

**FIFTH DAY  
GENESEE COUNTY LEGISLATURE  
Batavia, New York  
Wednesday, March 14, 2018**

The Genesee County Legislature met in Regular Session on Wednesday, March 14, 2018 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Hilchey followed by the Pledge to the Flag.

Chairman Bausch explained that March is Nation Ag Month and invited Legislator Stein to present a proclamation from the Genesee County Legislature to Farm Bureau members Christian Yunker and Natasha Sutherland. Mr. Yunker and Mrs. Sutherland thanked the Legislature for the recognition and described some of the events and activities including Ag in the Classroom where all Genesee County schools will have a visit by farm bureau members. Second grade classes will have a book read to them and have Ag related activities. The annual Celebrate Agriculture Dinner is scheduled for later this month and only two tables remain available. Over 400 attend this event each year.

The minutes of the February 28, 2018 Legislature meeting were approved upon motion of Legislator Maha seconded by Legislator Deleo, carried unanimously.

Chairman Bausch stated he attended the GCEDC annual meeting and also the Regional Economic Development Council where he, as Legislature Chair, is an Ad Hoc member. Legislator Stein announced that GAM meetings will be held at County Building #2 each month and invited legislators to attend. Legislator Clattenburg reported that the DRI Committee has wrapped up its recommendations and will submit a \$15 Mil list of prioritized projects to the state. She has served as a member of the committee and encouraged anyone interested to attend a public comment session Thursday, March 15, 2018.

County Manager Jay Gsell explained that Genesee County has had consistent representation on the Finger Lakes Regional Economic Development Board. Steve Hyde, GCEDC President is on the board and active with the planning and allocation of funds throughout the region.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 84    GENESEE-ORLEANS    REGIONAL    ARTS    COUNCIL  
FUNDING AGREEMENT - APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Genesee County Manager did present an agreement for the funding of the Genesee-Orleans Regional Arts Council for 2018 for the promotion of music and art appreciation in Genesee County, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement by and between the County of Genesee and the Genesee-Orleans Regional Arts Council, 201 East Main Street, Batavia, NY for a program which promotes music and art appreciation during the contract term of January 1, 2018 through December 31, 2018 at a cost not to exceed six thousand five hundred dollars (\$6,500.00).

**Budget Impact Statement:** 2018= \$6,500  
2017= \$6,300; 10% reduction in funding  
2016 = \$7,000  
2015 = \$6,905  
2014 = \$6,905  
2013 = \$6,905  
2012 = \$6,905; 5% reduction in funding  
2011 = \$7,268; 15% reduction in funding  
2010 = \$8,550; 5% reduction in funding  
2005 – 2009 funding = \$9,000/year  
1997 – 2004 funding = \$10,000/year (in 2001 received \$4,000 extra as matching funds for state grant)  
1994 -1996 funding = \$3,000/year  
1993 funding = \$2,500/year

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

**RESOLUTION NO. 85 APPOINTMENTS – GENESEE COUNTY YOUTH BOARD- APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS,** The Committees on Human Services and Ways and Means do recommend appointments to the Genesee County Youth Board at this time. Now, therefore, be it **RESOLVED,** That the following individuals are hereby appointed to the Genesee County Youth Board with a term and representation as noted.

**New Appointment**

Youth Representative	Paige Haile	March 1, 2018 – February 28, 2021
Darien/Corfu/Pembroke	Erin Martin	March 1, 2018 – February 28, 2021

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

**RESOLUTION NO. 86 AGREEMENT – INTER-MUNICIPAL AGREEMENT WITH CITY OF BATAVIA FOR YOUTH BUREAU OPERATION - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS,** The Youth Bureau Director did present an agreement with City of Batavia for the shared position of the Youth Bureau Executive Director and

**WHEREAS,** The agreement for services is at the rate of 20% of the Executive Director’s position and would begin April 1, 2018 expire December 31, 2021 and

**WHEREAS,** The Human Services and Ways and Means Committees did review the agreement 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 an agreement and all necessary documents between the City of Batavia and the County of Genesee for the oversight of the Batavia City Youth Bureau by Genesee County to be paid in quarterly amounts.

**Budget Impact:** Administration of the Batavia Youth Bureau is included in the 2018 Youth Bureau proposed budget. The revenue is an offset to county expense for personnel. The ratio of reimbursement is expected for the three remaining years of the arrangement.

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

**RESOLUTION NO. 87 REAPPOINTMENT – STOP-DWI ADVISORY BOARD – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The term of office has expired for Dr. James Sunser, citizen member of the STOP-DWI Advisory Board and he has indicated a desire and ability to continue service, and

**WHEREAS**, The Committee on Ways and Means does recommend the reappointment of citizen Dr. James Sunser. Now, therefore, Be it

**RESOLVED**, That Dr. James Sunser of Corfu, New York be reappointed as citizen member of the Genesee County STOP-DWI Advisory Board to serve another term effective immediately through December 31, 2020.

