

**FOURTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, February 22, 2012**

The Genesee County Legislature met in Regular Session on Wednesday, February 22, 2012 at 7PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Chair Hancock, followed by the Pledge to the Flag. All members were present.

The minutes of the February 8, 2012 meeting were approved upon motion of Legislator Bausch seconded by Legislator Stein.

Legislator Stein reported GCEDC continues work on the Ag Park and the concentration on food production.

Legislator Lawrence assisted with the presentation of a Proclamation honoring the United Way Kick-Off in Genesee County. Former Youth Bureau Director Kerr-Rosenbeck, Office for the Aging Director Whitmore, and IT Director Zimmer are coordinating the County Employee Drive with a goal of \$16,000. Mr. and Mrs. Jay Gsell are County Co-Chairs. Legislature Chair Mary Pat Hancock is the Legislature Coordinator. United Way Director Fix was present.

Legislator DeJaneiro attended the GAM meeting held in the Town of Batavia. UMMC made a presentation.

An out-of-state travel request for Highway Superintendent Hens to travel to Lexington, Kentucky for the 2012 National Association of County Engineers Annual Conference April 1-5, 2012 was approved upon motion of Legislator Bausch seconded by Legislator Stein.

Legislator Lawrence reported that the Town of Pembroke is concerned about the prospect of being removed from the Assembly District, the only town in the County not to be included in the proposed redistricting. Appearances on behalf of Pembroke will be made at the Public Hearings on the issue. She is passing a petition on behalf of the residents and hopes fellow legislators will be inclined to support the drive. Representation with the rest of the County will be very important for school, fire and economic efforts.

One speaker signed up to address the Legislature on the topic of the Batavia Downs Memorialization. Michael Nolan, Senior Vice President of WNYOTB was introduced by Genesee County OTB Director Siebert. Mr. Siebert noted that the Legislature has been very supportive of that organization since 1974. Mr. Nolan noted highlights of the benefits received by the community from the OTB organization. There is now the possibility of a constitutional amendment to allow casino gaming in the State of New York; and he is requesting the Legislature pass the resolution being offered this evening to support full casino gaming at the nine existing racinos in New York State. He noted their regional locations, and their experience with the gaming industry. Since 2005 they have proven their ability to provide socially responsible gaming. Mr. Nolan spoke about planned expansions at the facility. Genesee County is both the host community and part owner of the facility. WNYOTB is presenting the memorialization resolution to them first, and once approved will make presentations throughout the state.

The Clerk proceeded with the reading of the resolutions as follows:

**RESOLUTION NO. 75 MEMORIALIZATION-SUPPORT FOR FULL CASINO
GAMING AT THE NINE EXISTING RACINOS IN NEW
YORK STATE**

Legislator Ferrando offered the following resolution:

WHEREAS, in September 1973, eleven western New York counties and 2 cities established the Western Regional Off-Track Betting Corporation, they being Cattaraugus, Chautauqua, Erie (and the City of Buffalo), Genesee, Livingston, Monroe (and the City of Rochester), Niagara, Orleans, Seneca, Steuben, and Wayne, as enabled by state law; and

WHEREAS, these municipal "stockholders" chose to exercise that local option to form such a corporation that dictated local control by those municipalities over such gaming activities in their respective communities; and

WHEREAS, the start-up costs of this enterprise were funded solely by these initiating counties from their own treasuries of taxpayer money and represented no state money nor allowed for any state sharing of this purely local venture; and

WHEREAS, since those eleven counties voted to form Western Regional Off-Track Betting Corporation, an additional four western New York counties have joined them in the local control of such gaming activities that has since 1973 generated over \$209 Million in operating and surcharge revenues to the taxpayers of those participating municipalities; and

WHEREAS, now, the Governor and State Legislature are considering a Constitutional Amendment to allow casino gaming in the State of New York; and

WHEREAS, the participating municipalities of Western OTB as its shareholders have a *pro-rata* financial interest in the \$39 million of net equity re-invested in its 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs; and

WHEREAS, Batavia Downs Casino has proven to be a successful Public Benefit Corporation to the City and Town of Batavia as well as Genesee County, with enhanced casino gaming allowed at Batavia Downs Casino it will provide over \$92 million dollars in capital construction spending resulting in 552 direct construction jobs, increases in impact of the first full year of operation will result in over 449 jobs at an output of over \$20.5 million dollars,

