

**SIXTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Batavia, New York**  
**Wednesday, March 22, 2017**

The Genesee County Legislature met in Regular Session on Wednesday, March 22, 2017 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Davis followed by the Pledge to the Flag.

The minutes of the March 8, 2017 meeting were approved upon motion of Legislator Stein seconded by Legislator DeJaneiro, carried unanimously.

Legislator Clattenburg reported she attended the E911 board meeting where they discussed amending the By-Laws to add an ex-officio member. Other meeting topics included an evaluation of the emergency response to the recent storm and issues relating to the shortage of both volunteer emergency responders as well as EMS staff. Legislator Stein attended Inter County held at Alfred State College. The College is working to bolster Civic Engagement and is partnering with Houghton College. The next Inter County meeting is set to be held in Auburn and the NYSAC Leadership Conference is scheduled for April 6, 2017. Legislator Stein announced the NYS Conservation Districts held their annual meeting in Syracuse and Genesee County was recognized with an award to Clerk/Treasurer Jodi Chamberlain. Chairman Cianfrini explained the Sales Tax Allocation Committee met March 21<sup>st</sup>. The working group analyzed much data and information and is working to accomplish tasks within the required timeline. The next meeting is May 2<sup>nd</sup>. Legislators Stein and Clattenburg commended County Manager Jay Gsell, Asst. County Manager Matt Landers and Highway Superintendent Tim Hens for the level of detail and work toward presenting potential solutions.

Legislature Clerk Pamela LaGrou read the details of a notice letter from the Genesee County EDC regarding a Public Hearing for scheduled for March 28<sup>th</sup> at 4:00 PM at Batavia City Hall. The notice of public hearing will be posted on the public bulletin board outside the legislature conference room.

County Manager Jay Gsell explained that the County is scheduled for the 2015 IGT payment. The County will deposit half of the payment into the General Fund and the other half will be used to settle Nursing Home accounts. The 2016 IGT payment is expected later this calendar year.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 96**                   **JUSTICE FOR CHILDREN ADVOCACY CENTER**  
   **BUDGET AMENDMENT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Justice for Children Program Coordinator has made a request to move unspent Office of Children and Family Services funds that were allocated in the 2016 Genesee Justice budget to the 2017 Justice for Children budget, and

**WHEREAS**, This budget amendment is being requested due to the fact that there was \$5,656.00 in the 2016 Genesee Justice budget that remains unspent, and

**WHEREAS**, The Committees on Public Service and Ways & Means did review this request and do recommend acceptance of the budget amendment at this time. Now, therefore, Be it

**RESOLVED** that the Genesee County Treasurer is hereby authorized and directed to make the following budget amendment as follows:

Increase revenue A.3151.3323.0000 (OCFS C027943)	\$5,565.00
Increase appropriation A.3151.4800.0000 (Program Expense)	\$5,565.00

**Budget Impact:** Appropriations to the 2017 Justice for Children Advocacy Center budget are offset by revenue from the New York State Office of Children and Family Services.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 97      RESOLUTION URGING THE GOVERNOR AND STATE  
LAWMAKERS TO PROVIDE FUNDING FOR LOCAL  
UPDATE OF CENSUS ADDRESSES (LUCA)**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The U.S. Census Bureau's Local Update of Census Addresses Program (LUCA) is the only opportunity offered to tribal, state, and local governments to review and comment on the U.S. Census Bureau's residential address list that will be used to solicit 2020 Census input within their respective jurisdictions; and

**WHEREAS**, The U.S. Census Bureau relies on a complete and accurate address list to ensure complete distribution of 2020 Census survey material to obtain a full count of the resident population of each jurisdiction; and

**WHEREAS**, The Decennial Census counts are used by the Federal government to distribute more than \$400 billion in annual aid for infrastructure, programs, and services; and

**WHEREAS**, The Decennial Census information is used to determine eligibility for targeted funding programs and grants by the state and federal governments; and

**WHEREAS**, The data derived from the decennial census helps local communities plan for future needs in infrastructure and programs; and

**WHEREAS**, The Decennial Census population counts affect state and federal congressional representation and redistricting, and impacts County weighted voting systems; and

**WHEREAS**, By participating in the LUCA Program local jurisdictions can provide valuable input and help ensure that the 2020 Census reaches the maximum number of residents and provides a full and accurate accounting of the resident population in each jurisdiction, thus ensuring that the Census is accurate state wide; and

