

**FOURTH DAY  
GENESEE COUNTY LEGISLATURE  
Batavia, New York  
Wednesday, February 28, 2018**

The Genesee County Legislature met in Regular Session on Wednesday, February 28, 2018 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Hilchey assisted with the audit. Prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

In addition to the regular meeting Chairman Bausch opened a Public Hearing on Local Law Introductory No. One year 2018, Amending Local Law No. Two year 2008-A Local Law in Relation to Extending a Real Property Tax Exemption for Cold War Veterans. Interested parties were invited to be heard.

The minutes of the February 14, 2018 meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Dibble Carried unanimously.

Legislator Clattenburg reported on her attendance at the Holland Land Office Museum Board meeting where several upcoming events were announced. The Board and staff are working on finishing their strategic plan.

The Clerk reported there were two out-of-state travel requests: Highway Superintendent Tim Hens to travel to Wisconsin Dells, WI for the Annual NACE Conference 4/20-4/26/18 cost to the County is \$727. Motion to approve the travel request was made by Legislator Clattenburg seconded by Legislator Dibble, carried unanimously. Thomas Sanfratello of the Sheriff's Office to travel to Boston, MA for Tyler Connects Conference and Advisory Board meeting 4/22-4/26/18 cost to the County is \$2,625. Motion to approve the travel request was made by Legislator Stein seconded by Legislator Maha, carried unanimously.

Chairman Bausch thanked Sheriff Sheron for making the Sheriff's Office Building available for the Jail Study Presentation to the Legislature on 2/24/18. The draft Jail Study report is expected in approximately 30 days.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 62      BUDGET AMENDMENT - SHERIFF/ REMAINING GRANT FUNDS- APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Sheriff's Office has several active grants with funds remaining available to be used in 2018, and an Agreement with the Village of Bergen with funds available to use through May 31, 2018 and

**WHEREAS**, These grants include one GTSC grant with available funds in the amount of \$18,401; two DCJS grants with available funds totaling \$8,135; and two DHSES grants with available funds totaling \$39,853, as well as an Agreement with the Village of Bergen to provide additional police services with available funds in the amount of \$6,058, and

**WHEREAS**, The Sheriff is requesting a 2018 budget amendment to allow for the use of the available funds, 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 2018 budget by increasing Sheriff's appropriations as follows:

- \$ 18,401 to A3110.1020.0700 (Overtime STEP Grant)
- \$ 8,135 to A3110.2030.0030 (Sheriff's Equipment)
- \$ 39,853 to A3110.4800.0503 (Program Expense Homeland Security)
- \$ 6,058 to A3110.1020.0900 (Overtime Bergen)

To be offset by increasing the following revenue accounts:

- \$ 18,401 to A3110.4511 (Fed Aid Traffic Safety)
- \$ 8,135 to A3110.3324 (State Aid Law Enf.)
- \$ 39,853 to A3110.4305.2 (Fed Aid Homeland Security)
- \$ 6,058 to A3110.2801.1 (Shared Services-Additional Police Services)

**Budget Impact:** Increase in Sheriff's 2018 appropriations in the amount of \$72,447, with money coming from grant funds from one GTSC grant, two DCJS grants, and two DHSES grants, and the Sheriff's Office Agreement with the Village of Bergen; offset by revenue in a like amount.

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

**RESOLUTION NO. 63      CONTRACT EXTENSION – SHERIFF / LIVINGSTON  
COUNTY PRISONER HOUSING – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Sheriff did present a prisoner housing contract renewal with Livingston County Jail, and

**WHEREAS**, the County Attorney has reviewed and approved the terms of this Agreement, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract renewal between the County of Genesee and the County of Livingston for the provision of Jail space in the Livingston County Jail at a rate of \$85.00 per day for each prisoner housed between January 1, 2018, through December 31, 2018.

