

**SIXTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Wednesday, March 23, 2016**  
**Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, March 23, 2016 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

The minutes of the March 9, 2016 meeting was approved upon motion of Legislator Stein seconded by Legislator DeJaneiro.

Legislator DeJaneiro reported the 4<sup>th</sup> Ward Councilman for the City of Batavia held a public forum to listen to resident concerns regarding the OTB request to close Park Road in the Town of Batavia. County Planning Director Felipe Oltramari was present and provided explanation regarding the planning process.

The Clerk reported on a notice of public hearing received from the Town of Batavia regarding a proposed local law to amend the Town of Batavia Zoning Ordinance regarding the Industrial Park District. There were two out of state travel requests: 3-ESU team members/GCEMO to Baltimore, MD June 14-19 for the 2016 International HazMat Conference-grant funded. Motion to approve by Legislator Stein second by Legislator Davis, carried. Sgt. Sanfratello to Phoenix, AZ April 24-27 for New World User Conference cost \$2,015 which includes a \$500 presenter discount. Motion to approve made by Legislator Bausch second by Legislator Davis, carried.

Legislator Stein reported the Celebrate Ag Dinner was March 19<sup>th</sup> where over 400 attendees were served a gourmet meal prepared from locally grown foods from Genesee County farms. The Chamber of Commerce Ag Committee, Cornell Cooperative Extension, Farm Bureau and Soil and Water Conservation planned and organized the dinner again this year. Valley View Farm in Alexander was recognized with the Conservation Farm of the Year Award.

County Manager Gsell discussed the Governor's proposal to increase minimum wage to \$15 and the significant impact on the ag and farm community as well as other types of business in our county. Also discussed were the financial implications of the Indigent Legal system funding to the county – 1.4 Mil. The county receives 8% reimbursement in State Aid. There are one-house bills that provide some relief to counties.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 93 CONTRACT FOR GRANTS ACCEPTANCE/BUDGET AMENDMENT-PUBLIC DEFENDER-APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, The Public Defender does recommend the acceptance of the contract for grants between the Genesee County Public Defender's Office and the New York State Office of Indigent Legal Services (C000718), Distribution # 5, for the period of January 1, 2015 – December 31, 2017, in the amount of \$334,200.00.

**WHEREAS**, the Genesee County Public Defender is requesting a 2016 budget amendment of \$22,044.00 to accept this contract and allow for use of a portion of the grant to be used in 2016 budget and the balance of \$89,356.00 to be used in future County fiscal year's budget as appropriate, and

**WHEREAS**, the Public Service Committee and Ways and Means Committee did review the contract for grants and does recommend acceptance at this time. Now, therefore, Be it



Thomas Clark

City of Batavia, Wards 4 & 5

District #9

And, Be it

**RESOLVED**, That the Genesee County Legislature does hereby appoint the following to serve out the remaining term on the Genesee County Parks, Recreation, and Forestry Advisory Committee effective immediately through March 31, 2017:

Jerome Gentry

City of Batavia, Wards 1 & 6

District #7

**Budget Impact:** None

Legislator Deleo seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 96**

**2016 VEHICLE PURCHASES – HIGHWAY-MOTOR POOL- APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, Funds were incorporated into the 2016 Internal Service Fund (Motor Pool) to purchase vehicles for use by the various County Departments, and

**WHEREAS**, The Genesee County Highway Superintendent has reviewed vehicles available at state bid pricing and recommends purchases, and

**WHEREAS**, The Committee on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Highway Superintendent is hereby authorized and directed to purchase one 2016 Medium Roof Ford Transit Van with Sliding Passenger Door from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445, in an amount not to exceed \$25,003.08 to be paid from the 2016 Internal Service Fund.

**Budget Impact:** 2016 Internal Service Fund budgeted \$96,000 for the purchase of new vehicles. The estimated cost of the scheduled vehicle replacements is \$25,003.08 as the need for two additional vans was eliminated.

Legislator Stein seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 97**

**AWARD OF BIDS – HIGHWAY-CONSTRUCTION MATERIALS - APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent advertised specifications for the various construction materials used by Genesee County for highway and bridge maintenance and construction, and

**WHEREAS**, The Highway Superintendent did review these bids and does recommend their award at this time, and

**WHEREAS**, The Committee on Public Service did review this request and does recommend an award at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Highway Superintendent is hereby authorized and directed to award bids to the various vendors on the annual construction materials bid as allowed for under the specifications for each item and as budgeted for within the 2016 County Budget and capital projects as established; and be it further

**RESOLVED**, That award of products is based on the best value for Genesee County and appropriate mileage adjustments will be applied to products that are picked up and hauled by Genesee County from plants and quarries; and be it further

**RESOLVED**, That Genesee County will continue use the lowest responsible bidder for each product when products are not available from the supplier due to breakdowns, weather, delays at the plant or other reasons not controlled by the County.



