

TWENTIETH DAY
GENESEE COUNTY LEGISLATURE
Monday November 25, 2013
Batavia, New York

The Genesee County Legislature met in Regular Session on Monday, November 25, 2013 at 7PM at the Old Courthouse, 7 Main Street, Batavia. Prayer was offered by Legislator DeJaneiro, followed by the Pledge to the Flag.

The November 13, 2013 minutes were approved upon motion of Legislator Bausch seconded by Legislator Stein.

In addition to the regular meeting Chair Hancock opened a Public Hearing on the submission of an application for Community Development Block Grant (“CDBG”) funding from the New York State Office of Community Renewal (“OCR”) to assist the implementation of a project to expand the operations of Yancey’s Fancy, Inc. at the Buffalo East Technology Park South in the Town of Pembroke. All interested parties will be heard.

Legislator DeJaneiro recently attended the GAM meeting held in the Village of Oakfield. There was a very informative presentation from Lawley Genesee on Workers Compensation. Mr. DeJaneiro also attended the Solid Waste Meeting held in Caledonia. Mr. Daniel Pangrazio, the Town Supervisor for Caledonia was appointed the Chair of that committee. At that meeting they discussed the Hazardous Household Waste Collection that was held in Genesee County. There were a total of 479 appointments with 315 of those appointments from Genesee County residents.

Legislator Cianfrini attended the E911 Board Meeting. They discussed the recent concern over the new county communications system not being compatible with scanners owned by the public and media. There is a new system on the market that will be compatible with the new county system for purchase.

Legislator Stein reported the NYSAC Blue Ribbon Panel on Farming Task Force recently released a report on the agricultural activities that happen across the state. Genesee County has a full page spread of activities. Kudos to the County’s involvement in using the core resources the County has here. Also at the recent InterCounty meeting, the NYSAC Representative that attended that meeting stated that 11 counties in New York are amortizing their retirement funds in their 2014 budgets. This is up 2 more counties from the previous year. Legislator Stein stated that the stress is not off.

Legislator Clattenburg recently attended the Parks Advisory Board Meeting. There has been an increase in participation overall with the educational programs that occur through the park at the Interpretive Center. The ACORNS recently had a successful 5K at the park. They were able to raise a substantial portion of money. A portion will go towards an outside classroom that will be around the Interpretive Center. The recent government shutdown had an effect on the bathroom facilities that were scheduled to happen at DeWitt Park. That project has been delayed until the spring of 2014.

Legislator Stein reported that she was delighted to be aware of the recent sale of the Armory in the City of Batavia to a successful company from Monroe County who has watched how Batavia has reinvested in itself and they are growing again. We are watching that investment come in to this County and that property will be put back on the tax rolls.

Chair Hancock reported that there was a Committee of the Whole to receive the initial report from the firm hired to further improvements of the quality of care at the Nursing Home. The next step will be to seek partners in the region to help deal with the Nursing Home issue to deal with the various developments at the State level in terms of cooperation and collaboration in sharing services. The Legislature will be forming committees to pursue this. This is no surprise to the Legislature because of every State of the County address that Chair Hancock has given over the last 10 years the Nursing Home was mentioned and the County has always moved forward and a great deal has been done, however now the County is moving forward in a deliberate fashion to continue that quality of care is stable in the community in a cost effective way.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 420 AMENDMENTS TO THE 2014 TENTATIVE BUDGET
- APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The 2014 Tentative Budget was reviewed by the Legislature and certain amendments to the Tentative Budget were recommended. Now, therefore Be it **RESOLVED**, That the Genesee County Legislature does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2014 Budget:

INCREASE GENERAL FUND REVENUES

A1000.1110.1	Sales Tax 1%	\$ 94,050
A1000.9999	Balancing-Appropriated	\$ 53,924
A4010.3401	St. Aid – Public Health	\$ 1,400
A5610.1776.1	Fuel Sales	\$ 1,034
A6010.3610	St. Aid – Social Services	\$ 3,601
A6010.4610	Federal Aid – Social Services	\$ 3,046
A6010.4615	FFFS-Flexible Fund/Family	\$ 21
A6010.3619	St. Aid- Child Care	\$ 310
A6109.3609	St. Aid – Family Assist	\$ 10
A8090.1270	Shared Svcs – Environmental Control	\$ 791

DECREASE GENERAL FUND REVENUES

A1000.1001	Real Property Taxes	\$ 232,386
A4059.3449	St. Aid, Early Intervention	\$ 11,400
A4310.3490	St. Aid, Mental Health	\$ 22,760
A6070.4670	Federal Aid- Service for Recipients	\$ 246
A6070.3670	State Aid – Service for Recipients	\$ 425
A6109.4615	FFFS- Flexible Fund/Family	\$ 21
A6119.3619	State Aid – Child Care	\$ 307

INCREASE GENERAL FUND APPROPRIATIONS

A1010.8030.0001	Legislative Board, Medical Buyback	\$ 2,500
A1040.1010.0000	Clerk of Leg Brd., Personal Services	\$ 538
A1040.8010.0000	Clerk of Leg Brd., Fringe Benefits Social Security	\$ 33
A1040.8011.0000	Clerk of Leg Brd., Fringe Benefits Medicare Tax	\$ 8
A1040.8020.0000	Clerk of Leg Brd., Fringe Benefits, Retirement	\$ 109
A1165.1010.0000	District Attorney, Personal Services	\$ 4,132
A1165.8010.0000	District Attorney, Fringe Benefits, Social Security	\$ 256