**Budget Impact:** None – these are volunteer Board Members

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

**RESOLUTION NO. 88 SET PUBLIC HEARING – LOCAL LAW  
INTRODUCTORY NO. TWO YEAR 2018 – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No. 2, Year 2018 entitled “**A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF GENESEE A PUBLIC NUISANCE, AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY’S EXPENDITURES INCURRED IN PROVIDING SERVICE RELATED TO THE OPIOID EPIDEMIC**, and

**WHEREAS**, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such Local Law. Now, therefore, Be it

**RESOLVED**, That a public hearing shall be held on proposed Local Law Introductory No. 2 , Year 2018, by the Genesee County Legislature on the 28 day of March, 2018 at 5:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, New York.

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

**RESOLUTION NO. 89 CONTRACT RENEWAL –COUNTY ATTORNEY-BROKER  
RISK MANAGEMENT SERVICES/APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, In 2016 Genesee County did contract with Lawley Genesee for Broker/Risk Management Services to review and evaluate the County’s risks and appropriateness of various coverages, and

**WHEREAS**, The County Attorney does wish to continue this contract with Lawley Genesee and the Committee on Ways and Means reviewed this recommendation and does concur at this time. Now, therefore, Be it

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized to renew a contract with Lawley Genesee, 20 Jefferson Square, Batavia, NY 14020, for the provision of Broker/Risk Management Services in the amount of \$22,000 for the period March 1, 2018 through February 28, 2019.

**Budget Impact:** The cost for this service has stayed flat at \$22,000 since 2016.

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

**RESOLUTION NO. 90 PROPERTY EASEMENT/TOWN OF BATAVIA -  
APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Genesee Community College installed approximately 700 feet of water and sewer main and appurtenances along the west side of Genesee Community College’s westerly driveway entrance to provide water-sewer service to their campus. The County would like the Town to take over future maintenance and operation of these lines. The Town of Batavia needs this

easement in order to hereinafter operate and maintain the water and sewer mains and appurtenances, and

**WHEREAS**, Town of Batavia has presented to the County an Easement Agreement for approval, and

**WHEREAS**, The Committee on Ways and Means and the County Attorney have reviewed this Easement and do recommend approval. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Easement Agreement between the County of Genesee and Town of Batavia, 3833 West Main Street Road, Batavia, New York which grants an easement to the Town of Batavia to operate, maintain and make repairs in connection therewith regarding Tax Map No. 9.-1-6.114.

**Budget Impact Statement:** No impact on County budget.

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

**RESOLUTION NO. 91      AGREEMENT WITH ROTARY CLUB OF BATAVIA, NY,  
INC. FLY-IN BREAKFAST - GENESEE COUNTY  
AIRPORT - APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Genesee County Legislature did receive a request from the Rotary Club of Batavia, NY, Inc. to hold a Fly-In Breakfast at the Genesee County Airport on Sunday, June 17, 2018, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Rotary Club of Batavia, NY, Inc. for access to and use of the Genesee County Airport on June 15, 16, 17, 18 and 19, 2018 subject to the rules and regulations of the Genesee County Airport to conduct a public Fly-In Pancake Breakfast on June 17, 2018.

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

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

**RESOLUTION NO. 92      COUNTY AUDIT –MARCH 14 - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

2017 General Fund	\$	9,652.51
2018 General Fund		437,437.06
Nursing Home		4,325.00
Water		64,646.85
Highway		95,371.99
Workers Comp		460.00
DSS Abstracts 2018		426,513.25
DSS Abstracts 2017		101.12

**Capital Projects**

Airport-Demolish Term Bldg & Maint Hangar	\$	59,455.74
Airport-Reconstruct Runway 10-28		3,153.94
Airport-Taxiway "C" Reconstruction & Design		99,450.00
Highway-Pratt Road Bridge/Tonawanda Creek		7,818.60
Highway-Large Span Culverts		11,041.50
Highway-Comprehensive Bridge Culverts		20,864.31

Sheriff's 800 Mghtz Radio Upgrade	68,387.75
<b>Payroll – General</b>	
March 2, 2018	\$ 1,066,945.57
<b>Medicaid</b>	
March 6 2018	179,222.00
March 13, 2018	<u>179,222.00</u>
<b>Total Audit</b>	\$ 2,734,069.19

Now, therefore, Be it

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

Prior to the vote, Legislator Stein commented that the audit was made easier due to less money going out but there was more paperwork and documentation to review. Legislator Dibble also assisted/observed the audit.

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

The meeting adjourned at 5:45PM upon motion of Legislator Stein seconded by Legislator Deleo, carried unanimously.