

**SECOND DAY
GENESEE COUNTY LEGISLATURE
Wednesday January 22, 2014
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, January 22, 2014 at 7PM at the Old Courthouse, 7 Main Street, Batavia. Prayer was offered by Legislator Lawrence, followed by the Pledge to the Flag.

The December 11, 2013 and January 8, 2014 minutes were approved upon motion of Legislator Clattenburg seconded by Legislator DeJaneiro.

Legislator Stein attended the first Soil and Water Board for the 2014 year. There has been a change to the shared staff member at Soil and Water . 75% of that persons time has been spent on County programming so they have moved that work station to the County Park so that they will have more efficiency and synergy. She also attended the Nursing Home Quality Assurance Meeting. Mrs. Stein was very impressed with the compassion and diligence and commitment of that staff at the Nursing Home to their residents. She was also surprised to find out that the staff in the Dietary Department gets paid to the minute, so if they work a minute over their assigned time they receive overtime. She stated that the Department of Labor certainly is doing their job and is quite attentive.

Legislator DeJaneiro attended the recent GAM meeting at the Stafford Fire Hall. There was a guest speaker from the YWCA. The YWCA serves as a safe house for over 700 clients. They have domestic violence training and they also sponsor My Sister's Closet through various grants they receive. There are locations in LeRoy, Pavilion and Alexander.

An out of state travel request for Tim Hens, Highway Superintendent to travel to Baton Rouge, LA for the NACE Annual Conference April 12-17, 2014 was approved upon motion of Legislator Lawrence seconded by Legislator Ferrando.

Legislator Stein commented that she has drafted a resolution in denial of use of the County Seal for state material in the use of promoting the SAFE Act. The Sheriff, County Clerk and Legislature Clerk have all helped with putting this together. This resolution will be ready for presentation at the next Legislature Meeting. Chair Cianfrini thanked Mrs. Stein for putting that together.

County Manager Gsell stated that the Governor has released his 2014-2015 budget proposal. Lt. Governor Duffy will be a GCC to present the highlights of this proposed budget. Two things that Mr. Gsell noticed is there is no new mandate relief for County services and things that we deal with on a daily basis. The Medicaid, and the EI Pre-K program totals about 5.5 million for just Genesee County alone and 9.9 million Medicaid Share for the County. This proposal will not get the County anywhere in regards to help in these matters.

The Clerk proceeded with reading of resolutions as follows:

RESOLUTION NO. 5 RENEWAL OF CONTRACT – HEALTH BENEFITS/THIRD PARTY ADMINISTRATION/DENTAL – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Resolution No. 395 duly adopted on November 23, 2009 did award a contract to Health Economics Group, Inc., for third party administration services for the County's self-funded dental benefits plan, and

WHEREAS, The RFP issued in 2009 and the 2009 Resolution No. 395 did allow for four one year renewal under the same terms and conditions and the Genesee County Manager has recommended the renewal of this contract for 2014, and

WHEREAS, The Committee on Ways and Means 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 enter into the last of four one year renewal contracts with Health Economics Group,

1050 University Avenue, Rochester, NY for the provision of third party administration services at the following rates effective January 1, 2014 through December 31, 2014.

Summary Plan Document Production Fee at County cost and

Dental Administration Fee Per Member Per Month: \$2.35

COBRA Administration Per COBRA Participant Per Month: \$0.90 + 2% of premium

Budget Impact Statement: No increase in the Administration Fee for 2014. Annual cost estimated to be \$25,000.

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

RESOLUTION NO. 6 CONTRACT AWARD– OFFICE FOR THE AGING/LLEGAL SERVICES – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract award based on RFP 2013-118 to Legal Service for the Elderly, Disabled & Disadvantaged in WNY, Inc., 237 Main Street, Buffalo, New York, 14203-2717 for the provision of Legal Services for the Elderly in Genesee County and the Committee on Human Service does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to Legal Service for the Elderly, Disabled & Disadvantaged in WNY, Inc. for the provision of Title III- B legal services through the Office for the Aging at a cost not to exceed \$8,400.00 per year for the period January 1, 2014 through December 31, 2014; and mileage reimbursement at the IRS rate for home visits to GCOFA legal service clients or program site locations, other than the Office for the Aging, within Genesee County.

Budget Impact Statement: \$8,400 contract is a \$100 increase from the 2013 amount plus continuation of approximately \$150 in mileage reimbursement for legal service/para-legal contractor staff for home visits or other site locations within Genesee County. Federal Title III-B grant funds this service.