**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Michael Ranzenhofer, Assemblyman Steve Hawley and others deemed necessary and proper.

Legislator Davis seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 99      APPOINTMENT TO THE GLOW WORKFORCE  
DEVELOPMENT BOARD MEMBERSHIP**

Legislator Davis offered the following resolutions:

**WHEREAS**, The Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

**WHEREAS**, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

**WHEREAS**, The Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

Joseph Hamm, Commissioner Finger Lakes Region, representing Wagner Peyser, for an on-going term.

David Rumsey, Commissioner Wyoming County DSS, representing Youth Organizations, for an on-going term.

Christine Luly, District Office Manager –NYS Adult Career and Continuing Education Services (ACCES) –VR, representing Vocational Rehabilitation Programs, for an on-going term.

Reid Smalley, Executive Director of Workforce Development - The Best Center, representing, Higher Education – Institutions of Higher Education Providing Workforce Activities, for an on-going term.

Jim Pierce, Executive Director - Wyoming County Business Center, representing Economic and Community Development, for an on-going term.

R.Z. Lampley, Shift Steward/Group Leader - Rochester Labor Federation, representing Labor Organization, for an on-going term.

Anthony Diperna, President - Bricklayers and Allied Contractors Local #3, representing Apprenticeship, for an on-going term.

John Cima, Adult Education Lead Coordinator – Genesee Valley Partnership for Education, representing Title II Adult Education and Literacy, for an on-going term.

Kellie Kennedy, Director of Day Services – Hilltop the ARC of Livingston/Wyoming, representing a Community Based Organization, for an on-going term.

Dennis Burke, Human Resources Manager – Liberty Pumps, representing the Private Sector for a term of 7/1/15 - 6/30/17.

Paul Fricano, VP Human Resource – Oxbo International Corp., representing the Private Sector for a term of 7/1/15 – 6/30/17.

Geoffrey Buell, General Manager – Lapp Insulator, representing the Private Sector for a term of 7/1/15 – 6/30/17 Now, therefore Be it

**RESOLVED**, That the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Legislator Deleo seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 100 CONTRACT AMENDMENT-UNITED UNIFORM NAME CHANGE-APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, Resolution No 34 duly adopted on January 28, 2015 did award a contract with United Uniform Company, Inc. for the Sheriff's Office employee uniforms, and

**WHEREAS**, United Uniform Company, Inc. has recently entered into an Asset Purchase Agreement with United Uniform Distribution, LLC where the current uniform contract with United Uniform Company will fall, and

**WHEREAS**, The Committee on Ways and Means does recommend that Genesee County agree to the assignment of the contract with United Uniform Distribution, LLC. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement assigning a contract with United Uniform Distribution, LLC 495 North French Road Buffalo, New York 14228.

**Budget Impact Statement:** None.

Legislator Bausch seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 101 RFP REJECTION – COUNTY FAX SERVICE RFP # 2016-102 – APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The County of Genesee issued RFP 2016-102 for County FAX Service, and

**WHEREAS**, An inadequate number of vendors responded to the RFP

**WHEREAS**, The Purchasing Director does recommend all proposals be rejected and the RFP reissued in the pursuit of additional proposals, Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to reject all proposals received through RFP 2016-102 and reissue the RFP in the pursuit of additional proposals.

**Budget Impact:** Additional proposals may provide the services for a lower amount than what is currently budgeted for in the 2016 IT Department budget.

Legislator Stein seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 102 INSURANCE RENEWAL-2016-2017 POLICY WITH NYMIR – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, 2002 Resolution No. 43 duly adopted on January 23, 2002 did approve the selection of New York Municipal Insurance Reciprocal (NYMIR) as Genesee County's carrier for its property and liability insurance coverage and 2004 Resolution No. 395 duly adopted on November 22, 2004 did approve the selection of NYMIR as carrier for the Genesee County Nursing Home's property and professional liability coverage, and

**WHEREAS**, NYMIR has presented a 2016/2017 renewal proposal to the County for the same level of coverage at an annual premium of \$258,855.34, and

**WHEREAS**, The Genesee County Attorney has recommended that the County renew coverage with NYMIR, and

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

**RESOLVED**, That the Genesee County Legislature does hereby designate New York Municipal Insurance Reciprocal, 12 Metro Park Road, Suite 208, Colonie, NY 12205-1139 to provide for the period February 1, 2016 through February 1, 2017 insurance coverage of \$1/\$2 million General Liability, \$2/\$4 million Excess Liability, Property, Boiler and Machinery, Inland Marine, Auto Liability, Law Enforcement Liability and Public Officials Errors and Omissions Liability with a \$1 million self-insured retention by Genesee County and \$1/\$3 million Professional Liability for the Health Department, Mental Health Department, County Jail and County Nursing Home at an annualized premium not to exceed \$258,855.34.

