

**EIGHTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Village of Bergen, New York**  
**Wednesday, April 25, 2012**

The Genesee County Legislature met in Regular Session on Wednesday, April 25, 2012 at 7PM in the Village of Bergen Town Hall 11 North Lake Avenue, Bergen, NY as part of its 2012-2013 Outreach Program. Prayer was offered by Legislator Bausch followed by the Pledge to the Flag. Legislator DeJaneiro was absent.

Mayor Marsocci welcomed everyone on behalf of himself and the Village Board who were also present for their meeting this evening. They will be resubmitting a Main Street Grant and are working with the firm of J O'Connell on other opportunities. The Village is one of forty "munies" in New York. The cost of electricity for their residents is 6.8 cents per kilowatt hour. Legislator Bausch noted that the building we are meeting in is hundreds of years old. 8-10 years ago it went up for sale and the Village purchased it and moved their offices from a rental property. He introduced Anne Marie Barclay and Tom Williamson who were instrumental in the process. Ms. Barclay welcomed everyone and announced that she would be pleased to have everyone tour their Archives which is located in the basement and has recently been completely. She displayed an award to the Village for their achievement as a "Tree City USA." Chair Hancock noted that it is wonderful the share the pride in their achievements and physically be in their chambers.

The minutes of the April 11, 2012 meeting were approved upon motion of Legislator Lawrence seconded by Legislator Ferrando.

Legislator Lawrence attended the first meeting of the Tourism Committee and first quarter figures are up substantially thanks to the mild winter. Room occupancy also increased greatly. Funding changes for Tourism agencies have resulted in several regionalized efforts on behalf of counties. She attended the Youth Awards Banquet at which 14 youth were recognized. Legislator Bausch attended the Chamber Awards Dinner. He learned much about different businesses and their work and projects. Legislator Stein announced the Chamber Ag Committee has set March 23, 2013 as the Ag Dinner date and she urged everyone to reserve tickets for this sell-out event. There was a Boy Scout Going Green presentation and an example of a County fleet converting to methane fuel from their landfill was recognized. 30 jobs were offered by Alpina and 525 job applications have been received. Legislator Leadley noted her attendance at the InterCounty Association of Western New York meeting. NYSAC announced a state wide effort for "Mayday" on mandate relief. Chair Hancock explained some of local concerns on the Ste Budget for those in attendance and noted that there are many things to be done to reduce mandate burdens on the counties. Legislator Clattenburg noted her attendance at the hydrofracking seminar and stated it was well attended. She found it very interesting and important to note that statutes do exist to prevent infrastructure damage in communities where this process is taking place. In addition, the tremendous water usage required for the process leaves behind what is considered toxic waste. She believes it will be important to keep an eye on this issue.

Chair Hancock reported that the Career Center has 399 job openings listed this week. New York State unemployment is down .5% and Genesee County is down .8%, the lowest in the GLOW region and 24<sup>th</sup> lowest in the state. There are many good jobs available in Genesee County and she urged all interested to contact the Career Center for

additional details.

County Manager Gsell reported that Family Game Night will be held on April 30<sup>th</sup> at the Senior Center from 5:30-8PM. The Health Department has undergone a Medicaid Audit. On May 3, 2012 the Livable Communities Forum will be held at GCC. He has distributed a resume from the Nursing Home Administrator to the Legislators for their information. This person will be taking over in early May.

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

**RESOLUTION NO. 156 CONTRACT EXTENSION –PUBLIC DEFENDER/  
CASE MANAGEMENT SYSTEM – APPROVAL OF**

Legislator Cianfrini offered the following resolution:

**WHEREAS**, The Genesee County Public Defenders Office does recommend the Public Defense Case Management System Maintenance and Software Agreement between Genesee County Public Defenders Office and New York State Defenders Association, Inc. contract be extended for a period through May 3, 2013 and the Committee on Public Service does concur. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to extend the contract for the provision of the Public Defense Case Management System Maintenance and Software Agreement between Genesee County Public Defenders Office and New York State Defenders Association, Inc., Albany, New York for the period of May 4, 2012 through May 3, 2013 for a total cost of \$2,500.00.

