

**SIXTEENTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday, September 23, 2015
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday September 23, 2015 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Bausch followed by the Pledge to the Flag. There was a moment of silence for Coroner Barry Miller.

Legislator Stein attended the recent NYSAC Conference. She and Legislator Davis now sit on the newly formed Standing Committee on Agriculture at NYSAC. This committee that Legislator Stein and Davis now sit on recently sent out two resolutions to NYSAC.

Legislator DeJaneiro attended the recent GAM meeting. Highway Superintendent Hens presented the Phase 1 and 2 Water Project. Phase one is still continuing while Phase 2 is being closely looked at. Legislator DeJaneiro also attended the Hazardous Waste Collection in Wyoming County along with Legislator Clattenburg. There were approximately 600 cars that attended this drop off.

Chairman Cianfrini attended the NYSAC Conference. Genesee County is doing well compared to other Counties. The unfunded mandates continue to use most County funds, and this is not getting any better. Indigent Defense is also on the rise.

The minutes of the September 9, 2015 Legislature Meeting were approved upon motion of Legislator Young seconded by Legislator Ferrando

There was an Out-Of-State Travel Request-EMS Coordinator Tim Yaeger to attend the CSX Responder Outreach for Unit Train Emergencies Training in Atlanta, Georgia October 5-9, 2015 was approved upon motion of Legislator DeJaneiro seconded by Legislator Clattenburg.

There was Out-Of-State Travel Request for Highway Superintendent Tim Hens to attend the NACE Board of Directors Mtg in Kansas City, MO October 26-28, 2015 was approved upon motion of Legislator Stein seconded by Legislator Davis.

Legislator Bausch commented that Legislator Stein recently received her Pelletier Institute Diploma and the NYSAC Conference. Mr. Bausch also commented on the death of County Coroner Barry Miller. Mr. Miller was a big contributor to his community. He will be greatly missed.

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

RESOLUTION NO. 319 CONTRACT RENEWAL-ELECTIONS/FULL DOCUMENT IMAGING-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, On May 14, 2014 the Genesee County Legislature entered into a contract with NTS Data Services to provide for Full Document Imaging for the voting records maintained by the Genesee County Board of Elections, and

WHEREAS, The contract also requires an annual maintenance contract fee of \$5,229.45 and by mutual agreement by both parties can be renewed pursuant to the same terms and conditions for a total of three (3) additional one (1) year terms, and

WHEREAS, Commissioners Lorie Longhany and Richard Siebert have reported their staff is now implementing this system and this maintenance and support is essential to the project. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with NTS Data Services, LLC of 2079 Sawyer Drive, Niagara Falls, NY, 14304 for maintenance and support to the Genesee County Board of Elections at an annual fee of \$5229.45 to be paid January 15, 2016.

Budget Impact: This expenditure is in the proposed 2016 Board of Elections budget. Legislator DeJaneiro seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 320 RENEWAL CONTRACT-ELECTIONS/POLL BOOK AND RELATED MAINTENANCE SERVICES-NTS DATA- APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, On September 23, 2013 the Genesee County Legislature contracted with NTS Data Services to provide poll book services for the Genesee County Board of Elections for a two year period at the rate of \$26,448 per, and

WHEREAS, This contract, which will expire December 31, 2015, provided the parties by mutual agreement to renew the agreement pursuant to the same terms and conditions for a total of three (3) additional one (1) year terms, and

WHEREAS, Commissioners Lorie Longhany and Richard Siebert are very pleased with the services provided by NTS over the past several years and feel the services provided by NTS are absolutely crucial to the effective operation of the Genesee County Board of Elections, and

WHEREAS, The Committee on Ways & Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign the agreement with NTS Data Services, LLC, 1342 Military Road, Niagara Falls, New York for the period January 1, 2016 through December 31, 2016.

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

**RESOLUTION NO. 321 CHARGE BACKS-ELECTIONS/INSPECTOR PAY
-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, It has been previously determined by the Ways & Means Committee that beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

WHEREAS, The Real Property Department will notify all municipalities of the charges in 2015 so that the Genesee County Treasurer can bill and collect these charges in 2016. Now, therefore, Be it

RESOLVED, That the following charges be levied to the 13 Towns and the City of Batavia as follows:

2014 Election Expenses per Town/City for Chargebacks

	Training	Local Primary 9/9/14	Local Primary 9/9/14	General Election 11/4/14	General Election 11/4/14	
	\$35.00	Inspectors - \$135	Coordinators - \$210	Inspectors - \$160	Coordinators - \$235	Total
City	\$1,925.00	\$3,105.00	\$3,360.00	\$5,120.00	\$4,700.00	\$18,210.00
Alabama	\$350.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,150.00
Alexander	\$350.00	\$405.00	\$420.00	\$470.00	\$640.00	\$2,285.00
Batavia	\$630.00	\$810.00	\$1,260.00	\$1,280.00	\$1,410.00	\$5,390.00
Bergen	\$245.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,045.00
Bethany	\$210.00	\$270.00	\$420.00	\$320.00	\$470.00	\$1,690.00
Byron	\$245.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,045.00
Darien	\$385.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,185.00
Elba	\$210.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,010.00
LeRoy	\$1,085.00	\$1,080.00	\$840.00	\$2,560.00	\$940.00	\$6,505.00
Oakfield	\$280.00	\$270.00	\$420.00	\$960.00	\$470.00	\$2,400.00
Pavilion	\$385.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,185.00
Pembroke	\$630.00	\$1,260.00	\$810.00	\$1,280.00	\$1,410.00	\$5,390.00
Stafford	\$490.00	\$270.00	\$420.00	\$960.00	\$470.00	\$2,610.00
						Grand Total - \$57,100.00

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

**RESOLUTION NO. 322 2015 SALARY SCHEDULE AMENDMENT –
CENTRAL SERVICES/TEMPORARY
PURCHASING DIRECTOR – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Purchasing Director has resigned effective August 14, 2015, and
WHEREAS, In order to provide transitional training for the replacement, the County Manager is requesting the creation of a Temporary Purchasing Director, and

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

RESOLVED, That the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2015 Management Salary Schedule by creating a Temporary Purchasing Director position for transitional training purposes effective September 28, 2015 through October 16, 2015

Budget Impact: There are sufficient funds in the 2015 Central Services budget to cover the temporary position.

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

**RESOLUTION NO. 323 GRANT ACCEPTANCE-DISTRICT ATTORNEY/
AID TO PROSECUTION GRANT-APPROVAL OF**

Legislature Stein offered the following resolution

WHEREAS, The District Attorney has been notified of the award of grant funding from the New York State Division of Criminal Justice Services for prosecution services aid in the amount of \$43,800.00 for the period of April 1, 2015 to September 31, 2016, and

WHEREAS, The Committee on Public Services does recommend acceptance of these funds 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 Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$43,800.00 for Aid to Prosecution in Genesee County, and Be it further

RESOLVED, That funds for said grant have been appropriated in the 2015 Genesee County Budget.

Budget Impact: None - funds have been appropriated.

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

**RESOLUTION NO. 324 GRANT ACCEPTANCE/ 2015 BUDGET
AMENDMENT-EMERGENCY MANAGEMENT
SERVICES & SHERIFF'S OFFICE-FY15 STATE
HOMELAND SECURITY PROGRAM (SHSP)
GRANT APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to accept the FY15 State Homeland Security Program (SHSP) grant funding in the amount of \$115,000 from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA); administered by the NYS Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, Grant funding must support terrorism preparedness, by building or sustaining capabilities that relate to terrorism prevention, protection, and/or response activities or simultaneously support preparedness for other hazards, and

WHEREAS, 25% of the total grant award or \$28,750 must be utilized for law enforcement terrorism prevention activities, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY15 State Homeland Security Program (SHSP) funds in the amount of \$115,000 and to execute any and all other documentation related to this funding, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 County Budget by increasing the Sheriff's Office Appropriation Account A3110.4800.0503 – Homeland Security in the amount of \$28,750 to be offset by an increase in Sheriff's Office Revenue Account A.3110.4305.2 – Federal Aid/Homeland \$28,750.

Budget Impact Statement No County cost. Grant funds in the amount of \$28,750 are appropriated in the 2015 Genesee County Sheriff Budget. SHSP funds in the amount of \$

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

RESOLUTION NO. 325 GRANT ACCEPTANCE-EMERGENCY MANAGEMENT SERVICES/FY15 HAZMAT GRANT FUNDS-APPROVAL OF

Legislator Davis offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator did request authorization to accept the FY15 HazMat grant funds in the amount of \$196,000 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

WHEREAS, Grant funds have been identified for the sustainment of the remaining WMD trailers assigned to the Counties within the grant partnership; review of all current hazmat related PPE and equipment and the standardizing of said equipment for the region; development of a database of hazmat equipment to share among the Region; Resource typing of the Region to look at ways to enhance each County's capabilities using existing resources; and the development of a strategy for a regional response including cross training, and

WHEREAS, The Committee on Public Service does concur with the Emergency Management Services Coordinator's recommendation. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY15 HazMat Grant Program in the amount of \$196,000, and to execute any and all other documentation related to this funding.

