

**FIRST DAY
GENESEE COUNTY LEGISLATURE
Wednesday, January 14, 2015
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday January 14, 2015 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Torrey followed by the Pledge to the Flag.

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

Chairman Cianfrini read a Proclamation in honor of NYSAC's 90th Birthday.

Legislator Ferrando commented that the GCC Foundation Kickoff will be January 21st from 4:30 PM to 6:30 PM. Good things are coming from the college.

Chairman Cianfrini appointed Marianne Clattenburg as the new Vice Chair. She will be filling the term of Annie Lawrence who resigned at the end of 2014. County Clerk Don Read swore her in.

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

**RESOLUTION NO. 1 APPOINTMENT -GENESEE COUNTY LEGISLATOR-
DISTRICT NO. THREE-DARIEN AND PEMBROKE-
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, There is a vacancy in District No. Three, Darien and Pembroke, on the Genesee County Legislature, due to the resignation of Annie Lawrence, and

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

RESOLVED, Pursuant to the Genesee County Local Law No. One Year 1967, the Genesee County Legislature does hereby appoint Michael Davis of Darien, New York to the Genesee County Legislature, representing District No. Three, Darien and Pembroke, effective January 14, 2015 through December 31, 2015.

Legislator Torrey seconded the resolution which was adopted by 283 votes.

Legislator Davis was sworn in by County Clerk Don Read.

**RESOLUTION NO. 2 REAPPOINTMENT - DEMOCRATIC ELECTION
COMMISSIONER – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Pursuant to Section 3-204 of the New York State Election Law, the Genesee County Democratic Committee has recommended Lorie J. Longhany of LeRoy, New York for appointment as Commissioner of Elections, and

WHEREAS, The Committee on Ways and Means concurs with this recommendation. Now, therefore, Be it

RESOLVED, That Lorie J. Longhany of LeRoy, New York is hereby appointed to represent the Democratic Party as Commissioner of Elections to serve a term effective January 1, 2015 through December 31, 2018.

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

**RESOLUTION NO. 3 APPOINTMENT/SALARY SCHEDULE AMENDMENT-
DIRECTOR, OFFICE FOR THE AGING– APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, Mrs. Pamela Whitmore will be retiring as Genesee County Office for the Aging Director effective January 24, 2015, and

WHEREAS, The Interview Committee did interview two highly qualified individuals for the Office for the Aging Director position and unanimously recommend Ruth Spink, and

WHEREAS, The Ways and Means Committee does recommend that Ruth Spink be appointed to the position of Director, Office for the Aging. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Ruth Spink of Medina, New York as Director, Office for the Aging effective January 26, 2015 at an annual salary of \$65,000 plus longevity, and Be it further

RESOLVED, That the Genesee County Treasurer and the Human Resources Director are authorized to amend the 2015 Management Salary Schedule to include Ruth Spink in the Director, Office for the Aging position at an annual salary of \$ 65,000 plus longevity, effective January 26, 2015.

Budget Impact: annual salary expense reduction of approximately \$9,800.

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

RESOLUTION NO. 4 REAPPOINTMENT -GENESEE COUNTY BOARD OF HEALTH – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Board of Health due to a term expiration December 31, 2014 and

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

RESOLVED, That the Genesee County Legislature does hereby appoint Mr. Kenneth Oakley, PhD. of Batavia, New York to the Genesee County Board of Health effective January 1, 2015 through December 31, 2020.

Budget Impact: Board Members are reimbursed at a rate of \$40 per board meeting attended. The expenses are included in the 2015 Dept. 4010 – Public Health Budget and are eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

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

RESOLUTION NO. 5 2015 SALARY SCHEDULE AMENDMENT – HEALTH DEPARTMENT/PART TIME FINANCIAL CLERK TYPIST – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Public Health Director did request an amendment to the 2015 Employee Salary Schedule by creating the position of one part-time Financial Clerk-Typist position to meet the needs of the department, and

WHEREAS, The Committee 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 Genesee County Treasurer and Human Resource Director are hereby authorized and directed to amend the 2015 Genesee County Employee Salary Schedule by creating the part time position (39 hours biweekly) of Financial Clerk Typist, CSEA Grade 8, effective January 15, 2015.

