

**ELEVENTH DAY  
GENESEE COUNTY LEGISLATURE  
Batavia, New York  
Wednesday, June 14, 2017**

The Genesee County Legislature met in Regular Session on Wednesday, June 14, 2017 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Legislator Torrey assisted with the audit. Prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

Chairman Cianfrini opened the meeting by welcoming the Genesee County Dairy Princess, her Court and Program Coordinator Joy Brewer along with Genesee County Farm Bureau Members. Legislator Stein presented Dairy Princess Rebecca Slattery with a proclamation recognizing June as Dairy Month. Ms. Slattery shared her past experiences as a Dairy ambassador as well as future plans which are to attend Alfred College where she plans to study Agricultural Business.

Genesee County Farm Bureau President Christian Yunker shared information on the role agriculture plays in our County. He asked that the Legislature use Farm Bureau as a resource and that they should be a part of the conversation. He explained the impact of the County cuts to Cornell Cooperative Extension and the resulting loss of an Ag educator. Farm Bureau is the largest Farming Organization in the US and their main purpose is to educate and advocate.

Legislator Stein commented on the young ages of Farm Bureau board members present, the capital intense investments made by farmers and the opportunities for the Legislature to look at these bright young people for advisory board appointments. Also noted by Legislator Stein was the number of female board members.

The minutes of the May 24, 2017 legislature meeting were approved upon motion of Legislator Young, seconded by Legislator Deleo, carried unanimously.

Out-of-State Travel request- Sheriff Sheron, July 30-Aug 2, 2017 to FBI NAA 53<sup>rd</sup> Annual Training Conference in Washington, DC cost to County \$1,314.88 was approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously. The Clerk reported that the GCEDC sent a notice announcing a Public Hearing on the Ellicott Station Development Project scheduled for June 20, 2017 at 4:00 PM in the City Council Board room at City Hall.

Legislator Stein commented that Soil & Water Conservation District is recognized and being utilized as a resource by towns and villages. She also shared a recent visit to LeRoy by 150 foreign visitors who were treated to special sites and historical areas in LeRoy. Legislator Bausch reported that the Jail Study proposals have come into the County. Legislator Clattenburg stated she attended the GCC Board meeting and the College is including a \$50,000 increase in the sponsor amount. The E911 Board arranged for a demonstration for fire and police department personnel on June 21.

County Manager Jay Gsell shared that the most recent communications from NYSAC includes information about the Sales Tax extender bills. The NYS Assembly passed a bill that included sales tax extenders for the Counties but also included a provision that grated control of New York City Schools to the Mayor. The Senate is passing individual bills and is not expected to approve the bill the Assembly passed. Only a few days of Session remain for business to be conducted by the State Legislature.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 207 SERVICE AGREEMENT – HEALTH DEPARTMENT/MEDICAL WASTE SERVICES – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Director of Public Health did present a service agreement for the provision of Medical Waste Services, and

**WHEREAS**, The Committee on Human Services did review the 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 execute the necessary documents to establish a service agreement with Biosan Disposal, 155 Great Arrow Avenue, Buffalo, NY 14207, to provide Medical Waste Services for the term 6/14/17 – 6/14/19 at the cost of \$49 per box.

**Budget Impact Statement** – An anticipated cost of \$196 for the remainder of 2017 is budgeted in the 2017 Public Health budget.

Legislator Bausch seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 208 PERFORMANCE INCENTIVE ACCEPTANCE/BUDGET AMENDMENT–HEALTH DEPARTMENT–APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Public Health Department participated in the 2017 in the Local Health Department Performance Incentive Program and produced a composite score of 100.00 during the performance period, and

**WHEREAS**, The New York State Department of Health has awarded the Genesee County Public Health Department \$12,000 to use this funding to support costs associated with Article 6 eligible services and,

**WHEREAS**, The Committees on Human Services And Ways and Means did review this award and do recommend approval at this time, Now therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$12,000 as specified in the Local Health Department Incentive Program description and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 Genesee County Budget by increasing A 4010 Public Health Appropriations A 4010 4550.0000 Personnel Training by \$3000 and A 4010 4800.0000 Program Expense by \$9000 to be offset by an increase in the A 4010 Public Health Revenue A 4010 3401 State Aid, Public Health of \$12,000.