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

RESOLUTION NO. 7 OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee has appropriated the sum of \$9,970 as its share of the 2014 operating funds of the Genesee/Finger Lakes Regional Planning Council, and

WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000, and the Committee on Public Service does recommend approval at this time. Therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Budget Impact: The 2014 Genesee County Budget appropriated \$9,970.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other). This amount has remained unchanged for the last thirteen years. The Annual Report from G/FLRPC has historically shown a significant "return" for this investment

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

**RESOLUTION NO. 8 GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL BUDGET - FINANCIAL SUPPORT FOR 2014 -
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, Section 239c of Article 12b of the General Municipal Law authorizes that governing bodies of participating municipalities in a regional or metropolitan planning agency may collaborate with other local governments to appropriate and raise by taxation money for the expenses of such regional Planning Boards, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has formally notified this Legislature that, under its proportional funding formula, Genesee County's 2014 share will be \$9,970, and

WHEREAS, The Committee on Public Service does recommend approval of payment of Genesee County's share at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize continued participation in the Genesee/Finger Lakes Regional Planning Council and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$9,970 as appropriated in the 2014 Budget, Account A8025.4660.0000.

Budget Impact: The 2014 Genesee County Budget appropriated \$9,970.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other). This amount has remained unchanged for the last thirteen years. The Annual Report from G/FLRPC has historically shown a significant "return" for this investment.

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

**RESOLUTION NO. 9 2013 BUDGET/CONTRACT AMENDMENT - COMMUNITY
MENTAL HEALTH SERVICES / RESTORATION
SOCIETY, INC.(ACE EMPLOYMENT SERVICES) –
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2013 Restoration Society, Inc. contract and budget, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2013 contract and budget between the County of Genesee and The Restoration Society, Inc., and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2013 Genesee County Budget by

Increasing A.4323. .4660.0000 Restoration Society, Inc. by \$ 5,000

AND

Increasing A.4323 .3490 State Aid, Mental Health by \$ 5,000

Budget Impact: No County Budget Impact due to the offset of State Aid.

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

**RESOLUTION NO. 10 2014 SALARY SCHEDULE AMENDMENT - COMMUNITY
MENTAL HEALTH SERVICES/FINANCIAL CLERK-
TYPIST-APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2013 Employee Salary Schedule to eliminate one (1) Financial Clerk F.T., in CSEA-General, Grade 8, and **create** one (1) Financial Clerk-Typist F.T., in CSEA-General, Grade 8 to the Community Mental Health Department.

WHEREAS, The Committees on Human Services 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 2014 Employee Salary Schedule by eliminating one (1) Financial Clerk F.T., in CSEA-General, Grade 8, and creating one (1) Financial Clerk-Typist F.T., in CSEA-General, Grade 8 to Community Mental Health Services Department effective January 23, 2014.

Budget Impact Statement: No Budget Impact at this time.

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

**RESOLUTION NO. 11 2014 BUDGET/SALARY SCHEDULE AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/INTAKE
CLERK-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2013 Employee Salary Schedule to **create** one (1) Intake Clerk P.T., in CSEA-General, Grade 7 and

WHEREAS, The Committees on Human Services 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 2014 Employee Salary Schedule by creating one (1) Intake Clerk P.T., in CSEA-General, Grade 7 in Employee Salary Schedule effective January 23, 2014 and Be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 Genesee County Budget by:

Increasing A4310.	.1620.1100	Medicaid Reg. by	\$ 7,245.00
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Increasing A4310.	.3490.0000	State Aid - OMH	\$ 7,245.00
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AND

Increasing A4310.	.1010.0000	Personnel Services by	\$13,460.00
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Increasing A4310.	.8010.0000	Social Security Tax by	\$ 835.00
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Increasing A4310.	.8011.0000	Medicare Tax by	\$ 195.00
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Budget Impact Statement: Budget amendment required: Increase by \$14,490 with a net County cost of \$7,245 annually, offset by State Aid.

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

**RESOLUTION NO. 12 2013 BUDGET AMENDMENT - MEDICATION
INSURANCE REIMBURSEMENT - MENTAL HEALTH
SERVICES - APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2013 Genesee County Budget to accommodate the Department's need to purchase injectable medications to meet client needs, the cost of which are reimbursable through the NYS Insurance Buy and Bill Program, and

WHEREAS, The Committees on Human Services 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 2013 Genesee County Budget by increasing Appropriation A 4310 4700.0420 Mental Health, Medical Supplies in the amount of \$9,500 to be offset by an increase in Revenue A.4310.1620.1300 Medical Reimbursements, in the amount of \$9,500.

