

TWELTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, June 22, 2016

The Genesee County Legislature met in Regular Session on Wednesday, June 22, 2016 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Torrey assisted with the audit. Prayer was be offered by Legislator Stein followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Cianfrini opened a Public Hearing On Agricultural Districts 2016 Annual Enrollment – Inclusion Request Of One Parcel To Agricultural District No. 3 In The Town Of Stafford and a Public Hearing on 2016-2017 Operation Budget-Genesee Community College/Sponsor's Share.

A Proclamation naming June as Dairy month was presented by Legislator Stein to Genesee County Dairy Princess Mary Sweeney, a Byron-Bergen Central School student. Ms. Sweeney introduced her court and described the work she is doing as a dairy ambassador. Legislators and guests were treated to ice cream in celebration of a favorite dairy product.

A Commendation praising a retiring Planning Board member was presented by Legislator Torrey to Melvin Wentland who has served on the board for 17 years, 10 as Chairman. Mr. Wentland also served on the GCC Board of Trustees for 10 years. Mr. Wentland commented that he enjoyed volunteering and serving yet he is looking forward to retirement.

The minutes of the June 8, 2016 meeting was approved upon motion of Legislator Clattenburg seconded by Legislator Bausch, carried unanimously.

Legislator Stein reported on her attendance at the Nursing Home Quality Assurance meeting. It was reported that the survey at the Adult Home has begun. The Skilled Nursing Facility is awaiting their turn which should come in the next week. Inter County met last week in Horseheads where representatives who were present learned about resolutions passed at member county meetings. Also, received was a white paper prepared by NYSAC on the services and reimbursements provided by local DMV offices. Inter County supports local training to allow for elected officials to attend useful training without having to drive to Albany. Last comments provided by Legislator Stein focused on the YWCA Women of Distinction Awards. The Genesee County Mental Health Department was awarded the Peace Award for the work they do with residents.

Legislator Bausch reported that Inter County will be hosted by Genesee County on October 21 at Mercy Grove in LeRoy.

Legislator DeJaneiro reported that he attended GAM where discussion included the Sales Tax agreement which lead into discussion about water. Town representatives indicated they want to see water come into the areas where water lines do not exist yet.

One out of state travel request from Highway Superintendent Tim Hens to go to Long Beach, CA July 20-23, 2016 for NACo Annual Conference/NACE Exec Committee Meeting at a total cost of \$1,628 however, all but meals will be reimbursed by NACE therefore cost to the county is \$129.00. A motion to approve was made by Legislator Clattenburg seconded by Legislator Stein, carried unanimously.

Chairman Cianfrini thanked legislators for attending the Airport building dedication and ribbon cutting on Father's Day. He commended the Legislature for recognizing the airport generates revenue and further complimented them on finding a creative way to make the project a reality.

County Manager Gsell reported on the conclusion of the 2016 Legislative Session; The DA salary increase will not be covered by the state. NYSAC was advocating for a chapter amendment. The legislature may be called back into session this fall to discuss tying the legislative salary increases to covering the cost of the DA salary increase. Takeover of Indigent Defense by the state is awaiting the Governor's signature. The program will be phased in over seven years; the county will continue to run the program though.

The Clerk proceeded with the following resolutions;

RESOLUTION NO. 231 REAPPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The terms of office of Laraine Caton and Bob Bennett on the Genesee County Planning Board have expired and they have indication an interest and desire for reappointment, and

WHEREAS, These two candidates are in compliance with the training requirements required by New York State for reappointment under Chapter 662 of the Laws of 2006, and

WHEREAS, the Committees on Public Service and Ways and Means does recommend they be reappointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Ms. Laraine Caton of Batavia, NY and Mr. Bob Bennett of LeRoy, NY to serve another term on the Genesee County Planning Board for the period ending on May 31, 2019.

Budget Impact Statement: None

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

RESOLUTION NO. 232 CERTIFICATES OF INSURANCE- GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE EVENTS: LIVINGSTON COUNTY AGRICULTURAL SOCIETY AND FAIR AT CALEDONIA EVENTS – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to set up a manned informational booth at the Caledonia Crash and Jam Festival, sponsored by the Livingston County Agricultural Society and Fair at Caledonia for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Recycling Administrator has been invited to participate in a tentative second event in August and a tentative third event in October, also sponsored by the Livingston County Agricultural Society and Fair at Caledonia, for the purpose of providing education on waste reduction, recycling, reuse and composting approval to participate in this event on , and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in Caledonia Crash and Jam Festival event, to be held at Livingston County Agricultural Society and Fair at Caledonia Fairgrounds, located at Leicester Rd. in the Town of Caledonia on July 16, 2016.

