

THIRTEENTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday, July 8, 2015
Batavia, New York

The Genesee County Legislature met in Regular Session on Wednesday July 8, 2015 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag. Legislator Cianfrini was absent.

In addition to the regular meeting Vice Chair Clattenburg opened a public hearing on the request that the Town of Pembroke be included into Agricultural District No. 2. Article 25AA of the New York State Agriculture and Markets Law, Section 303-b specifies that the County Legislative Body shall hold a public hearing regarding the proposed requests. There were no speakers.

Vice Chair Clattenburg attended the tree planting ceremony in honor of Deputy Frank Bordanaro who passed away a year ago. The ceremony was at the Sheriff's Administration Building at it was very well attended and a very moving ceremony. Mrs. Clattenburg also reported that the resolution for requesting state legislation to allow the use of rifles for big game hunting in all of Genesee County was signed by the Governor. This will allow for this type of hunting for two years, the County will then revisit this matter.

Out-of-State Travel Request for Steven Sharpe to attend the APCO CAPRAD Training in Washington D.C. August 16-19, 2015 was approved upon motion of Legislator Stein seconded by Legislator Ferrando.

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

**RESOLUTION NO. 242 APPOINTMENT – GENESEE COUNTY YOUTH BOARD-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Youth Board and The Committees on Human Service and Ways and Means do recommend an appointment at this time. Now, therefore, Be it

RESOLVED, That Natalie Rogers of Batavia, New York is hereby appointed to the Genesee County Youth Board as a Youth Representative effective August 1, 2015 through July 31, 2018. Legislator Ferrando seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

**RESOLUTION NO. 243 GRANT ACCEPTANCE - YOUTH BUREAU/USTA GRANT-
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Executive Director of the Genesee County Youth Bureau did receive notice of the award of grant funding in the amount of \$1,500 from the United States Tennis Association to provide tennis programming for municipal recreation programs in Genesee and Orleans Counties and

WHEREAS, The Committee on Human Services and Ways and Means did review the request and do 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 implement the Junior Tennis Program with a grant from the USTA for the period of July 1, 2015 through August 31, 2015.

Budget Impact: All expenditures will be covered by grant funds. No net county cost.

Legislator Davis seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 244 ESTABLISHMENT OF GENESEE AND ORLEANS

**COUNTY MERGED BOARD OHEALTH/HEALTH
DEPARTMENT – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, The Genesee and Orleans County Health Departments have completed a successful two year PILOT project that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service, and

WHEREAS, The Genesee and Orleans County Boards of Health are desirous of combining into one governing body overseeing both Genesee and Orleans County Health Departments, and

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

RESOLVED, That the current Genesee County Board of Health be abolished, effective June 30, 2015, and Be it further

RESOLVED, That a combined Board of Health consisting of common members from both the counties of Genesee and Orleans be established, effective July 1, 2015, with members appointed by the County Legislatures of both counties. The combined Board of Health shall consist of seven members, with one Legislative member from each county and at least three of whom shall be physicians licensed to practice in the State of New York. The term of office of each appointed member of the Board of Health shall be six years but established on a rotational basis, and the term of one of the members shall expire annually on a sequential rotating basis, except for the Legislative representatives whose term coincides with that of his/her membership on the County Legislature.

MEMBER	REPRESENTING	TERM EXPIRATION
John DeFilippis	Orleans County Legislator	12/31/2016
Edward DeJaneiro	Genesee County Legislator	12/31/2016
Paul Grout	At-Large Rep	12/31/2018
Kelly Rose Nichols, DO	Physician	12/31/2021
Mary Obear, MD	Physician	12/31/2019
Deanna Page	At-Large Rep	12/31/2017
Satya Sahukar, MD	Physician	12/31/2020

Budget Impact Statement: A \$20 stipend is available for each Board Member per meeting attended. \$2,400 has been allocated for this service in the 2015 A 4010 Public Health Program Budget.

Legislator Stein seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

Prior to roll call on the above resolution Legislator Stein commented that the people who represent Genesee County on this Board are very active with this Board and also very active in their community rolls. The County is well served with these individuals. Legislator DeJaneiro commented that there is very good attendance on this Board. This has been a very smooth transition and will continue to be beneficial to both counties fiscally and physically. Vice Chair Clattenburg commented that we are very fortunate to have this caliber of people represent this Board.