Budget Impact Statement: Increasing expenses from \$75,000 to \$84,500 and increasing medical reimbursement revenue from \$75,000 to \$84,500. No net deficit increase to the County

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

**RESOLUTION NO. 13 INTERMUNICIPAL AGREEMENT – HEALTH
DEPARTMENT/ SHARED DIRECTOR OF
PATIENT SERVICES/DIRECTOR OF**

**COMMUNITY HEALTH SERVICES –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, Resolution No. 349 duly adopted on September 26, 2012, did authorize an inter- municipal agreement with the Orleans County Legislature and the Orleans Board of Health to provide a Shared Public Health Director and Environmental Health Director/ Deputy Public Health Director effective through December 31, 2014, and

WHEREAS, The Genesee County Public Health Director did present a contract with Orleans County to provide a Shared Director of Patient Services/Director of Community Health Services, in which, the Director of Patient Services/Director of Community Health Services shall be deemed an employee of the County of Orleans, and

WHEREAS, The Committee on Human Service did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the Orleans County Legislature, Orleans County Board of Health and the Genesee County Board of Health for the provision of providing a Shared Director of Patient Services/Director of Community Health Services effective January 1, 2014 through December 31, 2014.

Budget Impact Statement: Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work. Revenue and expenses have been included in the adopted 2014 A 4010 Public Health Program Budget.

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

**RESOLUTION NO. 14 CONTRACT – HEALTH
DEPARTMENT/DIRECTOR OF COMMUNITY
HEALTH SERVICES – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Public Health Director did present a contract with Mary Janet Sahukar to provide Director of Community Health Services, and

WHEREAS, The Committees on Human Service 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 an agreement with Mary Janet Sahukar, 213 North Main Street, Albion, NY 14411 for the provision of providing Director of Community Health Services at the rate of \$53.00 per hour, effective February 1, 2014 through December 31, 2014.

Budget Impact Statement: Expenses related to this contract are eligible for full reimbursement under Article 6 State Aid Funding for General Public Health Work. Revenue and expenses have been included in the adopted 2014 A 4010 Public Health Program Budget.

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

**RESOLUTION NO. 15 GRANT AMENDMENT - HEALTH
DEPARTMENT/CHILDREN WITH SPECIAL HEALTH
CARE NEEDS PROGRAM COST OF LIVING
ADJUSTMENT - APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Children with Special Health Care Needs Program contract is eligible for a Cost of Living Adjustment (COLA)

in the amount of \$1,491, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Children with Special Health Care Needs Program Cost of Living Adjustment during the 2013-14 State fiscal year in the amount of \$1,491, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$1,491 to offset program expenditures made between April 1, 2013 and March 31, 2014.

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

**RESOLUTION NO. 16 GRANT AMENDMENT - HEALTH DEPARTMENT/
LEAD POISONING PREVENTION PROGRAM
COST OF LIVING ADJUSTMENT - APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Lead Poisoning Prevention Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$3,077, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Lead Poisoning Prevention Program Cost of Living Adjustment during the 2013-14 State fiscal year in the amount of \$3,077, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$3,077 to offset program expenditures made between April 1, 2013 and March 31, 2014.

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

**RESOLUTION NO. 17 CONTRACT RENEWAL – HEALTH
DEPARTMENT/MONROE COUNTY FORENSIC
PATHOLOGY SERVICES – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, the County of Monroe did present a contract for the provision of forensic pathology and medico legal death investigation services, and

WHEREAS, Genesee County Public Health Director does recommend renewal of the contract with the County of Monroe, and

WHEREAS, The Committee on Human 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 is hereby authorized and directed to execute the Agreement with the County of Monroe for the period January 1, 2014 through December 31, 2014, and to execute any and all other documentation related to this Agreement.

Budget Impact: Expenses for \$100,000 have been appropriated in the 2014 Dept. 1185 – Coroner budget. Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 18 GRANT AMENDMENT - HEALTH DEPARTMENT/RABIES PROGRAM COST OF LIVING ADJUSTMENT - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County’s Rabies Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$1,227, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Rabies Program Cost of Living Adjustment during the 2013-14 State fiscal year in the amount of \$1,227, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$1,227 to offset program expenditures made between April 1, 2013 and March 31, 2014.

