

**FOURTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday, February 24, 2016
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, February 24, 2016 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Stein followed by the Pledge to the Flag.

The minutes of the February 10, 2016 meeting was approved upon motion of Legislator Bausch seconded by Legislator Clattenburg.

Legislator Stein stated that she and Legislator Bausch attended Intercounty meeting on February 19, 2016 where legislators learned that NYSAC has training webinars available. Legislator Stein also reported that Intercounty passed the following resolutions which were sent to the Governor; Urging the Governor and Legislature to restore the 50/50 Safety Net Program sharing and to increase the sheltered grant reimbursements. The second resolution was in support of an education initiative on a vote to convene the Constitutional Convention in New York State. The third resolution called on the Governor to restore funding parity for New York State Department of Transportation and the last one opposes the Governors proposed increase in the minimum wage. Legislator Stein further reported she attended the GAM meeting where the sales tax working group reported they are looking for phase II to be completed and that everyone bears some responsibility for moving things forward. Legislator Bausch reported that the Water Resources Agency met on February 23, 2016 where discussion about how to move forward and make decisions on the best way to complete phase II. Legislator Bausch also reported on Intercounty and the presentation on the Heroin epidemic. Issues are not limited to the inner city but include rural New York.

The Clerk reported on three out of state travel requests:

F. Oltramari & D. Kane Congress for the New Urbanism Conference June 7-12, 2016 Detroit, MI \$2,365. Motion to approve made by Legislator DeJaneiro second by Legislator Deleo, carried. T. Hens NACE annual conf. & Exec. Board Meeting April 22-28, 2016 Tacoma, WA, \$2,401 travel & lodging costs are reimbursed by NYSCHSA. Motion to approve made by Legislator Stein second by Legislator Davis, carried. T. Yaeger 2016 National Homeland Security Conference June 26-July 1, 2016 \$1,927 – grant reimbursed. Motion to approve made by Legislator DeJaneiro second by Legislator Clattenburg, carried.

Legislator Bausch complimented the county highway department and sheriff for managing and responding to the snowfall on Tuesday, February 16, 2016.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 48 GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL BUDGET - FINANCIAL SUPPORT FOR
2016 - APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Section 239c of Article 12b of the General Municipal Law authorizes that governing bodies of participating municipalities in a regional or metropolitan planning agency may collaborate with other local governments to appropriate and raise by taxation money for the expenses of such regional Planning Boards, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has formally notified this Legislature that, under its proportional funding formula, Genesee County's 2016 share will be \$9,970 and

WHEREAS, The Committee on Public Service does recommend approval of payment of Genesee County's share at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize continued participation in the Genesee/Finger Lakes Regional Planning Council and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$9,970 as appropriated in the 2016 Budget, Account A8025.4660.0000.

Budget Impact Statement: The 2016 Genesee County Budget appropriated \$9,970.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other). This amount has remained unchanged for the last thirteen years. The Annual Report from G/FLRPC has historically shown a significant "return" for this investment.

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

RESOLUTION NO. 49 OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee has appropriated the sum of \$9,970 as its share of the 2016 operating funds of the Genesee/Finger Lakes Regional Planning Council, and

WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000, and the Committee on Public Service does recommend approval at this time. Therefore, Be it

RESOLVED, That the Genesee County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Budget Impact Statement: The 2016 Genesee County Budget appropriated \$9,970.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other). This amount has remained unchanged for the last fourteen years. The Annual Report from G/FLRPC has historically shown a significant "return" for this investment.

