

EIGHTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday, May 14, 2014
Batavia, New York

The Genesee County Legislature met in Regular Session on Wednesday, May 14, 2014 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia. Prayer was offered by Legislator Cianfrini, followed by the Pledge to the Flag.

In addition to our Regular Meeting this evening Chairman Cianfrini will open a Public Hearing to consider and obtain public comment on the requests filed with the Genesee County Legislature for the inclusion of viable agricultural land into existing Agricultural District No. 1 and No. 4, and to consider the recommendations of the Genesee County Agricultural and Farmland Protection Board. During Genesee County's annual enrollment period (January 26th - February 24th), one parcel in the Village of Alexander (Tax Map Parcel No. 3.-1-25.1) was requested to be included into Agricultural District No. 1 and one parcel in the Town of Byron (Tax Map Parcel No. 10.-2-7.1) was requested to be included into Agricultural District No. 4. There was no speakers for the Public Hearing.

The April 23, 2014 minutes were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey.

Legislator Stein reported that she attended the Cornell Cooperative Extension Financial meeting. It was noted that a grant has expired and this will result in possible losing four full-time nutritionists from the program. The local Batavia Cooperative Extension's Master Gardeners will be holding their annual plant sale on Saturday, May 17th.

Legislator Bausch reported that he recently attended the CJAC meeting. He also commented on the NYS Yogurt Snack act vs. the SAFE act.

Legislator Ferrando stated that he recently attended GCC meeting which discussed the upcoming capital projects of a Student Success Center and Community Event Center.

Legislator DeJaneiro stated the consolidation of efforts between Genesee and Orleans counties are cost savings.

Legislator Stein stated the Ag Academy is now available for high school seniors. Presently twenty have enrolled. She recently attended the STAMP project presentation in Leroy. The presentation was presented well.

Legislator Bausch made comments regarding the deteriorating NYS bridges specifically the Route 20 Bridge in Pavilion and the Bushville Bridge just outside of the City limits.

As a reminder Legislator Cianfrini reminded Legislators that on Saturday, May 17, dedication of the new Genesee County War Memorial will be held.

The Clerk proceeded with the reading of the resolutions as follows:

**RESOLUTION NO. 149 GRANT AMENDMENT - HEALTH DEPARTMENT/
DRINKING WATER ENHANCEMENT PROGRAM -
APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Drinking Water Enhancement Program contract has been awarded in the amount of \$85,922, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Drinking Water Enhancement activities, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Drinking Water Enhancement Program contract for the period April 1, 2014 through March 31, 2015, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$70,040, have been appropriated in the 2014 Dept. 4010 – Health Department budget; the remaining balance will be built into the 2015 Dept. 4010 – Health Department budget.

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

**RESOLUTION NO. 150 CONTRACT – HEALTH DEPARTMENT/
MEDICAL SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Section 2140 through 2145 of New York State Public Health Laws give primary responsibility for the control and suppression of rabies to local health departments (LHDs), and

WHEREAS, The Director of Public Health did present a new contract for provision of Medical Services as outlined in the contract, and does recommend approval at this time, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be It

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with McSwain Medical of Batavia, PLLC (dba Insource Urgent Care), 35 Batavia City Centre, Batavia, New York 14020 to provide Medical Services for the period of June 1, 2014 through December 31, 2015.

Budget Impact: Anticipated expenses in the amount of \$4,000 have been included in the 2014 A 4010 Public Health Department Program Budget.

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

**RESOLUTION NO. 151 CONTRACT RENEWAL – COST-PER-COPY PROGRAM
APPROVAL OF**

Legislator Young offered the following resolution.

WHEREAS, The Director of Purchasing did present a contract renewal with Eagle Systems, Inc. for the provision of copy equipment under the Cost-Per-Copy program for the third and final one-year renewal period, and

WHEREAS, The Committee on Ways and Means did review the contract 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 contract with Eagle Systems Inc. of Buffalo, NY for the provision of copy equipment under the Cost-Per-Copy program for the third and final one-year period of May 1, 2014 through April 30, 2015 at the cost of \$.014 for black and white copies and \$.06 for color copies.