Budget Impact: There is no cost for these events

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

RESOLUTION NO. 234 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT SERVICES –FY2016 LOCAL EMERGENCY

**MANAGEMENT PERFORMANCE (LEMP) GRANT
PROGRAM – APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept grant funding in the amount of \$27,505 from the U.S. Department of Homeland Security and Emergency Services (DHSES), Federal Emergency Management Agency (FEMA) to be administered by New York State Division of Homeland Security and Emergency Services (DHSES) on behalf of FEMA, and

WHEREAS, the purpose of the Local Emergency Management Performance (LEMP) Grant is to provide funds in support of a system of emergency preparedness for the protection of life and property in the United States from hazards and to jointly vest responsibility of emergency preparedness, and

WHEREAS, The Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator's recommendation. Now therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Office of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY16 Local Emergency Management Performance Grant (LEMP) in the amount of \$27,505, and to execute any and all other documentation related to this funding.

Budget Impact Statement: None. Grant Funds help to offset a part of the 2016/2017 OEM operating expenses
Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 235 BUDGET TRANSFER - SHERIFF/PERSONNEL TRAINING
AND UNIFORMS – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Sheriff's Office has had several recent employee departures, and currently have three open positions to be filled, and

WHEREAS, The personnel training and uniform line items in the Sheriff's budget are in need of additional funds to cover the cost of the basic police training course and initial uniform and accessories for each new employee, and

WHEREAS, There are funds available in the Sheriff's personal services budget, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2016 budget transfer:

\$35,500 from A3110.1010.0000 (Personal Services)

\$20,000 to A3110.4550.0000 (Personnel Training)

\$15,500 to A3110.4580.0000 (Pers Uniforms/Safety Equip)

Budget Impact Statement: There is no budget impact as the funds are being transferred within the Sheriff's 2016 budget.

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

**RESOLUTION NO. 236 ACCEPTANCE OF GRANT FUNDS/BUDGET
AMENDMENT - SHERIFF/NYSDHSES GRANT –
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The New York State Division of Homeland Security and Emergency Services has awarded Genesee County grant funding in the amount of \$4,164, and

WHEREAS, The grant funds will be used to cover the cost of overtime and backfill for Sheriff's Office personnel to participate in emergency preparedness exercises, and

WHEREAS, The Sheriff is requesting acceptance of these grant funds and an amendment to the 2016 budget, 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 2016 budget as follows:

\$3,034 to A3110.1020.0000 (Overtime Salaries)

\$188 to A3110.8010.0000 (Social Security Tax)

\$44 to A3110.8011.0000 (Medicare Tax)

\$898 to A3110.8020.0000 (Retirement)

To be offset by increasing the following revenue account:

\$4,164 to A3110.4305.2 (Federal Aid/Homeland)

Budget Impact Statement: Increase in Sheriff's 2016 appropriations in the amount of \$4,164 from a NYSDHSES grant award, to be offset by an increase in revenue in a like amount.

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

RESOLUTION NO. 237

MOU RENEWAL – SHERIFF/BYRON-BERGEN SCHOOL RESOURCE OFFICER – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, the Byron-Bergen Central School District desires to renew its Memorandum of Understanding with Genesee County and the Genesee County Sheriff for a School Resource Officer (SRO) for a 12-month period effective September 1, 2016, through August 31, 2017, and

WHEREAS, Reimbursement from Byron-Bergen Central School District will include the hourly rate for a grade 12/step 3 Deputy Sheriff, fringe benefits and insurances in the amount of \$106,482.00*, and

** The Genesee County Deputy Sheriffs' Association 2014-2016 contract expires on December 31, 2016, and the 2017 hourly rate will not be known until the Collective Bargaining Agreement is ratified. In addition, the yearly retirement rate is not available until late fall of each year; therefore, the 2017 reimbursement rate will change. As a result, this rate will be modified, and, if applicable, the difference will be billed under a separate invoice.*

WHEREAS, after careful review by the Sheriff and County Attorney, and

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

RESOLVED, that the Chair of the Genesee County Legislature and Genesee County Sheriff are authorized to sign this MOU.

Budget Impact: Costs for the Byron-Bergen School Resource Officer are offset by revenue in the same amount.

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

RESOLUTION NO. 238

RESTRUCTURE RECOMMENDATION OF JFCAC SUPERVISOR AND GENESEE JUSTICE PROGRAM COORDINATOR POSITIONS – SHERIFF'S OFFICE – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, the Justice for Children Advocacy Center (JFCAC) Supervisor, Anne Bezon, has resigned, resulting in a vacancy as of June 3, 2016, prompted a review of the responsibilities of this

position and those of the Genesee Justice Program Coordinator, and

WHEREAS, under the current structure, the JFCAC Supervisor reports to the Genesee Justice Program Coordinator who in turn reports to the Undersheriff and Sheriff, and the amount of the Coordinator's time associated with the Child Advocacy Center is considerable and takes away from the operations of the Genesee Justice Programs, and

WHEREAS, after careful review by the Sheriff, Undersheriff, and Genesee Justice Program Coordinator Theresa Asmus-Roth, it was concluded that a restructuring and separation of the two positions is warranted in order to increase the efficiency and effectiveness of both operations, and

