

**RESOLUTION NO. BUDGET AMENDMENT/CONTRACT -PUBLIC
DEFENDER/INDIGENT LEGAL SERVICES-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Defender does recommend the contract between the Genesee County Public Defenders Office and the New York State Office of Indigent Legal Services (C000218) for the provision of one-quarter cost of an Assistant Public Defender plus benefits, appellate representation, client transportation, twelve (12) months of data service for six (6) i-Pads, and a one time purchase of three (3) i-Pads with data chip, three (3) Kensington portfolios and four (4) MS Office 2010 Licenses be approved for the period June 1, 2012 – May 31, 2015 and

WHEREAS, The Genesee County Public Defender is requesting a 2012 budget amendment to accept this grant and allow for the use of \$1,500 of the grant money to contract with Genesee County Mental Health Services for transportation services for Public Defender clients, \$48,090.52 of the grant money to provide appellate services, \$2,769.48 of the grant money for twelve (12) months of data services for six (6) i-Pads, and \$3,340 of the grant money to purchase three (3) i-Pads with data chip, three (3) Kensington Padfolios, and four (4) MS Office 2010 Licenses and

WHEREAS, The Committees on Public Service and Ways and Means did review the contract 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 execute the new contract with the New York State Office of Indigent Legal Services for the period June 1, 2012 through May 31, 2015 at no cost to the County and to amend the 2012 budget by increasing Public Defender appropriations A1170.4660.0000, Contracted – Other, by \$49,590.52, A1170.4290.0035, Cell Phone/Air Card, by \$2,769.48, A1170.2024.0001, Software, by \$940.00, and A1170.2026.0035, Computer Accessories, by \$2,400.00, to be offset with revenue from A1170.3025.0002, ILS Grant (2012-15).

Budget Impact Statement: Increase in Public Defenders 2012 appropriations of \$55,700.00 for increase in funds by additional Indigent Legal Services grant money received by the county

**RESOLUTION NO. ADOPTION OF STOP-DWI PLAN FOR 2013 –
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The STOP-DWI Coordinator did present a plan for 2013 for the continuance of efforts to reduce the number of drinking drivers in our community through education, enforcement and rehabilitation, and

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

RESOLVED, That the Genesee County Legislature does hereby approve the STOP-DWI Plan for 2013, as presented, in the amount of \$215,000, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute all necessary documents for the implementation of the 2013 Genesee County STOP-DWI Plan.

Budget Impact: No impact on County Budget. All revenues are generated by DWI fines and there is not contribution from the County's general fund.

**RESOLUTION NO. AWARD OF CONTRACT – FACILITIES
MANAGEMENT/GARBAGE/REFUSE REMOVAL –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Assistant County Manager and Purchasing Director did receive bids for garbage and refuse removal from various county facilities, and

WHEREAS, After a review of the bids received, it is recommended that the contract be awarded to the lowest bidder meeting specifications, and

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 enter into a two year contract with Waste Management of New York, LLC for the removal of garbage and refuse from various county facilities for the period January 1, 2013 through December 31, 2014.

Budget Impact: The Facilities Management Department, Highway Department, Airport, County Parks and Nursing Home budget for this contract in their operating budgets.

RESOLUTION

**CONTRACT AMENDMENT – FACILITIES
MANAGEMENT/UNIFIED COURT SYSTEM –
APPROVAL OF**

Legislator Lawrence offered the following resolution

WHEREAS, 2008 Resolution No. 428 authorized Genesee County to enter into an agreement with the New York State Unified Court System for the Court Facilities incentive Aid Program for the period April 1, 2008 through March 31, 2013, and

WHEREAS, This Aid Program allows for the State reimbursement for Genesee County expenses associated with the cleaning and minor repairs of court facilities, and

WHEREAS, The New York State Unified Court System has presented the Genesee County Manager with a revised Appendix B Court Cleaning and Minor Repairs Proposed Budget Form for April 1, 2012 through March 31, 2013, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature Chairperson is hereby authorized and directed to execute the Contract Amendment letter which amends the County's agreement with the New York State Unified Court System for expense reimbursement to include Appendix B, Unified Court System Cleaning and Minor Repairs Proposed Budget Form, for the period April 1, 2012 through March 31, 2013.

Budget Impact Statement: Proposed maximum State reimbursement of \$131,030.00 has been budgeted as a revenue in the 2012 and 2013 Facilities Management budget.