A1165.8011.0000	District Attorney, Fringe Benefits, Medicare Tax	\$	60
A1165.8020.0000	District Attorney, Fringe Benefits, Retirement	\$	839
A1170.1010.0000	Public Defender, Personal Services	\$	4,328
A1170.8010.0000	Public Defender, Fringe Benefits, Social Security	\$	268
A1170.8011.0000	Public Defender, Fringe Benefits, Medicare Tax	\$	63
A1170.8020.0000	Public Defender, Fringe Benefits, Retirement	\$	849
A1185.4650.0000	Medical Examiner, Contracted Medical	\$	35,000
A1230.1010.0000	County Manager, Personal Services	\$	3,002
A1230.8010.0000	County Manager, Fringe Benefits, Social Security	\$	186
A1230.8011.0000	County Manager, Fringe Benefits, Medicare Tax	\$	44
A1230.8020.0000	County Manager, Fringe Benefits, Retirement	\$	609
A1325.1010.0000	Treasurer, Personal Services	\$	4,167
A1325.8010.0000	Treasurer, Fringe Benefits, Social Security	\$	258
A1325.8011.0000	Treasurer, Fringe Benefits, Medicare Tax	\$	60
A1325.8020.0000	Treasurer, Fringe Benefits, Retirement	\$	846
A1410.1010.0000	County Clerk, Personal Services	\$	1,634
A1410.8010.0000	County Clerk, Fringe Benefits, Social Security	\$	101
A1410.8011.0000	County Clerk, Fringe Benefits, Medicare Tax	\$	24
A1410.8020.0000	County Clerk, Fringe Benefits, Retirement	\$	453
A1420.1010.0000	County Attorney, Personal Services	\$	2,233
A1420.8010.0000	County Attorney, Fringe Benefits, Social Security	\$	139
A1420.8011.0000	County Attorney, Fringe Benefits, Medicare Tax	\$	33
A1420.8020.0000	County Attorney, Fringe Benefits, Retirement	\$	456
A1435.4660.0000	Collective Bargaining, Contracted Other	\$	18,000
A1450.1010.0000	Elections, Personal Services	\$	3,247
A1450.8010.0000	Elections, Fringe Benefits, Social Security	\$	201
A1450.8011.0000	Elections, Fringe Benefits, Medicare Tax	\$	47
A1450.8020.0000	Elections, Fringe Benefits, Retirement	\$	508
A1620.1010.0000	Facilities Management, Personal Services	\$	1,007
A1620.8010.0000	Facilities Management, Social Security	\$	62
A1620.8011.0000	Facilities Management, Fringe Benefits, Medicare	\$	15
A1620.8020.0000	Facilities Management, Fringe Benefits, Retirement	\$	204
A1680.1010.0000	Information Tech., Personal Services	\$	5,387
A1680.4600.0000	Information Tech, Contracted Svcs-Fiber Pole	\$	94,050
A1680.8010.0000	Information Tech., Fringe Benefits, Social Security	\$	334
A1680.8011.0000	Information Tech., Fringe Benefits, Medicare Tax	\$	78
A1680.8020.0000	Information Tech, Fringe Benefits, Retirement	\$	1,094
A3110.1010.0000	Sheriff, Personal Services	\$	7,362
A3110.8010.0000	Sheriff, Fringe Benefits, Social Security	\$	457
A3110.8011.0000	Sheriff, Fringe Benefits, Medicare Tax	\$	107
A3110.8020.0000	Sheriff, Fringe Benefits, Retirement	\$	1,837
A3140.1020.0000	Probation, Overtime Salaries	\$	9,291
A3150.1010.0000	Jail, Personal Services	\$	1,506
A3150.8010.0000	Jail, Fringe Benefits, Social Security	\$	93
A3150.8011.0000	Jail, Fringe Benefits, Medicare Tax	\$	22
A3150.8020.0000	Jail, Fringe Benefits, Retirement	\$	553

A3151.1010.0000	Genesee Justice, Personal Services	\$	1,491
A3151.8010.0000	Genesee Justice, Fringe Benefits, Social Security	\$	92
A3151.8011.0000	Genesee Justice, Fringe Benefits, Medicare Tax	\$	22
A3151.8020.0000	Genesee Justice, Fringe Benefits, Retirement	\$	164
A3640.1010.0000	EMS, Personal Services	\$	2,071
A3640.4800.0503	EMS, Program Exp-Homeland Security	\$	17,163
A3640.8010.0000	EMS, Fringe Benefits, Social Security	\$	128
A3640.8011.0000	EMS, Fringe Benefits, Medicare Tax	\$	30
A3640.8020.0000	EMS, Fringe Benefits, Retirement	\$	354
A4010.1010.0000	Public Health, Personal Services	\$	4,009
A4010.8010.0000	Public Health, Fringe Benefits, Social Security	\$	248
A4010.8011.0000	Public Health, Fringe Benefits, Medicare Tax	\$	58
A4010.8020.0000	Public Health, Fringe Benefits, Retirement	\$	739
A5610.1010.0000	Airport, Personal Services	\$	808
A5610.8010.0000	Airport, Fringe Benefits, Social Security	\$	50
A5610.8011.0000	Airport, Fringe Benefits, Medicare Tax	\$	12
A5610.8020.0000	Airport, Fringe Benefits, Retirement	\$	164
A6010.1010.0000	Social Services, Personal Services	\$	9,174
A6010.8010.0000	Social Services, Fringe Benefits, Social Security	\$	569
A6010.8011.0000	Social Services, Fringe Benefits, Medicare Tax	\$	133
A6010.8020.0000	Social Services, Fringe Benefits, Retirement	\$	1,862
A6610.1010.0000	Weights & Measures, Personal Services	\$	600
A6610.8010.0000	Weights & Measures, Fringe Benefits, Social Security	\$	37
A6610.8011.0000	Weights & Measures, Fringe Benefits, Medicare	\$	9
A6610.8020.0000	Weights & Measures, Fringe Benefits, Retirement	\$	122
A6772.1010.0000	OFA, Personal Services	\$	1,950
A6772.8010.0000	OFA, Fringe Benefits, Social Security	\$	122
A6772.8011.0000	OFA, Fringe Benefits, Medicare	\$	28
A6772.8020.0000	OFA, Fringe Benefits, Retirement	\$	396
A7110.1010.0000	County Park, Personal Services	\$	1,122
A7110.8010.0000	County Park, Fringe Benefits, Social Security	\$	70
A7110.8011.0000	County Park, Fringe Benefits, Medicare	\$	16
A7110.8020.0000	County Park, Fringe Benefits, Retirement	\$	228
A7510.1010.0000	History, Personal Services	\$	1,032
A7510.8010.0000	History, Fringe Benefits, Social Security	\$	64
A7510.8011.0000	History, Fringe Benefits, Medicare	\$	15
A7510.8020.0000	History, Fringe Benefits, Retirement	\$	209
A8090.1010.0000	Environmental Control, Personal Services	\$	618
A8090.8010.0000	Environmental Control, Fringe Benefits, Soc Sec	\$	38
A8090.8011.0000	Environmental Control, Fringe Benefits, Medicare	\$	9
A8090.8020.0000	Environmental Control, Fringe Benefits, Retirement	\$	126
A9070.4660.0000	Employee Assistance, Contracted Other	\$	240
DECREASE GENERAL FUND APPROPRIATIONS			
A1010.8020.0000	Legislative Board, Fringe Benefits, Retirement	\$	839
A1010.8030.0000	Legislative Board, Fringe Benefits, Medical	\$	32,691
A1010.8070.0000	Legislative Board, Fringe Benefits, Vision	\$	48