**WHEREAS**, The New York State Association of Counties supports the allocation of funds from the state of New York to regions and counties that wish to participate in the LUCA Program; and **WHEREAS**, The members of the Genesee\Finger Lakes Regional Planning Council have banded together and collectively identified \$150,000 to be allocated to the estimated \$200,000 cost of using real property tax, master street address guides, and other address related local governmental data to update the U. S. Census Bureau residential address lists in a consistent and comprehensive manner for our entire region; and

**WHEREAS**, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

**RESOLVED**, The Genesee County Legislature calls on Governor Cuomo, the New York State Senate and New York State Assembly and their leadership to provide funding statewide to support local regional, county, and municipal participation in the LUCA Program as being in the best interest of the State of New York; and further

**RESOLVED**, That the Genesee County Legislature calls upon the Governor and State Legislature to provide \$50,000 in funding to the Genesee/Finger Lakes Regional Planning Council to complete the funding necessary to complete a comprehensive LUCA review on behalf of the Counties of Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates, and the City of Rochester; and further

**RESOLVED**, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley, the chief elected official of each member of the Genesee/Finger Lakes Regional Planning Council, the Executive Director of the Genesee/Finger Lakes Regional Planning Council, and the New York State Association of Counties.

**BUDGET IMPACT STATEMENT:** Planning Department staff would contribute in-kind to the regional LUCA program. Such effort would be covered in the 2018 Planning Department operating budget.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 98      NEW YORK GREEN, INC. TO APPLY FOR  
COUNTYWIDE RESILIENCY PLANNING GRANT FUNDS  
ON BEHALF OF GENESEE COUNTY – AUTHORIZATION  
OF**

Legislator Young offered the following resolution:

**WHEREAS**, The New York State Department of State (NYSDOS) has authorized the making of grants to New York State counties to implement countywide resiliency planning under a Request for Applications process; and

**WHEREAS**, Countywide resiliency planning grant funds can be used to support county and municipal planning that supports assessment of extreme weather events, identification of future threats and vulnerabilities, and identification of projects and strategies to support resiliency with economic co-benefits; and

**WHEREAS**, Applicants for grant funding must be a county, or a not-for-profit corporation located in New York State applying on behalf of a county; and

**WHEREAS**, Applications to NYSDOS for countywide resiliency planning grant funds by a not-for-profit must include a letter of authorization from the supported county;

**WHEREAS**, It is the intent of New York Green, Inc. to apply for grant assistance from NYSDOS countywide resiliency funds on behalf of Genesee County;

**RESOLVED**, That the Chair of Genesee County Legislature is hereby authorized and directed to provide a letter of authorization to New York Green, Inc. for inclusion with grant application materials to NYSDOS by March 29, 2017, and to execute any and all other necessary documentation related to application for this funding.

**Budget Impact Statement:** County planning staff will provide up to 10% (or \$25,000) of planning services required for project completion. This amount will be 100% covered by grant funds. No match is required.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 99      AGREEMENT RENEWAL – SHERIFF / MONROE  
COUNTY CRIME LABORATORY – APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, the Sheriff did present an agreement renewal for forensic laboratory services with Monroe County, 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, 2017, through

December 31, 2017, and

**WHEREAS**, the Committee on Public Service did review this agreement renewal 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 renewal between the County of Genesee and the County of Monroe for forensic laboratory services for the period of January 1, 2017, through December 31, 2017, at a cost of \$120,788.

**Budget Impact:** Appropriation of \$120,788 has been included in the 2017 Sheriff's budget for this contracted service.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 100      DECLARE VEHICLE SURPLUS PROPERTY / TRANSFER OWNERSHIP TO LEROY POLICE DEPARTMENT – SHERIFF – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Genesee County Sheriff's Office has taken ownership of a 2007 Dodge Caravan (VIN#2D4GP44L47R263231) that was forfeited by a defendant upon conviction from a criminal arrest, and

**WHEREAS**, The Sheriff's Office has no use for the above vehicle and is requesting it be declared surplus property, and

**WHEREAS**, The LeRoy Police Department does have use for the above vehicle for law enforcement purposes, therefore, the Sheriff would like to transfer ownership of this vehicle to this agency, and

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

**RESOLVED**, That the above-listed vehicle be declared surplus property, and that ownership of the vehicle be transferred to the LeRoy Police Department for law enforcement use.