**Budget Impact:** An increase in expenditures in the amount of \$12,000 to be offset by revenue of \$12,000. No county cost.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 209 GRANT ACCEPTANCE - HEALTH DEPARTMENT/ CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM - APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Children with Special Health Care Needs Program contract has been awarded in the total amount of \$19,064, and

**WHEREAS**, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Children with Special Health Care Needs Program, and

**WHEREAS,** The Committee on Human 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 is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Children with Special Health Care Needs Program contract for the period October 1, 2017 through September 30, 2018 in the total amount of \$19,064, and to execute any and all other documentation related to this funding.

**Budget Impact:** Revenue and expenses will be appropriated to the 2017 and 2018 4010 Health Dept. Budget. Legislator DeJaneiro seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 210      CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL  
SUPPORTIVE HEALTH SERVICES PROGRAM –  
APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS,** The Public Health Director did present a contract for the provision of services to eligible children in the Preschool Supportive Health Services Program, and

**WHEREAS,** The Committee on Human Services did review the 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 execute contracts with the following agencies/individuals, for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program for the period July 1, 2017 through June 30, 2019 at the rates established by State of New York.

Aspire of WNY Center for Learning  
Bornhava  
Buffalo Hearing & Speech Center  
Building Blocks Comprehensive Services  
CP Rochester  
ECMC - PEDS  
Gateway-Longview Therapeutic Services  
Heritage Centers  
Kidstart Livingston/Wyoming NYSARC  
Mary Cariola Children's Center  
Olmsted Center for the Visually Impaired  
Rainbow Preschool ARC of Orleans County  
Rochester Hearing & Speech Center  
Stepping Stones Learning Center  
Summit Educational Resources  
WNY Speech-Language Pathology, OT, PT & Psychology  
Consultants d/b/a Clinical Associates of the Finger Lakes  
Wayne A. Secord

**Budget Impact:** Revenue and expenses are included in the 2017 A 2960 3-5 Preschool Program Budget and will be included in the 2018 and 2019 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Clattenburg seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 211      CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM/RELATED SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Public Health Director did present contracts for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

**WHEREAS**, The Committee on Human Services did review the 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 execute contracts with the following agencies/individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period July 1, 2017 through June 30, 2019 per the 2017-2019 PSSHSP rate schedule.

Autism Learning Partners,      Brown, Karen,      Buffalo Hearing and Speech Center,

Building Blocks Comprehensive Services, Inc.,      Byron-Bergen Central School,

CP Rochester, Cantalician Center for Learning,      DeVoe, Sandra

Diversified Therapies for OT, PT, SLP and Audiology, LLC

Elba Central School,      ECMC – PEDS,      Fisher, Mary Katherine

Integrated Therapy Services of WNY, OT/PT/SLP, PLLC

Kidstart – ARC of Livingston-Wyoming Counties

LeRoy Central School

Leroy Physical Therapy and Athletic Training, PLLC

Music Therapy Pathways – Creative Arts Therapy

Oakfield-Alabama Central School,      Olmsted Center for the Visually Impaired

Opalecky Physical Therapy Services, PLLC,      Pembroke Central School

Rainbow Preschool – ARC of Orleans County,      Rochester Hearing & Speech Center

Stepping Stones Learning Center,      Summit Educational Resources

Tuites, Elizabeth

WNY Speech-Language Pathology, OT, PT & Psychology Consultants d/b/a Clinical Associates of the Finger Lakes