Budget Impact: The anticipated salary and fringe for this position is \$14,591, which will be offset by reimbursement from the Genesee County Informational Technology Department for half of the expenses for the full-time Financial Clerk-Typist position which is included in the A 4010 Public Health 2015 adopted budget.

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

**RESOLUTION NO. 6 LEASE AGREEMENT/BUDGET AMENDMENT- OFFICE
FOR THE AGING/TENDER LOVING FAMILY CARE,
INC.–APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request approval of a Lease and Program Collaboration Agreement with Tender Loving Family Care, Inc. (TLFC) 97 West Avenue, Brockport, New York 14420 for the period of February 1, 2015 – January 31, 2016 for rental of activity room space to operate a Social Adult Day Program within the Office for the Aging 2 Bank Street, Batavia, NY building, and

WHEREAS; The Office for the Aging sees a growing need for a Social Adult Day Program within the Batavia area and to meet the needs of clients served by OFA; and there is room space available on the first floor Senior Center which would be a good location for a Social Adult Day Program to operate, and

WHEREAS; TLFC operates a quality Social Day Program at Gardenview in LeRoy, NY and has made a proposal to do a similar Social Adult Day Program at our Office for the Aging site on a 4 day per week basis; and this arrangement is mutually beneficial.; with rates set at \$415.87 per month for the Lounge Room (4 days per week); \$20 per day for the use of a second activity room (based on actual usage); and \$7.50 per meal for each congregate meal ordered for TLFC’s Social Adult Day Program clients, and

WHEREAS, The Office for the Aging requests that the \$6,500 in additional room rental revenue projected for 2015 for the rental of space be used for upgrading reception area furniture and specialized supplies for the OFA/Senior Center which are needed to update rooms and activity space at the facility; and the \$8,640 in additional congregate meal service revenue be placed in the food service contract to pay for additional meals served, and

WHEREAS, The Committee on Human Services and Ways and Means 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 approve a Lease and Program Collaboration Agreement with Tender Loving Family Care, Inc., 97 West Avenue, Brockport, New York 14420 for the period of February 1, 2015 – January 31, 2016 for a rental rate is \$415.87 per month for the Lounge Room (4 days per week); \$20 per day for the use of a second activity room (based on actual usage); and \$7.50 per meal for each congregate meal ordered for TLFC’s Social Adult Day Program clients; and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Appropriations:

A.6772.2	Equipment	+ \$ 5,500
A.6772.4	Contractual	+ \$ 9,640

Revenues:

A.6772.1973	Social Adult Prog Meals-TLFC	+\$ 8,640
A. 6772.2705	Rent-County Owned Prop	+ \$ 6,500

Budget Impact: Neutral. Rental income projected for 2015 is \$6,500 and will fully cover expenses of Office for the Aging furniture and specialized supplies that need updating; and \$8,640 in meal charges will fully pay for cost of providing additional congregate meals.

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

A resolution authorizing a contract to Niagara Advantage for Congregate & Home Delivered Meals was returned back to Committee upon motion of Legislator Ferrando seconded by Legislator Stein.

**RESOLUTION NO. 7 CONTRACT RENEWAL – NURSING HOME/
VENDING SERVICES – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 26 duly adopted on January 23, 2013 did award a contract with Servomation Refreshments, Inc. for the provision of vending services at the Genesee County Nursing Home as a replacement for the employee cafeteria, and

WHEREAS, The contract allows for four (4) additional one (1) year renewal periods upon mutual written consent of both parties, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract be extended for the second of these one-year renewals through February 29, 2016, 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 enter into a renewal agreement with Servomation Refreshments, Inc., 111 Lumber Street, Canastota, New York 13032 for the provision of vending services effective March 1, 2015 and continuing until February 29, 2016.

Budget Impact Statement: There is no cost to the County.

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

**RESOLUTION NO. 8 CONTRACT RENEWAL- NURSING
HOME/REHABILITATION SERVICES — APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, Resolution No. 481 duly adopted on December 12, 2012 did award a contract with Freedom Therapy for the provision of rehabilitation services at the Genesee County Nursing Home for the period of March 1, 2013 through February 28, 2015, and

WHEREAS, The contract allows for four (4) additional one (1) year renewal periods upon mutual written consent of both parties, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract be extended for the first of these one-year renewals through February 29, 2016, 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 enter into a renewal agreement with Freedom Therapy, 2050 South Clinton Avenue, Rochester, New York, 14628 for the provision of rehabilitation services for the period of March 1, 2015 through February 29, 2016.

