

**NINTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, May 9, 2012**

The Genesee County Legislature met in Regular Session on Wednesday, May 9, 2012 at 7PM in the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator DeJaneiro followed by the Pledge to the Flag. All members were present.

The minutes of the April 25, 2012 meeting were approved unanimously upon motion of Legislator Stein seconded by Legislator Lawrence.

Legislator DeJaneiro reported he attended the Peace Garden activities and they went very well. There was a good crowd at the Dinner and the Ground Breaking ceremonies. The weather was perfect. The volunteers did a great job. Legislator Bausch reported he attended the fourth GCC President Inauguration held over the weekend at the Batavia campus. The ceremonies and week long activities spoke very well for the College. There were a number of SUNY and Community College representatives from across the Stat in attendance. He reminded the Legislature that there will be a joint meeting of the Community College Board of Trustees and the Legislature on May 16, 2012. The College will present the 2012-2013 Budget at the Ways & Means Committee meeting preceding the Dinner. The meeting will be held at the College and the Budget presentation will take place at about 5:15PM.

The Legislature will be sponsoring a MAYDAY for Mandate Relief Information Gathering on Monday May 14, 2012 at 4PM at the Old Courthouse. This will be the opening chord of a symphony for actions needed from the State Legislature and Mandate Relief Committee. There will be several speakers including Chairs of the County Standing Committees noting how this impacts their areas of jurisdiction.

County Manager Gsell reported that the NYSAC Weekly Wire is now featuring a countdown to the end of the State Legislature Session. There are 2 months, and this may be shortened since it is an election year for members. Genesee County Veterans Service Officer Kreter has been named to the Wall of Fame for Veterans in Albany by State Senator Ranzenhofer.

Chair Hancock reported that the Career Center is listing 428 opening this week. That is up over 79 jobs from the last report. Genesee County unemployment is down .8% and remains the lowest in the GLOW region and 24th lowest in the state.

The Clerk proceeded with the reading of the resolutions:

**RESOLUTION NO. 176 SALARY SCHEDULE ADMENDMENT -GENESEE
COUNTY CLERK/DMV – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Clerk did request an amendment in the 2012 Employee Salary Schedule to better utilize the personnel in the Department of Motor Vehicle, and the order to effectively process dealer work, registrations, license renewals and have sufficient staff coverage, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Genesee County Employee's Salary Schedule by

increasing the hours of the existing Motor Vehicle Representative position Grade 8 from 19.5 to 37.5 hours weekly, effective May 14, 2012.

Budget Impact: Expense to be offset by additional DMV & County Clerk revenue.

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

RESOLUTION NO. 177 2012 SALARY SCHEDULE AMENDMENT-DSS/VETERANS-APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, the Genesee County Legislature desires to have a replacement train with the incumbent Director of Veterans Service Agency and participate in required training prior to Mr. Kreter's retirement, and

WHEREAS, the 2012 Management Salary Schedule requires a modification, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Management Salary Schedule by creating one position of Director of Veterans Service Agency trainee Grade 2, and deleting one position of Assistant Director of Veterans Service Agency, Grade 2 effective May 10, 2012.

Budget Impact Statement: none

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

RESOLUTION NO. 178 APPOINTMENT-DSS/VETERANS - APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, Hal Kreter will retire as Director of the Veterans Service Agency in August 2012, and

WHEREAS, the Genesee County Legislature desires to have a replacement train with the incumbent and participate in required training prior to Mr. Kreter's retirement, and

WHEREAS, The Interview Committee did select and interview highly qualified individuals for the of Director of the Veterans Service Agency trainee position and recommended two candidates to the Ways and Means Committee, and

WHEREAS, The Committee on Ways and Means does recommend that William Joyce be appointed to the position of Director of the Veterans Service Agency trainee. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint William Joyce as Director of the Veterans Service Agency trainee effective May 10, 2012 at an annual salary of \$33,700, and Be it further

RESOLVED, That the Genesee County Legislature requires that the Director of the Veterans Service Agency trainee be a Genesee County resident upon the date of employment and maintain residency in Genesee County throughout his employment with Genesee County.

