

**EIGHTEENTH DAY  
GENESEE COUNTY LEGISLATURE  
Batavia, New York  
Wednesday, October 23, 2019**

The Genesee Legislature met in Regular Session on Wednesday October 23, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Hilchey assisted with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

Minutes of the October 9, 2019 Legislature meeting were approved upon motion of Legislator Torrey seconded by Legislator Maha, carried unanimously.

Legislator Clattenburg reported that she attended the Holland Land Office Museum board meeting and explained that the two cannons that are slated to be refurbished will be sent out next week. Fundraising is underway for covering the cost of this project. Legislator Deleo stated he attended the Genesee County Farm Bureau Annual meeting and commented that our upstate farm bureaus and farmers are engaged in a battle with downstate representatives who do not have a clear understanding of the business of farming.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 374 GRANT ACCEPTANCE - EMERGENCY  
MANAGEMENT SERVICES - FY18 HAZ MAT  
FUNDS – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator requests authorization to accept the FY18 HazMat grant funds in the amount of \$196,000 from the U.S.

Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

**WHEREAS**, Grant funds have been allocated for the sustainment of WMD trailers assigned to the Counties within the grant partnership; personal protection equipment; detection, mitigation and deacon equipment; the maintenance, repair and calibration of hazmat equipment in addition to the training of response personnel from the regional partnership, and

**WHEREAS**, The Committee on Public Service does concur with the Emergency Management Service Coordinator's recommendation. Now therefore be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY18 HazMat Grant Program (October 1, 2019 through August 31, 2021) in the amount of \$196,000, and to execute any and all other documentation related to this funding.

**Budget Impact Statement:** NONE. A portion of the FY18 HazMat grant funds will be appropriated in the 2020 Emergency Management Services (EMS) budget, offset by revenue in like amount.

Legislator Young seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 375      AGREEMENT – OFFICE OF EMERGENCY  
MANAGEMENT SERVICES–ROCHESTER  
GENESEE REGIONAL TRANSPORTATION  
AUTHORITY- APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The Rochester Genesee Regional Transportation Authority (RGRTA) is a Public Authority created by the State of New York for the purpose of providing transportation within its authorized area, and

**WHEREAS**, The County of Genesee does not manage its own public transportation system, and

**WHEREAS**, The Coordinator of Emergency Management Service, in planning and preparing for and responding to a disaster and/or other emergency situation, does recommend a Memorandum of Understanding between the County of Genesee and RGRTA for the purpose of providing emergency transportation services at the request of the County of Genesee, and

**WHEREAS**, emergency transportation services provided will be compensated at the then prevailing wage rate, and

**WHEREAS**, The Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator’s recommendation. Now, therefore be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Memorandum of Understanding with the Rochester Genesee Regional Transportation Authority whose address is 1372 East Main Street Rochester, New York 14609.

**Budget Impact:** In the event of a disaster or other emergency situation, emergency transportation services provided will be compensated at the then prevailing wage rate.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 376      PLAN ADOPTION – EMERGENCY MANAGEMENT  
SERVICES/ HAZARD MITIGATION PLAN -  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County Office of Emergency Management Services, assisted by the Genesee County Planning Department with consultant services provided by Tetra Tech, Inc. have prepared a Genesee County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000 and said plan was developed under the direction and auspices of the Federal Emergency Management Agency’s FY15 Pre-Disaster Mitigation Competitive (PDMC) Grant Program, and

**WHEREAS**, The Genesee County Hazard Mitigation Plan has been reviewed by the NYS Emergency Management Office (SEMO) and approved by the Federal Emergency Management Agency (FEMA), and

**WHEREAS**, The Genesee County Office of Emergency Management Coordinator does report that the Genesee County Hazard Mitigation Plan shall be updated no less than every five (5) years and does request adoption of the plan, and

**WHEREAS**, The Committee on Public Service did review this request and does concur with the Coordinator of Emergency Management Services recommendation. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature does hereby adopt the Genesee County Hazard Mitigation Plan as an official plan of Genesee County and the Legislature affirms that this plan will be updated no less than every five (5) years.

**Budget Impact:** NONE

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 377 GRANT ACCEPTANCE - EMERGENCY  
MANAGEMENT SERVICES –FY2019 EMERGENCY  
MANAGEMENT PERFORMANCE (EMP) GRANT  
PROGRAM – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator requests authorization to accept grant funding in the amount of \$26,939 from the U.S. Department of Homeland Security and Emergency Services (DHSES), Federal Emergency Management Agency (FEMA) to be administered by New York State Division of Homeland Security and Emergency Services (DHSES) on behalf of FEMA, and

**WHEREAS**, the purpose of the Emergency Management Performance (EMP) Grant is to provide funds in support of efforts to build and sustain a comprehensive, all- hazard emergency preparedness system, and

**WHEREAS**, The Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator’s recommendation. Now therefore be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Office of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY19 Local Emergency Management Performance Grant (LEMP) in the amount of \$26,939, and to execute any and all other documentation related to this funding.

**Budget Impact Statement:** None. Grant Funds help to offset a part of the 2018/2019 OEM operating expenses.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 378 SURPLUS EQUIPMENT – SHERIFF’S OFFICE/2005  
VEHICLE – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Genesee County Sheriff’s Office has taken ownership of a 2005 Dodge Stratus (Vehicle Identification Number 1B3EL46T65N591890), pursuant to an investigation, and

**WHEREAS**, the Genesee County Sheriff did request this 2005 Dodge Stratus be declared surplus property, and

**WHEREAS**, the Committees on Public Service and Ways & Means did review this request and do recommend this vehicle be declared surplus property at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby declare the 2005 Dodge Stratus (Vehicle Identification Number 1B3EL46T65N591890) surplus property to be disposed of through scrap processing, and be it further,

**RESOLVED**, that the proceeds from the sale of this vehicle be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

**Budget Impact:** Revenue from the scrap of this vehicle to be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

Legislator Maha seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 379      BUDGET AMENDMENT - SHERIFF-JAIL/STATE  
CRIMINAL ALIEN ASSISTANCE PROGRAM –  
APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The County of Genesee has received funding in the amount of \$1,881 from the State Criminal Alien Assistance Program (SCAAP), which requires funding be used for correctional purposes only, and

**WHEREAS**, Per our agreement with Justice Benefits, Inc., 12.5% of these funds in the amount of \$235.13 will be paid to Justice Benefits for their professional assistance in acquiring this award, and the remaining \$1,645 will be used to help cover inmate medical expenses at the Genesee County Jail, and

**WHEREAS**, The Sheriff is requesting a budget amendment in the amount of \$1,881, and

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

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

\$1,645 to Jail Account A.3150.4650.0000 (Contracted Medical)

\$236 to Jail Account A3150.4660.0010 (Contracted Services-SCAAP)

to be offset by an increase in Jail Revenue Account

A3150.4089.1 (OJP - SCAAP) in the amount of \$1,881.