Budget Impact: Funds are allocated in departmental budgets for 2014.

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

**RESOLUTION NO. 152 CONTRACT/ BUDGET AMENDMENT-ELECTIONS/ FULL
DOCUMENT IMAGING -APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Board of Elections has been approved by the New York State Board of Elections to use some of their remaining HAVA Grant moneys to cover a contract of \$41,963 with NTS Data Services of 2079 Sawyer Drive, Niagara Falls, NY 14304 to provide for Full Document Imaging for voter registration records in the Genesee County Board of Elections, and

WHEREAS, Commissioners Cassidy and Siebert have previously stated this service is very necessary as at the present time there is no back up for the paper records recorded in the Board of Elections and the State Board may require us to do this project in the very near future, and

WHEREAS, We have the opportunity to use the some of the remaining HAVA funds to fund this project at no direct expense to our county taxpayers. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby accept the Full Document Imaging project and authorizes the Chairman of the Legislature to sign any related paperwork regarding the HAVA grant, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with NTS Data Services of 2079 Sawyer Drive, Niagara Falls, NY, 14304 to provide this Full Document Imaging Service for an amount not to exceed \$41,963, and an additional \$2,500 for two scanners, and Be it further

RESOLVED, The Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget appropriation account A1450.4660.0100 Contract Service Computer S/W be increased \$41,963 appropriation A.1450.2022.0033 Scanners in the amount of \$2,500 and revenue account A1450.4989.1 Federal Aid be increased in the amount of \$44,463.

Budget Impact Statement: This resolution increases the 2014 budget for the Board of Elections by \$44,463 offset by Federal Revenue

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

**RESOLUTION NO. 153 CONTRACT- OFA/ RENEWAL OF FOOD SERVICE –
GENESEE COUNTY CHAPTER NYSARC INC. -
APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present the renewal of contract for the provision of Meal Preparation Services for Office for the Aging for the congregate and home delivered meal programs administered by the Office for the Aging initially awarded through RFP 2012-104, and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be it;

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew the contact with Genesee County Chapter NYSARC Inc./Genesee ARC, 64 Walnut Street, Batavia, N.Y. 14020, at a cost of \$5.29 per meal for regular home delivered meals; \$5.24 per meal for congregate meals; \$4.06 for home delivered sandwich meal; and \$5.29 for frozen home delivered meals; with a total contract not to exceed \$186,425 for the period of June 25, 2014 – June 24, 2015.

Budget Impact: Approximately a 5% per meal cost increase but maintaining the overall food service contract budget to the \$186,425 that is in the 2014 County budget. Grant funds: Title III-C1, Title III C-2, WIN and NSIP funds pay for 95% of the cost of this contract, with the county paying the remaining 5% of matching funds required by the federal nutrition program Title III C grants.

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

**RESOLUTION NO. 154 INTER-MUNICIPAL AGREEMENT – YOUTH BUREAU/
CITY OF BATAVIA YOUTH BUREAU OPERATION -
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Youth Bureau Director did present an agreement with City of Batavia for the operation of the Youth Bureau for 2014 through March of 2018, and

WHEREAS, The agreement is at the rate of 20% of the Executive Director's position and 5 hours/pay-period of the Financial Clerk, and

WHEREAS, The Committees of Human Services did review the agreement 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 an agreement and all necessary documents between the City of Batavia and the County of Genesee for the operation of the Batavia City Youth Bureau by Genesee County from April 1, 2014 through March 31, 2018 at a total of \$18,000 for 2014 to be paid in quarterly amounts of \$4,500.

Budget Impact: Administration of the Batavia Youth Bureau is included in the 2014 Youth Bureau proposed budget. The revenue is an offset to county expense for personnel. The ratio of is expected for the three remaining years of the arrangement.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 155 AGREEMENT – 2014 YOUTH BUREAU RESOURCE
ALLOCATION PLAN – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines, and

WHEREAS, The Genesee County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2014 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Genesee County appropriation, and

WHEREAS, Guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Genesee County Youth Bureau and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2014 Genesee County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

Budget Impact Statement - Resource allocation to contract programs is included in the 2014 department budget. Allocations are completely offset by revenue. All payments to programs/agencies are subject to availability of state aid.