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

RESOLUTION NO. 50 CERTIFICATES OF INSURANCE- GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE EVENTS: KINDER FARMIN', HEMLOCK FAIR, WYOMING COUNTY FAIR, BRICK HOUSE CORNERS FAIR, HUNTING AND FISHING DAYS – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in and conduct a presentation at the Kinder Farmin' event sponsored by Genesee County Farm Bureau and Genesee County Cornell Cooperative Extension at Grassland Farms Dairy, in the Town of Pavilion for the purpose of providing education on waste reduction, recycling, reuse and

composting and has requested approval to participate in this event, and

WHEREAS, The Recycling Administrator has been invited to participate in the Hemlock Fair by the Hemlock Lake Union Agricultural Society for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event on, and

WHEREAS, The Recycling Administrator has been invited to participate in the Wyoming County Fair by the Wyoming County Fair Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Recycling Administrator has been invited to participate in the Brick House Corners Fair sponsored Pembroke Historical Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Recycling Administrator has been invited to participate in Livingston County Federation of Sportsmen's Clubs National Hunting & Fishing Days event for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Public Service Committee does concur with these recommendations. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in Kinder Farmin' event to be held at Grassland Farms Dairy in the Town of Pavilion on June 1, 2016.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in Hemlock Fair to be held in Hemlock, NY from July 19-23, 2016.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Wyoming County Fair to be held in Pike, NY from August 13-August 20, 2016.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in the Brick House Corners Fair event to be held at the Pembroke Town Hall on September 10, 2016.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in National Hunting & Fishing Day to be held in Mumford, NY on September 24 and 25, 2016.

Budget Impact Statement: There is no cost for the Kinder Farmin', Hunting and Fishing Days, Brick House Corners Fair. The cost of booth space for the Hemlock Fair is \$135.00 and is included in GLOW's 2016 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant. The cost of booth space for the Wyoming County Fair is \$180.00 and was prepaid and included in GLOW's 2015 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant.

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

RESOLUTION NO. 51

**HOUSEHOLD HAZARDOUS WASTE COLLECTION
CONTRACT-GLOW SOLID WASTE MGMT.
COMMITTEE-EXTENSION OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The GLOW Region Solid Waste Management Committee (herein referred to as “GLOW”) expect to be awarded funding from the New York State Department of Environmental Conservation in 2016 for a single Household Hazardous Waste Collection Program; and

WHEREAS, Environmental Enterprises, Inc. was awarded the contract for the 2014 and 2015 collections; and

WHEREAS, this contract contained two one-year extension options, with pricing to remain the same; and

WHEREAS, GLOW exercised this option for the 2015 program; and

WHEREAS, GLOW desires to exercise the second option for the 2016 program with the revised price per pound of mercury collected; and

WHEREAS, the GLOW Committee has recommended that this option be exercised Now, Therefore Be It

RESOLVED, That the Genesee County Legislature authorizes the Chairperson to enter into an extension of this contract with the other GLOW Counties and Environmental Enterprises, Inc. for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed \$29,575.

Budget Impact Statement: Approximately half of the HHW Program is expected to be funded through a NYS DEC grant and the rest is funded through the three Counties contributions to GLOW. Genesee County’s contribution for 2016 is \$25,805.

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

**RESOLUTION NO. 52 EQUIPMENT PURCHASE – ASPHALT PAVER-
ASSET ACQUISITION - APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent advertised local bid specifications for the purchase of a low hour, used asphalt paver, and

WHEREAS, The Genesee County Highway Superintendent did review bids for accuracy and recommends that a bid be awarded at this time, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Highway Superintendent to purchase an asphalt paver in conformance with local bid specifications from Milton CAT, located at 4610 East Saile Dr, Batavia, NY 14020 in a total amount not to exceed \$169,900. **Budget Impact Statement:** Purchase of this equipment is budgeted in the 2016 Asset Acquisition project. Cost of the asphalt paver is \$169,900. \$250,000 was budgeted for this purchase.