**Budget Impact Statement:** Increase in Jail appropriations of \$1,881 from SCAAP funding. Funds will be used to help cover Jail inmate medical expenses. 12.5% of the funds will pay for professional services used to acquire the funding. This will be offset by an increase in Jail revenue in a like amount.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 380      MOU ADDENDUMS – SHERIFF / SCHOOL  
RESOURCE OFFICERS FOR ALEXANDER,  
PEMBROKE, OAKFIELD, BYRON-BERGEN, AND  
PAVILION CENTRAL SCHOOL DISTRICTS,  
ALONG WITH GENESEE VALLEY EDUCATIONAL  
PARTNERSHIP (BOCES) - APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, Pursuant to new legislation passed by New York State (see attached New York Codes, Rules and Regulations, Section 155.17 School Safety Plans) relative to the use of School Resource Officers, the Alexander, Pembroke, Oakfield-Alabama, Byron-Bergen, and Pavilion Central School Districts, along with Genesee Valley Educational Partnership (BOCES), require an addendum to existing Memorandums of Understanding approved pursuant to Resolution 64 on February 27, 2019, and

**WHEREAS**, after careful review by the Sheriff and County Attorney, and **WHEREAS**, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature and Genesee County Sheriff are authorized to sign the MOUs.

**Budget Impact: None.**

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 381      CONTRACT RENEWAL – SHERIFF / NEW YORK STATE UNIFIED COURT SYSTEM – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee County Sheriff did present a contract renewal with the New York State Unified Court System for the provision of Security Services at the Genesee County Courts Facility for a five-year period commencing April 1, 2019, through March 31, 2024 (divided into annual periods, approved each year with the first period being April 1, 2019, to March 31, 2020), and

**WHEREAS**, the Public Service Committee did review this contract renewal and does recommend renewal at this time. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract renewal between the County of Genesee and the New York State Unified Court System for the provisions of security services at the Genesee County Courts facility for the first period of April 1, 2019, through March 31, 2020, at a cost not to exceed \$702,721.

**Budget Impact:** Costs for security services at the Courts Facility are offset by revenue from the New York State Unified Court System.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 382      ACCEPTANCE OF GRANT FUNDS/BUDGET AMENDMENT - SHERIFF/NYSDHSES GRANT AWARD – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The NYS Division of Homeland Security and Emergency Services has awarded Genesee County grant funding in the amount of \$4,394 to cover the cost of Sheriff's Department personnel participation in emergency preparedness exercises, and

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

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

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

\$3,291 to A3110.1020.0000 (Overtime Salaries)

\$199 to A3110.8010.0000 (Social Security Tax)

\$47 to A3110.8011.0000 (Medicare Tax)

\$857 to A3110.8020.0000 (Retirement)

To be offset by increasing the following revenue account:  
\$4,394 to A3110.4305.2 (Federal Aid/Homeland Security)

**Budget Impact Statement:** Increase in Sheriff's 2019 appropriations in the amount of \$4,394, from NYSDHSES grant funding; offset by an increase in revenue in a like amount.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 383 LEASE AGREEMENT – SHERIFF'S OFFICE /  
LLOYD LANE, INC. (WCJW-AM) – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, Lloyd Lane, Inc. entered into a lease agreement for space on the county's telecommunications tower located at 153 Cedar Street, Batavia NY, 14020, pursuant to Resolution 374, dated October 23, 2008, and

**WHEREAS**, Lloyd Lane, Inc. wishes to upgrade its equipment on the tower which requires entering into a new lease agreement for a four (4) year contract commencing January 1, 2020, beginning at the cost of \$850.00 per month for the first year, with a 3% increase each year, ending December 31, 2023, appropriated to the Genesee County Sheriff Communications Revenue Account: Sheriff EMS Tower Rental, and

**WHEREAS**, Lloyd Lane, Inc. will have the option to extend the lease for three (3) consecutive four- (4) year terms, subject to the approval of the County.

**WHEREAS**, The agreement imposes a \$75.00 per month generator fee for the term of the contract designated to the Genesee County Highway Department Shared Services Account, and

**WHEREAS**, The Sheriff, Director of Emergency Communications, and County Attorney recommend entering into a new lease agreement as outlined above for the period of January 1, 2020 to December 31, 2023, and

**WHEREAS**, The Committees on 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 Legislature is hereby authorized and directed to enter into a site lease agreement with Lloyd Lane, Inc., 3258 Merchant Road, Warsaw, NY 14569, for the lease of space on the Genesee County telecommunications tower located at 153 Cedar Street, Batavia, NY for a period beginning January 1, 2020 and ending December 31, 2023.

**Budget Impact:** None.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 384 ACCEPTANCE OF GRANT FUNDS / SHERIFF -  
COMMUNICATIONS – PUBLIC SAFETY  
ANSWERING POINT (PSAP) OPERATIONS GRANT  
- APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications (NYS DHSES/OIEC) has awarded Genesee County grant funding in the amount of \$195,740 from the Public Safety Answering Point (PSAP) Operations Grant, and

**WHEREAS,** These funds will be used to offset a portion of the 2020 Communications budget in a like amount, and

**WHEREAS,** The Genesee County Sheriff and the Director of Emergency Communications recommend the acceptance of such grant funds, and

**WHEREAS,** The Committees on 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 Legislature is hereby authorized and directed to accept the Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications Public Safety Answering Point (PSAP) Operations Grant in the amount of \$195,740.