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

**RESOLUTION NO. 156 APPOINTMENT/REAPPOINTMENT – GENESEE COUNTY
YOUTH BOARD -APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Committees on Human Service and Ways and Means do recommend an appointment and reappointment to the Genesee County Youth Board at this time. Now, therefore, be it

RESOLVED, That Mr. Paul Osborn of Oakfield, New York be appointed to the Genesee County Youth Board for a term effective May 1, 2014 through April 30, 2017, and Be it further **RESOLVED**, That Mrs. Eve Hens of LeRoy, New York be reappointed to the Genesee County Youth Board for a term effective May 1, 2014 through April 30, 2017.

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

RESOLUTION NO. 157 REFUND OF TAXES – TREASURER / REAL PROPERTY-TOWN OF BERGEN — APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has received an application for a refund of taxes in the Town of Bergen for multiple parcels which were charged the County of Genesee's \$.60 water debt service charge which should not have been, and

WHEREAS, Tax map parcels 6.-1-46.11 owned by Michael and Kathleen Hammerl, 12.-1-54.111 owned by Robert Sutera and Kathleen Tardy, and 13.-1-14 owned by Brad Wall still have outstanding 2014 taxes which would make them eligible for a reduction in their outstanding tax amount rather than a refund, and

WHEREAS, The Director of Real Property Tax Services recommends and the Committee on Ways and Means concurs that these refunds and outstanding tax adjustments be made, Now, therefore Be it

RESOLVED, That the County Treasurer hereby is authorized and directed to issue refunds, as indicated on the application for refund, to those property owners that have paid, in a total amount of \$6,378.89, and Be it further

RESOLVED, That the refund be issued from the Water Fund account EW.8320 2140.1 Metered Sales, Cost / Project, and Be it further

RESOLVED, That the County Treasurer hereby is authorized and directed to reduce the taxes receivable account to adjust the outstanding tax amounts for those properties that still have unpaid taxes and are not eligible for refunds, in a total amount of \$61.80.

Budget Impact: Reduction in the Water Fund of \$6,440.69. Increase in the taxes receivable account of \$61.80.

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

RESOLUTION NO. 158 AWARD OF CONTRACT – NURSING HOME /SIEMENS INDUSTRY, INC -- APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Nursing Home seeks to obtain professional consultation to provide energy procurement and co-gen management services, and

WHEREAS, Siemens Industry, Inc., Infrastructure and Cities Sector, Building Technologies Division, of 422 East Henrietta Rd., Rochester, NY 14620 is uniquely qualified to provide the needed services, and

WHEREAS, Siemens has submitted a proposed contract for such services, and

WHEREAS, The contract has been reviewed by the Nursing Home Administrator, the Sr. Building Maintenance Mechanic, the Director of Finance and the County Attorney, and the Nursing Home Administrator does recommend the award of this contract to Siemens Industry, Inc. for a period of one year, with future renewals based upon energy savings in at least the amount of the annual contract, and

WHEREAS, The Committee on Human Services 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 execute a contract with Siemens Industry, Inc. for the purpose of providing professional energy procurement and management services to the Nursing Home at an annual cost of \$9,882. This contract is for a one-year time period, beginning June 1, 2014 and ending May 31, 2015. If energy savings during that one-year period do not equal or exceed \$9882, the contract will not be renewed.

