

**FOURTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, August 8, 2018**

The Genesee County Legislature met in Regular Session on Wednesday, August 8, 2018 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was offered by Legislator Hilchey followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Bausch opened a public hearing on Local Law Introductory No. Four of the Year 2018, A Local Law in Relation to Increasing and Staggering the Terms of Office of the Members of the Genesee County Legislature. All interested parties were invited to be heard.

Mr. Arthur Munger stated he does not favor the proposed local law and believes 2 year terms are preferable. He stated that candidates are forced to interact with voters while campaigning and when the terms are two years, that interaction is more frequent.

Mr. John Roach stated he is in favor of two-year terms. There is no savings with regard to costs of elections and the NYS Senate and Assembly are two year terms. He does not support increasing term length to 4 years.

Mr. John Sacket stated he is in favor of two-year terms and does not want to see term length for legislators increased to four years. He also commented on diversity and water rates and surcharges.

The Clerk read written comments received from ten town and village elected officials who were all in favor of increasing term length and staggering terms.

The minutes of the July 11, 2018 Legislature Meeting were approved upon motion of Legislator Stein seconded by Legislator Hilchey, carried unanimously.

Out-of-State Travel request for County Manager Jay Gsell to travel to Baltimore, MD for the Annual ICMA Conference 9/22-9/26/18 cost \$2,151 was approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Legislator Maha commented on the lengthy process of conducting the audit this month due to much work being done on multiple capital projects.

County Manager Jay Gsell stated the highway department has many capital projects underway including road resurfacing and bridge work. A lot is getting accomplished especially with the Highway Department shared services agreements with towns and villages. Mr. Gsell stated the County Shared Services Plan was delivered to the Legislature on August 1, 2018 and next steps include Public Hearings to solicit additional input and comment from members of the public. Local employment opportunities continue to be ample and our unemployment rate is 3.9% at present.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 272 LEASE AGREEMENT RENEWAL WITH IFESPAN/OFFICE
FOR THE AGING – APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request approval of a lease agreement renewal with Lifespan of Greater Rochester, Inc., 1900 Clinton Avenue S., Rochester, N.Y. 14618 for the period of July 1, 2018 – June 30, 2019 for rental of one 80 square foot office space to house a Lifespan employee working in the Muriel H. Marshall Fund for the Aging in Genesee funded Financial Management Program at a cost of \$14.33 per square foot, for an annual rent of \$1,146.40; and

WHEREAS; The Rochester Area Community Foundation has renewed the grant with Lifespan of Greater Rochester, Inc. to provide financial management services; and the program coordinates with other Marshall Fund grantee services as well as Genesee County Office for the Aging programs and services; and to facilitate such coordination it is mutually beneficial to be housed in the Office for the Aging which has available office space available; and

WHEREAS; the Committee on Human Services did review this request and does recommend approval of this lease agreement. Now, Therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to renew a lease agreement with Lifespan of Greater Rochester, Inc., 1900 Clinton Avenue S., Rochester, N.Y. 14618 for the period of July 1, 2018 – June 30, 2019 for a yearly cost of \$1,146.40, paid in quarterly installments of \$286.60 per quarter.

Budget Impact: Neutral. Rental income is already included as a revenue in 2018 County Budget.

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

RESOLUTION NO. 273 2018 SALARY SCHEDULE AMENDMENT-DEPARTMENT OF SOCIAL SERVICES - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services did request an amendment to the 2018 Employee Salary Schedule by creating the position of one Support Investigator to fulfill mandated responsibilities of the department, and

WHEREAS, The Committee on Human 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 and Human Resource Director are hereby authorized and directed to amend the 2018 Genesee County Employee Salary Schedule by creating the position of Support Investigator, CSEA Grade 13, effective August 9, 2018.

Budget Impact: Anticipated salary and fringe for the remainder of 2018 is \$15855/ \$10235, respectively.

Expenses related to this position are reimbursable up to 100% with State and Federal Aid for Social Services Administration.

