

**FOURTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, August 10, 2016**

The Genesee County Legislature met in Regular Session on Wednesday, August 10, 2016 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Cianfrini opened a Public Hearing on the submission of an application for 2016 Community Development Block Grant funding from the NYS Office of Community Renewal to provide financing to assist in the development of a manufacturing Park in the Town of Alabama. All Interested Parties Will Be Heard.

The minutes of July 13, 2016 Legislature meeting were approved upon motion of Legislator Bausch seconded by Legislator Davis, carried unanimously.

Legislator DeJaneiro reported on his attendance at the last Board of Health Meeting where members were introduced to the newly acquired drone. Legislator Bausch reported on attendance at the Criminal Justice Advisory Committee meeting and the high bed rate and associated medical costs among inmates. Legislator Stein reported staffing changes at Soil & Water; a new technician has been hired. Legislator Stein also commented that comments at Public Service Committee regarding Wendel, the consultant hired to facilitate writing the Ag & Farmland Protection plan resulted in action and movement to ensure the plan is completed in a timely manner and reimbursement funds will be forthcoming.

Out-of-State Travel Request for Highway Superintendent Tim Hens to Denver, Colorado for NACE Executive Committee and Board Meeting September 6-9, 2016. Airfare, lodging and Registration covered by NACE cost to County \$108.00 was approved upon motion of Legislator Bausch seconded by Legislator Davis, carried unanimously.

County Manager Jay Gsell reported that Legislatures across New York State will be encouraged to pass resolutions in support of the state takeover of Indigent Defense funding.

The Clerk proceeded with the resolutions;

**RESOLUTION NO. 288 CONTRACT RENEWAL – DSS/MH
SECURITY SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

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

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

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

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with U.S. Security Associates, Inc., 625 Delaware Avenue, Suite 200, Buffalo, NY 14202 for the provision of Security Services at offices occupied by DSS and Mental Health at 5130 East Main Street, Batavia for the period September 1, 2016 through August 31, 2017 at the rate of \$22.60 per man hour.

Budget Impact Statement: The annual DSS cost of the program is \$103,395 with a local share of approximately \$25,910. The annual MH cost of the program is \$90,000 with a local share of approximately \$75,000. The funds for the remainder of 2016 are already included in each Department's current budget, and the funds for 2017 will be included in their requested 2017 Departmental budgets.

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

RESOLUTION NO. 289 AGREEMENT RENEWAL – P&NP COMPUTER SERVICES – NURSING HOME – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 381 duly adopted on November 12, 2014 did authorize a renewal of the Annual Support Agreement for electronic medical records and billing software with P&NP Computer Services, Inc., and

WHEREAS, The Administrator of the Nursing Home does recommend renewing this Support Agreement with P&NP Computer Services, Inc. for another one-year period from September 1, 2016 through August 31, 2017, or may be terminated in writing with 30 days' notice to either party before that time, and

WHEREAS, The Support Agreement renewal was forwarded to the Genesee County Attorney and received his approval, and

WHEREAS, The Committee on Human Services 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 execute a renewal of the Annual Support Agreement with P&NP Computer Services, Inc., 66 N. Main Street, Brockport, NY 14420 for the purpose of providing software support services to the Genesee County Nursing Home at an annual cost of \$11,528.25, for the period of September 1, 2016 through August 31, 2017.

Budget Impact Statement: Funds have been budgeted in the 2016 budget.

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

RESOLUTION NO. 290 2016 BUDGET AMENDMENT – OFFICE FOR THE AGING – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a budget amendment to the 2016 OFA County Budget due to funding increases in several State and Federal grant funding for a net total of \$23,570 in additional funds to support the growing need for nutrition and aging services and programs for older adults; and

WHEREAS, Federal grant funds available have been increased due to a net increase in base allocations and adjustments in anticipated 2015 carry-over funds for the following federal grant funds: RSVP; BIP additional Carryover from 2015; Federal Older Americans Act grant: Title III B Support Services, Title III C1 Congregate Meals, Title III-C2 Home Delivered Meals, Title III D Health Promotion, Title III E Caregiver Support; which result in a net increase of \$23,772 in Federal Aid for an increase of

