BUDGET-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The President and Trustees of the Genesee Community College have prepared a proposed operating budget for academic year 2019-2020 in the amount of \$40,157,000 with a sponsors share of \$2,636,374, and

WHEREAS, Pursuant to law, it is necessary to hold a public hearing on said budget prior to adoption. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the proposed operating budget for Genesee Community College for academic year 2019-2020 at 5:30PM on Wednesday, June 26, 2019 at the Old Courthouse, 7 Main Street, Batavia, New York.

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

RESOLUTION NO. 237 CONTRACT WITH U.S. BANKRUPTCY COURT - WESTERN DISTRICT OF NEW YORK - RENEWAL OF

Legislator Stein offered the following resolution:

WHEREAS, The United States Bankruptcy Court for the Western District of New York has contracted with Genesee County since 1997 for use of space within the Old County Courthouse in Batavia, NY to conduct proceedings of the Court, and

WHEREAS, The United States Bankruptcy Court has presented the County with an amendment to their Revocable License for Federal Use of Real Property space in the Old County Courthouse to extend the term of this Agreement to September 30, 2020 and

WHEREAS, The Committee on Ways and Means did review this Amendment to the Revocable License and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That Genesee County will maintain with New York Municipal Insurance Reciprocal General Liability Insurance coverage in the amount of \$1 million for only the Old Courthouse, 7 Main Street, Batavia, NY, and Be it Further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Amendment of License Agreement for the extension of the Revocable License for Federal Use of Real Property with the United States Bankruptcy Court, Western District of New York, 300 Pearl Street, Suite 250, Buffalo, NY for the use of the Courtroom in the Old Genesee County Courthouse, Batavia, NY for the period October 1, 2019 through September 30, 2020 at \$850 per month for utilities, general liability insurance and maintenance of space.

Budget Impact Statement: Extends current agreement at current monthly rate; revenue for period \$10,200.

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

RESOLUTION NO. 238 SALARY SCHEDULE AMENDMENT – GENESEE COUNTY CLERK/DMV – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the Genesee County Motor Vehicle Office has seen a significant increase in both lobby foot traffic, as well as the volume of automobile dealer transactions, and

WHEREAS, the Genesee County Manager and Genesee County Clerk did request an amendment in the 2019 Salary Schedule to effectively process dealer work, registrations, license renewals and have sufficient staff coverage, and

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

RESOLVED, The Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2019 Genesee County Employee Salary Schedule by creating one temporary full time position of Motor Vehicle Service Representative, CSEA Grade 8, effective June 12, 2019 – November 12, 2019.

Budget Impact Statement: The temporary full-time position will not have benefits as it is less than 6 months. Funding for the position will be covered by currently budgeted part-time salaries and income from dealership work.

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

RESOLUTION NO. 239

**APPOINTMENT-GENESEE COMMUNITY
COLLEGE BOARD OF TRUSTEES -APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee Community College Board of Trustees is the policy making body of the College, and

WHEREAS, The GCC Board of Trustees is responsible for a wide range of College business including approval of new curricula, appointing a new president and review and approval of the college budget and recommending its adoption to the Genesee County Legislature, and

WHEREAS, Trustees Peter Call and Diane Torcello have terms set to expire June 30, 2019 and are not seeking reappointment, and

WHEREAS, Mary Alice Panek submitted an application requesting appointment by the Genesee County Legislature for a seven year term, and

WHEREAS, The Committee on Ways and Means does recommend Mary Alice Panek be appointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Mary Alice Panek of LeRoy, New York to the Genesee Community College Board of Trustees effective July 1, 2019 through June 30, 2026.

Budget Impact Statement: none.

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

RESOLUTION NO. 240 COUNTY AUDIT –JUNE 12 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	1,000,606.09
Water Fund		96,511.58
Highway		128,166.38
Self Insurance		2,116.00
DSS Abstracts		473,262.52
Capital Projects		
Highway-Searls Road Bridge/Spring Creek	\$	4,020.31
Highway-Pratt Road Bridge/Tonawanda Creek		243,658.31
Highway-Preventive Maintenance Bridge Painting		2,253.18
Airport-Airport 8 Bay T-Hangar		1,286.88
Park-Area “D” Shelter Improvements		1,496.04
Jail-Jail Construction		25,000.00
Water-County Wide Water System Phase II		5,000.00
Payroll – General		
May 24, 2019		1,586,944.96
June 7, 2019		1,155,503.82

Medicaid

May 28, 2019	177,332.00
June 4, 2019	177,332.00
June 11, 2019	<u>177,332.00</u>
Total Audit	\$ 5,257,822.07

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 passed by 326 votes.

Legislator Young stated that the New York Legislative Session is scheduled to end June 19, 2019 and a Home Rule Request for retroactive retirement status is required for Steven Grice.

Legislator Young made a motion to suspend the rules of the legislature and add a resolution authorizing home rule request for retroactive retirement status, seconded by Legislator Deleo, carried unanimously.

**RESOLUTION NO. 241 AUTHORIZATION FOR HOME RULE REQUEST –
RETROACTIVE RETIREMENT STATUS - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Steven Grice became Deputy County Clerk, an appointed full-time position under Michael Cianfrini on February 16, 2016, and

WHEREAS, Mr. Grice had started working as a County employee June 22, 1981 but was not offered the opportunity to join the NYS Public Employee Retirement System which would have established his status as a Tier III retirement system employee, and

WHEREAS, The New York State Comptroller, sole trustee of the New York State Retirement System has ruled favorably on Mr. Grice’s petition to be granted Tier III retroactive status to his initial 1981 employment date, and

WHEREAS, the Genesee County Legislature did pass Resolution No. 178-2019 authorizing a one-time contribution of approximately \$5,660 to satisfy Mr. Grice’s status as a “current” Tier III contributor for immediate past service. Now therefore, Be it

RESOLVED, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. S.6382 and Assembly Bill No. A.8261 which is the legislation necessary to grant Tier III retroactive status to Steven Grice to his initial 1981 employment date, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is authorized and directed to sign and file the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Request be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley.

Budget Impact Statement: A charge of \$5,660 will be charged to the retirement benefits line of the County Cler

Legislator Torrey seconded the resolution which was passed by 326 votes.
The meeting adjourned at 6:05 pm upon motion of Legislator Stein seconded by Legislator Hilchey, carried unanimously.