

**TWENTIETH DAY
GENESEE COUNTY LEGISLATURE
Monday, November 23, 2015
Batavia, New York**

The Genesee County Legislature met in Regular Session on Monday, November 23, 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.

In addition to our regular meeting Chairman Cianfrini opened three Public Hearings
Local Law Introductory No. 3 Year 2015 A Local Law To Amend The Tax Laws Of Genesee County Pursuant To Section 421-F Of The New York State Real Property Tax Law and

Local Law Introductory No. 4 Year 2015 A Local Law To Amend The Tax Laws Of Genesee County Pursuant To Section 485-A Of The New York State Real Property Tax Law and

The Tentative Genesee County Budget for 2016. Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during said fiscal year to members of the Genesee County Legislature and to the Chair, thereof, are hereby specified as follows:

Members of the Legislature	\$11,646 each
Chair of the Legislature	\$15,324.

There were not speakers.

The minutes of the November 12, 2015 meeting were approved upon motion of Legislator Stein seconded by Legislator Ferrando.

Legislator Clattenburg commented that the County Planning Board meetings beginning January 1, 2016 will start at 7:00PM instead of 7:30PM.

Legislator Stein reported that she attended InterCo in Jamestown. The Group received a nice introduction to the National Comedy Hall of Fame, which is under construction. There was also a presentation on land banks and their significant use in rural communities. Legislator Stein will be presenting this to the Comprehensive Plan Committee.

County Manager Gsell reported that the County's tax cap form was accepted and that the County budget can now be adopted.

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

RESOLUTION NO. 414 APPOINTMENT – CORONER – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, A Coroner vacancy does exist due to an unexpected death, and

WHEREAS, Jeffery McIntire has been elected to serve as County Coroner beginning January 1, 2016, and

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

RESOLVED, That the Genesee County Legislature does hereby appoint Jeffery McIntire, 41 South Main Street, Oakfield, New York 14125, to fill the current coroner vacancy, effective November 24, 2015 through December 31, 2015.

Budget Impact: \$1372.00 remains in the 2015 Coroners budget, as follows, for expenses related to this position: \$ 1275.00: A 1185 1010 0000 (Salary)

\$ 79.00: A 1185 8010 0000 (Social Security)

\$ 18.00: A 1185 8011 0000 (Medicare)

Legislator Clattenburg seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 415 MEMORANDUM OF UNDERSTANDING AMENDMENT-
SHERIFF / BYRON BERGEN SCHOOL RESOURCE
OFFICER - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, A Memorandum of Understanding between Genesee County, the Genesee County Sheriff and the Byron-Bergen School District for a School Resource Officer (SRO) was entered into per Resolution #224 dated June 24, 2015, for a 10-month period effective September 1, 2015, through June 30, 2016, and

WHEREAS, The Byron-Bergen School District would like to increase the services of the School Resource Officer for an additional two months (July 1, 2016 through August 31, 2016).

Reimbursement for this additional time period would be an estimated cost of \$16,544.98 (*the current Deputy Sheriffs' Association contract expired December 31, 2013; therefore, compensation is subject to increase upon settlement of new contract*), and

WHEREAS, the Public Service Committee did review this request and does recommend approval 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 sign the Byron-Bergen School Resource Officer MOU Addendum for the period of July 1, 2016, through August 31, 2016, at an amended cost of \$16,544.98 (*compensation is subject to increase upon settlement of the Deputy Sheriffs' Association Collective Bargaining Agreement*).

Budget Impact: None; additional revenue was included in the 2016 budget.

Legislator Stein seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 416 SERVICE AGREEMENT RENEWAL – SHERIFF’S OFFICE/
LINSTAR – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the current service agreement with Linstar, Inc., 430 Lawrence Bell Drive, Buffalo, NY, for the security system at the Sheriff’s Administration Building and 9-1-1 Center will expire on December 31, 2015, and

WHEREAS, Linstar, Inc., is offering a service agreement for this equipment for the period of January 1, 2016, through December 31, 2016, at a total cost of \$9,180.00, and

WHEREAS, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature hereby authorizes and directs the Sheriff to enter into an equipment service agreement with Linstar, Inc., for maintenance and service of the security system at the Sheriff’s Administration Building and 9-1-1 Center at a cost not to exceed \$9,180.00 for the period of January 1, 2016, through December 31, 2016.

BUDGET IMPACT: \$9,180.00 has been appropriated to the Sheriff’s 2016 budget to cover the cost of the Linstar service agreement.