**Budget Impact:** *Funds have been appropriated to the 2018 budget.*

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

**RESOLUTION NO. 64      CONTRACT RENEWAL – SHERIFF / STEUBEN COUNTY  
PRISONER HOUSING - APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, the Sheriff did present a prisoner housing contract with Steuben County Jail, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is authorized and directed to execute the contract between the County of Genesee and the County of Steuben for the provision of Jail space in the Steuben County Jail at a rate of \$85.00 per day for each prisoner from January 1, 2018 through December 31, 2019.

**Budget Impact:** *Funds have been appropriated to the 2018 budget.*

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

**RESOLUTION NO. 65      BY LAWS REVISION & APPOINTMENT - CRIMINAL JUSTICE  
ADVISORY COUNCIL – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Criminal Justice Advisory Council (CJAC), created pursuant to Resolution #293 in the year 1981 (see attached), is comprised of a wide array of member agencies that promote public good and safety through improved coordination and cooperation among criminal justice agencies and other organizations in the community concerning criminal justice issues, and **WHEREAS**, the Criminal Justice Advisory Council (CJAC) does advise the Legislature on matters concerning Criminal Justice in Genesee County, and **WHEREAS**, at its January 9, 2013, meeting, the Council approved revisions to its By-Laws, including new member agencies; however, the by-laws were not officially adopted by the Legislature and **WHEREAS**, Horizon Health Services (the largest provider of outpatient mental health and substance use treatment in Western New York) has expressed a desire to be appointed a member agency of the Council, and **WHEREAS**, The Criminal Justice Advisory Council did discuss and approve this request at its meeting held on November 8, 2017, and **WHEREAS**, the Committees of Public Service and Ways & Means do recommend revising the by-laws and appointing Horizon Health Services; Now, therefore be it **RESOLVED**, that it has been approved to revise the by-laws of the Criminal Justice Advisory Council to update its current member agencies as outlined below, including the appointment of Horizon Health Services as a member.

Batavia City Court	Genesee County Mental Health
Veteran Administration Police	
Batavia City Police	Genesee Justice
YWCA	
Citizen Representative Hope Haven	Youth Bureau
Consumer Representative	Horizon Health Services
County Bar Association	Immigration Customs Enforcement
County Court	Justice for Children Advocacy Center
County Jail	LeRoy Village Police
County Legislature	Magistrates' Association
County Manager	Mental Health Association
Crime Victim	New York State Police
Department of Social Services	Parole
Dispute Resolution	Probation Department
District Attorney	Public Defender
Drug/Treatment Courts Sheriff	
Genesee/Orleans Council on Alcoholism & Substance Abuse (GCASA)	STOP-DWI Coordinator

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

**RESOLUTION NO. 66 GRANT ACCEPTANCE/2018 BUDGET AMENDMENT-  
DISTRICT ATTORNEY/VIDEO RECORDING OF  
STATEMENTS EQUIPMENT- APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County District Attorney has received notification from the New York State Division of Criminal Justice Services that the Grant for Genesee County's Video Recording of Statements Equipment Grant in Genesee County grant application for has been awarded in the amount of \$25,580.00, and

**WHEREAS**, The District Attorney has requested that the County accept this grant which stipulates that these grant funds will be used for the purchase of Video Recording Equipment for use by the Genesee County Sheriff's Office, Batavia City Police Department, Corfu Village Police Department and the LeRoy Village Police Department, 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 Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Criminal Justice Services for the acceptance of the Video Recording of Statements Equipment Grant funding in the amount of \$25,580.00, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 Genesee County Budget by increasing District Attorney Appropriations A.1165.2060.0600 Audio Visual Equipment in the amount of \$25,580.00 to be offset by an increase in District Attorney Revenue A1165.4389.1 Federal Aid – Video Recording Equipment in the amount of 25,580.00.

**Budget Impact Statement:** Increased expense for the District Attorney’s 2018 budget of \$25,580.00 which is totally offset by Federal Aid.