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

RESOLUTION NO. 19 BUDGET AMENDMENT – PUBLIC DEFENDER - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature accepted New York State Indigent Legal Services Contract C000318 by Resolution 376 on October 24, 2013, and

WHEREAS, The Genesee County Public Defender’s Office is requesting a budget amendment to allow for the use in the 2014 budget of unused Indigent Legal Services revenues in the amount of \$4,340.00, from Contract C000318, and

WHEREAS, The Committees on Public Service and Ways and Means did review this budget 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 2014 budget by increasing A.1170.3025.4 ILS Grant (2013-16) by \$4,340 to be offset by increasing appropriations as follows:

A.1170.1010.0000	Personal Services	\$3,343
A.1170.8010.0000	Social Security Tax	\$ 207
A.1170.8011.0000	Medicare Tax	\$ 49
A.1170.8020.0000	Retirement	\$ 741

Budget Impact: Increase in Public Defenders 2014 appropriations of \$4,340, offset by increase in revenue in a like amount.

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

RESOLUTION NO. 20 SALARY SCHEDULE AMENDMENT – NURSING HOME/ BUILDING MAINTENANCE MECHANIC – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Nursing Home is installing a new security system, thus eliminating the need for a part-time Building Maintenance Mechanic on the night shift, and

WHEREAS, The Administrator of the Nursing Home did request an amendment to the 2014 Salary Schedule to provide a more efficient operation of the Department, and
WHEREAS, The Committees on Human Services and Ways and Means did review the request and do recommend approval at this time. Now, therefore, Be it
RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2014 Genesee County Employee Salary Schedule by deleting one Building Maintenance Mechanic, PT, 19.5 hrs./wk., Grade 6, Step 1, effective immediately.

Budget Impact: Annual savings of \$12,827.10

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

**RESOLUTION NO. 21 REAL PROPERTY TAX CORRECTIONS AND REFUNDS
2014 – TREASURER – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The New York State Real Property Tax Law, Sections 554 and 556, provide an administrative correction of errors process to assist the property owner in obtaining real property tax corrections and refunds caused by certain clerical errors, unlawful entries, and errors in essential fact, and

WHEREAS, The tax levying body can delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law Section 554 and Real Property Tax Law Section 556, and

WHEREAS, The Committee on Ways and Means does recommend that the Treasurer be delegated to perform said duties. Now, therefore Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and Section 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director's recommended correction or refund is two thousand five hundred dollars or less, and Be it further

RESOLVED, That on the fifteenth day of each month, the Genesee County Treasurer shall submit a report to the Genesee County Legislature of the corrections and refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the correction or refund, and the amount of the correction or refund.

Budget Impact: No immediate impact, correction and refund amounts will vary from year to year. Refunds are charged to allowance for uncollectible which has a balance of approximately \$132,000.

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

RESOLUTION NO. 22 AMENDMENT – 2014 TAX WARRANTS – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Resolution No. 496 of the year 2013 adopted by the Genesee County Legislature established Town Tax Warrants for the various Towns within Genesee County, and

WHEREAS, After the adoption of said resolution an error was discovered regarding the consumption figures for two properties which are used for the Genesee County water charge. Now, therefore, Be it

RESOLVED, That Resolution No. 496-13 be amended as follows:

Town	Warrant Amount
Alabama	\$1,124,071.38
Alexander	\$1,793,490.44
Batavia	\$4,369,434.28
Bergen	\$2,258,105.43
Bethany	\$1,451,300.72
Byron	\$1,695,460.73
Darien	\$2,810,524.66
Elba	\$1,446,194.38

LeRoy	\$4,877,019.27
Oakfield	\$1,852,805.81
Pavilion	\$1,574,536.64
Pembroke	\$3,000,582.84
Stafford	\$1,755,018.52
Total	\$30,008,545.10

and Be it further

RESOLVED, That amended tax warrants for the Town of Darien and Town of Pembroke be issued under the seal of the County of Genesee, signed by the Chair and the Clerk of the Legislature, and delivered to the Town of Darien Tax Collector and the Town of Pembroke Tax Collector for collection of taxes for the year 2014.

Budget Impact: The Town of Darien warrant is increased by \$12. The Town of Pembroke warrant is increased by \$3. This is a \$15 increase to the County.