WHEREAS; The nine New York State Racino's have proven to be a successful business partner with New York State and have provided gaming in a socially responsible and economically sensible manner. Now, therefore, Be it

RESOLVED, that the County Legislature of Genesee County, support Batavia Downs Casino and the eight Racino facilities presently licensed for video gaming to be authorized for full Casino gaming, and Be it further

RESOLVED, that Governor Andrew Cuomo, Senator Michael Ranzenhofer, and Assemblymen Hawley and Burling be urged to join the Genesee County Legislature in support for full casino gaming at Batavia Downs and further support the other New York State Video Gaming Licensees.

Legislator Cianfrini seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) no.

Prior to roll call on the above resolution Legislator Bausch noted that he voted no at Ways & Means on this matter and will be voting no this evening.

**RESOLUTION NO. 76 2012 BUDGET AMENDMENT-NURSING
HOME/MEMORIAL DONATIONS – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Nursing Home requests a 2012 Budget Amendment to include Memorial Donations accumulated in the amount of \$10,204

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Nursing Home Budget by Increasing Revenue account E.1000.9000.9041 General Contributions by \$10,204 and Increasing Expense account E.9000.0000.1000.9100 Other Direct Expense in like amount. These funds are coming from Deferred Revenue account, E 2014.0000, for the purchase of furniture and other

items for resident use.

Budget Impact: 0

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

**RESOLUTION NO. 77 AGREEMENT RENEWAL- SHERIFF'S OFFICE /
JUSTICE BENEFITS, INC.-APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, Genesee County entered into a contract with Justice Benefits, Inc., pursuant to Resolution 91, dated March 26, 2009, for the provision of professional assistance with revenue enhancement services, and

WHEREAS, The current agreement is due to expire on March 31, 2012, and

WHEREAS, The contract contained an option to renew for four additional one-year periods upon written mutual agreement of both parties, and

WHEREAS, The Sheriff does recommend renewing this contract for an additional one-year period to commence April 1, 2012 and continue through March 31, 2013, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Justice Benefits, Inc., 2010 Valley View Lane, Suite 300, Dallas, Texas 75234, for professional assistance with revenue enhancement services.

Budget Impact: Increase in Jail revenue.

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

**RESOLUTION NO. 78 SURPLUS EQUIPMENT – SHERIFF'S
OFFICE/VEHICLE – CRIME FORFEITURE-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Sheriff's Office has taken ownership of a 2005 Chevrolet pickup truck, Vehicle Identification Number 1GCDT136858145908, pursuant to a court order as the result of a drug case forfeiture, and

WHEREAS, The Genesee County Sheriff did request this 2005 Chevrolet pickup truck be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend this pickup truck be declared surplus property at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby declare the 2005 Chevrolet, pickup truck, Vehicle Identification Number 1GCDT13685814908, surplus property to be disposed of through auction, and be it further,

RESOLVED, That the proceeds from the sale of this vehicle be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

Budget Impact: Revenue from the sale of this vehicle to be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds) and distributed pursuant to Article 13.

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

**RESOLUTION NO. 79 AWARD OF BID AND NYS CONTRACT
PURCHASE-SHERIFF'S OFFICE/2012 LAW
ENFORCEMENT VEHICLES-APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, Three bids were received for the purchase of four law enforcement vehicles, which included three patrol vehicles and one sport utility vehicle, with the

lowest bid for the three patrol vehicles being submitted by Delacy Ford, 3061 Transit Road, Elma, NY 14059, for the total purchase price of \$60,655, which includes a trade in allowance of \$23,000, and

WHEREAS, After comparing the bids received for the sport utility vehicle with NYS contract pricing for a SUV with the desired options meeting specifications, it has been determined that the lowest price for a SUV meeting all specifications is through Hoselton Chevrolet, Inc., 909 Fairport Road, East Rochester, NY 14416 for the NYS contract price of \$27,949.82, and