**Budget Impact:** None. The grant funds will be incorporated into the 2020 Communications budget submission.

Legislator Maha seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO.                      ESTABLISHMENT OF CAPITAL PROJECT -  
    TOWER / PUBLIC SAFETY RADIO SYSTEM  
    UPGRADES – SHERIFF’S OFFICE – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** Genesee County has significant coverage gaps in the south central portion of the county that would be remediated by an additional public safety communications tower, and

**WHEREAS,** Genesee County has identified property to build a new tower / radio site, and

**WHEREAS,** The budgetary cost for the tower, shelter, public safety radio equipment, engineering, consultant fees, and associated civil work is \$1,625,999.00 through 2021, and

**WHEREAS,** There are at least \$83,000.00 unallocated capital project funds remaining in the 800 MHz Capital Project account and

**WHEREAS,** There are at least \$84,327.17 remaining from the NY Statewide Interoperable Communications Grant (SICG) Round 4 currently allocated to the existing project, and

**WHEREAS,** Genesee County was awarded SICG Round 7 funding in the amount of \$664,778.00 in 2018, and

**WHEREAS,** Genesee County has applied for SICG Round 8 funding that is expected to be awarded before the end of the year and will need to apply for SICG Round 9 funding in 2020, and

**WHEREAS,** After discussion between the E911 Operations Board, Sheriff and Director of Emergency Communications, we recommend the County Legislature approve the establishment of a new capital project in the amount of \$1,693,902.00 to be offset by existing capital funds and revenues as follows:

\$83,000.00	H 3397.2080.0000	Unallocated
\$84,327.17	H 3397.2080.0000	SICG Round 4 (remaining)
\$134,000.00	N/A	SICG Round 6 (remaining)
\$664,778.00	N/A	SICG Round 7 (unallocated)
\$335,000.00	N/A	SICG Round 8 (applied)

\$324,893.83

N/A

SICG Round 9 (apply 2020),

and **WHEREAS**, The Committees on Public Service and Ways & 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 establishment of a new capital project in the amount of \$1,625,999.00 to be offset by existing capital funds and revenues as indicated above.

**Budget Impact:** The cost of the new tower / public safety radio upgrades will be covered using existing capital funds and revenues as indicated above.

Prior to the vote, Legislator Maha made a motion to amend as stated below:

**RESOLUTION NO. 385 ESTABLISHING CAPITAL PROJECT/SHERIFF –  
PUBLIC SAFETY COMMUNICATIONS TOWER –  
BUDGET AMENDMENT/BUDGET TRANSFER -  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County has significant radio coverage gaps in the south central portion of the county that would be remediated by an additional public safety communications tower, and

**WHEREAS**, Genesee County has identified property to build a new tower/radio site, and have an estimated budgetary cost of \$1,625,999, which would include the tower, shelter, radio equipment, engineering and consultant fees, and associated civil work, through 2021, and

**WHEREAS**, Revenue sources have been identified to cover the cost of this project, with sources being as follows: funds that remain in the 800 MHz Radio System Upgrade Capital Project totaling \$167,327; and Statewide Interoperable Communications Grant Funding, which includes funds currently available totaling \$798,778, as well as funds expected from future grant awards totaling \$659,894, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to establish a Capital Project for a Public Safety Communications Tower in the amount of \$966,105 as follows:

Decrease Revenue A.3020.3390.SICG (State Aid SICG) in the amount of \$6,000 and

Reduce Appropriation A.3020.4230.0000 (Facility Electric) in a like amount;

Increase in H3397.2080.0000 (Capital Project Expense) of \$798,778, offset by an

increase in Revenue Account H3397.3097 (State Aid-Communications Grant) in a like amount;

Transfer of \$167,327 from the 800 MHz Radio System Upgrade Capital Project into the Public Safety Communications Tower Capital Project.

**Budget Impact Statement:** Establishment of a new Capital Project entitled Public Safety Communications Tower in the amount of \$966,105 with an increase in Capital Project appropriations of \$798,778; a decrease in Communications appropriations and revenues in the amount of \$6,000; and a transfer of \$167,327 from the 800 MHz Radio Upgrade Capital Project to the Public Safety Communications Tower Capital Project.

Legislator Dibble seconded the amended resolution which was passed by 279 votes,

Legislator Stein (47) absent.



**RESOLUTION NO. 386    PROPERTY PURCHASE AGREEMENTS – SHERIFF  
/ NEW EMERGENCY SERVICES  
COMMUNICATIONS TOWER - APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The County of Genesee is in the planning stages to construct a self-supporting emergency services communications tower that will be approximately 185 feet high within a fenced equipment compound located in the Town of Attica, just south of the Genesee County line in Wyoming County (hereinafter “Tower”), and

**WHEREAS**, the Tower will be constructed on a lot approximately 180 feet by 200 feet, which is owned by Edward and Linda Snyder, being part of Tax Map No. 8.-1-11.111 for a cost of \$4,000.00, and

**WHEREAS**, the county will also need to purchase a lot approximately 30 feet by 1200 feet, which is owned by Thomas Snyder, and will be used to construct an access road to the Tower location, being part of Tax Map No. 8.-1-11.121, in return for the improvement of his driveway, and

**WHEREAS**, Edward and Linda Snyder have signed a “Purchase and Sale Contract for Lots and Vacant Land” regarding the parcel of land they own, and

**WHEREAS**, Thomas Snyder has signed a “Purchase and Sale Contract for Lots and Vacant Land” regarding the parcel of land he owns, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to sign on behalf of the County of Genesee a proposed “Purchase and Sale Contract for Lots and Vacant Land” by and between Edward and Linda Snyder with the County of Genesee; together with such other and further documents or forms that the Chair needs to sign on behalf of the County of Genesee to complete the transfer and sale of the parcel of land of approximately 180 feet by 200 feet owned by these Sellers, and be it further

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to sign on behalf of the County of Genesee a proposed “Purchase and Sale Contract for Lots and Vacant Land” by and between Thomas Snyder with the County of Genesee; together with such other and further documents or forms that the Chair needs to sign on behalf of the County of Genesee to complete the transfer and sale of the parcel of land of approximately 30 feet by 1200 feet owned by this Seller.