**Budget Impact:** Revenue and expenses are included in the 2017 A 2960 3-5 Preschool Program Budget and will be included in the 2018 and 2019 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator DeJaneiro seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 212      2017 SALARY SCHEDULE AMENDMENT – HEALTH DEPARTMENT – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, the Public Health Director did request an amendment to the 2017 Employee Salary Schedule to better utilize the personnel in the Health Department, and

**WHEREAS**, The Public Health Director has requested the abolishment of one full time position of Community Health Nurse and the creation of one full time management position of Epidemiology Coordinator, and

**WHEREAS**, The Committees on Human Services and Ways and Means did review the request and do recommend approval at this time, now therefore, be it

**RESOLVED**, That the Genesee County Treasurer and Personnel Officer are hereby authorized and directed to amend the 2017 Genesee County Employees Salary Schedule by Abolishing one full time position of Community Health Nurse, CSEA Grade 18N and to amend the Genesee

County Management Salary Schedule by creating one full time position of Epidemiology Coordinator, Management Grade 112 effective 07/24/2017.

**Budget Impact:** The abolishing of one full time position of Community Health Nurse and the creation of one full time position of Epidemiology Coordinator will result in a \$0 increase to the salary and fringe expense lines, in the 2017 Health Department Budget.

Legislator Stein seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 213 ACCEPTANCE OF USTA GRANT AND BUDGET  
AMENDMENT -YOUTH BUREAU-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Executive Director of the Genesee County Youth Bureau did receive notice of the award of grant funding in the amount of \$2,500 from the United States Tennis Association to provide tennis programming for municipal recreation programs in Genesee and Orleans Counties and

**WHEREAS**, The USTA Tennis program operates during the current budget year and the department budget projected to receive \$1,500 in funding for the current fiscal year, and

**WHEREAS**, The Executive Director of the Youth Bureau did request an amendment to the 2017 Youth Bureau Budget to accept said funding, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 Genesee County Budget by increasing Revenue Account A7310.2070 – Private Agency in the amount of \$1,000 to be offset by an increase in the Expenditure Account 7310.4660.0000 – Contracted Services in the amount of \$1,000 and, Be it Further

**RESOLVED**, That the Legislature Chair is authorized to execute such documents as are deemed necessary to implement the Junior Tennis Program with a grant from the USTA for the period of June 1, 2017 through August 31, 2017.

**Budget Impact:** Grant was projected in the current fiscal budget for the youth bureau. All expenditures will be covered by grant funds. No net county cost.

Legislator Torrey seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 214 AWARD OF BID-ELECTIONS/CARTAGE OF VOTING  
MACHINES-APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The previous contract with Clark Moving & Storage Inc. of 3680 Buffalo Rd., Rochester, NY will terminate September 10, 2017, and

**WHEREAS**, A new contract was put out for bid covering the two year period June 1, 2017 thru May 31, 2019 with Genesee County reserving the right to renew this contract for up to three (3) years if mutually agreed upon by both parties and also provides for a 90 day cancellation provision, and

**WHEREAS**, Two bids were received ranging from \$138 per polling site to \$176 per site. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Clark Moving & Storage, Inc. of 3680 Buffalo Rd., Rochester, NY 14624 for moving services of \$138 per polling site for Primary and General Elections and this fee completely covers both delivery and pick up as one total price.

Legislator DeJaneiro seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 215     AUTHORIZING CHAIRMAN OF THE GENESEE COUNTY  
LEGISLATURE TO SIGN WIOA YOUTH CONTRACT**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Job Development Bureau has been approved by the Workforce Development Board to receive the following PY2017 Year Around Workforce Innovation Opportunity Act funds in the amount of \$115,185. And,

**WHEREAS**, The Genesee County Job Development Bureau has entered into contracts with the Workforce Development Board in order to receive these funds. Now, therefore Be it

**RESOLVED**, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign said contract with the Workforce Development Board in order for the Job Development Bureau to secure these funds to provide services to the youth of Genesee County.

