

**SIXTEENTH DAY  
GENESEE COUNTY LEGISLATURE  
Batavia, New York  
Wednesday, September 26, 2018**

The Genesee County Legislature met in Regular Session on Wednesday, September 26, 2018 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Bausch assisted with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

In addition to our regular Legislature Meeting Chairman Bausch opened a Public Hearing on the mandated public sector shared services plan. All interested parties were invited to be heard. No one spoke on the shared services plan.

Legislature Vice Chair Marianne Clattenburg presented a commendation to retiring Job Development Director Scott Gage who retires on September 28, 2018. Mr. Gage was thanked for his many years of service to Job Development Bureau and the residents of Genesee County. Mr. Gage commented that communication and collaboration among departments provides for a beneficial work environment and the Legislature is credited with setting the tone with their positive leadership style.

The minutes of the September 12, 2018 Legislature meeting were approved upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Legislator Stein commented that the Farm Bureau Annual meeting will be held on October 23<sup>rd</sup> at Terry Hills. She attended the NYSAC Fall Conference where Orleans County Manager Chuck Nesbitt was elected and will serve as President. A summary of resolutions and initiatives NYSAC is working on is available in the Clerk's office for anyone to review. At NYSAC conference she attended a Raise the Age panel discussion where it was stated that the expectation is for more activity with the county attorney's office and not as much as originally expected with the district attorney. The State has the RTA plan from 24 counties, including Genesee however no county plan has been approved. Raise the Age is to be implemented October 1, 2018. Soil & Water is experiencing staff changes with Jared Elliott leaving his position. She expressed kudos toward GAM for extending an invitation to all legislators to discuss sales tax sharing.

Chairman Bausch reported on a discussion on internet sales tax collection at NYSAC Fall Conference. New York State is not among twenty-four states that formed a coalition to press the issue of sales tax collection for internet sales. He and County Manager Gsell attended a round-table discussion with GCEDC leaders and Comptroller DiNapoli last week and he thanked legislators for attending the GAM meeting to discuss sales tax sharing.

County Manager Jay Gsell stated Genesee County was the second county to submit its Raise the Age Plan and there have been four versions of edits. They understand the importance of separating and tracking costs for Raise the Age. The question arose about implementation date, plan approval date and reimbursement for legitimate RTA expenses. Mr. Gsell indicated that the question was posed to State representatives and were assured there would be no funding withheld.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 307    AID TO PROSECUTION GRANT ACCEPTANCE/  
DISTRICT ATTORNEY - APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** The District Attorney has been notified of the award of grant funding from the New York State Division of Criminal Justice Services for prosecution services aid in the amount of \$30,200.00, and

**WHEREAS,** The Committee on Public Services does recommend acceptance of these funds at this time. Now, therefore, Be it

**RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$30,200.00 for Aid to Prosecution in Genesee County, and Be it further

**RESOLVED,** That funds for said grant have been appropriated in the 2018/2019 Genesee County Budget.

**Budget Impact:** None - funds have been appropriated.

Legislator Clattenburg seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 308**

**GRANT ACCEPTANCE– EMERGENCY  
MANAGEMENT SERVICES & SHERIFF’S  
OFFICE - FY18 STATE HOMELAND SECURITY  
PROGRAM (SHSP) GRANT – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS,** The Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to accept the FY18 State Homeland Security Program (SHSP) grant funding in the amount of \$114,967 from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA); administered by the NYS Division of Homeland Security and Emergency Services (DHSES), and

**WHEREAS,** Grant funding priorities have been identified as the advancement of regional partnerships to build on capabilities, development of citizen preparedness efforts, development of cyber security programs and policies; law enforcement information-sharing capabilities, emergency management planning efforts and sustainment of effective programs and existing capabilities, and

**WHEREAS,** 25% of the total grant award or \$28,742 must be utilized for law enforcement terrorism prevention activities, and

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

**RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY18 State Homeland Security Program (SHSP) funds in the amount of \$114,967 and to execute any and all other documentation related to this funding, and

**Budget Impact Statement** No County cost. Grant funds in the amount of \$28,742 will be appropriated in the 2019 Genesee County Sheriff budget. SHSP funds in the amount of \$86,225 will be appropriated in 2019 & 2020 EMO operating budget.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 309 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT  
SERVICES - FY17 HAZ MAT GRANT-FUNDS –  
APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator did request authorization to accept the FY17 HazMat grant funds in the amount of \$196,000 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

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

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY17 HazMat Grant Program (August 1, 2018 through August 31, 2020) in the amount of \$196,000, and to execute any and all other documentation related to this funding.