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

**RESOLUTION NO. 53 CONTRACT FOR SHARED SERVICES/HIGHWAY–
APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Genesee County Superintendent of Highways reported that the Genesee County Highway Department currently shares equipment, materials and services with other Genesee County municipalities and neighboring counties on an informal basis and to be in compliance with New York State Highway Law and General Municipal Law, Genesee County is required to adopt an agreement formalizing this arrangement, and

WHEREAS, the Superintendent of Highways reported that municipalities, including the County of Genesee, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators,

with other municipalities, and

WHEREAS, the Superintendent of Highways reported that it has been determined that the County of Genesee and other municipalities have machinery and equipment which are not used during certain periods and have stored materials and supplies which are not immediately needed, and

WHEREAS, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Genesee and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is the intent of the County of Genesee to give the Superintendent of County Highways the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the City/County/Town/Village governing board prior to the making of each individual arrangements, and

WHEREAS, Genesee County authorized such arrangements with other municipalities on February 27, 2006 and the Superintendent of Highways is requesting that such an arrangement be continued through an extension of the original agreement, and

WHEREAS, The Committee on Public Service has determined that it will be in the best interest of the County of Genesee to continue to be a party to such shared service arrangements, and does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Highway Shared Services Agreement which shall be effective immediately through February 2018, and Be it Further

RESOLVED, The Legislative Clerk is authorized and directed to file a copy of the contract set forth in this resolution with the Supervisors/Mayors/Board Presidents of the municipalities within Genesee County.

Budget Impact Statement: None. Sharing municipal services is a cooperative effort to save money. Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 54 SURPLUS EQUIPMENT-HIGHWAY-INTERNAL SERVICE
FUND-APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

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

RESOLVED, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase.

Internal Service Fund

MP #1146 – 2009 Ford Focus	59,278 miles
MP #1166 – 2009 Chevrolet Impala	82,067 miles
MP #1184 – 2008 Jeep	70,864 miles
MP #1190 – 2009 Chevrolet Impala	95,932 miles
MP #1193 – 2009 Chevrolet Impala	64,566 miles

Budget Impact Statement: Revenue for Internal Service Fund

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

RESOLUTION NO. 55

**DONATION ACCEPTANCE – SMARTBOARD
AND GAZEBO - GENESEE COUNTY PARKS –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The County has a policy for accepting donations of value over \$1,000, and
WHEREAS, The ACORNS, County Parks volunteer organization has donated a Smartboard for
the Genesee County Park & Forest Interpretive Center, and

WHEREAS, A private donor wishes to donate a 12-foot diameter gazebo to be placed at the
Genesee County Park & Forest Interpretive Center, and

WHEREAS, The Highway Superintendent and Genesee County Parks Supervisor-Forester do
request the approval of accepting the above mentioned donations, and

WHEREAS, The Committees on Public Service does concur with these requests, Now,
therefore, Be it

RESOLVED, That the Genesee County Legislature accept the Smartboard donation from the
ACORNS and a 12-foot diameter gazebo from a private donor.

Budget Impact Statement: None immediate. Long-term maintenance of gazebo and technology software
upgrades.

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

RESOLUTION NO. 56

**WATER SUPPLY AGREEMENT–VILLAGE OF
ELBA –APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, Genesee County established a Countywide Water Program and has entered into
Water Supply Agreements with municipalities and authorities across the County, and

WHEREAS, the Village of Elba desires connect the existing village water system into the
countywide water system and receive wholesale of supply from Genesee County, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have
prepared an agreement that provides wholesale water supply to this district under terms
acceptable to the County and recommend its approval at this time, and

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

RESOLVED, that Genesee County Legislature does hereby authorize the Chairperson of the
Genesee County Legislature to approve the Water Supply Agreement as corrected between
Genesee County and the Village of Elba.

Budget Impact Statement: This agreement will add revenue to the Water Fund through the sale of water and the
collection of the \$0.60 surcharge. Revenue will be based upon the actual water usage within the Village, but is
estimated at \$10,000 per year.