Budget Impact Statement: Amount has been budgeted for in 2015 Budget.

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

**RESOLUTION NO. 9 CONTRACT AMENDMENT - NURSING HOME/
PHARMACY SERVICES –APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Resolution No. 377 did authorize a contract renewal with Omnicare of Western New York for the provision of pharmacy services for the Genesee County Nursing Home, and

WHEREAS, Omnicare has recently announced revised clinical service fees for SNF facilities using Omnicare LTC pharmacy services and this will minimally affect the clinical services fees at the Nursing Home beginning March 1, 2015, and

WHEREAS, The Nursing Home Administrator does recommend the contract be amended to include an increase of \$0.20 per occupied bed per month for consultant pharmacy services, 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 amend the contract with Omnicare of Western New York, 2410 North America Drive, West Seneca, New York, 14224 to include an increase of \$0.20 per occupied bed effective March 1, 2015

Budget Impact Statement: Included in 2015 Budget.

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

RESOLUTION NO. 10 CONTRACT –NURSING HOME /CHAPLAINCY AND PASTORAL CARE SERVICES– APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home does recommend that it is in the best interest of The Home to have pastoral care services available to residents, families and staff, and

WHEREAS, The Committee on Human Services did review a proposed contract with Rev. Bill Hockey to provide such services and 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 contract with Rev. Bill Hockey, 42 Chandler Avenue, Batavia, NY, for the provision of Chaplaincy and Pastoral Care Services at a rate of \$35 per hour for 5-10 hours per week, for a one-year period beginning January 15, 2015 with provisions for automatic one-year renewals, at the same terms and conditions, upon written mutual agreement of the parties.

Budget Impact Statement: Annual cost of \$18,200 has been budgeted for in the 2015 budget.

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

RESOLUTION NO. 11 SALARY SCHEDULE AMENDMENT – NURSING HOME – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2015 Salary Schedule in order to provide a more efficient operation of her Department, and

WHEREAS, The Committees 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 Treasurer and Human Resources Director are hereby authorized and directed to amend the 2015 Genesee County Employee Salary Schedule by deleting a Medical Billing Clerk, FT, 37.5 hrs./wk. in CSEA General Unit Grade 9, Step 1, to be effective January 30, 2015.

Budget Impact: Savings of \$34,453

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

RESOLUTION NO. 12 CONTRACT – NURSING HOME/ MANAGED MEDICAID INSURER –APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, In 2015, New York State will begin transitioning all Medicaid recipients to Medicaid Managed Care Plans, and

WHEREAS, It will be necessary for the Genesee County Nursing Home to hold contracts with the various Medicaid Managed Care Plans that residents will be using, and

WHEREAS, ElderPlan, Inc. is one such Health Maintenance Organization that operates one or more Medicaid Managed Care Plans, and

WHEREAS, The Administrator of the Nursing Home does recommend the approval of a contract with ElderPlan, Inc., and the Committee on Human Services has reviewed this request and 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 enter into a contract with ElderPlan, Inc., 2180 Empire Boulevard, Webster, New York, 14580 for the provision of Medicaid Managed Care Plans beginning January 15, 2015 at no cost to the County.

Budget Impact: None

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

**RESOLUTION NO. 13 AWARD OF BID-INFORMATION TECHNOLOGY/
CONSULTING SERVICES - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Information Technology Director is recommending Genesee County award RFP2014-113 Consulting Services to Systems Management Planning (SMP) to provide 100 hours of ad-hoc consulting services in support of the critical Government and Public Safety infrastructure.

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Consulting Services contract with Systems Management Planning 1020 John Street West Henrietta New York 14586 with an amount not to exceed \$17,500.

BUDGET IMPACT STATEMENT: The contract cost of \$17,500 for Consulting Services is within the 2015 Adopted Budget in line item A.1680.4600.0000 Contracted Services. The consulting services provided supplement the I.T. staff and provide a level of expertise that in-house staff do not have. This is a critical component to keeping the infrastructure reliable and available and is a more cost effective approach than adding full-time staff to the budget.