Budget Impact Statement: Position budgeted in 2012 Department of Social Services.

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

RESOLUTION NO. 179 DISTRIBUTION OF MORTGAGE TAX-FIRST PAYMENT 2012-APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$276,484,99, and

WHEREAS, The Committee on Ways & Means did review the mortgage tax money

available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

City Of	Batavia	\$ 54,589.26	
Towns Of	Alabama	4,798.33	
	Alexander	9,023.16	
	Batavia	47,112.74	
	Bergen	11,347.26	
	Bethany	3,985.39	
	Byron	17,767.12	
	Darien	12,162.65	
	Elba	7,608.05	
	LeRoy	28,632.58	
	Oakfield	7,729.56	
	Pavilion	16,530.21	
	Pembroke	23,370.36	
	Stafford	15,056.18	
	Villages Of	Alexander	810.73
Attica		285.44	
Bergen		2,016.20	
Elba		1,003.48	
LeRoy		9,094.99	
Oakfield		2,050.65	
Corfu		1,510.65	
Total			\$276,484.99

Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax refund.

Budget Impact Statement:

2011 1 st Payment	\$274,955.43
2010 1 st Payment	\$225,648.79
2009 1 st Payment	\$216,081.50
2008 1 st Payment	\$315,724.32

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

RESOLUTION NO. 180 AWARD OF BID-IT/NH MEDICAL GRADE LAPTOP CARTS-APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Bid #2012-10 was developed to solicit vendors for the purchase of six medical grade laptop carts for the Genesee County Nursing Home, and

WHEREAS, The Purchasing Director and IT Director did review the two proposals received and do recommend awarding the contract to Hospital Mobility, Lafayette Hill PA,

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to have the Purchasing Director award the purchase of six Medical Grade Laptop Carts to Hospital Mobility LLC, 534 Evergreen Lane, Lafayette Hill, PA 19444 in an

amount not to exceed \$4,410.

Budget Impact Statement: There are sufficient funds for this purchase in A.1989.2008.0006 Computer / Network Replacement Asset Acquisition.

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

RESOLUTION NO. 181 BUDGET AMENDMENT – OFFICE FOR THE AGING/LIVABLE COMMUNITITES – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request an amendment to the 2012 County Budget due to co-sponsorship of the Livable Communities Forum taking place in May 2012, which has a registration fee to cover the cost of refreshments and supplies needed for this forum; and

WHEREAS, Attendance is anticipated at 150 people which results in \$1,800 additional revenue to offset food and supply costs; and

WHEREAS; the Committees on Human Services and Ways and Means did review this request and do recommend acceptance of these grants. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Revenues:

A. 1000.6772.1972 Chgs for Programs + \$1,800

Appropriations:

A.6772.4 Contractual + \$1,800

Budget Impact: Neutral. The \$1,800 in allocations is fully covered by the \$1,800 in anticipated revenue.

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

RESOLUTION NO. 182 OFFICE FOR THE AGING- ESTATE SECOND DISTRIBUTION- AUTHORIZATION

Legislator Leadley offered the following resolution:

WHEREAS, Genesee County Senior Center/Office for the Aging is a named beneficiary in the Last Will and Testament of Frank Spiotta and we have received notice of and have been asked to sign off on the second distribution from his estate, to receive a sum of \$4,800; and

WHEREAS, This sum represents the second distribution from the estate which has remaining property in it; and

WHEREAS, The Committee on Human Services does recommend signing off on receiving this second disbursement. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to sign the appropriate documents to state agreement with the disbursal of these estate funds according to the document provided outlining the Accounting of the Estate of Frank Spiotta.

Budget Impact: This second disbursement of \$4,800 will provide additional revenue for OFA programs and services in the 2012 county budget. Amendment to the 2012 budget will be made following receipt of the funds.