A1989.2060.0000	Asset Acquisition, Vehicles	\$ 25,000
A1990.4800.0000	Contingency, Program Expense	\$ 132,000
A2490.4800.0000	Community College, Program Exp	\$ 25,000
A3150.1020.0000	Jail, Overtime Salaries	\$ 10,000
A3640.4660.0000	EMS, Contracted Other	\$ 17,163
A4310.1010.0000	Mental Health, Personal Services	\$ 31,712
A4310.8010.0000	Mental Health, Fringe Benefits, Social Security	\$ 1,966
A4310.8011.0000	Mental Health, Fringe Benefits, Medicare Tax	\$ 460
A4310.8020.0000	Mental Health, Fringe Benefits, Retirement	\$ 6,342
A4310.8030.0000	Mental Health, Fringe Benefits, Medical	\$ 4,458
A4310.8040.0000	Mental Health, Fringe Benefits, Dental	\$ 330
A4310.8070.0000	Mental Health, Fringe Benefits, Vision	\$ 72
A4059.4660.0316	Early Intervention, Cont. St. NYS Fiscal	\$ 30,000
A9902.9000.0000	Transfer to County Road, Transfer	\$ 46,359
DECREASE COUNTY ROAD FUND REVENUE		
D5010.5031	Interfund Transfer	\$ 46,359
INCREASE COUNTY ROAD APPROPRIATIONS		
D5010.1010.0000	County Road, Personal Services	\$ 1,697
D5010.8010.0000	County Road, Fringe Benefit, Social Security	\$ 104
D5010.8111.0000	County Road, Fringe Benefit, Medicare Tax	\$ 25
D5010.8020.0000	County Road, Fringe Benefit, Retirement	\$ 345
D5110.1010.0000	County Road, Personal Services	\$ 1,149
D5110.8010.0000	County Road, Fringe Benefit, Social Security	\$ 71
D5110.8011.0000	County Road, Fringe Benefit, Medicare Tax	\$ 17
D5110.8020.0000	County Road, Fringe Benefit, Retirement	\$ 233
DECREASE COUNTY ROAD APPROPRIATIONS		
D5110.4420.0000	County Road Fund, Equipment Rental	\$ 9,950
D5110.4700.1002	County Road Fund, Pavement Marking	\$ 15,000
D5110.4800.1001	County Road Fund, Oil & Stone	\$ 10,000
D5110.4800.1007	County Road Fund, T&L Paving	\$ 10,000
D5110.4800.1010	County Road Fund, Bridge Materials	\$ 5,050
INCREASE ROAD MACHINERY FUND REVENUE		
DM5130.2226	Sales/Supp Other Gov	\$ 1,216
INCREASE ROAD MACHINERY APPROPRIATIONS		
DM5130.1010.0000	Road Machinery, Personal Services	\$ 950
DM5130.8010.0000	Road Machinery, Fringe Benefits, Social Security	\$ 59
DM5130.8011.0000	Road Machinery, Fringe Benefits, Medicare Tax	\$ 14
DM5130.8020.0000	Road Machinery, Fringe Benefits, Retirement	\$ 193
INCREASE NURSING HOME APPROPRIATIONS		
E6011.6031.1000.1010.0000	Nursing Svcs, DON, Personal Svcs	\$ 1,068
E6011.6031.1000.8010.0000	Nursing Svcs, DON, Social Security	\$ 66
E6011.6031.1000.8011.0000	Nursing Svcs, DON, Medicare Tax	\$ 15
E6011.6033.1000.1010.0000	Nursing Svcs, ADON, Personal Svcs	\$ 906
E6011.6033.1000.8010.0000	Nursing Svcs, ADON, Social Security	\$ 56
E6011.6033.1000.8011.0000	Nursing Svcs, ADON, Medicare Tax	\$ 13
E6011.6032.1000.1010.0000	Nursing Svcs, Supervisor, Personal Svcs	\$ 2,270

E6011.6032.1000.8010.0000	Nursing Svcs, Supervisor, Social Security	\$	141
E6011.6032.1000.8011.0000	Nursing Svcs, Supervisor, Medicare Tax	\$	33
E6011.6034.1000.1010.0000	Nursing Svcs, QAC, Personal Svcs	\$	558
E6011.6034.1000.8010.0000	Nursing Svcs, QAC, Social Security	\$	35
E6011.6034.1000.8011.0000	Nursing Svcs, QAC, Medicare Tax	\$	8
E6011.6048.1000.1010.0000	Nursing Svcs, Adm-Clerical, Personal Svcs	\$	362
E6011.6048.1000.8010.0000	Nursing Svcs, Adm-Clerical, Social Security	\$	22
E6011.6048.1000.8011.0000	Nursing Svcs, Adm-Clerical, Medicare Tax	\$	5
E6011.0000.1000.330.0000	Nursing Svcs, RN Agency Fees	\$	8,014
DECREASE NURSING HOME APPROPRIATIONS			
E8350.8353.1000.1010.0000	Administration, Admin Clerical, Personal Svcs	\$	11,427
E8350.8353.1000.8010.0000	Administration, Admin Clerical, Social Security	\$	708
E8350.8353.1000.8011.0000	Administration, Admin Clerical, Medicare Tax	\$	166
E8460.0000.1000.1900.0000	Employee Benefits, Retirement	\$	1,271