\$11,719 in the 2016 County Budget with the additional \$12,053 to be incorporated into the first quarter of 2017; and

WHEREAS, State grant funds available have been increased due to a net increase in base allocations for Community Services for the Elderly, Direct Care Worker, Wellness in Nutrition, Expanded In-Home Services for the Elderly, RSVP, and Direct Care Worker Funds and there were decreases of anticipated 4th quarter 2015 carryover and NY Connects Supplemental funds resulting in a net decrease of -\$202 in State Aid in the original 2016 County Budget; and

WHEREAS, the Committees on Human Services and Ways and Means did review this request and do recommend approval of this budget amendment. Now, Therefore, Be it **RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Revenues:

A. 6772.3772	State Aid	-\$202
A. 6772.4772	Federal Aid	+\$11,719
	TOTAL	\$11,517

Appropriations:

A.6772.1010	Personnel Svcs	\$6,350
A.6772.8010	Social Security Tax	\$343
A.6772.8011	Medicare Tax	\$80
A.6772.8020	Retirement	\$392
A.2010.0022	Chairs	\$750
A.4130.0000	Paper	\$162
A.4550.0000	Personnel Training	\$2,600
A.4560.0000	Personnel Travel	\$310
A.4700.0000	Specialized Supplies	\$530
	TOTAL	\$11,517

Budget Impact: Revenue increases for 2016 include State: - \$202 and Federal: + \$11,719 for a total 2016 Revenue increase of +\$11,517. 2016 County Budget Allocations are adjusted in a like amount. 2017 Budget will incorporate the remaining +\$12,053 in additional Federal funds.

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

**RESOLUTION NO. 291 INSURANCE CERTIFICATE – PEMBROKE
COMMUNITY CENTER-2016 APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming the Pembroke Community Center, 116 East Main Street, Route 33, Corfu, NY 14036 as additional insured, for the purpose of conducting the Genesee County Office for the Aging Annual Public Hearing, RSVP Recognition Event, and Community Forum at the Pembroke Community Center on Tuesday, October 4, 2016; and

WHEREAS, The Office for the Aging desires to recognize the value of volunteers; to solicit community input pertaining to needs of older adults; and distribute information on senior services to residents in the Town of Pembroke and surrounding area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name the Pembroke Community Center, 116 East Main Street, Route 33, Corfu, NY 14036 as additional insured on Tuesday, October 4, 2016 from the hours of 9:30 a.m. – 2:30 p.m. in the amount of at least one million dollars.

Budget Impact: None

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

**RESOLUTION NO. 292 ACCEPTANCE OF AMERICORPS GRANT
FUNDING– APPROVAL OF**

Legislator Young offered the following resolution

WHEREAS, The Executive Director of the Genesee County Youth Bureau did receive notice of the award of grant funding in the amount of \$129,311 from the NYS Office of Children and Family Services on behalf of the New York State Commission on National and Community Service for the Genesee County AmeriCorps Program and

WHEREAS, The Committee on Human Services does recommend approval for acceptance of the funds be given at this time. Now, therefore Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to implement the AmeriCorps Program with a grant from the New York State Office of Children and Family Services for the period of October 1, 2016 through December 31, 2017.

Budget Impact: Funds to cover expenses for October – December are included in the 2016 approved budget for the department. Funds to cover expenses for the remainder of the program year will be included in the department's 2017 budget request. All expenditures are covered by grant revenue.

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

**RESOLUTION NO. 293 AWARD OF BID / EMERGENCY
MANAGEMENT / UTILITY TASK VEHICLE–
APPROVAL OF**

Legislator Torrey offered the following resolution.

WHEREAS, The Coordinator of Emergency Management Services did present a Request for Bid for a Utility Task Vehicle, and

WHEREAS, Having reviewed the bids, it is the recommendation by the EMS Coordinator and the Purchasing Director to award the low bidder meeting specifications, and

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

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Bucks Motorsport, Inc. of 13090 Main Road, Akron, New York for the purchase of a Utility Task Vehicle, accessories and installation for a cost of \$12,736.95.