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

RESOLUTION NO. 183 2012 SALARY SCHEDULE AMENDMENT- OFA/DRIVERS - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Director of the Office for the Aging did request an amendment to the 2012 Salary Schedule to provide 5 day per week hot meal delivery for home delivered meal clients in Genesee County; and such increase requires the three paid drivers who cover the rural areas of the county to work on two additional days ; and

WHEREAS, the Committees on Human Service and Ways and Means did review the 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 Salary Schedule by increasing the hours of 3 part-time Driver positions, effective June 25, 2012, as follows:

One Part-Time Driver Position: 10.5 hours per week to 15 hours per week

Two Part-Time Driver Positions: 10.5 hours per week to 12.5 hours per week

Budget Impact: Neutral due to transferring \$ 2,455 in grant funds within the 2012 Office for the Aging budget to cover this cost.

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

Prior to roll call on the above resolution Legislator Ferrando noted that due to the hard work of the Director, the Meals on Wheels Program is back to five days a week and the contract award is going to a local agency.

RESOLUTION NO. 184 2012 BUDGET TRANSFER – OFFICE FOR THE AGING/DRIVER POSITIONS– APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a transfer of \$2,455 within the federal and state Congregate and Home Delivered Meal Program grant funds from the food service contract line to the salary and fringe lines to cover the cost of increasing hours for 3 Driver positions to enable Home Delivered meals to be delivered 5 days per week with hot meal delivery; and

WHEREAS; the Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer within the 2012 Budget as follows:

From: A.6772.4	Contractual	\$ 2,455
To: A.6772.1	Personnel Service	\$ 2,090
A.6772.8	Fringe	\$ 365

Budget Impact: Neutral. \$2,455 in the .4 Contractual to be transferred to .1 Personnel and .8 Fringe in equal amounts.

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

RESOLUTION NO. 185 AWARD OF CONTRACT – OFA/MEAL SERVICE PREPARATION - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present the contract award for the provision of Meal Preparation Services for Office for the Aging for the congregate and home delivered meal programs administered by the Office for the Aging at rates established through RFP 2012-104, and the Committee on Human Services 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 necessary documents to award a contact with Genesee County Chapter NYSARC Inc./Genesee ARC, 64 Walnut Street, Batavia, N.Y. 14020, at a cost of \$4.93 per meal for regular home delivered meals; \$5.17 per meal for congregate meals;

\$3.90 for home delivered sandwich meal; and \$5.17 for frozen home delivered meals; with a total contract not to exceed \$186,425 for the period of June 25, 2012 – June 24, 2013.

Budget Impact: Overall increase in the Food Service Contract of \$8,425. In 2012, there is sufficient revenue to cover all additional costs. With \$10,000 in carry-over funds in last years' grant designated for meal purchase, a like amount can be carried over into 2013 to cover the increase in this contract

Legislator Cianfrini seconded the resolution which was adopted by 298 votes, Legislator DeJaneiro (28) no.

Prior to roll call on the above resolution Legislator Lawrence noted the Congregate Mealsite numbers have been decreasing. She is hopeful that there will be Outreach efforts to bring back lost attendees. OFA Director Whitmore responded that she is working on a possible transportation piece which will assist in these efforts. Legislator DeJaneiro stated he will be abstaining from the vote on this matter because of a business relationship, however he is confident that this is an excellent arrangement for all concerned. County Manager Gsell noted that Paul Saskowski will be overseeing the Program with Chuck Gogle. It will be a significant change from the Cook/Chill Program and the pick-up and delivery from the Woodrow Road location and not OFA will greatly decrease liability concerns. Chair Hancock stated it is wonderful on so many levels and she is pleased to support the resolution.

