

**EIGHTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, April 25, 2018**

The Genesee County Legislature met in Regular Session on Wednesday, April 25, 2018 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Deleo assisted with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

Legislator Maha presented a proclamation for National Public Safety Telecommunicators' Week to Sheriff William Sheron, Under Sheriff Greg Walker and dispatchers Tripp, Smith and Dudak. They were thanked for their service and Chairman Bausch commented on the professionalism demonstrated by Sheriff's Department personnel. Legislator Deleo presented a Fair Housing Month Proclamation to Assistant County Manager Matt Landers.

The minutes of the April 11, 2018 Legislature meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

Legislator Stein attended Inter County Association meeting where it was reported that Erie County submitted their Raise the Age plan to the State. She also attended GAM where there was discussion on the Solar exemption and ideas for shared services. Legislator Maha attended the E911 Board meeting and shared that the Board is working on IT issues. Legislator Clattenburg stated she attended the Holland Land Office Museum board meeting. They are finalizing their strategic plan and shared their most recent newsletter which she forwarded to all Legislators. Legislator Clattenburg commended Youth Bureau staff for their time and effort with coordinating Family Game Night.

County Manager Jay Gsell explained that he was contacted by Senator Ranzenhofer regarding SAM funding which replaced Member-item funding. He also explained how the Raise the Age discussion now includes the term "cap" with regard to reimbursed RTA expenses.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 122 CERTIFICATES OF INSURANCE- GLOW REGION SOLID
WASTE MANAGEMENT COMMITTEE EVENTS: KINDER
FARMIN', HEMLOCK FAIR, WYOMING COUNTY FAIR,
RPCN HEALTH AND WELLNESS BACK TO SCHOOL
FAIR AND BRICK HOUSE CORNERS FAIR-APPROVAL
OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in and conduct a presentation at the Kinder Farmin' event sponsored by Genesee County Farm Bureau at Reyncrest Farm, in the Town of Corfu for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Recycling Administrator has been invited to participate in the Hemlock Fair by the Hemlock Lake Union Agricultural Society for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event on , and

WHEREAS, The Recycling Administrator has been invited to participate in the Wyoming County Fair by the Wyoming County Fair Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this

event, and

WHEREAS, The Recycling Administrator has been invited to participate in the Regional Primary Care Network (RPCN) Health and Wellness Back to School Fair in Mt. Morris for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event on , and

WHEREAS, The Recycling Administrator has been invited to participate in the Brick House Corners Fair sponsored Pembroke Historical Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Public Service Committee does concur with these recommendations. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in Kinder Farmin' event to be held at Reyncrest Farm in the Town of Darien on June 6, 2018.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in Hemlock Fair to be held in Hemlock, NY from July 17-21, 2018.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Wyoming County Fair to be held in Pike, NY from August 11- 18, 2018.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in the RPCN Health and Wellness Back to School Fair on August 17, 2018.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in the Brick House Corners Fair event to be held at the Pembroke Town Hall on September 8, 2018.

Budget Impact: There is no cost for the Kinder Farmin', Brick House Corners Fair or RPCN Health and Wellness Back to School Fair. The cost of booth space for the Hemlock Fair is \$135.00 and is included in GLOW's 2018 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant. The cost of booth space for the Wyoming County Fair is \$180.00 and was prepaid and included in GLOW's 2017 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant.

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

RESOLUTION NO. 123 2018 SALARY SCHEDULE AMENDMENT - JUSTICE FOR CHILDREN ADVOCACY CENTER / POSITION ELIMINATION AND POSITION CREATION - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, A Community Service/Victim Assistant at the Justice for Children Advocacy Center has resigned, resulting in a vacancy as of April 21, 2018; and

WHEREAS, After discussions with the Sheriff and Human Resources Director, it has been determined that deleting this one Community Service/Victim Assistant position and creating a Family Advocate position instead of filling this vacancy with a Community Service/Victim Assistant would be in the best interest of the Justice for Children Advocacy Center and the County; and

WHEREAS, The cost associated including wages and fringe benefits will be equal, as both the Community Service/Victim Assistant and the Family Advocate positions are 37.5 hour per week, competitive CSEA Grade 9 positions; and