**Budget Impact:** There is no budget impact.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 101      OPERATION AND MAINTENANCE AGREEMENT-TOWN OF BATAVIA AND TOWN OF ELBA-APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Town of Batavia and Town of Elba have entered into an Operation and Maintenance Agreement dated, February 16, 2017, for the Town of Batavia to operate and maintain the Edgerton Road Water District in the Town of Elba, and

**WHEREAS**, The County Attorney and the County Highway Superintendent have reviewed this agreement and recommend approval of the same, and

**WHEREAS**, Paragraph 21 of this agreement states that is it subject to the consent and approval of the Genesee County Legislature, and

**WHEREAS**, The Committees on Public Service and Ways and Means have reviewed this Agreement. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby approve an "Intermunicipal Agreement for Operation and Maintenance of Water Facilities for the Town of Elba Edgerton Road Water District", dated February 16, 2017, entered into by and between the Towns of Batavia and Elba.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 102      GRANT ACCEPTANCE & 2017 BUDGET AMENDMENT - EMERGENCY MANAGEMENT SERVICES - FY15 PRE-DISASTER MITIGATION COMPETITIVE GRANT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator did apply for the FY15 Pre-Disaster Mitigation Competitive (PDMC) Grant to provide funding for updates to the County's multi-jurisdictional hazard mitigation plan, and

**WHEREAS**, grant funding has been awarded under the Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES) for the total planning cost not to exceed \$90,064.77, (\$67,548.24 Federal Funds with a required 25% Non-Federal Matching Share of \$22,516.53 in either cash, in-kind-services or a combination of both) and,

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

**RESOLVED**, That the Genesee County Emergency Management Office 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 FY15 Pre-Disaster Mitigation Competitive (PDMC) grant and to execute any and all other documentation related to this funding, and be it Further

**RESOLVED**, That the Genesee County Treasurer is authorized and directed to amend the 2017 County Budget by increasing the EMO Appropriations Account A.3640-4660.0000 - Contracted Other in the amount of \$67,548.24 to be offset by an increase in EMO Revenue Account A.3640.4305.0000 – Federal Aid in the amount of \$67,548.24.

**Budget Impact Statement:** County is responsible for in-kind contribution of \$22,516.53. This will be primarily obtained through resources from Emergency Management and Planning Departments.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 103      GRANT ACCEPTANCE & 2017 BUDGET AMENDMENT -  
EMERGENCY MANAGEMENT SERVICES – FM GLOBAL  
FIRE PREVENTION GRANT – APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator request authorization to accept the FM Global Fire Prevention Grant award in the amount of \$2,600 from FM Global commercial property insurers, and

**WHEREAS**, funding priorities have been identified to strengthen efforts and more effectively prevent fire or mitigate damage with grant funds to be used for the purchase of cameras with accessories, and

**WHEREAS**, The Committees on Public Service and Ways & Means do concur with this request and do 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 agreement with FM Global Commercial Property Insurers for the acceptance of the Fire Prevention Grant award and to execute any and all other documentation related to this funding, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 Genesee County Budget by increasing Emergency Management Services Appropriations account A.3640.2060.0060- Cameras in the amount of \$2,600.00 to be offset by an increase in Emergency Management Services Revenue account A.3640.2705.0000 Gifts & Donations in the amount of \$2,600

**Budget Impact Statement:** None.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 104****CONSULTANT AGREEMENT – GENESEE JUSTICE  
STONE WORK – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the stone work on the front porch of the historic Genesee Justice building is failing and a preliminary investigation and design into the steps required for restoration was completed; and

**WHEREAS**, the final construction documents and specifications are necessary for review by the State Historic Preservation Office and for competitive bidding of the work to be completed, and **WHEREAS**, the Genesee County Highway Superintendent reviewed a proposal from Flynn-Battaglia Architects, P.C., a firm that specializes in historic repairs of sandstone architecture, and recommends engaging their services at this time; and

**WHEREAS**, the Public Service Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

**RESOLVED**, the Genesee County Legislature does authorize the Chairperson of the Genesee County Legislature to enter into a consultant agreement with Flynn-Battaglia Architects, P.C., 617 Main St, Buffalo, NY 14203 in an amount not to exceed \$33,000 for the purposes preparing final construction documents and specifications required to complete the stonework restoration at the Genesee Justice building.

**Budget Impact:** The cost of the consultant agreement is \$33,000 which will be paid from the Capital Project for the Genesee Justice Stone Work. The budget for the Capital Project was recently amended to \$175,000 to allow for final design and construction costs. Anticipated schedule for construction is the summer of 2017.