**RESOLUTION NO. 245 INTERMUNICIPAL AGREEMENT
AMENDMENT/SALARY SCHEDULE AMENDMENT–
HEALTH DEPARTMENT/ SHARED PUBLIC HEALTH
ADMINISTRATIVE STAFF – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, The Genesee and Orleans County Health Departments have completed a successful two year PILOT project that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service, and

WHEREAS, Resolution No. 212-15 did approve creation of the position of Director – Children with Special Needs to serve Genesee and Orleans counties in a shared position, and

WHEREAS, The Genesee County Public Health Director did present an amendment to the inter-municipal agreement with Orleans County to share Public Health Administrative Staff, and

WHEREAS, The Committee on Human Services and Ways and Means did review the 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 an amendment to the agreement with the County of Orleans with offices at 3 South Main Street, Suite 2, Courthouse Square, Albion, NY 14411 to add the Director – Children Services to the current shared service agreement between Genesee and Orleans County, effective July 20, 2015, and Be it further

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2015 Genesee County Employee Salary Schedule by increasing the salary of the Director – Children with Special Needs to \$58,656.00 on the Genesee County Management Salary Schedule effective July 20, 2015, and Be it further

RESOLVED, That if this position should be eliminated in Orleans County, the Director-Children with Special Needs will go back to its original salary.

Budget Impact Statement: A net savings of approximately \$21,913 in the 2015 budget, which is a reflection of shared salary and fringe. A stipend of \$6,000.

Legislator Bausch seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

**RESOLUTION NO. 246 AFFILIATION AGREEMENT – HEALTH
DEPARTMENT/STATE UNIVERSITY OF NEW
YORK AT ALBANY - APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with the State University of New York at Albany and

WHEREAS, The Committees 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 necessary documents to enter into an affiliation

with the State University of New York at Albany, 1400 Washington Avenue, Albany, New York 12222, effective May 1, 2015.

Budget Impact: There is no direct cost associated with this agreement.

Legislator Ferrando seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 247 CONTRACT RENEWAL– OFA/JOB DEVELOPMENT BUREAU, TITLE V PROGRAM – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract with Genesee County Job Development Bureau for the provision of providing employment training, placement and support services for senior citizens in Genesee County under the federally funded Older Americans Act Title V Senior Community Services Employment Program for the period of July 1, 2015 – June 30, 2016; 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 award a contact with Genesee County Job Development Bureau, 587 East Main Street, not to exceed \$36,822 for the period July 1, 2015 – June 30, 2016.

Budget Impact: Neutral. Federal Title V grant of \$36,822 will offset costs of this contract to continue this senior employment program in our county and is already included in the 2015 county budget.

Legislator DeJaneiro seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 248 LEASE AGREEMENT –OFFICE FOR THE AGING / LIFESPAN -APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request approval of a lease agreement with Lifespan of Greater Rochester, Inc., 1900 Clinton Avenue S., Rochester, N.Y. 14618 for the period of July 1, 2015 – June 30, 2016 for rental of one 80 square foot office space to house a Lifespan employee working in the Marshall Funded Financial Management Program at a cost of \$13.11 per square foot, for an annual rent of \$1,048.80; and

WHEREAS, The Rochester Area Community Foundation has renewed the grant with Lifespan of Greater Rochester, Inc. to provide financial management services; and the program coordinates with other Marshall Fund grantee services as well as Genesee County Office for the Aging programs and services; and to facilitate such coordination it is mutually beneficial to be housed in the Office for the Aging which has available office space available, and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this lease agreement. Now, Therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to renew a lease agreement with Lifespan of Greater Rochester, Inc., 1900 Clinton Avenue S., Rochester, N.Y. 14618 for the period of July 1, 2015 – June 30, 2016 for a yearly cost of \$1,048.80, paid in quarterly installments of \$262.20 per quarter.

Budget Impact: Neutral. Rental income is already included as a revenue in 2015 County Budget.