WHEREAS, Implementing this change will result in the Justice for Children Advocacy Center being staffed with one Program Coordinator, two Family Advocates, one Community Service/Victim Assistant, and one part-time Clerk/Typist; and

WHEREAS, The Justice for Children Program Coordinator requests an amendment to the 2018 Salary Schedule that will eliminate one 37.5 hour per week, competitive CSEA Grade 9 Community Service/Victim Assistant position and add a 37.5 hour per week, competitive CSEA Grade 9 Family Advocate position. Now, therefore, be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2018 Employee Salary Schedule by eliminating a 37.5 hour per week, competitive CSEA Grade 9 Community Service/Victim Assistant position and adding a 37.5 hour per week, competitive CSEA Grade 9 Family Advocate position.

Budget Impact: Grants from the New York State Office of Victim Service and New York State Office of Children and Family Service fully funds this position.

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

**RESOLUTION NO. 124 BUDGET ITEM TRANSFER/BUDGET AMENDMENT –
SHERIFF/ COMMUNICATIONS - APPROVAL OF**

Legislator Maha 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 \$203,186.00 from the Public Safety Answering Point (PSAP) Operations Grant, and

WHEREAS, These funds will be used to offset a portion of the 2018 Communications Personal Services in a like amount, and

WHEREAS, The Genesee County Sheriff and the Director of Emergency Communications recommend the acceptance of such grant funds and the Communications Budget be amended to properly show the revenues associated with the expenditures, and

WHEREAS, The 911 revenues will be reinstated to the county deferred revenue accounts for future budgets, 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 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 Operations Grant in the amount of \$203,186.00, and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 budget as follows:

Decrease A3020 1590.911D E911 Deferred \$16,186.00

To be offset by an increase in A3020 3390.911 State Aid-911 Wireless in the amount of \$16,186.00.

Budget Impact: None.

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

RESOLUTION NO. 125 ACCEPTANCE OF GRANT FUNDS / STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT - SHERIFF - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications has awarded Genesee County sustainment funds in the amount of \$679,558.00 from the Statewide Interoperable Communications Grant program, and

WHEREAS, The grant funds can be used for a variety of reimbursements including, but not limited to: currently budgeted operational costs such as radio system maintenance, towers leases, radio system utilities; new equipment purchases such as additional radio infrastructure improvements, programming, and interoperable user equipment; and a portion of currently budgeted salary expenditures, and

WHEREAS, The grant period is from January 1, 2018 – December 31, 2019, and

WHEREAS, The Sheriff is requesting acceptance of these grant 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 Chair of the Legislature is hereby authorized and directed to accept the Division of Homeland Security and Emergency Services Office of Interoperable and Emergency FY17-18 Statewide Interoperable Communications Formula Grant in the amount of \$679,558.00.

Budget Impact Statement: None. \$289,297.00 was allocated in the 2018 Communications Budget to cover grant eligible expenses. The remainder will be used for capital projects or short term projects addressed via budget amendment.

Prior to the vote Legislator Maha commented on how fortunate Genesee County is to be awarded these State dollars and that Emergency Communications Director Steve Sharpe should be credited with his grant-writing skills for obtaining many grants.

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

RESOLUTION NO. 126 CONTRACT EXTENSION – NYS DEFENDERS ASSOCIATION/ PUBLIC DEFENDERS CASE MANAGEMENT SYSTEM – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Public Defender's Office does recommend the Public Defense Case Management System Maintenance and Software Agreement between Genesee County Public Defender's Office and New York State Defenders Association, Inc. contract be extended for a period through May 3, 2019 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 execute the necessary documents to extend the contract for the provision of the Public Defense Case Management System Maintenance and Software Agreement between Genesee County Public Defender's Office and New York State Defenders Association, Inc., Albany, New York for the period of May 3, 2018 through May 3, 2019 for a total cost of \$2,500.00.

Budget Impact: Funds for this contract are budgeted in the 2018 budget.