WHEREAS, The Sheriff does recommend that the bid for the purchase of patrol vehicles be awarded to Delacy Ford, for a total purchase price of \$60,655, with authorization to trade-in the following four vehicles, and

Car No. 66	2FAHP71V78X177844	2008 Ford Crown Victoria
Car No. 67	2FAHP71V98X177845	2008 Ford Crown Victoria
Car No. 68	2FAHP71V08X177846	2008 Ford Crown Victoria
Car No. 70	1GNFK03029R241896	2009 Chevrolet Tahoe

WHEREAS, The Sheriff does also recommend rejecting the three bids received for a sport utility vehicle, and purchasing the SUV from Hoselton Chevrolet Inc. for the NYS contract purchase price of \$27,949.82, 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 award of bid for the purchase of three law enforcement patrol vehicles be made to Delacy Ford, for a total purchase price of \$60,655, which includes a total trade-in allowance of \$23,000, and be it further

RESOLVED, That the three bids received for a sport utility vehicle be rejected and the SUV be purchased from Hoselton Chevrolet Inc. for the NYS contract purchase price of \$27,949.82.

Budget Impact: \$92,000 has been appropriated to the 2012 asset acquisitions for the purchase of law enforcement vehicles. The total purchase price for all four vehicles is \$88,604.82. This is a savings of \$3,395.18.

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

**RESOLUTION NO. 80 2012 BUDGET AMENDMENT - EMERGENCY
MANAGEMENT/FEDERAL GRANT FUNDS
CARRYOVER — APPROVAL OF**

Legislator Ferrando offered the following resolution

WHEREAS, The Genesee County Emergency Management Services Coordinator did request an amendment to the 2012 County Budget to allow for the utilization of unexpended Federal grant funds totaling \$159,109 in the 2011 County Budget, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 County Budget by:

Increasing EMS Appropriation Accounts:

Equipment Homeland Security	A.3640.2080.0710	in the amount of \$81,921
Contractual Services	A.3640.4660.0066	in the amount of \$10,305
Contractual, Training	A.3640.4550.0000	in the amount of \$11,115
Contractual, Contract Other	A.3640.4660.0000	in the amount of \$24,072
Contractual, HazMat	A.3640.4800.0501	in the amount of \$ 1,696

Contractual, Uniforms A.3640.4580.0000 in the amount of \$30,000

To be offset by an increase in EMS Revenue Accounts:

Federal Aid, IECGP A.3640.4305.3 in the amount of \$10,305

Federal Aid, Homeland Security A.3640.4305.2 in the amount of \$147,108

Federal Aid, HazMat EP Grant A.3640.4305.1 in the amount of \$1,696

Budget Impact Statement: Increase in the Emergency Management Service's appropriations in the amount of \$159,109, from the 2011 department budget – unexpended grant funds, with an increase in revenue in a like amount.

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

**RESOLUTION NO. 81 GRANT ACCEPTANCE/2012 BUDGET
ADMENDMENT - EMERGENCY MANAGEMENT
SERVICES/HAZARDOUS MATERIALS
EMERGENCY PREPAREDNESS PLANNING
(HMEP) GRANT – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the Hazardous Materials Emergency Preparedness (HMEP) Grant award in the amount of \$4,585.00 from the New York State Emergency Management Office (SEMO), and

WHEREAS, as required by the Hazardous Materials Emergency Preparedness program, grant funds shall be spent to improve and implement emergency plans under the Emergency Planning and Community Right-to-Know Act of 1986, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Emergency Management Office (SEMO), 1220 Washington Avenue, Building 22, Suite 101, Albany, NY for the acceptance of Hazardous Materials Emergency Preparedness (HMEP) Grant: Year Eighteen (Oct 1, 2010-Sept. 30, 2011) and to execute any and all other documentation related to this funding, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Genesee County Budget by increasing Emergency Management Services Appropriation

A3640.4290.0035 (Cell Phone) in the amount of \$ 900.00

A3640.4290.0600 (Internet) in the amount of \$ 505.00

A3640.4800.0501 (HazMat Ep Grant) in the amount of \$3,180.00

To be offset by an increase in Emergency Management Services Revenue account A1000.3640.4305.1 in the amount of \$4,585.00

Budget Impact Statement: Haz-Mat grant funds in the amount of \$4,585.00 were received at yearend 2011 and were unexpended. This award allows EMS a limited project fund for internet and wireless provider services.