Legislator Davis seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 105 WATER SUPPLY AGREEMENT – GENESEE COUNTY  
ECONOMIC DEVELOPMENT CENTER (GCEDC)/  
SCIENCE, TECHNOLOGY AND ADVANCED  
MANUFACTURING PARK (STAMP) – APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, Genesee County established a Countywide Water Program and has entered into Water Supply Agreements with municipalities and authorities across the County, and

**WHEREAS**, the Genesee County Economic Development Center (GCEDC) desires connect into the countywide water system and receive wholesale of supply from Genesee County, and

**WHEREAS**, the Genesee County Highway Superintendent and the County Attorney have prepared an agreement that provides wholesale water supply to this district under terms acceptable to the County and recommend its approval at this time, and

**WHEREAS**, the Genesee County Water Resources Agency recommends approval of the Water Supply Agreement with the GCEDC for the Science, Technology and Advanced Manufacturing Park (STAMP), and

**WHEREAS**, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, Be it

**RESOLVED**, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the Water Supply Agreement between Genesee County and the Genesee County Economic Development Center.

**Budget Impact Statement:** This agreement will add revenue to the Water Fund through the sale of water and the collection of the \$0.60 surcharge. Revenue will be based upon the actual water usage within the STAMP site, but is estimated at \$43,800 per year.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 106****AWARD OF BIDS – HIGHWAY CONSTRUCTION  
MATERIALS – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent advertised specifications for the various construction materials used by Genesee County for highway and bridge maintenance and construction, and

**WHEREAS**, The Highway Superintendent did review these bids and does recommend their award at this time, and

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

**RESOLVED**, That the Genesee County Highway Superintendent is hereby authorized and directed to award bids to the various vendors on the annual construction materials bid as allowed for under the specifications for each item and as budgeted for within the 2017 County Budget and capital projects as established.

**Budget Impact**: This is an annual bid that allows the Highway Superintendent to purchase materials in compliance with the General Municipal Law. The cost of most asphalt related materials are expected to remain fairly flat through the construction season. The purchase of materials is limited by budgeted amounts within the County Road Fund and the various capital projects in place for the repair and replacement of highways and bridges. The Highway Superintendent uses low bid, as adjusted by the contract hauling formula. The Highway Superintendent also reserves the right to award bids in the best value for the County based on availability of product, equipment failures and long wait times.

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 107****TERM AGREEMENT – AIRPORT ENGINEERING  
SERVICES – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Purchasing Officer and the Superintendent of Highways did request and receive qualifications from engineering firms to provide consulting services at the Genesee County Airport in accordance with Federal Aviation Administration Advisory Circular 150-5100/14E, and

**WHEREAS**, A selection committee was formed to review these qualifications and it does recommend an engineering firm for airport engineering, construction management, and grant administration services in accordance with the Federal Aviation Administration regulations, and

**WHEREAS**, The Committee on Public Service does concur with the selection committee's recommendation. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized to execute a five year term agreement with C & S Engineers, 499 Colonel Eileen Blvd, Syracuse, NY13212 for airport engineering, construction management, and grant administration services beginning April 1, 2017 and continuing through March 31, 2022.

**Budget Impact**: Scope and cost of engineering, construction management, and grant administration are negotiated on an as-needed basis, vetted by a third-party, and covered under Federal Aviation Administration and New York State Department of Transportation grant agreements. The County's typical share on grant-funded airport projects is 5% of the total cost.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 108      AWARD OF BID – PARKS AND FORESTRY- ASSET  
ACQUISITION 1-TON DUMP TRUCK– APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, Funds were incorporated into the 2017 Asset Acquisition Project to purchase a 1-Ton Dump Truck for use by the Genesee County Parks, Recreation and Forestry Department, and

**WHEREAS**, The Parks Supervisor and the Genesee County Highway Superintendent recommend purchasing a 1-Ton Dump Truck by piggybacking off the Onondaga County Dual Rear Wheel Truck Contract #7974, 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 2017 F-350XL Dump Truck & Body at a cost of \$48,909.32 from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445; to be paid from the 2017 Asset Acquisition Project.

**Budget Impact:** 2017 Asset Acquisition Project budgeted \$48,000 for the purchase of a 1-Ton Dump Truck. The actual cost of the equipment is \$909.32 over the budgeted amount. \$48,000- 1989.2030.0020, \$166.00 - 1989.2008.0010, \$743.32 -A7110.4410.1001

Legislator Deleo seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 109 ESTABLISH/CLOSE CAPITAL PROJECTS – 2017  
BUDGET AMENDMENT -- HIGHWAY –APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The State of New York has provided Genesee County with Consolidated Local Street and Highway Improvement Program (CHIPS) and PAVE-NY funding, and

**WHEREAS**, the Genesee County Superintendent of Highways has established capital projects for the repair and replacement of highways, bridges and culverts that have been completed with prior year's funding, and

**WHEREAS**, The Superintendent of Highways recommends closing existing projects and establishing new capital projects for work planned for this construction season, and

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

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to close/establish the following capital projects and transfer existing balances as required:

<b><u>Close:</u></b>	<b><u>Balance</u></b>	<b><u>Source</u></b>	<b><u>Action</u></b>
2015 Bridge Construction	\$13,542.08	CHIPS	Trans to 2017 Bridge Const
2016 Highway Recycling	\$0.00	CHIPS	Close
2015 Highway Recycling	\$943.37	CHIPS	Trans to 2017 Hwy Recycling
2015 Highway Overlay	\$24,041.98	CHIPS	Trans to 2017 Hwy Surface Treat

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following CHIPS and PAVE-NY funded capital projects by increasing CHIPS Revenue D9950.3501, Transfers to Capital D9950.9900, Highway Capital Project Expense H5197.2080, and Interfund Transfer H5197.5031 in the amount of \$2,057,527

<b><u>Establish:</u></b>	<b><u>Budget</u></b>	<b><u>Source</u></b>
2017 Highway Chipseal	\$380,000.00	CHIPS
2017 Highway Surface Treatment	\$781,232.26	CHIPS + 2015 Transfer
2017 Highway Overlay	\$382,000.00	PAVE-NY
2017 Bridge Construction	\$307,084.16	CHIPS + 2015 Transfer
2017 Highway Recycling	\$245,738.24	CHIPS + 2015 Transfer

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following capital project by increasing Highway Capital Project Expense H5197.2080, Interfund Transfer H5197.503, 1% Sales Tax A1000.1110.1, and Transfer to Capital A9950.9 in the amount of \$472,473.00

**Establish:**    **Budget**    **Source**

Large Span Culverts                          \$472,473.00                          1% Sales Tax

**Budget Impact Statement:** 2017 CHIPS allocation is \$1,675,527 and PAVE-NY funds which are distributed according to CHIPS formula are \$382,000 which totals \$2,057,527. The county's 6-yr capital plan had allocated \$472,473 for Large Span culverts in 2017. Including transfers from prior year projects, the total capital allocated to projects within this resolution is \$2,568,527.66.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 110**

**REAPPOINTMENT –PARKS, RECREATION AND FORESTRY ADVISORY COMMITTEE - APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The term of office for two members of the Genesee County Parks, Recreation and Forestry Advisory Committee will expire on March 31, 2017 and they have expressed an interest and desire to serve another 3 year term, and

**WHEREAS**, The Committees on Public Service and Ways and Means does recommend that the reappointments be made at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby reappoint the following to serve another term on the Genesee County Parks, Recreation, and Forestry Advisory Committee effective April 1, 2017 through March 31, 2020:

John Gerace	Town of Batavia	District #4
Jerome Gentry	City of Batavia	District #7

**Budget Impact:** None

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 111**

**GRANT AGREEMENT/ESTABLISH CAPITAL PROJECT – AIRPORT – 2015 AVIATION CAPITAL GRANT PROGRAM –APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, A Project for the Genesee County Airport, P.I.N. #4902.05 (“the Project”) is eligible for funding under the 2015 Aviation Capital Grant Program administered by the NYS Department of Transportation (“NYSDOT”);

**WHEREAS**, the County of Genesee desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project, and

**WHEREAS**, the Genesee County Legislature, duly convened does approve the above subject project. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature hereby authorizes the County of Genesee to pay in the first instance 100% of the federal and non-federal share of the cost of the New Terminal Building Construction for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$665,000 is hereby appropriated from the Genesee County Legislature and made available to cover the cost of participation in the above phase 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 the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or 2015 Aviation Capital Grant Program Funding on behalf of the Genesee County Legislature with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible, and it is further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to establish a capital project Construct Airport 8-Bay T-Hangar for a total of \$665,000 as per the following:

State Funds	\$498,750.00
County Funds	\$166,250.00 (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 2017 Budget:

Increase H1000.5997.5031	Interfund Revenue	\$166,250
Increase H1000.5997.3897	State Aid	\$498,750
Increase H5997.2080.0000	Terminal Apron	\$665,000

**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**, this Resolution shall take effect immediately.

**Budget Impact Statement:** \$498,750 grant will offset local costs in constructing an 8-Bay T-Hangar at the Genesee County Airport. The grant will be matched by \$166,250 in local 1% sales tax to establish a capital project Airport 8-Bay T-Hangar in the amount of \$665,000. A project for T-Hangars has been carried by the County in the 6-yr capital development plan.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 112    CONTRACT FOR GRANTS NO. C600018-  
PUBLIC DEFENDER-APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Public Defender does recommend the acceptance of the contract between the Genesee County Public Defender's Office and the New York State Office of Indigent Legal Services(C600018) Distribution Grant #6, for the provision of payment for one (1) Assistant Public Defender's salary plus fringe benefits, payment for a Private Investigator for his salary plus fringe benefits, continuation of the parity stipend for two (2) assistant public defenders and continuation of the appellate representation program.