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

**RESOLUTION NO. 14 DENIAL OF CORRECTION TO TAX ROLLS –
TREASURER / TOWN OF PEMBROKE –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has received an application for a correction to the tax roll in the Town of Pembroke as follows:

Town of Pembroke, Tax Map #18.-2-43 and 22.-1-15.12, owned by Amy B Stein of 1116 Reynolds Rd, Corfu, NY 14036. The applicant is requesting that the interest and penalties be removed from the school tax relevy figures on her two tax bills due to the fact that she did not receive the school tax bills, and,

WHEREAS, The Director of Real Property Tax Services recommends that the correction be denied pursuant to Real Property Tax Law §922 which states that the failure to receive a tax statement shall not in any way affect the validity of the taxes or the interest prescribed by law, and

WHEREAS, The Committee on Ways and Means did review this application and concurs that the correction be denied. Now, therefore Be it

RESOLVED, That the correction of taxes for the above described parcels is denied.

Budget Impact: No impact to the County.

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

**RESOLUTION NO. 15 CORRECTION TO TAX ROLLS – TREASURER /
TOWN OF LEROY – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has received an application for a correction to the tax roll in the Town of LeRoy as follows:

Tax Map #7.-1-74, owned by the Village of LeRoy, and,

WHEREAS, This parcel was erroneously charged a County water surcharge when this parcel had no water consumption, and,

WHEREAS, The Director of Real Property Tax Services recommends and the Committee on Ways and Means concurs that this correction be made, Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to approve the application for corrected tax roll as submitted, and, Be it further

RESOLVED, That the 2015 tax warrant for the Town of LeRoy be reduced by \$33.00, the amount of the incorrectly levied water surcharge.

Budget Impact: Reduction to the County of \$33.00.

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

**RESOLUTION NO. 16 CORRECTION TO TAX ROLLS – TREASURER /
TOWN OF BATAVIA / TOWN OF ELBA –
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has received an application for a correction to the tax rolls in the Town of Batavia and the Town of Elba as follows:

Town of Batavia, Tax Map #4.-1-4, owned by Douglas J and Lisa A Clark

Town of Elba, Tax Map #5.-1-6, owned by Richard A and Debra Bastiano

Town of Elba, Tax Map #1.-1-13, owned by Edward and Jacqueline Cassidy

Town of Elba, Tax Map #4.-1-38, owned by Joseph C Scouten

Town of Elba, Tax Map #17.-1-87.1, owned by Scott M and Cheryl Allen

Town of Elba, Tax Map #17.-1-87.2, owned by Scott M and Cheryl Allen

Town of Elba, Tax Map #8.-1-38.1, owned by Mark E and Debra Burhans

Town of Elba, Tax Map #9.-1-24.1, owned by the Estate of Alton Dewey

Town of Elba, Tax Map #11.-1-13.2, owned by Ronald R Green

Town of Elba, Tax Map #12.-1-61, owned by Herbert H and Marie Lamkin

Town of Elba, Tax Map #18.-1-22, owned by Shawn M and Lori J McClurg

Town of Elba, Tax Map #8.-1-30.22, owned by Jay and Trisa Nickerson

Town of Elba, Tax Map #8.-1-30.113, owned by Jay and Trisa Nickerson

Town of Elba, Tax Map #14.-1-49, owned by Christopher R and Sarah L Norton

Town of Elba, Tax Map #14.-1-50.1, owned by Christopher R Norton

Town of Elba, Tax Map #15.-1-30.2, owned by Bernard E and Carol A Pangrazio

Town of Elba, Tax Map #19.-1-27.12, owned by Brian L and Kimberly Walczak, and,

WHEREAS, The Elba Central School taxes were paid during the appropriate collection period for all of the aforementioned properties and were incorrectly relieved onto the County and Town tax rolls, and,

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

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to approve the application for corrected tax rolls as submitted, and, Be it further

RESOLVED, That the 2015 tax warrant for the Town of Batavia be reduced by \$1,165.84, the amount of the incorrectly relieved school taxes in said Town, and, Be it further

\$12,326,464; H.2497.5710 (Serial Bonds) \$9,326,465; H.2497.2832 (Cont. from GCC Foundation) \$3,000,000.