Legislator Ferrando seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 417 REAPPOINTMENTS-TRAFFIC SAFETY BOARD –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Reappointments do exist on the Genesee County Traffic Safety Board and the

Committees on Public Service and Ways and Means do recommend reappointing the following three-year terms:

Timothy Yaeger	10/1/15 - 9/30/18
Timothy Hens	10/1/15 - 9/30/18
Donna Hackett	12/1/15 - 11/30/18

Now, therefore Be it

RESOLVED, That the Timothy Yaeger of Batavia, Timothy Hens of LeRoy be appointed to the Genesee County Traffic Safety Board effective October 1, 2015 through September 30, 2018, and Be it further

RESOLVED, That Donna Hackett of Corfu is reappointed for another three-year term effective December 1, 2015 through November 30, 2018.

Budget Impact: None.

Legislator Stein seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 418 BUDGET AMENDMENT/TRANSFER-SHERIFF/BODY ARMOR - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Sheriff's Office will be purchasing body armor at a cost of \$2,674, and

WHEREAS, Funds will be transferred from the T83 Trust Account (Uniform Vests), and

WHEREAS, The Sheriff is requesting a 2015 budget amendment in the amount of \$2,674, with a budget transfer in that same amount, to be used to purchase the body armor, 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 2015 Sheriff's budget by increasing Account A3110.4580.0000 (Personal Uniforms) in the amount of \$2,674, to be offset by an increase of \$2,674 to Sheriff's Revenue Account A1000.3110.2831 (Contributions From Other Funds), which will be transferred from the T83 Trust Account (Uniform Vests).

Budget Impact: Increase in Sheriff's appropriation of \$2,674, for the purchase of body armor, offset by increase in revenue in a like amount, with the funds to be transferred from the T83 Trust Account-Uniform Vests.

Legislator Davis seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 419 SERVICE AGREEMENT RENEWAL-SHERIFF'S OFFICE/ACTIVU – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County did contract with Activu for the maintenance of the Network Interface Display Monitor (Video Wall) pursuant to Resolution No. 82 adopted on February 25, 2010, with an option for two (2), one-year extensions, and

WHEREAS, this agreement expires December 31, 2015, and

WHEREAS, the current renewal agreement covers the period of January 1, 2016, through December 31, 2016, at a cost of \$15,772.96, and

WHEREAS, the Committee on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to renew the Service Agreement with Activu, 301 Round Hill Drive, Rockaway, New Jersey 07866, for the maintenance of the Network Interface Display Monitor (Video Wall) at the 9-1-1 Communications Center for a total cost not to exceed \$15,772.96

effective January 1, 2016, through December 31, 2016.

Budget Impact: Cost of this renewal agreement is offset by wireless 911 surcharge revenue, which has been appropriated to the 2016 Communications Budget.

Legislator Ferrando seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 420 JOINT SERVICE AGREEMENT – HIGHWAY/ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY- EXTENSION OF

Legislator Davis offered the following resolution:

WHEREAS, Genesee County has an existing joint service agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) for use of facilities at the Genesee County Highway Department by the Batavia Bus Service Inc., D/B/A RTS Genesee, and

WHEREAS, The County Highway Superintendent recommends extending the existing joint service agreement with RGRTA per terms and conditions of the existing agreement, and

WHEREAS, The Genesee County Legislature did review this recommendation and does concur at this time. Now, therefore, Be it

RESOLVED, The Genesee County Legislature does hereby extend the existing joint service agreement with the Rochester Genesee Regional Transportation Authority under the same terms and conditions of the existing agreement.

RESOLVED, The extension of the joint service agreement shall be from November 1, 2015 through October 31, 2020.

Budget Impact RGRTA pays Genesee County a \$600 per month lease for use of the highway facilities on Cedar Street.

Legislator Clattenburg seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 421 RENEWAL AGREEMENT – HIGHWAY DEPARTMENT/ REPAIR AND MAINTENANCE OF ELEVATORS – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has an existing agreement with Thyssen-Krupp Elevator Co for the repair and maintenance of elevators, and

WHEREAS, The Highway Superintendent recommends renewing this agreement for the third and final one-year renewal provided for in the original agreement, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby authorize the Chairperson of the Legislature to enter into a renewal agreement with Thyssen-Krupp Elevator Co for the period of one-year commencing January 1, 2016 through December 31, 2016 under the same terms and conditions as the January 1, 2012 agreement between the two parties.

Budget Impact: Expenses for elevator repairs and maintenance are a budgeted item in the Facility Maintenance budget and are estimated at \$12,425 per year.

Legislator Torrey seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 422 AWARD OF BID –HIGHWAY DEPARTMENT/ SHERIFF ADMINISTRATION BUILDING SPRINKLER REPAIRS –

APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Genesee County advertised bid specifications for the repair of the exiting fire sprinkler system located within the Sheriff Administration Building, and

WHEREAS, The Genesee County Highway Superintendent reviewed bids submitted for accuracy and does recommend an award at this time, and

WHEREAS, The Committee on Public Service reviewed this recommendation and does concur at this time, Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to award a contract to Monroe Piping & Sheet Metal, LLC, 68 Humboldt St, Rochester, NY 14609, for the repairs of the sprinkler system at the Genesee County Sheriff Administration Building according bid specifications in an amount not to exceed \$31,600.