**WHEREAS**, the Committee on Public Service did review the contract 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 (C600018) Distribution Grant #6, with the New York State Office of Indigent Legal Services for the period January 1, 2016 through December 31, 2018, and Be it further

**BUDGET IMPACT STATEMENT:** Total contract revenue for 2017 in the amount of \$55,700 is within the 2017 Adopted Budget in line A.1170.3025 Indigent Legal Services. Total contract revenue for 2018 in the amount of \$55,700 will be placed in the 2018 budget.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 113      GENESEE COUNTY HOUSING NEEDS ASSESSMENT  
AND MARKET ANALYSIS - CONSULTANT SELECTION -  
APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, Genesee County did apply for and was awarded Community Development Block Grant (CDBG) funding from the New York State Office of Community Renewal (OCR) for a Housing Needs Assessment and Market Analysis of Genesee County (the "Study"), and

**WHEREAS**, Genesee County solicited proposals from vendors to undertake the Study through a Request for Proposals (RFP 2017-103) issued January 13, 2017, and

**WHEREAS**, a vendor selection committee made up of representatives from the County Manager's Office, Planning Department, Office for the Aging, and the Genesee Region Housing Initiatives Committee, reviewed three separate proposals and does recommend that LaBella Associates, DPC be retained as the consultant for the Study. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with LaBella Associates, DPC, 300 State Street, Suite 201, Rochester, NY 14614 at a cost not to exceed \$46,400, effective immediately.

**BUDGET IMPACT STATEMENT:** \$47,500 CDBG OCR Grant Funds in the Amended 2017 Budget will cover this expenditure.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 114      AUTHORIZATION TO SIGN THE GLOW WORKFORCE  
INNOVATION AND OPPORTUNITY AREA  
MEMORANDUM OF UNDERSTANDING**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Chief Elected Officials (CEO's) 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 (WIOA) of 2014, and

**WHEREAS**, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Memorandum of Understanding (MOU) regarding the operation of the local one-stop delivery system, including the roles and responsibilities of all GLOW WIOA system partners, and

**WHEREAS**, Each required WIOA system partner must enter into the GLOW WIOA MOU with the GLOW Workforce Development Board (WDB) and the four County CEO's, and

**WHEREAS**, The Genesee County Legislature has designated the Genesee County Job Development Bureau (GC JDB) as the required system partner providing WIOA Title I Adult, Dislocated Worker, and Youth program services in Genesee County; and

**WHEREAS**, The Genesee County Office for the Aging administers Title V Senior Community Service Employment Program (SCSEP) and SCSEP is a required partner of the WIOA One-Stop System which must have a signed MOU with the Local Workforce Development Board. Now, Therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct Scott R. Gage, the Director of the GC JDB and Ruth Spink, the Director of the Genesee County Office for the Aging, to sign the GLOW WIOA MOU as required partners in Genesee County for the WIOA Title I Adult, Dislocated Worker, Youth, and Title V SCSEP program services, and Be it Further

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct Raymond F. Cianfrini, Chair of the Genesee County Legislature, to sign the GLOW WIOA MOU as the CEO of Genesee County, and Be it Further

**RESOLVED**, That the GLOW WIOA MOU will be effective July 1, 2017 and will be renewed not less than once every three years, or until such time that the Workforce Innovation and Opportunity Act is repealed.

**Budget Impact:** Neutral. The GLOW WIOA MOU does not represent a legally binding contract or establish any financial liability for any of the parties.

Legislator Davis seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 115 2017 SALARY SCHEDULE AMENDMENT – JOB DEVELOPMENT – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Employment and Training Director of the Job Development Bureau did request the elimination of one full time permanent Senior Employment & Training Counselor position funded through the Workforce Innovation and Opportunity Act, and

**WHEREAS**, The Employment and Training Director of the Job Development Bureau did request the creation of one (1) Employment & Counselor position, and

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

**RESOLVED**, That the Genesee County Treasurer be and hereby is authorized and directed to amend the 2017 Genesee County Employees Salary schedule by eliminating one full time permanent Senior Employment & Training Counselor position CSEA Grade 18, and creating one(1) Employment & Training position CSEA Grade 15S, effective upon approval of the Legislature.