RESOLUTION NO. 186 REAPPOINTMENT – MENTAL HEALTH/COMMUNITY SERVICES BOARD - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Committees on Human Service and Ways and Means do recommend reappointments to the Genesee County Mental Health Community Services Board be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby make the following reappointments to the Community Mental Health Services Board, effective immediately, with terms to expire as listed below:

<u>Name</u>	<u>Representing</u>	<u>Term Expires</u>
Dr. Joseph Langen 5 Franklin Avenue LeRoy, NY 14482	Clinical Psychologist	12/2015
Dorothy Wentland 10511 Asbury Road LeRoy, NY 14482	Executive Director/RN - Retired	12/2015
Mary Young-Murray 69 Wolcott Street LeRoy, NY 14482	LCSW – Private Practice	12/2015

Budget Impact Statement: None

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

RESOLUTION NO. 187 2012 AUTHORIZATION TO DECREASE PETTY CASH - MENTAL HEALTH SERVICES/CLIENT SERVICES ACCOUNT - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Resolution No. 89, duly adopted on April 11, 1989, did create a Petty Cash Fund for the Case Management Program in the Community Mental Health Services Department, and

WHEREAS, Said Resolution was amended on October 14, 1992, January 26, 1994, October 8, 1997, February 10, 2000, and August 10, 2000, February 21, 2002, March 14, 2007 to increase petty cash to the present amount of \$8,000.00, and

WHEREAS, The Community Services Director did request that the amount be decreased to \$5,000.00 due to the reduction in the number of case managers, and

WHEREAS, The Committee on Human Services and 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 decrease Petty Cash in the Genesee County Mental Health Department for Client Services Funds to the amount of Five Thousand Dollars (\$5,000.00) effective immediately.

Budget Impact Statement: Funded by 100% State Aid; funds are already approved.

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

RESOLUTION NO. 188 2012 BUDGET TRANSFER-MENTAL HEALTH /COMPUTER EQUIPMENT & BUILDING MAINTENANCE-APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request a Budget Transfer in the 2012 Mental Health budget to acquire Computer Hardware and Software and complete Building Maintenance, and

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

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

Increasing A4310.2022.0001	Micro Computers, by	\$ 9,000
Increasing A4310.4410.0075	Maintenance Miscellaneous by	\$ 6,000

AND,

Decreasing A4310.1010.0000	Personal Services by	\$ 15,000
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Budget Impact Statement: Gross Budget increased by \$15,000; No Increase to County cost.

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

RESOLUTION NO. 189 2012 SALARY SCHEDULE AMENDMENT - MENTAL HEALTH /CASE MANAGER I & FINANCIAL CLERK-TYPIST P.T. POSITIONS -APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2012 Employee Salary Schedule to eliminate (1) P.T. Mental Health Therapy Assistant, in CSEA-General, Grade 17 and create one (1) F.T. Case Manager I, in CSEA-General, Grade 14 and create (1) P.T. Financial Clerk-Typist, in CSEA-General, Grade 8 and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Employee Salary Schedule by eliminating (1) P.T. Mental Health Therapy Assistant, in CSEA-General, Grade 17 in the Employee Salary Schedule and creating one (1) F.T. Case Manager I, in CSEA-General, Grade 14 and create (1) P.T. Financial Clerk-Typist, in CSEA-General, Grade 8 effective May 10, 2012.

Budget Impact Statement: Reduction of previous cost savings by \$20,000.

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

**RESOLUTION NO. 190 CONTRACT – HEALTH DEPARTMENT/(CPSE)
MUNICIPALITY REPRESENTATIVE – APPROVAL
OF**

Legislator Leadley offered the following resolution:

WHEREAS, The Interim Public Health Director did present a contract for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) of the Genesee County School Districts, and

WHEREAS, The Committee on Human Services 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 execute a contract with Amber Kane, 36 Buffalo Street, Attica, New York 14011 at the rate of \$40.00 per hour plus mileage, at the current IRS rate, for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) in the 3-5 Preschool Special Education Program for the period May 10, 2012 through December 31, 2013.

Budget Impact Statement: Expenses for this service are included in the 2012 A 2960 3-5 Preschool Program budget and will be included in the 2013 proposed budget. Genesee County receives annual state aid reimbursement of \$75 per child for the administrative costs of the program.