WHEREAS, under the proposed new structure, the position of Children Advocacy Center Supervisor would be retitled to Justice for Children Program Coordinator, and both this position as well as the Genesee Justice Coordinator position will report to the Undersheriff and Sheriff, and

WHEREAS, consulting with the Human Resources Director it was determined that due to the increased duties and responsibilities associated with the new position of Justice for Children Coordinator, this position be placed into Management Grade 113 (formerly Grade 112). This position is 100% grant funded, and

WHEREAS, it was further determined that due to the decreased duties and responsibilities associated with the position of Genesee Justice Program Coordinator, this position be downgraded to Management Grade 113 (formerly Grade 115); a total savings of \$2,730.00. This position is 35% grant funded and 65% county funded, and

WHEREAS, both coordinators would make the same salary (\$51,987), and

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

RESOLVED, that the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2016 Management Wage Schedule by changing the JFCAC Supervisor position to a Justice for Children Program Coordinator and moving this position along with the Genesee Justice Program Coordinator into Grade 113.

Budget Impact: Cost associated with the restructure of the JFCAC supervisor to a coordinator position will be covered 100% by grant funding. The reduction of the Genesee Justice Coordinator's salary will result in a \$1,774.50 savings of county funds.

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

Legislator Torrey made a motion to withdraw resolution **No. 8 SHERIFF-SALE OF POLICE PATROL VEHICLE/BUDGET AMENDMENT** due to the purchase offer being withdrawn by the anticipated buyer seconded by Legislator Clattenburg which was adopted by 326 votes.

RESOLUTION NO. 239

**INTERMUNICIPAL AGREEMENT –
SHERIFF'S OFFICE / FINGER LAKES
REGION NEW YORK INTEROPERABLE
COMMUNICATIONS CONSORTIUM --
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County desires to participate in an interoperable communications consortium projects, and

WHEREAS, The Finger Lakes Region has formed an Interoperable Communications Consortium to better coordinate policies, procedures, and technologies, and

WHEREAS, The Finger Lakes Region Interoperable Communications Consortium has developed a Memorandum of Understanding regarding the establishment of a regional digital network in anticipation of Next Generation 911, and

WHEREAS, After careful review by the Sheriff, Emergency Management Coordinator, Director of Emergency Communications, and County Attorney, it is recommended the County enter into a digital network memorandum of understanding as a member of the consortium, and

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

RESOLVED, That Chairman of the Genesee County Legislature is authorized and directed to sign the digital network memorandum of understanding as a member of the Finger Lake Region New York Interoperable Communications Consortium.

BUDGET IMPACT: None.

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

**RESOLUTION NO. 240 AWARD OF CONTRACT / BUDGET AMENDMENT -
SHERIFF – PSAP STAFFING AND QUALITY ASSURANCE
STUDY CONSULTANT - APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County E911 Operations board unanimously recommended a study be performed to evaluate the Genesee County Emergency Dispatch Center operations, organizational structure, staffing, training, and quality assurance

WHEREAS, There were four proposals received in response to a Request for Proposal (RFP) for a PSAP Staffing and Quality Assurance Study Consultant; and

WHEREAS, After careful review by the Sheriff, Emergency Management Coordinator, County Purchasing Director, and Director of Emergency Communications, it is recommended a contract for the PSAP Staffing and Quality Assurance Study Consultant be awarded to APCO International, 351 N. Williamson Blvd, Daytona Beach, FL, 32114, at a cost not to exceed \$20,500, and

WHEREAS, The cost of this study will be covered by funds received from the previous sale of surplus 800 MHz trunked and 911 equipment, and

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

RESOLVED, That the Genesee County Chair of the Legislature is hereby authorized and directed to enter into an agreement with APCO International, 351 N. Williamson Blvd, Daytona Beach, FL, 32114, for a PSAP Staffing and Quality Assurance Study. Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 budget as follows:

\$20,500 to A3020.4660.0000 (Contracted Other),

To be offset by increasing the following revenue account:

\$20,500 to A1000.2650 (Sales Scrap)

BUDGET IMPACT: The Sheriff's Communications budget will be increased by \$20,500 to cover the cost of the PSAP Staffing and Quality Assurance Study. Funds will come from the revenue from the previous sale of surplus 800 MHz trunked and 911 equipment.