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

RESOLUTION NO. 274 CONTRACT RENEWAL – DSS/MH SECURITY SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Resolution No. 375 adopted November 12, 2014 did authorize a contract for the provision of security services for the Department of Social Services, and

WHEREAS, Resolution No. 57 adopted February 11, 2015 did authorize an amendment to the above-noted contract to allow for the provision of security services for the Mental Health Department, and

WHEREAS, Resolution No. 288 adopted August 10, 2016 did authorize renewal of the above-noted contract for the period of September 1, 2016 through August 31, 2017, and

WHEREAS, Resolution No. 273 adopted August 10, 2017 did authorize renewal of the above-noted contract for the period of September 1, 2017 through August 31, 2018, and

WHEREAS, Pursuant to Genesee County Request for Bids #2014-15, it is the mutual desire of the Genesee County Commissioner of Social Services, the Director of Mental Health and U.S. Security Associates, Inc. to renew said contract for a third period of one additional year under current rates with the same terms and conditions, and

WHEREAS, the Committee on Human Services has reviewed this request and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with U.S. Security Associates, Inc., 625 Delaware Avenue, Suite 200, Buffalo, NY 14202 for the provision of Security Services at offices occupied by DSS and Mental Health at 5130 East Main Street, Batavia for the period September 1, 2018 through August 31, 2019 at the rate of \$24.30 per man hour.

Budget Impact Statement: The annual DSS cost of the program is \$113,550 with a local share of approximately \$28,445. The annual MH cost of the program is \$94,000 with a local share of approximately \$90,000. The funds for the remainder of 2018 are already included in each Department's current budget, and the funds for 2019 will be included in their requested 2019 Departmental budgets.

Prior to the vote Legislator Deleo stated he would abstain from the vote due to his part-time employment with US Security Associates.

Legislator Stein seconded the resolution which was adopted by 300 votes, Deleo (26) abstain.

**RESOLUTION NO. 275 CONTRACT– HEALTH DEPARTMENT/PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM –
APPROVAL OF**

Legislator Young offered the following resolution:

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

WHEREAS, The Committees on Human Services and Ways & Means did review the 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 a contract with Amatina Frank, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period August 1, 2018 through June 30, 2019 per the 2017-2019 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2018 A 2960 3-5 Preschool Program Budget and will be included in the 2019 Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 276 GENESEE COUNTY WATER SUPPLY PROJECT PHASE 2
- DETERMINATION THAT SUPPLEMENTAL
ENVIRONMENTAL IMPACT STATEMENT WILL NOT BE
REQUIRED PURSUANT TO THE NEW YORK STATE
ENVIRONMENTAL QUALITY REVIEW ACT**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Legislature did, by Resolution No. 280 of the year 1998, adopted September 9, 1998, declare its intention to be the lead agency for the Genesee County Water Supply Project and made a preliminary determination that said project would be a Type 1 action as defined by the State Environmental Quality Review Act, and

WHEREAS, The Genesee County Legislature did, by Resolution No. 502 of the year 1998 adopted December 16, 1998, accept a Draft Environmental Impact Statement for said project and scheduled a Public Hearing on the same for January 13, 1999, and

WHEREAS, A public hearing was held on the Draft Environmental Impact Statement pursuant to applicable Regulations on January 13, 1999 at which time the Draft Environmental Impact Statement was presented, summarized and all oral and written comments were received, and

WHEREAS, Following the conclusion of the public comment period on the Draft Environmental Impact Statement, a Final Environmental Impact Statement was prepared in accordance with applicable Regulations, and accepted by the Genesee County Legislature on February 24, 1999 by Resolution No. 90 of the year 1999, and

WHEREAS, A Notice of Completion of the Final Environmental Impact Statement was prepared, filed, published and distributed for further public comment to the other involved agencies and the public, and

WHEREAS, Following the public comment period on the Final Environmental Impact Statement the County Legislature issued its Final Environmental Impact Statement pursuant to the underlying regulations of the State Environmental Quality Review Act on March 25, 1999 by Resolution No. 122, and

WHEREAS, on April 14, 2004 the County Legislature determined the potentially significant adverse effects posed by connecting the Village of LeRoy to the County System (Phase 2A) were adequately addressed in the previously issued Final Environmental Impact Statement by Resolution No. 118, and