Budget Impact Statement: None. UTV will be purchased using FY15 SHSP grant funds and has been budgeted for in the 2016 EMS operating budget.

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

**RESOLUTION NO. 294 GRANT ACCEPTANCE - EMERGENCY
MANAGEMENT SERVICES - HAZARDOUS MATERIALS EMERGENCY
PREPAREDNESS PLANNING (HMEP) GRANT-YEAR 2016 – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the FY16 Hazardous Materials Emergency Preparedness (HMEP) Grant

Program award in the amount of \$5,172.00 administered by the New York Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, the Hazardous Materials Emergency Preparedness program grant funds are provided by the U. S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, and

WHEREAS, the HMEP grant program prioritizes efforts the lead to the prevention of serious hazmat transportation related incidents, principally those of high consequences to people and the environment, and

WHEREAS, The Committees on Public Service 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 Division of Homeland Security and Emergency Services (DHSES), 1220 Washington Avenue, Building 7A, Albany, NY 12242 for the acceptance of FY 2016 Hazardous Materials Emergency Preparedness (HMEP) Grant - (September 30, 2016 through September 30, 2017) and to execute any and all other documentation related to this funding.

Budget Impact Statement No County cost. Grant funds in the amount of \$5,172.00 are to be appropriated in the 2017 Emergency Management Services (EMS) budget.

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

RESOLUTION NO. 295 APPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, An application has been received from Kevin R. Clary of Pavilion, New York indicating an interest and desire for appointment to the Genesee County Planning Board, and

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

RESOLVED, That the Genesee County Legislature does hereby appoint Mr. Kevin R. Clary of Pavilion, New York to serve a three year term on the Genesee County Planning Board effective immediately through May 31, 2019.

Budget Impact Statement: None

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

RESOLUTION NO. 296 GRANT AWARD-GENESEE JUSTICE/NYS OFFICE OF CHILDREN AND FAMILY SERVICES- APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Coordinator of Genesee Justice did receive notification of an award of grant funding from the New York State Office of Children and Family Services for the continuation of the Justice for Children Advocacy Center and Multi-Disciplinary Team for a one year contract term starting October 1, 2016 through September 30, 2017, and

WHEREAS, The Public Service Committee does recommend acceptance of this grant funding at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby accept grant funding from the New York State Office of Children and Family Services in the amount of \$153,729 for continuation of the Justice for Children Advocacy Center and Multi-Disciplinary Team for the 2017 fiscal year, and Be it further,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents for acceptance of this grant funding for the period of October 1, 2016 through September 30, 2017 in the amount of \$153,729.

Budget Impact: Grant funding in the amount of \$153,606 will be appropriated to the 2017 Justice for Children Advocacy Center Budget once approved by the New York State Office of Children and Family Services.

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

**RESOLUTION NO. 297 GRANT AWARD-GENESEE JUSTICE/NYS
DIVISION OF CRIMINAL JUSTICE SERVICES–
APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Coordinator of the Genesee Justice Program did receive notification of the award of grant funding from the New York State Division of Criminal Justice Services for the continuation of the Community Service Sentencing Program and the Pre-Trial Services Program for a one year contract term starting July 1, 2016 through June 30, 2017, and

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

RESOLVED, That the Genesee County Legislature does hereby accept grant funding from the New York State Division of Criminal Justice Services in the amount of \$43,043 for continuation of the Community Service Sentencing Program and the Pre-Trial Services Program for 2016/17, and Be it further,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary form for the acceptance of funds for the period of July 1, 2016 through June 30, 2017 in the amount of \$43,043.

Budget Impact: There is no change to A 3151 3320 (State Aid-Comm Services) or A 3151 3310.31 (State Aid-ATI) as monies were already anticipated at noted levels in our 2016 County Budget. CSS \$35,953 and ATI \$7090.