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

Prior to roll call on the above resolution Legislator Stein made a motion to amend the starting date of the contract from July 1st to May 10, 2012 to allow shadowing time. This was seconded by Legislator Lawrence and approved unanimously. The vote was taken on the amended resolution.

**RESOLUTION NO. 191 GRANT ACCEPTANCE - HEALTH DEPARTMENT/
TOBACCO ENFORCEMENT PROGRAM -
APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Interim Public Health Director has received notification from the New York State Department of Health Bureau of Community Environmental Health and Food Protection that Genesee County's Tobacco Enforcement contract will be awarded in the total amount of \$30,873, and

WHEREAS, The Interim Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Tobacco Enforcement Program, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Tobacco Enforcement contract for the period April 1, 2012 through March 31, 2013 in the amount of \$30,873, and to execute any and all other

documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$29,815, has been appropriated in the 2012 Dept. 4010 – Health Department Program budget; the remaining balance will be built into the 2013 Dept 4010 – Health Department Program budget.

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

RESOLUTION NO. 192 TOBACCO ENFORCEMENT PROGRAM: PETTY CASH FUND - HEALTH DEPARTMENT - APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, Resolution No. 191 did authorize the Chair of the Genesee County Legislature with the New York State Department of Health for the acceptance of the Tobacco Enforcement contract for the period April 1, 2012 through March 31, 2013, in the amount of \$30,873, and

WHEREAS, The Interim Public Health Director did request an extension of the Health Department's petty cash fund through the remaining grant period, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to continue the Health Department Tobacco Enforcement Petty Cash Fund of \$600.00 effective immediately through March 31, 2013.

Budget Impact: All utilized funds are 100% reimbursed through Article VI State Aid General Public Health Work.

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

RESOLUTION NO. 193 GRANT ACCEPTANCE - HEALTH DEPARTMENT/ DRINKING WATER ENHANCEMENT PROGRAM - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Interim Public Health Director has received notification from the New York State Department of Health that Genesee County's Drinking Water Enhancement Program contract has been awarded in the amount of \$87,362, and

WHEREAS, The Interim Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Drinking Water Enhancement activities, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Drinking Water Enhancement Program contract for the period April 1, 2012 through March 31, 2013 in the amount of \$87,362, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$73,060, have been appropriated in the 2012 Dept. 4010 – Health Department budget; the remaining balance will be built into the 2013 Dept 4010 – Health Department budget.

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

RESOLUTION NO. 194 GRANT ACCEPTANCE/BUDGET AMENDMENT- YOUTH/YOUTH COURT-APPROVAL OF

Legislator Lawrence 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 \$1,500 from the NY State Bar Foundation to enhance Youth Court activities and

WHEREAS, The Executive Director of the Youth Bureau did request an amendment to the 2012 Youth Bureau Budget to accept said funding, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Genesee County Budget by increasing Revenue Account A.1000.7310.2070 – Private Agency in the amount of \$1,500 to be offset by an increase in Contractual Accounts as follows

A 7310 YCRT 4800 0000 Program Expense \$1,500

Budget Impact: The increased appropriations are accompanied by matching increased revenue due to the award of a grant. No net county cost.

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

RESOLUTION NO. 195 RENEWAL AGREEMENT -CRIME (EMPLOYEE DISHONESTY) INSURANCE COVERAGE - APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, Genesee County in 2011 sought proposals for Employee Dishonesty/Commercial Crime insurance and coverage was awarded to Tompkins Insurance Agencies and the RFP allows for four (4) additional one year terms, and

WHEREAS, The Genesee County Attorney does recommend the first one-year renewal and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature does hereby designate Tompkins Insurance Agencies, Inc., to provide insurance coverage for Commercial Crime (Employee Dishonesty) Insurance--Form O Dishonesty in the amount of \$150,000 with a \$5,000 deductible and Form B Forgery and Alteration in the amount of \$25,000 with a \$0 deductible for Genesee County and Genesee County Nursing Home effective June 1, 2012, through June 1, 2013, for an annual premium of \$3,943.00 with three (3) one (1) year renewals with negotiations of renewal premiums and rates consistent with changes in risk or exposure, and Be it further

RESOLVED, That the Genesee County Legislature does hereby approve this blanket undertaking as sufficient to meet the requirements of Section 11 of the Public Officers Law and Section 400 of the County Law requiring undertakings for officers and employees of the County of Genesee.