WHEREAS, Phase 2 of the County Water Supply Project is now proposed in order to meet the increased water demands to the County System and more specific information on the actual routes and with improvements incidental thereto (the “project”), and

WHEREAS, to aid the County Legislature in determining whether the specific projects and financing and other actions of the County in connection therewith (the “action”) might have a significant effect on the environment, the County caused to be prepared environmental assessment forms (“EAFs”) and related supplemental information for each specific project; and

WHEREAS, The Genesee County Legislature as Lead Agency has evaluated Phase 2 with respect to its previously issued Final Environmental Impact Statement along with supplemental documentation now provided. Now, therefore, Be it

RESOLVED, That upon consideration and review of the Environmental Assessment Forms and all comments received by interested and involved agencies, the Genesee County Legislature hereby finds that the potentially significant adverse effects posed by these proposed modifications were adequately addressed in the previously issued Final Environmental Impact Statement, and Be it further

RESOLVED, That the Genesee County Legislature concludes that consistent with social, economic and other additional considerations, from among the reasonable alternatives thereto, the action to be carried out, funded and approved by these project modifications, minimizes or avoids adverse environmental effects to the maximum extent practicable as disclosed in the previously issued Final Environmental Impact Statement, and Be it further

RESOLVED, That the Genesee County Legislature concludes that consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects resulting from these project modifications will be minimized or avoided by incorporating into the action to be carried out those mitigative measures identified in the previously issued Final Environmental Impact Statement.

RESOLVED, That the Genesee County Legislature directs that Negative Declarations - Notices of Determination of Non-Significance be filed pursuant to Article 8 of the Environmental Conservation Law and its underlying regulations.

Budget Impact: The costs associated with construction of Phase 2 are being shared by MCWA (Monroe County Water Authority) and Genesee County.

Prior to the vote Legislator Stein commented that this is another step forward toward the much needed increase in water capacity. She further stated reaching the goal of increased water will benefit and support businesses, residents and the economy of the County and thanked fellow Legislator Hilchey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 277 SURPLUS EQUIPMENT-HIGHWAY-ROAD MACHINERY
FUND-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:

#2002 – 2012 Ford F150 Pickup Truck, ½ Ton 4x4 (159,700 miles)

#2005 – 2009 Ford F250 Pickup Truck, ¾ Ton 4x4

#2022 – 2008 Ford Pickup Truck, ½ Ton 4x4

#3012 – 2001 Ford Excursion Truck

#6011 – 2005 John Deere 6603 Mower with

11A – Bat Wing Mower

11B – Brush Hog Mower

11C – 2012 Riger 3pt Hitch Rear Flail Mower

Budget Impact: Revenue for Road Machinery Fund

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

**RESOLUTION NO. 278 REVISED MEMORANDUM OF AGREEMENT (MOA) -
SHERIFF'S OFFICE / NYS DHSES OIEC MUTUALINK
PROGRAM - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee County desires to participate in the New York State Department of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications Mutualink Program for the purpose of providing first responders access to interoperable communications capabilities, and

WHEREAS, Genesee County entered into a Memorandum of Agreement (MOA) with the State of New York pursuant to Resolution 146, dated April 23, 2015, and

WHEREAS, the State of New York would like to enter into a revised MOA providing for the County's use of New York State equipment, software and licenses necessary for the Mutualink Program along with New York State's maintenance of the equipment through January 31, 2021, and

WHEREAS, after careful review by the Sheriff, County Attorney, and Director of Emergency Communications, it is recommended the County approve the revised MOA, 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 Chair is authorized to approve the revised MOA with the New York State Department of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications, located at 1220 Washington Avenue, State Office Campus, Building 7A, 7th Floor, Albany, New York 12226, for Mutualink equipment.

Budget Impact Statement: None.