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

**RESOLUTION NO. 298 BUDGET TRANSFER - SHERIFF/FIREARMS –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Sheriff's Office needs to purchase four new firearms and related magazines to provide to new Sheriff's Deputies, and

WHEREAS, A quote has been provided from Amchar Wholesale for a total purchase price for these items of \$1,804.77 from a NYS Contract, and

WHEREAS, There is currently \$500 in the Sheriff's Firearms line item, and funds are available in the Sheriff's Special Supplies line item, 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:

\$1,305 from A3110.4700.0000 (Special Supplies)

\$1,305 to A3110.2050.0000 (Firearms)

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

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

RESOLUTION NO. 299 CONTRACT RENEWAL – SHERIFF/ORLEANS COUNTY PRISONER HOUSING - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the Sheriff did present a contract renewal with Orleans County Jail, and **WHEREAS**, the County Attorney has reviewed and approved the terms of this Agreement, and

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

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract renewal between the County of Genesee and the County of Orleans for the provision of Jail space in the Orleans County Jail at a rate of \$75.00 per day for each prisoner for the period of January 1, 2016, through December 31, 2017.

Budget Impact: Funds have been appropriated to the 2016 budget.

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

RESOLUTION NO. 300 CONTRACT RENEWAL – SHERIFF / NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION’S OFFICE OF NUTRITIONAL SERVICES FOOD PROCUREMENT PRODUCTS - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, the New York State Department of Corrections and Community Supervision’s Office of Nutritional Services, located in Rome, New York, offers the sale of food products to municipalities through its Cook/Chill Program, and

WHEREAS, the New York State Department of Corrections and Community Supervision’s Office of Nutritional Services can provide the Genesee County Jail with food products at a lesser cost, and

WHEREAS, after careful review and approval of the contract by the County Attorney, it is recommended that the County enter into an agreement with the New York State Department of Corrections and Community Supervision’s Office of Nutritional Services, for the sale of food products, and

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

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into an agreement the New York State Department of Corrections and Community Supervision’s Office of Nutritional Services, for the purchase of food products through its Cook/Chill Program.

BUDGET IMPACT: savings on cost of food products for the Genesee County Jail.

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

RESOLUTION NO. 301 RIVER STREET BRIDGE-SUPPLEMENTAL GRANT AGREEMENT-CAPITAL PROJECT AMENDMENT-CAPITAL PROJECT AMENDMENT-APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Genesee County was awarded a federal aid pass-through grant for the rehabilitation of the River Street Bridge over the Tonawanda Creek, and

WHEREAS, The State Department of Transportation has offered supplemental grant agreement for the furtherance of this project, and

WHEREAS, The Genesee County Highway Superintendent recommends executing the

supplemental grant agreement from New York State and recommends amending the capital project to match actual federal and state grants received, and

WHEREAS, The Committees on Public Service and Ways and Means reviewed these requests and do concur at this time. Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve the supplemental agreement as prepared by the New York State Department of Transportation, and Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2016 Budget:

Decrease H 5197.5031 Interfund Revenue	\$25,544
Increase H 5197.4592 Federal Aid	\$97,697
Increase H 5197.3897 State Aid	\$49,968
Increase H5197.2080.0000 River Street Bridge	\$122,121

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend capital project River Street Bridge for a total of \$122,121 as per the following:

Increase Federal Funds	\$97,697
Increase State Funds	\$49,968
Decrease County Funds	\$25,544

Budget Impact: Amended capital project amount will be \$333,121, with \$266,497 in federal aid, \$49,968 in state aid and \$16,656 in local match from 1% sales tax.