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

**RESOLUTION NO. 241 MAINTENANCE RENEWALS – HARRIS
CORPORATION/SHERIFF'S OFFICE
PUBLIC SAFETY RADIO SYSTEM–
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, Genesee County contracted with Harris Corporation RF Communications Division, located at 1680 University Avenue, Rochester, NY 14610, to provide Public Safety Radio System maintenance services pursuant to resolution 189, dated May 28, 2015, and

WHEREAS, Pursuant to section 8.4 of the service agreement, Harris agrees to extend the maintenance period from April 30, 2016 to July 5, 2016 at no cost to the County, and

WHEREAS, Harris and the County have negotiated a five-year agreement from July 6, 2015 to July 5, 2021 at a cost not to exceed \$165,000.00 annually, and

WHEREAS, After careful review by the Genesee County Sheriff, Emergency Management Coordinator, County Attorney, and Director of Emergency Communications, we recommend approval of both the Harris maintenance agreement extension at no cost to the county, and the five year maintenance agreement from July 6, 2015 to 2015 to July 5, 2021 at a cost not to exceed \$165,000.00 annually, and

WHEREAS, The Committee on Public Service 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 approve System Maintenance Agreement Amendment 1 at no cost to the County, and be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to approve System Maintenance Agreement Amendment 2 July 6, 2015 to July 5, 2021 at a cost not to exceed \$165,000.00 annually.

Budget Impact: There are sufficient funds appropriated to the 2016 Sheriff's Communications budget for the total \$165,000.00 expense.

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

**RESOLUTION NO. 242 SYSTEM UPGRADE AND SUPPORT AGREEMENT-
SHERIFF'S OFFICE/ TYLER - NEW WORLD SYSTEMS —
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Genesee County did contract with New World Systems (NWS), 888 West Big Beaver Road, Troy, Michigan 48084, pursuant to Resolution No. 238 adopted on June 29, 2006, and

WHEREAS, Tyler Technologies, Inc., with offices at 840 West Long Lake Road, Troy, MI 48098 has merged with New World Systems and

WHEREAS, Computer Aided Dispatch and Public Safety Information System software to enhance 911 and public safety operations for a total cost not to exceed \$118,187.00, and

WHEREAS, Genesee County also desires to update its software support agreement to five year agreement with Tyler Technologies for a cost not to exceed \$49,857.00 in 2016, \$50,863.000 in 2017, \$51,889.00 in 2018, \$57,254 in 2019, and \$57,254.00 in 2020.

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

RESOLVED, that the Chair of the Genesee County Legislature is authorized and directed to enter into an agreement with Tyler Technologies, Inc., 840 West Long Lake Road, Troy, MI 48098, for the upgrade of the Computer Aided Dispatch Software for a total cost not to exceed \$118,187.00, and be it further

RESOLVED, that the Chair of the Genesee County Legislature is authorized and directed to enter into an software support agreement with Tyler Technologies, Inc., 840 West Long Lake Road, Troy, MI 48098, beginning October 1, 2016 and ending September 30, 2021, for a cost not to exceed \$49,857.00 in 2016, \$50,863.000 in 2017, \$51,889.00 in 2018, \$57,254 in 2019, and \$57,254.00 in 2020.

Budget Impact: The cost of this project (\$118,187.00) is offset by revenue from the New York State Statewide Interoperable Communications Grant. The 2016 cost of the software support agreement (\$49,857.00) was previously appropriated to the 2016 Communications budget.

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

RESOLUTION NO. 243

RECOMMENDATION TO REDUCE GENESEE JUSTICE FINANCIAL MANAGEMENT ASSISTANT HOURS AND TO CREATE A PART-TIME COMMUNITY SERVICE / VICTIM ASSISTANT POSITION - GENESEE JUSTICE - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The number of children served at the Justice for Children Advocacy Center (JFCAC) has increased from 181 in 2014 to 241 in 2015. Additionally, contract therapist Kim Levitsky has begun providing therapy sessions after hours, which has been very beneficial to the families in need of therapy services, but has resulted in a significant increase in the workload of existing JFCAC staff, and

WHEREAS, After careful consideration by the Sheriff, Undersheriff, and myself, and in consultation with the Director of Human Resources and Genesee Justice Financial Management Assistant Tammy Schmidt, it has been determined that the most efficient and cost-effective way to address this increase in workload at the JFCAC is to reduce the work hours of Financial Management Assistant Tammy Schmidt to 27 hours per week and create a 15-hour-per-week Community Service/Victim Assistant position at the JFCAC, and

WHEREAS, Ms. Schmidt is currently performing duties most appropriately handled by a Community Service/Victim Assistant during roughly 15% of her work hours at a significantly higher rate of pay than that of a Community Service/Victim Assistant. Relieving Ms. Schmidt of these duties allows her to focus solely on fiscal matters, which can be handled in 27 hours per week. This reduction has been discussed with Ms. Schmidt, and she is strongly in favor of this plan, and

WHEREAS, Hiring a part-time Community Service/Victim Assistant will help to mitigate the effects of a significant increase in workload at the JFCAC. Additionally, when considering that medical exams are often performed after hours to accommodate the schedules of medical staff and the fact that counseling sessions are performed after hours two nights a week, having a part-time employee scheduled for these times reduces concerns related to full-time staff earning comp time or overtime.