**Budget Impact Statement:** NONE. A portion of the FY17 HazMat grant funds will be appropriated in the 2019 Emergency Management Services (EMS) budget, offset by revenue in like amount.

Legislator Deleo seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 310 CONTRACT FOR GRANTS NO. C000718 AMENDMENT-  
PUBLIC DEFENDER-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Public Defender does recommend the acceptance of a contract for grants amendment between the Genesee County Public Defender's Office and the New York State Office of Indigent Legal Services, Contract No.: C000718, Distribution No. 5, to extend the original contract term for one (1) year period of January 1, 2018 to December 31, 2018.

**WHEREAS**, the Public Service Committee did review the contract for grants amendment and does recommend acceptance at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract for grants amendment Contract No. C000718, Distribution No. 5, to extend the original contract term for one (1) year period of January 1, 2018 to December 31, 2018, and it be further

**Budget Impact:** The contract for grants extension will have no effect on the budget.

Legislator Maha seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 311 GRANT ACCEPTANCE/BUDGET AMENDMENT/SHERIFF  
- POLICE TRAFFIC SERVICES PROGRAM - APPROVAL  
OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Sheriff requested authorization to accept grant funding from the NYS Governor's Traffic Safety Committee, in the amount of \$27,030 to participate in the statewide Police Traffic Services Program, for the time period of October 1, 2018 through September 30, 2019, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 budget by increasing Sheriff's account A3110.1020.0700 (Overtime – STEP) in the amount of \$27,030, to be offset by an increase in revenue account A3110.4511 (Federal Aid Traffic Safety) in a like amount.

**Budget Impact:** Increase in Sheriff's 2018 appropriations in the amount of \$27,030 from a NYS GTSC Police Traffic Services Program Grant Award; offset by an increase in revenue in a like amount.

Legislator Deleo seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 312                      BUDGET AMENDMENT/SHERIFF – BODY ARMOR  
- APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Sheriff's Office will be purchasing body armor for Sheriff's Deputies and Correction Officers at a total cost of \$25,833, and

**WHEREAS**, Funding in the amount of \$11,003 will be provided through the Office of Justice Bulletproof Vest Program, and \$10,730 will be transferred from funds available in the T83 Trust Account (Uniform Vests), with the balance of \$4,100 for this purchase to be paid from individual uniform allowances, and

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

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

Increase Sheriff's Account A3110.4580.0000 (Personal Uniforms) in the amount of \$10,055; To be offset by an increase of \$4,311 to Sheriff's Revenue Account A3110.4515 (Federal Aid Bulletproof Vests), and an increase of \$5,744 to Sheriff's Revenue Account A3110.2831 (Contributions From Other Funds) to be transferred from the T83 Trust Account-Uniform Vests.

Increase Jail Account A3150.4580.0000 (Personal Uniforms) in the amount of \$11,678; To be offset by an increase of \$6,692 to Jail Revenue Account A3150.4515 (Federal Aid Bulletproof Vests), and an increase of \$4,986 to Jail Revenue Account A3150.2831 (Contributions From Other Funds) to be transferred from the T83 Trust Account-Uniform Vests.

**Budget Impact:** Increase in Sheriff's 2018 appropriation in the amount of \$10,055, for the purchase of body armor, offset by an increase in revenue in a like amount, with funds provided by the OJP Bulletproof Vest Program, and a transfer from the T83 Trust Account-Uniform Vests.

Increase in Jail 2018 appropriation in the amount of \$11,678, for the purchase of body armor, offset by an increase in revenue in a like amount, with funds provided by the OJP Bulletproof Vest Program, and a transfer from the T83 Trust Account-Uniform Vests.

