

**FOURTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday February 26, 2014
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, February 26, 2014 at 7PM at the Old Courthouse, 7 Main Street, Batavia. Prayer was offered by Legislator Stein, followed by the Pledge to the Flag. Legislator Bausch was absent.

The February 12, 2014 minutes were approved upon motion of Legislator Stein seconded by Legislator Ferrando.

Legislator DeJaneiro attended the GAM meeting and it was mentioned at that meeting that they were looking for a Business Developer Representative for the Chamber that would represent them at the GAM meeting. The bi-laws were also adopted at this meeting.

Legislator Lawrence commented on the East Pembroke Fire District. For the past year the Fire Company has tried to receive payment for calls they attended on the New York State Thruway. There were numerous bills sent totaling around \$2,000 and the Fire District received notice that they will receive \$1,475 for these costs. The residents within this fire district are now picking up the difference in these charges because the fire company has not been properly reimbursed. These are the things Mrs. Lawrence feels that we need to fight against. She thanked Assemblyman Hawley's office for all their efforts in this matter.

Legislator Stein reminded everyone that the annual tree and shrub sale is now on at Soil and Water, there are order forms available in the Legislature Office. She reminded everyone that Genesee County will be hosting InterCo in April and that the Leadership Genesee Program will be showcased. The Clerk proceeded with the reading of the resolutions as follows:

RESOLUTION NO. 53 OFFICIAL TOURISM AGENCY -DESIGNATION OF

Legislator Young offered the following resolution:

WHEREAS, The County of Genesee and the Genesee County Chamber of Commerce have determined that it is in their best interests to work together in their endeavors to promote tourism within Genesee County, and

WHEREAS, The Chamber of Commerce did present a Tourism Report for 2013 and plans for 2014 and did request the official designation as Tourism Agency for Genesee County, and

WHEREAS, The Committee on Ways and Means does recommend the official designation of the Chamber of Commerce as the County's Tourism Agency. Now, therefore, Be it

RESOLVED, That the Genesee County Chamber of Commerce be and hereby is designated as the Official Tourism Agency for the County of Genesee for the fiscal year January 1, 2014 through December 31, 2014.

Budget Impact Statement: No fiscal impact.

Legislator Lawrence seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 54 CHAMBER OF COMMERCE/TOURISM CONTRACT -
APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The County of Genesee is desirous of continuing its support of a program to promote tourism within Genesee County, and

WHEREAS, The County of Genesee has implemented a hotel and motel tax to fund tourism promotion within Genesee County, and

WHEREAS, The Genesee County Chamber of Commerce has presented a tourism marketing plan and budget for 2014 inclusive of the Matching Funds Program called "I Love New York", the Non-

Matching Funds Program and administrative and operating expenses, and

WHEREAS, The Committee on Ways and Means has reviewed the proposed marketing plan and budget and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chair be and hereby is authorized and directed to execute an agreement by and between the County of Genesee and the Genesee County Chamber of Commerce for the year 2014 to be funded from the County's 2014 hotel and motel tax receipts up to an amount not to exceed \$350,000 for publicity and tourism services for the calendar year ending December 31, 2014.

Budget Impact Statement: Appropriation fully funded by Bed Tax revenue; County will only supply funding for Tourism activity to the extent actual revenues from bed tax are realized, not to exceed fiscal year appropriation of \$350,000.

Legislator Ferrando seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 55 BUDGET TRANSFER-PLANNING-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Director of Planning did request a transfer of funds from one account classification to another, 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 transfers:

From:	\$ 2,009	A 8020 1010.0000	Personal Services
To:	\$ 1,209	A 8020 8030.0000	Medical
	\$ 800	A 8020 4330.0010	Vehicle Mileage

Budget Impact: A transfer of funds between classifications. Turnover in Planning Dept. personnel will result in an overall \$4,003 savings from the adopted budget.