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

**RESOLUTION NO. 67      HOUSEHOLD HAZARDOUS WASTE COLLECTION  
CONTRACT-GLOW SOLID WASTE MGMT.  
COMMITTEE-EXTENSION OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The GLOW Region Solid Waste Management Committee (herein referred to as “GLOW”) expects to be awarded funding from the New York State Department of Environmental Conservation in 2018 for a single Household Hazardous Waste Collection Program; and

**WHEREAS**, Environmental Enterprises, Inc. was awarded the contract for the 2017 collection; and

**WHEREAS**, This contract contained a one year extension option, with pricing to remain the same; and

**WHEREAS**, GLOW desires to exercise this option for the 2018 program; and

**WHEREAS**, the GLOW Committee has recommended that this option be exercised Now, Therefore Be It

**RESOLVED**, That the Genesee County Legislature authorizes the Chairperson to enter into an extension of this contract with the other GLOW Counties and Environmental Enterprises, Inc. for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed \$25,000.

**Budget Impact Statement:** Funds are available in the 2018 GLOW Budget for this expense.

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

**RESOLUTION NO. 68      2018 BUDGET AMENDMENT/ACCEPTANCE OF  
DONATION – COUNTY PARK/INTERPRETIVE  
CENTER – ACORNS --APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Association for Conservation of Outdoor Recreational and Natural Spaces (ACORNS), a non-profit group which supports programming and activities at Genesee County Parks, wishes to donate funds to Genesee County in order to support a Student Conservation Association internship, and

**WHEREAS**, The Parks Supervisor and Highway Superintendent have reviewed this request and recommend acceptance of the donation and request at this time, and

**WHEREAS**, The Committees on Public Service and Ways and Means have reviewed this request and do concur with the recommendation at this time. Now, therefore, Be it **RESOLVED**, That the Genesee County Legislature does hereby authorize the acceptance of a donation of \$4,500.00 from the ACORNS to benefit the operation of the Interpretive Center and County Park & Forest, and

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2018 County Budget by increasing A7110.INTC.2002 Interpretive Center Programs by \$4,500.00 and increasing A7110.INTC.4660.0000 Contracted-Other by \$4,500.00.

**Budget Impact:** This \$4,500.00 donation will directly fund a 40hr/wk. – 12wk. internship that will be used by the County as a volunteer coordinator and environmental education assistant.

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

**RESOLUTION NO. 69                    AGREEMENT BETWEEN GENESEE COUNTY ON  
BEHALF OF PARKS, RECREATION & FORESTRY AND  
STUDENT CONSERVATION ASSOCIATION, INC.**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent and the Genesee County Parks Supervisor do request an Agreement with the Student Conservation Association to establish an educational internship position in the amount of \$4,501.84, and

**WHEREAS**, The Agreement would be in conjunction with the Genesee County Parks for assistance in environmental programs through the Interpretive Nature Center, and

**WHEREAS**, The County Attorney did review this request and does recommend approval 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 Chairperson is hereby authorized and directed to execute an Agreement with the Student Conservation Association, Inc. to establish an educational internship in conjunction with the Genesee County Parks for assistance in environmental programs offered through the Interpretive Center in the amount of \$4,501.84,

**Budget Impact:** \$1.84 for 2018. \$4,500.00 donated by ACORNS volunteer organization.

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

**RESOLUTION NO. 70                    REAPPOINTMENTS – PARKS, RECREATION AND  
FORESTRY ADVISORY COMMITTEE -  
APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The terms of office for three members of the Genesee County Parks, Recreation and Forestry Advisory Committee are due to expire and they all have expressed an interest and desire to serve another 3 year term, and

**WHEREAS**, The Committees on Public Service and Ways and Means do recommend that the three reappointments be made at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby reappoint the following to serve another term on the Genesee County Parks, Recreation, and Forestry Advisory Committee effective April 1, 2018 through March 31, 2021:

George Squires	Towns of Elba, Byron and Bergen	District #2
Bruno DeFazio	Town of Leroy	District #5

**Budget Impact:** None

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

**RESOLUTION NO. 71**

**AIRPORT RECONSTRUCT RUNWAY 10-28  
(DESIGN) – CAPITAL PROJECT  
AMENDMENT/CLOSE – APPROVAL OF**

Legislator Hilchey offered the following resolution:

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

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to make the following Budget Amendment:

Decrease 5997 5031 Interfund Transfer in the amount of \$102.02

Decrease 5997 4592 Federal Aid in the amount of \$1,836.37

Decrease 5997 3897 State Aid in the amount of \$102.02

Decrease H5997 2080 0000 Capital Expense in the amount of \$2,040.41

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to close the following capital project:

AIP #36-16; Reconstruct Runway 10-28 (Design)

**Budget Impact Statement:** Proper allocation of state and federal aid allows the county to reduce its overall committed local share and therefore reduce the amount of funds obligated to capital projects. Return of \$102.02 to Building Equipment and Reserve.

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

**RESOLUTION NO. 72**

**OVERHEAD DOOR REPLACEMENT–HIGHWAY–  
AWARD OF BIDS**

Legislator Maha offered the following resolution:

**WHEREAS**, the Superintendent of Highways has established a capital project for the replacement of the overhead doors at the Highway Garage, and

**WHEREAS**, the Superintendent of Highways recommends the award of a contract to the lowest bidder meeting specification as listed below, and the Committee on Public Service does concur at this time, and

<b>Contract</b>	<b>Contractor</b>	<b>Bid Amount</b>
Overhead Doors	Hamburg Overhead Door, Inc. 5659 Herman Hill Rd Hamburg, NY 14075	\$19,775.00

Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby award the contract for the replacement of the overhead doors at the Genesee County Highway Garage to Hamburg Overhead Doors, Inc, 5659 Herman Hill Rd, Hamburg, NY 14075 in an amount not to exceed \$19,775.00.

**Budget Impact Statement:** A capital project was established for this project in the amount of \$24,000.

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

**RESOLUTION NO. 73      ELEVATOR MODERNIZATION–JAIL–AWARD OF BIDS**

Legislator Young offered the following resolution:

**WHEREAS**, the Superintendent of Highways has established a capital project for the modernization of the elevator at the County Jail, and

**WHEREAS**, the Superintendent of Highways recommends the award of an NYSOGS contract to perform the capital improvements required, and the Committee on Public Service does concur at this time, and

<b>Contract</b>	<b>Contractor</b>	<b>Contract Amount</b>
Elevator Modernization NYSOGS #PS902AA	Thyssenkrupp Elevator Corporation 7481 NW 66 <sup>th</sup> St Miami, FL 33166-2801	\$71,487.00

Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby award a contract for the modernization of the elevator at the Genesee County Jail to Thyssenkrupp Elevator Corporation, 7481 NW 66<sup>th</sup> St. Miami, FL 33166-2801 in the amount of \$71,487.00.

**Budget Impact Statement:** A capital project was established for this project in the amount of \$73,000

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

**RESOLUTION NO. 74      CAPITAL PROJECT AMENDMENT/AWARD OF BID –  
FIRE ALARM UPGRADE – COURTS FACILITY**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Superintendent of Highways has established a capital project for the upgrade of the fire alarm at County Building #1, and

**WHEREAS**, the project was incorrectly titled when established and should be for the Courts Facility, and

**WHEREAS**, the Superintendent of Highways recommends the award of a NYSOGS contract to perform the capital improvements required, and the Committees on Public Service and Ways & Means do concur at this time, and

<b>Contract</b>	<b>Contractor</b>	<b>Bid Amount</b>
Fire Alarm Upgrade	TSG Security, Inc 1799 Clinton Avenue Rochester, NY 14621	\$20,075.01

Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislator does hereby direct the Genesee County to amend the Capital Project established for the Fire Alarm Upgrade at County Building #1 by changing the title of the project to Fire Alarm Upgrade at the Genesee County Courts Facility.