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

RESOLUTION NO. 57

**AVIATION LINE SERVICE PRODUCTS—AWARD
OF BID--APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Genesee County requires a contract for the supply of aviation fuel products at the
Genesee County Airport, and

WHEREAS, Genesee County has advertised bid specification for these products, and

WHEREAS, The Genesee County Highway Superintendent has reviewed these bids and does
recommend an award at this time, and

WHEREAS, The Committees on Public Service has reviewed this recommendation and do
concur, and Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby award the contract for the supply of aviation line service products with Ascent Aviation Group, One Mill Street, Parish, NY for the period of March 1, 2016 through February 28, 2018.

Budget Impact Statement: Airport Fund includes a budgeted expense for aviation fuel with offsetting revenue. Legislator Davis seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 58 SALE OF SURPLUS 800 MHz TRUNKED AND 911
EQUIPMENT/SHERIFF – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, Two bids were received in response to Request for Bid #2016-04, pertaining to the sale of surplus 800 MHz Trunked and 911 Equipment, and

WHEREAS, The highest bid meeting specifications was submitted by Sunny Communications, Inc., 12980 West Cedar Drive, Lakewood, CO, 80228, in the amount of \$71,650, and

WHEREAS, The Director of Emergency Communications recommends the award of bid be made to Sunny Communications, Inc., for the amount of \$71,650, which is unanticipated revenue, 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, The award of Bid #2016-04 for the sale of surplus 800 MHz Trunked and 911 Equipment be made to Sunny Communications for the amount of \$71,650, and the Genesee County Treasurer is hereby authorized and directed to amend the 2016 budget by increasing A1000.2650 (Sales Scrap), by \$71,650.

Budget Impact Statement: Unanticipated additional revenue in the amount of \$71,650 from the sale of surplus property.

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

**RESOLUTION NO. 59 AWARD OF BID/SHERIFF'S OFFICE – 2016
LAW ENFORCEMENT VEHICLES**

Legislator Clattenburg offered the following resolution:

WHEREAS, One bid was received for the purchase of five (5) 2016, all-wheel drive, law enforcement pursuit rated, SUV style vehicles, from Van Bortel Ford, Inc., 71 Marsh Road, E. Rochester, NY 14445, for the total purchase price of \$113,955, which includes a trade in allowance of \$26,040, and

WHEREAS, The bid did meet specifications, and the Sheriff does recommend that the bid for the purchase of five law enforcement vehicles be awarded to Van Bortel Ford, Inc., for a total purchase price of \$113,955, with authorization to trade-in the following five vehicles, and

Car #84	1FAHP2M83DG124258	2013 Ford Sedan Interceptor
Car #85	1FAHP2M8XDG124256	2013 Ford Sedan Interceptor
Car #86	1FAHP2M81DG124257	2013 Ford Sedan Interceptor
Car #87	1FM5K8AR4DGC73205	2013 Ford Utility Interceptor
Car #102	2G1WS57M091302456	2009 Chevy Impala

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

RESOLVED, That the award of bid for the purchase of five 2016, law enforcement SUV style vehicles will be made to Van Bortel Ford, Inc., for the total purchase price of \$113,955.

Budget Impact Statement: \$125,000 has been appropriated to the 2016 asset acquisitions for the purchase of law enforcement vehicles and vehicle equipment. The total purchase price for the five vehicles is \$113,955.

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

RESOLUTION NO. 60 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT SERVICES - HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS PLANNING (HMEP) GRANT-YEAR 2015 – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept the FY15 Hazardous Materials Emergency Preparedness (HMEP) Grant Program award in the amount of \$3,815.00 administered by the New York Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, the Hazardous Materials Emergency Preparedness program grant funds are provided by the U. S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, and

WHEREAS, the purpose of the grant program is to increase the safe and efficient handling of hazardous materials, accidents and incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), and encourage a comprehensive approach to emergency planning by incorporating the unique challenges of responses to transportation situations, and

WHEREAS, The Committees on Public Service and Ways and Means do concur with The Emergency Management Services Coordinator's recommendation. Now therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services (DHSES), 1220 Washington Avenue, Building 7A, Albany, NY 12242 for the acceptance of FY 2015 Hazardous Materials Emergency Preparedness (HMEP) Grant - (September 30, 2015 through January 30, 2016) and to execute any and all other documentation related to this funding.