Budget Impact: Capital project established for this work in the amount of \$52,000. The available balance on the project is \$46,600.

Legislator Stein seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 423 2015 BUDGET AMENDMENT – PARKS, RECREATION AND FORESTRY – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County maintains deferred revenue accounts dedicated for use with the Parks, Recreation and Forestry Department, and

WHEREAS, Items have been requested that were not included in the 2015 operating budget for the County Park, and

WHEREAS, A \$250 donation was made by the New York Forest Owners association for the purchase of deer exclosure fencing as planned in the Deer Management Plan adopted for the Genesee County Park and Forest, and

WHEREAS, The Superintendent of Highways requests the use of these funds to allow for the procurement of the requested items, and

WHEREAS, The County Superintendent of Highways has recommended transferring \$750 from the Forestry deferred revenue account in order to complete the purchase of these products, and

WHEREAS, The Public Service Committee did review this recommendation and does concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Park budget as follows:

Decrease Deferred Revenue Forestry (A691.2652F) in the amount of \$750

Increase Forestry Harvest (A7110.2652) in the amount of \$1,000

Increase Forestry Services (A7110.4700.1016) in the amount of \$1,000

Budget Impact: The budget amendment moves deferred revenue of \$750 from Forestry into revenue accounts in the 2015 operating budget. In addition, the budget amendment also reflects the acceptance of a \$250 donation for Forestry Harvest. The budget amendment will allow for the purchase of deer fencing as required by the Deer Management Plan.

Legislator Ferrando seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO 424 CONTRACT-PUBLIC DEFENDER/LEGAL AID OF BUFFALO, INC. APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Public Defender does recommend the contract between Genesee County and The Legal Aid Bureau of Buffalo, Inc. for the provision of appellate defense services for the period January 1, 2016-December 31, 2016 in the amount of \$ 100,000.00 and

WHEREAS, The Committee on Public Service did review the contract 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 new contract with The Legal Aid Bureau of Buffalo, Inc. for the period January 1, 2106 through December 31, 2016 at no cost to the County.

Budget Impact: This contract will be funded in full by Indigent Legal Services grants under Contract Nos. C000318 and C000518 and Distribution Grants #5 and #6.

Legislator Stein seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 425 REAPPOINTMENT-SOIL & WATER-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, A reappointment has been recommended on the Genesee County Soil & Water Conservation Board, and

WHEREAS, The Public Service and Ways & Means Committee does recommend a reappointment be made at this time. Now, therefore, Be it

RESOLVED, That Tadeus Konieczka of Elba, New York is hereby reappointed as a member of the Genesee County Soil & Water Conservation Board effective immediately through December 31, 2017.

Legislator Torrey seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 426 AWARD OF CONTRACT – FLEXIBLE BENEFITS MANAGEMENT/ ADMINISTRATOR – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2015-106 for administration services for the County’s Flexible Benefits Plan, and

WHEREAS, As a result of a review of the proposals submitted the County entered into an Agreement with Health Economics Group for administration services for the County’s Flexible Benefits Plan and it is the recommendation of the County Manager and Human Resources Director to continue this arrangement with Health Economics Group, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into contract with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of Flexible Benefits Program Administration effective January 1, 2016 through December 31, 2017 with a provision of three additional one-year periods of renewal under the same terms and conditions upon mutual consent between the parties.

Flexible Benefits Program Administration Fee Per Member Per Month: \$2.50

Debit Card Administration \$1.00

Budget Impact Statement: Flex Plan Administration costs are paid utilizing the County’s FICA savings generated by employee participation in the flexible benefits program.

Legislator Clattenburg seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

RESOLUTION NO. 427 AWARD OF CONTRACT – THIRD PARTY ADMINISTRATOR OF SELF-FUNDED HEALTH

**PLAN/INDEPENDENT HEALTH/NOVA HEALTHCARE
ADMINISTRATORS – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2015-107 for Third Party Administrators for the County’s Self-Funded Health Plan, and

WHEREAS, The Genesee County Health Benefits Review committee in conjunction with the County’s Health Plan Consultants reviewed and analyzed the third party administrators for continuation of the County’s Self-Funded Health Plan, and

WHEREAS, The Genesee County Health Benefits Review committee does recommend that Independent Health/Nova Healthcare be awarded the contract to provide third party administration for the Genesee County self-funded medical benefits plan, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Independent Health/Nova Healthcare Administrators, 511 Farber Lakes Drive, Buffalo, New York for the provision of third party administration services for the County’s Self-Funded Health Plan effective January 1, 2016 through December 31, 2017 with a provision of three additional one-year periods.