Legislator Stein seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 216     2017 SALARY SCHEDULE AMENDMENT -  
TREASURER'S OFFICE - APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Genesee County Treasurer will be having a full time staff member retiring July 13, 2017 and

**WHEREAS**, Through efficiencies in computer software technology over the last few years, the County Treasurer believes the position can be replaced by a part-time position in order to try to save taxpayers money; so the Treasurer wishes to give this a try and

**WHEREAS**, The Committee on Ways & Means has reviewed this request and does concur. Now, therefore Be it

**RESOLVED**, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2017 Salary Schedule by eliminating one full time position of Financial Clerk-Typist Grade 8 and establishing 1 Part-Time (19.5 hrs./week) position of Financial Clerk-Typist Grade 8 in the Treasurer's Office effective July 17, 2017.

**Budget Impact:** An estimated costs savings of \$16,571 in 2017 and \$33,230 for 2018.

Legislator Clattenburg seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 217     RESOLUTION AMENDMENT NO. 416-2016-SALES TAX  
ALLOCATION- AGREEMENT WITH CITY OF BATAVIA-  
AMENDMENT OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The County of Genesee (hereinafter "County"), and the City of Batavia (hereinafter "City"), entered into an "Agreement – Sales Tax Allocation County of Genesee and City of Batavia" dated December 31, 2007 (hereinafter "Agreement"), and

**WHEREAS**, This Agreement provided for a division of the net proceeds of sales tax imposed by the County, by and among the County, the City and the Towns and Villages located in Genesee County, and

**WHEREAS**, Pursuant to the Fifth Paragraph of this Agreement, the terms and conditions of the Agreement were to end on February 28, 2018, and

**WHEREAS**, On November 10, 2016, the County Legislature adopted a Resolution No. 416-2016 which notified the City of Batavia of its intention to terminate the Agreement, in the event that the parties did not timely enter into a new Agreement, and

**WHEREAS**, A Committee was formed and has convened as set forth in the Sixth Paragraph of the Agreement, in order to make a recommendation to the Legislature and the City Council as to

whether or not to amend, modify or extend this Agreement for an additional term, and  
**WHEREAS**, This Committee has met numerous times, and has in fact recommended to the Legislature and the City Council that the Agreement be extended for a period of 10 months to allow the Committee to continue to meet in order to conduct additional fact finding, negotiations and deliberations, and

**WHEREAS**, The County Legislature intends to accept and act upon this recommendation by revising the prior termination Resolution, Now, therefore, Be it

**RESOLVED**, That Resolution No. 416-2016, entitled “Sales Tax Allocation-Agreement with City of Batavia-Termination Of”, which was adopted by the Genesee County Legislature on November 10, 2016, is hereby revised to extend the effective date of the termination notice to the City until December 31, 2018, and in all other respects it shall remain in full force and effect. Prior to roll call vote, Legislator Young stated he does not support this resolution nor the next. He stated we had a decade to get the agreement in place therefore he does not support an extension.

Legislator DeJaneiro seconded the resolution which was adopted by 236 votes, Davis (43) absent, Young (47) no.

**RESOLUTION NO. 218      SALES TAX ALLOCATION AMENDED AGREEMENT  
BETWEEN THE COUNTY OF GENESEE AND THE CITY  
OF BATAVIA-APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The County of Genesee (hereinafter “County”), and the City of Batavia (hereinafter “City”), entered into an “Agreement – Sales Tax Allocation County of Genesee and City of Batavia” dated December 31, 2007 (hereinafter “Agreement”), and

**WHEREAS**, This Agreement provided for a division of the net proceeds of sales tax imposed by the County, by and among the County, the City and the Towns and Villages located in Genesee County, and

**WHEREAS**, Pursuant to the Fifth Paragraph of this Agreement, the terms and conditions of the Agreement were to end on February 28, 2018, and

**WHEREAS**, On November 10, 2016, the County Legislature adopted a Resolution No. 416-2016 which notified the City of Batavia of its intention to terminate the Agreement, in the event that the parties did not timely enter into a new Agreement, and

