

**NINTH DAY  
GENESEE COUNTY LEGISLATURE  
Wednesday May 8, 2013  
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, May 8, 2013 at 7PM in the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Leadley, followed by the Pledge to the Flag.

The minutes of the April 24, 2013 meeting were approved upon motion of Legislator Leadley seconded by Legislator Cianfrini.

Legislator DeJaneiro reported on the Board of Health meeting. A couple of highlights from that meeting were an intern who is a junior at St. John Fisher will be working as a Seasonal Public Health Technician. Mr. DeJaneiro also reported that there is going to be an anti-rabies immunization clinic at Centennial Park on June 1 from 10 AM to 2 PM.

Legislator Leadley reported that the recent Family Game Night was a very successful event. Everyone had a great time.

Legislator Lawrence reported that the Community Mental Health Board at their last meeting reported that everything is still moving towards regionalization of our care of mental health services in the county. Mental Health Director Reaves shared at that meeting that it is definitely moving towards a managed care model and most of the dollars are sitting within the Department of Health and it is not going to be like any other previous business model that Mental Health has had in New York State. It will be some sort of insurance environment. Regionalized services will be in two forms, carb-in where the state takes all regulatory responsibilities or the carb out where the state sends the rates for payment to the County. On another matter Mrs. Lawrence shared a letter written by Sheriff Maha which was sent to the CSX Roadmaster in regards to railroad closings within the County. There were various railroad closings in the southern area of the county with no notice to the Sheriff Department or the Highway Department. The Sheriff has contacted Monroe County to find out the permitting procedure for cases like this. This is the second time in three years that this has happened within this County. Mrs. Lawrence will be staying on top of this matter.

Chair Hancock reported that a resolution for Mayday for Mandate Relief will be passed that evening and that the signs promoting this are also out. Mrs. Hancock stated that this is an ongoing situation; it is a constant marathon and requires constant pressure. There was a modest acknowledgement of the burden of the counties in the State budget. The Governor indicated that he understands the burden on the Counties. The Comptroller is also aware of it.

Legislator Stein reported that Congressman Collins would be in the area to meet with the Ag Committee. He will be offering comments on the Farm Bill, and especially important to this county is the funding for water and sewer and that public infrastructure. This will be held at Lamb Farms.

The clerk then proceeded with the reading of the resolutions:

**RESOLUTION NO. 178 PARTICIPATION AGREEMENT –WESTERN  
NEW YORK CLINICAL INFORMATION  
EXCHANGE, INC. D/B/A HEALTHeLINK -  
APPROVAL OF**

Legislator Leadley offered the following resolution:

**WHEREAS**, The Public Health Director did present a participation agreement with Western New York Clinical Information Exchange, Inc. d/b/a HEALTHeLINK, and

**WHEREAS**, The Committees on Human Services 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 necessary documents to enter into a participation agreement with Western New York Clinical Information Exchange, Inc. d/b/a HEALTHeLINK, 2568 Walden Avenue, Suite 107, Buffalo, New York 14225, to allow for electronic transmission, storage and sharing of health information among participating providers of health care services.

**Budget Impact:** There is no direct cost associated with this agreement.

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

**RESOLUTION NO. 179 AFFILIATION AGREEMENT – HEALTH DEPARTMENT/STATE UNIVERSITY OF NEW YORK AT BROCKPORT - APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Public Health Director did present an affiliation agreement with the State University of New York at Brockport, and

**WHEREAS**, The Committees on Human Services 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 necessary documents to enter into an affiliation agreement with the State University of New York at Brockport, having its principal place of business located at State University Plaza, Albany, New York 12246, effective April 15, 2013.

**Budget Impact:** There is no direct cost associated with this agreement.

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

Prior to roll call on the above resolution Legislator Leadley commented that she feels this agreement and the resolution that was passed prior to this one are beneficial to the Health Department, students and the Colleges.

**RESOLUTION NO. 180 AFFILIATION AGREEMENT – HEALTH DEPARTMENT/ROBERTS WESLEYAN COLLEGE - APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, The Public Health Director did present an affiliation agreement with Roberts Wesleyan College, and

**WHEREAS**, The Committees on Human Services 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 necessary documents to enter into an affiliation agreement with Roberts Wesleyan College, 2301 Westside Drive, Rochester, New York, effective July 1, 2013.