Legislator Dibble seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 313                      BUDGET TRANSFER/SHERIFF – VEHICLE FUEL,  
VEHICLE MAINTENANCE AND REPAIR – APPROVAL  
OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, There are two line items in the Sheriff's Contractual Services budget that are in need of funds – Vehicle Fuel, and Vehicle Maintenance and Repair, and

**WHEREAS**, There are funds available in the Sheriff's Personnel Services budget to transfer to cover these shortages, and

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

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

\$30,500 from A3110.1010.0000 (Personal Services); \$20,500 from A3110.1060.0100 (Special Pay-Holiday)

\$22,000 to A3110.4310.0000 (Vehicle Fuel); \$29,000 to A3110.4340.0000 (Vehicle Maintenance and Repair)

**Budget Impact:** There is no budget impact as funds are being transferred within the Sheriff's 2018 budget.

Legislator Torrey seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 314 ACCEPTANCE OF GRANT FUNDS / SHERIFF - COMMUNICATIONS – PUBLIC SAFETY ANSWERING POINT (PSAP) OPERATIONS GRANT - APPROVAL OF**

Legislator Stein 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 \$204,071 from the Public Safety Answering Point (PSAP) Operations Grant, and

**WHEREAS**, These funds will be used to offset a portion of the 2019 Communications budget in a like amount, and

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

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

**RESOLVED**, That the Chair of the Legislature is hereby authorized and directed to accept the Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications Public Safety Answering Point (PSAP) Operations Grant in the amount of \$204,071.

**Budget Impact:** None. The grant funds will be incorporated into the 2019 Communications budget submission.

Legislator Maha seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 315 INTERMUNICIPAL AGREEMENT– SHERIFF / MONROE COUNTY DEPARTMENT OF PUBLIC SAFETY CRIME LABORATORY – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Sheriff did present an agreement for forensic laboratory services with Monroe County, and

**WHEREAS**, the forensic laboratory, as of May 1, 2018, no longer provides *Driving Under the Influence* drug testing of blood samples and alcohol testing, which resulted in a decrease of the initial budgeted amount of \$122,224 to \$120,366.11, and

**WHEREAS**, after careful review by the Sheriff and County Attorney, it is recommended the County Legislature approve this contract for the period of January 1, 2018, through December 31, 2018, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is authorized and directed to execute the agreement between the County of Genesee and the County of Monroe for forensic

laboratory services for the period of January 1, 2018, through December 31, 2018, at a cost of \$120,366.11.

**Budget Impact:** Appropriation of \$122,224 was included in the 2018 Sheriff's budget for this contracted service.

Legislator Stein seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 316 AMEND RESOLUTION NO. 215-2018 MOU APPROVALS / BUDGET AMENDMENT / SALARY SCHEDULE AMENDMENT REVISED FOR SCHOOL RESOURCE OFFICERS – SHERIFF – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, the Sheriff did present Memorandums of Understanding (MOU) between Genesee County, the Genesee County Sheriff, and the Pembroke, Alexander and Pavilion Central School Districts for a School Resource Officer (SRO) for each of its Districts, and

**WHEREAS**, reimbursement from Pembroke, Alexander and Pavilion Central School Districts will include the hourly rate for a Grade 12/Step 1 Deputy Sheriff plus all fringe benefits as follows:

Pembroke and Alexander	10-month period	9/1/18 – 6/30/19	\$80,533.09 *
Pavilion	12-month period	7/1/18 – 6/30/19	\$96,716.09 *

\* *The yearly retirement and medical rates are not available until late fall of each year; therefore, the 2019 reimbursement rate will change. As a result, this rate will be modified, and, if applicable, the difference will be billed under a separate invoice, and*

**WHEREAS**, the Sheriff has requested to create three (3) new Deputy Sheriff positions to fill the void on Road Patrol as a result of the creation of three (3) SRO positions for the Pembroke, Alexander and Pavilion Central School Districts, and

**WHEREAS**, the Sheriff has requested a 2018 budget amendment for these new Deputy Sheriff positions for the time period of August 1, 2018, through December 31, 2018, increasing Sheriff's appropriations in the amount of \$102,154, to be offset by an increase in Sheriff's revenue by a like amount, and