**BUDGET IMPACT:** No impact on County Funds – Grant Funding will be used. Estimated savings for Budget Year 2017 \$11,089.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 116 GENESEE COUNTY SALE OF COUNTY OWNED PROPERTY RATIFICATION**

Legislator Stein offered the following resolution:

**WHEREAS**, Bontrager Real Estate and Auction Services, Inc., on behalf of Genesee County, conducted a sale of county-owned property on Saturday, March 18, 2017, at 10:00 a. m. at 8975 Wortendyke Road, Batavia, New York, at which time county-owned property was sold to the highest bidder, and

**WHEREAS**, The Committee on Ways and Means did review the bids and does recommend ratification of the sale at this time, Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature hereby ratifies and confirms the sale of the properties listed below to the following:

<u>Purchaser</u>	<u>Parcel</u>	<u>Tax Map #</u>	<u>Town</u>	<u>Price</u>
Francis L. Cornelius Jr.	#1	7.-1-36	Alabama	\$ 10,000
Noah D. Majewski	#2	12.-1-37	Batavia	\$ 850
Kyle D. Palmer	#3	9.-1-44	Pavilion	\$ 11,000
Sarah Kohl	#5	3.-1-21	V/Alexander	\$ 23,500

Jeremy Bartlett	#9A	22.-1-68.2, Pembroke 22.-1-68.121, & 22.-1-68.11	\$ 12,000
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And, Now therefore, Be it

**RESOLVED**, That payment of the net must be received from the buyer within sixty (60) days of ratification of the contract or the sale is considered void and all deposited monies will be forfeited.

**Budget Impact:** Total sale of properties exceeds outstanding taxes owed by approximately \$31,700.

Legislator Torrey seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 117      LEASE – LEGAL AID OF ROCHESTER AGREEMENT –  
APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Genesee County Manager did present an agreement with Legal Aid of Rochester for the lease of space at County Building #2, 3837 West Main Street, Batavia, for administrative purposes for the period of April 1, 2017 – March 31, 2018, at a rate of \$2,224.80 annually, and

**WHEREAS**, The Committee on Ways and Means did review said agreement and recommends 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 between Legal Aid of Rochester and the County of Genesee for the lease of space at County Building #2, 3837 West Main Street, effective April 1, 2017 through March 31, 2018; at a cost of \$2,224.80 per year.

**Budget Impact:** Additional revenue of \$2,224.80 annually

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 118      CAPITAL PROJECTS/AUTHORIZATION TO  
CLOSE /BUDGET TRANSFER – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Genesee County Manager and County Treasurer reported that certain Capital Projects have been completed and have recommended that said Capital Projects be closed at this time, and

**WHEREAS**, The Committee on Ways and Means have reviewed the requests and recommend that said Capital Projects be closed respectively at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Treasurer be and hereby authorized and directed to make the following transfer:

\$8,004.70	From Capital Project, County Manager - 2 Bank Street, Security Upgrades To Capital Project, County Manager, 2017 Security Enhancements
\$13.72	From Capital Project, County Park – DeWitt Utility Ext/Security Improvements To Building and Equipment Reserve
\$0.18	From Capital Project, IT/Sheriff – Access Control System To Building and Equipment Reserve
\$4,972	From Capital Project, Facilities Management Building #2 – Resurfacing To Building and Equipment Reserve, and Be it further

**RESOLVED**, That the Genesee County Treasurer be and hereby is authorized and directed to reduce Capital Project, Facilities Management, Building #2, Flood Damage Restoration in the amount of \$13,262.30, and Be it further

**RESOLVED**, That the Genesee County Treasurer be and hereby is authorized and directed to reduce estimated Insurance reimbursement revenues for Capital Project, Facilities Management, Building #2, Flood Damage Restoration in the amount of \$13,262.30, and Be it further

**RESOLVED**, That the Genesee County Treasurer be and hereby is authorized and directed to close the following completed Capital Projects:

- County Manager, 2 Bank Street, Security Upgrades
- County Park, DeWitt Utility Ext/Security Improvements
- Facilities Management, Building #2, Flood Damage Restoration
- Emergency Management, Public Water Line
- Emergency Management, Replace Training/Storage Facility
- IT/Sheriff, Access Control System

**Budget Impact Statement:** No impact on 2017 County Budget.

Legislator Stein seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 119    AUTHORIZATION FOR HOME RULE REQUEST –  
MORTGAGE TAX INCREASE RENEWAL - APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The County of Genesee is currently authorized by the New York State Legislature to impose an additional one-quarter of one percent (0.25%) local tax on mortgages for real property situated within the County of Genesee in addition to the current tax imposed on said mortgages with the local tax of one-quarter of one percent to be used for the purpose of offsetting of the Recording/County Clerk's Office or any County General Fund purpose in Genesee County, and

**WHEREAS**, The authorizing legislation for the additional one-quarter of one percent expires October 31, 2017, and

**WHEREAS**, The County desires to renew the authorization for the additional one quarter of one percent. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. Bill No. S.4782 and Assembly Bill No. A.6558 which is the legislation necessary to extend the additional one-quarter of one percent tax on mortgages for real property situated within the County of Genesee in addition to the current tax imposed on said mortgages, and Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is authorized and directed to sign the necessary Home Rule Request, and Be it further

**RESOLVED**, That a copy of this resolution for Home Rule Message be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley.