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

**RESOLUTION NO. 82 2012 BUDGET AMENDMENT – CDBG FUNDS
CARRYOVER – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Manager did request an amendment to the 2012 County Budget to carryover from the 2011 County Budget unexpended CDBG Funds designated for the Genesee County Economic Development Center for the purpose of establishing the Genesee County Advanced and Nano-Tech Manufacturing Concepts

Training Program and the development of the Buffalo East Technology Park in the Town of Pembroke, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 County Budget by increasing Appropriation A6421.4800.0050 CDBG in the amount of \$698,048.90 to be offset by an increase in Revenue A.1000.6421.4997.3 GDBG-GG LDC

Budget Impact Statement: No net effect on 2012 County Budget; provides ability for program to fully utilize grant funds.

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

**RESOLUTION NO. 83 RENEWAL-GENESEE JUSTICE/FORENSIC
INTERVIEWER -APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The Sheriff of Genesee County did submit a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Sheriff of Genesee County are hereby authorized and directed to enter into a contractual agreement with Laura Kelemen, 6622 Emily Lane, Lockport, NY 14094 for forensic interviewing, peer review, and training for the Justice for Children Advocacy Center/Team, 108 Bank Street, Batavia, NY for the period of May 1, 2012 through September 30, 2012 at a cost of \$45.00 per hour.

Budget Impact: Funding for this item is covered by grant funds through the NYS OCFS.

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

**RESOLUTION NO. 84 LEASE RENEWAL-GENESEE JUSTICE/JUSTICE
FOR CHILDREN ADVOCACY CENTER-
APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, Genesee County does contract space to administer the Justice for Children Program/Advocacy Center through the New York State Office of Victim Services and New York State Office of Children and Family Services, and

WHEREAS, The Sheriff of Genesee County did request the renewal of the rental agreement and the Committee on Public Service does recommend approval at this time.

Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Sheriff of Genesee County are hereby authorized and directed to enter into a lease renewal with Janine Berger for the property at 108 Bank Street, Batavia, NY for the period of January 1, 2012 through December 31, 2012 at a cost of \$1,200 per month plus utilities.

Budget Impact: Funding for this item is covered by NYS Office of Victims Services and NYS Office of Children & Family Services grants.

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

**RESOLUTION NO. 85 2012 BUDGET TRANSFER - EMERGENCY
MANAGEMENT SERVICES/FY10 STATE
HOMELAND SECURITY PROGRAM (SHSP)
GRANT FUNDS — APPROVAL OF**

Legislator Cianfrini offered the following resolution

WHEREAS, Genesee County Emergency Management Services department has incorporated the FY10 State Homeland Security Program (SHSP) Grant funds into the department budget to allow for grant funds to be expended as previously allocated, and

WHEREAS, the budget submitted to NYS Division of Homeland Security and Emergency Services for the FY10 State Homeland Security Program (SHSP) Grant has been amended to address the threat of terrorism and other hazards in Genesee County as required by the grant guidelines, and

WHEREAS, The Genesee County Emergency Management Services Coordinator did request a transfer within the department accounts to reflect the amended FY10 State Homeland Security Program (SHSP) Grant budget, and

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

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

\$8,000.00	from A.3640.20.0.0710	Prog Ex-Homeland Security
	To A.3640.4660.0000	Contract Other

Budget Impact Statement: **Secure consultant to ensure operational readiness of WMD/CBRNE equipment.**

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

**RESOLUTION NO. 86 2012 BUDGET AMENDMENT - EMERGENCY
MANAGEMENT SERVICES/FY11 HOMELAND
SECURITY GRANT FUNDS CARRYOVER—
APPROVAL OF**

Legislator Clattenburg offered the following resolution

WHEREAS, Resolution No. 383, adopted November 22, 2011 authorized the execution of an Agreement with NYS Division of Homeland Security and Emergency Services and therefore the acceptance of FY11 State Homeland Security Grant Program (SHSP) funds, and

WHEREAS, The Genesee County Emergency Management Services Coordinator did request said grant funds be incorporated into the 2012 department budget to allow funding be expended as submitted to NYS Homeland Security and Emergency Services, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Genesee County Budget by increasing Appropriation Accounts:

A.3640.2080.0710	Prog Ex- Homeland Security - in the amount of \$ 93,948.00
A.3640.4660.0000	Contract Other - in the amount of \$ 8,000.00

To be offset by Federal Revenue A.1000.4305.2000 in the amount of \$101,948.00.