**WHEREAS**, the Committee of Ways & Means did review these requests and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to execute the Pembroke, Alexander and Pavilion School Resource Officer MOUs for periods and estimated costs listed above, and be it

**RESOLVED**, that the Genesee County Legislature is authorized and directed to amend the 2018 Employee Salary Schedule by creating three (3) new Deputy Sheriff positions in order to fill the void on Road Patrol resulting from the three (3) new School Resource Officer positions for a period **effective August 1, 2018**, and be it

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

Increase Sheriff's appropriations:

A3110.1010.0000 (Personal Services)	\$63,911
A3110.8010.0000 (Social Security Tax)	3,962
A3110.8011.0000 (Medicare Tax)	927
A3110.8020.0000 (Retirement)	12,526
A3110.8030.0000 (Medical)	19,634
A3110.8040.0000 (Dental)	358
A3110.8070.0000 (Vision)	78
A3110.4580.0000 (Uniforms)	758

**Total: \$102,154**

Offset by an increase in Sheriff's revenue account A3110.2260 (Public Safety Service – Other Gov) in the amount of \$102,154.

**Budget Impact Statement:** Increase in Sheriff's 2018 appropriations of \$102,154 offset by revenue in a like amount. Increase is for the 2018 portion of the salaries for three (3) new Deputy Sheriff positions created to fill a void in Road Patrol due to the addition of three (3) new SRO positions.

Legislator Clattenburg seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 317 APPOINTMENT– SHERIFF / TRAFFIC SAFETY BOARD – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, there is a vacancy that exists on the Genesee County Traffic Safety Board for a representative of Public Transportation, and

**WHEREAS**, Town of Batavia Highway Superintendent Thomas Lichtenthal has expressed interest in being appointed to fill this vacancy and has submitted an application that Traffic Safety Board members have reviewed, and

**WHEREAS**, as Chairman of the Traffic Safety Board, Sheriff Sheron is recommending this appointment. Now, therefore, be it

**RESOLVED**, that the above three-year appointment (10/1/18-9/30/21) of Town of Batavia Highway Superintendent Thomas Lichtenthal to the Genesee County Traffic Safety Board be approved at this time.

**Budget Impact: None.**

Legislator Stein seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 318 CONTRACT RENEWAL – SHERIFF /NEW YORK STATE UNIFIED COURT SYSTEM - APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The renewal contract between the County of Genesee and the New York State Unified Court System for security services at the Genesee County Courts Facility was adopted on November 24, 2014, pursuant to Resolution No. 431 (copy attached) and was for a five-year period commencing April 1, 2014 through March 31, 2019 (divided into annual periods, approved each year), and

**WHEREAS**, the Genesee County Sheriff did present a contract renewal with the New York State Unified Court System for the fifth renewal period (fiscal year 2018-2019) of the agreement which is April 1, 2018, through March 31, 2019, with the maximum monetary reimbursement amount not to exceed \$723,061, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract renewal between the County of Genesee and the New York State Unified Court System for the provisions of security services at the Genesee County Courts facility for the fifth renewal period of April 1, 2018, through March 31, 2019, at a cost not to exceed \$723,061.

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

Legislator Dibble seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 319 CONTRACT – SHERIFF/ORLEANS COUNTY PRISONER HOUSING–APPROVAL OF**

Legislator Torrey offered the following resolution:

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

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

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

**RESOLVED**, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract between the County of Genesee and the County of Orleans for the provision of Jail space in the Orleans County Jail at a rate of \$80.00 per day for each prisoner housed between the date of the contract's execution through December 31, 2020.

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

Legislator Clattenburg seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 320 RENTAL AGREEMENT RENEWAL– JUSTICE FOR CHILDREN ADVOCACY CENTER/ALBION – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/18 to 9/30/19; and

**WHEREAS**, Included in the acceptance of the 2018-19 NYS Office of Children and Family Services is funding for a lease agreement for a satellite office in Albion; and

**WHEREAS**, The office space in Albion is located in the Arnold Gregory Complex at 243 South Main Street, Albion, New York, 14411 and is managed by the DeGeorge Property Group; and

**WHEREAS**, The agreed upon rate per month is \$1016.00, including heat, water, and electric utilities; and

**WHEREAS**, The landlord has offered a discount of \$366.00 if payment for the year is provided at the time of lease renewal; and

**WHEREAS**, The lease with the DeGeorge Acquisition Group, LLC will be for a period of one year, to commence on October 15, 2018; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement renewal, to be paid in full at the beginning of the lease, with DeGeorge Acquisition Group, LLC, 1067 Gateway Drive, Farmington, New York 14425 for the rental of the office located at 243 South Main Street, Suite 156, Albion, New York 14411 effective October 15, 2018 through October 15, 2019.