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

SOLAR ARRAY DEVELOPMENT – CONSULTANT AGREEMENT – APPROVAL OF

Legislator Clattenburg offered a motion to remove from the agenda and return to Public Service Committee seconded by Legislator DeJaneiro, carried unanimously

RESOLUTION NO. 302 SURPLUS EQUIPMENT – PARKS, RECREATION & FORESTRY – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Park Supervisor-Forester and County Highway Superintendent have reviewed existing equipment at the County Park and determined that certain items are no longer serviceable or needed, and

WHEREAS, The County Highway Superintendent recommends declaring these items surplus and disposing of via auction, sealed bid, municipal purchase or other authorized methods, and

WHEREAS, The Public Service and Ways & Means Committees did review this request and do recommend this equipment to be disposed of at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to surplus the following equipment via auction, sealed bid, municipal sale or other authorized methods as allowed:

#6189 – 2000 Ventrac Compact Utility Tractor
#6190 – 2003 Jacobsen 11-Foot Hydraulic Deck Mower

Budget Impact: Disposal of these pieces of equipment will generate approximately \$7,500 in revenue for the General Fund.

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

**RESOLUTION NO. 303 AWARD OF BID – HIGHWAY/FACILITIES
MANAGEMENT/CENTRAL SERVICES– WORK
CLOTHING – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and Purchasing Department did receive bids for work clothing and do recommend awarding the bid to Cintas Corporation, 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 enter into an agreement with Cintas Corporation, 5740 Genesee Street, Lancaster, NY 14086 for the work clothing as per bid specifications, effective September 1, 2016 through August 31, 2018, with the renewal option of three (3), one year additional periods.

Budget Impact Statement: Work clothing is budgeted in County Road and Road Machinery Funds, Facilities Management Operating Budget and Central Services Operating Budget

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

**RESOLUTION NO. 304 CONTRACT EXTENSION FOR PREPARATION OF
TAX BILLS – APPLIED BUSINESS SYSTEMS, INC.
– APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

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

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

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

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

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

RESOLVED, That Genesee County does agree to a one year contract extension with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020 for the processing of tax bills for the period September 1, 2016 through August 31, 2017, in accordance with the contract dated July 28, 2014.

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

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

**RESOLUTION NO. 305 2016 GENESEE COUNTY CHARGEBACKS TO
TOWNS AND CITY OF BATAVIA – TREASURER /
REAL PROPERTY – APPROVAL OF**

Legislator Bausch offered the following resolution:

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

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

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

2016 Chargebacks Applied to 2017 Town / City Budgets

TOWN	PARCELS	ASSESSMENT ROLLS/BILLS	NYSORPTS LICENSE FEE	TOTAL
Alabama	1,127	\$3,381.00	\$1,000.00	\$4,381.00
Alexander	1,426	\$4,278.00	\$1,000.00	\$5,278.00
Batavia(T)	3,009	\$9,027.00	\$615.95	\$9,642.95
Bergen	1,645	\$4,935.00	\$1,000.00	\$5,935.00
Bethany	1,016	\$3,048.00	\$288.64	\$3,336.64
Byron	1,349	\$4,047.00	\$563.65	\$4,610.65
Darien	1,828	\$5,484.00	\$519.32	\$6,003.32
Elba	1,502	\$4,506.00	\$1,000.00	\$5,506.00
LeRoy	3,513	\$10,539.00	\$1,049.70	\$11,588.70
Oakfield	1,523	\$4,569.00	\$636.35	\$5,205.35
Pavilion	1,507	\$4,521.00	\$450.30	\$4,971.30
Pembroke	2,436	\$7,308.00	\$692.05	\$8,000.06
Stafford	1,553	\$4,659.00	\$1,000.00	\$5,659.00
Batavia(C)	5,540	\$16,620.00	\$1,134.04	\$17,754.05
TOTALS	28,974	\$86,922.00	\$10,950.00	\$97,872.00

and, Be it further

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

Budget Impact Statement: Licensing fee revenue of \$10,950.00 is paid to the NYSORPTS for software licensing. Assessment services and roll / bill revenue of \$86,922.00 covers salary and all other expenses incurred in providing these services to the municipalities. The 2015 chargebacks totaled \$90,546.00.