Legislator Clattenburg seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 157 2012 SALARY SCHEDULE AMENDMENT-  
DISTRICT ATTORNEY/ SALARY INCREASE  
APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The Genesee County Manager did request an amendment in the 2012 Management Salary Schedule in accordance with the recently adopted 2012/13 New York State budget which mandates an increase in the full time District Attorney salary pursuant to Judiciary Law 183-a, which links judicial salaries with county district attorney' salaries and requires district attorneys' salaries to be at least as high as the County Court Judge in the County, and

**WHEREAS**, The Committees on Public Service and Ways and Means did review this request and do concur with the County Manager's recommendation. Now, therefore, Be it

**RESOLVED**, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2012 Genesee County Management Salary Schedule by increasing the District Attorney's annual salary from \$119,800 to \$140,300, effective April 1, 2012

**Budget Impact:** Salary Increase pro-rated expense of \$15,374.97 was appropriated in the 2012 budget

Legislator Cianfrini seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

Prior to roll call on the above resolution County Manager Gsell explained that a Committee recommended the restructure of New York State Judges salaries and according to law fulltime District Attorneys must be equal in salary to the Judges. The recommendation was for increases over the next three years totaling 27%. This represents the first year increase and New York State will be providing funding for the coverage of

the increase for the first year.

**RESOLUTION NO. 158 ADOPTION- PURCHASING/ POLICY AND PROCEDURES - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 50, adopted February 14, 1996, did provide for the Annual presentation and review of Genesee County Purchasing Policy and Procedures, and

**WHEREAS**, The Genesee County Purchasing Director did present said Policy and Procedure, for the purchasing functions of the County of Genesee for the year 2012, and

**WHEREAS**, The Committee on Ways and Means did review the Purchasing Policy and Procedure for 2012 and does recommend approval at this time. Now therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby approve the terms and contents of the Genesee County Purchasing Policy and Procedures for the Year 2012, effective immediately.

**Budget Impact: None**

Legislator Ferrando seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 159 CONTRACT RENEWAL – PURCHASING/COST-PER-COPY PROGRAM APPROVAL OF**

Legislator Ferrando offered the following resolution.

**WHEREAS**, The Director of Purchasing did present a contract renewal with Eagle Systems, Inc. for the provision of copy equipment under the Cost-Per-Copy program for the first of three one-year renewal periods,

**WHEREAS**, The Committee on Ways and Means did review the contract 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 Eagle Systems Inc. of Buffalo, NY for the provision of copy equipment under the Cost-Per-Copy program for the first one-year period of May 1, 2012 through April 30, 2013 at the cost of \$.014 for black and white copies and \$0.06 for color copies.

**Budget Impact:** Funds are allocated in departmental budgets for 2012.

Legislator Bausch seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 160 LEASE RENEWAL – SHERIFF’S OFFICE / COMMUNICATIONS TOWER VERIZON WIRELESS – APPROVAL OF**

Legislator Cianfrini offered the following resolution:

**WHEREAS**, New York RSA No. 3 Cellular Partnership d/b/a Verizon Wireless renewed its lease agreement for space on the county’s telecommunications tower located at 153 Cedar Street, Batavia NY, 14020, pursuant to Resolution 263, dated June 28, 2007, and

**WHEREAS**, Verizon Wireless wishes to renew its agreement for a five- (5) year contract commencing April 1, 2012, beginning at the cost of \$1,700.00 per month for the first year, with a 3% increase each year, ending March 31, 2017, appropriated to the Genesee County Sheriff Communications Revenue Account: Sheriff EMS Tower Rental (A1000.3020.2420.1), and

**WHEREAS**, After discussion between the Sheriff, Director of Emergency Communications, County Highway Superintendent, and County Attorney, it is recommended the County Legislature approve a lease agreement with Verizon Wireless,

and

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a site lease agreement with New York RSA No. 3 Cellular Partnership d/b/a Verizon Wireless (“Lessee”), One Verizon Way, Mail Stop 4AW 100, Basking Ridge, New Jersey 07920, for the lease of space on the Genesee County telecommunications tower located at 153 Cedar Street, Batavia, NY for a period beginning April 1, 2012 ending March 31, 2017.