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

RESOLVED, that the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2016 Employee Salary Schedule by reducing the number of hours per week for the Genesee Justice Financial Management Assistant to 27 hours and by creating a part-time Community Service/Victim Assistant.

Budget Impact: The cost of the part-time Community Service/Victim Assistant position is fully covered by grants from NYS Office of Victim Services and NYS Office of Children and Family Services. The reduction in hours of the Financial Management Assistant will result in a reduction of \$6,500.00 in the County budget.

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

RESOLUTION NO. 244

DONATIONS – COUNTY PARK & FOREST/BUDGET AMENDMENT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Park Supervisor-Forester is in receipt of two cash donations to be directed towards park programming and facilities, and

WHEREAS, The Genesee County Highway Superintendent recommends amending the 2016 budget in order to reflect receipt and expense of these donations, and

WHEREAS, The Committees on Public Service and Ways and Means do concur with this recommendation at this time. Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2016 budget by increasing A7110 4270.0000, Facility Maintenance, in the amount of \$127.00 to be offset by an increase in Park revenue A7110 2652.1, Memorial Donations in a like amount and also to increase Interpretive Center A7110 INTC 4800.0000, Program Expense, in the amount of \$250.00 to be offset by an increase in Park revenue A7110 INTC 1630.30, Voluntary Contributions.

Budget Impact: Increase in revenue of \$376.54 with offsetting expenses in programming and facility maintenance. Legislator DeJaneiro seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 245 SPECIAL EVENT- SUZANNE’S SCHOOL OF DANCE
TRAVEL BOOSTER PHOTOSHOOT FUNDRAISER –
DeWITT RECREATION AREA – GENESEE COUNTY
PARKS - APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, A Special Events application was received from Suzanne’s School of Dance Travel Booster organization to use the DeWitt Recreation Area for a fundraising photo shoot on September 17, 2016 and

WHEREAS, The Parks Supervisor-Forester did review and recommends approval of, and

WHEREAS, The Committee on Public Service does concur with this request. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby grant permission to the Suzanne’s School of Dance Travel Booster organization to use the DeWitt Recreation Area for a fundraising photo shoot on September 17, 2016 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None.

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

**RESOLUTION NO. 246 RETAIL LEASE AGREEMENT – MONROE COUNTY
WATER AUTHORITY – TOWN OF BETHANY -
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Town of Bethany has requested that the Monroe County Water Authority supply water to newly formed water districts within the Town of Bethany, and

WHEREAS, The Monroe County Water Authority has presented a Retail Lease for the operation and maintenance of said districts, and

WHEREAS, The Operating Agreement between Genesee County and the Monroe County Water Authority requires Genesee County to concur with Retail Leases within the County, and

WHEREAS, The County Attorney and the Genesee County Highway Superintendent have reviewed the proposed lease and do recommend approval at this time, and

WHEREAS, The Committee on Public Service does concur with this recommendation and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby concur and approve of the proposed Retail Lease Agreement between the Town of Bethany and the Monroe County Water Authority.

Budget Impact: No direct budget impact from this lease agreement, but potential for \$3,000 in revenue into the Genesee County Water fund from the collection of water surcharge from district residents each year.

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

**RESOLUTION NO. 247 INTERMUNICIPAL AGREEMENT – TOWN OF BATAVIA-
GENESEE COUNTY FIRE TRAINING CENTER – WATER
SERVICE APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Fire Training Center is in need of a viable potable water source and additional water for training purposes, and

WHEREAS, The Town of Batavia has caused to be formed a water district that serves the Genesee County Fire Training Center, and

WHEREAS, The Town of Batavia has proposed to engineer and construct a water service main on the County's behalf to provide water to the Fire Training Center, and

WHEREAS, The Genesee County Attorney and Genesee County Highway Superintendent have reviewed the intermunicipal agreement with the Town of Batavia and do recommend approval at this time, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to execute the intermunicipal agreement offered by the Town of Batavia for the purposes of engineering and installing water service mains and associated valves, appurtenances and a hydrants to the Genesee County Fire Training Center.

Budget Impact: The cost of the construction of the water service is \$46,480 and will be paid from the capital project established for this purpose.

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

**RESOLUTION NO. 248 CONSULTANT AGREEMENT – GENESEE JUSTICE
STONE WORK – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, the stone work on the front porch of the historic Genesee Justice building is failing; and

WHEREAS, an expert is needed to assess the condition, determine a cause for the deterioration and recommend a course of action, and

WHEREAS, the City of Batavia will require review by the Historic Preservation before work can be considered; 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 \$14,600 for the purposes of investigating the stone work at the former Genesee County Sheriff's Office and Jail building now occupied by Genesee Justice.