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

RESOLUTION NO. 306 2016 BUDGET AMENDMENT – GCEDC PIF – APPROVAL OF

Legislator Davis offered the following resolution:

WHEREAS, The Genesee County Treasurer has noticed a budget shortfall in the GCEDC PIF line in the amount of \$222 due to a mathematical error, and

WHEREAS, The offsetting revenue line for this expense is over budget in a like amount, and

WHEREAS, The Genesee County Treasurer does recommend a budget amendment be done to address this shortfall, and

WHEREAS, The Committee on Ways and Means does concur, Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 GCEDC budget by increasing appropriation account A.6421 4660.1000 by \$222 and increasing revenue account A.1000 1081.1 in a like amount.

Budget Impact Statement: No impact to the County. The County collects money for PIFs and pays all money collected to the GCEDC.

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

RESOLUTION NO. 307

CONTRACT/BUDGET TRANSFER – SELF INSURANCE/EXCESS INSURANCE- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Self Insurance Plan did purchase excess insurance through Midwest Employers Casualty Company through July 31, 2016, and

WHEREAS, The County Manager’s Office did submit a proposal for continuing this coverage through July 31, 2017, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Midwest Employers Casualty Company, 14755 North Outer Forty Drive, Chesterfield, Missouri, 63017 to provide Excess Insurance for the Genesee County Self-Insurance Plan effective August 1, 2016 through July 31, 2017 for a total premium of \$204,379. Be it further

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

\$7,000	from	S1720.4800.0000	Benefits and Awards-Program
Expense			
\$7,000	to	S1710.4800.0115	Worker’s Comp Excess Insurance

Budget Impact: \$14,632 increase over the 2015-2016 policy. Funds for this insurance have been provided in the Self-Insurance budget and apportioned to the participants. Budget impact will be the \$14,632 premium increase, less an anticipated \$6,750 refund as a result of the Nursing Home sale, leaving a net budget impact of \$7,882.

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

RESOLUTION NO. 308 SHERIFF- PATROL VEHICLE EQUIPMENT DECLARED SURPLUS/APPROVE SALE

Legislator Deleo offered the following resolution:

WHEREAS, The Sheriff’s Office is trading in three patrol vehicles outfitted with equipment that will not fit in the new patrol vehicles, which includes three 10VS prisoner partitions; three plastic prisoner rear seats; and 3 sets of rear patrol car window bars, with a current estimated total value of \$500, and

WHEREAS, The Sheriff is requesting the above equipment be declared surplus property, and

WHEREAS, Darien Lake Security has vehicles in which they could use the above items, and they wish to purchase them, and

WHEREAS, The Sheriff is also requesting permission to sell the above listed vehicle equipment to Darien Lake Security for the purchase price of \$500, and

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

RESOLVED, That the above listed vehicle equipment be declared surplus, and that Darien Lake Security be allowed to purchase the above listed equipment for the purchase price of \$500, which will be additional revenue for revenue account A1000.2665 (Sale of Equipment).

Budget Impact: Sale of surplus vehicle equipment in the amount of \$500, which will be additional revenue.

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

RESOLUTION NO. 309

DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT – ASBURY ROAD EMERGENCY SERVICES COMMUNICATIONS TOWER

Legislator Stein offered the following resolution:

WHEREAS, the County of Genesee, New York (the “County”) is considering undertaking a project (the “Project”) consisting of the construction of an emergency services communication tower (the “Tower”), adjacent to the LeRoy Town Highway facility on Asbury Road in LeRoy, New York, and

WHEREAS, the Project is considered an action subject to Article 8 of the Environmental Conservation Law of the State of New York and the State Environmental Quality Review Act (SEQRA) and implementing regulations, 6 NYCRR Part 617 (the “Regulations”), and

WHEREAS, a Short Environmental Assessment Form (“EAF”) dated July 19, 2016, a copy of which is attached hereto as Exhibit A, was prepared by the County’s Planning Department to facilitate a review of the potential environmental impacts of the Project. Now therefore, Be it

RESOLVED, That upon review of the Regulations the County Legislature determines that the Project should be classified as an “Unlisted Action” as that term is defined in Part 617.2 of the Regulations, and Be it further

RESOLVED, That the County Legislature hereby declares itself lead agency to undertake an uncoordinated review pursuant to Part 617.6(b)(4) of the Regulations, and Be it further

RESOLVED, That the aforementioned EAF includes sufficient information on which to base its determination of significance and all the facts and circumstances, and Be it further

RESOLVED, That after careful consideration of the EAF and all the facts and circumstances, the County Legislature, hereby finds and declares that the proposed construction of the Tower will not have a significant impact on the environment as defined by the Regulations, and therefore issues a Negative Declaration with respect to the Project.