**BUDGET IMPACT**: This contract reflects \$1,114.65 in additional revenue for fiscal year 2012.

Legislator Lawrence seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 161      CONTRACT                      RENEWAL-SHERIFF/POLICE  
   SERVICES      FOR      VILLAGE      OF      BERGEN-  
   APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The annual Agreement between the Village of Bergen, NY and the Genesee County Sheriff’s Office for additional police services expires on May 31, 2012, and

**WHEREAS**, The Village of Bergen has indicated a desire to renew this Agreements, and

**WHEREAS**, The Sheriff does recommend the renewal of the Agreement for one year, and the Committee on Public Service does concur. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract by and between the Village of Bergen and the Genesee County Sheriff’s Office for a one-year period commencing June 1, 2012, through May 31, 2013 at rates and terms as outlined in said contract.

**Budget Impact Statement**: Projected revenue pursuant to this Agreement is approximately \$13,000 to Sheriff’s budget.

Legislator Ferrando seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

Prior to roll call on the above resolution Legislator Bausch noted that this contract has been in effect over 15 years and is in addition to normal patrols by the Sheriff Department. It allows the Village to request additional coverage for the summer and Halloween as an example. The deputies often walk the street and it is very appropriate.

**RESOLUTION NO. 162      LEASE – ENGINE HOUSE/FRIENDS OF BATAVIA  
   PEACE GARDEN FOUNDATION AGREEMENT –  
   APPROVAL OF**

Legislator Lawrence offered the following resolution:

**WHEREAS**, The Genesee County Manager did present an agreement with the Friends of Batavia Peace Garden Foundation for the lease of space at the Engine House, 3 West Main Street, Batavia, for administrative purposes for the period of May 1, 2012 – April 30, 2013, at a rate of \$100.00 annually, and

**WHEREAS**, The Committee on Ways and Means did review said agreement and recommends approval at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between the Friends of Batavia Peace Garden Foundation and the County of Genesee for the lease of space at the Engine House, 3 West Main Street, effective May 1, 2012 through April 30, 2013; at a cost of \$100.00 per year.

**Budget Impact:** Additional revenue to the County of \$100.00 for the above referenced fiscal year  
Legislator Bausch seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 163 GRANT ACCEPTANCE/2012 BUDGET AMENDMENT - EMERGENCY MANAGEMENT SERVICES/SHERIFF OFFICE – FY12 HOMELAND SECURITY GRANT – APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to apply and accept State Homeland Security Program (SHSP) grant funding in the amount of \$90,000 from the US Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA), and

**WHEREAS**, Grant funds have been allocated to support the State Homeland Security Strategies to address the identified planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events, and

**WHEREAS**, 25% of the total grant award or \$22,500 must be allocated toward law enforcement terrorism prevention activities, 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 Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY12 State Homeland Security Program (SHSP) funds in the amount of \$90,000 and to execute any and all other documentation related to this funding.

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 County Budget by Increasing EMS Appropriation Account A3640.2080.0710 – Equipment, Homeland Security in the amount of \$67,500 to be offset by an increase in EMS Revenue Account A.3640.4305.2 – Federal Aid/Homeland Security in the amount of \$67,500.

Increasing Sheriff's Office Appropriation Account A3110.4800.0503 – Homeland Security in the amount of \$22,500 to be offset by an increase in Sheriff's Office Revenue Account A.3110.4305.2 – Federal Aid/Homeland \$22,500.

**Budget Impact Statement** No County cost. Grant funds in the amount of \$67,500 are appropriated in the 2012 Emergency Management Services (EMS) budget. Grant funds in the amount of \$22,500 are appropriated in the 2012 Genesee County Sheriff budget.