**Budget Impact:** There is no direct cost associated with this agreement.

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

**RESOLUTION NO. 181 GRANT AMENDMENT - HEALTH**

**DEPARTMENT/PUBLIC HEALTH EMERGENCY  
PREPAREDNESS PROGRAM - APPROVAL OF**

Legislator Lawrence offered the following resolution:

**WHEREAS**, Resolution #324-12 did allow the Chair of the Genesee County Legislature to execute an Agreement with Health Research, Inc., 150 Broadway, Suite 560, Menands, New York 12204 for the acceptance of the Public Health Emergency Preparedness contract for the period July 1, 2012 through June 30, 2013 in the amount of \$53,500, and

**WHEREAS**, The Genesee County Public Health Director has received notification from the New York State Department of Health and Health Research, Inc. have requested an amendment to the agreement, and

**WHEREAS**, The Committees on Human Service and Ways & Means 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 amend the Agreement with Health Research, Inc., 150 Broadway, Suite 560, Menands, New York 12204 for the acceptance of the Public Health Emergency Preparedness contract for the period July 1, 2012 through June 30, 2017 in the amount of \$267,500, and to execute any and all other documentation related to this funding.

**Budget Impact:** Revenue and expenses, totaling \$53,500 have been appropriated in the 2013 Dept. 4010 – Health Department budget.

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

**RESOLUTION NO. 182 CONTRACT AMENDMENT – HEALTH  
DEPARTMENT/ MEDICAL  
CONSULTANT SERVICES –APPROVAL  
OF**

Legislator Leadley offered the following resolution:

**WHEREAS**, Resolution number 385-12 did authorize a contract renewal with Bruce E. Baker, M.D. for the provision of Medical Consultant services for the Genesee County Health Department at the all-inclusive rate of \$180.00 per week for the period January 1, 2013 through December 31, 2013, and

**WHEREAS**, Dr. Bruce Baker did request a modification to this contract at this time, and

**WHEREAS**, The Director of Public Health did present an amendment to the contract to reduce the all-inclusive rate to \$2,500/annually, paid monthly in the amount of \$208.34, and

**WHEREAS**, The Committee on Human Services did review the 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 amend the contract rate with Bruce E. Baker, M.D., 46 East Main Street, LeRoy, NY, for the provision of Medical Consultant services, effective May 1, 2013.

**Budget Impact Statement:** Annualized savings of \$6860/year. Expenses related to this contract are eligible for 100% reimbursement under Article 6 – State Aid for General Public Health Works

Legislator DeJaneiro seconded the resolution which was adopted by 326 votes. Prior to roll call on the above resolution Legislator Leadley noted that the change in the contract rate is due to Dr. Baker becoming the Orleans County Medical Director as part of the Shared Services Agreement the County has with Orleans County.

**RESOLUTION NO. 183 CONTRACT-GENESEE COUNTY  
AGRICULTURAL SOCIETY -  
APPROVAL OF**

Legislator Lawrence offered the following resolution:

**WHEREAS**, The Genesee County Manager did present a contract to provide funding towards the 2013 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 2013 Genesee County Fair.

**Budget Impact Statement:** 2013= \$6,214 annual 4-H Premium funding  
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 Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 184 CONTRACT - MERCY FLIGHT-APPROVAL  
OF**

Legislator Cianfrini 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 2013 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, 2013 through December 31, 2013 for a contribution from Genesee County in the amount of \$14,250.

**Budget Impact Statement:** 2013 annual funding = \$14,250  
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 Bausch seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 185 CONTRACT RENEWAL FOR PERSONAL EMERGENCY RESPONSE SYSTEM (PERS) SERVICES - DSS/OFFICE FOR THE AGING – APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS,** Resolution No. 184 adopted June 8, 2011 did authorize a contract for the provision of Personal Emergency Response System (PERS) services on behalf of eligible clients of the Department of Social Services and the Office for the Aging, and

**WHEREAS,** Resolution No. 55 adopted February 13, 2013 did approve the transfer assignment of the contract for PERS Services from Medical Answering Service, LLC to Security Unlimited under the same terms and conditions of the original contract, and

**WHEREAS,** Pursuant to Genesee County Request for Proposals #2011-102 it is the mutual desire of the Genesee County Commissioner of Social Services, the Director of the Genesee County Office for the Aging and Security Unlimited, M. Sauer Co., to renew said contract for the period of one additional year under the same terms and conditions, and

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

**RESOLVED,** That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with Security Unlimited, M. Sauer Co., 3106 Pinkney Road, Baltimore, MD 21215 for the provision of PERS services to the eligible clients of the Department of Social Services and the Office for the Aging for the period July 1, 2013 through June 30, 2014 at the rate of \$25 per installation for each unit, and an ongoing monthly charge of \$21.95 per unit.

