

**SIXTEENTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Wednesday, September 24, 2014**  
**Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, September 24, 2014 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.

The minutes of the September 10, 2014 meeting were approved upon motion of Legislator Lawrence seconded by Legislator Clattenburg.

Legislator Clattenburg presented a Proclamation in honor of Sheriff's Week to Sheriff Maha and Undersheriff Sheron. Sheriff Maha commented that Sheriff's Offices all across the State are celebrating the week of September 21-27, 2014 as Sheriff's Week. This week will recognize what Sheriff's do for their Counties and Citizens. The Sheriff thanked the Legislature for this Proclamation.

Executive Director of the New York State Sheriff's Association Peter Kehoe presented Reaccreditation Awards to various Sheriff Personnel. This award is no easy accomplishment. The Genesee County Sheriff's Office is an outstanding office and well respected around the State. Mr. Kehoe presented awards to the Civil and Communications Department.

Legislator DeJaneiro attended the recent GAM Meeting. Executive Secretary to the Workers Compensation Plan Jasinski and Assistant County Manager Landers did discuss Excess Workers Compensation Insurance. They stressed during this meeting that the Towns and Village need to have the proper Workers Compensation Insurance in place. Legislator DeJaneiro also attended the Household Hazardous Waste Collection in Livingston County. It went well and was very organized. Legislator DeJaneiro stated that Legislator Clattenburg was also in attendance and thanked her for her help. Legislator Clattenburg stated that Recycling Administrator Grayson did a great job organizing this event and there were approximately 500 cars that went through.

Legislator Young commented that he recently made a visit to the County DMV Office and the staff was more than helpful with the things he needed to accomplish. He has been hearing great things from the public about this office.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 338 CHARGE BACKS-ELECTIONS/INSPECTOR PAY-  
APPROVAL OF**

Legislator Bausch 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 2014 so that the Genesee County Treasurer can bill and collect these charges in 2015. Now, therefore, Be it **RESOLVED**, That the following charges be levied to the 13 Towns and the City of Batavia as follows:

2013 Election Expenses per Town/City for Chargebacks						
	Training	Local Primary 9/10/13	Local Primary 9/10/13	General Election 11/5/13	General Election 11/5/13	
	\$35.00	Inspectors - \$135	Coor. - \$210	Inspectors - \$160	Coordinators - \$235	Total per Town/City
City	\$1,855.00			\$5,280.00	\$4,700.00	\$11,835.00
Alabama	385.00			\$640.00	\$470.00	\$1,495.00
Alexander	315.00			\$640.00	\$470.00	\$1,425.00
Batavia	665.00			\$1,280.00	\$1,410.00	\$3,355.00
Bergen	350.00			\$640.00	\$470.00	\$1,460.00
Bethany	175.00			\$320.00	\$470.00	\$965.00
Byron	315.00	\$270.00	\$420.00	\$640.00	\$470.00	\$2,115.00
Darien	315.00			\$640.00	\$470.00	\$1,425.00
Elba	280.00			\$640.00	\$470.00	\$1,390.00
LeRoy	1,015.00			\$2,560.00	\$940.00	\$4,515.00
Oakfield	420.00			\$800.00	\$470.00	\$1,690.00
Pavilion	385.00			\$640.00	\$470.00	\$1,495.00
Pembroke	770.00			\$1,280.00	\$1,476.11	\$3,526.11
Stafford	560.00	\$270.00	\$420.00	\$960.00	\$470.00	\$2,680.00
						<b>Grand Total - \$39,371.11</b>

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

**RESOLUTION NO. 339 MAINTENANCE AGREEMENT – SHERIFF / WILMAC NEXT GENERATION 9-1-1 / P25 DIGITAL VOICE RECORDER SYSTEM - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County requested a Next-Generation 9-1-1 digital voice recording system maintenance agreement from The Wilmac Company, who is currently on New York State Contract and our current digital voice recorder vendor per Resolution 385, dated October 24, 2013; and

**WHEREAS**, After careful review by the Sheriff, County Attorney, Director of Information Technology, and Director of Emergency Communications, it is recommended the Next-Generation 9-1-1 / P25 digital voice recorder system maintenance agreement be awarded to The Wilmac Company, located at 73 State Street, Rochester, NY 14614, at a cost not to exceed \$22,700 per year for the period of March 1, 2015 to February 28, 2018, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with The Wilmac Company, located at 73 State Street, Rochester, NY 14614, for the maintenance of the Next Generation 9-1-1/P25 Digital Voice Recorder System at a cost not to exceed \$22,700 per year for the period of March 1, 2015, to February 28, 2018.

**Budget Impact:** The cost for the Next Generation 9-1-1/P25 Digital Voice Recorder System Maintenance Agreement has been included in the 2015 Sheriff's Communications Budget submission.