Budget Impact: The cost of the consultant agreement is \$14,600 which will be paid from the Capital Project for the Genesee Justice Stone Work. The budget for the Capital Project is \$40,000. It is expected that design work will be needed to prepare a set of construction documents suitable for bidding once the investigative phase is completed
Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 249 SUPPLEMENTAL CONSULTANT AGREEMENT –
CAPITAL PROJECT/BUDGET AMENDMENT –
GENESEE COUNTY AIRPORT TERMINAL
BUILDING & MAINTENANCE HANGAR
DEMOLITION AND SITE CONVERSION TO
ACCESS TAXIWAY/APRON – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has an existing Airport Improvements Program grant for the design of the Terminal Building and Maintenance Hangar Demolition and Site Conversion to Access Taxiway/Apron, and

WHEREAS, The County has requested additional work be considered under this project, and

WHEREAS, C&S Companies has prepared a supplemental consultant agreement to cover this additional work, and

WHEREAS, The Genesee Highway Superintendent has reviewed this consultant agreement and does recommend inclusion of the additional work to properly complete the design of the project, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the following capital project:

Terminal Building & Maintenance Hangar Demolition and Site Conversion to Access Taxiway/Apron (Design) in the amount of \$12,851 and by:

Increasing H.5997.4592 Federal Aid	\$11,565
Increasing H.5997.3897 State Aid	\$ 643
Increasing A.1000.1110.1 1% Sales Tax	\$ 643
Increasing A.9950.9000.0000 Transfer to Capital	\$ 643
Increasing H.1997.5031 Interfund Transfers	\$ 643
Increasing H.1997.2080 Terminal Demo and Site Conversion (Design)	\$12,851

RESOLVED, That the Genesee County Legislature does hereby approve the supplement consultant agreement with C&S Companies in an amount not to exceed \$12,850

Budget Impact: The original capital project was established for \$120,000 and will be increased by \$12,850. Shares of the increase will be federal aid \$11,565, state aid \$642.50 and local match from 1% sales tax of \$642.50.

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

RESOLUTION NO. 250 HIGHWAY FUEL PRODUCTS – AWARD OF BID

Legislator DeJaniero offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent advertised specifications for the delivery of fuel products to the Genesee County Highway Department, and

WHEREAS, The Genesee County Highway Superintendent has reviewed the bids submitted by vendors and recommends awarding a bid to the lowest responsible bidder, and

WHEREAS, The Committee on Public Service 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 award the contract to Mirabito Energy Products, 49 Court Street, Box 5306,

Binghamton, NY 13902, for the sale and delivery of fuels to the Genesee County Highway Department Fuel Farm, effective September 1, 2016 through August 31, 2017, with an option for an additional one-year renewal.

Budget Impact Statement: Purchase of Fuel is a budgeted item within the Road Machinery Fund. The bids are based on the average rack price differential system.

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

RESOLUTION NO. 251 **SURPLUS EQUIPMENT – HIGHWAY/ROAD MACHINERY – APPROVAL OF**

Legislator Bausch 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:

Parts Carouse and Bins (Fixed Asset #000902)

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 Deleo seconded the resolution which was adopted by 326 votes.

Chair Cianfrini asked if anyone wished to be heard at the Public Hearing on the Agricultural District Enrollment. Upon hearing no one the public hearing was closed at 6:15 PM.

RESOLUTION NO. 252 **AGRICULTURAL DISTRICTS 2016 ANNUAL ENROLLMENT – INCLUSION REQUEST OF ONE PARCEL TO AGRICULTURAL DISTRICT NO. 3 IN THE TOWN OF STAFFORD– APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Chapter 523 of the Laws of 2003 did amend NYS Agricultural and Markets Law (AML) Section 303-b which now requires the County Legislature to designate an annual thirty-day time period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district, prior to the County established review period, and

WHEREAS, Genesee County Legislature through resolution No. 399 of 2003 designated the time period from January 26th to February 24th as the annual thirty-day time period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district prior to the County established review period, and

WHEREAS, During the 2016 Annual Enrollment Period one parcel in the Town of Stafford (Tax Map Parcel No. 12.-1-65) was requested to be included into Agricultural District No. 3 and

WHEREAS, The Genesee County Agricultural and Farmland Protection Board reviewed this request at its April 25, 2016 meeting and after applying its test for determining what constitutes viable agricultural farmland, made recommendations that the County Legislature adopt the inclusion of the aforementioned parcel into Ag District No. 3, and

WHEREAS, The Clerk of the Genesee County Legislature published the required notices and sent the required mailings and the Genesee County Legislature held a public hearing on the requests for inclusion of these parcels on Wednesday, June 22, 2016, and

WHEREAS, In accordance with the New York State Environmental Quality Review Act of 1975, and in accordance with adopted review procedures and the criteria set forth in Part 617, the adoption of this inclusion has been determined to have no significant effect on the environment, and

WHEREAS, The Committee on Public Service does concur with the recommendations of the Genesee County Agricultural and Farmland Protection Board. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby approve the inclusion of parcel 12.-1-65 in the Town of Stafford into Ag District No. 3 under the provisions of Section 303-b of NYS Agriculture and Markets Law, authorizes the Chair of the Legislature to sign all necessary SEQR documentation and directs the Director of Planning to submit the necessary documentation to the NYS Commissioner of Agriculture and Markets for review and certification.