Budget Impact Statement: General Fund net appropriation and revenue changes = -\$232,386

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

RESOLUTION NO. 421 2014 GENESEE COUNTY BUDGET - ADOPTION OF

Legislator Leadley offered the following resolution:

WHEREAS, A public hearing was held on the Tentative Budget for the year 2014 on Thursday, November 7, 2013, at which time all interested persons were heard, and

WHEREAS, Amendments to the 2014 Tentative Budget have been presented and duly adopted by Resolution No. 420 on November 25, 2013, and

WHEREAS, The Committee on Ways and Means does recommend adoption at this time.

Now, therefore, Be it

RESOLVED, That the 2014 Tentative Budget presented by the Budget Officer, as amended, be and hereby is adopted as the Budget for the County of Genesee for 2014 with a total amount to be raised by property tax of \$27,058,696 and a tax rate equivalent to \$10.04.

Budget Impact Statement: 2014 property tax levy represents an increase of \$708,312 over 2013's.

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

Prior to roll call on the above resolution Legislator Cianfrini stated this has been his sixth budget. He feels this not the best budget that they could have come up with and he wishes that the Legislature could have done better. He is disappointed that the rate is where it is but he does know that there were a lot of considerations put into this budget considering where the County Manager submitted his original budget. He will support this budget only because they made the best of a bad situation.

Legislator Stein commented that when it is stated that the state has already spent the County's budget, that this budget demonstrates that. This is a real and serious and she thinks that is worth repeating time and again.

Legislator Bausch stated that even though the tax rate has gone up 15 cents it could have gone up more, but that thankfully the sales tax revenue has been extremely strong over the past year. If it hadn't been this rate would be much higher. This is why he encourages to shop in Genesee County.

Legislator Clattenburg stated that she cannot adopt a budget with a tax increase over 2.7%. She would have favored to use more fund balance to bring the rate down lower. She will be voting no on this budget.

Chair Hancock stated even though a tax cap override was done, the County did not go over the tax cap. Thanks to all of the work of this Legislature, County Manager, County Treasurer, and all the Administrators of the departments to hold the line.

RESOLUTION NO. 422 MAKING APPROPRIATIONS FOR THE CONDUCT OF COUNTY GOVERNMENT FOR FISCAL YEAR 2014

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Legislature adopted a Budget for fiscal year 2014 by Resolution No. 421 dated November 25, 2013. Now, therefore, Be it

RESOLVED, That the adopted amounts in the 2014 Budget be and hereby are appropriated for the objects and purposes specified, effective January 1, 2014, and Be it further

RESOLVED, That the sum of \$27,058,696 is hereby levied against the taxable property in the county and the Director of Real Property Tax Services is hereby authorized and directed to apportion and spread the said sum against the properties within the county which are subject to taxation.

Budget Impact Statement: 2014 property tax levy represents a tax levy increase of \$708,312 over 2013's.

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

RESOLUTION NO. 423 SCHEDULE A – 2014 EMPLOYEE SALARY SCHEDULE – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, It is necessary to establish a schedule for payment of wages in 2014 for positions covered in negotiated agreements and for other positions not included in the Genesee County Schedule B Management Salary Schedule, and

WHEREAS, The Committee on Ways and Means did review the schedule as presented by the County Manager and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resource Director be and hereby are authorized and directed to implement payroll certifications, effective January 1, 2014 based upon the recommended Genesee County Employee Salary Schedule.

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

RESOLUTION NO. 424 SCHEDULE "B" 2014 MANAGEMENT SALARY SCHEDULE - ADOPTION OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Committee on Ways and Means did review the Management Salary Schedule "B" for 2014 and does recommend adoption at this time. Now, therefore, Be it **RESOLVED**, That the County Supervisory and Non-Union Salary Schedule for 2014 be and hereby is adopted, and Be it further

RESOLVED, That the Genesee County Treasurer and Human Resource Director be and hereby are authorized and directed to implement payroll certifications and payments based on the titles and salaries contained in Schedule "B" 2014 Management Salary Schedule, effective January 1, 2014.

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

RESOLUTION NO. 425 CONTRACT RENEWAL – FACILITIES MANAGEMENT/ELEVATOR MAINTENANCE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee does contract with Thyssenkrupp Elevator Corp. for the maintenance and repair of elevators located at various county facilities, and

WHEREAS, Said contract does provide for three additional one year renewal options, and

WHEREAS, The Assistant County Manager does recommend the contract be renewed for the first of the one year periods 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 one year renewal with Thyssenkrupp Elevator Corp. for the maintenance and repair of elevators located at various county facilities for the period January 1, 2014 through December 31, 2014 at a cost not to exceed \$12,031.00.

Budget Impact: Facilities Management budgets for this contract in its operating budget.

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

**RESOLUTION NO. 426 CERTIFICATE OF INSURANCE- GLOW REGION
SOLID MANAGEMENT COMMITTEE/BATAVIA
BUSINESS IMPROVEMENT DISTRICT TASTE OF
THE HOLIDAYS -- APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in Batavia Business Improvement District Taste of the Holidays event for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Committee on Public Service does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in Taste of the Holidays to be held in Batavia, NY on December 7, 2013.