Legislator Torrey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 56 AWARD OF BID- INFORMATION TECHNOLOGY/
CONSULTING SERVICES - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Information Technology Director is recommending Genesee County award RFP2013-122 Consulting Services to Systems Management Planning (SMP) to provide 100 hours of ad-hoc consulting services in support of the critical Government and Public Safety infrastructure.

WHEREAS, The Ways and Means Committee did review this request and recommend the approval of the Consulting Services contract. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Consulting Services contract with Systems Management Planning 1020 John Street West Henrietta New York 14586 with an amount not to exceed \$20,000.

BUDGET IMPACT: The contract cost of \$20,000 for Consulting Services is within the 2014 Adopted Budget in line item A.1680.4600.0000 Contracted Services. The consulting services provided supplement the I.T. staff and provide a level of expertise that in-house staff do not have. This is a critical component to keeping the infrastructure reliable and available and is a more cost effective approach than adding full-time staff to the budget.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 57 CONTRACT RENEWAL-INFORMATION TECHNOLOGY/
NATIONAL GRID TEN YEAR POLE RENTAL -APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of Information Technology did present an agreement with National Grid for a ten-year pole rental contract for the County fiber that is attached to 172 National Grid solely and jointly owned poles.

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 Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with National Grid Non-Utility Billing 300 Erie Blvd West, Syracuse NY 13202 in the amount not to exceed \$71,165.00.

Budget Impact Statement: The ten-year contract with National Grid covers the attachment fees for the County fiber on 172 poles. The \$71,165 is included in the adopted 2014 IT Budget in line A.1680.4600.1000 Contracted Services for Fiber Rental. The maintenance contract is required for the County to continue using the National Grid pole network for fiber attachment that carries the voice / data network from building to building.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 58 CONTRACT RENEWAL –INFORMATION TECHNOLOGY/
SOFTWARE MAINTENANCE SUPPORT SERVICE –NEW
WORLD SYSTEMS -APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Information Technology did present an agreement with New World Systems for standard software maintenance support for the Finance and Human Resource application. This support contract shall remain in effect for five years from 6/1/2014 through 5/31/2019, 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 Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with New World Systems, 888 West Big Beaver Road, Suite 600, Troy, Michigan 48084 for the provision of standard software maintenance support for the five-year period effective June 1, 2014 through May 31, 2019. The five-year coverage and annual costs are as follows:

- \$51,900 6/1/2014 – 5/31/2015
- \$54,500 6/1/2015 – 5/31/2016
- \$57,220 6/1/2016 – 5/31/2017
- \$60,080 6/1/2017 – 5/31/2018
- \$63,080 6/1/2018 – 5/31/2019

Budget Impact Statement: The first year annual maintenance charge for the New World Systems software maintenance is included in the adopted 2014 IT Budget in line A.1680 4410.0095 Software Maintenance. A maintenance contract is required to receive periodic software updates and access to the New World Systems technical support help desk.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 59 2014 SALARY SCHEDULE AMENDMENT-
DISTRICT ATTORNEY/ SALARY INCREASE
- APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Manager did request an amendment in the 2014 Management Salary Schedule in accordance with the New York State Judicial Salary Increase which mandates an increase in the full time District Attorney salary pursuant to Judiciary Law 183-a, which links judicial salaries with county district attorneys' salaries and requires district attorneys' salaries to be at least as high as the County Court Judge in the County, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do concur with the County Manager's recommendation. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2014 Genesee County Management Salary Schedule by increasing the District Attorney's annual salary from \$146,400 to \$152,500, effective April 1, 2014

Budget Impact: Salary Increase expense of \$4,575.90 was appropriated in the 2014 budget

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 60 BUDGET AMENDMENT - GENESEE JUSTICE /REMAINING GRANT FUNDS – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Available grant funds are remaining in the Genesee Justice 2013 budget that we will be able to use in 2014, and

WHEREAS, The Coordinator of Genesee Justice is requesting an amendment to the 2014 budget to allow for the use of the remaining grant money, 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 2014 budget by increasing Genesee Justice's appropriations as follows:

\$ 325 to A3151.4150.0000 (Printing)

\$ 142 to A3151.4160.0000 (Publications)

\$1,290 to A3151.4550.0000 (Training)

\$ 500 to A3151.4560.0000 (Travel)

To be offset by increasing the following revenue accounts:

A3151.3322 (NYS DCJS) by \$2,257

Budget Impact Statement: Increase in the 2014 Genesee Justice's appropriations of \$2,257, offset by increase in revenue in a like amount. These funds are carried over from a DCJS grant for Family Court/Domestic Violence program.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 61 AWARD OF BID-SHERIFF'S OFFICE/2014 LAW ENFORCEMENT VEHICLES-APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Four bids were received for the purchase of four law enforcement vehicles, with the lowest bid meeting specifications for the four patrol vehicles being submitted by Vision Ford, 4545 Ridge Road West, Henrietta, NY 14626, for the total purchase price of \$90,744, which includes a trade in allowance of \$15,700, and

WHEREAS, The Sheriff does recommend that the bid for the purchase of patrol vehicles be awarded to Vision Ford, for a total purchase price of \$90,744, with authorization to trade-in the following five vehicles, and

Car #58	2FAHP71W26X166255	2006 Ford Crown Victoria
Car #71	2FAHP71V99X138254	2009 Ford Crown Victoria
Car #76	2FABP7BVXAX133704	2010 Ford Crown Victoria
Car #77	2FABP7BV8AX133703	2010 Ford Crown Victoria
Car #78	2FABP7BV5AX133707	2010 Ford Crown Victoria

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

RESOLVED, That the award of bid for the purchase of four law enforcement patrol vehicles be made to Vision Ford, for a total purchase price of \$90,744, which includes a total trade-in allowance of \$15,700.

Budget Impact: \$100,000 has been appropriated to the 2014 asset acquisitions for the purchase of law enforcement vehicles and vehicle equipment. The total purchase price for four vehicles is \$90,744.

Legislator Ferrando seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 62 CONTRACT RENEWAL – SHERIFF / LIVINGSTON COUNTY PRISONER HOUSING - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Sheriff did present a prisoner housing contract renewal with Livingston County Jail, 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 Livingston for the provision of Jail space in the Livingston County Jail at a rate of \$85.00 per day for each prisoner beginning on the date of its execution through December 31, 2014, subject to annual renewal by written consent of the parties.

Budget Impact: Funds have been appropriated to the 2014 budget

Legislator Lawrence seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 63 APPOINTMENT – SHERIFF/TRAFFIC SAFETY BOARD – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, James Uebelhoer, retired Erie County Sheriff – Jail Division and resident of Corfu, has expressed a desire to be appointed to the Genesee County Traffic Safety Board, and

WHEREAS, Mr. Uebelhoer’s application was reviewed by the Traffic Safety Board members, and

WHEREAS, The Committees of Public Service and Ways and Means do recommend appointing Mr. Uebelhoer to the standard three-year term (March 1, 2014 through February 28, 2017). Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Mr. James Uebelhoer of Corfu, New York to the Genesee County Traffic Safety Board for a term effective March 1, 2014 through February 28, 2017.

Budget Impact: None.

Legislator Lawrence seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 64 BUDGET AMENDMENT - SHERIFF/DCJS LEGISLATIVE GRANT AWARD REMAINING FUNDS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Per Resolution #387, dated 10/24/13, Genesee County was awarded \$15,000 (fifteen thousand dollars) from a New York State Division of Criminal Justice Services Legislative Grant, for the purchase of mobile computers for use in the patrol vehicles, and

WHEREAS, The grant money was not spent in 2013, and remains available for use in 2014, and

WHEREAS, The Sheriff is requesting a budget amendment to the 2014 budget to allow for the use of these grant funds, 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 2014 budget as follows:

\$15,000 to A3110.2022.0001 (Micro Computer)

To be offset by increasing the following revenue account:

\$15,000 to A3110.3324 (State Aid-Law Enforcement)

Budget Impact: Increase in Sheriff's 2014 appropriations in the amount of \$15,000 from funds remaining from a NYS DCJS Legislative Grant Award in 2013; offset by an increase in revenue in a like amount.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 65 AWARD OF BID - HIGHWAY /FLATBED TRAILER --
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent planned for and included funds into the 2014 Road Machinery Fund for the purpose of replacing aging equipment, and

WHEREAS, The Genesee County Director of Purchasing did advertise and receive bids for a Flatbed Trailer for use by the Highway Department, and

WHEREAS, The Genesee County Highway Superintendent did review these bids and did make a recommendation of award at this time, and

WHEREAS, The Committee on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase a Flatbed Trailer at a cost of \$9,400 from Davis Trailer World, PO Box 260, York, NY 14592 to be paid from the Road Machinery Fund.

Budget Impact: The total cost of the trailer is \$9,400. The 2014 Road Machinery Budget included \$12,000 for the purchase of this trailer.

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 66 MEMORANDUM OF UNDERSTANDING- GENESEE COUNTY
AND THE GENESEE COUNTY SOIL AND WATER
CONSERVATION DISTRICT – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Genesee County Park Supervisor-Forester do request a Memorandum of Understanding agreement with the Genesee County Soil and Water Conservation District for environmental education programming in the amount of \$42,527.23, and

WHEREAS, The Memorandum of Understanding would be for the contract period of January 1, 2014 through December 31, 2014, and

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

RESOLVED, That the Genesee County Chairperson is hereby authorized and directed to sign a Memorandum of Understanding with the Genesee County Soil and Water Conservation District for environmental education programming for Genesee County Park and Forest Interpretive Center,

Budget Impact: Park Budget \$42,527.23 offset partially by \$20,000.00 in ZBGA grant funding.

Legislator Torrey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 67 AWARD OF BID –HIGHWAY/NORTH PEMBROKE ROAD
BRIDGE CONSTRUCTION-APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The County of Genesee entered into a Master Agreement with the State of New York for the rehabilitation of the North Pembroke Road Bridge over a the Tonawanda Creek in the Town of Pembroke, and

WHEREAS, The Genesee County Highway Superintendent publicly opened and reviewed bids for the rehabilitation of the bridge and recommends an award at this time, and

WHEREAS, The Committee on Public Service reviewed this recommendation and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Superintendent of Highways is hereby authorized and directed to approve a contract with Hunting Valley Construction of Cheektowaga, NY, for the rehabilitation of the North Pembroke Road over the Tonawanda Creek in the Town of Pembroke in an amount not to exceed \$279,767.

Budget Impact: A capital project has been established for this project. The project is funded 80% federal aid and a 20% local match via 1% sales tax. The low bid amount of \$279,767 was approximately 5.5% higher than the engineer's estimate of \$265,000 which is within the scope of the state and local master agreement for this project.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 68 AWARD OF BID-HIGHWAY/ LIGHT AND MEDIUM DUTY TRUCKS –APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent planned for and included funds into the 2014 Road Machinery Fund for the purpose of replacing aging motor equipment, and

WHEREAS, The Genesee County Highway Superintendent researched other county bids and found that Chautauqua County had suitable bid responses that allowed for piggybacking per the NYS General Municipal Law, and

WHEREAS, The Genesee County Highway Superintendent did review these bids and did make a recommendation of award at this time, and

WHEREAS, The Committees on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase the following trucks from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445 per the 2014 Chautauqua County Bid, Group 6:

2014 Ford F-350 XL Reg Cab 2WD DRW with 9 ft 2/3 yd Dump Body

2014 Ford F-550 XL Reg Cab 4WD DRW with 12 ft Flat Bed

2014 Ford F-550 XL Super Cab 4 x 2 with 11 ft Stake Body, and Be it further

RESOVLED, That the total cost of these trucks shall not exceed \$138,031 and shall be funded by the Road Machinery Fund.