Legislator DeJaneiro seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 249 GRANT ACCEPTANCE-OFFICE FOR THE AGING/MURIEL H. MARSHALL FUND – APPROVAL OF

Legislator Davis offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request acceptance of three grant awards: \$46,800 Transportation Coordination, \$7,900 Handyman Intake and \$11,886 Marketing Coordination from the Rochester Area Community Foundation's Muriel H. Marshall Fund for the Aging each for the period of July 1, 2015 – June 30, 2016 and these grants total \$66,586 in Marshall Fund grant revenue in the 2015-2016 county budget; and

WHEREAS, \$38,106 of these funds are already incorporated into the revenue and allocations within the 2015 County Budget; and the remaining \$28,480 will be carried over as revenue into the 2016 County Budget, and

WHEREAS, The Committee on Human Services Means did review this request and does recommend acceptance of these grants. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is authorized to sign the Rochester Area Community Foundation grant award letters acknowledging acceptance of these Muriel H. Marshall Fund for the Aging grants by Genesee County; and is authorized to enter into any and all agreements under the grants awarded to contract for goods and services to meet the requirements under each of the grants awarded.

Budget Impact: Marshall Fund grants awarded to Genesee County Office for the Aging total \$66,586 with \$38,106 already incorporated into the revenue and allocations within the 2015 County Budget; and the remaining \$28,480 will be carried over as revenue into the 2016 County Budget

Legislator Stein seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

**RESOLUTION NO. 250 INSURANCE CERTIFICATE –OFFICE FOR THE AGING/
LEROY FARMERS' MARKET & VILLAGE OF LEROY–
2015 APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming the Village of LeRoy as additional insured, for the purpose of manning an information table at the LeRoy Farmer's Market, at Bank Street & Main Street, LeRoy, NY, on Saturday, July 25, 2015; and

WHEREAS, The Office for the Aging desires to distribute information on senior services to residents in the LeRoy area. Now, therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name the Village of LeRoy, 3 West Main Street, LeRoy, NY 14482 as additional insured on Saturday, July 25, 2015 from the hours of 7:30 a.m. – 2:00 p.m.

Budget Impact: None

Legislator Ferrando seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

**RESOLUTION NO. 251 CONTRACT AWARD - OFA/INDEPENDENT LIVING
SYSTEMS (ILS) COMMUNITY NETWORK
INDEPENDENT PRACTICE ASSOCIATION (IPA)–
CONGREGATE & HOME DELIVERED MEALS -
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract for the period of July 9, 2015 – June 30, 2016 with Independent Living Systems (ILS) Community Network IPA, LLC, a Limited Liability Company acting as an Independent Practice Association on behalf of iCircle (a Central New York Medicaid Managed Care Plan) for the provision of congregate and

home delivered meals for iCircle Genesee County clients eligible and authorized by iCircle to receive Medicaid covered congregate and home delivered meals; and such meals to be provided by Genesee County Office for the Aging's Congregate and Home Delivered Meal Programs; and **WHEREAS**, Independent Living Systems, LLC holds a current registration as "a utilization review agent in accordance with Article 49 of the New York State Public Health Law (PHL)" meeting the "requirements to conduct and provide utilization review services on behalf of a New York State certified managed care organization (MCO)", and specifically limited to "determinations on behalf of a New York State certified Managed Long-Term Care Plan (MLTC) or Programs of All-Inclusive Care for the Elderly (PACE)"

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

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with ILS Community Network IPA LLC, Corporate Office, 5200 Blue Lagoon Drive, Suite 500, Miami, Florida 33126 and NY State Office, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 for the period of July 9, 2015 – June 30, 2016. Rates established for meals provided to iCircle clients are as follows:

Home Delivered Meal	\$8.50 per meal
Congregate Meal	\$7.50 per meal

Budget Impact: Based on the number of meals anticipated for 2015, revenue of \$17,000 projected for all Medicaid funded Congregate and Home Delivered Meal contracts; and is already incorporated into our 2015 county budget. Rate is \$8.50 per meal for home delivered meals and \$7.50 per meal for congregate meals.