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

**RESOLUTION NO. 279 AWARD OF CONTRACT – SHERIFF’S OFFICE /
COMMUNICATION TOWER ENGINEERING SERVICES –
COSTICH ENGINEERING PC – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Director of Emergency Communications and Purchasing Director did receive proposals for communication tower engineering services, and

WHEREAS, after a review of the proposals received and rating them based on criteria established within the RFP, it is recommended that the contract be awarded to the highest rated engineering firm meeting specifications, and

WHEREAS, the Committees on Public Service and Ways & Means did review the recommendation and do concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a one-year contract, with the option of two one-year renewals, with Costich Engineering, P.C. of 217 Lake Avenue, Rochester, NY 14608 for various communication tower engineering tasks for the period of August 1, 2018, through July 31, 2019.

Budget Impact: There is no budget impact because this is engineering that would have been contracted out on the same schedule; this contract just alleviates the need for multiple contracts. Cost is included in the annual Emergency Communications operating budget.

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

**RESOLUTION NO. 280 GRANT ACCEPTANCE-GENESEE JUSTICE/NYS OFFICE
OF VICTIM SERVICES-APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Program Coordinator of the Genesee Justice Program did receive notification of the award of grant funding from the New York State Office of Victim Services (OVS) for the continuation of the Victim Assistance Program for a one-year contract term starting October 1, 2018 through September 30, 2019, and

WHEREAS, The Public Service Committee did review and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby accept grant funding from the New York State Office of Victim Services in the amount of \$95,205.50 for the continuation of the Victim Assistance Program for 2018-2019, and Be it further,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary forms for the acceptance of funds for the period of October 1, 2018 through September 30, 2019 in the amount of \$95,205.50.

Budget Impact: There is no impact on the 2018 County Budget and no County funding is affected by this grant.

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

**RESOLUTION NO. 281 AUTHORIZATION TO PROCURE SUPPLIES OF
ELECTRICITY AND NATURAL GAS ON BEHALF OF
THE MUNICIPAL ELECTRIC AND GAS ALLIANCE**

Legislator Stein offered the following resolution:

WHEREAS, since 1998 the Municipal Electric and Gas Alliance (MEGA), along with more than 35 New York State county governments, has collectively procured through a public bid process electricity and natural gas supplies, securing savings and controlling energy costs for participating municipalities, and

WHEREAS, Genesee County has played an active and pivotal role in assisting MEGA’s growth, and

WHEREAS, by resolution of a county government, and use of the "piggybacking" provisions of both New York State General Municipal Law Section 103, and County Law Section 408-a, such procurements for energy supplies allow other participating municipalities to receive offers pursuant to the terms of the procurement, and

WHEREAS, the potential outcomes of this procurement include MEGA recommending to the County the lowest qualified bid(s) from energy supply companies duly licensed in New York State and capable of serving customers at favorable prices, and

WHEREAS, MEGA, by resolution of its Board of Directors, has requested the County's cooperation in issuing an Invitation to Bid for Electricity Supplies, and an Invitation to Bid for Natural Gas Supplies, and

WHEREAS, MEGA has asked Genesee County, as a partner and in recognition of the County's commitment to competitive markets in energy supplies, to serve in the role of the Procuring Municipality, a designation that allows other municipalities to enjoy the same terms and conditions as are provided to the Procuring Municipality, but that does not obligate Genesee County to enter into any energy purchase agreement unless authorized by the County Legislature, and

WHEREAS, the Genesee County Legislature strongly supports the efforts of MEGA to foster the development of renewable energy and recognizes the widespread benefits of the plan that has been put forward by MEGA, and

WHEREAS, this Legislature wishes to reflect this support by serving as the Procuring Municipality, including directing the release of all relevant bid documents for the procurements, and authorizing the County Manager to execute any agreements necessary to fulfill the responsibilities of the Procuring Municipality, recognizing that specific authority must be provided by this Legislature to enter into a specific power purchase agreement between the County and an energy supplier, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established by MEGA and will be reflected in a Program Agreement between the companies and MEGA, now therefore be it

RESOLVED, That Genesee County agrees to issue Invitations to Bid, on behalf of MEGA for supplies of electricity and natural gas, and

RESOLVED, further, that all political subdivisions and districts within the State are authorized to participate in the contracts awarded as result of these Invitations to Bid, and

RESOLVED, further, That the County Manager and/or Chairman of the Legislature, upon recommendation of the MEGA Board of Directors, is authorized to award the contract to one or more bidder(s) and to execute Program Agreements, along with MEGA and the successful bidder(s), outlining the programs (but not requiring the purchase of any energy supplies by the County).