**Budget Impact:** The cost of the property purchases will be covered using funds from the newly established Tower / Public Safety Radio Systems capital project.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 387    DETERMINATION OF NO SIGNIFICANT  
ENVIRONMENTAL IMPACT – SHERIFF /  
MOLASSES HILL ROAD EMERGENCY SERVICES  
COMMUNICATIONS TOWER**

Legislator Maha offered the following resolution:

**WHEREAS**, the County of Genesee, New York (the “County”) is considering undertaking a project (the “Project”) consisting of the construction of an emergency

services communication tower (the “Tower”) on Molasses Hill Rd. in the Town of Attica, Wyoming, New York, and

**WHEREAS**, the Project is considered an action subject to Article 8 of the Environmental Conservation Law of the State of New York and the State Environmental Quality Review Act (SEQRA) and implementing regulations, 6 NYCRR Part 617 (the “Regulations”), and

**WHEREAS**, a Short Environmental Assessment Form (“EAF”) dated July 16, 2019, a copy of which is attached hereto as Exhibit A, was prepared by the County’s Planning Department to facilitate a review of the potential environmental impacts of the Project; now therefore, be it

**RESOLVED**, That upon review of the Regulations, the County Legislature determines that the Project should be classified as an “Unlisted Action” as that term is defined in Part 617.2 of the Regulations, and be it further

**RESOLVED**, That the County Legislature hereby declares itself lead agency to undertake an uncoordinated review pursuant to Part 617.6(b)(4) of the Regulations, and be it further

**RESOLVED**, That the aforementioned EAF includes sufficient information on which to base its determination of significance and all the facts and circumstances, and be it further

**RESOLVED**, That after careful consideration of the EAF and all the facts and circumstances, the County Legislature hereby finds and declares that the proposed construction of the Tower will not have a significant impact on the environment as defined by the Regulations, and therefore, issues a Negative Declaration with respect to the Project.

**Budget Impact:** None.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 388**

**HIGHWAY CAPITAL PROJECTS – BUDGET TRANSFER/CLOSE-APPROVAL OF**

Legislator Maha offered the following resolution:

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

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

**RESOLVED**, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Capital Project Transfers:

Transfer \$75,223.06 from Capital Project - Stroh Road Bridge Over Tonawanda Creek to Capital Project - Large Span Culverts

Transfer \$10,169 from Capital Project – Highway Overlay to Capital Project Road Machinery Equipment

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

Stroh Road Bridge Over Tonawanda Creek

**Budget Impact Statement:** The resolution moves the remaining balance of the Stroh Rd Bridge project to the Large Span Culvert Project. The amount transferred is \$75,223.06 which closes the Stroh Rd Bridge capital project. The CHIPs transfer is \$10,169 which moves funding from the Highway Overlay Capital Project to the Road Machinery Capital Project. This transfer will allow for the planned purchase of a new backhoe.

Legislator Young seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 389**

**CONTRACT RENEWAL – CENTRAL SERVICES AND HIGHWAY DEPARTMENT – GARBAGE AND REFUSE REMOVAL -- APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS,** The Genesee County Highway Department and the Genesee County Purchasing Department are currently under contract with Waste Management of New York, and this agreement allows for three, one year extensions, the Genesee County Highway Superintendent and the Genesee County Purchasing Director recommend renewing the contract agreement with Waste Management of New York, and

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

**RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Waste Management of New York, LLC., 100 Ransier Drive, West Seneca, NY 14224 for the removal of garbage and refuse as per bid specifications, effective January 1, 2020 through December 31, 2020 at a price of \$18,910.08 per year.

**Budget Impact Statement:** The Central Services Fund includes \$14,500 for the removal of garbage and refuse from certain County Facilities. Both the Road Machinery Fund (DM5130) and Airport budget fund trash removal separately.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 390**

**CONTRACT RENEWAL – FACILITIES MANAGEMENT/ELEVATOR MAINTENANCE – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** The County of Genesee does contract with Thyssenkrupp Elevator Corp. for the maintenance and repair of elevators located in various county facilities, and

**WHEREAS,** Said contract does provide for three additional one year renewal options, and

**WHEREAS,** The Highway Superintendent does recommend the contract be renewed and the Committee on Public Service does concur. Now, therefore, Be it

**RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the second year of three one-year renewals with Thyssenkrupp Elevator Corp. for the maintenance and repair of elevators located at various county facilities for the period of January 1, 2020 through December 31, 2020 at a cost not to exceed \$19,680.

**Budget Impact Statement:** Facilities Management budgets for this contract in its operating budget. Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 391**

**CONSULTANT AGREEMENT – ANIMAL  
SHELTER IMPROVEMENTS – APPROVAL  
OF**

Legislator Hilchey offered the following resolution:

**WHEREAS,** The Genesee County Highway Superintendent has established a capital project for improvements to be made at the Genesee County Animal Shelter related to the NYS Ag & Markets Companion Animal Grant accepted by the County, and

**WHEREAS,** The Genesee County Highway Superintendent selected a consultant based on recent experience in this facility, and

**WHEREAS,** The Genesee County Highway Superintendent did negotiate a proposal regarding the project and does recommend approving a consultant agreement at this time, and

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

**RESOLVED,** That the Genesee County Highway Superintendent is hereby authorized and directed to enter into a Consultant Agreement with the CPL Team, 26 Mississippi St, Buffalo, NY 14203 for the design and preparation of bid documents for the Animal Shelter Improvements in a cost not to exceed \$19,000.

**Budget Impact:** The total cost of the consultant agreement is \$19,000. A capital project has been established in the amount of \$200,000 for the Animal Shelter Improvements.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 392**

**AWARD OF BID –HIGHWAY/BACKHOE LOADER  
–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** The Genesee County Highway Superintendent reviewed state bids on backhoe loaders for use at the County Highway Department and do recommend awarding the bid to the lowest responsible bidder, and

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

**RESOLVED,** The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused Case 580N Backhoe Loader from Monroe Tractor, 1001 Lehigh Station Rd, Rochester, NY 14467 in an amount not to exceed \$89,546.50.

**Budget Impact:** The equipment will be purchase using state-provided CHIPS capital funds. A capital project has been established an amended that allows for the purchase of Road Machinery Equipment.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 393**

**AWARD OF BID-HIGHWAY/COUNTYWIDE  
WATER PH2 CHESTNUT RIDGE RD  
TRANSMISSION MAIN-APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS,** Genesee County advertised plans and specifications for the construction of a new water transmission main along portions of Chestnut Ridge Rd, Paul Rd (NYS

Route 252A), and Chili Ave (NYS Route 33A) in the Town of Chili, Monroe County 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 Chestnut Ridge Road Water Transmission Main to Villager Construction, Inc., 425 Old Macedon Center Rd, Fairport, NY 14502 in a total amount not to exceed \$3,796,700.