**RESOLVED**, That the Genesee County Legislature does hereby award the contract for the Fire Alarm Upgrade at the Genesee County Courts Facility to TSG Security, Inc, 1799 Clinton Avenue, Rochester, NY 14621 in the amount of \$20,075.01.

**Budget Impact Statement:** A capital project was established for this project in the amount of \$28,000.

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

**RESOLUTION NO. 75      REJECTION OF BIDS – GENESEE JUSTICE/COUNTY  
JAIL EXTERIOR RESTORATION – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, Genesee County re-advertised bid specifications for this project and received three bids, and

**WHEREAS**, The Genesee County Highway Superintendent and the Committee on Public Service have reviewed these bids and found them to significantly exceed the budget for this project and recommend rejecting the bids at this time, Now, therefore, be it

**RESOLVED**, That the Genesee County Legislature hereby rejects any and all bids received for the exterior restoration of the Genesee Justice/County Jail facility.

**Budget Impact:** The lowest bid submitted was for \$199,700 which exceeded the budget authorized for construction. Including all alternative bids, the lowest bid was \$399,923. While the work is required, even the base bid was more than \$60,000 over budget. The County will seek external assistance for historic preservation projects and try to advance the project in the future.

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

**RESOLUTION NO. 76      OPERATION AND MAINTENANCE AGREEMENT-TOWN  
OF BATAVIA AND TOWN OF ELBA- WATER DISTRICT  
NO. 2-APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Town of Batavia and Town of Elba have entered into an Operation and Maintenance Agreement dated December 21, 2017, for the Town of Batavia to operate and maintain the Water District No. 2 in the Town of Elba, and

**WHEREAS**, The County Attorney and the County Highway Superintendent have reviewed this agreement and recommend approval of the same, and

**WHEREAS**, The Committee on Public Service has reviewed this Agreement and does recommend approval. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby approve an “Intermunicipal Agreement for Operation and Maintenance of Water Facilities for the Town of Elba Water District No. 2, dated December 21, 2017, entered into by and between the Towns of Batavia and Elba.

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

**RESOLUTION NO. 77      AUTHORIZATION TO SIGN THE GLOW WORKFORCE  
INNOVATION AND OPPORTUNITY AREA  
MEMORANDUM OF UNDERSTANDING (MOU)  
INFRASTRUCTURE FUNDING**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Chief Elected Officials (CEO’s) of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act (WIOA) of 2014, and

**WHEREAS**, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Memorandum of Understanding (MOU) to capture each partner’s roles and responsibilities in the New York State (NYS) Career Center System. A complete budget of all infrastructure costs associated with the Genesee County Career Center has been provided, as well as the negotiated share percentages, agreed upon by the partners, and



**WHEREAS,** Each required WIOA system partner must enter into the GLOW WIOA MOU with the GLOW Workforce Development Board (WDB) and the four County CEO's, and

**WHEREAS,** The Genesee County Legislature has designated the Genesee County Job Development Bureau (GC JDB) as the required system partner at the Genesee County Career Center. Now, Therefore, Be it

**RESOLVED,** That the Genesee County Legislature does hereby authorize and direct Scott R. Gage, the Director of the GC JDB, to sign the GLOW WIOA MOU as the required partner of the Genesee County Career Center, and Be it Further

**RESOLVED,** That the Genesee County Legislature does hereby authorize and direct Robert Bausch, Chair of the Genesee County Legislature, to sign the GLOW WIOA MOU as the CEO of Genesee County, and Be it Further

**RESOLVED,** That the GLOW WIOA MOU will be effective July 1, 2017 and will be renewed not less than once every three years, or until such time that the Workforce Innovation and Opportunity Act is repealed.

**Budget Impact:** Neutral. The GLOW WIOA MOU does not represent a legally binding contract or establish any financial liability for any of the parties.

