

PRESENT: Chair Cianfrini, Legislators Bausch, Clattenburg and Stein. County Manager Gsell. Also Present: Legislator DeJaneiro, Leadley, Emergency Communications Director Sharpe, Legislature Clerk Pratt, Weights & Measures Director Luxon, Highway Superintendent Hens, Undersheriff Sheron, Genesee Justice and CAC representatives Ford and Bezon, Chief Deputy Dibble, Batavian Reporter Owen, County Clerk Read, Citizen Robert Kowalski.

Chair Cianfrini called the meeting to order at 4PM in the Legislature Conference Room of the Old Courthouse. The minutes of the January 14, 2013 meeting were approved upon motion of Legislator Bausch seconded by Legislator Clattenburg.

Weights and Measures Director Luxon gave his Department Update. He reported that stickers are now being made up by the Highway Department at 1/3 of the previous cost. He was able to increase his gas pump certification this year. New DEF dispensers are being installed at truck stops. He will need a new piece of equipment. He is not finding many violations at the pumps. Grade and quantity are up to standard. He was asked if he had a succession plan. Being a one man department he does not at this point although surrounding counties help each other when needed. He was asked about activity at the Reservation. It is a sovereign nation and not within his authority.

Highway Superintendent Hens recommended the award of a multi-vendor list for construction and maintenance materials. This is an annual award which is also used by the municipalities. Asphalt pricing is up 15% and stone products remain flat. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg.

Legislator Stein asked about CHIPS funding. It is the predominant funding for Highway at \$1.5 million. 10% of our bridge funding is from CHIPS. Legislator Stein asked how recent bridge restrictions are affecting market access for Ag producers. Mr. Hens reported that the Governor's office has responded by easing the restrictions. The cited conditions have not changed. Legislator DeJaneiro asked about the Lyons Street Bridge. This is now off the list of upcoming projects.

Mr. Hens recommended the award of two pavement marking bids, Seneca Pavement Markings for the application of waterborne and Accent Stripe for the application of epoxy pavement markings through May 2014 in an amount not to exceed \$135,000 for highway and \$15,000 for airport. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Clattenburg.

Bids have been received for a radio controlled trench compactor which will replace a 1974 walk behind. Recommendation is to award to Admar Supply Company not to exceed \$30,500 which was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Bausch. The new equipment does have safety features to prevent accidents.

The Highway Superintendent is recommending awarding bids:

- 4 Ford Trucks from VanBortel Ford to be paid from the Road Machinery Fund
- Mack Truck from Tenco Industries,

Body Plow Wing and Sander from Tenco Industires,  
International Truck from Navistar, and

Viking Body from Viking Cives to be paid from the Asset Requisition Fund.

All purchases are below budget. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg.

Mr. Hens requested a budget amendment to the Internal Service Fund to allow for the purchase of a vehicle to be leased by Soil & Water in the amount of \$25,000. Chair Cianfrini asked if the County was entering the leasing business. County Manager Gsell noted this was a singular circumstance and S&W would be providing their own insurance. The County Attorney assisted with the leasing agreement. Legislator Stein noted that S&W and the County also share an employee which is also a unique circumstance. This was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg.

Motor Pool vehicles were recommended for purchase from State Bid and also from Local Bid. 6 vehicles will be from State Bid at a cost of \$152,183.52 and 7 from Vision Group for a total of \$147,302. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Bausch. The hands free cell phone feature is a safety bonus. Several vehicles feature the Echo boost feature which will increase gas mileage.

Mr. Hens recommended a Water Supply Agreement with the Town of Alexander for the establishment of a new water district along Rte 98 between the Town of Batavia and the Village of Alexander. This provides for wholesale water supply to the district under terms similar to other towns including the \$.60 surcharge. It is in agreement with the Smart Growth Plan. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg. Mr. Hens is exploring the possibility of another agreement which must be approved by the County, an Operation and Maintenance Agreement between the Towns of Alexander and Batavia which will come later.

Emergency Management Coordinator Yaeger requested permission to apply for a \$40-\$50,000 Technical Rescue and Urban Search and Rescue grant to update and replace current equipment. The county's tech rescue team responds to incidents here as well in neighboring counties when needed. This was approved upon motion of Legislator Stein seconded by Legislator Clattenburg.