Budget Impact: The total cost of the three trucks is \$138,031. The 2014 Road Machinery Budget included \$150,000 for the purchase of these trucks.

Legislator Ferrando seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 69 GRANT AGREEMENT – AIRPORT/ 2013 AVIATION CAPITAL GRANT PROGRAM (AIR 99) -- APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, A Project for the Genesee County Airport, P.I.N. #4902.04 (“the Project”) is eligible for funding under the 2013 Aviation Capital Grant Program as part of the New York State’s AIR ’99 Program administered by the NYS Department of Transportation (“NYSDOT”), and

WHEREAS, The County of Genesee desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project, and

WHEREAS, the Genesee County Legislature, duly convened does approve the above subject project. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the County of Genesee to pay in the first instance 100% of the federal and non-federal share of the cost of the New Terminal Building Construction for the Project or portions thereof; and Be it further

RESOLVED, That the sum of \$1,000,000 is hereby appropriated from the Genesee County Legislature and made available to cover the cost of participation in the above phase of the Project; and Be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and Be it further

RESOLVED, that the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or AIR 99 Program Funding on behalf of the Genesee County Legislature with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible, and Be it further

RESOLVED That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and Be it further

RESOLVED, this Resolution shall take effect immediately.

Budget Impact Statement: \$1,000,000 grant will offset local costs in replacing the Terminal. Estimated cost to rebuild the Terminal and Maintenance Hangar at the Airport are \$5.5 million. Grant funded project must be completed within five (5) years of acceptance of this grant.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 70 AWARD OF BID - HIGHWAY /FORKLIFT-
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent planned for and included funds into the 2014 Road Machinery Fund for the purpose of replacing aging equipment, and

WHEREAS, The Genesee County Director of Purchasing did advertise and receive bids for a Forklift for use by the Highway Department, and

WHEREAS, The Genesee County Highway Superintendent did review these bids and did make a recommendation of award at this time, and

WHEREAS, The Committee on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase a Forklift at a cost of \$24,250 from Prolift, PO Box 256, Buffalo, NY 14220 to be paid from the Road Machinery Fund.

Budget Impact: The total cost of the forklift is \$24,250. The 2014 Road Machinery Budget included \$25,000 for the purchase of this forklift.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 71 INTERMUNICIPAL AGREEMENT-SOIL AND
WATER/WATER QUALITY BLACK CREEK-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Manager of Soil and Water Conservation District did present an agreement among the counties of Genesee, Orleans, Monroe and Wyoming for a cooperative effort to achieve improved water quality in the Black Creek watershed, and

WHEREAS, The Committee on Public Service did review the document and does recommend entering into an agreement at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Intermunicipal Agreement Regarding Water Quality in the Watershed of Black Creek with Monroe, Orleans and Wyoming County for the period effective immediately, through December 31, 2018, and Be it further

RESOLVED, That Mr. George Squires, Manager of Genesee County Soil and Water Conservation District is hereby appointed as the Genesee County Representative to serve on the Black Creek Watershed Coalition, effective immediately through December 31, 2018.

Budget Impact: No county cost.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 72 REAPPOINTMENT-WATER RESOURCES AGENCY -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The term of office has expired for Earl LaGrou III and Bruce Tehan on the Genesee County Water Resources Agency Board and a vacancy still exists and the Committees on Public Service and Ways and Means do recommend reappointment and appointment at this time. Now, therefore, Be it

RESOLVED, That Earl Lagrou, III of Oakfield, New York and Bruce Tehan of Batavia, New York, are hereby reappointed as a member of the Genesee County Water Resources Agency Board effective immediately through December 31, 2015.

Legislator Lawrence seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

Prior to roll call on the above resolution Legislator Lawrence commented that when this resolution was offered at Ways and Means she did not support it at the time. However, after the recent workshop that was held and after conversations that took place she is hopeful that GAM will now have a representative on this Board she will now support this resolution. She thanked her fellow Legislators for working through this. Legislator DeJaneiro also commented that he did not support this resolution at Public Service but that he believes the GAM Representative will do good on this Committee. Legislator Cianfrini felt that workshop did help bring this issue out and that they were able to resolve it.