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

**RESOLUTION NO. 127 SUPPLEMENTAL AGREEMENT/ CAPITAL PROJECT
AMENDMENT/BUDGET AMENDMENT – SEARLS ROAD
BRIDGE OVER SPRING CREEK (PIN 4BNY.01) BRIDGE
NY – APPROVAL OF**

Legislator Hilchey offered the following resolution:

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

WHEREAS, A Project for the Searls Road Bridge over the Spring Creek, PIN 4BNY.01 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

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

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOVLED, That a Capital Project for the Searls Road Bridge over Spring Creek be increased in the amount of \$16,500, with \$15,675 funded from federal aid and \$825 funded by a local match from the 1% sales tax; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to make the following budget amendment: Increase A1000 1110.1 1% Sales Tax in the amount of \$825 offset by an Increase in Appropriation A9950.9 Transfer to Capital in a like amount; Increase H5197 4592 Federal Aid in the amount of \$15,675; Increase H5197 5031 Interfund Transfers in the amount of \$825; and Increase H5197 2080.0000 Highway Capital Project Appropriation in the amount of \$16,500.

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

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

RESOLVED, That this resolution shall take effect immediately.

Budget Impact: A capital project for the Searls Road Bridge over Spring Creek be increased to a total amount of \$149,500 with an increase of federal aid in the amount of \$15,675 and an increase in local match in the amount of \$825 provided from the 1% sales tax.

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

**RESOLUTION NO. 128 SUPPLEMENTAL AGREEMENT/CAPITAL PROJECT
AMENDMENT/BUDGET AMENDMENT – PRATT ROAD
BRIDGE OVER TONAWANDA CREEK (PIN 4755.43)
BRIDGE NY – APPROVAL OF**

Legislator Stein offered the following resolution:

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

WHEREAS, A Project for the Pratt Road Bridge over the Tonawanda Creek, PIN 4755.43 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, The County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

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

RESOLVED, That the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOVLED, That a Capital Project for the Pratt Road Bridge over Tonawanda Creek be increased in the amount of \$13,000, with \$12,350 funded from federal aid and \$650 funded by a local match from the 1% sales tax; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to make the following budget amendment: Increase A1000 1110.1 1% Sales Tax in the amount of \$650 to be offset by an Increase in Appropriation A9950.9 Transfer to Capital in a like amount; Increase H5197 4592 Federal Aid in the amount of \$12,350; Increase H5197 5031 Interfund Transfers in the amount of \$650; and Increase H5197 2080.0000 Highway Capital Project Appropriation in the amount of \$13,000.

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, That the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

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

RESOLVED, That this resolution shall take effect immediately.

Budget Impact: A capital project for the Pratt Road Bridge over Tonwanda Creek be increased to a total amount of \$13,000 with an increase of federal aid in the amount of \$12,350 and an increase in local match in the amount of \$650 provided from the 1% sales tax

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

RESOLUTION NO. 129 GRANT AGREEMENT – MULTI-MODAL #4 – STROH RD BRIDGE – HIGHWAY- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County has been awarded a Multi-Modal #4 grant from New York State for use on the Stroh Road Bridge over the Tonawanda Creek in the Town of Alexander, and

WHEREAS, The Superintendent of Highways recommends approving the grant and any supplemental agreement as required by the New York State Department of Transportation to aid in the replacement of the bridge, and

WHEREAS, The Committee on Public Service has reviewed this recommendation and does concur at this time. Now, therefore, Be it

RESOLVED, That the Chair of Genesee County Legislature is hereby authorized to execute the State Aid agreement with the New York State Department of Transportation for Multi-Modal #4 Contract D025895 for the Stroh Rd Bridge over the Tonawanda Creek in the amount of \$100,000.

Budget Impact: State Aid in the amount of \$100,000.