**Budget Impact:** The cost of the PERS service is already contained in each department's budget for 2013 and will therefore result in no changes to the overall County budget. Approximately 100 clients of the two departments utilize PERS at an estimated cost of \$25,000 annually, substantially reimbursed through Medicaid and other funding streams.

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

**RESOLUTION NO. 186 CONTRACT RENEWAL – MDS CONSULTANTS – NURSING HOME – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS,** Resolution No. 221 did authorize a contract with MDS Consultant, LLC for the provision of professional consulting services and training on the MDS document through June 13, 2013 with the option to renew for one additional year upon mutual agreement, and

**WHEREAS,** The Administrator of the Nursing Home does recommend the contract be extended the additional one-year period through June 13, 2014 and the Committee on Human Services 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 with MDS Consultant, LLC for the provision of professional consulting services and training on the MDS document for the period of June 14, 2013 through June 13, 2014 at the annual cost of

\$143,000.

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

**RESOLUTION NO. 187 CONTRACT-LABORATORY SERVICES/NURSING HOME-APPROVAL OF**

Legislator Leadley offered the following resolution:

**WHEREAS**, The Genesee County Nursing Home requires a contract Laboratory Service to provide phlebotomy and analysis services for the medical staff of the Home, and

**WHEREAS**, the existing contract for such Laboratory Services has expired, and

**WHEREAS**, a Request for Proposal for such services was issued in March 2013, and

**WHEREAS**, three proposals were received and evaluated, the Nursing Home Administrator recommends that a contract be awarded to Quest Diagnostics Incorporated for Laboratory Services, be it therefore

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized to execute an Agreement between the County of Genesee and Quest Diagnostics Incorporated, 875 Greentree Road, Four Parkway Center, Pittsburgh, PA 15220-3610 for professional laboratory services at hourly prices specified in the RFP of April 16, 2013 for the period June 3, 2013 through June 2, 2014 with four additional one-year renewals following that.

**Budget Impact:** There will be a significant savings in laboratory services costs, which cannot be quantified at this time because total volume for the year is unknown. However, Quest Diagnostics quoted test prices that are substantially less expensive than those of the current vendor.

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

**RESOLUTION NO. 188 CONTRACT – CHAPLAINCY AND PASTORAL CARE SERVICES /NURSING HOME – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Administrator of the Genesee County Nursing Home does recommend that it is in the best interests of The Home to have Chaplaincy and Pastoral Care Services available to both residents and staff in dealing with end of life and medical care decisions, and

**WHEREAS**, The Committee on Human Services did review a proposed contract with Rev. Kenneth O. Comer,, to provide such services at a rate of \$35 per hour for 5 hours per week. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to contract with Rev. Kenneth Comer, 194 Wynnwood Avenue, Tonawanda, NY, for the provision of Chaplaincy and Pastoral Care Services for a one-year period of May 13, 2013 through May 12, 2014 with provisions for automatic one-year renewals, at the same terms and conditions, upon written mutual agreement of the parties.

**Budget Impact Statement:** The annual cost of this contract is \$9100. The 2013 budget impact will be \$5775 which will be offset by other changes in the medical services which are yet to be announced.

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

Prior to roll call on the above resolution Legislator Clattenburg stated that she would be voting no on this resolution. She asked what the process was for assigning a Chaplain at the Nursing Home. Mrs. Clattenburg stated that there are numerous clergy in this County

that would be willing to fulfill this spot. Nursing Home Administrator Schaller commented that Reverend Comer is currently the Chaplain at UMMC and that he knows many of the residents already that are at the Nursing Home.

**RESOLUTION NO. 189 CONTRACT RENEWAL –GENESEE COUNTY  
CHAPTER NYSARC INC/ OFA - APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, The Director of the Office for the Aging did present the renewal of contract 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 contract 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, 2013 – June 24, 2014.

**Budget Impact:** No change in cost from current contract; with the \$186,425 included in the 2013 County budget. Grant funds: Title III-C1, Title III C-2, SNAP and NSIP funds pay for 95% of the cost of this contract, with the county paying the remaining 5% of matching funds required by the federal Title III C nutrition program grants.