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

**RESOLUTION NO. 23 ORLEANS COUNTY TAX MAP MAINTENANCE –
MEMORANDUM OF UNDERSTANDING – TREASURER /
REAL PROPERTY – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Orleans County wishes to enter into a Memorandum of Understanding with Genesee County for tax map maintenance of all real property parcels, and

WHEREAS, The Director of Real Property has received a one year Memorandum of Understanding, and does recommend approval for said services, and

WHEREAS, The Committee on Ways & Means did review this Memorandum of Understanding and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to enter into a Memorandum of Understanding with Orleans County, 3 South Main Street, Albion, New York 14411 for the tax map maintenance of Orleans County real property parcels at a cost of \$6,500 annually from January 1, 2014 through December 31, 2014, and Be it further

RESOLVED, That under this Agreement the parties agree to discuss the continuation of this arrangement and the cost of any additional years of service.

Budget Impact: Approximate yearly expense \$6,500, offset by revenues of \$6,500. 2013 contract was for \$6,500.

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

**RESOLUTION NO. 24 GRANT ACCEPTANCE /BUDGET AMENDMENT -
SHERIFF’S OFFICE/CHILD PASSENGER SAFETY
PROGRAM –APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Sheriff requested authorization to accept grant funding in the amount of \$3,398 from the Governor’s Traffic Safety Committee, to participate in the statewide “Child Passenger Safety” program, 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 2014 budget by increasing Sheriff’s account A3110.4800.3318 (Child Passenger Safety Program) in the amount of \$3,398, 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 appropriation of \$3,398, from Child Passenger Safety Program Grant funding, offset by increase in revenue in a like amount.

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

**RESOLUTION NO. 25 GRANT ACCEPTANCE /BUDGET AMENDMENT-
SHERIFF /RURAL TRAFFIC ENFORCEMENT**

INITIATIVE PROJECT – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Sheriff requested authorization to accept grant funding from the NYS Governor's Traffic Safety Committee, through the NYS Sheriff's Association, in the amount of \$25,400, to participate in the Rural Traffic Enforcement Initiative Project, for the time period of October 1, 2013 through September 30, 2014, 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 2014 budget by increasing Sheriff's account A3110.1020.0700 (Overtime – STEP Grant) in the amount of \$25,400, to be offset by an increase in revenue account A3110.4511 (Federal Aid Traffic Safety) in a like amount.

Budget Impact Statement: Increase in Sheriff's appropriation of \$25,400, from grant funding from the NYSSA Rural Traffic Enforcement Initiative project, offset by an increase in revenue in a like amount.

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

RESOLUTION NO. 26 BUDGET AMENDMENT - SHERIFF/REMAINING FUNDS - VILLAGE OF OAKFIELD AND VILLAGE OF BERGEN AGREEMENTS – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, There is money remaining regarding the 2013/2014 Agreements with the Village of Oakfield and the Village of Bergen, to provide them with additional police services through May 31, 2014, and

WHEREAS, The Sheriff is requesting an amendment to the 2014 budget to allow for the use of the remaining money regarding these Agreements with the Village of Oakfield and the Village of Bergen, 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 2014 budget by increasing Sheriff's appropriations as follows:

\$8,823 to A3110.1020.0900 (OT – Bergen Patrols)

\$23,429 to A3110.1020.1000 (OT – Oakfield Patrols)

To be offset by increasing the following revenue accounts:

\$32,252 to A3110.2804.1 (Shared Services-Additional Police Services)

Budget Impact Statement: Increase in Sheriff's 2014 appropriations in the amount of \$32,252, with money coming from the following sources: \$8,823 from the 2013/2014 Agreement with the Village of Bergen for additional police services; and \$23,429 from the 2013/2014 Agreement with the Village of Oakfield for additional police services; with an increase in revenue of \$32,252.

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

RESOLUTION NO. 27 BUDGET AMENDMENT - SHERIFF/HOMELAND SECURITY GRANTS REMAINING FUNDS– APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, There are three active Homeland Security Grants with funds remaining in the Sheriff's 2013 budget, and the money is available to be used in 2014, and

WHEREAS, The Sheriff is requesting an amendment to the 2014 budget to allow for the use of the remaining grant money, 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 2014 budget by increasing Sheriff's appropriations as follows:

\$54,024 to A3110.4800.0503 (Program Expense Homeland Security)

To be offset by increasing the following revenue accounts:

\$54,024 to A3110.4305.2 (Fed Aid Homeland Security)

Budget Impact Statement: Increase in Sheriff's 2014 appropriations in the amount of \$52,799, with money coming from remaining grant funding from three Homeland Security grants.