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

**RESOLUTION NO. 282 APPOINTMENT - GENESEE COUNTY PLANNING
BOARD - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Planning Board due to the expiration of a term for Pierluigi Cipollone, and

WHEREAS, the Committees on Public Service and Ways & Means recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That Richard Richmond II of Washington Ave. Batavia is hereby appointed to the Genesee County Planning Board for a term effective immediately through May 31, 2021.

Budget Impact Statement: None. Planning Board members receive no salary or compensation.

Prior to the vote Legislator Clattenburg thanked Mr. Richmond for his willingness to serve on the County Planning Board. Legislator Deleo commented that he has known Mr. Richmond for 50 years and he was a fellow corrections officer. He thinks he will be a good asset to the board.

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

RESOLUTION NO. 283 RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES – TREASURER – AUTHORIZATION FOR

Legislator Young offered the following resolution:

WHEREAS, The Real Property Tax Law requires that, by November 15, 2018, all rural Genesee County School Districts return their respective unpaid 2018-2019 school taxes to the County Treasurer for inclusion in the following year's town and county levy, and

WHEREAS, The Legislature entered into an agreement with the various villages within the county that upon notification to the county by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the town and county levy.

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Genesee immediately upon receipt by the County Treasurer's Office.

Budget Impact Statement: None, it is an authorization to relevy unpaid taxes.

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

RESOLUTION NO. 284 CONTRACT EXTENSION FOR PREPARATION OF TAX BILLS – APPLIED BUSINESS SYSTEMS, INC. – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County does contract for the preparation of tax bill laser printing and inserting into window envelopes, and

WHEREAS, Genesee County and Applied Business Systems, Inc., entered into a one year contract with the option to extend the contract up to four additional one year periods with mutual consent of both parties, and

WHEREAS, Applied Business Systems, Inc., has consented to extending the contract for an additional one year period with all pricing remaining the same, and

WHEREAS, The Director of Real Property does recommend approval for exercising the one year contract extension, and

WHEREAS, The Committee on Ways and Means did review this contract and does concur, Now, therefore, Be it

RESOLVED, That Genesee County does agree to a one year contract extension with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020 for the processing of tax bills for the period September 1, 2018 through August 31, 2019, in accordance with the contract dated July 28, 2014.

Budget Impact Statement: Approximate yearly expense of \$8,500 which is offset by revenues received from chargebacks to other taxing entities. Pricing will remain the same as the previous year.

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

RESOLUTION NO. 285 2018 GENESEE COUNTY CHARGEBACKS TO TOWNS AND CITY OF BATAVIA – TREASURER / REAL PROPERTY – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has submitted a list of chargebacks to the several Towns and City of Batavia for assessment rolls, tax rolls, tax bills, supplies, and assessment update services, and

WHEREAS, The Committee on Ways and Means does recommend apportionment of this expense, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the following amounts to be billed to the several Towns and City of Batavia:

2018 Chargebacks Applied to 2019 Town / City Budgets

TOWN	PARCELS	ASSESSMENT ROLLS/BILLS	NYSORPTS LICENSE FEE	TOTAL
Alabama	1,131	\$3,393.00	\$1,000.00	\$4,393.00
Alexander	1,434	\$4,302.00	\$1,000.00	\$5,302.00
Batavia(T)	3,054	\$9,162.00	\$622.39	\$9,784.39
Bergen	1,655	\$4,965.00	\$1,000.00	\$5,965.00
Bethany	1,019	\$3,057.00	\$287.69	\$3,344.69
Byron	1,347	\$4,041.00	\$564.58	\$4,605.58
Darien	1,826	\$5,478.00	\$515.53	\$5,993.53
Elba	1,504	\$4,512.00	\$1,000.00	\$5,512.00
LeRoy	3,479	\$10,437.00	\$1,046.63	\$11,483.63
Oakfield	1,516	\$4,548.00	\$635.42	\$5,183.42
Pavilion	1,507	\$4,521.00	\$453.37	\$4,974.37
Pembroke	2,468	\$7,404.00	\$696.78	\$8,100.78
Stafford	1,566	\$4,698.00	\$1,000.00	\$5,698.00
Batavia(C)	5,533	\$16,599.00	\$1,127.61	\$17,726.61
TOTALS	29,039	\$87,117.00	\$10,950.00	\$98,067.00

and, Be it further

RESOLVED, That the amounts to be paid to the County Treasurer are credited to Revenue A.1325 2226 Sales / Supplies to Other Governments, in the current budget year.