Budget Impact: County Cost of \$9,326,465 will be financed by issuance of long term financing

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

**RESOLUTION NO. 19 ESTABLISH CAPITAL PROJECT/BUDGET
AMENDMENT-GENESEE COMMUNITY
COLLEGE/DINING HALL AND KITCHEN
EXPANSION/RENOVATION -APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Board of Trustees of the Genesee Community College, in conjunction with the State University Construction Fund and the Genesee County Legislature studied the facility needs of the College, and

WHEREAS, a total project of \$450,000 has been identified for dining hall and kitchen expansion and renovations, and

WHEREAS, Genesee Community College has received funds of \$225,000 to upgrade the existing dining hall and kitchen, and

WHEREAS, the State of New York's share (50%) of the capital projects in the amount of \$225,000 will be financed through bond proceeds through the Dormitory Authority of the State of New York (DASNY), and

WHEREAS, the local share of project costs will be totally funded by donations from the College's food service vendor. Now, therefore, Be it

RESOLVED, that the Genesee Community College Board of Trustees has requested the Genesee County Legislature to approve proceeding with the renovation of the existing cafeteria and kitchen facilities at a total cost not to exceed \$450,000 of which the local share will be \$225,000 funded by donations from the College's food service vendor. Be it further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to establish a capital project titled Dining Hall and Kitchen Expansion/Renovation at a total cost not to exceed \$450,000. Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 budget by increasing appropriation H.2497.2080.0000 (Capital Project Expense) by \$450,000 offset by an increase in revenue H.2497.3285 (St. Aid Community College Const.) \$225,000; H.2497.2705.2 (Contributions- Other) \$225,000

Budget Impact: Local share is funded by donations from College's food service vendor. No net County cost.

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

**RESOLUTION NO. 20 CONTRACT -GRANTS WRITING CONSULTANT
SERVICES – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, RFQ 2012-302 was awarded to Stuart I. Brown Associates, Inc., a division of LaBella Associates for Grant Writer Services for Genesee County for a two year period with 3 one-year renewal options, and

WHEREAS, The consensus is to renew the contract for the first one-year period commencing January 1, 2015, and ending December 31, 2015 based on the company's experience and tenure with working in and with the County on a number of outside funding requests, and

WHEREAS, The Committee on Ways and Means has reviewed 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 an agreement with the firm of Stuart I. Brown Associates, Inc., a division of LaBella Associates, PC 300 State Street, Suite 201, Rochester, NY for grants writer consultant services for Genesee County at the rate of \$90 per hour of service for a total expenditure not to exceed of \$5,000 for grant preparation, facilitation and application services for the period January 1, 2015 through December 31, 2015.

Budget Impact Statement: Annual appropriation allocation of \$5,000 has remained the same since fiscal year 2002.

2009 Rate = \$75/hour or 66 hours of service per year

2010 – 2012 Rate = \$95/hour or 52 hours of service per year

2013 = \$90/hour or 55.5 hours of service per year

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

**RESOLUTION NO. 21 2015 SALARY SCHEDULE AMENDMENT – JOB
DEVELOPMENT BUREAU – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The GLOW WIB Finance Committee did approve a 1.75% raise for the GLOW WIB Manager and funding for the rate increase is provided through GLOW WIB, and

WHEREAS, The County Manager did request an amendment to the 2015 Management Salary Schedule to include the 1.75% rate increase for the GLOW WIB Manager, and

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

RESOLVED, The Genesee County Treasurer and Human Resources Director are hereby directed to amend the 2015 Management Salary Schedule by increasing the GLOW WIB Managers base salary to \$59,885 + longevity, effective January 1, 2015.

BUDGET IMPACT: increase of \$1,030 is included in the 2015 budget. Funds for the increase are paid by GLOW WIB

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

**RESOLUTION NO. 22 OFFICIAL NEWSPAPER FOR THE COUNTY OF
GENESEE – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Republican Committee and the Genesee County Democratic Committee did recommend the Daily News, 1 Apollo Drive, Batavia, New York as the Official Newspaper for the Year 2015, pursuant to Chapter 214 of the County Law. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby designate the Daily News as the Official Newspaper for the Year 2015.