Budget Impact Statement: A portion of the FY15 grant funds will be appropriated in the 2016 Emergency Management Services (EMS) budget, offset by revenue in like amount.

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

RESOLUTION NO. 326 SURPLUS EQUIPMENT – SHERIFF'S OFFICE – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Sheriff's Office has taken ownership of a 1999 Chevrolet Corvette (Vehicle Identification Number 1G1YY32G2X5105331), pursuant to a court order as the result of a drug case forfeiture, and

WHEREAS, The Genesee County Sheriff did request this 1999 Chevrolet Corvette be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend this vehicle be declared surplus property at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby declare the 1999 Chevrolet Corvette (Vehicle Identification Number 1G1YY32G2X5105331), surplus property to be disposed of through auction, and Be it further,

RESOLVED, That the proceeds from the sale of this vehicle be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

Budget Impact: Revenue from the sale of this vehicle to be appropriated to Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds)

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

RESOLUTION NO. 327 CONTRACT RENEWAL – SHERIFF/ NEW YORK STATE UNIFIED COURT SYSTEM APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Sheriff did present a contract renewal with the New York State Unified Court System for the provision of Security Services at the Genesee County Courts Facility, and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to execute the contract renewal between the County of Genesee and the New York State Unified Court System for the provisions of security services at the Genesee County Courts facility for the period of April 1, 2015 through March 31, 2016, at a cost not to exceed \$704,000.

Budget Impact: Costs for security services at the Courts Facility is offset by revenue from the New York State Unified Court System

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

RESOLUTION NO. 328 CREATION OF YWCA MEMBER TO CRIMINAL JUSTICE ADVISORY COUNCIL-APPROVAL OF

Legislator Bausch offered the following resolution

WHEREAS, The Criminal Justice Advisory Committee does advise the Legislature on matters concerning Criminal Justice in Genesee County, and

WHEREAS, The Committee did request the addition of the YWCA of Genesee County, Inc. as an agency member because of the work with victims of domestic violence matters that involve law enforcement and the Care and Crisis Helpline services which often require the involvement of the criminal justice system, and

WHEREAS, The Committee on Public Service does recommend the membership be expanded to include the YWCA at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby expand the membership of the Genesee County Criminal Justice Advisory Council to add the YWCA of Genesee County, Inc. as an agency member, effective immediately, and Be it further

Budget Impact: None

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

RESOLUTION NO. 329 CAPITAL PROJECTS - HIGHWAY /AUTHORIZATION TO CLOSE -APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommended that said Capital Projects be closed at this time, and

WHEREAS, The Committees on Public Service and Ways and Means reviewed this request and recommend that said Capital Projects be closed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to close the following Capital Projects:

<u>Capital Project</u>	<u>Balance</u>	<u>Income Source</u>
2013 Highway Overlay	0	CHIPS
2014 Bridge Construction	0	CHIPS
2014 Highway Chipseal	0	CHIPS
2014 Highway Overlay	0	CHIPS
2014 Highway Surface Treatment	0	CHIPS
Highway, Parking Lot/Driveway	0	1% Sales Tax
CR #35 East Road	0	1% Sales Tax

Budget Impact: None.

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

RESOLUTION NO. 330 COUNTY AUDIT – SEPTEMBER 23 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Davis did review the following claims:

2015 General Fund	\$	824,455.56
2015 Highway		147,033.63
2015 Nursing Home		558,543.42
2015 Self Insurance		47.50
2015 Water		20,430.60
2015 DSS Abstracts		622,632.04
2015 Capital Projects:		
Sheriff/Jail Upgrade Security Surveillance System		1,124.17
Highway Pratt & Powers Road Intersection Improvements		110.00
Highway Comprehensive Bridge Culverts		86,000.85
Airport Construct New Terminal & Maintenance Hangar		111,996.61
Airport Terminal Building & Maint. Hangar Demo & Site Conversion		5,566.00
Airport Construction T-Hangar Taxiway Apron Phase III		110.00
Payroll – General & Nursing Home		
September 18, 2015		1,806,261.94
Medicaid		
September 15, 2015		177,425.00
September 22, 2015	<u>177,425.00</u>	
Total Audit	\$	4,539,162.32

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 326 votes.

The meeting was adjourned at 5:52 PM upon motion of Legislator Stein seconded by Legislator Ferrando.