**Budget Impact:** The total cost of the contract is \$3,796,700. 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 November 2019 so there will be a few pay requests that will need to be covered from the capital project. Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 394**

**MASTER AGREEMENT/ESTABLISH  
CAPITAL PROJECT/BUDGET AMENDMENT  
– HUNDREDMARK RD OVER DRAINAGE  
DITCH – BIN 3315150 – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, a Project for the replacement of Hundredmark Rd over Drainage (BIN 3315150), in the Town of Elba, P.I.N. 4GN0.01 (the “Project”), County of Genesee is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal Funds, 15% State Funding and a 5% Local Match; and

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

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

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

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

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

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

**RESOLVED**, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Hundredmark Rd Bridge in the amount of \$261,000 with federal aid of \$208,800, state Marchiselli aid of \$39,150 and a

local match from 1% sales in the amount of \$13,050 and be it further **RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2019 Budget:

Increase A.1000.1110.1	1% Sales Tax	\$ 13,050
Increase A.9950.9000	Transfers to Capital	\$ 13,050
Increase H.5197.5031	Interfund Revenue	\$ 13,050
Increase H.5197.3597	State Aid Marchiselli	\$ 39,150
Increase H.5197.4592	Federal Aid	\$208,800
Increase H.5197.2080.0000	Hundredmark Rd over Drainage	\$261,000

**Budget Impact Statement:** The capital project will be established based on the total cost of the project at \$261,000 with federal aid of \$208,800, 15% state Marchiselli aid of \$39,150 and a local match from 1% sales tax of \$13,050. The Construction Phase authorization will be provided under future supplemental agreement.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 395**

**HIGHWAY DEDICATION – CALL  
PARKWAY (CR#53) – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Genesee County Economic Development Center did develop a roadway into the Gateway II Business Park according to County Specifications, and **WHEREAS**, The roadway had been constructed and complete to the satisfaction of the Superintendent of Highways, and

**WHEREAS**, A proposed legal description of the right-of-way to be dedicated has been established by a Licensed Surveyor, and

**WHEREAS**, The Superintendent of Highways did inspect the roadway, review the proposed legal description, and recommends dedication of the highway and its right-of-way at this time, and

**WHEREAS**, The Public Service Committee has reviewed the recommendation of the County Highway Superintendent and concur with it at this time. Now, therefore, Be it **RESOLVED**, That the Genesee County Legislature does hereby dedicate the right-of-way delineated as follows:

All that tract or parcel of land, situate in the Town of Batavia, County of Genesee, State of New York, being part of Lot 7, Section 14, Township 12, Range 1 of the Holland Purchase and further described as follows.

Beginning at a point in the east bounds of Oak Orchard Road (66.0 feet wide) (New York State Route 98) at the southwest corner of lands conveyed to Genesee Gateway Local Development Corporation, as recorded in liber 842 of deeds at page 547, said point being 446.48 feet northerly from the southwest corner of Lot 7, as measured along the east bounds of Oak Orchard Road; thence

- 1) N 00°-52'-23" W along the east bounds of Oak Orchard Road, being the west line of Lot 7, a distance of 66.00 feet to a point; thence
- 2) N 89°-14'-45" E a distance of 200.00 feet to a point; thence
- 3) N 75°-13'-41" E a distance of 641.59 feet to a point; thence
- 4) N 89°-14'-45" E a distance of 789.99 feet to a point in the west bounds of Call Parkway (County Road 53), as conveyed to the County of Genesee in liber 907 of

deeds at page 573 and dedicated as a public right of way by the Genesee County Legislature in Resolution No. 30, adopted January 23, 2013; thence

5) S 00°-45'-15" E along the west bounds of Call Parkway, a distance of 66.00 feet to the southwest corner thereof, being a point in the south bounds of the aforesaid lands conveyed to Genesee Gateway Local Development Corporation; thence the remaining 3 courses being along the south bounds of said lands of the Genesee Gateway Local Development Corporation.

6) S 89°-14'-45" W a distance of 781.88 feet to a point; thence

7) S 75°-13'-41" W a distance of 641.59 feet to a point; thence

8) S 89°-14'-45" W a distance of 207.98 feet to the point of beginning.

Containing 2.472 acres.

The above described parcel intending to describe a 66.00 foot wide parcel of land to be used as a continuation of "Call Parkway", partially shown on a map of the "Batavia Farms Route 98 Land Separation", recorded May 22, 2017 and filed in Plat Cabinet 3, Slide 65 as Map No. 2465. Bearings in the above description are derived from Grid North as shown on Filed Map No. 2465.

**RESOLVED**, That the roadway shall be dedicated as County Road 53 and shall be known as Call Parkway, and be it further

**RESOLVED**, That the right-of-way shall be filed with the Genesee County Clerk and the Commissioner of the Department of Transportation.

**Budget Impact:** The costs for maintaining the road and associated right-of-way shall be included in the County Road Fund. 2019 costs for snowplowing are approximately \$7,000 per mile based on plowing and mowing. The roadway is approximately .31 miles in length. Preventative maintenance will be not required on the roadway for several years.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

#### **RESOLUTION NO. 396**

#### **HIGHWAY DEDICATION – STAMP DRIVE (CR#57) – APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The Genesee County Economic Development Center did develop a roadway into the STAMP Business Park according to County Specifications, and

**WHEREAS**, The roadway had been constructed and complete to the satisfaction of the Superintendent of Highways, and

**WHEREAS**, A proposed legal description of the right-of-way to be dedicated has been established by a Licensed Surveyor, and

**WHEREAS**, The Superintendent of Highways did inspect the roadway, review the proposed legal description, and recommends dedication of the highway and its right-of-way at this time, and

**WHEREAS**, The Public Service Committee has reviewed the recommendation of the County Highway Superintendent and concur with it at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby dedicate the right-of-way delineated as follows:

All that tract or parcel of land situate in the Town of Alabama, County of Genesee, State of New York, being part of Lots 12 & 13, Township 13, Range 4 of the Tonawanda Reservation and further described as follows.