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

**RESOLUTION NO. 23 REAL PROPERTY TAX CORRECTIONS AND REFUNDS
2015 – TREASURER – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The New York State Real Property Tax Law §554 and §556, provide an administrative correction of errors process to assist the property owner in obtaining real property tax corrections and refunds caused by certain clerical errors, unlawful entries, and errors in essential fact, and

WHEREAS, The tax levying body can delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law §554 and Real Property Tax Law §556, and

WHEREAS, The Committee on Ways and Means does recommend that the Treasurer be delegated to perform said duties. Now, therefore Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to carry out the requirements of §554 and §556 of the Real Property Tax Law, effective immediately, where the Real Property Tax Director's recommended correction or refund is two thousand five hundred dollars or less, and Be it further

RESOLVED, That on the fifteenth day of each month, the Genesee County Treasurer shall submit a report to the Genesee County Legislature of the corrections and refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the correction or refund, and the amount of the correction or refund.

Budget Impact: No immediate impact, correction and refund amounts will vary from year to year. Refunds are charged to allowance for uncollectible which has a balance of approximately \$129,000.

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

RESOLUTION NO. 24 A RESOLUTION AUTHORIZING A COMMUNITY COLLEGE CAPITAL PROJECT IN AND FOR THE COUNTY OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$24,652,929, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$12,326,464 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF.

Legislator Ferrando offered the following resolution:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; **NOW, THEREFORE, BE IT**

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Genesee, New York, as follows:

Section 1. A Community College Capital Project, consisting of the construction of a Community Wellness and Event Center, a Student Success Center, reconfiguration of the main entrance, energy conservation measures, site work, renovation of the Main Building, as well as original furnishings, equipment, machinery and apparatus, are hereby authorized in and for the County of Genesee, New York.

Section 2. The plan for the financing of the aforesaid purpose consists of the following:

- (a) By the issuance of not exceeding \$12,326,464 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced to the extent of donations \$3,000,000 currently expected); and
- (b) By the expenditure of \$12,326,464 to be received as State grants.

Section 3. is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five years, pursuant to subdivision 93 (subdivisions 11 and 12(a)(1)) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Genesee, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such

year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in The Batavia Daily News, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

**RESOLUTION NO. 25 COUNTY AUDIT – JANUARY 14 - APPROVAL
OF**

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Bausch did review the following claims:

2014 General Fund	\$	884,877.34
2015 General Fund		588,469.76
2014 Highway		91,111.37
2015 Highway		2,178.00
2014 Nursing Home		865,908.09
2015 Nursing Home		328,112.94
2014 Self Insurance		39.27

2015 Self Insurance	46,738.00
2014 Water	16,275.18
2014 DSS Abstracts	1,386,956.34
2015 DSS Abstracts	153,405.95
2014 Capital Projects:	
Facility Mgt.-Old Courthouse Roof & Cupola Repair	51,922.00
Sheriff/Jail Public Safety Answering Point Sustainment	48,090.00
Sheriff Upgrade of Security Surveillance System	14,490.30
Sheriff 800MHZ Radio System Upgrade	8,763.95
DeWitt Park Utility Ext/Security Improvements	198.61
Highway Hopkins Road Bridge	9,092.39
Highway 2014 Bridge Construction	17,251.73
Highway Pratt & Powers Rd Intersection Improvements	4,620.66
Highway North Pembroke Road Bridge	71,860.05
Airport Tie Down Apron Relocation	56,739.17
Airport T-Hangar Taxiway Apron Phase III	100.00
Airport Building Demolition & Site Conversion, etc.	5,750.00
Airport Construct New Terminal & Maintenance Hangar	35,231.17
Payroll – General & Nursing Home	
December 12, 2014	1,436,099.92
December 26, 2014	1,719,051.45
January 9, 2015	1,265,906.68
Medicaid	
December 16, 2014	184,665.00
December 23, 2014	184,665.00
December 30, 2014	184,665.00
January 6, 2015	174,706.00
January 13, 2015	<u>174,706.00</u>
Total Audit	\$ 10,012,647.32

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 Stein seconded the resolution which was adopted by 326 votes.

The meeting adjourned at 6:00 PM upon motion of Legislator Bausch seconded by Legislator DeJaneiro.