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 County Budget by Increasing EMS Appropriation Account A3640.4800.0501 – HazMat Exp in the amount of \$3,815.00 to be offset by an increase in EMS Revenue Account A.3640.4305.1000 – Fed Aid, HazMat Ep Grant.

Budget Impact Statement No County cost. Grant funds in the amount of \$3,815.00 are appropriated in the 2016 Emergency Management Services (EMS) budget.

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

RESOLUTION NO. 61 REVISED PURCHASING POLICY AND PROCEDURES FOR GENESEE COUNTY - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 50, adopted February 14, 1996, did provide for the Annual presentation and review of Genesee County Purchasing Policy and Procedure, and

WHEREAS, The Genesee County Purchasing Director did present revisions to said Policy and Procedure, setting forth updated guidelines for the purchasing functions of the County of Genesee for the year 2016, and

WHEREAS, The Committee on Ways and Means did review the Purchasing Policy and Procedure for 2016 and does recommend approval at this time. Now therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the terms and contents of the revisions to the Genesee County Purchasing Policy and Procedures for the Year 2016, effective immediately.

Budget Impact Statement: None

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

RESOLUTION NO. 62 COUNTY USE OF NATIONAL COOPERATIVE CONTRACTS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, On August 1, 2012, New York Governor Andrew Cuomo signed bill number S5525C, which was added by Chapter 308 of the Laws of 2012, as an added exception to the requirements of General Municipal Law 103(1). The effect of this bill expanded the State of New York's local governments, municipalities and school districts the ability to jointly contract for goods and services with federal and political subdivisions of any state, or other municipality, if such contract was let in a manner that constituted competitive bidding consistent with New York State law, and

WHEREAS, The Purchasing Department has determined that the opportunity to use certain National Cooperative Contracts that adhere to these requirements and do not require a membership fee or restrict the use of other contracts would provide another purchasing option to the County, and

WHEREAS, The Committee on Ways and Means did review the possible use of National Cooperative Contracts and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to approve the utilization of National Cooperative Contracts that adhere to the requirements of the State of New York and do not require a membership fee or restrict the use of any other contract by Genesee County.

Budget Impact: Unknown. The use of National Cooperative Contracts will provide an additional source of pricing and should offer savings on some items that are purchased.

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

RESOLUTION NO. 63

**AGREEMENT – GENESEE COUNTY BAR
ASSOCIATION/MOCK TRIAL PROGRAM-
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Ways and Means Committee did receive a request from the Genesee County Bar Association to hold a Mock Trial at the Genesee County Courts Facility on March 2, March 14, and April 16, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Genesee County Bar Association for access to and use of the Genesee County Courts Facility on March 2, 14 and April 16, 2016 subject to the rules and regulations of the Genesee County Use of Facilities Agreement.

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

RESOLUTION NO. 64

**SET PUBLIC HEARING – LOCAL LAW
INTRODUCTORY NO. 1, YEAR 2016-BED TAX
EXTENSION-APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No. 1, Year 2016 entitled “**A LOCAL LAW TO AMEND LOCAL LAW NUMBER TWO, YEAR 1995, AS AMENDED BY LOCAL LAW NO. FOUR, YEAR 1998, LOCAL LAW NO. SIX, YEAR 2001, LOCAL LAW NO. FOUR, YEAR 2004, LOCAL LAW NO. TWO YEAR 2007 AND LOCAL LAW NO. ONE YEAR 2010, LOCAL LAW NO TWO YEAR 2013 IMPOSING A HOTEL/MOTEL ROOM OCCUPANCY TAX IN THE COUNTY OF GENESEE, WITH REGARD TO THE EXPIRATION THEREOF**” and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public