Budget Impact: There is no cost to participate in this event

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

**RESOLUTION NO. 427 SALARY SCHEDULE AMENDMENT -
EMERGENCY MANAGEMENT SERVICES/
DEPUTY FIRE COORDINATOR -- APPROVAL OF**

Legislator Leadley offered the following resolution

WHEREAS, The Coordinator of Emergency Management Services did request the creation of a management position of Deputy Fire Coordinator who will be responsible specifically for HazMat/Operational readiness, and

WHEREAS, Homeland Security Grant funds have been identified to secure personnel to confirm that HazMat-WMD equipment is operational and in a state of readiness, and

WHEREAS, The said position shall be established at 10 hours per week at the rate of \$14.00 per hour and Homeland Security grant funded, and

WHEREAS, The Committees on Public Service and Ways & Means Committees do concur with the Emergency Management Services Coordinator's recommendation. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized to amend the 2014 Salary Schedule by creating a part-time management position

of Deputy Fire Coordinator at a salary of \$7,280 effective January 1, 2014, and Be it further

RESOLVED, That this position is contingent upon grant funding and will be eliminated when grant funding is no longer available.

Budget Impact Statement: The 2014 has included \$7,836.92 to cover the cost of salary and benefits for the part-time Deputy Fire Coordinator. Cost of part-time Deputy Fire Coordinator is to be funded by Homeland Security grant funds.

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

**RESOLUTION NO. 428 GRANT ACCEPTANCE –PARK- ZBGA -
APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Parks Supervisor, Paul Osborn, has received notification from the NYS Office of Parks and Historic Preservation that Genesee County's application for the New York State Zoos, Botanical Gardens and Aquariums Program (ZBGA) Grant has been awarded in the amount of \$20,000 a year for the next three years totaling \$60,000, and

WHEREAS, The Parks Supervisor has requested that the County accept this funding which stipulates that this revenue will be used to provide funding for the Environmental Education Program at the Interpretive Center, 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 Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the NYS Office of Parks and Historic Preservation for the acceptance of the ZBGA Grant for the period of April 1, 2013 thru March 30, 2016 in the amount of \$60,000, and to execute any and all other documentation related to this funding.

Budget Impact: To offset expenses, \$20,000 in 2014, 2015 and 2016 Park /Interpretive Center Budget (3891.INTC) for ZBGA.

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

**RESOLUTION NO. 429 2013 BUDGET AMENDMENT – COUNTY PARKS/
BATAVIA AREA JAYCEES DONATION –
APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Genesee County Park Supervisor do request an amendment to the 2013 Genesee County Budget to allow the acceptance of \$200.00 from the Batavia Area Jaycees, and

WHEREAS, The budget increase will allow the Parks Supervisor to use the funding to purchase supplies for maintenance items for the DeWitt Recreation Area Pavilion#1 (Jaycees) and the Genesee County Park and Forest Touch and See Trail, 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 Genesee County Treasurer is hereby authorized and directed to amend the 2013 Genesee County Budget by increasing Appropriation A7110 4270.000 Facility Maintenance/ Repair in the amount of \$200.00 to be offset by an increase in Revenue A7110 1289 General Department Income, in a like amount.

Budget Impact: Increase to 2013 budget expense in amount of \$200 .00- offset by revenue in like amount. Cost to County \$0.

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

RESOLUTION NO. 430 SURPLUS EQUIPMENT-HIGHWAY-INTERNAL SERVICE FUND - APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it, **RESOLVED**, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction.

Internal Service Fund (Motor Pool)

MP #2116 – 2003 Ford F250 PU 4x4 with snow equipment

MP #1181 – 2007 Ford Crown Vic.

Budget Impact: Revenue for Internal Service Fund

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

RESOLUTION NO. 431 GRANT ACCEPTANCE – AIRCRAFT TIE-DOWN APRON RELOCATION (AIP 29-13), T-HANGAR TAXIWAY APRON DEVELOPMENT DESIGN PHASE III (AIP 30-13) AND TERMINAL BUILDING DESIGN (AIP 31-13) – APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, Genesee County has been offered supplemental grants from the New York State Department of Transportation to match an existing Airport Improvement Program (AIP) grant by the Federal Aviation Administration for the Aircraft Tie-Down Apron Relocation, design of the T-Hangar Taxiway and Apron (Phase III) and the Terminal Building (Design) at the Genesee County Airport, and

WHEREAS, The County Superintendent of Highways has reviewed this grant agreement and recommends accepting the grant to authorize funding of the state portion of the existing grants, and

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve the grant offer as prepared by the New York State Department of Transportation

Budget Impact: The supplemental grant offer provides \$54,100 for the construction of the Aircraft Tie-Down Apron Relocation and \$3,500 state share under the original grant offer from the FAA for the T-Hangar/Taxiway Development (Phase III) project and \$11,111 in state aid for the Terminal Building (Design) project. The Terminal Building capital project will be amended under separate resolution.

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

RESOLUTION NO. 432 REAPPOINTMENT - SHERIFF'S OFFICE / TRAFFIC SAFETY BOARD – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, A reappointment does exist on the Genesee County Traffic Safety Board and the Committees on Public Service and Ways and Means do recommend reappointing Mr. Gary Dewind for another three-year term. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Mr. Gary Dewind of Corfu, New York to the Traffic Safety Board to serve a term effective January 1, 2014 through December 31, 2016.

Budget Impact: None.

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

**RESOLUTION NO. 433 AGREEMENT – SHERIFF / WAYNE COUNTY
PRISONER HOUSING - APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Sheriff did present a prisoner housing contract with Wayne County Jail, and

WHEREAS, The County Attorney has reviewed the proposed contract, and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract between the County of Genesee and the County of Wayne for the provision of Jail space in the Wayne County Jail at a rate of \$85.00 per day for each prisoner beginning on November 26, 2013 through December 31, 2015.

Budget Impact: Funds have been appropriated to the 2014 budget.