	<u>Per Member Per Month</u>
2016 Medical/Vision and COBRA Administration Fee:	\$35.00

	<u>Per Member Per Month</u>
2017 Medical/Vision and COBRA Administration Fee:	\$36.00

Budget Impact Statement: \$360,000 is budgeted in the 2016 budget for the Self-Funded Health Plan
Legislator Stein seconded the resolution which was adopted by 253 votes, Legislator Bausch (45) absent, Legislator DeJaneiro (28) absent.

**RESOLUTION NO. 428 RENEWAL OF CONTRACT – HEALTH BENEFITS/THIRD
PARTY ADMINISTRATOR/DENTAL – APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, Resolution No. 481 duly adopted on December 11, 2014 did award a contract to Health Economics Group, Inc. for third party administration services for the County’s self-funded dental benefits plan, and

WHEREAS, The RFP issued in 2014 and the 2014 Resolution No. 481 did allow for four one year renewals under the same terms and conditions and the Genesee County Human Resources Director has recommended the renewal of this contract for 2016, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the first of four one-year renewal contracts with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of third party administration services at the following rates effective January 1, 2016 through December 31, 2016.

Summary Plan Document Production Fee at County cost and

Dental Administration Fee Per Member Per Month:	\$2.35
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COBRA Administration Per COBRA Participant Per Month:	\$0.90 + 2% of premium
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Budget Impact Statement: No increase in the Administration Fee. Annual cost estimated to be \$25,000.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 429 AWARD OF CONTRACT – THIRD PARTY
ADMINISTRATOR OF SELF-FUNDED HEALTH
PLAN/INDEPENDENT HEALTH/NOVA HEALTHCARE
ADMINISTRATORS – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2015-108 for Pharmacy Benefit Manager for the County’s Self-Funded Prescription Drug plan, and

WHEREAS, The Genesee County Health Benefits Review committee in conjunction with the County’s Health Plan Consultants reviewed and analyzed the proposal for Pharmacy Benefit Manager for continuation of the County’s Self-Funded Prescription Drug Plan, and

WHEREAS, The Genesee County Health Benefits Review committee does recommend that Independent Health be awarded the contract to provide Pharmacy Benefit Manager services for the Genesee County self-funded Prescription Drug plan, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Independent Health, 511 Farber Lakes Drive, Buffalo, New York for the provision of Pharmacy Benefit Manager services for the County’s Self-Funded Health Plan effective January 1, 2016 through December 31, 2016 with a provision of one additional two-year period.

Per Prescription

Pharmacy Administration Fee: \$1.00

Budget Impact Statement: \$60,000 is budgeted in the 2016 budget for the Self-Funded Health Plan
Legislator Ferrando seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 430 RENEWAL OF CONTRACT - EMPLOYEE ASSISTANCE
PROGRAM – HUMAN RESOURCES DEPARTMENT-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, A Request for Proposals was issued in 2013 seeking proposals from providers of Employee Assistance Program (EAP) services for Genesee County employees, and

WHEREAS, A committee of interested employees reviewed these proposals and made a recommendation regarding a provider of Employee Assistance Program Services, and

WHEREAS, the contract was awarded to Educational Resource Associates for an initial two year period, with an option for three additional one-year periods. Now, therefore, Be it

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to enter into the first of three one-year renewal contracts with Educational Resource Associates of Pittsford, New York to provide Employee Assistance Program services to the employees of Genesee County for the period January 1, 2016 through December 31, 2016 at a cost of \$9,240 per year.

Budget Impact Statement: Funds are included in the 2016 budget. The cost of EAP services remains the same as in 2014 & 2015.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 431 RENEWAL OF CONTRACT – SELF INSURED HEALTH BENEFITS PLAN CONSULTANT – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, Resolution No. 9 duly adopted on January 11, 2013 did award a contract to Premier Consulting to be the County's health benefit plan consultant, and

WHEREAS, The RFP issued in 2012 and the 2013 Resolution No. 9 did allow for three additional one year renewals under the same terms and conditions and the Genesee County Human Resources Director has recommended the renewal of this contract for 2016, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the first of three one-year renewal contracts with Premier Consulting, 1416 Sweet Home Road, Amherst, New York to provide Health Benefits Plan Consulting services at a cost of \$40,000 per contract year with said contract to commence February 15, 2016 through February 14, 2017.

Budget Impact Statement: The 2016 budget includes \$40,000 for this service.

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 432 2015 BUDGET AMENDMENT – HUMAN RESOURCES - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Human Resources Director did request a budget amendment to cover shortfall of funds in the 2015 budget for Exam Fees, and

WHEREAS, Committee on Ways and Means did review this request and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 budget by increasing account A1430.1260 by \$7,000. and increasing Personnel Fees A1430.4800.0145 Exam Fees in the same amount.

Budget Impact Statement: \$6,000 was originally budgeted for Exam Fees in 2015. Offering the Deputy Sheriff and Police Civil Service examination was planned for 2016 but due to a request from the Appointing Authorities will be held in 2015.