Legislator Cianfrini seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 164 MONTHLY FUNDRAISING EVENT-COURTS FACILITY GROUNDS/FOYER – YWCA OF GENESEE COUNTY CHILDREN'S CENTER – APPROVAL OF**

Legislator Leadley offered the following resolution:

**WHEREAS**, A facility use request was received from the YWCA of Genesee County Children's Center to hold a monthly fund raising activity for the Children's Center on the grounds or in the foyer of the Courts Facility, and

**WHEREAS**, The YWCA of Genesee County Children's Center general liability policy

will extend coverage in the amount of \$1 million per occurrence and \$2 million aggregate for this events and will endorse the policy to provide additional insured status to the County of Genesee, and

**WHEREAS**, The Genesee County Manager, Assistant Manager and Supervisor of Buildings and Grounds did review and recommend approval, and

**WHEREAS**, The Committee on Ways and Means does concur with this request. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby grant permission to the YWCA of Genesee County Children’s Center to conduct monthly fundraising events on the Courts Facility property effective immediately through April 30, 2013.

Legislator Ferrando seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 165 REAPPOINTMENTS-AIRPORT ADVISORY COMMITTEE-APPROVAL OF**

Legislator Cianfrini offered the following resolution:

**WHEREAS**, Terms of office have expired on the Genesee County Airport Advisory Committee and the Committees on Public Service and Ways and Means do recommend reappointments be made at this time. Now, therefore, Be it

**RESOLVED**, That the following are hereby reappointed to the Genesee County Airport Advisory Committee to serve terms effective January 1, 2012 through December 31, 2015:

<u>Member</u>	<u>Representing</u>
Thomas Geles	Citizen
John Sackett, Jr.	Pilot
Ken Alfes	Citizen

Legislator Clattenburg seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 166 APPOINTMENT-PARKS, RECREATION AND FORESTRY ADVISORY COMMITTEE – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The terms of three members of the Genesee County Parks, Recreation and Advisory Committee have expired, and

**WHEREAS**, two members have expressed an interest and desire to serve another 3 year term, and the other is vacant, and

**WHEREAS**, The District #2 representative George Squires and District #5 representative Philip McBurney are recommended for reappointment to serve out the remaining 3 year terms, and

**WHEREAS**, The vacancy is in District #1 and Michael Woodward is recommended for replacement to serve out the remaining 3 year term, and

**WHEREAS**, The Committees on Public Service and Ways and Means do concur with these requests. Now, therefore, Be it

**RESOLVED**, That District #2 – George Squires and District#5 – Philip McBurney, are hereby reappointed and Michael Woodward – District #1 is hereby appointed to the Genesee County Parks, Recreation, and Forestry Advisory Committee to serve the terms effective immediately through March 31, 2015.

**Budget Impact:** None

Legislator Stein seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 167 SPECIAL EVENT-PARK/DeWITT RECREATION AREA- FISHERS of MEN FISHING DERBY – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, A Special Events application was received from the Conservation Alliance of New York to hold a Fishing Derby at the DeWitt Recreation Area on June 23, 2012, and

**WHEREAS**, The Genesee County Parks, Recreation, & Forestry Advisory Committee and Parks Supervisor-Forester did review and recommend approval of, and

**WHEREAS**, The Committees on Public Service and Ways and Means do concur with these requests, Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby grant permission to the Conservation Alliance of New York to hold a Fishing Derby at the DeWitt Recreation Area on June 23, 2012 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

**Budget Impact:** None.

Legislator Lawrence seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 168 SPECIAL EVENT-PARK/DeWITT RECREATION AREA- ST. PAUL LUTHERAN SCHOOL WALK-A-THON – APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, A Special Events application was received from the St. Paul Lutheran School to hold a Walk-a-Thon at the DeWitt Recreation Area on June 9, 2012, and

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

**WHEREAS**, The Committees on Public Service and Ways and Means do concur with these requests, Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby grant permission to St. Paul Lutheran School to hold a Walk-a-Thon at the DeWitt Recreation Area on June 9, 2012 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas..