Budget Impact Statement: Offset by FY11 Homeland Security Funds.

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

**RESOLUTION NO. 87 OFFICIAL UNDERTAKING OF PUBLIC
EMPLOYEES FIDELITY (BLANKET) BOND-
GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL - APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The County of Genesee has appropriated the sum of \$9,970 as its share of the 2012 operating funds of the Genesee/Finger Lakes Regional Planning Council, and
WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County, and

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

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

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

Budget Impact: None

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

RESOLUTION NO. 88 FINANCIAL SUPPORT- GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL - APPROVAL OF

Legislator Leadley offered the following resolution:

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

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has formally notified this Legislature that, under its proportional funding formula, Genesee County's 2012 share will be \$9,970 and

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

RESOLVED, That the Genesee County Legislature does hereby authorize continued participation in the Genesee/Finger Lakes Regional Planning Council and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$9,970 as appropriated in the 2012 Budget, Account A8025.4.

Budget Impact: Funds have been appropriated in the 2012 Budget and this amount has remained unchanged for the last eleven years. The Annual Report from G/FLRPC has historically shown a significant "return" for this investment.

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

Prior to roll call on the above resolution Legislator Leadley noted that Genesee County receives a tremendous benefit by their membership in this important organization.

RESOLUTION NO. 89 CONTRACT EXTENSION-GLOW SOLID WASTE MGMT. COMMITTEE/ HOUSEHOLD HAZARDOUS WASTE COLLECTION -APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The GLOW Region Solid Waste Management Committee (herein referred

to as “GLOW”) expect to be awarded funding from the New York State Department of Environmental Conservation in 2012 for a single Household Hazardous Waste Collection Event; and

WHEREAS, Environmental Enterprises, Inc. was awarded the contract for the 2011 collection; and

WHEREAS, This contract contained a one year extension option, with pricing to remain the same; and

WHEREAS, GLOW desires to exercise this option for the 2012 program; and

WHEREAS, the GLOW Committee has recommended that this option be exercised Now, Therefore Be It

RESOLVED, That the Genesee County Legislature authorizes the Chairperson to enter into an extension of this contract with the other GLOW Counties and Environmental Enterprises, Inc. for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed \$30,400.

Budget Impact Statement: Funds are available in the 2012 GLOW Budget for this expense.

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

**RESOLUTION NO. 90 BUDGET AMENDMENT/ CAPITAL PROJECT -
JAIL BOOKING AREA RENOVATION– PURCHASE
OF SECURITY CAMERAS**

Legislator DeJaneiro offered the following resolution:

WHEREAS, During the Jail booking area renovation project some of the flooring material that was installed was found to be unsatisfactory after the installation, and

WHEREAS, The flooring manufacturer, Mannington, has offered a \$1,500 settlement to amend for our dissatisfaction, which was reviewed and approved by the County Attorney and the Insurance Committee, and

WHEREAS, As a result of the booking area renovation project, there is a need to install security cameras in the visiting room to deal with blind spots, and

WHEREAS, The Sheriff is requesting that the \$1,500 settlement be appropriated back to the Jail booking area renovation project, to be used to purchase the security cameras.

Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the Jail Booking Area Renovation Capital Project by increasing Capital Project account H1997.2080.0000 (Sheriff Booking Area Renovation Project) in the amount of \$1,500, offset by an increase in revenue account H1997.2389 (Miscellaneous Revenue) in a like amount.

Budget Impact: Increase of \$1,500 to Jail Booking Area Renovation Capital Project, offset by increase in revenue in a like amount from a settlement from Mannington, with funds to be used for the purchase and installation of security cameras in the Jail visiting room.