Legislator Davis seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 433 SCHEDULE "A" 2016 EMPLOYEE SALARY SCHEDULE – ADOPTION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, It is necessary to establish a schedule for payment of wages in 2016 for positions covered in negotiated agreements and for other positions not included in the Genesee County Schedule B Management Salary Schedule, and

WHEREAS, The Committee on Ways and Means did review the schedule as presented by the County Manager and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and the Human Resources Director be and hereby are authorized and directed to implement payroll certifications, effective January 1, 2016 based upon the recommended Genesee County Employee Salary Schedule.

Legislator Ferrando seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 434 SCHEDULE “B” 2016 MANAGEMENT SALARY
SCHEDULE – ADOPTION OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Committee on Ways and Means did review the Management Salary Schedule “B” for 2016 and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the County Supervisory and Non-Union Salary Schedule for 2015 be and hereby is adopted, and Be it further

RESOLVED, That the Genesee County Treasurer and the Human Resources Director be and hereby are authorized and directed to implement payroll certifications and payments based on the titles and salaries contained in Schedule “B” 2016 Management Salary Schedule, effective January 1, 2016.

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 435 2015 BUDGET AMENDMENT-ELECTIONS/INSPECTORS
PAY-APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Board of Elections experienced a September primary in two wards in the City of Batavia and four (4) Genesee County towns that was not anticipated when preparing the 2015 budget, and

WHEREAS, Election Commissioners Lorie Longhany and Richard Siebert have projected they will need to request an additional \$5500 to compensate the required election inspectors necessary to staff at our 27 election polling sites as per State law, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to increase account A1450.4660.0000 Contracted Other by \$5500 and increase revenue account A1450.2215 Election Exp-Other Govts by \$5500.

Budget Impact Statement: This expenditure is revenue neutral as the expense for inspectors will be offset by chargebacks to our 13 Towns and the City of Batavia

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 436 SETTING A PUBLIC HEARING ON INTRODUCTORY
LOCAL LAW NO. 5 YEAR 2015 – SALARIES OF COUNTY
FIXED TERM OFFICERS-APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law entitled: “**A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE ELECTED OR APPOINTED FOR A FIXED TERM,**” and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a Public Hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the Proposed Local Law Introductory No. 5, Year 2015 on Wednesday, December 9, 2015, at 5:30 p.m. at the Genesee County Courthouse, 7 Main Street, Batavia, New York.

Legislator Clattenburg seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 437 LOCAL LAW INTRODUCTORY NO. 3 YEAR 2015,

**A LOCAL LAW TO AMEND THE TAX LAWS OF
GENESEE COUNTY PURSUANT TO SECTION 421-f OF
THE NEW YORK STATE REAL PROPERTY TAX LAW
-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The following Local Law was duly introduced to the Genesee County Legislature in accordance with the Law

A LOCAL LAW, to amend the tax laws of Genesee County.

Be it enacted, by the Genesee County Legislature, Batavia New York, as follows:

Section 1. Exemptions for Capital Improvements to Residential Buildings in the Village of LeRoy.

Exemptions Established

Residential buildings within the Village of LeRoy, New York that are reconstructed, altered or improved, pursuant to § 421-f of the NYS Real Property Tax Law shall be exempt from taxation and special ad valorem levies levied.

Amount of exemption

A. The exemption equals the base exemption, multiplied by one of the following percentages. The extent of such exemption shall decrease by 12 ½% of the exemption base each year during such additional period pursuant to the following.

Year 1	100%
Year 2	87.5%
Year 3	75%
Year 4	62.5%
Year 5	50%
Year 6	37.5%
Year 7	25%
Year 8	12.5%
Year 9	0%

B. Such exemption shall be limited to \$80,000 in increased market value, but not less than \$5,000, of the property attributable to such reconstruction, alteration or improvement, and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this section. For the purposes of this section, the market value of the reconstruction, alteration or improvement shall be equal to the increased assessed value attributable to such reconstruction, alteration or improvement divided by the most recently established state equalization rate or special equalization rate, except where the state equalization rate or special equalization rate equals or exceeds 95%, in which case the increase in assessed value attributable to such reconstruction, alteration or improvement shall be deemed to equal the market value of such reconstruction, alteration or improvement.

Section 2. Eligibility for Exemption

A. No such exemption shall be granted for reconstruction, alterations or improvements unless:

1. Such reconstruction, alteration or improvement was commenced subsequent to the effective date of the local law or resolution adopted; and

2. The value of such reconstruction, alteration or improvement exceeds \$3,000; and
 3. The greater portion, as so determined by square footage, of the building reconstructed, altered or improved is at least five years old; and
 4. The reconstruction, alteration or improvement shall have been permitted by the Code Enforcement Officer such that a building permit issued and said reconstruction, alteration or improvement shall have met all necessary approvals per the applicable New York State Uniform Fire Prevention and Building Code, LeRoy Municipal Code and the Code Enforcement Officer's approval upon completion; and
 5. The property for which exemption is sought must be a one or two family residence.
- B. For purposes of this section the terms "reconstruction," "alteration" and "improvement" shall not include ordinary maintenance and repairs.
- C. In the event that a building granted an exemption pursuant to this article ceases to be used primarily for residential purposes or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this article shall cease.