Budget Impact: At this point in time there are no expected costs for this activity other than administrative activities, undertaken by the Clerk of the County Legislature and Department of Planning, which are being covered by their current operating budgets.

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

RESOLUTION NO. 256 **AUTHORIZING CHAIRMAN OF THE GENESEE COUNTY LEGISLATURE TO SIGN WIOA YOUTH CONTRACT**

Legislator Davis offered the following resolution:

WHEREAS, The Genesee County Job Development Bureau has been approved, by the Workforce Development Board to receive the following PY2016 Year Around Workforce Innovation Opportunity Act funds in the amount of \$115,185. And,

WHEREAS, The Genesee County Job Development Bureau has entered into contracts with the Workforce Development Board in order to receive these funds. Now, therefore Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign said contract with the Workforce Development Board in order for the Job Development Bureau to secure these funds to provide services to the youth of Genesee County.

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

RESOLUTION NO. 257 **SUB-LEASE AGREEMENT – GLOW WORKFORCE DEVELOPMENT BOARD**

Legislator Deleo offered the following resolutions:

WHEREAS, Genesee County has a space lease agreement with Easttown Plaza Associates LLC, located at East Main and Clinton Streets (Easttown Plaza) Batavia, New York for use by the Genesee County Job Development Bureau and it's partner agencies to operate a One Stop Center through January 31, 2018, And

WHEREAS, The Employment & Training Director of the Genesee County Job Development Bureau recommends entering into a Sub-Lease Agreement with one of our partner agencies, the GLOW Workforce Development Board as follows:

\$11,120.00 for the period February 1, 2016 through January 31, 2017

\$11,120.00 for the period February 1, 2017 through January 31, 2018

WHEREAS, The Ways and Means Committee did review this agreement, and does recommend authorization to sign at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chair to execute the necessary documents to implement this Sub-Lease Agreement between the County

of Genesee and the GLOW Workforce Development Board, for the period February 1, 2016 through January 31, 2018.

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

RESOLUTION NO. 258 2016 BUDGET AMENDMENT – JOB DEVELOPMENT BUREAU/WIOA YOUTH FUNDS – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Employment and Training Director of the Job Development Bureau has requested that amendments be made in his budget to allow for additional revenue to be received from the Workforce Innovation and Opportunity Youth funding, in order to provide additional Work Experience for Out of School Youth, And

WHEREAS, The Committee on Ways and Means did review the request, and does 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 2016 Budget by increasing Appropriation Account CD6293 1010.0100 Personnel Services – Work Experience by \$15,965, Account CD6293 8010.0000 Social Security Tax by \$990, and CD6293 8011.0000 Medicare Tax by \$235; to be offset by an increase in Revenue Account CD 6293 4790 Federal aid in the amount of \$17,190.

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

RESOLUTION NO. 259 AUTHORIZING THE CHAIRMAN OF THE GENESEE COUNTY LEGISLATURE TO SIGN THE WORKFORCE DEVELOPMENT BOARD BY-LAWS

Legislator Clattenburg offered the following resolution:

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014, requires that Genesee, Livingston, Orleans, and Wyoming (GLOW) Workforce Development Board adopt a set of By- Laws, which were adopted on May 17, 2016. And,

WHEREAS, The Committee on Ways and Means did review the GLOW Workforce Development Board By-Laws and does recommend authorization to sign, at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorizes the Chair of the Genesee County Legislature to sign the GLOW Workforce Development Board By-Laws on behalf of Genesee County.

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

RESOLUTION NO. 260 SALARY SCHEDULE AMENDMENT – FULL TIME SUPERVISING NURSE – NURSING HOME – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The New York State Department of Health requires a full-time, Administrator-of-Record for the Adult Home of the Genesee County Nursing Home, and

WHEREAS, The Nursing Home currently provides that coverage with a part-time Supervising Nurse, and

WHEREAS, The Nursing Home has an additional vacant part-time Supervising Nurse position that, combined with the part-time Supervising Nurse position currently filled, will create the full-time Supervising Nurse position necessary for the NYS DOH requirement, 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 and Human Resource Director are hereby

authorized and directed to amend the 2016 Genesee County Employee Salary Schedule by deleting two part-time Supervising Nurse positions at CSEA-NH Grade N14A, and creating one full time Supervising Nurse position at CSEA-NH Grade N14A at \$60,000. This position is to become effective June 23, 2016.