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

**RESOLUTION NO. 434 AGREEMENT RENEWAL – SHERIFF’S
OFFICE/UNITED UNIFORM CO., INC. –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County entered into a contract with United Uniform Co., Inc., pursuant to Resolution 23, dated January 27, 2011, for the provision of uniforms and accessories for the Sheriff’s Department and Correction Officers, and

WHEREAS, The current agreement is due to expire on December 31, 2013, and

WHEREAS, The contract contained an option to renew for three additional one-year periods upon written mutual agreement of both parties, and

WHEREAS, The Sheriff does recommend renewing this contract for an additional one-year period to commence January 1, 2014, and continue through December 31, 2014, and

WHEREAS, The Committee on Public 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 enter into a renewal agreement with United Uniform Co., Inc.; 495 North French Road, Buffalo, New York 14228, for the provision of uniforms and accessories for the Sheriff’s Department and Corrections Officers for a total not to exceed \$69,352.00.

BUDGET IMPACT: Uniforms are purchased with funds from the personnel uniform account, pursuant to the Collective Bargaining Agreement. Amount budgeted for 2014 is \$69,352, which includes Law Enforcement, Jail, Communications, Animal Control and Juvenile divisions.

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

**RESOLUTION NO. 435 SERVICE AGREEMENT – SHERIFF’S OFFICE/
LINSTAR – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The current service agreement with Linstar, Inc., 430 Lawrence Bell Drive,

Buffalo, NY, for the security system at the Sheriff's Administration Building and 9-1-1 Center will expire on December 31, 2013, and

WHEREAS, Linstar, Inc., is offering a service agreement for this equipment for the period of January 1, 2014, through December 31, 2014, at a total cost of \$7,398.96 (seven thousand, three hundred, ninety-eight dollars and ninety-six cents), and

WHEREAS, The Committee on Public 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 hereby authorizes and directs the Sheriff to enter into an equipment service agreement with Linstar, Inc., for maintenance and service of the security system at the Sheriff's Administration Building and 9-1-1 Center at a cost not to exceed \$7,398.96, for the period of January 1, 2014, through December 31, 2014.

BUDGET IMPACT: \$7,400.00 has been appropriated to the Sheriff's 2014 budget to cover the cost of the Linstar service agreement.

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

**RESOLUTION NO. 436 BUDGET AMENDMENT - SHERIFF/STATE
CRIMINAL ALIEN ASSISTANCE PROGRAM –
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The County of Genesee has received an award of \$2,853 from the State Criminal Alien Assistance Program (SCAAP), which requires funding to be used for correctional purposes only, and

WHEREAS, Per our agreement with Justice Benefits, Inc., 15% of these funds, in the amount of \$428, will be paid to Justice Benefits for their professional assistance in acquiring this award, and the remaining \$2,425 will be used to cover overtime costs at the Genesee County Jail, and

WHEREAS, The Sheriff is requesting a 2013 budget amendment in the amount of \$2,853, 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 amend the 2013 budget by increasing Jail appropriations as follows:

\$2,425 to Jail Account A.3150.1020.0000 (Overtime Salaries),

\$428 to Jail Account A3150.4660.0010 (Contracted Services-SCAAP)

to be offset by an increase in Jail Revenue Account

A3150.4089.1 (OJP - SCAAP) in the amount of \$2,853.

Budget Impact Statement: Increase in Jail appropriations of \$2,853, from a SCAAP award. Funds will be used to cover overtime costs at the County Jail. 15% of the award will pay for professional services used to acquire this award. This will be offset by increase in Jail revenue in a like amount.

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

**RESOLUTION NO. 437 EASEMENT AGREEMENT – DARIEN TOWER
SITE/SHERIFF'S OFFICE 800 MHZ RADIO
SYSTEM UPGRADE – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, Genesee County established a Capital Project to upgrade its 800 MHz analog trunked radio system to a P25 compliant 800 MHz digital trunked radio system

pursuant to Resolution No 93, dated February 28, 2013, and amended pursuant to Resolution No 157, dated April 25, 2013, and

WHEREAS, Genesee County has reached an agreement with the Darien Center Chemical Fire Company, Inc., to grant the County of Genesee a permanent easement of a 50' by 50' parcel for the construction of a radio tower and enclosure, and a permanent easement for road access, and

WHEREAS, The Committee on Public Service did review this 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 an agreement with the Darien Center Chemical Fire Company, Inc., located at 10569 Alleghany Road, Darien Center, NY 14040 for a permanent easement of a 50' by 50' parcel of property which also includes a permanent easement for road access for the construction of a radio tower and enclosure for the County's 800 MHz radio system, and Be it further

RESOLVED, The Genesee County does agree to indemnify the Darien Center Chemical Fire Company, its successors and/or assigns against and hold them harmless from any and all liability incurred or sustained as a result of injury to the Darien Center Chemical Fire Company, Inc. agents, employees, tenants, subtenants, licensees or invitees on the Easement Property as described below and is subject to the County Attorney's approval:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Darien, County of Genesee, State of New York, being part of Lot 44, Township 11, Range 3 of the Holland Land Company Survey (so-called), bounded and described as follows:

BEGINNING AT A POINT on the east line of Parcel No. 62 as shown on Map No. 55 of lands appropriated by the People of the State of New York for Bennington-Corfu, Part 2 (Alleghany Road) at a distance of 372.60 feet northerly measured along said east line of Alleghany Road from its intersection with the south line of lands conveyed to the Darien Center Chemical Fire Company, Inc. by deed recorded in the Genesee County Clerk's Office in Liber 335 of Deeds at Page 93;

RUNNING THENCE: S-80°-02'-25"-E, a distance of 174.53 feet to a point;

RUNNING THENCE: N-88°-30'-26"-E, a distance of 39.16 feet to a point;

BEING AND INTENDED to be the centerline of the 20 foot wide ingress/egress and utility easement.

SUBJECT to easements, rights of way and restrictions of record.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Darien, County of Genesee, State of New York, being part of Lot 44, Township 11, Range 3 of the Holland Land Company Survey (so-called), bounded and described as follows:

COMMENCING AT A POINT on the east line of lands conveyed to the Darien Center

Chemical Fire Company, Inc. by deed recorded in the Genesee County Clerk's Office in Liber 335 of Deeds at Page 93 at a distance of 307.48 feet northerly measured along the east line of said Fire Company lands from the southeast corner thereof;

RUNNING THENCE: S-88°-30'-26"-W, a distance of 30.00 feet to the Point or Place of Beginning of the parcel herein described;

RUNNING THENCE: S-88°-30'-26"-W, a distance of 50.00 feet to a point;

RUNNING THENCE: N-01°-29'-34"-W, a distance of 50.00 feet to a point;

RUNNING THENCE: N-88°-30'-26"-E, a distance of 50.00 feet to a point;

RUNNING THENCE: S-01°-29'-34"-E, a distance of 50.00 feet to the POINT OR PLACE OF BEGINNING, be the same, more or less.