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

**RESOLUTION NO. 130 ESTABLISH CAPITAL PROJECT – STROH ROAD
BRIDGE OVER TONAWANDA CREEK AND BUDGET
AMENDMENT - HIGHWAY–APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The State of New York has provided Genesee County with Multi-Modal funds, and
WHEREAS, The Superintendent of Highways recommends establishing a new capital project for work planned for this construction season utilizing the \$100,000 State Aid and the Building and Equipment Reserve – NH for the balance, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to establish Capital Project – Stroh Road Bridge Over Tonawanda Creek in the amount of \$1,423,894 and to amend the budget by Increasing Revenue A.1000.9999 Balancing utilizing the Building and Equipment Reserve – NH in the amount of \$1,323,894 and Increase A.9950.9 Transfer to Capital in a like amount; Increase Revenue H15197.5031 Interfund Transfer in the amount of \$1,323,894; increasing State Aid H5197.3505 Multi Modal Transportation Program in the amount of \$100,000; Increase H5197.2080 Highway Capital Project Appropriation in the amount of \$1,423,894

Budget Impact Statement: Project is locally funded with \$1,323,894 of reserve funds and \$100,000 in state aid from the Multi-Modal #4 program.

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

**RESOLUTION NO. 131 AWARD OF BID/CONSULTANT AGREEMENT– STROH
ROAD BRIDGE OVER TONAWANDA CREEK –
HIGHWAY -- APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has been awarded state aid grant and desires to replace the Stroh Rd Bridge over the Tonawanda Creek using local funding, and

WHEREAS, Genesee County advertised bid specifications for the construction of this project and received several competitive bids, and

WHEREAS, The Genesee County Highway Superintendent has reviewed the bids to determine the lowest responsible bidder, and

WHEREAS, The Genesee County Highway Superintendent has also reviewed a proposal from Clark Patterson Lee relative the construction administration and inspection for this project and does recommend approval of a consultant agreement at this time, and

WHEREAS, The Committee on Public Service has reviewed these recommendations and does concur at this time, Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to execute a contract with The L.C. Whitford Co., Inc. 164 North Main Street, Wellsville, NY 14895 in the amount of \$1,268,887 for the construction and replacement of the Stroh Rd bridge over the Tonawanda Creek in the Town of Alexander.

RESOVLED, That the Chairperson of the Genesee County Legislature is hereby authorized to execute a consultant agreement with Clark Patterson Lee, 250 St Paul Street, Suite 500, Rochester, NY 14623 in an amount not to exceed \$155,007 for the construction inspection and administration of

the Stroh Rd bridge over the Tonawanda Creek in the Town of Alexander.

Budget Impact: The project total is \$1,423,894 which will be funded from the capital project established for this project. Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 132 SURPLUS EQUIPMENT – COUNTY PARKS - APPROVAL OF

Legislator Torrey offered the following resolution:

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

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

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

General Fund – COUNTY PARK

#7210 – F350 1 Ton Dump Truck

#7190 – 2510 Kawasaki Mule

Budget Impact: Revenue for the General Fund

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

RESOLUTION NO. 133 2018 BUDGET AMENDMENT – COUNTY GRANT AWARDS -- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Genesee County Parks Supervisor do request an amendment to the 2018 Genesee County Budget to allow the acceptance two outside grants, and

WHEREAS, The budget increase will allow the Parks Supervisor to use the funding to administer an Environmental programming for through the Environmental Education programming at the Genesee County Park and Forest Interpretive Nature Center in Bethany, and

WHEREAS, The budget increase will also provide for the planting and stabilization of soils at the DeWitt Recreation Area, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 Genesee County Budget by increasing appropriation A7110 4700.1006 Nursery Materials, in the amount of \$1,500.00 to be offset by an increase in Revenue A7110 3891 State Aid - Parks, in a like amount and increase appropriation A7110 INTC 4800.0017 Program Expense, in an amount of \$750 to be offset by an increase in A7110 INTC 2002 Interpretive Center Programs in a like amount.

Budget Impact: Increase to 2018 budget expense in amount of \$2,250 - offset by revenues in like amount. Cost to County \$0.