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

**RESOLUTION NO. 91 APPOINTMENT/REAPPOINTMENT – STOP-DWI
ADVISORY BOARD – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Vacancies do exist on the STOP-DWI Advisory Board from Citizen Member representation, and

WHEREAS, The Genesee County STOP-DWI Coordinator has identified two individuals who have expressed interest in serving on the Advisory Board, and

WHEREAS, The Committee on Ways and Means does recommend the appointment and

reappointment of these individuals. Now, therefore, Be it

RESOLVED, That James Sunser of Corfu be appointed to the Genesee County STOP-DWI Advisory Board to serve a term effective immediately through December 31, 2014, and Be it further

RESOLVED, That Rick Mancuso of Batavia be reappointed to serve another term effective immediately through December 31, 2014.

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

Prior to roll call on the above resolution it was noted that the County is indeed fortunate to have such exceptional volunteers giving their time and energies back to their community.

**RESOLUTION NO. 92 2011 BUDGET AMENDMENT-TREASURER/
YEAR END-APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Treasurer is recommending budget amendments in order to close the books for 2011, and

WHEREAS, The Committee on Ways and Means concurs with the County Treasurer's recommendations. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2011 budget by:

Increase Appropriation A.1985.4800 0000 Sales Tax Distribution in the amount of \$96,875. Increase revenue A.1000.1110.2 shared Sales Tax in a like amount.

Increase Appropriation MS 9060.8030 Medical in the amount of \$380,494 and MS 9060.8040 Dental in the amount of \$2,872 by increasing revenue MS1000.9999 Balancing in the amount of \$383,366.

Budget Impact: Increase in expenses offset by revenue.

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

**RESOLUTION NO. 93 2011 BUDGET ITEM TRANSFERS-TREASURER/
COUNTY DEPARTMENTS- APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Treasurer did present transfers to be recommended in the 2011 county budget to cover end-of-year expenditures in several county departments, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend that transfers be made at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make the following 2011 budget transfers:

\$1,700	to	A 1010.8	Legislative Board, Benefits
	from	A 1010.4	Legislative, Contractual
\$425	to	A 1040.1	Clerk of Board, Pers Services
	from	A 1040.8	Clerk of Board, Benefits
\$985	to	A 1185.8	Medical Exam&Coroners, Bene
	to	A 1185.4	Medical Exam&Coroners, Cont
\$90	to	A 1325.1	Treasurer, Personnel Services
	from	A 1325.4	Treasurer, Contractual
\$625	to	A 1362.4	Tax Advertising, Contractual
	from	A 1357.4	Assessment Maintenance, Cont
\$200	to	A 2960.8	3-5 Program, Benefits

	from	A 2960.4	3-5 Program, Contractual
\$5,000	to	A 3150.1	Jail, Personnel Services
	from	A 3150.8	Jail, Benefits
\$42,000	to	A 4310.1	Mental Health, Personnel Serv
	from	A 4310.4	Mental Health, Contractual
\$8,500	to	A 4311.4	Mental Health Court Commitment, Contractual
	from	A 4310.4	Mental Health, Contractual
\$5,000	to	A 6030.4	Public Home, Contractual
	from	A 6055.4	Day Care, Contractual
\$100,000	to	A 6129.4	Training Schools, Contractual
	from	A 6119.4	Child Care, Contractual
\$305	to	A 6510.1	Veterans, Personnel Services
\$1,490	to	A 6510.8	Veterans, Benefits
\$1,795	from	A 6010.1	Social Services, Contractual
\$400	to	A 6610.1	Weights&Measure, Personnel
	from	A 6610.4	Weights & Measure, Cont
\$32,000	to	S 1710.4	Workers Comp, Contractual
	from	S 1720.4	Benefits & Awards, Contractual
\$211,000	to	E 6011.1	Nursing Home, Personnel Serv
\$84,000	from	E 6011.3	Nursing Home, Contractual
\$127,000	from	E 6011.8	Nursing Home, Benefits
\$8,570	to	E 7240.6	Nursing Home, Contractual
	from	E 6011.8	Nursing Home, Benefits
\$3,200	to	E 7260.8	Nursing Home, Benefits
	from	E 7260.1	Nursing Home, Personnel Serv
\$3,300	to	E 7290.6	Nursing Home, Contractual
	from	E 6011.8	Nursing Home, Benefits
\$71,000	to	E 7330.6	Nursing Home, Contractual
\$3,000	to	E 7330.1	Nursing Home, Personnel Serv
\$100	to	E 7330.8	Nursing Home, Benefits
\$74,100	from	E 8220.2	Nursing Home, Equipment
\$85,000	to	E 7340.6	Nursing Home, Contractual
	from	E 9000.9	Nursing Home, Principal
\$2,000	to	E 7380.8	Nursing Home, Benefits
	from	E 9000.9	Nursing Home, Principal
\$6,000	to	E 7420.1	Nursing Home, Personnel Serv
\$6,000	to	E 7420.6	Nursing Home, Contractual
\$1,000	to	E 7420.8	Nursing Home, Benefits
\$13,000	from	E 9000.9	Nursing Home, Principal
\$28,000	to	E 8210.5	Nursing Home, Contractual
	from	E 9000.9	Nursing Home, Principal
\$8,500	to	E 8240.6	Nursing Home, Contractual
	from	E 9000.9	Nursing Home, Principal
\$4,100	to	E 8250.8	Nursing Home, Benefits
	from	E 9000.9	Nursing Home, Principal
\$400	to	E 8260.6	Nursing Home, Contractual
	from	E 9000.9	Nursing Home, Principal
\$69,000	to	E 9000.9	Nursing Home, Contractual
	from	E 9000.9	Nursing Home, Principal