Section 3. Time to file application

Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the State Board. The application shall be filed with the Assessor of the Town of LeRoy on or before the taxable status date of March 1. Any exemption pursuant to this article shall be granted only upon application by the owner thereof on the form prescribed by the State Board. The application shall be filed with the Assessor of the Town of LeRoy on or before the taxable status date of March 1 to be eligible for any exemption to be entered on the assessment roll prepared on the basis of said taxable status date.

Section 4. Effective date

This local law shall take effect immediately

WHEREAS, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing of said proposed Local Law on the bulletin board in the Courthouse, and
WHEREAS, A Public Hearing was held at 5:30 PM on the 23rd day of November, 2015 at the Genesee County Legislature Chambers, Old Courthouse, 7 Main St., Batavia, New York at which time all interested persons who wished to speak were heard. Now, therefore, Be it **RESOLVED**, That a LOCAL LAW TO AMEND THE TAX LAWS OF GENESEE COUNTY to be known as Local Law Number _____, Year 2015 be and hereby is adopted. Legislator Davis seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

**RESOLUTION NO. 438 LOCAL LAW INTRODUCTORY NO. 4 YEAR 2015,
 A LOCAL LAW TO AMEND THE TAX LAWS OF
 GENESEE COUNTY PURSUANT TO SECTION 485-a OF
 THE NEW YORK STATE REAL PROPERTY TAX LAW
 -APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The following Local Law was duly introduced to the Genesee County Legislature in accordance with the Law

A LOCAL LAW, to amend the tax laws of Genesee County.

Be it enacted, by the Genesee County Legislature, Batavia New York, as follows:

Section 1. Exemption for Residential-Commercial Urban Exemption Program

Exemption Established

Non-residential buildings within the Village of LeRoy, New York that are converted to a mixture of residential and commercial uses pursuant to §485-a of the NYS Real Property Tax Law shall be exempt from taxation and special ad valorem levies levied.

Amount of exemption

A. The exemption is calculated as a percentage of the “exemption base,” which is the increase in assessed value attributed to the conversion. The base should be determined for each year in which there is such an increase attributed to an eligible conversion. The exemption is to be calculated by the following method:

Year 1 through 8	100% of Exemption Base
Year 9	80% of Exemption Base
Year 10	60% of Exemption Base
Year 11	40% of Exemption Base
Year 12	20% of Exemption Base

B. No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvement to real property, except, where during the period of such previous exemption, payments in lieu of taxes or other payments were made to the local government in an amount that would have been equal or greater than the amount of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this section. In such case, an exemption shall be granted for a number of years equal to the twelve year exemption granted pursuant to this section less the number of years the property would have been previously exempt from real property taxes.

Eligibility for Exemption

A. No such exemption shall be granted for reconstruction, alterations or improvements unless:

1. Such conversion was commenced subsequent to the effective date of the local law adopted; and
2. The value of such reconstruction, alteration or improvement exceeds \$10,000; and
3. The reconstruction, alteration or improvement shall have been permitted by the Code Enforcement Officer such that a building permit issued and said reconstruction, alteration or improvement shall have met all necessary approvals per the applicable New York State Uniform Fire Prevention and Building Code, Village Of LeRoy Municipal Code and The Code Enforcement Officer upon completion; and
4. Such conversion is for non-residential property converted to a mixture of residential and commercial uses. The exemption does not apply to improvements for dwelling units in a hotel.

B. For purposes of this section the terms “reconstruction”, “alteration” and “improvement” shall not include ordinary maintenance and repairs. The following shall not be considered conversion except to the extent that they are a part of an addition, remodeling or modernization: exterior painting; the replacement of exterior siding; interior painting; plastering; paneling or wallpapering; replacement of flooring or floor coverings; repairs to electrical or plumbing systems.

C. In the event that a building granted an exemption pursuant to this article ceases to be used primarily for mixed residential and commercial purposes or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this article shall cease.

Section 2. **Time to file application**

Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the State Board of Real Property Services. The application shall be filed with the Assessor of the Town of LeRoy and Genesee County Director of Real Property Services on or before the taxable status date of March 1. Any exemption pursuant to this article shall be granted only upon application by the owner thereof on the form prescribed by the State Board. The application shall be filed with the Assessor of the Town of LeRoy and Genesee County Director of Real Property Services on or before the taxable status date of March 1 to be eligible for an exemption to be entered on the assessment roll prepared on the basis of said taxable status date.