**Budget Impact:** None.

Legislator Lawrence seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 169 EQUIPMENT PURCHASE – HIGHWAY/REAR SWING FLAIL MOWER - ROAD MACHINERY- APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, Funds were incorporated into the 2012 Road Machinery Fund to purchase new equipment, and

**WHEREAS**, The Genesee County Highway Superintendent and Purchasing Officer did advertise specifications for the purchase of a new Rear Swing Flail Mower attachment to be used with existing tractors for the Highways and Airport, and

**WHEREAS**, The Genesee County Highway Superintendent did review this bid and does

recommend an award of a bid at this time, and

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

**RESOLVED**, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase a Rear Swing Flail Mowing attachment from Joe Johnson Equipment, Inc., 62 LaGrange Avenue, Rochester, New York 14613, in an amount not to exceed \$13,243.

**Budget Impact:** This purchase was included in the 2012 Road Machinery Fund.

Legislator Leadley seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 170    EQUIPMENT PURCHASE – HIGHWAY/SINGLE AXLE DUMP TRUCK – ROAD MACHINERY- APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent and Purchasing Department did receive bids for the purchase of a 4 X 2 Dump Truck cab and chassis and related body and plow hitch for use within the Road Machinery Fund, and

**WHEREAS**, The Genesee County Highway Superintendent did review the bids for accuracy and recommends that bids be awarded at this time, and

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

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to purchase an 4 X 2 International 7400 Dump Truck cab and chassis per local bid specification from Navistar, Inc. 399 Shaker Rd, Loudonville, NY 12211 in a total amount not to exceed \$84,795, and be it further

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to purchase a dump body and plow hitch in conformance per local bid specification from Viking-Cives, 2917 Judge Rd, Oakfield, NY 14125 in a total amount not to exceed \$36,488.

**Budget Impact:** Purchase of this equipment has been budgeted in the 2012 Road Machinery Fund.

Legislator Cianfrini seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 171    EQUIPMENT PURCHASE – HIGHWAY-10-WHEEL DUMP TRUCK – ROAD MACHINERY- APPROVAL OF**

Legislator Cianfrini offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent and Purchasing Department did receive bids for the purchase of a 10-Wheel Dump Truck cab and chassis and related body, snowplow, wing and spreader equipment and controls for use within the Road Machinery Fund, and

**WHEREAS**, The specification did allow for the use of these bids by other municipalities (piggybacking), and

**WHEREAS**, The Genesee County Highway Superintendent did review the bids for accuracy and recommends that multiple bids be awarded at this time, and

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



**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to purchase an International Workstar cab and chassis per local bid specification 2012-04 from Navistar, Inc. 399 Shaker Rd, Loudonville, NY 12211 in a total amount not to exceed \$115,675, and Be it further

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to purchase a dump body, one-way plow, wing, spreader and spreader controls in conformance per local bid specification 2012-05 from Viking-Cives, 2917 Judge Rd, Oakfield, NY 14125 in a total amount not to exceed \$76,301.

**Budget Impact:** Purchase of this equipment budgeted in the 2012 Asset Acquisition Fund at \$215,000.

Legislator Ferrando seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 172 APPOINTMENTS-FISH & WILDLIFE ADVISORY BOARD-APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The Genesee County Legislature wishes to confirm its appointments to the New York State Fish & Wildlife Management Board for members representing Genesee County as landowners and sportsmen. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does appoint Michael R. Woodward of Oakfield, New York as landowner representative through December 31, 2014, and Wayne Bailey of Bergen, New York as sportsman representative through December 31, 2013.

Legislator Stein seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 173 APPOINTMENT-GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC CENTER (“GCEDC”)- APPROVAL OF**

Legislator Cianfrini offered the following resolution:

**WHEREAS**, The Genesee County Industrial Development Agency (GCIDA) was created by an Act of the Legislature of the State of New York on May 8, 1970 by Chapter 565 of the laws of 1970 and set forth in section 895-e of the General Municipal Law of the State of New York, and

**WHEREAS**, The GCIDA was created by Resolution No. 177 of the Genesee County Legislature on September 23, 1970 to consist of 5 members “who shall serve at the pleasure of the Genesee County Legislature”, and

**WHEREAS**, The membership of the GCIDA was increased by Resolution No. 225 of the Genesee County Legislature on September 19, 1979 from 5 to 7 members with “said term of office expiring at the pleasure of the Genesee County Legislature.”, and

**WHEREAS**, Vacancies do exist on the 7 member board of the Genesee County Industrial Development Agency, d/b/a the Genesee County Economic Development Center (“GCEDC”), and

**WHEREAS**, The Committee on Ways and Means does recommend John L. Rizzo be appointed at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby appoint John L. Rizzo of LeRoy, New York to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center.