**Budget Impact Statement:** \$41,875.37 decrease in annualized premium from 2015/16 to 2016/17.

Legislator DeJaneiro seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 103 LEASE – LEGAL AID OF ROCHESTER AGREEMENT – APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Genesee County Manager did present an agreement with Legal Aid of Rochester for the lease of space at County Building #2, 3837 West Main Street, Batavia, for administrative purposes for the period of April 1, 2016 – March 31, 2017, at a rate of \$2,224.80 annually, and

**WHEREAS**, The Committee on Ways and Means did review said agreement and recommends approval at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Legal Aid of Rochester and the County of Genesee for the lease of space at County Building #2, 3837 West Main Street, effective April 1, 2016 through March 31, 2017; at a cost of \$2,224.80 per year.

**Budget Impact:** Additional revenue of \$2,224.80 annually.

Legislator Bausch seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 104 RATIFICATION OF/BUDGET TRANSFER/AMENDMENT - DEPUTY SHERIFFS' ASSOCIATION UNION CONTRACT FOR 2014 THROUGH 2016– APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, The Genesee County Manager and Human Resource Director did present a successfully completed Collective Bargaining Agreement with the Deputy Sheriffs' Association which was ratified by a vote of the Union Membership, and

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

**RESOLVED**, That the Genesee County Legislature does hereby ratify and approve the terms and conditions of said Agreement by and between the Genesee County Deputy Sheriffs' Association, the Genesee County Sheriff and the County of Genesee for the period January 1, 2014 through December 31, 2016, and, Be it further

**RESOLVED**, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following 2016 budget transfers:

\$299,888.00 from Contingency A.1990.4800.0000 Program Expense

\$156,628.00 to A.3110.1010.0000 Personal Services

\$ 7,497.00 to A.3110.1020.0000 Overtime





**RESOLUTION NO. 106**

**AWARD OF CONTRACT-COUNTY  
CLERK/COMPUTER SERVICES-APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS,** The Genesee County Clerk issued a request for proposals for an Integrated County Clerk’s Records Management System which includes the necessary hardware and software for the functions of Cashiering, Indexing, Imaging, Public Search, Courts, UCC, Judgments, Web Serving, Pistol Permits, Electronic Endorsement Page, Work Flow Management, Electronic Filing, Electronic Recording, and Revenue Reporting and Accounting, and

**WHEREAS,** A review committee has thoroughly studied the proposals submitted and received demonstrations of each system proposed, and

**WHEREAS,** The current operating contract has been a stand-alone system in the amount of \$7,500 per month, with additional costs for specialized services, and

**WHEREAS,** the Review Committee, the County Clerk and the Ways & Means Committee do hereby recommend that a new contract be entered, and

**WHEREAS,** the contract has been reviewed and approved by the Genesee County Attorney, the Director of Purchasing, and the Director of Information Technology, and

**WHEREAS,** the new contract will provide for system refinements, new equipment, technological advances, enhanced program capability, more efficient workflow, and the ability to integrate with the County computer system for greater accessibility and efficiency.

**NOW THEREFORE, BE IT RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized to execute said contract with Info Quick Solutions, Inc. (“IQS”), 7460 Morgan Road, Liverpool, NY 13090 for the amount of \$6,842 per month, with additional amounts as specified in said contract for specialized services for the period on behalf of Genesee County for the period June 1, 2016 through May 31, 2021.

**Budget Impact:** A monthly savings in the amount of \$658.00, totaling \$7,896 per year in savings over the existing contract.

Legislator Davis seconded the resolution which was adopted by 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

**RESOLUTION NO. 107 COUNTY AUDIT – MARCH 23 - APPROVAL OF**

Legislator Bausch offered the following resolution:

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

2016 General Fund	\$	984,568.38
2016 Highway		54,337.74
2016 Water		21,722.85
2016 Nursing Home		704,802.55
2016 Self Insurance		177.05
DSS Abstracts		215,111.68
<b>2016 Capital Projects:</b>		
Airport Construct New Terminal Building & Maintenance Hangar		260,376.47
Sheriff 800 Mghz Radio System Upgrade		632.20
<b>Payroll – General &amp; Nursing Home</b>		
March 18, 2016		1,780,409.49

**Medicaid**

March 15, 2016	177,425.00
March 22, 2016	<u>177,425.00</u>
<b>Total Audit</b>	\$ 4,376,988.41

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 251 votes, Legislator Clattenburg (28) and Legislator Young (47) absent.

The meeting was adjourned at 5:47 PM upon motion of Legislator Stein seconded by Legislator Deleo.