Section 3. Effective date

This local law shall take effect immediately

WHEREAS, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing of said proposed Local Law on the bulletin board in the Courthouse, and

WHEREAS, A Public Hearing was held at 5:30 PM on the 23rd day of November, 2015 at the Genesee County Legislature Chambers, Old Courthouse, 7 Min St., Batavia, New York at which time all interested persons who wished to speak were heard. Now, therefore, Be it

RESOLVED, That a LOCAL LAW TO AMEND THE TAX LAWS OF GENESEE COUNTY to be known as Local Law Number _____, Year 2015 be and hereby is adopted. Legislator Ferrando seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 439 HEALTH BENEFITS PLAN 2016 PREMIUM RATES - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Manager and Self-Funded Health Benefits Plan Consultant did review the self-insured health plan and monthly participation fee and does recommend monthly premium rates be adjusted effective January 1, 2016, and

WHEREAS, The Committee on Ways and Means did review the rates proposed and does recommend adoption at this time. Now, therefore, Be it

RESOLVED, That the following rates for the Genesee County Self-Insured Health Benefits Plan be adopted, effective January 1, 2016:

<u>Partnership Plus and Traditional Plans Classification</u>	<u>Rate per Month</u>
Single	\$506
2 Members (1 Adult/1 Child and 2 Adults)	\$1,011
Family, 3 or more	\$1,643
Retired, single, under 65	\$506
Retired, 2 Members under 65	\$1,011
Retired, Family 3 or more under 65	\$1,643
Retired, single, over 65, Medicare, GCC	\$506
Retired, 2 adults over 65, Medicare, GCC	\$1,011
<u>Health and Wellness Plan Classification</u>	<u>Rate per Month</u>
Single	\$ 458
2 Members (1 Adult/1 Child and 2 Adults)	\$ 916
Family, 3 or more	\$1,489
Retired, single, under 65	\$ 458
Retired, 2 Members under 65	\$ 916
Retired, Family 3 or more under 65	\$1,489
Retired, single, over 65, Medicare, GCC	\$ 458
Retired, 2 adults over 65, Medicare, GCC	\$ 916
<u>GCC \$5/\$10 Drug Card Classification</u>	<u>Rate per Month</u>

Single	\$50
2 Members (1 Adult/1 Child or 2 Adults)	\$100
Family	\$165
<u>Dental Classification</u>	<u>Rate per Month</u>
Dental, single	\$ 11
Dental, family	\$ 27.50
<u>Vision Classification</u>	<u>Rate per Month</u>
Vision, single	\$ 4
Vision, family	\$ 6

Budget Impact Statement: medical/Rx premium rate increase has been offset with the use of \$878,459 of plan reserve
 Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 440 AMENDMENTS TO THE 2016 TENTATIVE BUDGET - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The 2016 Tentative Budget was reviewed by the Legislature and certain amendments to the Tentative Budget were recommended. Now, therefore **Be it RESOLVED,** That the Genesee County Legislature does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2016 Budget:

INCREASE GENERAL FUND REVENUES

A1000.9999	Balancing - Appropriated	\$	16,283
A1170.3025.8	Public Defender, ILS Grant (2016-2018)	\$	55,700
A3110.2804	Shared Svcs. – Sheriff	\$	26,673

DECREASE GENERAL FUND REVENUES

A1000.1001	Real Property Taxes	\$	83,960
A3150.2452	Jail, Comm-Inmate Phone Chgs	\$	19,000
A4310.3490	St. Aid, Mental Health	\$	22,000

INCREASE GENERAL FUND APPROPRIATIONS

A1170.4660.0024	Public Defender, ILS Appellate Contract (2016-18)	\$	55,700
A1230.4660.0000	County Manager, Contracted - Other	\$	7,500
A3140.1010.0000	Probation, Personal Services	\$	13,169
A3140.8010.0000	Probation, Fringe Benefits, Social Security	\$	816
A3140.8011.0000	Probation, Fringe Benefits, Medicare	\$	191
A3140.8020.0000	Probation, Fringe Benefits, Retirement	\$	2,107
A6510.8040.0001	Veterans Services, Fringe Benefits, Dental buyback	\$	100

DECREASE GENERAL FUND APPROPRIATIONS

A1171.4640.0000	Public Defender-Assign Co, Contracted Legal	\$	8,000
A1610.8020.0000	Central Services, Fringe Benefits, Retirement	\$	1,187
A1610.8030.0000	Central Services, Fringe Benefits, Medical	\$	15,903
A1610.8040.0000	Central Services, Fringe Benefits, Dental	\$	330
A1610.8070.0000	Central Services, Fringe Benefits, Vision	\$	72
A1680.8020.0000	Information Technology, Fringe Benefits, Retirement	\$	2,526
A3110.4310.0000	Sheriff, Vehicle Fuel	\$	10,000
A3110.8020.0000	Sheriff, Fringe Benefits, Retirement	\$	8,021
A3151.8020.0000	Genesee Justice, Fringe Benefits, Retirement	\$	2,575
A4010.8020.0000	Public Health, Fringe Benefits, Retirement	\$	4,218
A4310.1010.0000	Mental Health, Personal Services	\$	19,046
A4310.8010.0000	Mental Health, Fringe Benefits, Social Security	\$	1,181
A4310.8011.0000	Mental Health, Fringe Benefits, Medicare Tax	\$	276

DECREASE GENERAL FUND APPROPRIATIONS- CONT.