**Budget Impact:** Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services and are included in the 2018 and 2019 Justice for Children Advocacy Center budget.

Legislator Deleo seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 321 DOYLE SECURITY SERVICE AGREEMENT – JUSTICE FOR CHILDREN ADVOCACY CENTER – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/18 to 9/30/19, and



**WHEREAS**, Included in the acceptance of the 2018-19 NYS Office of Children and Family Services grant are funding to establish two satellite offices, one in Albion and one in Warsaw, and

**WHEREAS**, The Justice for Children Program Coordinator has requested permission to enter into a contract with Doyle Security to provide security monitoring to offices at 243 South Main Street in Albion and 31 Duncan Street in Warsaw, and

**WHEREAS**, The agreed upon rate for installation in Albion is \$733.00 with a monthly monitoring fee of \$32.00. The cost for installation in Warsaw is \$813.00 with a monthly monitoring fee of \$32.00. The total expenditure will be \$1,546 for installation and \$64.00 per month for monitoring for both offices, 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 Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a service agreement Doyle Security Systems, 792 Calkins Road, Rochester, NY 14623 for security monitoring services at Justice for Children Advocacy Center satellite locations in Albion, N.Y. and Warsaw, N.Y.

**Budget Impact:** Funds for security monitoring are fully covered by a grant from the NYS Office of Children and Family Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Maha seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 322     CONTRACTUAL AGREEMENT RENEWAL-  
JUSTICE FOR CHILDREN ADVOCACY CENTER/  
COLGAN -APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The Coordinator of the Justice for Children Advocacy Center did submit for renewal a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to renew a contractual agreement with Kathy Colgan with residence at 16 Country Meadow Drive, Honeoye Falls, NY 14472 for forensic interviewing, peer review, and training for the Justice for Children Advocacy Center/Team for the period of October 1, 2018 through September 30, 2019 at a cost of \$80.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Stein seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 323     CONTRACTUAL AGREEMENT RENEWAL-  
JUSTICE FOR CHILDREN ADVOCACY CENTER/  
MITCHELL -APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Coordinator of the Justice for Children Advocacy Center did request to renew a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to renew a contractual agreement with Jessica Mitchell with residence at 971 Redman Road, Hamlin, NY for forensic interviewing at the Justice for Children Advocacy Center for the period of October 1, 2018 through September 30, 2019 at a cost of \$40.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Young seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 324 CONTRACTUAL AGREEMENT RENEWAL-  
JUSTICE FOR CHILDREN ADVOCACY CENTER/  
CHAMBERLAIN-APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The Justice for Children Program Coordinator did submit a renewal of a contractual agreement for clinical supervision for the JFCAC Mental Health Clinical Therapists who provide services to children alleged to be abused and/or neglected; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a renewal contractual agreement with Vicky Chamberlain, 405 East Main Street, Batavia, NY 14020 for clinical supervision for the JFCAC Mental Health Clinical Therapists, 304 East Main Street, Batavia, NY for the period of October 1, 2018 through September 30, 2019 at a cost of \$75.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Clattenburg seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 325 CONTRACTUAL AGREEMENT RENEWAL-  
JUSTICE FOR CHILDREN ADVOCACY CENTER/  
MCQUILLAN -APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Justice for Children Program Coordinator did request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center; and