Budget Impact Statement: Premium increase of \$108.

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

RESOLUTION NO. 196 RENEWAL AGREEMENT- FUEL STORAGE TANK POLLUTION LIABILITY INSURANCE /AIRPORT/HIGHWAY/PARK - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County in 2011 sought proposals for storage tank pollution liability insurance for tanks located at the Highway, Airport and Parks departments and coverage was awarded to LawleyGenesee and the RFP allows for four additional one year terms, and

WHEREAS, The Genesee County Attorney does recommend the first one-year renewal and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby designate Lawley Genesee, LLC, 20 Jefferson Square, Batavia, NY to provide Storage Tank Pollution Liability in the amount of \$1 million with a \$25,000 deductible effective May 1, 2012 through May 1, 2013 for an annual premium of \$3,910 with three (3) one (1) year renewals with negotiations of renewal premiums and rates consistent with changes in risk or exposure.

Budget Impact Statement: Fuel Storage Tank Pollution Liability premium increase of \$645.

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

RESOLUTION NO. 197 RENEWAL AGREEMENT -AIRPORT/OWNERS AND OPERATORS LIABILITY INSURANCE – APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, Genesee County in 2009 sought proposals for airport liability insurance and coverage was awarded to Brown & Brown of NY, and

WHEREAS, Brown & Brown has presented a policy renewal at a premium of \$6,050 and the Genesee County Attorney does recommend the final one-year renewal and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a renewal agreement with Brown & Brown of NY, Inc., 45 East Avenue, Rochester, NY to provide Airport Premises (Owners and Operators) Liability insurance for the Genesee County Airport effective May 1, 2012 through May 1, 2013 at an annual premium of \$6,050.

Budget Impact Statement: No increase in premium from 2011.

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

RESOLUTION NO. 198 CONTRACT-MERCY FLIGHT, INC. - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Mercy Flight, Inc., is a community based, not-for-profit corporation offering regional air medical services, and

WHEREAS, Funds were incorporated into the 2012 Genesee County Budget in the amount of \$14,250 to support the continued provision of air medical transfer service on behalf of Genesee County, and

WHEREAS, The Genesee County Manager did present a contract outlining the terms and conditions of this funding and the Committee on Human Services 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 a contract between the County of Genesee and Mercy Flight, Inc., 100 Amherst Villa Road, Buffalo, NY for the provision of air medical transfer service in Genesee County for the period January 1, 2012 through December 31, 2012 for a contribution from Genesee County in the amount of \$14,250.

Budget Impact Statement:

2012 annual funding =	\$14,250
2011 annual funding =	\$14,250
2006-2010 annual funding =	\$15,000
1998 – 2005 annual funding =	\$10,000
1997 annual funding =	\$7,500
1996 annual funding =	\$5,000

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

Prior to roll call on the above resolution Legislator DeJaneiro commented this money goes for a very good cause and is worth saving but a single life.

RESOLUTION NO. 199 CONTRACT-GENESEE COUNTY AGRICULTURAL SOCIETY - APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Genesee County Manager did present a contract to provide funding towards the 2012 Genesee County Fair, and

WHEREAS, The Committee on Human Services did review the contract 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 execute a contract by and between the County of Genesee and the Genesee County Agricultural Society in the amount of \$6,214.00 to be used for 4-H Judging expense and 4-H Premiums associated with the 2012 Genesee County Fair.