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

Prior to roll call on the above resolution Legislator Ferrando praised the Director of the Office of the Aging Whitmore and her staff have done a tremendous job bring this opportunity back to our seniors.

**RESOLUTION NO. 190 DISTRIBUTION OF MORTGAGE TAX-FIRST  
PAYMENT 2013-APPROVAL OF**

Legislator Bausch 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 \$303,549.03, 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:

<b>City Of</b>	Batavia	\$ 78,913.26
<b>Towns Of</b>	Alabama	7,170.32
	Alexander	13,710.62
	Batavia	37,025.18
	Bergen	14,235.09
	Bethany	9,277.36
	Byron	10,557.73
	Darien	22,408.42
	Elba	7,389.41
	LeRoy	21,410.57
	Oakfield	9,869.32

	Pavilion	13,651.98	
	Pembroke	29,494.73	
	Stafford	12,116.25	
<b>Villages Of</b>	Alexander	1,232.02	
	Attica	442.00	
	Bergen	2,467.24	
	Elba	971.11	
	LeRoy	6,710.69	
	Oakfield	2,594.69	
	Corfu	1,901.04	
<b>Total</b>			<b>\$303,549.03</b>

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:**

	2012 1 <sup>st</sup> Payment	\$276,484.73
	2011 1 <sup>st</sup> Payment	\$274,955.43
	2010 1 <sup>st</sup> Payment	\$225,648.79
	2009 1 <sup>st</sup> Payment	\$216,081.50
	2008 1 <sup>st</sup> Payment	\$315,724.32

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

**RESOLUTION NO. 191 SURPLUS PROPERTY-COMMUNITY MENTAL HEALTH SERVICES- DISPOSITION OF**

Legislator Lawrence offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services does request office furniture and equipment that are no longer needed for county business to be declared surplus property, 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 Legislature does hereby declares the following items as surplus property to be disposed of through auction and/or sold as scrap:

- Royal Typewriter 5020
- Panasonic KX-E700
- Panasonic Kx-E700
- Assorted Arm Chairs
- Triple Settee Chair
- 5 Drawer Legal File
- 4 Drawer Letter File
- 5-Desk Chairs
- Computer Desks/Carts
- Computer Caddys
- 2 Drawer File
- Estudio 3560 w/ copier/sorter
- HP 964C Ink Jet Printer
- Epson Dot Matrix LQ570 Printer
- HP 712C Desk Jet Printer
- Canon PC 710 Copier



Wood Dinning Room Chairs

**Budget Impact Statement:** No impact on County budget unless proceeds are received from an item that is sold at auction.

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

**RESOLUTION NO. 192 RENEWAL AGREEMENT– FUEL STORAGE TANK POLLUTION LIABILITY INSURANCE /AIRPORT/HIGHWAY/PARK – APPROVAL OF**

Legislator Cianfrini 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, 2013 through May 1, 2014 for an annual premium of \$3,875 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 decrease of \$35.

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

**RESOLUTION NO. 193 PROPERTY EASEMENT/NATIONAL FUEL GAS - APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, National Fuel Gas will be replacing a gas mainline on Tracy Avenue which will start at UMMC and then tie into a line that heads north onto County property and follows the property line westward finally reaching Tracy Ave, and

**WHEREAS**, National Fuel Gas has presented to the County a Permanent Easement Agreement for approval, and

**WHEREAS**, The Committee on Ways and Means and the County Attorney have reviewed this Permanent Easement and do recommend approval. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Easement Agreement between the County of Genesee and National Fuel Gas Distribution Corporation, Williamsville New York which grants a permanent easement to National Fuel Gas for the installation of a gas mainline on county property located on Bank Street, Batavia, New York.

**Budget Impact Statement:** No impact on County budget.

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

**RESOLUTION NO. 194 DECLARING “MAYDAY FOR MANDATE RELIEF”AND URGING THE STATE TO ADOPT LAWS THAT DO NOT IMPOSE FURTHER FISCAL STRESS ON LOCAL GOVERNMENTS AND TAXPAYERS AND BUILD UPON RECENT EFFORTS TO REFORM COSTLY UNFUNDED MANDATES**

Legislator Lawrence offered the following resolution:

**WHEREAS**, Counties are mandated to administer and finance dozens of state and federal programs; and

**WHEREAS**, Many counties in New York State face significant fiscal challenges made worse by the recent recession and slow economic recovery; and

**WHEREAS**, These county fiscal challenges are also directly tied to state-imposed mandates and in recent years reduced state reimbursement; and