**WHEREAS**, The Public Service Committee did review the contractual 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 enter into a renewal contractual agreement with Brenda McQuillan with residence at 5283 Oak Orchard Road, Albion, NY to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY and 243 South Main Street, Albion, NY for the period of October 1, 2018 through September 30, 2019 at a cost of \$35.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from NYS Office of Victim Services and NYS Office of Children and Family Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Young seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 326 CONTRACTUAL AGREEMENT RENEWAL-  
JUSTICE FOR CHILDREN ADVOCACY CENTER  
SATELLITE OFFICES/COLGAN -APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Coordinator of the Justice for Children Advocacy Center did submit for renewal of a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center satellite offices; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to renew a contractual agreement with Kathy Colgan with residence at 16 Country Meadow Drive, Honeoye Falls, NY 14472 for forensic interviewing, peer review, and training for the Justice for Children Advocacy Center/Team for the period of September 1, 2018 through August 31, 2019 at a cost of \$80.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Stein seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 327 CONTRACTUAL AGREEMENT RENEWAL-  
JUSTICE FOR CHILDREN ADVOCACY CENTER  
SATELLITE OFFICES/MITCHELL-APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Coordinator of the Justice for Children Advocacy Center did request to renew a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center satellite offices; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Jessica Mitchell with residence at 971 Redman Road, Hamlin, NY for forensic interviewing at the Justice for Children Advocacy Center, 243 South Main Street, Albion, NY and 31 Duncan Street, Warsaw, NY for the period of September 1, 2018 through August 31, 2019 at a cost of \$40.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Victim Services and are already included in the 2018 and 2019 Justice for Children Advocacy Center Budget.

Legislator Hilchey seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 328 RENTAL AGREEMENT RENEWAL – JUSTICE FOR  
CHILDREN ADVOCACY CENTER/WARSAW –  
APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/18 to 9/30/19, and

**WHEREAS**, Included in the acceptance of the 2018-19 NYS Office of Children and Family Services is funding for a lease agreement for a satellite office in Warsaw, and

**WHEREAS**, The office space in Warsaw is located at 31 Duncan Street, Warsaw, New York, 14569 and is managed by Warsaw Redevelopment, LLC, and

**WHEREAS**, The agreed upon rate per month is \$1015.00, and includes gas, electric, water/sewer, and garbage utilities, and

**WHEREAS**, The lease with Warsaw Redevelopment, LLC will be for a period of one year, to commence on October 15, 2018, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement with Warsaw Redevelopment, LLC, 2071 Crittenden Road, Alden, New York, 14004 for the rental of the office located at 31 Duncan Street, Warsaw, New York, 14569 effective October 15, 2018 through October 15, 2019

**Budget Impact:** Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services. Legislator Dibble seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 329      2018 BUDGET AMENDMENT – JUSTICE FOR CHILDREN  
ADVOCACY CENTER - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Justice for Children Program Coordinator did receive approval for grant budget modifications from the New York State Office of Children and Family Services and New York State Office of Victim Services grants for the contract period running from October 1, 2017 through September 30, 2018; and

**WHEREAS**, These budget modifications were requested due to the fact that there was staff turnover in 2018 which resulted in significant surplus in expenses related to staffing; and

**WHEREAS**, The Justice for Children Program Coordinator has made a request to modify the 2018 Justice for Children Advocacy Center County Budget to reflect the changes in expense related to these adjustments; and

**WHEREAS**, The Public Service and Ways and Means Committees 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 Budget by executing a:

Transfer from:

Expense Account:

A.3152.1010.0000 (Personal Services)	\$22,000.00
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Transfer to:

Expense Account:

A.3152.2010.0023 (Waiting Room Furniture)	\$8,644.00
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A.3152.4660.0000 (Contracted-Other)	\$400.00
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A.3152.4550.0000 (Pers. Training)	\$2,500.00
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A.3152.4800.0000 (Program Expense)	\$10,456.00
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**Budget Impact:** Appropriations to the 2018 Justice for Children Advocacy Center budget are offset by revenue from the New York State Office of Victim Services and New York State Office of Children and Family Services.