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

**RESOLUTION NO. 28 STANDARDIZATION OF P25 800 MHZ RADIO
EQUIPMENT TO HARRIS CORPORATION – SHERIFF'S
OFFICE/ PUBLIC SAFETY RADIO SYSTEM – APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County purchased a new county-wide Harris Corporation P25 800 MHz Radio System pursuant to Resolution 157, dated April 25, 2013, and

WHEREAS, The presence of a substantial amount of Harris Corporation P25 800 MHz radio equipment is within Genesee County, and the uniformity of make dictates the prudence for the sake of economy and efficiency of standardizing the manufacturer of said equipment, and

WHEREAS, Genesee County desires to protect the integrity of its county-wide P25 800 MHz Radio System through the standardization of the manufacturer of said equipment, and

WHEREAS, After discussion between the Sheriff, County Attorney, County Manager, County Emergency Management Coordinator, E911 Operations Board, and the Director of Emergency Communications, it is recommended the Genesee County Legislature standardize the manufacturer of P25 800 MHz Radio equipment to Harris Corporation, and

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

RESOLVED, That the Genesee County Legislature shall standardize the manufacturer of P25 800 MHz Radio equipment to Harris Corporation, pursuant to Article 5-A, Section 103(5) of the General Municipal Law of the State of New York.

Budget Impact: There is no budget impact associated with this resolution

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

Prior to roll call on the above resolution Legislator Stein commented that the LeRoy Chief of Police and Fire Chief wished for Legislator Stein to convey their thanks for going back and looking at the standardization and also the Inter-Agency Agreement and addressing their concerns of the local municipalities and making sure everyone is on the same page.

**RESOLUTION NO. 29 INTER-AGENCY AGREEMENT – SHERIFF'S OFFICE/
PUBLIC SAFETY RADIO SYSTEM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County established an 800 MHz Radio System Policy on October 23, 1996 for public safety and public service agencies utilizing the 800 MHz System, and

WHEREAS, As a result of the purchase of a new P25 800 MHz Radio VHF High Band Paging System from Harris Corporation, a new Inter-Agency Agreement is required for authorization and standardization of the County's new radio and paging system, and

WHEREAS After discussion between the Sheriff, County Attorney, County Manager, County Emergency Management Coordinator, and the Director of Emergency Communications it is recommended the County Legislature approve the new standardized Inter-Agency Agreement, and

WHEREAS, The Committee on Public Service did review this proposal 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 an Inter-Agency Agreement with public safety and public service user agencies of the County's Public Safety Radio System.

Budget Impact: There is no budget impact associated with this Inter-Agency Agreement.

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

RESOLUTION NO. 30 LEASE RENEWAL – SHERIFF’S OFFICE / USA MOBILITY WIRELESS, INC. – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Genesee County entered into a lease agreement with USA Mobility pursuant to Resolution 499 dated December 13, 2007 and renewed that lease pursuant to Resolution 305, dated September 28, 2011. The renewed agreement has expired as of December 31, 2013, and

WHEREAS, USA Mobility Wireless desires to enter into a lease renewal with a 3% increase for each of the three (3) years of the contract commencing January 1, 2014, at the cost of \$1074.65 per month for 2014, \$1,106.89 per month for 2015, and \$1,140.10 per month for 2016, along with a \$600.00 per year generator fee and

WHEREAS, after discussion between the Sheriff, Director of Emergency Communications, and County Attorney, it is recommended the County approve a lease renewal with USA Mobility Wireless, and

WHEREAS, the Committee on Public Service did review this proposal 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 site lease agreement with USA Mobility Wireless, Inc., 3000 Technology Drive, Suite 400W, Plano, TX 75074 for their lease of space on the Genesee County telecommunications tower located at 153 Cedar Street, Batavia, NY for the period January 1, 2014, through December 31, 2016, as specified in the terms of the agreement.

BUDGET IMPACT USA Mobility will be paying \$1074.65 per month during 2014, which reflects a 3.0% increase or \$375.72 in additional revenue for fiscal year 2014, along with a \$600.00 generator fee. During 2015 and 2016, an additional 3% in revenue will be generated.