**WHEREAS**, A Committee was formed and has convened as set forth in the Sixth Paragraph of the Agreement, in order to make a recommendation to the Legislature and the City Council as to whether or not to amend, modify or extend this Agreement for an additional term, and

**WHEREAS**, This Committee has met numerous times, and has in fact recommended to the Legislature and the City Council that the Agreement be extended for a period of 10 months to allow the Committee to continue to meet in order to conduct additional fact finding, negotiations and deliberations, and

**WHEREAS**, The County Legislature intends to accept and act upon this recommendation by entering into an Amended Agreement to extend the termination date until December 31, 2018. Now, therefore, Be it

**RESOLVED**, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County a proposed “Sales Tax Allocation Amended Agreement between the County of Genesee and the City of Batavia”, in order to extend the term of the prior Sales Tax Allocation Agreement, dated December 31, 2007, for an additional term of 10 months to end on December 31, 2018.

Legislator DeJaneiro seconded the resolution which was adopted by 236 votes, Davis (43) absent, young (47) no.

**RESOLUTION NO. 219 LEASE AGREEMENT - CITY OF BATAVIA AND COUNTY OF GENESEE WATER FACILITIES- AMENDMENT TO**

Legislator Stein offered the following resolution:

**WHEREAS**, the County of Genesee (hereinafter "County") and the City of Batavia (hereinafter "City"), have entered into a number of Agreements with regard to sales tax allocation, and with regard to the lease, operation and maintenance of the City water facilities, and

**WHEREAS**, the following Agreements are in full force and effect:

1. "Agreement Sales Tax Allocation County of Genesee and City of Batavia", dated December 31, 2007, which provides for a division of the net proceeds of sales tax imposed by the County, by and among the County, City, Towns and Villages located in Genesee County.
2. "Agreement", dated December 31, 2007 by which the City leased to the County the City's Water Supply and Treatment Facilities, including but not limited to, the existing water treatment plant, clearwell, wellfield, raw water lines to the plant, and existing water intake and water lines from the Tonawanda Creek to the Plant.
3. "Amendment to City of Batavia and County of Genesee Water Supply Operation and Maintenance Agreement dated April 10, 2001", also dated December 31, 2007, whereby the City agreed to provide operation and maintenance services for the above-named water facilities, and

**WHEREAS**, the terms and conditions of all three of these agreements will end on February 28, 2018, and

**WHEREAS**, both the County Legislature and City Council desire and intend to extend all three agreements simultaneously for an additional period of ten months, to all expire on December 31, 2018, and

**WHEREAS**, the City Attorney, the County Attorney and the Committee on Ways and Means have reviewed revisions to all three of these agreements, and have recommended approval to their respective municipalities. Now, therefore, Be it

**RESOLVED**, that the Chairman of the Genesee County Legislature is hereby authorized and directed to executed on behalf of the County, a proposed "Amendment to City of Batavia and County of Genesee Lease Agreement for Water Supply and Treatment Facilities dated December 31, 2007" in order to extend the term of the prior lease agreement amendment, dated December 31, 2007 for an additional term of ten months to end on December 31, 2018.

Legislator Clattenburg seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 220 SECOND AMENDMENT TO CITY OF BATAVIA AND COUNTY OF GENESEE WATER SUPPLY OPERATION AND MAINTENANCE AGREEMENT-APPROVAL OF**

Legislator Torrey offered the following resolution:



**WHEREAS**, the County of Genesee (hereinafter "County") and the City of Batavia (hereinafter "City"), have entered into a number of Agreements with regard to sales tax allocation, and with regard to the lease, operation and maintenance of the City water facilities, and