**RESOLUTION NO. BUDGET TRANSFER-SHERIFF/FUEL - APPROVAL
OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, There is not enough funds in the Sheriff's vehicle fuel line item to cover projected expenses through the end of 2012, and there are funds available in the Sheriff's personal services and overtime accounts, and the Sheriff is requesting a transfer within his accounts, and

WHEREAS, The Committees on Public Service 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 make the following budget transfers:

\$5,000 from A3110.1010.0000 (Personal Services); \$5,000 from A3110.1020.0000 (Overtime); \$5,000 from A3110.1020.0250 (Overtime-Drug); \$5,000 from A3110.1020.0400 (Overtime-Court), totaling \$20,000 to be transferred to A3110.4310.0000 (Vehicle Fuel).

Budget Impact: No impact. Transfer of \$20,000 from Sheriff's .1 line items to a .4 line item.

**RESOLUTION NO. LEASE RENEWAL – SHERIFF’S OFFICE / NEW
CINGULAR WIRELESS PCS (AT&T) – APPROVAL
OF**

Legislator Ferrando offered the following resolution:

WHEREAS, Genesee County entered into a lease agreement with New Cingular Wireless PCS / AT&T for space on the county’s telecommunications tower located at 153 Cedar Street, Batavia NY, 14020, pursuant to Resolution No. 418, dated November 22, 2010, and

WHEREAS, New Cingular Wireless PCS desires to renew the contract for an additional five (5) years commencing December 1, 2012, at the cost of \$1,200.00 per month for the first year with a 3% increase for each of the subsequent years of the contract, and

WHEREAS, After discussion between the Genesee County Sheriff and County Attorney, it is recommended the County approve a lease renewal with New Cingular Wireless PCS, 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 renew the contract with New Cingular Wireless PCS located at 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004, for its lease of space on the Genesee County telecommunications tower located at 153 Cedar Street, Batavia, NY, for a period beginning December 1, 2012, and ending November 30, 2017.

BUDGET IMPACT: This renewal increase reflects an increase in Communications Budget revenue in the amount of \$92.61 for fiscal year 2012.

**RESOLUTION NO. BUDGET TRANSFER-EMERGENCY
MANAGEMENT SERVICES/BENEFITS-APPROVAL
OF**

Legislator Leadley offered the following resolution:

WHEREAS, The Director of Emergency Management Services has requested a transfer of funds within the EMS 2012 budget to cover a deficit which exists in the Emergency Management Services Fringe Benefit accounts as a result of restructuring and a change in personnel within the department, and

WHEREAS, Sufficient funds are available in various Emergency Management Services Contractual Accounts to cover this shortage of the Fringe Benefit Accounts, and

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

RESOVLED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2012 budget transfers:

\$1,269.00 from A.3640-4240-0000, EMS Contractual-Facility Gas
\$1,500.00 from A3640-4410-0000, EMS Contractual-Equipment Maintenance/Repair

\$330.00 to A3640 8040 0000, EMS Fringe Benefits-Dental
\$96.00 to A3640 8070 0000, EMS Fringe Benefits – Vision
\$2,343.00 to A3640 8030 0001, EMS Fringe Benefits-Medical Buyback

Budget Impact: Transfer of existing funds; no impact on 2012 budget.

**RESOLUTION NO. GRANT ACCEPTANCE / BUDGET ADMENDMENT
- EMERGENCY MANAGEMENT SERVICES -
HAZARDOUS MATERIALS EMERGENCY
PREPAREDNESS PLANNING (HMEP) GRANT-
YEAR 19 – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the Hazardous Materials Emergency Preparedness (HMEP) Grant-Year 19 award in the amount of \$4,730.00 from the New York State Emergency Management Office (SEMO), and

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Emergency Management Office (SEMO), 1220 Washington Avenue, Building 22, Suite 101, Albany, NY for the acceptance of Hazardous Materials Emergency Preparedness (HMEP) Grant: Year Nineteen (Oct 1, 2011-Sept. 30, 2012) and to execute any and all other documentation related to this funding, and Be it further

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

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

A3640.4290.0600 (Internet) in the amount of \$ 838.00

A3640.4800.0501 (HazMat Ep Grant) in the amount of \$2,992.00

To be offset by an increase in Emergency Management Services Revenue account A1000.3640.4305.1 in the amount of \$4,730.00

Budget Impact Statement: Increase in the Emergency Management Service's appropriations to be offset by EMS Revenue Account, HazMat Ep Grant in like amount.