Budget Impact Statement: Licensing fee revenue of \$10,950.00 is paid to the NYSORPTS for software licensing. Assessment services and roll / bill revenue of \$87,117.00 covers salary and all other expenses incurred in providing these services to the municipalities. The 2017 chargebacks totaled \$97,980.00.

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

**RESOLUTION NO. 286 APPOINTMENT TO THE GLOW WORKFORCE
DEVELOPMENT BOARD MEMBERSHIP**

Legislator Clattenburg offered the following resolutions:

WHEREAS, The Chief Elected Officials 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 of 2014, and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

WHEREAS, The Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the following appointments to the GLOW Workforce Development Board:

Marcell Taylor, Regional Administrator, Pathstone Corporation; representing the Community Based Organization, for an on-going term.

RESOLVED, That the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed

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

RESOLUTION NO. 287 CJIS MANAGEMENT CONTROL AGREEMENT - INFORMATION TECHNOLOGY - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Information Technology concurs with the May 2018 CJIS Audit Findings and Recommendations and does recommend a Management Control Agreement is put in place between the Genesee County Sheriff's Department, the Genesee County Probation Department, the City of Batavia Police Department, the Village of LeRoy Police Department and the Genesee County Information Technology Department, And

WHEREAS, The County Attorney and the Ways and Means Committee did review the agreements and concurs the Management Control Agreements between the Genesee County Sheriff's Department, the Genesee County Probation Department, the City of Batavia Police Department, the Village of LeRoy Police Department and the Genesee County Information Technology Department is required. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does direct the Chair of the Legislature to sign the Management Control Agreements between the Genesee County Sheriff's Department, the Genesee County Probation Department, the City of Batavia Police Department, the Village of LeRoy Police Department and the Genesee County Information Technology Department.

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

RESOLUTION NO. 288 BUDGET AMENDMENT –COMMUNITY DEVELOPMENT BLOCK GRANT FOR GENESEE COUNTY-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Legislature did authorize the submission of a Community Development Block Grant Application to the New York State Housing Trust Fund Corporation Office of Community Renewal per Resolution No. 331 duly adopted on September 11, 2017, with funding to be used by the Genesee Gateway Local Development Corporation for the purpose of providing financing to support the establishment and operation of a dairy and dairy-related production facility located at 5140 Ag Park Drive, Batavia, NY, by HP Hood LLC, and

WHEREAS, Genesee County did accept the award of this Economic Development grant in the amount of \$1,000,000, and

WHEREAS, In order to utilize the funds the Assistant County Manager recommends amending the 2018 budget, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. 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 A.6421.4800.0040 CDBG-HP Hood Tech in the amount of \$1,000,000 to be offset by an increase in Revenue A.6421.4997.4 CDBG-HP Hood in a like amount

Budget Impact Statement: No impact on Genesee County budget; provides funding for economic development in the County by the Genesee County Economic Development Center.

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

**RESOLUTION NO. 289 CONTRACT AMENDMENT – SECURITY UPGRADES-
CAPITAL PROJECT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No 103, duly adopted on March 28, 2018, approved a contract with Linstar Inc., for Access Control Security System Installations and Upgrades for a total cost of \$393,880, and

WHEREAS, The 2017 Security Enhancement Capital Project includes \$48,000 in contingency for unexpected costs, and

WHEREAS, Due to the complexity and large scope of the project several Change Orders have been needed and additional orders may be needed throughout the contract, and

WHEREAS, The Assistant County Manager recommends increasing the contract with Linstar Inc. in an amount not to exceed \$48,000, to accommodate the required changes, and

WHEREAS, The Ways and Means Committee 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 amend the contract with Linstar Inc., 430 Lawrence Bell Drive, Suite 1, Buffalo, New York 14221, for necessary Change Orders required by for the 2017 Security Enhancement Capital Project for an amount not to exceed \$48,000.