Mr. Yaeger recommended approval of a budget amendment to allow for Haz Mat grant carryover in the amount of \$145. This was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein.

Mr. Yaeger requested approval of a salary schedule amendment to restore that salary of the Deputy Coordinator to \$33,238 retroactive to January 2013. This was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Stein.

Undersheriff Sheron requested approval of a third contract for a forensic interviewer for the Justice for Children Advocacy Center with Tracy Cass of Rochester, NY through September 2013 at a cost of \$45 per hour. The additional gap would cover gaps for scheduling. The Committee discussed the contracts and the varying pricing. It was explained that one contractor was paid a higher rate because of her expertise and experience. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg.

A budget amendment to help with Alternative to Incarceration programs of \$2250 from their Deferred Revenue account for Americorps Volunteer funding was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Clattenburg.

A budget amendment within the Sheriff's accounts for four active grants, three Homeland Security grants, BUNY grant, and money remaining from the Village of Oakfield additional patrol contract in a total amount of \$93,147 to be carried over to the 2013 budget was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Clattenburg.

Emergency Communications Director Sharpe reported on the P-25 Coverage Study and a request for proposals for the study, cost estimate and radio vendor specification review for the new Public Service Radio System. It will be the recommendation to contract for this project with Pericle Communications Company in a cost not to exceed \$16,020. This was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda.

Undersheriff Sheron recommended renewing the contract with Justice Benefits for the provision of professional assistance with revenue enhancement services through March 2014. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Stein. Genesee County's cost for services is 15% of funds recovered, and Jail revenue is increased accordingly.

Mr. Sheron reported that discussions are in progress about a change in location for the Justice for Children Program. The current location on Bank Street is rented for \$1200 per month. The Program has outgrown the facility and the goal of buying or renovating a space is about 5 years off. The 1st Presbyterian Church of Batavia has offered a space in a building directly next door to the church at no cost. The space will need some updating which can be accomplished with donated funds and labor. It will be available for 3-5 years and Program will be responsible to pay for utilities. It was the consensus of the Committee to have discussion continue and bring back the final plan for approval.

Mr. Sheron presented a rental agreement for the CAC location on Bank Street to continue through June 2013 at the current price. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg.

Mr. Sheron requested approval of the award of bid for law enforcement vehicles for a total purchase price of \$111,480 which includes trade-in allowance of \$18,300 with

Delacy Ford. \$125,000 was appropriated for purchase and equipping vehicles. It will be within budget. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Clattenburg. Delivery is expected in May.

County Manager Gsell requested a salary schedule amendment in accordance with New York State Judicial Salary increase which mandates an increase in full time District Attorney's salaries to be at least as high as the County Court Judge. This would increase Mr. Friedman's annual salary from \$140,300 to \$146,400 effective April 1, 2013. This is year two of a three year program. The understanding at this time is that the State budget will contain funding to cover the difference. This was approved for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Clattenburg.

A reappointment for the New York State Fish and Wildlife Management Board of a landowner representative, Michael Woodward of Oakfield, through 2014 was referred to Ways & Means with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Bausch seconded by Legislator Clattenburg.

A memorialization calling for the repeal of the SAFE Act of 2013 was presented by Chair Cianfrini. Legislators have been contacted by many citizens who are against this legislation and are requesting that Genesee County support them in their efforts. Several counties have or are in the process of doing this and the State Associations of County Clerks and Sheriffs have gone on record opposing this. NYSAC and InterCounty Association of Western New York have also passed resolutions in opposition. Robert Kowalsky of Pembroke was at the meeting and stated his concerns and noted that he is mounting a petition drive. A resolution challenging the process, issues, legality and scope of the SAFE Act was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Clattenburg. County Clerk Read noted that his office has been swamped with gun owner requests for an opt out form which would preclude the release of their pistol permit information under Freedom of Information requests. Over 350 were filed just today. In addition, there has been an increase in requests for applications. The forms have already been reprinted 3 times. 65 were processed in January. Amendments are up 500%. He expressed concern about the possible release of confidential records for the opt out and noted the County Clerk's Association is working hard on a solution.

The meeting was adjourned upon motion of Legislator Bausch seconded by Legislator Clattenburg.

---

Ray Cianfrini, Chair  
Public Service Committee  
Submitted 3/13 cpp