A4310.8020.0000	Mental Health, Fringe Benefits, Retirement	\$	10,644
A4310.8030.0000	Mental Health, Fringe Benefits, Medical	\$	20,774

A4310.8040.0000	Mental Health, Fringe Benefits, Dental	\$	660
A4310.8070.0000	Mental Health, Fringe Benefits, Vision	\$	144
A6510.8040.0000	Veterans Services, Fringe Benefits, Dental	\$	330

Budget Impact Statement: General Fund net appropriation and revenue changes = -\$83,960

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 441 2016 GENESEE COUNTY BUDGET - ADOPTION OF

Legislator Ferrando offered the following resolution:

WHEREAS, A public hearing was held on the Tentative Budget for the year 2016 on Thursday, November 5, 2015, at which time all interested persons were heard, and

WHEREAS, Amendments to the 2016 Tentative Budget have been presented and duly adopted by Resolution No. 440 on November 23, 2015, and

WHEREAS, The Committee on Ways and Means does recommend adoption at this time. Now, therefore be it

RESOLVED, That the 2016 Tentative Budget presented by the Budget Officer, as amended, be and hereby is adopted as the Budget for the County of Genesee for 2016 with a total amount to be raised by property tax of \$27,199,344 and a tax rate equivalent to \$9.86.

Budget Impact Statement: 2016 property tax levy represents an increase of \$323,051 over 2015's.

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 442 MAKING APPROPRIATIONS FOR THE CONDUCT OF COUNTY GOVERNMENT FOR FISCAL YEAR 2016

Legislator Davis offered the following resolution:

WHEREAS, The Genesee County Legislature adopted a Budget for fiscal year 2016 by Resolution No. 441 dated November 23, 2015. Now, therefore, Be it

RESOLVED, That the adopted amounts in the 2016 Budget be and hereby are appropriated for the objects and purposes specified, effective January 1, 2016, and Be it further

RESOLVED, That the sum of \$27,199,344 is hereby levied against the taxable property in the county and the Director of Real Property Tax Services is hereby authorized and directed to apportion and spread the said sum against the properties within the county which are subject to taxation.

Budget Impact Statement: 2016 property tax levy represents a tax levy increase of \$323,051 over 2015's.

Legislator DeJaneiro seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 443 GENESEE COUNTY LEGAL ASSISTANCE CORPORATION CONTRACT RENEWAL - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Manager did recommend the renewal of the contract between Genesee County and the Genesee County Legal Assistance Corporation which provides for legal counsel as required by Article 18-B of the County Law of the State of New York which expires on December 31, 2015, and

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

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute an agreement by and between the Genesee County Legal Assistance

Corporation and the County of Genesee in the amount of eight thousand, seven hundred dollars (\$8,700) for administrative services for a period beginning January 1, 2016 through December 31, 2016, and Be it further

RESOLVED, That should the County of Genesee decide to implement an alternative system for Article 18-B assigned counsel this Agreement shall be subject to modification or termination upon sixty (60) days' notice from the County to the Genesee County Legal Assistance Corporation.

Budget Impact Statement: AC Administrative Fee: annual fee - \$8,700

Legislator Stein seconded the resolution which was adopted by 281 votes, Legislator Bausch (45) absent.

RESOLUTION NO. 444 COUNTY AUDIT – NOVEMBER 23 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Torrey did review the following claims:

2015 General Fund	\$	952,037.78
2015 Highway		107,961.19
2015 Nursing Home		488,020.00
2015 Water		25,177.68
2015 Self Insurance		1,396.33
2015 DSS Abstracts		600,117.48

2015 Capital Projects:

Sheriff 800MHZ Radio System Upgrade	119.00
Sheriff Upgrade Civil Bureau Software	4,350.00
Facility Management-Co Building #1, St Mary's Parking Lot Resurface	1,035.84
Highway CR #22, Lewiston Road	465.30
Highway CR #1 Stroh Road	197,021.41
Highway 2015 Bridge Construction	1,833.48
Airport Construct New Terminal & Maintenance Hangar	73,150.00

Payroll – General & Nursing Home

November 13, 2015	1,381,900.19
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Medicaid

November 17, 2015	<u>177,425.00</u>
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Total Audit \$ 4,012,010.68

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 281 votes, Legislator Bausch (45) absent.

The meeting was adjourned at 5:50 PM upon motion of Legislator Stein seconded by Legislator Young.