**RESOLUTION NO. 73 APPOINTMENT-AMERICAN DISABILITY ACT
COORDINATOR-APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, To meet the requirements of the American's With Disability Act, Genesee County must appoint a Coordinator to assure compliance with the law, and

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

RESOLVED, That Mr. Matt Landers, Assistant County Manager, be and hereby is appointed as the Genesee County American Disability Act (ADA) Coordinator.

Legislator Young seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 74 APPOINTMENT-HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) PRIVACY OFFICER- APPOINTMENT OF

Legislator Lawrence offered the following resolution:

WHEREAS, It is necessary for Genesee County to appoint a Privacy Officer to effectuate the County's compliance with provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), and

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

RESOLVED, That Ms. Anita Cleveland, Genesee County Director of Human Resources be and hereby is appointed as Genesee County Privacy Officer effective immediately.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 75 REAPPOINTMENTS – STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The term of office has expired for two citizen members of the STOP-DWI Advisory Board and they have indicated a desire and ability to continue service, and

WHEREAS, The Committee on Ways and Means does recommend the reappointment of citizen members Jocelyn Sikorski and Sharon McWethy. Now, therefore, Be it

RESOLVED, That Jocelyn Sikorski of Alexander, New York and Sharon McWethy of Batavia, New York be reappointed as citizen members of the Genesee County STOP-DWI Advisory Board to serve another term effective immediately through December 31, 2016.

Budget Impact: None – these are volunteer Board Members

Legislator Torrey seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 76 2014 BUDGET TRANSFER – SELF INSURANCE WORKERS COMPENSATION FUND –APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County Manager budgeted \$10,000 in the 2014 County Manager's Office budget for services provided to the Genesee County Self Insurance Fund (Worker's Compensation) and the Self Insurance Fund budgeted for this payment , and

WHEREAS, To allow for this payment from the Self Insurance Fund to the County Manager's Office a transfer of funds is needed, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2014 budget transfers:

\$10,000.00 from S.1710.4600 Worker's Compensation, Contracted Services, Attorney
\$10,000.00 to S.9907.9 Worker's Compensation, Transfer to General Fund

Budget Impact: None. The \$10,000 payment was previously budgeted in the 2014 Budget

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 77 COUNTY AUDIT – FEBRUARY 26 APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Legislator Stein did review the following claims:

2013 General Fund	\$	130,371.43
2014 General Fund		653,719.09
2014 Highway		225,890.69
2014 Self Insurance		47,536.35
2013 Nursing Home		10,954.78
2014 Nursing Home		427,174.07
2014 DSS Abstracts		342,983.15
2014 Capital Projects:		
Sheriff 800 MHz Radio System Upgrade		2,065.39
Highway Griswold Road Bridge		171,536.89
Airport T Hangar Taxiway Apron Development Phase III		18,450.00
Airport Tiedown Apron Relocation		84,901.59
Payroll – General & Nursing Home		
February 21, 2014		1,709,827.04
Medicaid		
February 18, 2014		186,456.00
February 25, 2014		<u>186,456.00</u>
Total Audit	\$	4,198,322.47

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 Clattenburg seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

Prior to roll call on the above resolution Legislator Stein stated that while doing the audit she took a special interest in the number of different attorney's that the County pays in the Assigned Counsel program. Just in this audit the county is paying 14 different attorneys to cover those cases for the county. Chair Cianfrini asked if this was for the Criminal or Family Court cases. Legislator Stein that this was just for Family Court. Mr. Cianfrini commented that this is all the more the reason why the County needs to take a look at this issue and consolidate that office into one.

The meeting was adjourned at 7:40 PM upon motion of Legislator Stein seconded by Legislator Clattenburg.