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

**RESOLUTION NO. 78      REVISED PURCHASING POLICY AND PROCEDURES  
FOR GENESEE COUNTY - APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS,** Resolution No. 50, adopted February 14, 1996, did provide for the Annual presentation and review of Genesee County Purchasing Policy and Procedure, and

**WHEREAS,** The Genesee County Purchasing Director did present revisions to said Policy and Procedure, setting forth updated guidelines for the purchasing functions of the County of Genesee for the year 2018, and

**WHEREAS,** The Committee on Ways and Means did review the Purchasing Policy and Procedure for 2018 and does recommend approval at this time. Now therefore, Be it

**RESOLVED,** That the Genesee County Legislature does hereby approve the terms and contents of the revisions to the Genesee County Purchasing Policy and Procedures for the Year 2018, effective immediately.

**Budget Impact: None**

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

**RESOLUTION NO. 79      REVISED PURCHASING CARD PROCEDURES FOR  
GENESEE COUNTY - APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS,** The Genesee County Purchasing Director did present revisions and updates to Purchasing Card Procedures, setting forth updated guidelines for the purchasing card functions of the County of Genesee for the year 2018, and

**WHEREAS,** The Committee on Ways and Means did review the Purchasing Card Procedure for 2018 and does recommend approval at this time. Now therefore, Be it

**RESOLVED,** That the Genesee County Legislature does hereby approve the terms and contents of the revisions to the Genesee County Purchasing Policy and Procedures for the Year 2018, effective immediately.

**Budget Impact: None**

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

**RESOLUTION NO. 80**

**2018-2019 RULES FOR GENESEE COUNTY  
LEGISLATURE-ADOPTION OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Legislature did review the Rules for the Legislature and the Committee on Ways & Means does recommend adoption. Now, therefore, Be it **RESOLVED**, That the Rules for the Legislature be and hereby are approved as the Rules which will govern the Genesee County Legislature for its operation for the term 2018-2019.

**Budget Impact Statement:** None

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

**RESOLUTION NO. 81      RESOLUTION URGING THE STATE TO ENACT  
LEGISLATION TO ENSURE A FAIR AND LEVEL  
PLAYING FIELD FOR ALL RETAILERS BY  
ADDRESSING SHORTFALLS IN INTERNET SALES TAX  
COLLECTION PRACTICES**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The State has identified significant loopholes in certain Internet-based sales tax collection practices and the State estimates that more than \$300 million annually in state and local sales taxes are not being collected; and

**WHEREAS**, The Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus; and

**WHEREAS**, Internet-based sales transactions through marketplace providers is estimated to be growing at annual rates of 15 percent; and

**WHEREAS**, Enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and

**WHEREAS**, A more efficient, modern, and fairer system of collecting sales tax owed under state law will provide critically important revenues for counties, towns, cities, villages and some school districts, and help local governments keep property taxes lower; and

**WHEREAS**, Providing an easy to use platform for large, highly experienced Internet transaction facilitators to collect sales tax on behalf of their participating vendors will create a fairer and more balanced marketplace for local "bricks and mortar" New York based retailers, as well as New York based online vendors; and

**WHEREAS**, These improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses; now therefore

**BE IT RESOLVED**, The New York State Association of Counties (NYSAC) calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a level playing field for retailers; and be it

**FURTHER RESOLVED**, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Michael Ranzenhofer, New York State Assemblyman Steve Hawley, the New York State Association of Counties and all others deemed necessary and proper.

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

Chairman Bausch again asked if anyone wanted to be heard at the Public Hearing on the Local Law in relation to extending a Real Property Tax Exemption for Cold War Veterans. Upon hearing no one the public hearing was closed at 5:46 PM.