Budget Impact Statement: Contract costs will be paid from energy savings generated in the period June 1, 2014 through May 31, 2015

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

RESOLUTION NO. 159 AGREEMENT – NURSING HOME /MASTER SOCIAL WORK CONSULTANT — APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Nursing Home is required to fulfill New York State Department of Health regulation 415.5 which states that a skilled nursing facility must provide regular access to qualified social work services through a contract with a person who holds a master's degree in social work and has pertinent health care experience, and

WHEREAS, Mary Katherine Hausladen, MSW, is a licensed master social worker who possesses the required qualifications and health care facility work experience to fulfill this regulation, and

WHEREAS, The Administrator of the Nursing Home recommends entering into an agreement with Ms. Hausladen, and the Committee on Human Services does concur. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to appoint Mary Hausladen, MSW, 26 Rockhurst Drive, Penfield, New York, 14526 to the position of consultant master social worker for Genesee County Nursing Home, at a rate of \$45 per hour, not to exceed \$360 (8 hours) per month.

Budget Impact Statement: This amount (\$360 per month) has been budgeted for 2014 – there will be no budget impact.

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

RESOLUTION NO. 160 CONTRACT/SALARY SCHEDULE AMENDMENT/BUDGET AMENDMENT-PUBLIC DEFENDER/ILS-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the contract between the Genesee County Public Defenders Office and the New York State Office of Indigent Legal Services (C000618) Upstate Quality Improvement and Caseload Reduction Grant, for the provision of one (1) full-time case manager salary plus benefits, and a one-time purchase of one (1) single pedestal desk, and one (1) desk chair for the period January 1, 2014 – December 31, 2016 in the amount of \$188,077 and

WHEREAS, The Genesee County Public Defender is requesting a 2014 budget amendment of \$62,511.00 to allow for use of a portion of the grant money to be used in the 2014 budget and the balance of \$125,566 to be used in future County fiscal year budgets as appropriate, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract (C000618) Upstate Quality Improvement and Caseload Reduction Grant, with the New York State Office of Indigent Legal Services for the period January 1, 2014 through December 31, 2016 and Be it further

RESOLVED, That the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2014 Salary Schedule by creating one full time Case Manager CSEA Grade 18, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget by increasing A.1170.3025.5, ILS Grant (2014-2016) by \$62,511.00 to be offset by increasing appropriations as follows:

A.1170.1010.0000 Personal Services	\$39,110	
A.1170.8010.0000 Social Security Tax	\$ 2,425	
A.1170.8011.0000 Medicare Tax	\$ 567	
A.1170.8020.0000 Retirement	\$ 4,302	
A.1170.8030.0000 Medical	\$15,163	
A.1170.8040.0000 Dental	\$ 330	
A.1170.8070.0000 Vision	\$ 72	
A.1170.2010.0020 Desks	\$ 329	
A.1170.2010.0022 Chairs	\$ 213,	and Be it further

RESOLVED, That this position will become eliminated when ILS funds end.

Budget Impact Statement: Increase in Public Defenders 2014 appropriations of \$62,511 offset by increase in revenue in a like amount. \$125,566 will be carried over to be expensed in future budget years.

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

RESOLUTION NO. 161 CONTRACT -GENESEE COUNTY AGRICULTURAL SOCIETY - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Manager did present a contract to provide funding towards the 2014 Genesee County Fair, and

WHEREAS, The Committee on Human Services did review the contract and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract by and between the County of Genesee and the Genesee County Agricultural society in the amount of \$11,000.00 to be used for 4-H Judging expense and 4-H Premiums associated with the 2014 Genesee County Fair.

Budget Impact Statement:

2014=	\$11,000 annual 4-H Premium funding
2013=	\$6,214 annual 4-H Premium funding
2012 =	\$6,214 annual 4-H Premium funding
2011=	\$6,541 annual 4-H Premium funding
2010 =	\$7,695 annual 4-H Premium funding
2005 - 2009 =	\$8,100 annual 4-H Premium funding
2002 =	\$15,000 to Cooperative Ext to fund fair enhancements
2000 - 2001 =	\$25,000 to Cooperative Ext to fund fair enhancements
1999 =	\$25,000 additional funding for fair enhancements
1998 - 2004 =	\$9,000 annual 4-H Premium funding
1995 - 1997 =	\$8,500 annual 4-H Premium funding
1993 - 1994 =	\$7,500 annual 4-H Premium funding
1992 =	\$9,000 annual 4-H Premium funding
1989 - 1991 =	\$10,000 annual 4-H Premium funding