Budget Impact: No budget amendment is necessary as the Capital Project included \$48,000 in contingency for this purpose.

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

RESOLUTION NO. 290 COUNTY AUDIT –AUGUST 8 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	7,812,978.89
Highway		137,661.95
Self Insurance		102,907.29
Water Fund		57,769.00
DSS Abstracts		120,861.47
Capital Projects		
Airport-Reconstruct Runway 10-28	\$	80,446.59
Highway-Large Span Culverts		12,000.61
Highway-Pratt Road Bridge Over Tonawanda Creek		36,417.09
Highway-Surface Treatment		98,304.03
Highway-Highway CR51 Colby Road		107,939.28
Highway-Highway Overlay		11,200.00
Highway-Highway Chipseal		119,203.01
Highway-Road machinery		7,754.00
Highway-Highway CR 5		742.91
Highway-Stroh road Bridge Over Tonawanda Creek		399,481.13
County Park-Boardwalk Replacement		2,442.81
County Managers-2017 Security Enhancements		168,032.50
Sheriff's-Sheriff's 800 Mghtz Radio System Upgrade		11,060.88
GCC –Wellness & Event Center		134,769.83

Payroll – General

July 20, 2018	\$ 1,569,570.43
August 3, 2018	1,100,228.07

Medicaid

July 17, 2018	177,332.00
July 24, 2018	177,332.00
July 31, 2018	177,332.00
August 7, 2018	<u>177,332.00</u>

Total Audit \$ 12,801,099.77

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 adopted by 326 votes.

Chairman Bausch again asked if anyone wanted to speak at the Public Hearing. No one spoke further and the public hearing was closed at 6:06 PM.

RESOLUTION NO. 291 LOCAL LAW INTRODUCTORY NO. FOUR OF THE YEAR 2018-ADOPTION OF

Legislator Young offered the following resolution:

WHEREAS, The following Local Law was duly introduced to the Genesee County Legislature in accordance with the law:

**LOCAL LAW INTRODUCTORY NO. FOUR OF THE YEAR 2018
COUNTY OF GENESEE, NEW YORK**

**A LOCAL LAW AMENDING LOCAL LAW NO. ONE OF THE YEAR 1967 IN RELATION TO
INCREASING AND STAGGERING THE TERMS OF OFFICE OF THE MEMBERS OF THE
GENESEE COUNTY LEGISLATURE**

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

Section 1. Section 5 of Local Law No. One of the Year 1967 is hereby amended to read as follows:

Section 5: ELECTION LENGTH AND STAGGERING TERMS OF OFFICE

1. County Legislators shall first be elected at the general election in the year 1967 and shall assume office on January 1, 1968. One member shall be elected in each legislative district. The term of office for the members of the Genesee County Legislature, except for the year 2019 as set forth herein, shall be four (4) years. In the election for the year 2019 four (4) members shall be elected for a term of four (4) years and five (5) members shall be elected for a term of two (2) years. Thereafter all legislators shall be elected at the general election next preceding the expiration of the respective terms of office for a term of four years.
2. In the year 2019, the members of the County Legislature from Legislative Districts One, Three, Five, Seven and Nine shall be elected for a term of two (2) years. In the year 2019, the members of the County Legislature from Legislative Districts Two, Four, Six and Eight shall be elected for a term of four (4) years.

Section 2. EFFECTIVE DATE. This Local Law shall be submitted for the approval of the electors of the County of Genesee Election to be held on the 6th day of November 2018. If approved by the affirmative vote of the majority of the qualified electors of the County voting thereon, this Local Law shall become effective immediately upon proper filing with the Secretary of State.