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

RESOLUTION NO. 310

DESIGNATION OF COUNTY SURPLUS PROPERTY- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County Manager recommends that the former photo booth that was used by the Genesee County Chamber of Commerce as a tourism booth located in the Holland Land Office parking lot be declared surplus property, and

WHEREAS, The County no longer has a need for the asset and wishes to donate it to The Friends of the Batavia Peace Garden, and

WHEREAS, The Ways and Means Committee 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 former photo booth/tourism booth surplus property and authorizes that it be donated to The Friends of the Batavia Peace Garden.

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

**RESOLUTION NO. 311 NYSAC ENDORSED DISCOUNT PRESCRIPTION
DRUG CARD PROGRAM/PROACT, INC. –
AGREEMENT – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The New York State Association of Counties has endorsed a Discount Drug Program administered by ProAct, Inc., a subsidiary of Kinney Drugs, Inc., that can be used by all residents of participating counties regardless of age or income at no cost to the county, its taxpayers or its residents, and

WHEREAS, The Genesee County Legislature recognizes that there are families and individuals residing within the County who do not have health insurance coverage or are underinsured, and

WHEREAS, This program will also enhance the prescription plans of those families and individuals who have prescription drug coverage in instances when prescribed drugs are not covered under their present plan; and

WHEREAS, The discount prescription drug card can be used at any participating pharmacy in Genesee County and across the United States and Genesee County residents could realize a 10% to 20% discount on brand name prescription drug costs and a 20% to 50% discount on generic prescription drug costs. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with ProAct Inc., 6333 Route 298, East Syracuse, NY 13057, for the administration of their Discount Program Services, a pharmacy prescription discount drug card plan providing for the dispensing of prescription drugs to residents of Genesee County at no cost.

Budget Impact: Program is provided at no cost to the County of Genesee, its taxpayers or its residents.

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

**RESOLUTION NO. 312 2016 BUDGET TRANSFER – LEGISLATURE-
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, There was an unexpected addition to the County medical plan after the 2016 budget adoption and a clerical error when calculating the total cost for Legislators enrolled in the County Self-funded Health Plan , and

WHEREAS, There are no funds available within the Legislature line item A.1010 budget to cover the expenses and the County Manager and County Treasurer recommend using the 2016 General Contingency Fund, 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 Genesee County Treasurer is hereby authorized and directed to make the following 2016 budget transfers:

\$22,857.00	from	A.1990.4800.0000	Contingency, Program expense
\$22,857.00	to	A.1010.8030.0000	Legislature, Medical

Budget Impact: The 2016 General Fund Contingency has sufficient funds to accommodate this transfer and keep the County Legislature budget from going into the red with six months remaining in the fiscal year.

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

Chair Cianfrini restated the Legislature was holding a public hearing on the submission of an application for 2016 Community Development Block Grant funding from the NYS Office of Community Renewal to provide financing to assist in the development of a

manufacturing Park in the Town of Alabama and asked if anyone wished to be heard. Hearing no one, the public hearing was closed at 5:55 PM.