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

RESOLUTION NO. 162 CONTRACT -MERCY FLIGHT, INC. - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Mercy Flight, Inc., is a community based, not-for-profit corporation offering regional air medical services, and

WHEREAS, Funds were incorporated into the 2014 Genesee County Budget in the amount of \$14,250 to support the continued provision of air medical transfer service on behalf of Genesee County, and

WHEREAS, The Genesee County Manager did present a contract outlining the terms and conditions of this funding and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract between the County of Genesee and Mercy Flight, Inc., 100 Amherst Villa Road, Buffalo, NY for the provision of air medical transfer service in Genesee County for the period January 1, 2014 through December 31, 2014 for a contribution from Genesee County in the amount of \$14,250.

Budget Impact Statement: 2014 annual funding = \$14,250
2013 annual funding = \$14,250
2012 annual funding = \$14,250
2011 annual funding = \$14,250
2006-2010 annual funding = \$15,000
1998 – 2005 annual funding = \$10,000
1997 annual funding = \$7,500
1996 annual funding = \$5,000

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

RESOLUTION NO. 163 INSURANCE RENEWAL -AIRPORT/OWNERS AND OPERATORS LIABILITY INSURANCE –APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County did issue an RFP for airport liability insurance and one response was received, and

WHEREAS, Lawley Genesee, LCC has presented a policy premium of \$6,050 from Allianz Global Corporate & Specialty and the Genesee County Attorney does recommend award of this bid 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 an agreement with Lawley Genesee, LLC, 20 Jefferson Square Batavia, NY to provide Airport Premises (Owners and Operators) Liability insurance for the Genesee County Airport effective May 1, 2014 through May 1, 2015 at an annual premium of \$6,050.

Budget Impact Statement: No increase in premium from 2013.

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

RESOLUTION NO. 164 DISTRIBUTION OF MORTGAGE TAX-FIRST PAYMENT 2014-APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$244,843.58, and

WHEREAS, The Committee on Ways & Means did review the mortgage tax money available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

City Of	Batavia	\$ 57,776.71
Towns Of	Alabama	4,800.70
	Alexander	8,198.69
	Batavia	36,188.91

	Bergen	13,547.23	
	Bethany	6,471.08	
	Byron	10,319.20	
	Darien	16,497.17	
	Elba	5,120.02	
	LeRoy	17,750.40	
	Oakfield	6,796.25	
	Pavilion	16,248.56	
	Pembroke	22,070.88	
	Stafford	11,005.98	
Villages Of	Alexander	1043.46	
	Attica	349.46	
	Bergen	2,015.14	
	Elba	721.33	
	LeRoy	5,354.69	
	Oakfield	1,136.55	
	Corfu	1,431.17	
Total			\$244,843.58

Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax refund.

Budget Impact Statement:

2013 1st Payment \$303,549.03
2012 1st Payment \$276,484.73
2011 1st Payment \$274,955.43
2010 1st Payment \$225,648.79
2009 1st Payment \$216,081.50
2008 1st Payment \$315,724.32

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

**RESOLUTION NO. 165 A RESOLUTION DECLARING “MAYDAY FOR
MANDATE RELIEF” AND URGING THE STATE TO
ADOPT LAWS THAT DO NOT IMPOSE FURTHER
FISCAL STRESS ON LOCAL GOVERNMENTS AND
TAXPAYERS AND BUILD UPON RECENT EFFORTS TO
REFORM COSTLY UNFUNDED MANDATES**

Legislator Lawrence offered the following resolution:

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

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

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

WHEREAS, the New York State Association of Counties has identified 9 state mandates that consume 90 percent of all county property taxes levied across the state (outside of New York City), representing over \$4 billion in county property taxes levied. These mandates include: Medicaid, Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special

Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, these mandated and fixed employee costs can consume more than 80 percent of a county's total budget, leaving fewer local dollars that can be devoted to local programs and services; and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services. Now, therefore, Be it