**RESOLUTION NO. 82 LOCAL LAW INTRODUCTORY NO. ONE YEAR 2018, AMENDING LOCAL LAW NO. TWO YEAR 2008 - "A LOCAL LAW IN RELATION TO EXTENDING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS" - ADOPTION OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, on June 11, 2008, the Genesee County Legislature adopted Local Law No. 2, Year 2008, granting a certain partial real property tax exemption to Cold War Veteran property owners, pursuant to Section 458-b of the Real Property Tax Law, for the ten year period allowed by said Section, and

**WHEREAS**, in 2017, the New York Legislature amended section 458-b(2)(c)(iii) to allow a county to adopt a Local Law to grant or extend this exemption as long as a Cold War Veteran real property owner qualifies, without regard to such ten year limitation. Now, therefore,

**BE IT ENACTED** by the Genesee County Legislature as follows:

**SECTION 1: EXEMPTION EXTENSION**

That Section 2 of Local Law No. 2 of the year 2008 is amended by adding a subparagraph as follows:

- a. Pursuant to subsection 2(c)(iii) of §458-b of the NYS Real Property Tax Law, the exemption authorized shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation.

**SECTION 2: EFFECTIVE DATE**

This Local Law shall take effect immediately upon its filing with the Secretary of State and shall be applicable to all assessment rolls prepared pursuant to the first taxable status date occurring on or after the effective date of this Local Law, and

**WHEREAS**, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin boards in the Old Courthouse, and

**WHEREAS**, The Clerk of the Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory Number One, Year 2018 and

**WHEREAS**, A Public Hearing was held at 5:30 p.m. on the twenty-eighth day of February, 2018 Batavia, New York, at which time all interested persons who wished to speak were heard.

Now, therefore, Be it

**RESOLVED**, That "A LOCAL LAW IN RELATION TO EXTENDING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS" to be known as Local Law Number Two, Year 2018, for the County of Genesee as introduced on February 28, 2018, be and hereby is adopted, and Be it further

**RESOLVED**, Within twenty (20) days after the final adoption by this County Legislature of said County of Genesee, Local Law No. Two for the Year 2018, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Genesee County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York; and Be it further

**RESOLVED**, The Clerk of the Legislature, in accordance with County Law Section 214, shall cause a true copy of said Local Law to be published in the County official newspaper within ten (10) days after such Local Law has become effective; and Be it further

**RESOLVED**, Certified copies of this resolution shall be forwarded to the County Treasurer; the Director of Real Property Tax Services Agency; Genesee County Town Supervisors; Genesee County City Council; Genesee County Town and City Assessors, and the Genesee County Veterans Service Director.

Legislator Young stated he solicited feedback from several groups of constituents including veterans and residents who are not veterans. His discussions were lengthy and individuals did not hold back on their thoughts on the matter. He stated he will not be supporting the measure because the County will need to take more from some to make up for the exemption of others. Legislator Clattenburg stated she fully supports the exemption and recognizes the sacrifice of veterans and their families. Chairman Bausch stated he has a 25% Wartime exemption as a Vietnam Veteran.

Legislator Deleo seconded the resolution which was adopted by 279 votes, Young (47) no.

**RESOLUTION NO. 83 COUNTY AUDIT – FEBRUARY 28 - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

2017 General Fund	\$	9,555.96
2018 General Fund		1,007,702.82
Nursing Home		622.00
Water		21,500.00
Highway		33,468.35
Workers Comp		6,523.44
DSS Abstracts		104,438.59
<b>Capital Projects</b>		
Highway- Large Span Culverts	\$	63,333.78
Airport-Demolish Term Bldg & Maint Hangar		75,572.75
Sheriff's 800 Mghtz Radio Upgrade		107,150.66
<b>Payroll – General</b>		
February 16, 2018		1,530,567.70
<b>Medicaid</b>		
February 20 2018		179,222.00
February 27, 2018		<u>179,222.00</u>
<b>Total Audit</b>	\$	<b>3,318,880.05</b>

Now, therefore, Be it

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

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

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

At 5:49 the meeting adjourned upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.