SUBJECT to easements, rights of way and restrictions of record.

BEING AND INTENDED to be a portion of lands conveyed to the Darien Center Chemical Fire Company, Inc. by deed recorded in Liber 335 of Deeds at Page 93.

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

RESOLUTION NO. 438 EASE AMENDMENT – SHERIFF'S OFFICE / AMERICAN TOWER ASSET SUB, LLC – PAVILION TOWER - APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, Genesee County entered into a lease agreement with Paxson Communications for space on its tower located at 10733 S Lake Rd, Pavilion, NY 14525, on April 28, 2000, pursuant to Resolution No. 188 (attached) who later sold the tower to American Tower Asset Sub, LLC., located at 10 Presidential Way, Woburn, MA 01801, and

WHEREAS, Genesee County desires to increase its equipment on the tower to accommodate the additional equipment for the Public Safety Radio System Upgrade Project at no recurring cost to Genesee County, and

WHEREAS, After discussion between the Sheriff, Director of Emergency Communications, and County Attorney, it is recommended the County Legislature approve the lease amendment with American Tower Asset Sub, LLC, 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 and the Genesee County Sheriff are hereby authorized and directed to amend the lease agreement with American Tower Asset Sub, LLC., located at 10 Presidential Way, Woburn, MA 01801 to accommodate the new Public Safety Radio System Upgrade equipment for the remainder of the term being June 30, 2019.

Budget Impact: The amendment will have no impact on the current budget year.

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

RESOLUTION NO. 439 CONTRACT CHANGE ORDER – SHERIFF'S OFFICE / HARRIS CORPORATION CHANGE ORDER #2, 800 MHZ RADIO SYSTEM UPGRADE – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County contracted with Harris Corporation RF Communications

Division, located at 1680 university Avenue, Rochester, NY 14610, to provide standardized accessories for the radio equipment provided to the agencies as part of the original purchase agreement pursuant to Resolution No. 157, dated April 25, 2013, and **WHEREAS**, Public safety and public service user agencies requested to upgrade the accessories at their expense for the difference in cost, and

WHEREAS, Harris consolidated all the agency upgrade requests into a single change order for a total cost of \$58,173.35 to offset by revenue from the agencies requesting the accessory upgrades, and

WHEREAS, After careful review by the Genesee County Sheriff, Emergency Management Coordinator, County Attorney, and Director of Emergency Communications, it is recommended that a change order be approved for a cost not to exceed \$58,173.35 to be offset by revenues received by the requesting agencies, and

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

RESOLVED, That the Genesee County Legislature Chair is hereby authorized and directed to approve Harris Corporation Change Order #2, at a cost not to exceed \$58,173.35 to be offset by revenue from the requesting user agencies.

Budget Impact: The entire cost of \$58,173.35 for the Harris Change Order #2 will be funded by A3020.4700.0000 Specialized Supplies (balance \$82,345) and offset by equal revenue received to A3020.2210.10 Intergovernmental Charges, Gen Svc Oth Govts/Ems.

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

**RESOLUTION NO. 440 REAPPOINTMENT-GENESEE COUNTY
PLANNING BOARD-APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The terms of office of Melvin Wentland, Laraine Caton and Robert Bennett on the Genesee County Planning Board expired on May 31, 2013 and they have indicated an interest and desire for reappointment, and

WHEREAS, The Committees on Public Service and Ways and Means do recommend they be reappointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Mr. Melvin Wentland of Pavilion, NY, Mrs. Laraine Caton of Batavia, NY and Mr. Robert Bennett of LeRoy, NY to serve another term on the Genesee County Planning Board for the period June 1, 2013 through May 31, 2016.

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

**RESOLUTION NO. 441 AFFIRMATIVE ACTION OFFICER-APPOINTMENT
OF**

Legislator Ferrando offered the following resolution:

WHEREAS, It is necessary for the County to appoint an Affirmative Action Officer to effectuate the Affirmative Action Plan which has been designed to conform with all relevant Federal and State nondiscrimination and affirmative action regulations for Genesee County, and

WHEREAS, The Committee on Ways and Means does recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That Mrs. Anita Cleveland, Genesee County Human Resources Director be and hereby is appointed as Genesee County's Affirmative Action Officer effective September 23, 2013.

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

**RESOLUTION NO. 442 SETTING A PUBLIC HEARING ON
INTRODUCTORY LOCAL LAW NO. SIX YEAR
2013 – SALARIES OF COUNTY FIXED TERM
OFFICERS-APPROVAL OF**

Legislator Cianfrini 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 SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE ELECTED OR APPOINTED FOR A FIXED TERM,**” and

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. Six, Year 2013 on Wednesday, December 11, 2013, at 7:00 p.m. at the Genesee County Courthouse, 7 Main Street, Batavia, New York.