RESOLVED, that Genesee County hereby declares the month of May to be "Mayday for Mandate Relief" to raise awareness that decisions made in Albany have a direct impact on the property tax levy and local community services here in Genesee County; and Be it further

RESOLVED, that Genesee County strongly encourages the Governor and State Legislature to continue working to enact meaningful mandate relief, and Be it further

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

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

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

RESOLUTION NO. 166

**AGRICULTURAL DISTRICTS 2014 ANNUAL
ENROLLMENT – INCLUSION REQUEST OF ONE PARCEL
TO AGRICULTURAL DISTRICT NO. 1 IN THE VILLAGE
OF ALEXANDER AND ONE PARCEL TO AGRICULTURAL
DISTRICT NO. 4 IN THE TOWN OF BYRON – APPROVAL
OF**

Legislator Bausch offered the following resolution:

WHEREAS, Chapter 523 of the Laws of 2003 did amend NYS Agricultural and Markets Law (AML) Section 303-b which now requires the County Legislature to designate an annual thirty-day time period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district, prior to the County established review period, and

WHEREAS, Genesee County Legislature through resolution No. 399 of 2003 designated the time period from January 26th to February 24th as the annual thirty-day time period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district prior to the County established review period, and

WHEREAS, During the 2014 Annual Enrollment Period one parcel in the Village of Alexander (Tax Map Parcel No. 3.-1-25.1) was requested to be included into Agricultural District No. 1 and one parcel in the Town of Byron (Tax Map Parcel No. 10.-2-7.1) was requested to be included into Agricultural District No. 4, and

WHEREAS, The Genesee County Agricultural and Farmland Protection Board reviewed this request at its March 25, 2014 meeting and after applying its test for determining what constitutes viable agricultural farmland, made recommendations that the County Legislature adopt the inclusion of the aforementioned parcels into Ag District No. 1 and Ag District No. 4, and

WHEREAS, The Clerk of the Genesee County Legislature published the required notices and sent the required mailings and the Genesee County Legislature held a public hearing on the requests for inclusion of these parcels on Wednesday, May 14, 2014, and

WHEREAS, In accordance with the New York State Environmental Quality Review Act of 1975, and in accordance with adopted review procedures and the criteria set forth in Part 617, the adoption of this inclusion has been determined to have no significant effect on the environment, and

WHEREAS, The Committee on Public Service does concur with the recommendations of the Genesee County Agricultural and Farmland Protection Board. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby approve the inclusion of parcel 3.-1-25.1 in the Village of Alexander into Ag District No. 1 and parcel 10.-2-7.1 in the Town of Byron into Ag District No. 4 under the provisions of Section 303-b of NYS Agriculture and Markets Law, authorizes the Chair of the Legislature to sign all necessary SEQR documentation and directs the Director of Planning to submit the necessary documentation to the NYS Commissioner of Agriculture and Markets for review and certification.

Budget Impact: At this point in time there are no expected costs for this activity other than administrative activities, undertaken by the Clerk of the County Legislature and Department of Planning, which are being covered by their current operating budgets.

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

RESOLUTION NO. 167 COUNTY AUDIT – MAY 14 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Ferrando did review the following claims:

2014 General Fund	\$	5,303,702.96
2014 Highway		266,532.74
2014 Self Insurance		47,347.39
2014 Nursing Home		193,684.95
2014 Water		23,383.26
2014 DSS Abstracts		559,803.92
2014 Capital Projects:		
Sheriff 800 Mhz Radio System Upgrade		414,744.68
Highway-Hopkins Road Bridge		1,808.77
Airport-Terminal & Maintenance Hangar Design		14,140.00
Airport-T Hangar Taxiway Apron Development, Phase II		27,675.00
Payroll – General & Nursing Home		
May 2, 2014		1,226,035.49
Medicaid		
April 29, 2014		184,665.00
May 6, 2014		184,665.00
May 13, 2014		<u>184,665.00</u>
Total Audit	\$	8,632,854.16

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 326 votes.

The meeting was adjourned at 6:09 PM upon motion of Legislator Stein seconded by Legislator Ferrando.