Legislator Ferrando seconded the resolution which was approved by 215 votes, Legislators Leadley (38) and Bausch (45) no, Legislator DeJaneiro (28) absent.

Prior to roll call on the above resolution Legislator Leadley noted her belief that a much broader look should be taken at what the County needs for economic development practices. She would like to see a Committee of the Whole to discuss this. Legislator Bausch stated he would be voting against the appointment because he believes the nominee is not the right person for the Board. Legislator Clattenburg asked why there were no terms connected with the appointments for this Board. Chair Hancock stated that by law, members of this Board serve at the pleasure of the Legislature. Appointees can be changed at any time. She has asked the County Attorney to look into possible terms. Legislator Stein stated she wished that there had been a Committee of the Whole to discuss strategies that the Board should put forward.

**RESOLUTION NO. 174 APPOINTMENT-GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC CENTER (“GCEDC”)- APPROVAL OF**

Legislator Leadley offered the following resolution:

**WHEREAS**, The Genesee County Industrial Development Agency (GCIDA) was created by an Act of the Legislature of the State of New York on May 8, 1970 by Chapter 565 of the laws of 1970 and set forth in section 895-e of the General Municipal Law of the State of New York, and

**WHEREAS**, The GCIDA was created by Resolution No. 177 of the Genesee County Legislature on September 23, 1970 to consist of 5 members “who shall serve at the pleasure of the Genesee County Legislature”, and

**WHEREAS**, The membership of the GCIDA was increased by Resolution No. 225 of the Genesee County Legislature on September 19, 1979 from 5 to 7 members with “said term of office expiring at the pleasure of the Genesee County Legislature.”, and

**WHEREAS**, Vacancies do exist on the 7 member board of the Genesee County Industrial Development Agency, d/b/a the Genesee County Economic Development Center (“GCEDC”), and

**WHEREAS**, The Committee on Ways and Means does recommend Mary Ann E. Waiter be appointed at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby appoint Mary Ann E. Waiter of Corfu, New York to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center.

Legislator Cianfrini seconded the resolution which was approved by 298 votes, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. COUNTY AUDIT – APRIL 25 - APPROVAL OF**

Legislator Bausch offered the following resolution:

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

General Fund – Includes 1 <sup>st</sup> Qtr Sales Tax Dist.	\$	6,850,954.76
Highway		52,318.85
Self Insurance		11,359.45
Water		553,107.68
Nursing Home		465,630.73
DSS Abstracts		242,852.72

**Payroll – General & Nursing Home**

April 20, 2012	1,727,237.13
<b>Medicaid</b>	
April 17, 2012	185,572.00
April 24, 2012	<u>185,572.00</u>
<b>Total Audit</b>	\$ 10,274,605.32

Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

**RESOLVED**, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Lawrence seconded the resolution which was adopted by 298 votes, Legislator DeJaneiro (28) absent.

Prior to roll call on the above resolution Legislator Leadley explained that Medicaid funding is taken directly from our account each week. There is no withholding on the payment. County Manager Gsell noted that the local Medicaid share is \$9.6 million. It has recently increased \$4500 per week. Legislator Lawrence noted that included in the Audit this week is a very large payout of sales tax to the municipalities.

There were thanks from those present for the opportunity to observe a Legislature Meeting. Legislator Cianfrini outlined the Committee system whereby agenda items are thoroughly discussed before they are placed on the Legislature Agenda. The Mayor thanked the Sheriff for the opportunity to continue contracting for additional services. Legislator Leadley thanked the Village for their hospitality.

The meeting was adjourned at 8:05 PM upon motion of Legislator Cianfrini seconded by Legislator Ferrando.