Legislator Deleo seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 330                      AMEND CAPITAL PROJECT/BUDGET  
AMENDMENT – RECONSTRUCT TAXIWAY ‘C’  
(DESIGN – AIRPORT – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Genesee County has been awarded a federal aid grant to Reconstruct Taxiway ‘C’ (Design) at the Genesee County Airport (the “Project”), and



Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Legislature established a capital project for the design and replacement of large span culverts at various locations around the County, and

**WHEREAS**, The funds within this project have been expended to replace eight culverts and additional work is required as programmed in the 2018 Capital Budget, and

**WHEREAS**, The Genesee County Highway Superintendent recommends amending the existing capital project to replace additional culverts, and

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

**RESOLVED**, the Genesee County Legislature does hereby authorize and direct the County Treasurer to increase Capital Project Large Span Culvert in the amount of \$460,360 and Be it further

**RESOLVED**, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2018 Budget:

Increase H5997.5031	Interfund Revenue	\$460,360
Increase H5997.2080.0000	Large Span Culverts	\$460,360
Increase A1000.1110.1	1% sales tax	\$460,360
Increase A9950.9	Interfund Transfer	\$460,360

**Budget Impact:** The original capital project established for \$55,720 has a remaining balance of \$15,509. Additional funding of \$460,360 will bring total available balance to \$475,869.

Legislator Maha seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 333**

**CAPITAL PROJECT AND FEDERAL AID MASTER AGREEMENT – PREVENTATIVE MAINTENANCE BRIDGE PAINTING – BIN 3315790/3315500/3315810 – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, a Project for Preventative Maintenance Bridge Painting

(BIN 3315790, 3315500, 3315810), Towns of Darien, Bethany Alexander, P.I.N. 4GN0.00 (the “Project”), County of Genesee is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal Funds, 15% State Funds and 5% Local Match; and

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

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

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

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

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

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

the Project, and it is further

**RESOLVED**, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Preventative Maintenance Bridge Painting in the amount of \$392,000 with federal aid of \$352,800, state aid of \$58,800 and a local match from 1% sales of \$19,600

**Budget Impact Statement:** The capital project will be established based on the total cost of the project at \$392,000 with federal aid of \$352,800, state aid of \$58,000 and a 5% local match from 1% sales tax of \$19,600. Phase authorization provided under supplemental agreement.

Legislator Deleo seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 334      CONSULTANT AGREEMENT – PREVENTATIVE  
   MAINTENANCE BRIDGE PAINTING - APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, Genesee County has been awarded a federal aid grant to perform preventative maintenance bridge painting on three county bridges, and

**WHEREAS**, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

**WHEREAS**, The Superintendent of Highways has negotiated a contract with Popli Design Group and recommends approval of a consultant agreement with them at this time, and

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

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with Popli Design Group, 555 Penbrooke Dr, Penfield, NY 14526 for the design of Preventative Maintenance Bridge Painting project in an amount not to exceed \$61,000.

**Budget Impact:** The agreement is for \$61,000. The capital project established for this project has \$392,000. The capital project is federally funded with 80% federal aid, 15% state match and 5% local share.

Legislator Hilchey seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 335                      ESTABLISH CAPITAL PROJECT/BUDGET  
   AMENDMENT – AIRPORT – RECONSTRUCT  
   TAXIWAY ‘C’ (AIP 41-18) –APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Genesee County has accepted a Federal Aviation Administration grant for the Reconstruction of Taxiway ‘C’ at the Genesee County Airport, and

**WHEREAS**, the County of Genesee desires to advance the Project and has entered into a construction contract and a construction inspection agreement, and

**WHEREAS**, The Genesee County Highway Superintendent recommends establishing a Capital Project from which to fund expenses related to the project, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to establish a capital project Reconstruct Taxiway ‘C’ (AIP 41-18) in the amount of \$2,234,357 as per the following:

Federal Aid	\$2,010,921
State Aid	\$111,718.00
County Funds	\$111,718.00 (1% Sales Tax)

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2018 Budget:

Increase H.5997.5031	Interfund Revenue	\$111,718
Increase H.5997.4592	Federal Aid	\$2,010,921
Increase H.5997.3897	State Aid	\$111,718
Increase H5997.2080.0000	Reconstruct Taxiway 'C'	\$2,234,357
Increase A1000.1110.1	1% sales tax	\$111,718
Increase A9950.9	Interfund Transfer	\$111,718

**Budget Impact Statement:** The capital project total is \$2,234,357 which is funded by a federal grant in the amount of \$2,010,921 (90%), state aid in the amount of \$111,718 (5%) and local match of \$111,718 (5%)