**RESOLUTION NO. INTERMUNICIPAL AGREEMENT FOR REAL
PROPERTY TAX EXEMPTION – VILLAGE OF
OAKFIELD – APPROVAL OF –**

Legislator Bausch offered the following resolution:

WHEREAS, Real Property Tax Law, Section 406(3), allows for real property owned by a municipal corporation not within its corporate limits and used as a water plant, pumping station, water treatment plant, water shed or reservoir, including necessary connections and appurtenances to be wholly or partially exempt from taxation by any municipal corporation in which located, provided the governing board thereof shall so agree in writing, and

WHEREAS, The Village of Oakfield is the owner of a 1.3 acre parcel of land situate outside the Village boundaries in the Town of Oakfield, further described as tax map number 10.-1-69 as acquired in a deed , purchased to construct a new water tower to be used as part of the Village of Oakfield water distribution system, and

WHEREAS, The Village of Oakfield has requested that Genesee County grant a real property tax exemption on this parcel and the Committee on Ways and Means does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby agree to wholly exempt from County real property taxes tax map parcel 10.-1-69 in the Town of Oakfield, owned by the Village of Oakfield, for so long as the aforementioned water tower is being designed, constructed, and used as part of the Village of Oakfield water distribution system, effective with the 2013 Town of Oakfield Assessment Roll.

Budget Impact: No Reduction to County.

**RESOLUTION NO. CONTRACT APPROVAL FOR PREPARATION OF
TAX BILLS – APPLIED BUSINESS SYSTEMS, INC.
– APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, Genesee County does contract for the preparation of tax bill laser printing and inserting into window envelopes, and

WHEREAS, The Director of Real Property has received a one year contract, with the stipulation to extend the following year, and does recommend approval for said services, and

WHEREAS, The Committee on Ways & Means did review this contract and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to enter in a contract with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020, for the processing of tax bills for all municipalities located in Genesee County at a cost of \$0.147 per tax bill for the period September 1, 2012 through August 31, 2013.

Budget Impact: Approximate yearly expense of \$8,000. New contract is \$0.0044 less per tax bill printed from old contract.

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RESOLUTION NO. PARK – SPECIAL EVENT – GMR MARKETING

Legislator Cianfrini offered the following resolution:

WHEREAS, The Park Supervisor-Forester has been contacted by a national marketing and entertainment company to host a film crew shooting movie footage at the County Park on September 27-28, 2012, and

WHEREAS, This activity is covered under the Special Events policy for the County Park System, and

WHEREAS, GMR Marketing has completed an application, submitted the appropriate insurance documentation and fees, and

WHEREAS, The Park Supervisor-Forester and County Highway Superintendent have reviewed this request and do recommend approval of the event at this time, and

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

RESOLVED, That the Genesee County Legislature does hereby approve the special event request by GMR Marketing for the purpose of filming within the County Park from September 27-28th 2012.

Budget Impact: The special event fee is \$100.

**RESOLUTION NO. BUDGET AMENDMENT/HIGHWAY- COUNTY
ROAD FUND –APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did incur additional expenses for road maintenance, and

WHEREAS, The budgeted line item within the Road and Bridge Maintenance Division of the County Road Fund did not have enough funds to cover these expenses, and

WHEREAS, The County Highway Superintendent recommended making interfund transfers within the various divisions of the County Road Fund to cover these expenses, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 County Road Fund by making the following transfers within the fund:

From Line Item	Amount Transferred	To Line Item
D3310.4700.1003	10,000	D5110.4800.1007
D3310.4700.1004	\$1,500	D5110.4800.1007
D5020.4700.1003	\$1,000	D5110.4800.1007
D5142.4800.1005	\$26,630	D5110.4800.1007
D5142.4420.0000	\$17,500	D5110.4800.1007
D5110.4800.1005	\$9,016	D5110.4800.1007
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	\$65,646	

Budget Impact: The additional expenses and transfers are wholly contained within the County Road Fund.

**RESOLUTION NO. CLOSE CAPITAL PROJECT – BRIDGE 1322
BLACK STREET RD – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent inadvertently created a duplicate capital project for the federal aid bridge replacement for Black Street Rd under Resolution #177-2011, and

WHEREAS, The County Superintendent of Highways recommends closing the capital project Bridge 1322 Black Street Rd, and

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

RESOLVED, That the County Treasurer is hereby authorized and directed to close the capital project for Bridge 1322, Black Street Rd in the amount of \$75,000 and return the \$15,000 in local funding to the Building and Equipment Reserve..

Budget Impact: The project is being closed and local match of \$15,000 is being returned to the Building and Equipment Reserve.