Commencing at a point in the east line of Lot 12, being the centerline of Allegany Road (N.Y.S. Routes 63 & 77), said point being S 01°-05'-40" W a distance of 1214.75 feet from the northeast corner of Lot 12; thence N 88°-54'-20" W a distance of 33.00 feet to a point in the west bounds of Allegany Road and the point of beginning of the parcel to be described; thence

- 1) S 73°-16'-10" W a distance of 105.04 feet to a point; thence
- 2) N 88°-55'-20" W a distance of 655.60 feet to a point of curvature; thence
- 3) Westerly following a curve to the right having a radius of 950.00 feet for an arc length distance of 215.92 feet to a point of tangency; thence
- 4) N 75°-54'-00" W a distance of 461.69 feet to a point of curvature; thence
- 5) Westerly following a curve to the left having a radius of 1050.00 feet for an arc length distance of 241.20 feet to a point; thence
- 6) N 00°-00'-25" E a distance of 234.14 feet to a point; thence
- 7) N 89°-59'-35" W a distance of 100.00 feet to a point; thence
- 8) S 00°-00'-25" W a distance of 234.00 feet to a point; thence
- 9) N 89°-59'-35" W a distance of 1497.45 feet to a point in the east bounds of Crosby Road (49.5 feet wide); thence
- 10) S 01°-00'-45" W along the east bounds of Crosby Road, a distance of 100.02 feet to a point; thence
- 11) S 89°-59'-35" E along a line 100.00 feet southerly from and parallel to course 9, a distance of 1582.14 feet to a point of curvature; thence
- 12) Easterly following a curve to the right having a radius of 950.00 feet for an arc length distance of 233.67 feet to a point of tangency; thence
- 13) S 75°-54'-00" E a distance of 461.69 feet to a point of curvature; thence
- 14) Easterly following a curve to the left having a radius of 1050.00 feet for an arc length distance of 238.64 feet to a point of tangency; thence
- 15) S 88°-55'-20" E a distance of 296.58 feet to a point of curvature; thence
- 16) Easterly following a curve to the right having a radius of 365.00 feet for an arc length distance of 76.37 feet to a point of tangency; thence
- 17) S 76°-56'-00" E a distance of 21.91 feet to a point of curvature; thence
- 18) Easterly following a curve to the left having a radius of 435.00 feet for an arc length distance of 91.02 feet to a point of tangency; thence
- 19) S 88°-55'-20" E a distance of 171.39 feet to a point; thence
- 20) S 71°-05'-00" E a distance of 105.03 feet to a point in the west bounds of Allegany Road; thence
- 21) N 01°-05'-40" E along the west bounds of Allegany Road, a distance of 186.30 feet to the point of beginning.

Containing 8.308 acres. And be it further

**RESOLVED**, That the roadway shall be dedicated as County Road 57 and shall be known as STAMP Drive, and be it further

**RESOLVED**, That the right-of-way shall be filed with the Genesee County Clerk and the Commissioner of the Department of Transportation.

**Budget Impact:** The costs for maintaining the road and associated right-of-way shall be included in the County Road Fund. 2019 costs for snowplowing are approximately \$6,500 per mile and the costs for summer mowing and shoulder maintenance are \$465 per mile. The roadway is approximately 0.70 miles in length. Preventative maintenance will be not required on the roadway for several years.



Prior to the vote Legislator Clattenburg stated there was discussion at the committee meeting pertaining to the road being deemed seasonal which would not require plowing year round. County Manager Jay Gsell indicated that GCEDC staff agreed that the road would not require regular plowing but will need to be accessible when potential tenants are brought to the site.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 397      ADOPTION OF GENESEE COUNTY SMART GROWTH PLAN - 2019 REVIEW REPORT**

Legislator Maha offered the following resolution:

**WHEREAS**, The Genesee County Legislature by Resolution No. 122 of 1999 did include the development of a Smart Growth Plan as a mitigation measure contained in its Findings Statement as part of the State Environmental Quality Review (SEQR) of the County-wide Water Supply System, and

**WHEREAS**, The Genesee County Legislature adopted a Smart Growth Plan on May 9, 2001, and

**WHEREAS**, The Genesee County Legislature adopted reviews of the Smart Growth Plan in 2003, 2005, 2007, 2010, 2013, and 2016, and

**WHEREAS**, The latest Triennial Review period has ended including a series of public meetings and presentations before the County Planning Board, the County Agricultural and Farmland Protection Board and the Water Resources Agency, and

**WHEREAS**, The County Water Resources Agency has reviewed the proposed 2019 revisions and voted to recommend adoption by the County Legislature, and

**WHEREAS**, A Short Environmental Assessment Form (EAF) was completed in compliance with the State Environmental Quality Review Act (SEQR). Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature hereby finds that the proposed 2019 revisions to the Smart Growth Plan is classified as an Unlisted Action, accepts the draft Short EAF, makes a determination that such revision does not pose any significant adverse impacts (Negative Declaration), and authorizes the Chair of the Legislature to sign all relevant documentation with respect to SEQR, and Be it further

**RESOLVED**, That the Genesee County Legislature hereby adopts the Genesee County Smart Growth Plan - 2019 Review Report.

**Budget Impact:** The Smart Growth Plan is a required mitigation action identified in the Final Environmental Impact Statement (FEIS) for the County Water System and is primarily administered through the operation budget of the Department of Planning. Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 398      CHARGE BACKS-ELECTIONS/INSPECTOR PAY- APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, It has been previously determined by the Ways & Means Committee that beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

**WHEREAS**, The Real Property Department will notify all municipalities of the charges in 2019 so that the Genesee County Treasurer can bill and collect these charges in 2020.

Now, therefore, Be it

**RESOLVED**, That the following charges be levied to the 13 Towns and the City of Batavia as follows and the amounts to be paid to the County Treasurer are credited to revenue A1450 2215 Election Expense-Other Govts in the current budget year:

**2018 Election Expenses per Town/City for Chargebacks**

	<b>Training</b>	<b>Local Primary 9/13/18</b>	<b>Local Primary 9/13/18</b>	<b>General Election 11/6/18</b>	<b>General Election 11/6/18</b>	<b>Total</b>
	<b>\$35.00</b>	<b>Inspectors \$135</b>	<b>Coordinators \$210</b>	<b>Inspectors \$215</b>	<b>Coordinators \$290</b>	
City	\$2,100.00	\$3,240.00	\$3,360.00	\$7,310.00	\$5,220.00	\$21,230.00
Alabama	\$315.00	\$270.00	\$420.00	\$1,075.00	\$580.00	\$2,660.00
Alexander	\$350.00	\$270.00	\$420.00	\$1,075.00	\$580.00	\$2,695.00
Batavia	\$665.00	\$810.00	\$1,260.00	\$2,365.00	\$1,740.00	\$6,840.00
Bergen	\$455.00	\$270.00	\$420.00	\$1,014.56	\$580.00	\$2,739.56
Bethany	\$245.00	\$405.00	\$420.00	\$645.00	\$580.00	\$2,295.00
Byron	\$245.00	\$270.00	\$420.00	\$1,075.00	\$580.00	\$2,590.00
Darien	\$245.00	\$405.00	\$420.00	\$1,075.00	\$580.00	\$2,725.00
Elba	\$210.00	\$270.00	\$420.00	\$860.00	\$580.00	\$2,340.00
LeRoy	\$910.00	\$1,350.00	\$840.00	\$3,655.00	\$1,160.00	\$7,915.00
Oakfield	\$350.00	\$270.00	\$420.00	\$1,290.00	\$580.00	\$2,910.00
Pavilion	\$315.00	\$405.00	\$420.00	\$1,075.00	\$580.00	\$2,795.00
Pembroke	\$560.00	\$810.00	\$1,260.00	\$1,720.00	\$1,740.00	\$6,090.00
Stafford	\$315.00	\$405.00	\$420.00	\$1,505.00	\$580.00	\$3,225.00
**Town of Bergen had one inspector who worked 11.5 hours						<b>\$69,049.56</b>