Legislator Torrey seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

**RESOLUTION NO. 252 2015/2016 DIRECT CARE WORKER FUNDS
CERTIFICATION-OFFICE FOR THE AGING-APPROVAL
OF**

Legislator Davis offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a Legislative Certification Form pursuant to Part I of Chapter 60 of the Laws of 2014; and

WHEREAS, The Direct Care Workers funding provided to the Genesee County Office for the Aging for the period beginning January 1, 2015 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Director of the NYS Office for the Aging (Director) and in accordance with standards prescribed by the Director; and

WHEREAS, Such funding will not be and was not used for any other purpose or expense; and

WHEREAS, The County Legislature attests that the funding received will be used solely to support salary and salary-related fringe benefit increases for the staff described above, and

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

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to certify and attest to the stipulations listed above.

Budget Impact: None to date, as these 1/1/2015-3/31/2015 funds amounting to \$4684 and an estimated* \$14,052 for 4/1/2015-12/31/2015 were initially designated as COLA funds under the CSE, EISEP, and WIN programs with the 2015 budget. Actual funding amounts for 4/1/2015-12/31/2015 will be reflected in 2015 budget modifications as applicable/needed.

*Per New York State Office for the Aging, "The 2015-16 enacted NY State budget includes \$7,400,000 to continue to fund up to 2% of the salary increases. The allocation schedule for the 2015-16 Direct Care Worker Program will

be included in the Program Instruction (release date to be determined) that transmits the final 2015-16 State Program allocations.”

Legislator Bausch seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 253 APPOINTMENT -OFFICE FOR THE AGING ADVISORY COUNCIL –APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, One (1) vacant position currently exists on the Office for the Aging Advisory Council, and we offered invitation to individuals to fill these open positions based on NYSOFA regulations regarding OFA Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways and Means do recommend appointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Crystal Abrams of the Tonawanda Band of Seneca Indians of New York to the Genesee County Office for the Aging Advisory Council as a Community Member to serve term effective July 9, 2015 through December 31, 2017.

Budget Impact Statement: None

Legislator DeJaneiro seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 254 CONTRACT RENEWAL – SUPPLEMENTAL STAFFING SERVICES/NURSING HOME – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 284 duly adopted on August 13, 2014, did authorize a contract with Favorite Healthcare Staffing, Inc. for the provision of supplemental staffing services to fill vacancies and provide sufficient nursing staff for resident care, and

WHEREAS, The contract allows for four additional one-year extensions upon mutual consent of both parties, and

WHEREAS, The Administrator of the Nursing Home does recommend extending the contract for the first one-year period, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Nursing Home is hereby authorized and directed to enter into a renewal agreement with Favorite Healthcare Staffing, Inc., 7255 W. 98th Ter – Bldg. 5, Suite 150, Overland Park, Kansas, 66212-2215 for the management of supplemental staffing services commencing August 1, 2015 and continuing through July 31, 2016.

Budget Impact Statement: Funds have been budgeted for supplemental staffing

Legislator Torrey seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 255 AUTHORIZING CHAIRMAN OF THE GENESEE COUNTY LEGISLATURE TO SIGN WIOA YOUTH CONTRACT

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Job Development Bureau has been approved, by the Workforce Development Board to receive the following PY2015 Year Around Workforce Innovation Opportunity Act funds in the amount of \$78,424.16. And

WHEREAS, The Genesee County Job Development Bureau has entered into contracts with the Workforce Development Board in order to receive these funds. Now, therefore Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign said contract with the Workforce Development Board in order for the Job Development Bureau to secure these funds to provide services to the youth of Genesee County.