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 board 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 the Public Hearing on Local Law Introductory No. Four, Year 2018, and

WHEREAS, A Public Hearing was held at 5:30 pm on August 8, 2018 at the Old Courthouse, Batavia, New York at which time all persons who wished to speak were heard. Now, therefore, Be it

RESOLVED, That “A LOCAL LAW AMENDING LOCAL LAW NO. ONE OF THE YEAR 1967 IN RELATION TO INCREASING AND STAGGERING THE TERMS OF OFFICE OF THE MEMBERS OF THE GENESEE COUNTY LEGISLATURE” to be known as Local Law Number , Year 2018 for the County of Genesee be and hereby is adopted.

Prior to the vote Legislator Maha stated he supports providing the public with the opportunity to vote on this. Legislator Stein stated she supports the increase in term length and further commented that once necessary knowledge is gained in the first two years on the job, legislators become effective with decision-making. The scope of work is greater than what is required at the city, town and village level. Legislator Clattenburg stated she also supports giving the voters the opportunity to decide on increasing term length. Legislator Deleo echoed Legislator Maha and Clattenburg.

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

Chairman Bausch explained there is unfinished business on the agenda. A resolution was tabled at the May 23, 2018 Legislature meeting. He explained that a motion was necessary to bring it from the table. Legislator Young made a motion to move Local Law Introductory No. 3 Year 2018 a Local Law pursuant to Section 487(8)(a) of the Real Property Tax Law to Eliminate a Tax Exemption for Certain Enumerated Energy Systems from the table, seconded by Legislator Dibble, carried by 337 votes, Legislators Torrey (45) and Deleo (38), No.

RESOLUTION NO. 292 LOCAL LAW INTRODUCTORY NO. 3, YEAR 2018 A LOCAL LAW PURSUANT TO SECTION 487(8)(a) OF THE REAL PROPERTY TAX LAW TO ELIMINATE A TAX EXEMPTION FOR CERTAIN ENUMERATED ENERGY SYSTEMS-ADOPTION OF

Legislator Young offered the following resolution:

WHEREAS, The following resolution was duly introduced to the Genesee County Legislature in accordance with the Law: LOCAL LAW INTRODUCTORY NO. 3, YEAR 2018, A LOCAL LAW PURSUANT TO SECTION 487(8)(a) OF THE REAL PROPERTY TAX LAW TO ELIMINATE A TAX EXEMPTION FOR CERTAIN ENUMERATED ENERGY SYSTEMS.

Be it enacted, by the Legislature of the County of Genesee, State of New York as follows:

Section 1. Pursuant to Section 487(8)(a) of the Real Property Tax Law, no tax exemption under section 487(2) of the Real Property Tax Law shall be applicable to County of Genesee real property taxes, with respect to any energy systems as currently defined anywhere within Section 487 of the Real Property Tax Law, and any amendments thereto, which begins construction subsequent to the effective date of this Local Law, and

Section 2, Effective Date.

This Local Law shall take effect upon filing with the Secretary of State, 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 board in the Old Courthouse, and

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in the Daily News, the Official Newspaper of the County of Genesee, the Notice of Public Hearing on Local Law Introductory Number 3 of the Year 2018, and

WHEREAS, The Public Hearing was held at **5:30PM on the 23rd day of May, 2018** in Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, Be it

RESOLVED, That LOCAL LAW INTRODUCTORY NO. 3 YEAR 2018 A LOCAL LAW PURSUANT TO SECTION 487(8)(a) OF THE REAL PROPERTY TAX LAW TO ELIMINATE A TAX EXEMPTION FOR CERTAIN ENUMERATED ENERGY SYSTEMS to be known as Local Law Number 4 Year 2018 for the County of Genesee is hereby adopted. Prior to the vote Legislator Maha announced he would be voting “no” since hearing from constituents who are in favor of the 15 year exemption. Legislator Clattenburg echoed his comments. Legislator Hilchey stated that by opting out of the exemption the County will get little return and he is concerned that future grant money may be jeopardized since the State is supporting renewable energy.

Legislator Stein seconded the resolution which was adopted by 178 votes, Hilchey (28), Torrey (38), Deleo (26), Clattenburg (28), Maha (28) No.

The meeting adjourned at 6:14 pm upon motion of Legislator Stein seconded by Legislator Hilchey, carried unanimously.