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 399 CHARGE BACKS-ELECTIONS/EARLY VOTING INSPECTOR PAY-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, It has been previously determined by the Ways & Means Committee that per diem fees for election inspectors will be charged back to the various Genesee County Towns and the City of Batavia,

**WHEREAS**, New York State Legislation now requires the Genesee County Board of Elections to conduct early voting for 9 days for a total of 60 hours which will require the Board of Elections to employ inspectors for a total estimated cost of \$4500. Now, therefore, Be it

**RESOLVED**, To be consistent with previous policy the Genesee County Board of Elections will again allocate these additional expenses by charging back such costs incurred to the various Genesee County Towns and the City of Batavia using as a basis the registered voters in each municipality.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 400 CONTRACT & BUDGET AMENDMENT -  
ELECTIONS/KNOWINK INNOVATIVE ELECTION  
SOLUTIONS-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, With the new requirement of early voting passed by the New York State Legislature and to maintain the integrity of our current voting system, the Genesee County Board of Elections is now required to purchase electronic poll books and on demand printers, and

**WHEREAS**, With reviewing the Board of Elections requirements and relying on the experience and expertise of our IT Director, Stephen Zimmer, Commissioners Lorie Longhany and Richard Siebert determined that the County needs to purchase 57 electronic poll books with related material and 3 on-demand printers at a cost of \$89,237, and

**WHEREAS**, The required poll books and printers are provided by Knowink Innovative Election Solutions and all quotations are on state contract. Now, therefore, Be it **RESOLVED**, The Chairman of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Knowink Innovative Election Solutions of 2111 Olive Street, St. Louis, MO 63103 for the purchase of 57 electronic poll books and relative material and 3 on demand printers at a total cost of \$89,237 (\$76,230 poll books, \$13,007 on demand printers) and be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget by Increasing Revenue A.1450.4989.1 Federal Aid in the amount of \$9,000 and Increasing Revenue A.1450.3089.7 State Aid in the amount of \$80,585 and Increasing Appropriations A.1450.2070.0082 Electronic Poll Books in the amount of \$89,585.

**Budget Impact:** Grants available – E Poll Book Capital \$46,369, Early Voting Aid to Localities \$34,216, HAVA Shoebox available \$9,000 for a total of \$89,585

Legislator Clattenburg made a motion to amend the resolution to include the second whereas and the term “Budget Amendment” in the title seconded by Legislator Maha, carried unanimously.

Legislator Maha seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 401 LEASE AGREEMENT-INFORMATION  
TECHNOLOGY/ FIBER SERVICE FROM EMPIRE  
ACCESS - APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Director of Information Technology did present a 36-month lease agreement with Empire Access for one single-mode strand of fiber from County Building II to 587 East Main Street (Job Development), and

**WHEREAS**, The County Attorney did review the contact and the Ways and Means Committee 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 the agreement with Empire Access 34 Main Street Prattsburgh, NY 14873 for a 36-month lease effective when the fiber is installed at a cost of \$300.00 a month

**BUDGET IMPACT STATEMENT: Accounts / Funding Sources include:**

\$300.00 monthly charge - A.1680.4290.0600 Internet and Bandwidth.  
County IT 2020 Proposed Budget includes the \$3600 annual expense. The \$1000 installation fee will be charged to Consulting Services in the year the installation happens.

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 402 CONTRACT EXTENSION-INFORMATION TECHNOLOGY/ WINDSTREAM TELEPHONE SERVICES - APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Director of Information Technology did present a 36-month contract extension with Windstream Communications to continue providing telephone services to Genesee County, and

**WHEREAS**, The County Attorney and the Committee on Ways and Means did review the request and recommends 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 Windstream Communications 245 East Main Street, Rochester NY 14604

**BUDGET IMPACT STATEMENT:** THE ADDENDUM TO THE CURRENT CONTRACT FREEZES THE MONTHLY EXPENSE IN ACCOUNT A.1680.4290.0400 BASIC OFFICE PHONES AT \$2801.01 FOR 36-MONTHS AND PROVIDES THE COUNTY WITH AN \$11,497.95 CREDIT.

Legislator Dibble seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 403 GRANT ACCEPTANCE/2019 BUDGET AMENDMENT – STOP-DWI/SHERIFF – APPROVAL OF**

Legislator Maha offered the following resolution

**WHEREAS**, The Genesee County STOP-DWI program did apply for and has been approved to receive grant funding from the Governor’s Traffic Safety Council for a High Visibility Road Check/Saturation Patrols/DRE Call Out program in the amount of \$19,700, and

**WHEREAS**, the grant period runs October 1, 2019 through September 30, 2020

**WHEREAS**, local police agencies will coordinate special crackdown details to receive the additional funding, and

**WHEREAS**, since the grant period runs October 1, 2019 through September 30, 2020, the additional funding to reimburse the STOP-DWI program for the expense of the special detail was not budgeted for in the current year and is above the budgeted revenue for the STOP-DWI program, 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.3315.4660.0502 (Enforcement Nights - Sheriff)	\$3,768
	A.3315.4660.0503 (Enforcement Nights – City Police)	\$2,734

A.3315.4660.0504 (Enforcement Nights – LeRoy Police) \$ 813

to be offset by an increase in revenue account A.3315.3389.2 (St Aid -Govt Traffic Safety Council) in the amount of \$7,315 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 A.3110.1020.0150 (Overtime DWI) in the amount of \$3,768 to be offset by an increase in revenue account A.3110.2804 (Shared Services) in the amount of \$3,768.

**Budget Impact Statement:** No net impact on County Budget. Increase in revenue and expense funded by GTSC grant. Expenses for extra road patrols are increased \$7,315 but offset by grant revenues.