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

RESOLUTION NO. 134 REAPPOINTMENT/APPOINTMENT – OAK ORCHARD SMALL WATERSHED PROTECTION DISTRICT ADMINISTRATIVE BOARD– APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The term of office expired for Christian Yunker, Matthew Mortellaro, John Starowitz and John Torrey on the Oak Orchard Small Watershed Protection District Administrative Board, and

WHEREAS, Christian Yunker, Matthew Mortellaro and John Starowitz requested reappointment and Maxwell Torrey is requesting appointment and the Committees on Public Service and Ways and Means do recommend reappointment and appointment at this time. Now, therefore, Be it **RESOLVED**, That Christian Yunker of 7572 Bank St. Rd., Elba, NY, Matthew Mortellaro of 6550 Transit Road, Elba, NY, John Starowitz of 7366 Whitney Mill Toad, Elba, NY and Maxwell Torrey of PO Box 276, Elba, NY are hereby reappointed and appointed as members of the Genesee Oak Orchard Small Watershed Protection District Administrative Board effective immediately through December 31, 2019.

Budget Impact: None – this Board is comprised of volunteer members

Prior to the vote Chairman Bausch stated his appreciation of residents who share their time and expertise by serving on boards and committees.

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

RESOLUTION NO. 135 APPOINTMENT –FISH & WILDLIFE MANAGEMENT ACT BOARD - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The term of office for the Landowner member of the Fish & Wildlife Management Board is vacant, and

WHEREAS, a minimum 3-member board, appointed by the Legislature includes a sportsman, landowner and legislator and also the Soil & Water Chair or their designee is an automatic member, and

WHEREAS, Timothy J. Woodward submitted a completed application for appointment to serve and the Committees on Public Service and Ways and Means do recommend that his appointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to serve the remainder of the two-year term on the Fish & Wildlife Management Board;

Timothy J. Woodward Landowner Representative 5/1/18-12/31/18

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

RESOLUTION NO. 136 AGREEMENT – MENTAL HEALTH/INTER-MUNICIPAL AGREEMENT WITH NIAGARA COUNTY FOR CRISIS ON-CALL SERVICES - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, NYS Mental Hygiene Law requires the Director of Mental Health Services ensure crisis on-call services are available and continuous, and

WHEREAS, The contracted provider, the YWCA of Genesee County is no longer able to provide this necessary service, and

WHEREAS, The Mental Health Director did present an agreement with Niagara County for the operation of the Crisis On-Call Services for 2018, and

WHEREAS, upon approval of the agreement by the county attorney as to form, and

WHEREAS, The Ways & Means Committee did review the agreement 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 an agreement and all necessary documents between the County of Niagara and the County of Genesee for the operation of Crisis On-Call Services by Niagara County at a cost to Genesee County of \$78,600.00 annually. From May 1, 2018 through December 31, 2018 for a total of \$52,400.00.

Budget Impact: Operation of the Crisis On-Call services is included in the current budget. The County savings will be \$45,000 annually.

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

RESOLUTION NO. 137 BUDGET AMENDMENT/CYBER INSURANCE- COUNTY ATTORNEY/CASUALTY LIABILITY INSURANCE RESERVE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County IT Director, along with the Assistant County Manager, County Attorney and the County’s Insurance Broker Lawley Genesee do recommend the purchase of cyber liability coverage to protect the County against any ransomware or malware attacks, and **WHEREAS**, It is recommended to purchase said insurance from Beazley Insurance Company with a \$5 million limit for each claim and \$5 million aggregate with a retention of \$100,000, and **WHEREAS**, The County Attorney does request an amendment to the 2018 County Budget due to purchase of cyber insurance coverage, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 budget as follows:

Increase in Revenue	MS.1000.9999	Balancing-Appropriated	\$36,061
To be offset by an			
Increase in MS.9907.9000.0000	Transfer to General Fund		\$36,061
And an increase in A.1000.5031	Interfund Revenue		\$36,061
To be offset by an			
Increase Expense	A. 1910.4660.0000	Unallocated Insurance	\$36,061, and Be it further

RESOLVED, that the Chairman of the Genesee County Legislature is authorized and directed to execute the necessary paperwork to purchase cyber liability coverage in the amount of \$36,061 with Beazley Insurance Company with a \$5 million limit for each claim and \$5 million aggregate with a retention of \$100,000.

Budget Impact: A reduction in the Casualty Liability Insurance Reserve of \$36,061.