Legislator Clattenburg seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 336    SURPLUS EQUIPMENT-HIGHWAY-ROAD MACHINERY  
FUND-APPROVAL OF**

Legislator Maha 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 a salvage yard:

#2011 – 2012 Ford Pickup Truck, ½ Ton 4x4

**Budget Impact:** Revenue for Road Machinery Fund

Legislator Stein seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 337    SPECIAL EVENT- BRIGHT FUTURES  
REMEMBRANCE/HOPE WALK-EVENT –  
GENESEE COUNTY PARK & FOREST – GENESEE  
COUNTY PARKS - APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, A Special Events application was received from Bright Futures Genesee to use the Genesee County Park & Forest for a Remembrance/Hope Walk Event on October 14, 2018, and

**WHEREAS**, The Parks Supervisor did review and recommends approval of, and

**WHEREAS**, The Committee on Public Service does concur with these requests. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby grant permission to Bright Futures Genesee to use the Genesee County Park & Forest for a Remembrance/Hope Walk on October 14, 2018 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

**Budget Impact:** None.

Legislator Deleo seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 338    AUTHORIZATION FOR THE CHAIRMAN OF THE GENESEE  
COUNTY LEGISLATURE TO SIGN ATTACHMENT A  
MULTI-JURISDICTIONAL CHIEF ELECTED OFFICIALS  
AGREEMENT**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Workforce Innovation and Opportunity Area of GLOW (Genesee, Livingston, Orleans, and Wyoming) are considered a Multi-Jurisdictional Area. Therefore, each Chief Elected Official is required to sign Attachment A "Multi-Jurisdictional Chief Elected Officials Agreement,



as a revision to the current Chief Elected Officials/Workforce Development Board Agreement, as requested by the New York State Department of Labor. Now, Therefore, Be it **RESOLVED**, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign and execute Attachment A “Multi-Jurisdictional Chief Elected Official Agreement”, as part of the CEO/WDB Agreement currently in place, on behalf of Genesee County.

Legislator Young seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 339 APPOINTMENTS TO THE GLOW WORKFORCE DEVELOPMENT BOARD MEMBERSHIP**

Legislator Clattenburg offered the following resolution:

**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:

Jonathan Fuzak, Market Developer, New York State Laborer’s Organizing Fund; representing the Labor 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 Torrey seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 340 MOU APPROVAL – HUMAN RESOURCES DEPARTMENT/ E-VERIFY - APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, the Human Resources Director seeks authorization to use E-Verify, a program that electronically confirms a newly hired employee’s authorization to work in the United States after completion of Form I-9, Employment Eligibility Verification, and

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

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute an agreement between the Department of Homeland Security and the County of Genesee to provide direct access to the E-Verify system to confirm a newly hired employee’s authorization to work in the United States after completion of Form I-9.

**Budget Impact Statement:** No budget impact. Access to E-Verify is free via the E-Verify browser.

Legislator Clattenburg seconded the Resolution which passed by 326 votes.

**RESOLUTION NO. 341 COUNTY AUDIT –SEPTEMBER 26 - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

General Fund	\$	1,074,183.29
Highway		422,439.93
Self Insurance		22.95
DSS Abstracts		145,884.88

**Capital Projects**

Airport-Reconstruct Runway 10-28	\$	25,041.10
Highway-Large Span Culverts		12,896.94
Highway-Highway Surface Treatment		105,232.23
Highway-Highway 2018 Overlay		5,409.19
County Park-Boardwalk Replacement		337.85
County Park-DeWitt Improvements, Phase IV		822.67
County Managers-2017 Security Enhancements		4,360.45
EMS-EMS Training Grounds		645.25
Facilities Management-Energy Performance		237,407.00

**Payroll – General**

September 14, 2018	\$	1,098,331.18
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**Medicaid**

September 18, 2018		177,332.00
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September 25, 2018		<u>177,332.00</u>
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<b>Total Audit</b>	\$	<b>3,487,678.91</b>
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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 passed by 326 votes.

Chairman Bausch closed the Shared Services Public Hearing no one shared comments or spoke. The meeting adjourned at 6:07 PM upon motion of Legislator Stein seconded by Legislator Clattenburg, carried unanimously.