Budget Impact Statement:

2012 = \$6,214 annual 4-H Premium funding
2011= \$6,541 annual 4-H Premium funding
2010 = \$7,695 annual 4-H Premium funding
2005 - 2009 = \$8,100 annual 4-H Premium funding
2002 = \$15,000 to Cooperative Ext to fund fair enhancements
2000 - 2001 = \$25,000 to Cooperative Ext to fund fair enhancements
1999 = \$25,000 additional funding for fair enhancements
1998 - 2004 = \$9,000 annual 4-H Premium funding
1995 - 1997 = \$8,500 annual 4-H Premium funding
1993 - 1994 = \$7,500 annual 4-H Premium funding
1992 = \$9,000 annual 4-H Premium funding
1989 - 1991 = \$10,000 annual 4-H Premium funding

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

RESOLUTION NO. 200 COUNTY AUDIT – MAY 9 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Cianfrini, did review the following claims:

General Fund	\$	549,316.30
Highway		181,676.12
Self Insurance		105.65
Nursing Home		138,641.44
DSS Abstracts		376,753.58

Capital Projects:

Sheriff VHF Narrow Banding	181,456.41
Facility Management-Energy Efficiency	1,200.00
Highway Bridge Projects	1,458.31
Highway Black St Rd Bridge	25,854.89
Highway Facility Sewer	8,834.97

Payroll – General & Nursing Home

May 4, 2012	1,205,168.56
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Medicaid

May 1, 2012	185,572.00
May 8, 2012	<u>185,572.00</u>

Total Audit	\$	3,041,610.23
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Now, therefore, Be it

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

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

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

Prior to roll call on the above resolution Legislator Cianfrini noted that whenever he does the Audit he learns new things, and is sometimes amazed at the expenditure of certain funds. Something raised his curiosity today which he will be looking into. He urged all Legislators to sign up for the Audit and take advantage of the opportunity to see how we are spending our funding.

At this time Legislator Cianfrini made a motion to invoke Rule 19 to consider the following resolution. This was seconded by Legislator Lawrence and approved unanimously.

RESOLUTION NO. 201 DECLARING MAY 14, 2012 TO BE “MAYDAY FOR MANDATE RELIEF” AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUBMITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR CUOMO AND THE STATE LEGISLATURE TO BE VOTED ON THIS SESSION

Legislator Lawrence offered the following resolution:

WHEREAS, the State of New York mandates (requires) the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs; and

WHEREAS, the New York State Association of Counties has identified just 9 state mandates that equal 90 percent of all county property taxes levied in 2010 (outside of New York City), consuming \$4 billion of \$4.4 billion in county property taxes levied. These mandates include: Medicaid, TANF/Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services; and

WHEREAS, these State imposed mandates continue to contribute to New York’s highest in the nation local tax burden for residents and businesses, severely damaging New York’s ability to attract, create and maintain good paying jobs, as well as contributing to population losses to other states; and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities. Now, therefore, Be it

RESOLVED, that Genesee County hereby declares May 14, 2012 to be “Mayday for Mandate Relief” to demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Genesee County; and Be it further

RESOLVED, that Genesee County hereby calls on the Mandate Relief Council take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature to be voted on by our State Representatives during the 2012 State Legislative Session; and Be it further

RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Michael Ranzenhofer, Assemblymen Steve Hawley and Dan Burling, New York State Association of Counties, InterCounty Association of Western New York, and Genesee Association of Municipalities.

Legislators Cianfrini, Bausch, Hancock, Stein, Leadley, Ferrando, Clattenburg and DeJaneiro seconded the resolution which was adopted by 326 votes.

Legislator Lawrence urged everyone to get the word about this event out to their constituents. The Youth Bureau will be sponsoring a sign-making activity at the Youth Center. Legislator Lawrence requested fellow Legislators pitch in to sponsor their dinner and some sign making materials. She urged everyone to get a sign in front of their home as people need to know what their local governments are trying to do.

The meeting was adjourned at 7:50PM upon motion of Legislator Stein seconded by Legislator Clattenburg.