WHEREAS, The Committee on Ways and Means have reviewed these requests and recommend that said Capital Projects be established at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized to establish new Capital Projects for the year 2016:

<u>PROJECT</u>	<u>SOURCE</u>	<u>FUNDING AMOUNT</u>
<u>County Manager</u>		
Building 2 Security Updates	1% Sales Tax	\$ 33,265
2 Bank Street Security Updates	1% Sales Tax	\$ 25,225
<u>Facilities Management</u>		
Building #2 Lot Resurfacing	1% Sales Tax	\$ 37,000
Joint Maintenance Facility	1% Sales Tax	\$ 155,000
Building #2 Windows	1% Sales Tax	\$ 60,000
<u>Park</u>		
DeWitt Improvements Phase IV	1% Sales Tax	\$ 150,000
Interpretive Center HVAC	1% Sales Tax	\$ 25,000
<u>Treasurer</u>		
Treasurer's Office Enhanced Security	Deferred Revenue	\$ 25,000
TOTAL 2016 CAPITAL PROJECT BUDGET		\$ 510,490

and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Genesee County Budget by Increasing A9950.9 – Transfer to Capital in the amount of \$510,490 offset by an Increase in A.1000.1110.1- 1% Sales Tax in the amount of \$485,490 and an Increase in A.1325.3040 St. Aid – Tax Dept in the amount of \$25,000, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Genesee County Capital Projects by increasing appropriation H1997.2080.0000- Equipment & Capital Outlay in the amount of \$510,490 offset by an increase in revenues H1997.5031 –, Interfund Transfer in a like amount

Budget Impact Statement: No impact on 2016 County General Fund as all projects are funded by 1% Sale Tax and Deferred Revenue.

Legislator Stein seconded the resolution.

Legislator Bausch requested to be heard and asked to amend the resolution to reflect the removal of Building #2 Windows \$60,000 under Facilities Management. Legislator Davis seconded the amendment. Motion to amend the resolution passed by a majority vote (298). Legislator DeJaneiro voted no (28).

The resolution as amended passed by a majority vote.

Legislator Stein made a motion to remove from the table the following resolution seconded by Legislator DeJeneiro, carried.

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

**RESOLUTION NO. 68 CONTRACT RENEWAL – NURSING
HOME/REHABILITATION SERVICES – APPROVAL OF**

Legislator Clattenburg 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 second of these one-year renewals through February 28, 2017, and the Committee on Human Services does concur, and, therefore Be it

RESOLVED, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now, therefore Be it further,

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, 2016 through February 28, 2017.

Budget Impact: Funds have been budgeted for this service in the amount of \$730,000.

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

Legislator Stein congratulated Legislators for revisiting the contract to ensure delivery of better services in a more efficient and effective manner.

RESOLUTION NO. 69 COUNTY AUDIT – FEBRUARY 24 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Stein did review the following claims:

2015 General Fund	\$	76,273.57
2016 General Fund		595,393.82
2016 Highway		72,239.52
2016 Nursing Home		406,594.61
2015 Water		107,503.94
2016 Water		30,727.63
2016 Self Insurance		2,774.90
DSS Abstracts		241,847.02
2016 Capital Projects:		
Highway Pratt & Powers Road Intersection Improvements		2,829.93
Airport Construct New Terminal Building & Maintenance Hangar		329,450.02
Payroll – General & Nursing Home		
February 19, 2016		1,789,949.21
Medicaid		
February 16, 2016		177,425.00
February 23, 2016		<u>177,425.00</u>
Total Audit	\$	4,010,434.17

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 Clattenburg seconded the resolution which was adopted by 326 votes. Legislator Stein commented that the County Treasurer's office responded well to her early arrival for the audit and she appreciated their flexibility.

The meeting was adjourned at 5:58 PM upon motion of Legislator Bausch seconded by Legislator Stein.