**WHEREAS**, the following Agreements are in full force and effect:

1. "Agreement Sales Tax Allocation County of Genesee and City of Batavia", dated December 31, 2007, which provides for a division of the net proceeds of sales tax imposed by the County, by and among the County, City, Towns and Villages located in Genesee County.
2. "Agreement", dated December 31, 2007 by which the City leased to the County the City's Water Supply and Treatment Facilities, including but not limited to, the existing water treatment plant, clearwell, wellfield, raw water lines to the plant, and existing water intake and water lines from the Tonawanda Creek to the Plant.
3. "Amendment to City of Batavia and County of Genesee Water Supply Operation and Maintenance Agreement dated April 10, 2001", also dated December 31, 2007, whereby the City agreed to provide operation and maintenance services for the above-named water facilities, and

**WHEREAS**, the terms and conditions of all three of these agreements will end on February 28, 2018, and

**WHEREAS**, both the County Legislature and City Council desire and intend to extend all three agreements simultaneously for an additional period of ten months, to all expire on December 31, 2018, and

**WHEREAS**, the City Attorney, the County Attorney and the Committee on Ways and Means have reviewed revisions to all three of these agreements, and have recommended approval to their respective municipalities. Now, therefore, Be it

**RESOLVED**, that the Chairman of the Genesee County Legislature is hereby authorized and directed to executed on behalf of the County, a proposed "Second Amendment to City of Batavia and County of Genesee Water Supply Operation and Maintenance Agreement dated April 10, 2001" in order to extend the term of the prior Water Supply Operation and Maintenance Amended Agreement, dated December 31, 2007 for an additional term of ten months to end on December 31, 2018.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 221     BUDGET AMENDMENT –COMMUNITY DEVELOPMENT  
BLOCK GRANT FOR GENESEE COUNTY – HOUSING  
NEEDS ASSESSMENT -- APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Genesee County has been awarded funding of \$47,500 by the New York State Housing Trust Fund Corporation pursuant to the Community Development Block Grant (CDBG) program as administered by the New York State Office of Community Renewal (NYSOCR) for the purpose of conducting a housing needs study, and

**WHEREAS**, The Assistant County Manager is recommending a budget amendment in order to expend the funds, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 Genesee County budget by increasing Appropriation A.8022.4800.0007 Housing Programs – Prog. Exp. – CDBG – Housing Needs Assessment in the amount of \$47,500 to be offset by an increase in Revenue A.8022.4997 CDBG-Housing in a like amount.

**Budget Impact Statement:** A 5% match is required by the County for this grant. \$2,500 was incorporated into the 2017 budget. Legislator Torrey seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 222     2017 BUDGET AMENDMENT – COUNTY MANAGER’S  
OFFICE/HAZARD ABATEMENT BOARD GRANT–  
APPROVAL OF**

Legislator Deleo offered the following resolution

**WHEREAS**, The Genesee County did receive grant funding from the New York State Occupational Safety and Health Hazard Abatement Board in the amount of \$9,542 for the 2015-2016 grant cycle, and

**WHEREAS**, due to scheduling conflicts not all the trainings were able to be completed leaving \$792 in unspent funds, and

**WHEREAS**, the grant requires any unspent funds be returned to the New York State Department of Labor, and

**WHEREAS**, the funds were placed in the County’s General Fund Balance at year end 2016. At this time a Budget Amendment is needed in order to return the unspent funds to New York State, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 budget by

Increasing     A.1230.4550.0040 (Training Safety)     \$792

to be offset by an increase in revenue account A.1000.9999 (Balancing- Appropriated) in the amount of \$792

**Budget Impact Statement:** No impact on County Budget.

Legislator Clattenburg seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 223     CONTRACT WITH U.S. BANKRUPTCY COURT -  
WESTERN DISTRICT OF NEW YORK - RENEWAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The United States Bankruptcy Court for the Western District of New York has contracted with Genesee County since 1997 for use of space within the Old County Courthouse in Batavia, NY to conduct proceedings of the Court, and

**WHEREAS**, The United States Bankruptcy Court has presented the County with an amendment to their Revocable License for Federal Use of Real Property space in the Old County Courthouse to extend the term of this Agreement to September 30, 2018 and