Legislator Stein seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 256 GRANT ACCEPTANCE/2015 BUDGET AMENDMENT/ESTABLISH CAPITAL PROJECT/CONSULTANT AGREEMENT – RELOCATE AIRPORT PERIMETER FENCE – AIRPORT -- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County will be awarded a federal airport improvement program grant to design the relocation of the perimeter fence at the Genesee County Airport, and

WHEREAS, The Genesee County Highway Superintendent recommends the establishment of a capital project for which to fund the project, and

WHEREAS, Genesee County received a proposal from C&S Engineers for the construction administration and inspection of the work as required under Federal Aviation Administration guidelines and

WHEREAS, The Genesee County Highway Superintendent has reviewed these items and recommends their approval, and

WHEREAS, The Committee on Ways and Means reviewed these requests and does concur 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 Federal Aviation Administration, and Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2015 Budget:

Increase H1000.5997.5031	Interfund Revenue	\$2,025
Increase H1000.5997.4592	Federal Aid	\$36,450
Increase H1000.5997.3897	State Aid	\$2,025
Increase H5997.2080.0000	Relocate Airport Fence	\$40,500

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to establish a capital project AIP 35-15, Design Airport Perimeter Fence Relocation for a total of \$40,500 as per the following:

Federal Funds	\$36,450
State Funds	\$2,025
County Funds	\$2,025 (1% Sales Tax)

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with C&S Companies, 499 Eileen Collins Blvd., Syracuse, NY 13212 for the design of the airport perimeter fence relocation in an amount not to exceed \$39,750.

Budget Impact: The federal grant agreement is for \$36,450. A capital project will be established for this work that is funded with federal aid (90%), state aid (5%) and local match (5%) in a total amount of \$40,500. The contract with C&S is for \$39,750 and will be funded from the capital project.

Legislator Ferrando seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 257 REIMBURSABLE AGREEMENT – FEDERAL AVIATION

ADMINISTRATION – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did receive and review a reimbursable agreement from the Federal Aviation Administration (FAA) covering the design of the relocation of the Automated Weather Observation Station (AWOS) at the Genesee County Airport, and

WHEREAS, The FAA requires Genesee County to sign and approve the reimbursable agreement, and

WHEREAS, The Genesee County Highway Superintendent recommends approving the reimbursable agreement at this time, and

WHEREAS, The Committee on Ways & Means 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 the reimbursable agreement with the Federal Aviation Administration for the design services related to the relocation of the Automated Weather Observation Station at the Genesee County Airport.

Budget Impact Statement: Potential county share of this agreement will not exceed \$2,000 and will be funded via a future FAA grant and related capital project.

Legislator Davis seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 258 AWARD OF BID - INTERNAL SERVICE FUND /VEHICLE TRACKING SOFTWARE —APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent researched options for tracking county owned vehicles through the use of geographic positioning system (GPS) equipment, and

WHEREAS, The Metropolitan Transit Authority (MTA) awarded a contract for vehicle tracking software and authorized use by other municipal agencies within the State of New York, and

WHEREAS, The Genesee County Highway Superintendent did review the scope of services and quote for items included under this contract and does recommend an award of bid at this time, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Highway Superintendent to award a bid for vehicle tracking to Vehicle Tracking Solutions, 152 Veterans Memorial Highway, Comack, NY 11725 in an amount not to exceed to exceed \$14,000 for the 2015 budget year.

Budget Impact: The per vehicle costs for monitoring are \$29.99 per month. Total amount budgeted for this service is \$14,000.

Legislator Stein seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 259 AWARD OF BID- HIGHWAY/CRUSHING OF RECYCLED ASPHALT – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent obtained approximately 19,000 tons of recycled asphalt from construction projects on the New York State Thruway, and

WHEREAS, The county has a use for these materials on various county highway maintenance projects, and

WHEREAS, The Genesee County Highway Superintendent has investigated pricing on contractors who provide crushing services and found that Livingston County had awarded a similar bid that allowed for piggybacking by other counties, and

WHEREAS, The Genesee County Highway Superintendent recommends awarding a bid for crushing recycled asphalt at this time, and

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

RESOLVED, That the Genesee County Highway Superintendent is hereby authorized and directed to award a bid for crushing recycled asphalt to Villager Construction, 425 Old Macedon Rd, Fairport, NY 14450 for \$3.50 per ton and \$3,250 for equipment mobilization.

Budget Impact: The price for crushing recycled asphalt is \$3.25 per ton with a lump sum mobilization charge of \$3,250. It is estimated that the county will crush approximately 9,000 tons of material for a total cost of \$34,750. The cost of this contract will be funded from the various capital projects where the end materials are consumed.