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

**RESOLUTION NO. 261 GRANT ACCEPTANCE/2016 BUDGET AMENDMENT –
COUNTY MANAGER’S OFFICE/HAZARD ABATEMENT
BOARD GRANT– APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County did apply for and has been approved to receive grant funding from the New York State Occupational Safety and Health Hazard Abatement Board in the amount of \$14,336, and

WHEREAS, the grant period runs August 1, 2016 through July 31, 2017, and

WHEREAS, the additional funding will be used to provide critical and mandatory training and education programs to employees, and

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the grant agreement and all related documents associated with the New York State Occupational Safety and Health Hazard Abatement Board for the period of August 1, 2016 through July 31, 2017 and, Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 budget by

Increasing A.1230.4550.0040 (Training Safety) \$5,973

to be offset by an increase in revenue account A.1230.3089.6 (State Aid, Safety Training & Education) in the amount of \$5,973

Budget Impact Statement: No impact on County Budget. Increase in revenue and expense funded by the grant
Legislator DeJaneiro seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 262 CONTRACT RENEWAL-ELECTIONS/CARTAGE
OF VOTING MACHINES-APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, On September 10, 2012 the Genesee County Legislature entered into a two year contract with Clark Moving and Storage Inc. of 3680 Buffalo Rd., Rochester, NY, and

WHEREAS, This contract expired September 11, 2014 with an option to renew for up to 3 years if mutually agreed upon by both parties, and

WHEREAS, Commissioners Lorie Longhany and Richard Siebert are very pleased with the services provided by Clark Moving and Storage Inc. and they have agreed to renew at the original terms. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Clark Moving & Storage, Inc. of 3680 Buffalo Rd., Rochester, NY 14624 for moving services of \$125 per polling site for general elections and \$128 per site for county wide primaries and \$105 per site for primaries where less than 5 polling sites are required and this fee completely covers both delivery and pickup as one total price.

Budget Impact Statement: Budget neutral as all fees are included in 2016 Board of Elections budget.

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

Chair Cianfrini asked if anyone wished to be heard at the Public Hearing on the 2016-17 Operation Budget for GCC County/Sponsor Share. Upon hearing no one the public hearing was closed at 6:21 PM.

**RESOLUTION NO. 263 2016-2017 OPERATION BUDGET-GENESEE
COMMUNITY COLLEGE/SPONSOR'S SHARE-
ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The President and Trustees of Genesee Community College have presented to the Genesee County Legislature the proposed operating budget of Genesee Community College for the academic year 2016-2017 in the amount of \$40,537,000, and

WHEREAS, The Board of Trustees has approved the amount of \$2,536,374 as the sponsor's share of the proposed current operating budget for Genesee Community College. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve of the proposed 2016/2017 operating budget of the Genesee Community College in the amount of \$40,537,000 for academic year 2016-2017, and Be it further

RESOLVED, That the Genesee County Legislature does hereby approve of the sponsor's share of the operating budget of the Genesee Community College for the fiscal year September 1, 2016 through August 31, 2017 in the amount of \$2,536,374 and cause the same to be included in the County Tax levy for the year 2017.

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

RESOLUTION NO. 264 COUNTY AUDIT – JUNE 22 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Torrey did review the following claims:

2016 General Fund	\$	1,111,168.32
2016 Highway		98,822.73
2016 Nursing Home		593,902.06
2016 Water		33,199.49
DSS Abstracts		281,464.27
2016 Capital Projects:		
Airport Construct New Terminal Building & Maintenance Hangar		3,460.60
Sheriff 800 MHZ Radio System Upgrade		350,154.98
County Park Improvements, Pavilion A/B Roof, Repairs & Fireplaces		31.18
Facility Mgt. County Building #2 Flood Damage Restoration		3,195.98
Highway 2016 Chipseal		317,194.79
Highway 2016 Highway Recycling		47,452.14
Highway 2016 Bridge Construction		3,549.33
GCC Wellness & Event Center		206,174.70
Payroll – General & Nursing Home		
June 10, 2016		1,306,921.76
Medicaid		
June 14, 2016		180,837.00
June 21, 2016		<u>180,837.00</u>
Total Audit	\$	4,718,366.33

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 Clattenburg seconded the resolution which was adopted by 326 votes.

Legislator Stein requested a Rule 19 proceeding to introduce a resolution that would set a public hearing due to the timely nature of the required hearing and the legislature schedule Legislator Clattenburg seconded the motion which was carried unanimously.

**RESOLUTION NO. 265 PUBLIC HEARING - COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG)
PROGRAM – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, it is the desire of the Genesee County to submit applications for the New York State Community Development Block Grant (CDBG) program, and

WHEREAS, the process for CDBG applications involve holding one public hearing prior to submission of any 2016 CDBG grant applications to provide residents with information about the CDBG program and to discuss community development needs and priorities, and

WHEREAS, residents are invited to attend the hearing to assist the County in defining community development priorities. Now, therefore, Be it

RESOLVED, that the Genesee County will hold a Public Hearing on the CDBG program at the Old Courthouse, 7 Main Street, Batavia, NY at 5:30 p.m. on July 13, 2016.

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

A motion to adjourn was made by Legislator Stein seconded by Legislator Torrey carried unanimously.