RESOLUTION NO. 313 AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Legislator Davis offered the following resolution:

WHEREAS, 1366 Technologies, Inc. (the “Company”) plans to establish manufacturing operations in a facility to be developed at the Western New York Science and Technology Advanced Manufacturing Park (STAMP) in the Town of Alabama (hereinafter the “Project”), and

WHEREAS, the Company’s decision to undertake the Project was based in part on the offer of certain incentives by the Empire State Development Corporation and the New York State Office of Community Renewal (the “OCR”), and

WHEREAS, the Genesee Gateway Local Development Corporation (the “GGLDC”) is assisting in the facilitation of the project and has requested that the County provide the OCR funding to the GGLDC as a grant for the purpose of making a grant or deferred loan to the Company, and

WHEREAS, the GGLDC has the capacity to administer the OCR grant in the best interests of the County, and

WHEREAS, the Project will result in substantial benefit to the County in the form of an estimated 150 new employment positions within two years of the OCR grant approval and an estimated \$93 million of private investment, and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and regarding the Project. Now, therefore, be it

RESOLVED, that the County Chairman is hereby authorized to submit a grant application in an amount to be determined by the OCR and not to exceed the sum of one million dollars (\$1,000,000.00), such amount to be provided as a grant to the GGLDC to finance a portion of the cost of a real property land lease for the Project, and be it further

RESOLVED, that the Chairman is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant, and be it further

RESOLVED, that the Chairman is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, subject to review and approval by the County Attorney.

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

RESOLUTION NO. 314 COUNTY AUDIT – AUGUST 10 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Stein did review the following claims:

2016 General Fund	\$	6,002,378.56
2016 Highway		149,372.58
2016 Nursing Home		706,135.88
2016 Water		1,327,916.02
2016 Self Insurance		122,104.09
DSS Abstracts		707,147.45

2016 Capital Projects:

Airport Construct New Terminal Building & Maintenance Hangar	20,739.72
County Park Improvements, Pavilion A/B Roof, Repairs & Fireplaces	5,859.47
DeWitt Park Utility Extensions/Security Improvements	854.49
County Treasurer's Office Enhanced Security	474.55
Facility Management Co Bldg #2 Flood Damage Restoration	35,051.96
Emergency Management Replace Training/Storage Facility	69,212.00
Sheriff 800MHZ Radio System Upgrade	410,817.38
Highway CR 22 Lewiston Road	33,420.82
Highway CR 1 Stroh Road	8,978.67
Highway 2016 Highway Chipseal	34,879.62
Highway 2016 Highway Surface Treatment	193,979.33
Highway 2016 Highway Recycling	71,196.05
Highway 2016 Bridge Construction	40,086.99
Highway 2016 Road Machinery	3,200.00
Highway River Street Bridge	13,194.98
GCC Wellness & Event Center	1,247,624.12
Payroll – General & Nursing Home	
July 22, 2016	1,813,156.07
August 5, 2016	1,314,626.40
Medicaid	
July 19, 2016	180,837.00
July 26, 2016	180,837.00
August 2, 2016	180,837.00
August 9, 2016	<u>180,837.00</u>
Total Audit	\$ 15,055,755.20

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 made a motion to suspend the rules of the Legislature, rule 19, to address a timely vacancy in a key position at the Nursing Home. The one County employed medical biller has resigned and a medical billing company has been identified. The resolution identifies IM Solutions, Inc. at a rate of \$5,000 per month beginning August 10, 2016 seconded by Legislator Young, carried unanimously.

RESOLUTION NO. 315 CONTRACT – MEDICAL BILLING SERVICES – NURSING HOME – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Nursing Home is in need of medical billing services due to the resignation of it's one, County-employed Medical Biller, and

WHEREAS, The County wishes to contract with an outside agency to cover this need until the takeover of the Nursing Home by the new owner which is expected to take place later this year, and

WHEREAS, The Administrator of the Nursing Home does recommend the approval of a

contract with IM Solutions, Inc. Now, therefore, Be it

RESOLVED, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now, therefore, Be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with IM Solutions, Inc., 109 Chatham Avenue, Buffalo, New York, 14216 for the provision of medical billing services at a rate of \$5,000 per month beginning on August 10, 2016.

Budget Impact Statement: Funds for this will be transferred in the budget from the Personal services line for the employee who resigned.

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

The meeting was adjourned at 5:58 PM upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.