Legislator Deleo seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 120    AUTHORIZATION FOR HOME RULE REQUEST –  
SALES TAX INCREASE RENEWAL EXTENSION -  
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, Genesee County is currently authorized by the New York State Legislature to impose a one percent sales tax, in addition to the three percent rate authorized by the tax law, and

**WHEREAS**, The authorizing legislation for the additional one percent expires November 30, 2017, and

**WHEREAS**, The County desires to renew the authorization for the additional sales tax of one percent. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. S.4783 and Assembly Bill No. A.6557 which is the legislation necessary to renew the additional one percent sales tax, and Be it further

**RESOLVED**, That the renewal of the additional one percent authorized by the State Legislature will become effective immediately and expire November 30, 2019, and Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is authorized and directed to sign and file the necessary Home Rule Request, and Be it further

**RESOLVED**, That a copy of this resolution for Home Rule Request be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley.

**Budget Impact Statement:** Funds from this additional one percent sales tax is used to finance capital projects and long term debt, in lieu of property taxes.

Legislator Davis seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 121      RESOLUTION IN SUPPORT OF AN AMENDMENT TO  
THE PROPOSED FEDERAL HEALTH CARE  
LEGISLATION KNOWN AS THE AMERICAN HEALTH  
CARE ACT TO LIMIT THE LOCAL SHARE OF  
MEDICAID**

Legislator Davis offered the following resolution:

**WHEREAS**, Counties across the nation contribute \$9.7Billion each year in locally raised taxes to support the direct program costs of providing Medicaid services; AND

**WHEREAS**, Taxes raised for Medicaid services in New York State account for \$7.5 Billion or 77% of all locally raised Medicaid dollars an amount more than three times that of all the other 49 states combined; AND

**WHEREAS**, Genesee County pays over \$9.6 Million each year to support the cost of the New York State Medicaid Program or approximately 38% of the county property tax levy; AND

**WHEREAS**, Governor Cuomo continues to highlight that New York State property taxes are high, a point that this legislature agrees with 100%; AND

**WHEREAS**, Eliminating Medicaid costs to counties, county governments will be provided desperately needed flexibility in how they utilize their property tax revenue; AND

**WHEREAS**, Unfunded mandates such as Medicaid make up the largest portion of our county budget placing immense pressure on our ability to provide the services our residents expect and deserve at a reasonable cost. This amendment will allow us to be able to provide much needed tax relief to our constituents and provide more funds to improving our aging infrastructure

**RESOLVED**, that the Genesee County Legislature supports Congressman Collins proposed amendment to the American Health Care Act, known as The Medicaid Local Share Limitation proposal would bar federal reimbursements for state Medicaid funds raised from charges to local governments.

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Bausch (45) absent.

**RESOLUTION NO. 122      COUNTY AUDIT – MARCH 22 - APPROVAL OF**

Legislator Stein offered the following resolution:

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

2017 General Fund	\$	912,024.75
2017 Highway		73,677.75
2017 Nursing Home		21,807.15
2017 Self Insurance		2,246.60

2017 Water	46,071.60
DSS Abstracts	183,447.21

**Capital Projects:**

Highway 2016 Road Machinery	7,295.00
Sheriff 800mhz Radio System Upgrade	10,774.38
Airport Construct New Terminal & Maintenance Hangar	140,851.50
Airport Reconstruct Runway 10-28 Design	96,000.00

**Payroll**

March 17, 2017	1,500,475.15
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**Medicaid**

March 14, 2017	178,282.00
March 21, 2017	<u>178,282.00</u>

<b>Total Audit</b>	\$ 3,351,235.09
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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 Deleo seconded the resolution which was adopted by 281 votes, Bausch (45) absent. Legislator Stein commented that the County continues to collect revenue from when the Nursing Home was county-owned and we continue to pay the DOH surcharge on payments made to the county for billed services. Legislator Young questioned if the County would be required to pay the surcharge even if the Accounts Payable was sold. It was explained that the surcharge would still apply.

The meeting adjourned at 6:01PM upon motion of Legislator Stein seconded by Legislator Deleo, carried unanimously.