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

RESOLUTION NO. 31 SURPLUS EQUIPMENT – HIGHWAY/ROAD MACHINERY – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The County Superintendent of Highways recommends that equipment be declared surplus property, and

WHEREAS, The surplus equipment will produce revenue for the Road Machinery Fund, 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 Legislature does hereby declare the following equipment as surplus property to be disposed of via auction, sealed public bid or inter-municipal purchase agreement:

Truck #2009 – 2001 Chevrolet Silverado ½ Ton 4 x 4 Pickup Truck

Budget Impact: Revenue will be produced for the Road Machinery Fund (DM5130) based on the results of auction, sealed bid or other public sale.

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

RESOLUTION NO. 32 2014 BUDGET AMENDMENT/AMEND CAPITAL PROJECT/CONSULTANT AGREEMENT– DESIGN TERMINAL AND MAINTENANCE HANGAR – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has received a State aviation matching grant for previous federal aid received for the design of a new terminal and maintenance hangar at the Genesee County Airport, and

WHEREAS, The County Superintendent of Highways recommends budget amendments to the capital project Design Terminal and Maintenance Hangar to receive this state aid and allow for additional design work, and

WHEREAS, Genesee County has been working with C&S Engineers for the preliminary design of these facilities, and

WHEREAS, The County Superintendent of Highways has reviewed and evaluated a proposal from C&S Engineers to complete the design work required for the Terminal and Maintenance Hangar and does make a recommendation to approve a consultant agreement at this time, 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 Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2014 Budget:

Increase H.5997.5031 Interfund Revenue	\$29,913
Increase H5997.2080.0000 Design Terminal and Maint Hangar	\$29,913
Increase A9950.9000.0000 Transfer to Capital	\$29,913
Increase A.5610.1776.1D Airport Fuel Sales	\$29,913, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to increase capital project, Design Terminal and Maintenance Hangar for a total of \$40,024 with the following shares:

State Aid	\$11,111
Airport Deferred Revenue	\$29,913, and Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to enter into a Consultant Agreement with C&S Engineers, Inc., 499 Colonel Eileen Collins Blvd, Syracuse, NY 13212 in an amount not to exceed \$240,024.00 for the final design of the Terminal and Maintenance Hangar located at the Genesee County Airport.

Budget Impact: A capital project exists for this project with a current budget of \$399,500. A preliminary design contract had been awarded to C&S Engineers in the amount of \$199,500. The existing project is being increased by state aid in the amount of \$11,111 and additional airport deferred revenue in the amount of \$29,913 for a total capital budget of \$439,524 which will allow a final design contract of \$240,024 to be awarded to C&S Engineers.

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

RESOLUTION NO. 33 MUNICIPAL COOPERATION AGREEMENT WITH TOWN OF BATAVIA –HIGHWAY/ PRATT/POWERS RD INTERSECTION SAFETY IMPROVEMENT PROJECT—APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has accepted a federal Highway Safety Improvement Program (HSIP) grant for the improvement of the Pratt and Powers Rd Intersection in the Town of Batavia, and

WHEREAS, The Town of Batavia has presented Genesee County a proposal to perform the engineering, design and project administration services required under the Locally Administered Federal Aid Program (LAFAP), and

WHEREAS, The County Highway Superintendent has reviewed this proposal and finds it mutually beneficial to both Genesee County and the Town of Batavia, and

WHEREAS, The project will be constructed jointly by the Genesee County and Town of Batavia Highway Departments, and

WHEREAS, The County Highway Superintendent recommends entering into a Municipal Cooperation Agreement with the Town of Batavia for this project, and

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

RESOLVED, That, subject to approval as to form by the county attorney, the Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to enter into a Municipal Cooperation Agreement with the Town of Batavia in an amount not to exceed \$39,951.

Budget Impact: Genesee County has received a \$43,000 HSIP grant from NYSDOT to improve the safety at the intersection of Pratt and Powers Road in the Town of Batavia. A capital project has been established for this grant. The County will receive a 90% reimbursement from the federal government on all expenses related to this project. Under the Agreement the County would reimburse the Town of Batavia \$39,951 for its services.

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

RESOLUTION NO. 34 EQUIPMENT PURCHASE – HIGHWAY- ASSET ACQUISITION- APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Funds were incorporated into the 2104 Asset Acquisition Project to purchase a 6 x 4 Dump Truck for use by the Genesee County Highway Department, and

WHEREAS, The Committee on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase a 2015 GU713 Dump Truck, Body, Wing, Plow & Harder Sander at a cost of \$205,918.57 from Beam Mack Sales & Service, Inc., 2674 West Henrietta Rd, Rochester, NY 14609; to be paid from the 2014 Asset Acquisition Project.