Budget Impact: None, transfers made from other appropriations.

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

**RESOLUTION NO. 94 GRANT ACCEPTANCE/BUDGET AMENDMENT –
STOP-DWI/SHERIFF-ROAD CHECK
ENFORCEMENT-APPROVAL OF**

Legislator DeJaneiro offered the following resolution

WHEREAS, The Governor's Traffic Safety Council awarded the STOP-DWI program \$21,775 to participate in the High Visibility Road Check Project of which \$10,000 will be allocated to the Sheriff's Department and the remainder to the Batavia City Police Department and the LeRoy Police Department for their enforcement efforts within this project, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 budget by increasing STOP-DWI account A.3315.4660.0000 (Contracted Other) in the amount of \$21,775 to be offset by an increase in revenue account A.3315.3389.1 (Govt Traffic Safety Council Grant) in the amount of \$21,775 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 budget by increasing Sheriff's account A.3110.1020.0160 (DRE Overtime) in the amount of \$10,000 to be offset by an increase in revenue account A.3110.2804 (Shared Services) in the amount of \$10,000.

Budget Impact Statement: No impact on County Budget. Increase in revenue and expense funded by GTSC grant

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

Prior to roll call on the above resolution Legislator Cianfrini stated he presented reservations to the acceptance of this grant at Ways & Means but realizes that it is important not to hinder law enforcement as they carry out their duties to protect the public. He will be supporting this tonight.

At this time Sheriff Maha was recognized as a member of the Executive Committee of the New York State Sheriff's Committee, serving as the Chair in 2009.

**RESOLUTION NO. 95 CONTRACT- HUMAN RESOURCES/ TRAINING
PROGRAM – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, Genesee County requires the services of a skilled Management training provider to provide training to enhance leadership and managerial skills, and

WHEREAS, The Human Resources Director does recommend entering into a contract for the provision of said services during the time period of April 1, 2012 through March 31, 2013 with an option to renew this contract for one one-year (1) renewal period and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to enter into a contract with George Helfrich of Human Energies of Lockport, New York for the period of April 1, 2012 through March 31, 2013 to provide Training and Consultation services for County employees.

Budget Impact Statement: The 2012 HR budget does not include funds for Countywide training. Departments will be able to utilize Mr. Helfrich for training if they desire.

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

**RESOLUTION NO. 96 CONTRACT RENEWAL-INFORMATION
TECHNOLOGY/ ANNESE AND ASSOCIATES -
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Director of Information Technology did present an agreement with Annese and Associates for the annual hardware and software maintenance and technical support renewal for CISCO Smartnet maintenance that extends services for 2012

WHEREAS, The Committee on Ways and Means did review this request and do recommend the approval of the CISCO Smartnet Maintenance Hardware Contract renewal through Annese and Associates, a Certified CISCO Business partner, at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to approve the renewal of the CISCO hardware maintenance agreement through Annese and Associates, 4781 State Route 5W, Herkimer, New York 13350, effective January 1, 2012 through December 31, 2012 at a cost of \$12,841.29.