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

RESOLUTION NO. 138 CONTRACT – COUNTY MANAGER/THOMSON REUTERS – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The current agreement for on-line, legal research service provided by Thomson Reuter-West (Westlaw) to various County departments is in the last year of its contract, and **WHEREAS**, Thomson Reuter-West (Westlaw) has developed a new service package that includes services that County departments could benefit from at no additional cost in the last year of the contract and a decrease in the annual increase if the contract is renewed for an additional two years, and

WHEREAS, The County Manager does recommend entering into a new agreement with Thomson Reuter-West (Westlaw), and

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

RESOLVED: That the Chair of the Legislature is hereby authorized and directed to execute a contract with Thomson Reuters – West (Westlaw) for on-line legal research services for a monthly fee of \$2,174.85 for the first 12 month period beginning April 1, 2018, and a 2% increase in the 2nd and 3rd period.

Budget Impact: Expense has been budgeted in the 2018 County Manager budget.

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

**RESOLUTION NO. 139 AUTHORIZATION – COUNTY LEGISLATURE/
EXECUTION OF NON-DISCLOSURE AGREEMENT
- APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County and the GLOW region have been pursuing the identity of and the potential buildout of rural broadband in the 500 square mile perimeter of the County, and

WHEREAS, New York State Rural Broadband maps and award of contracts to private vendors to buildout said broadband networks still indicate coverage gaps and “last mile” deficiencies, and

WHEREAS, Charter Communications/Spectrum a major internet and broadband provider here in Western New York and Genesee County has agreed to provide proprietary/confidential information regarding their latest buildout of town/town addresses here in the County, and

WHEREAS, In the pursuit of accurate mapping of said current broadband service by all known carriers and possible federal/State funding to facilitate the extension of new services in various parts of the County, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the execution of a Non-Disclosure Agreement between Genesee County and Charter Communications Inc. (Buffalo NY) for the purpose of providing new broadband service addresses in Genesee County

Prior to the vote Chairman Bausch commented that Congressman Collins hosted a rural broadband presentation with the FCC Commissioner which shed light on the reason NYS is unable to access federal dollars due to the current diversion of funds within the state budget.

County Manager Jay Gsell assured Legislators that no proprietary information will be disclosed.

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

RESOLUTION NO. 140 COUNTY AUDIT –APRIL 25 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Deleo, did review the following claims:

General Fund	\$	990,692.23
Sales Tax Distribution		4,541,731.97
Nursing Home		200.00
Highway		93,065.85
Self Insurance		62,739.31
Water		560,824.25
DSS Abstracts		120,635.28
Capital Projects		
Highway-Searls Road Bridge over Spring Road	\$	20,165.06
Highway-Large Span Culverts		1,891.50
Highway-River Street Bridge		2,415.44
Park-Park Area D Shelter Improvement		1,882.78
Fac Mgmt-Courts Facility Alarm Upgrade		10,317.15
Fac Mgmt-Jail Elevator Modernization		17,872.00

Payroll – General

April 13, 2018 \$ 1,079,602.02

Medicaid

April 17, 2018 177,332.00

April 24, 2018 177,332.00

Total Audit \$ 7,858,698.84

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 Maha seconded the resolution which was adopted by 326 votes.

Legislator Clattenburg made a motion to suspend the Rules of the Legislature because a vacancy exists on the Rochester Genesee Regional Transportation Authority since representative Paul Battaglia resigned in early 2017 and commissioners are recommended by their applicable governing bodies, nominated by the Governor and confirmed by the State Senate seconded by Legislator Stein, carried unanimously (420 votes).

RESOLUTION NO. 141 APPOINTMENT TO ROCHESTER/GENESEE REGIONAL TRANSPORTATION AUTHORITY-APPROVAL OF

Legislator Clattenburg 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:

Thomas Turnbull, 206 Naramore Drive, Batavia, NY 14020

Peggy Swapceinski, 7567 Dublin Road, Bergen, NY 14416

Prior to the vote Chairman Bausch commented that he knows both individuals and is confident either will serve well.

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

The meeting adjourned at 6:01 pm upon motion of Legislator Clattenburg seconded by Legislator Deleo carried unanimously.