Legislator Clattenburg seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 404**

**CONSENTING TO THE USE OF CERTAIN  
PAYMENTS IN LIEU OF TAXES BY THE  
GENESEE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY D/B/A GENESEE  
COUNTY ECONOMIC DEVELOPMENT  
CENTER FOR THE TOWN OF PEMBROKE  
AND VILLAGE OF CORFU SEWER  
INFRASTRUCTURE PROJECT AND  
AUTHORIZING THE CHAIR OF THE  
LEGISLATURE OF THE COUNTY TO  
EXECUTE AND DELIVER ANY  
AGREEMENTS IN FURTHERANCE OF  
SAME**

Legislator Dibble offered the following resolution:

**WHEREAS**, Yancey’s Fancy, Inc. (the “Company”) submitted an application to the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the “Agency”) requesting the Agency’s assistance with respect to a certain project consisting of: (A) the acquisition by the Agency of title to or a leasehold interest in a parcel or parcels of land located on Main Road, Town of Pembroke, Genesee County, New York (the “Land”); (B) the construction and equipping by the Company, as agent for the Agency, on the Land of an expansion to an existing facility utilized by the Company for the manufacture, packaging and distribution of cheese products (the “Improvements”) and (C) the acquisition of and installation in and around the Improvements by the Company, as agent of the Agency, of certain items of equipment and other tangible personal property (the “Equipment”; and, collectively with the Land and the Improvements, the “Facility”); and

**WHEREAS**, in connection with the Application and in furtherance of the Project’s positive financial impact within the Town of Pembroke (the “Town”) and the County of Genesee, New York (the “County”), the Company desires for the Town and the Village of Corfu, New York the (“Village”) to improve the existing sewer infrastructure servicing the Facility and other Town and Village properties through an expansion to the existing, or the construction of an additional, wastewater treatment plant, located at the Town and Village’s existing wastewater treatment plant, with associated improvements to Murder Creek for wastewater discharge (the “Town of Pembroke and Village of Corfu Sewer Infrastructure Project”); and

**WHEREAS**, the Company has requested the Agency’s support in establishing a PILOT Increment Financing (“PIF”) structure whereby the Agency, in accordance with General Municipal Law Section 858(15) and with the consent of the Town, the School District and the County (collectively, the “Affected Taxing Jurisdictions”), would receive from the Company, during the term of the that certain Payment in lieu of Tax Agreement by and between the Agency and the Company, dated March 1, 2014 (the “PILOT”) all amounts due and payable under the PILOT to pay the costs of planning, designing, constructing and equipping the Town of Pembroke and Village of Corfu Sewer Infrastructure Project; and

**WHEREAS**, after considering the positive impact of the Town of Pembroke and Village of Corfu Sewer Infrastructure Project on the Affected Tax Jurisdictions, including the expansion of needed sewer infrastructure within the Town and the Village, the County desires to consent to the above described use of the PILOT payments pursuant to and in accordance with General Municipal Law Section 858(15), now, therefore, Be it

**RESOLVED**,

Section 1. The County hereby authorizes the Agency to retain all amounts payable under the PILOT for purposes of paying the costs expended on the Town of Pembroke and Village of Corfu Sewer Infrastructure Project. The County hereby waives its right to receive any amounts due and payable under the PILOT.

Section 2. The Chair of the Legislature of the County is hereby authorized to execute and deliver any and all agreements necessary or related to the foregoing.

Section 3. This Resolution shall take effect immediately.

Legislator Torrey seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 405 APPOINTMENT TO ROCHESTER/GENESEE REGIONAL TRANSPORTATION AUTHORITY- APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, A vacancy does exist on the Rochester/Genesee Regional Transportation Authority for a Genesee County Representative, and

**WHEREAS**, Pursuant to Section 1299-dd, Par. 1 of the Public Authorities Law, a minimum of two names shall be submitted to the Governor for consideration, and

**WHEREAS**, the following two Genesee County residents have completed and submitted an application for appointment. Now therefore Be it

**RESOLVED**, the following two names be submitted to the Honorable Andrew Cuomo, Governor of New York State, for his consideration in making an appointment to the Rochester/Genesee Regional Transportation Authority to represent Genesee County:  
Kathleen Saville, 10963 Starr Road, Pavilion, NY 14525

Cynthia L. Anderson, 6132 Sautell Road, Bergen, NY 14416

**Budget Impact:** None

Legislator Young seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

**RESOLUTION NO. 406 COUNTY AUDIT –OCTOBER 23 - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

General Fund	\$	1,278,935.72
Highway		52,771.14
Self Insurance		3,290.35
Water		540,821.65
Sales Tax		6,003,860.08
DSS Abstracts		97,122.20
<b>Capital Projects</b>		
Highway-Large Span Culverts	\$	60,781.00
Highway-Searls Road Bridge Over Spring Creek		3,696.04
Park-Dewitt Park Improvements Phase IV		366.09
Sheriff/Jail-Jail Construction		49,155.77
Sheriff-800 Megahertz Radio System Upgrade		23,178.98
Water-County Wide Water System Upgrade Phase II		375.00
<b>Payroll – General</b>		
October 11, 2019		1,143,392.84
<b>Medicaid</b>		
October 15, 2019		177,332.00
October 22, 2019		<u>177,332.00</u>
<b>Total Audit</b>	\$	9,612,410.86

Now, therefore, Be it

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

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

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

Legislator Clattenburg made a motion to suspend the rules of the Legislature (Rule 19) to add a resolution setting the public hearing on the 2020 County Budget seconded by Legislator Maha, carried.

**RESOLUTION NO. 407 2020 BUDGET - SETTING PUBLIC HEARING**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Tentative Budget for 2020 is being prepared by the Genesee County Budget Director and will be duly filed with the Clerk of the County Legislature, and

**WHEREAS**, The Committee on Ways and Means does recommend setting a public hearing for the 2020 Budget. Now, therefore, Be it

**RESOLVED**, That a Public Hearing on the 2020 Genesee County Budget will be held on Wednesday, November 6, 2019 at 6:00 p.m. at the Old County Courthouse, 7 Main Street, in the City of Batavia, New York.

**Budget Impact Statement:** None

Legislator Deleo seconded the resolution which was passed by 279 votes, Legislator Stein (47) absent.

At 5:55 PM the meeting adjourned upon motion of Legislator Deleo seconded by Legislator Torrey, carried.