**WHEREAS**, The New York State Association of Counties has identified 9 state mandates that consume 90 percent of all county property taxes levied across the state (outside of New York City), representing over \$4 billion in county property taxes levied. These mandates include: Medicaid, 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 mandated and fixed employee costs can consume more than 80 percent of a county's total budget, leaving fewer local dollars that can be devoted to local programs and services; 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. Now, therefore, Be it

**RESOLVED**, That Genesee County hereby declares the month of May to be "Mayday for Mandate Relief" to raise awareness that 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 strongly encourages the Governor and State Legislature to continue working to enact meaningful mandate relief; and Be it further

**RESOLVED**, That Genesee County calls on State Lawmakers to enact legislation preventing future unfunded mandates without corresponding state aid to pay for them and Be it further

**RESOLVED**, That Genesee County shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Michael Ranzenhofer, Assemblyman Steve Hawley, New York State Association of Counties, InterCounty Association of Western New York, and Genesee Association of Municipalities

Legislator Cianfrini, Bausch, Lawrence, Hancock, Stein, Leadley, Ferrando, Clattenburg and DeJanerio all seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 195    MEMORIALIZATION IN SUPPORT OF  
LEGISLATION RESTRICTING FALSE LIENS  
AGAINST PUBLIC OFFICERS AND PUBLIC  
EMPLOYEES**

Legislator Bausch offered the following resolution:

**WHEREAS**, A 2012 study by the National Association of Secretaries of State indicates a "dramatic rise" in bogus filings under the Uniform Commercial Code (UCC) in recent years mainly filed by the "sovereign citizens movement", and

**WHEREAS**, Recent court rulings have notes that phony filings by people in separatist groups or who believe they are not subject to government rules or control have ensnared public officials in all branches and at all levels of government by filing property liens or tax forms that have triggered unwarranted credit reviews and IRS scrutiny, and

**WHEREAS**, Opponents of such "paper terrorism" indicate that the Uniform Commercial Code provides a way for creditors to record an interest in a debtor's property through filing notice to debtor's future creditors, and

**WHEREAS**, the Uniform Commercial Code must accept each statement filed for recording and subsequently make it available for public viewing that later may be found

to be fraudulent resulting in a negative result on a persons credit statement and could be used as a tool to unjustifiably characterize a person as target of a false filing as a credit rish, and

**WHEREAS**, No person whether elected, or appointed properly acting in their roles as public servants should be subject to the personal financial and emotional stress caused by this conduct. Now, therefore, Be it

**RESOLVED**, That Genesee County shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Michael Ranzenhofer, Assemblyman Steve Hawley, New York State Association of Counties, InterCounty Association of Western New York, and Genesee Association of Municipalities.

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

Chair Hancock gave the Career Center Report. There are 299 job openings, which is a 43% decrease from the previous month. Genesee County's unemployment rate is at 8% which is the lowest in the GLOW Region.

**RESOLUTION NO. 196 COUNTY AUDIT – MAY 8, 2013- APPROVAL OF**

Legislator Bausch offered the following resolution:

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

2013 General Fund	\$	4,908,541.07
2013 Highway		122,459.03
2013 Self Insurance		80,392.79
2013 Nursing Home		72,414.33
DSS Abstracts		418,392.00
<b>2013 Capital Projects:</b>		
Treasurer – Financial System .Net		1,871.70
Highway – Hopkins Road Bridge		5,163.04
Highway – Griswold Road Bridge		27,528.07
Airport – Design Terminal & Maintenance Hangar		18,800.00
Airport – Construct Terminal Apron		16,187.35
<b>Payroll – General &amp; Nursing Home</b>		
May 3, 2013		1,208,396.39
<b>Medicaid</b>		
April 30, 2013		186,456.00
May 7, 2013		<u>186,456.00</u>
<b>Total Audit</b>	\$	<b>7,253,057.77</b>

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 Ferrando seconded the resolution which was adopted by 326 votes.

Prior to roll call on the above resolution Legislator Bausch commented that the Towns and Villages were getting their portion of the Sales Tax which was a huge part of this audit. The Pre-K program had some bills that were large amounts. Chair Hancock asked for the procedure on how the Pre-K program providers get reimbursed. County Manger Gsell explained how this process works and the problems with how it works. Chair

Hancock stated that the Board of Health should be more educated on how the providers are reimbursed.

The meeting was adjourned upon motion of Legislator Lawrence seconded by Legislator Stein at 7:55 PM.