BUDGET IMPACT: The annual cost of \$12,841.29 for this service is within the 2012 Adopted Budget in line item A.1680.4410.0090 Hardware Support.

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

**RESOLUTION NO. 97 ESTABLISH CAPITAL PROJECT-FIRING RANGE
UPGRADES-SHERIFF/HIGHWAY-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Superintendent of Highways has been requested to established a capital project for the Firing Range Upgrades at the Fire Training Center, and

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

RESOLVED, That the Genesee County Legislature does hereby direct and authorize the County Treasurer to establish the following capital project:

Establish Capital Project	Budget	Source
Firing Range Upgrades	\$42,234	1% Sales Tax

Budget Impact: Capital Project above was listed in 2011 Asset Acquisition but could not be completed in 2011.

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

**RESOLUTION NO. 98 CONTRACT AGREEMENT – NURSING HOME/
SPRINKLER HEAD REPLACEMENT —
APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The federal government is requiring that all nursing homes be properly sprinklered with “rapid response” sprinkler heads by 2013; and

WHEREAS, The Acting Administrator of the Genesee County Nursing Home did present a proposed contract with SimplexGrinnell, LP for the provision of the work needed to bring the Nursing Home’s sprinklers into compliance; and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into contract with SimplexGrinnell, LP, 90 Goodway Drive,

Rochester, New York 14623 at a cost of \$32,356.85.

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

RESOLUTION NO. 99 REAPPOINTMENTS - GENESEE COUNTY WATER RESOURCES AGENCY - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The terms of office of Earl LaGrou, Robert Pacer and Bruce Tehan on the Genesee County Water Resources Agency have expired and they have indicated an interest and desire for reappointment, and

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

RESOLVED, That the Genesee County Legislature does hereby reappoint Mr. Earl LaGrou of the Town of Alabama, Mr. Robert Pacer of the Town of Stafford, and Mr. Bruce Tehan of the City of Batavia to serve another term on the Genesee County Water Resources Agency for the period ending on December 31, 2013.

Budget Impact Statement: None, these are unpaid positions

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

RESOLUTION NO. 100 STOP LOSS INSURANCE/HEALTH BENEFITS PLAN - APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Manager did acquire quotations for stop loss insurance coverage for the County's self-insured medical health benefit plan via our Health Plan Consultant, Locey & Cahill, and

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

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to sign the Agreement with HM Insurance Company of New York, a division of Highmark Insurance Company which is a larger Blue Cross Blue Shield insurer based in Pittsburgh, PA for Excess Health Insurance at a cost of \$48,348 for the period February 1, 2012 through February 1, 2013.

Budget Impact Statement: Premium decrease of \$6,631 from previous year's cost. \$60,000 allocated for this insurance in the Risk Retention Fund's 2012 operating budget.

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

RESOLUTION NO. 101 COUNTY AUDIT – FEBRUARY 22 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Ferrando, did review the following claims:

General Fund - 2011	\$	78,207.12
General Fund - 2012		722,522.08
Highway - 2012		23,468.35
Nursing Home - 2012		479,043.30
Water - 2012		21,669.40
DSS Abstracts - 2012		403,809.56
2012 Capital Projects:		
Highway – Garage Backflow Prevention		46.84
Facility Maint. – Energy Efficiency		19,662.78
GCC Athletic Fields & Gym Renovation		12,507.00

Payroll – General & Nursing Home

February 22, 2012	1,199,956.22
Medicaid	
February 14, 2012	181,027.00
February 21, 2012	<u>181,027.00</u>
Total Audit	\$ 3,322,946.65

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 DeJaneiro seconded the resolution which was adopted by 326 votes.

Chair Hancock noted that she was very proud of Emergency Management personnel and the way they handled the recent truck turnover at the Batavia exit of the New York State Thruway.

The meeting was adjourned at 8PM upon motion of Legislator Cianfrini seconded by Legislator Stein.