Budget Impact: 2014 Asset Acquisition Project budgeted \$205,000 for the purchase of a 6 x 4 Dump Truck. The actual cost of the equipment is \$918.57 over budgeted amount.

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

**RESOLUTION NO. 35 2014 VEHICLE PURCHASES – HIGHWAY/
MOTOR POOL- APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Funds were incorporated into the 2104 Internal Service Fund (Motor Pool) to purchase vehicles for use by the various County Departments, and

WHEREAS, The Genesee County Highway Superintendent has reviewed vehicles available at state bid pricing and recommends purchases, and

WHEREAS, The Committee on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase six Ford Fusion mid-size sedans, one Ford Escape small SUV and one 12-passenger van from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445, in an amount not to exceed \$165,360 to be paid from the 2014 Internal Service Fund.

Budget Impact: 2014 Internal Service Fund budgeted \$165,360 for the purchase of new vehicles. The estimated cost of the scheduled vehicle replacements is \$160,192.56 pending final zone delivery charges.

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

**RESOLUTION NO. 36 FUNDING AGREEMENT- GENESEE-ORLEANS
REGIONAL ARTS - APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Manager did present an agreement for the funding of the Genesee-Orleans Regional Arts Council for 2014 for the promotion of music and art appreciation in Genesee County, and

WHEREAS, The Ways & Means Committee did review and does recommend approval of said contract at this time. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement by and between the County of Genesee and the Genesee-Orleans Regional Arts Council, 201 East Main Street, Batavia, NY for a program which promotes music and art appreciation during the contract term of January 1, 2014 through December 31, 2014 at a cost not to exceed six thousand nine hundred and five dollars (\$6,905.00).

Budget Impact Statement: First funded in 1993.

2014 = \$6,905

2013 = \$6,905

2012 = \$6,905; 5% reduction in funding

2011 = \$7,268; 15% reduction in funding

2010 = \$8,550; 5% reduction in funding

2005 – 2009 funding = \$9,000/year

1997 – 2004 funding = \$10,000/year (in 2001 received \$4,000 extra as matching funds for state grant)

1994 -1996 funding = \$3,000/year

1993 funding = \$2,500/year

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

**RESOLUTION NO. 37 APPOINTMENT-MUNICIPAL ELECTRIC AND GAS
ALLIANCE BOARD- APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, There is a vacancy on the Municipal Electric and Gas Alliance Board, and
WHEREAS, The Committee on Ways and Means does recommend appointment at this time.
Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Mary Pat Hancock of Batavia, New York to the Municipal Electric and Gas Alliance Board for a term effective January 1, 2014 through December 31, 2015.

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

**RESOLUTION NO. 38 2014 BUDGET AMENDMENT – CDBG FUNDS
CARRYOVER – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager did request an amendment to the 2014 County Budget to carryover from the 2013 County Budget unexpended CDBG Funds designated for the Genesee County Economic Development Center for the purpose of providing financing to assist Genesee Valley Mushroom, Inc. in the development of a composting facility in the Town of Batavia, New York, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 County Budget by increasing Appropriation A6421.4800.0040 CDBG-Mushroom Plant in the amount of \$750,000 to be offset by an increase in Revenue A.6421.4997.4 CDBG-Mushroom Plant.

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

RESOLUTION NO. 39 COUNTY AUDIT – JANUARY 22 APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Cianfrini did review the following claims:

2013 General Fund	\$	807,119.55
2014 General Fund		389,658.38
2013 Highway		73,391.89
2014 Highway		23,256.64
2013 Water		498,528.54
2013 Self Insurance		7,534.00
2013 Nursing Home		363,920.89
2014 Nursing Home		93,530.12
2013 DSS Abstracts		557,999.44
2014 DSS Abstracts		107,828.78
2013 Capital Projects:		
Sheriff 800 MHz Radio System Upgrade		23,428.52
Old Courthouse Roof & Cupola Repair		6,117.35
2014 Capital Projects:		
Sheriff 800 MHz Radio System Upgrade		2,342.28
Payroll – General & Nursing Home		
January 10, 2014		1,245,563.70
Medicaid		
January 14, 2014		186,456.00
January 21, 2014		<u>186,456.00</u>
Total Audit	\$	4,573,132.08

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 Lawrence seconded the resolution which was adopted by 326 votes.
The meeting was adjourned at 7:50 PM upon motion of Legislator Bausch seconded by Legislator Stein.