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

**RESOLUTION NO. 340 GRANT ACCEPTANCE/ESTABLISH CAPITAL PROJECT-SHERIFF/ PUBLIC SAFETY ANSWERING POINT SUSTAINMENT- APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications has awarded Genesee County a \$89,253.00 Public Safety Answering Point Sustainment Grant, and

**WHEREAS**, The grant funds will be used to purchase additional New World Systems Public Safety modules, pay New World Systems Public Safety Software Maintenance costs, and purchase upgrades to the public safety information technology network, and

**WHEREAS**, The Sheriff is requesting acceptance of these grant funds and the establishment of a the Public Safety Answering Point Sustainment Capital Project, and

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

**RESOLVED**, That the Chair of the Legislature is hereby authorized and directed to accept the Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications Public Safety Answering Point Sustainment Grant in the amount of \$89,253.00, and be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to establish the Public Safety Answering Point Sustainment Capital Project in the amount of \$89,253.00, to be offset by revenue from the Division of Homeland Security and Emergency Services Office of Interoperable Communications in a like amount, and be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the budget by Increasing Appropriation H.3997.2080.0000 in the amount of \$89,253.00 and Increase Revenue H.3997.3089 in a like amount.

**Budget Impact Statement:** Establish "Public Safety Answering Point Sustainment" Capital Project in the amount of \$89,253.00, to be offset by revenue from the New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications in a like amount.

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

### **RESOLUTION NO. 341 BUDGET AMENDMENT-SHERIFF/STATE CRIMINAL ALIEN ASSISTANCE PROGRAM-APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The County of Genesee has received an award of \$1,573 from the State Criminal Alien Assistance Program (SCAAP), which requires funding to be used for correctional purposes only, and

**WHEREAS**, Per our agreement with Justice Benefits, Inc., 15% of these funds, in the amount of \$236, will be paid to Justice Benefits for their professional assistance in acquiring this award, and the remaining \$1,337 will be used to cover overtime costs at the Genesee County Jail, and

**WHEREAS**, The Sheriff is requesting a 2014 budget amendment in the amount of \$1,573, 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 Jail appropriations as follows:

\$1,337 to Jail Account A.3150.1020.0000 (Overtime Salaries),

\$ 236 to Jail Account A3510.4660.0010 (Contracted Services-SCAAP)

To be offset by an increase in Jail Revenue Account

A3150.4089.1 (OJP – SCAAP) in the amount of \$1,573.

**Budget Impact Statement:** Increase in Jail appropriations of \$1,573 from a SCAAP award. Funds will be used to cover overtime costs at the County Jail. 15% of the award will pay for professional services used to acquire this award. This will be offset by an increase in Jail revenue in a like amount.

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

### **RESOLUTION NO. 342 FACILITY LEASE – COUNTY AIRPORT – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Rochester Amphibian, Inc. has expressed an interest to lease facilities at the Genesee County Airport for aviation related purposes, and

**WHEREAS**, The Genesee County Airport has a vacant corporate hangar for lease since the New York State Police terminated their lease at the end of July, and

**WHEREAS**, The Highway Superintendent has prepared a lease agreement and do recommend leasing the corporate hangar at this time, and

**WHEREAS**, The Committees on Public Service and Ways and Means have reviewed this request and do concur with the recommendation at this time. Now, therefore, Be it

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to enter into a facility lease agreement with Rochester Amphibian, Inc. per the terms of the agreement.

**Budget Impact:** This lease will produce approximately \$26,904 of revenue per year for the County Airport. The lease is for 5 years with three 5 year extensions and includes a 2% annual adjustment clause on the lease rate.

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

**RESOLUTION NO. 343      CONTRACT RENEWAL-MENTAL HEALTH SERVICES  
JUSTICE FOR CHILDREN ADVOCACY CENTER/GENESEE  
JUSTICE -APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Coordinator of Genesee Justice did submit a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center, and

**WHEREAS**, The Public Service Committee did review the contractual 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 enter into a contractual agreement with Julie A. Walsh, LCSW, 43 Sarah Circle, Spencerport, NY 14559 to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY for the period of October 1, 2014 through September 30, 2015 at a cost of \$35.00/hour.

**Budget Impact:** Funds for this position covered through NYS Office of Victim Services grant

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

**RESOLUTION NO. 344      CONTRACT RENEWAL-CLINICAL SUPERVISION GENESEE  
JUSTICE -APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Coordinator of Genesee Justice did submit a contractual agreement for clinical supervision for the Justice for Children Advocacy Center Mental Health clinical Therapist who provides services to children alleged to be abused and/or neglected, and

**WHEREAS**, The Public Service Committee did review the contractual agreement and does recommend approval at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature and the Coordinator of Genesee Justice are hereby authorized and directed to enter into a contractual agreement with Vicky Chamberlain, 405 East Main Street, Batavia, NY clinical supervision for the for the Justice for Children Advocacy Center Mental Health Clinical Therapists, 304 East Main Street, Batavia, NY for the period of October 1, 2014 through September 30, 2015 at a cost of \$75.00 per hour.