**RESOLUTION NO. APPOINTMENTS-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 appointments be made at this time. Now, therefore, Be it

RESOLVED, That the following are hereby appointed to the Genesee County Airport Advisory Committee to serve terms effective September 1, 2012 thru September 30, 2015

<u>Member</u>	<u>Representing</u>
Bob Miller	Business Tenant and Pilot
Pete Zeliff	Tenant and Pilot

**RESOLUTION NO. BID DELIVERY OF BULK OIL PRODUCTS –
HIGHWAY – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, Genesee County requires a contract for the delivery of bulk oil products at Genesee County Highway Department, and

WHEREAS, Genesee County has bid for the delivery of bulk oil, and

WHEREAS, The Committee on Public Service has reviewed this recommendation and does concur at this time, and

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby contract for the delivery of bulk oil products with Superior Lubricants Co. Inc., 32 Ward Rd, North Tonawanda, NY 14120 for the period of November 1, 2012 through October 31, 2013, and be it further

RESOLVED, That the Genesee County Legislature does hereby contract for the delivery of synthetic transmission oil to Wm. Phillips A. & Son, Inc. Petrol, East Bethany for the period of November 1, 2012 through October 31, 2013.

Budget Impact Statement: Road Machinery Fund includes a budgeted expense for oil products.

**RESOLUTION NO. 2012 SALARY SCHEDULE AMENDMENT –
NURSING HOME/BUSINESS OFFICE MANAGER –
APPROVAL OF**

Legislator DeJaneiro offered the following resolution

WHEREAS, The Administrator of the Genesee County did request an amendment to the 2012 Salary Schedule to provide a more efficient operation of the Business Office of the Nursing Home, and

WHEREAS, The Management Salary Review Committee did meet to review the Management Position questionnaire, and did recommend placement of the position of Business Office Manager at Grade 5 of the Management Salary Schedule for Supervisory/Support Personnel, and

WHEREAS, The Committee on 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 Genesee County Employee Salary Schedule by creating a Business Office Manager position at Grade 5, Step 3 (or, middle rate) of the Management Salary Schedule, and deleting a Principal Medical Billing Clerk, FT position, 37.5 hrs/wk at Grade 14, Step 5 of the CSEA General Salary Schedule, effective immediately.

Budget Impact: \$10,000 additional salary; offset by deleting one PT Medical Biller position at a salary of \$14,662/annual

**RESOLUTION NO. SALARY SCHEDULE AMENDMENT
-NURSING HOME/PART TIME CONTROLLER-
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, Resolution No. 258 adopted July 11, 2012, did authorize a contract with Christine Kuehl to continue to work on a part-time basis to oversee the completion of an audit, a cost report and a budget for a temporary time period until a replacement is appointed on a full time basis, at a rate of \$31.30/hr through October 1, 2012, and

WHEREAS, A full time replacement has not yet been appointed, and the Administrator of the Nursing Home wishes to extend the part-time Controller's contract for an additional month, ending on November 1, 2012, and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2012 Management Salary Schedule by extending the part-time Controller's contract at a rate of \$31.30/hr. until November 1, 2012.

**RESOLUTION NO. INTERMUNICIPAL AGREEMENT-
HEALTH/SHARED PUBLIC HEALTH DIRECTOR-
APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, Both Genesee and Orleans County are committed to providing essential public health services to their County residents, and

WHEREAS, Current unprecedented fiscal pressures being faced by the counties and the mutual desire to work collaboratively towards fiscal responsibility balanced with effective public health service delivery, Genesee and Orleans County pose to conduct a pilot project focused on sharing a Public Health Director and a Deputy Public Health Director between the two counties, and

WHEREAS, This pilot project will be studied over a two year duration ending December 31, 2014 and will evaluate the effectiveness of the project along with identifying the feasibility of future sharing of services and personnel within the Health Departments. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature, Genesee County Board of Health, Orleans County Board of Health and the Orleans County Legislature are fully supportive of the pilot project as outlined in the proposal to share a Public Health Director and Deputy Public Health Director between Genesee and Orleans County, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the Orleans County Legislature, Orleans Board of Health and the Genesee County Board of Health for the provision of providing a Shared Public Health Director.

**RESOLUTION NO. SETTING A PUBLIC HEARING ON
INTRODUCTORY LOCAL LAW NO. FOUR YEAR
2012 - APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law entitled: **“A LOCAL LAW IN RELATION TO THE GENESEE COUNTY MUTAL SELF INSURANCE PLAN-APPROVAL OF**

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a Public Hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the Proposed Local Law Introductory No. Four, Year 2012 on Wednesday, October 10, 2012, at 7:00 p.m. at the Genesee County Courthouse, Batavia, New York