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

**RESOLUTION NO. 443 HEALTH BENEFITS PLAN 2014 PREMIUM RATES
- APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The Genesee County Manager and Self-Funded Health Benefits Plan Consultant did review the self-insured health plan and monthly participation fee and does recommend monthly premium rates be adjusted effective January 1, 2014, and

WHEREAS, The Committee on Ways and Means did review the rates proposed and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the following rates for the Genesee County Self-Insured Health Benefits Plan be adopted, effective January 1, 2014:

<u>Partnership Plus and Traditional Plans Classification</u>	<u>Rate per Month</u>
Single	\$477
2 Members (1 Adult/1 Child and 2 Adults)	\$953
Family, 3 or more	\$1,549
Retired, single, under 65	\$477
Retired, 2 Members under 65	\$953
Retired, Family 3 or more under 65	\$1,549
Retired, single, over 65, Medicare, GCC	\$477
Retired, 2 adults over 65, Medicare, GCC	\$953
<u>Health and Wellness Plan Classification</u>	<u>Rate per Month</u>
Single	\$ 432
2 Members (1 Adult/1 Child and 2 Adults)	\$ 863
Family, 3 or more	\$1,404
Retired, single, under 65	\$ 432
Retired, 2 Members under 65	\$ 863
Retired, Family 3 or more under 65	\$1,404
Retired, single, over 65, Medicare, GCC	\$ 432
Retired, 2 adults over 65, Medicare, GCC	\$ 863
<u>GCC \$5/\$10 Drug Card Classification</u>	<u>Rate per Month</u>
Single	\$50
2 Members (1 Adult/1 Child or 2 Adults)	\$100
Family	\$165

<u>Dental Classification</u>	<u>Rate per Month</u>
Dental, single	\$ 11
Dental, family	\$ 27.50
<u>Vision Classification</u>	<u>Rate per Month</u>
Vision, single	\$ 4
Vision, family	\$ 6

Budget Impact Statement: Additional annual revenue to the plan of \$198,888; medical/Rx premium rate increase has been offset with the use of \$850,000 of plan reserve

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

RESOLUTION NO. 444 CONTRACT WITH CITY OF BATAVIA FOR DISTRICT ATTORNEY COURT SERVICES – RENEWAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager did recommend a three year renewal of services between Genesee County and the City of Batavia for the County to provide for the prosecution of vehicle, traffic and penal law violations by the District Attorney in City Court, and

WHEREAS, The Committee on Public Service does recommend this contract be renewed and continued for January 1, 2014 through December 31, 2016. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract with the City of Batavia for the provision of prosecution services in the Batavia City Court for the period January 1, 2014 through December 31, 2016 at a rate of \$56,300 for calendar year 2014, \$57,300 for calendar year 2015 and \$58,300 for calendar year 2016.

Budget Impact Statement: 1.75% annual rate increase

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

RESOLUTION NO. 445 2013 BUDGET AMENDMENT -VETERAN'S WAR MEMORIAL DONATION– APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, Glenn S. Loomis Post Home Inc., War Memorial Fund, has requested a one-time monetary donation from Genesee County to help build a new County War Memorial as a fitting tribute to our County's fallen heroes, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend making a one-time monetary donation of \$20,000 to the War Memorial Fund to be paid from 1% Sales Tax. Now, therefore, Be it

RESOLVED, The Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to issue payment of \$20,000 to cover the donation to the War Memorial Fund and make the following budget amendment; Increase A1000.1110.0 (1% Sales Tax) in the amount of \$20,000 to be offset by an increase in appropriation A.1010.4660.0000 (Legislative Board -Contracted Other) in a like amount to allow for payment of the donation.

Budget Impact: Reduction in 1% Sales Tax of \$20,000.

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

Chair Hancock closed the Public Hearing for the following resolution. There were no speakers.

RESOLUTION NO. 446 AUTHORIZATION TO SUBMIT A GRANT

**APPLICATION TO THE NEW YORK STATE
OFFICE OF COMMUNITY RENEWAL FOR
COMMUNITY DEVELOPMENT BLOCK GRANT
FUNDING**

Legislator Stein offered the following resolution:

WHEREAS, Yancey’s Fancy, Inc. (“YFI”) plans to establish a new manufacturing facility at the Buffalo East Technology Park South (the “Park”) in the Town of Pembroke (the “Project”), and

WHEREAS, the Project will require the construction of a truck access road within the Park and a turn lane on NYS Route 5 at a total estimated cost of \$913,000 (the “Improvements”), and

WHEREAS, the Genesee Gateway Local Development Corporation (the “GGLDC”), as the owner of the Park, will be required to fund the Improvements, and

WHEREAS, the New York State Office of Community Renewal has invited the County to submit a grant application for funding to assist in financing the Improvements, and

WHEREAS, the Project will result in substantial benefit to the County in the form of an estimated 49 new employment positions in the first two years of operations, new property tax revenues, and increased purchases of local goods and services, and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and the Project. Now, therefore, Be it

RESOLVED, that the County Chair is hereby authorized to submit a grant application in the approximate amount of \$506,000 to the OCR, such amount to be provided as a grant to the GGLDC to finance a portion of the Improvements and to support the implementation of the Project, and Be it further

RESOLVED, that the County Chair is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant, and be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, subject to review and approval by the County Attorney.

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

RESOLUTION NO. 447 COUNTY AUDIT – NOVEMBER 25 APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Ferrando did review the following claims:

2013 General Fund	\$	649,298.31
2013 Highway		438,463.82
2013 Water		20,547.12
2013 Nursing Home		687,099.14
DSS Abstracts		172,599.76
2013 Capital Projects:		
Sheriff 800 MHz Radio System Upgrade		36,544.20
Highway Parking Lot Driveway		10,001.50
Highway 2013 Bridge Construction		8,546.64
Highway 2013 Highway Overlay		23,063.98
Highway Black Street Road Bridge		25,088.61

Highway Hopkins Rd Bridge	2,930.32
Payroll – General & Nursing Home	
November 15, 2013	1,796,675.74
Medicaid	
November 19, 2013	<u>186,456.00</u>
Total Audit	\$ 4,057,315.14

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 Leadley seconded the resolution which was adopted by 326 votes.

Chair Hancock presented the jobs report. There are 286 job openings in the County. The County unemployment rate is 7.4%.

A motion to adjourn at 7:50 was made by Legislator Stein seconded by Legislator Bausch.

State of New York
County of Genesee

I hereby certify that the foregoing is a true and correct transcript of the November 25, 2013 Legislature Meeting duly approved by the Genesee County Legislature on the 1th day of December, 2013.

Dated, Batavia, New York

December 11, 2013

Clerk of the Genesee County Legislature