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

**RESOLVED**, That Genesee County will maintain with New York Municipal Insurance Reciprocal General Liability Insurance coverage in the amount of \$1 million for only the Old Courthouse, 7 Main Street, Batavia, NY, and Be it Further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and

directed to execute the Amendment of License Agreement for the extension of the Revocable License for Federal Use of Real Property with the United States Bankruptcy Court, Western District of New York, 300 Pearl Street, Suite 250, Buffalo, NY for the use of the Courtroom in the Old Genesee County Courthouse, Batavia, NY for the period October 1, 2017 through September 30, 2018 at \$850 per month for utilities, general liability insurance and maintenance of space.

**Budget Impact Statement:** Extends current agreement at current monthly rate; revenue for period \$10,200.

Legislator Stein seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 224 GRANT ACCEPTANCE/2017 BUDGET AMENDMENT – COUNTY MANAGER’S OFFICE/HAZARD ABATEMENT BOARD GRANT– APPROVAL OF**

Legislator DeJaneiro offered the following resolution

**WHEREAS**, The Genesee County did apply for and has been approved to receive grant funding from the New York State Occupational Safety and Health Hazard Abatement Board in the amount of \$14,229, and

**WHEREAS**, the grant period runs August 1, 2017 through July 31, 2018, and

**WHEREAS**, the additional funding will be used to provide critical and mandatory training and education programs to employees, and

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

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the grant agreement and all related documents associated with the New York State Occupational Safety and Health Hazard Abatement Board for the period of August 1, 2017 through July 31, 2018 and, Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 budget by

Increasing A.1230.4550.0040 (Training Safety) \$5,929

to be offset by an increase in revenue account A.1230.3089.6 (State Aid, Safety Training & Education) in the amount of \$5,929

**Budget Impact Statement:** No impact on County Budget. Increase in revenue and expense funded by the grant  
Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 225 2017 SALARY SCHEDULE AMENDMENT/BUDGET AMENDMENT – INFORMATION TECHNOLOGY – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Genesee County Information Technology Director eliminated an IT Operations Analyst I position as part of the 2017 budget process given the uncertain budget forecast, and

**WHEREAS**, The County IT Department has since taken on several initiatives such as the Public Safety support, required application upgrades, increased focus on network security, anti-virus, malware and ransomware protection, and building security expansion, and

**WHEREAS**, The current level of technicians cannot effectively keep up with the growing requirements and demands of the County’s Information Technology needs, and

**WHEREAS**, The County Manager and the County IT Director request recreating an IT Operations Analyst I position, and

**WHEREAS**, The Ways and Means Committee did review the request and do recommend approval at this time. Now, Therefore, Be it

**RESOLVED**, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2017 Management Salary Schedule by creating an IT Operations Analyst I, Grade 110, at a salary of \$43,645 effective June 16, 2017, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to make the following amendment in the 2017 Budget:

Increase	A.1680.1010	Personal Services	\$21,823
	A.1680.8010	Social Security Tax	\$ 1,353
	A.1680.8011	Medicare Tax	\$ 316
	A.1680.8020	Retirement	\$ 2,029
	A.1680.8030	Medical	\$ 9,349
	A.1680.8040	Dental	\$ 165
	A.1680.8070	Vision	\$ 36

To be offset by an increase in revenue A.1000.1081 – Other Payt. In Lieu of Tax in the amount of \$35,071

**Budget Impact:** Increase in IT budget of \$35,071. To be covered by an unexpected PILOT that was not budgeted for.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 226                      CONTRACT RENEWAL – NURSING HOME/  
ACCOUNTS RECEIVABLE – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The County secured the services of Beacon Solutions Group (formerly IM Solutions, Inc.) to collect outstanding accounts receivable at the former Genesee County Nursing Home, and

**WHEREAS**, Beacon Solutions Group has achieved favorable results to date and helped reduce the Accounts Receivable from \$2.4 million to approximately \$780,000, there are still fiscal reimbursements the County should collect/receive, and