Legislator Ferrando seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 260 GRANT ACCEPTANCE/2015 BUDGET AMENDMENT – COUNTY MANAGER’S OFFICE/HAZARD ABATEMENT BOARD GRANT– APPROVAL OF

Legislator Bausch offered the following resolution

WHEREAS, The Genesee County did apply for and has been approved to receive grant funding from the New York State Occupational Safety and Health Hazard Abatement Board in the amount of \$9,542, and

WHEREAS, the grant period runs August 1, 2015 through September 30, 2016, and

WHEREAS, the additional funding will be used to provide critical and mandatory training and education programs to employees, and

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the grant agreement and all related documents associated with the New York State Occupational Safety and Health Hazard Abatement Board for the period of August 1, 2015 through September 30, 2016 and, Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 budget by

Increasing A.1230.4550.0040 (Training Safety) \$9,542
to be offset by an increase in revenue account A.1230.3089.6 (State Aid, Safety Training& Education) in the amount of \$9,542

Budget Impact Statement: No impact on County Budget. Increase in revenue and expense funded by the grant
Legislator Stein seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 261 SUB-CONTRACTOR AGREEMENT- NYS HAZARD ABATEMENT BOARD GRANT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The County has been approved to receive grant funding from the New York State Occupational Safety and Health Hazard Abatement Board for training and educational programs, and

WHEREAS, The County's Safety Consultant, Occupational Safety and Environmental Assoc., Inc. (OSEA) has assisted in the grant application and as a result of the grant award will be providing the additional safety training and education, and

WHEREAS, A Sub-Contractor agreement is needed with OSEA to utilize the grant funds, and

WHEREAS, The Committee on Ways and Means did review the sub-contractor agreement and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the sub-contractor agreement with Occupational Safety and Environmental Assoc., Inc. (OSEA), 3730 A California Road, Orchard Park, New York 14127, to provide the additional safety and educational training programs at a cost not to exceed the grant award of \$9,542.

Budget Impact: None. Cost of additional training will be covered by the grand award.

Legislator DeJaneiro seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

**RESOLUTION NO. 262 AGRICULTURAL DISTRICTS 2015 ANNUAL
ENROLLMENT – INCLUSION REQUEST OF ONE
PARCEL TO AGRICULTURAL DISTRICT NO. 2 IN
THE TOWN OF PEMBROKE– APPROVAL OF**

Legislator Davis 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 2015 Annual Enrollment Period one parcel in the Town of Pembroke (Tax Map Parcel No. 20.-1-21.111) was requested to be included into Agricultural District No. 2 and

WHEREAS, The Genesee County Agricultural and Farmland Protection Board reviewed this request at its May 27, 2015 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 parcel into Ag District No. 2, 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, July 8, 2015, 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

20.-1-21.111 in the Town of Pembroke into Ag District No. 2 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 Stein seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

RESOLUTION NO. 263 COUNTY AUDIT – JULY 8 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Clattenburg did review the following claims:

2015 General Fund	\$ 2,031,111.61
2015 Highway	62,375.34
2015 Nursing Home	157,002.51
2015 Self Insurance	2,764.97
2015 DSS Abstracts	422,014.32
2015 Capital Projects:	
Sheriff 800mhz Radio System Upgrade	1,032.48
Sheriff Upgrade Civil Service Software	23,652.50
DeWitt Park Utility Ext & Security Improvements	106.41
Building & Grounds Jail Chiller Installation	17,269.50
Building & Grounds Old Courthouse Roof & Cupola Repair	1,500.00
Highway 2015 Bridge Construction	17,484.00
Highway 2015 Recycling	20,260.84
Highway North Pembroke Rd Bridge	305.79
Airport Construct New Terminal & Maintenance Hangar	95,812.25
Airport Tie-Down Apron Relocation	332.50
Payroll – General & Nursing Home	
June 26, 201	1,811,097.35
Medicaid	
June 30, 2015	177,425.00
July 7, 2015	<u>177,425.00</u>
Total Audit	\$ 5,018,972.37

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 Ferrando seconded the resolution which was adopted by 308 votes, Legislator Cianfrini (28) absent.

The meeting was adjourned at 5:48 PM upon motion of Legislator Stein seconded by Legislator Davis.