**Budget Impact:** Funding for this item to be covered by grant funds through the NYS OCFS.

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

**RESOLUTION NO. 345      CONTRACT RENEWAL-FORENSIC INTERVIEWER (KATHY  
COLGEN)/GENESEE JUSTICE -APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Coordinator of Genesee Justice did submit a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

**WHEREAS**, The Public Service Committee did review the contractual agreement and does recommend approval. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature and the Coordinator of Genesee Justice are hereby authorized and directed to enter into a contractual agreement with Kathy Colgan, 16 Country Meadow Drive, Honeoye Falls, NY 14472 for forensic interviewing, peer review, and training for the Justice for Children Advocacy Center/Team, 304 East Main Street, Batavia, NY for the period of October 1, 2014 through September 30, 2015 at a cost of \$80.00 per hour.

**Budget Impact:** Funding for this item to be covered by grant funds through the NYS OCFS.

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

**RESOLUTION NO. 346 BUDGET TRANSFER-GENESEE JUSTICE  
APPROVAL OF**

Legislator Lawrence offered the following resolution:

**WHEREAS**, The Coordinator of the Genesee Justice is requesting an appropriation transfer to the 2014 Genesee Justice budget to allow for the use of remaining 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 Genesee Justice budget by transferring funds from A.3151.4800.0000 (Program Expense) in the amount of \$3,000 and A.3151.4660.000 (Contracted-Other) in the amount of \$6,500 into the following accounts

\$7,100 – A.3151.2010.0022 Chairs

\$ 400 – A.3151.2010.0021 Tables/Tubs/Totes

\$2,000 – A.3151.4110.0000 Gen. Office Supplies

**Budget Impact:** \$9,500 in budget transfers are covered in 2014 grant funds through the NYS Office of Victim Services and NYS Office of Children and Family Services which expire on September 30, 2014.

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

**RESOLUTION NO. 347 GENESEE COUNTY SALE OF COUNTY OWNED PROPERTY-  
RATIFICATION OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, Bontrager Real Estate and Auction Services, Inc., on behalf of Genesee County, conducted a sale of county-owned property on Saturday, September 13, 2014, at 10:00 a. m. at 18 South Main Street, Oakfield, New York, at which time county-owned property was sold to the highest bidder, and

**WHEREAS**, The Committee on Ways and Means did review the bids and does recommend ratification of the sale at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature hereby ratifies and confirms the sale of the property listed below to the following:

<u>Purchaser</u>	<u>Parcel</u>	<u>Tax Map #</u>	<u>Town</u>	<u>Price</u>
Doreen L. Borgal	#1	5.-1-69	Oakfield	\$41,000

**Budget Impact:** Total sale of properties exceeds outstanding taxes owed by approximately \$24,515.95.

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

**RESOLUTION NO. 348 TREASURER/RELEVY OF UNPAID SCHOOL AND VILLAGE  
TAXES- AUTHORIZATION FOR**

Legislator Stein offered the following resolution:

**WHEREAS**, The Real Property Tax Law requires that, by November 15, 2014, all rural Genesee County School Districts return their respective unpaid 2014-2015 school taxes to the County Treasurer for inclusion in the following year's town and county levy, and

**WHEREAS**, The Legislature entered into an agreement with the various villages within the county that, upon notification to the county, by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the town and county levy. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Genesee immediately upon receipt by the County Treasurer's Office.

**Budget Impact:** None, it is an authorization to relevel unpaid taxes.

**RESOLUTION NO. 349 STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS-NEW YORK STATE RETIREMENT SYSTEM-APPROVAL OF**

Legislator Ferrando offered the following resolution:

**RESOLVED**, That the County of Genesee hereby establishes the following as standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

Title	Standard Work Day (Hrs/day) Min. 6 hrs. Max 8 hrs.	Name (First and Last)	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates	Participates in Time Keeping System	Record of Activity
Coroner	6	Karen Lang		01/01/13-12/31/16	N	5.95
Coroner	6	Barry Miller		01/01/12-12/31/15	Y	

**RESOLUTION NO. 350 COUNTY AUDIT – SEPTEMBER 24 - APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, Legislator Torrey did review the following claims:

2014 General Fund	\$ 723,462.71
2014 Highway	313,667.47
2014 Self Insurance	46,741.00
2014 Nursing Home	660,331.00
2014 DSS Abstracts	318,965.14
<b>2014 Capital Projects:</b>	
Sheriff 800 Mhz Radio System Upgrade	99,911.23
County Park Pavilions A & B Roof Repair & Fireplaces	54.00
DeWitt Park Utility Extensions & Security Improvements	337.98
Highway North Pembroke Road Bridge	10,334.93
Highway 2014 Bridge Construction	7,174.18
Highway 2014 Fuel Farm	22,906.40
Highway CR 35 East Road	454,635.38
Highway 2014 Highway Recycling	104,104.81
Highway 2014 Highway Surface Treatment	362,486.21
<b>Payroll – General &amp; Nursing Home</b>	
September 24, 2014	1,743,637.80
<b>Medicaid</b>	
September 16, 2014	184,665.00
September 23, 2014	<u>184,665.00</u>
<b>Total Audit</b>	\$ 5,238,080.24

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 Stein seconded the resolution which was adopted by 326 votes.

A motion to adjourn was made at 5:57 PM upon motion of Legislator Stein seconded by Legislator Clattenburg.