**WHEREAS**, Beacon Solutions Group anticipates completion within 3 – 6 months, and

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

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Chairman of the Genesee County Legislature to renew the contract with Beacon Solutions Group, 100 Corporate Parkway, Buffalo, New York 14226, in the amount not to exceed \$30,000 for accounts receivable collection

**Budget Impact:** Expenses will be paid out of the Nursing Home proceeds

Legislator Bausch seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 227                      COUNTY AUDIT – JUNE 14 - APPROVAL OF**

Legislator Bausch offered the following resolution:

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

General Fund	\$	907,117.71
Highway		152,209.87
Self Insurance		4,320.00
Nursing Home		3,390.10
Water Fund		139,652.10
DSS Abstracts		600,541.05

**Capital Projects:**

Sheriff's – Radio Upgrade	\$	248.08
Airport – Reconstruct Runway 10-28		36,000.00
Park – DeWitt Improvement Phase IV		809.80

Highway – River Street Bridge	3,199.80
Highway – 2017 Bridge Construction	6,394.06
Airport – Construct New Terminal	117,155.45
GCC – Wellness & Event Center	600,522.64
<b>Payroll – General</b>	
May 26, 2017	1,517,023.59
June 9, 2017	1,064,733.41
<b>Medicaid</b>	
May 30, 2017	179,222.00
June 6, 2017	179,222.00
June 13, 2017	<u>179,222.00</u>
<b>Total Audit</b>	\$ 5,690,983.66

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 Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent. Chairman Cianfrini recognized Legislator Stein who made a motion to suspend the Legislature Rules (Rule 19) to address a timely agreement for a required Medicaid Cost Report for the former Genesee County Nursing Home. In consultation with the County’s independent auditors & the County Treasurer’s Office and the current owners of the Nursing Home, a recommendation is being made to retain the former Genesee County Nursing Home comptroller for a period of up to 8 hours at a consulting rate of \$50/hour in an amount not to exceed \$400. Legislator Young seconded the resolution which was adopted by 369 votes (two-thirds vote required) Davis (51) absent.

**RESOLUTION NO. 228      AGREEMENT TO RETAIN SERVICES OF DAVID LOCKWOOD TO PREPARE THE 2016 MEDICAID COST REPORT FOR THE FORMER GENESEE COUNTY NURSING HOME**

Legislator Stein offered the following resolution;

**WHEREAS**, The County of Genesee, as part of its obligation and due diligence as the former owner/operator of a 240 Bed LTC Facility through December 31, 2016, located in the City of Batavia, annually prepares a Medicaid Cost Report as required by the Federal government and New York State Department Of Health for the purposes of determining reimbursement rates for care services rendered to residents of the former Genesee County Nursing Home, And **WHEREAS**, Said report is due to be filed on or before July 1, 2017 and includes the assemblage of both financial and statistical information regarding said LTC of residents at the facility, And **WHEREAS**, There are no County personnel presently involved or formerly involved in preparation of this required cost report which were annually filed thru CFY 2015, And **WHEREAS**, In consultation with the County’s independent auditors and County Treasurer’s office and the present owners of the Nursing Home, Premier Health Care and their representatives, and in the interest of timely and accurate filing of said cost report, a recommendation is being made to retain the services of David A Lockwood, former Genesee County Nursing Home comptroller for a period of up to 8 hours at a consulting rate of \$50/hr, all inclusive (\$400), Now therefore Be it

**RESOLVED**, that the Genesee County Legislature hereby authorizes the County Legislative Chairperson to sign a letter of retainer of consulting services with David A Lockwood of Orleans County, New York in an amount not to exceed \$400.

Legislator Bausch seconded the resolution which was adopted by 283 votes, Davis (43) absent. The meeting adjourned at 6:04PM upon motion of Legislator Stein seconded by Legislator Bausch, carried unanimously.