

**THIRD DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, FEBRUARY 10, 2021**

The Genesee County Legislature met in Regular Session on Wednesday, February 10, 2021 at 5:30 PM in the Legislative Chambers of the Old Courthouse and remotely using ZOOM. Beginning February 1, 2021, the Genesee County Legislature began a phased-in process of resuming in-person meetings. Legislators, County Manager & Assistant County Manager, County Attorney and Legislature Clerk will meet in-person with all others participating via Zoom Videoconference. Minutes of the meeting are posted on the Genesee County Website Legislature Page. Legislator Dibble assisted with the audit. The prayer was offered by Legislator Maha followed by the Pledge to the Flag.

Minutes of the January 27, 2021 Legislature meeting were approved upon motion of Legislator Yunker seconded by Legislator Dibble, carried unanimously.

Legislator Maha provided an update from several meetings: he attended the WNY Inter-County Association monthly meeting where NYSAC representatives reviewed aspects of the proposed state budget; he attended a NYSAC Briefing pertaining to EO 203-Police Reform and Reinvention where it was revealed that municipalities that do not convene a committee, compile a report and have it adopted and submitted to the State can be fined for non-compliance; he participated in the NYSAC Public Service Committee meeting. Legislator Torrey, who serves as the Legislative Liaison to the Chamber of Commerce indicated it was announced that Eric Fix will serve as the next Chamber president. Both Eric and retiring President Tom Turnbull were extended good wishes for each of their future endeavors.

The Clerk reported the Legislators received a call for nominations for the annual Youth Bureau awards. Nomination forms are available and legislators are encouraged to submit for all or any of the three categories. Materials will be shared with town and village leaders as well.

Legislature Chair Stein explained she received a call from Senator Rath who indicated he made inquiries with NYS Department of Health regarding the reduction in COVID vaccine doses. He also shared that the requested enabling legislation has a bill number and will go through his committee. He has shared the importance of the measure with the Committee Chair. He also contacted Assemblyman Hawley to request he sponsor a companion bill. Senator Rath retained some staff from former Senator Ranzenhofer, notably Kathy Donner and John McNulty and hired Genesee County resident Ben Eddy who will work in central staff. Chair Stein extended gratitude to volunteers and re-deployed county staff serving our community at the COVID test clinics and vaccination clinics. Chair Stein also noted the Health Department included information in the daily briefing regarding a scam where older adults have received a phone call asking for money to get the individual registered for a vaccine. Anyone receiving a call should hang up immediately.

County Manager Matt Landers stated the Police Reform and Reinvention Committee has a draft report available for review and is soliciting comments and feedback. The report can be found on the Sheriff's page of the County website. The Genesee County COVID positivity rate is now the lowest in the Finger Lakes Region. He commented that it was not that long ago that Genesee County had the highest rate.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 56 AFFILIATION AGREEMENT- DEPARTMENT OF SOCIAL
SERVICES / SUNY COLLEGE AT BROCKPORT – APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services reviewed and approves of the affiliation agreement with the SUNY College at Brockport for Rebecca Nigro to participate in and complete an internship that will assist her in completing her Masters' Degree in Public Administration, and

WHEREAS, The Genesee County Attorney, did review the affiliation agreement and does recommend approval at this time, and

WHEREAS, The Committees on Human Services and Ways & Means have reviewed the affiliation agreement and do concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to approve and signoff on the 2021 Affiliation Agreement with SUNY College of Brockport, effective immediately.

Budget Impact: There is no financial impact associated with this affiliation agreement Plan Update.
No budgetary impact.

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

RESOLUTION NO. 57 ACCEPTANCE OF GRANT AWARD – OFFICE FOR THE AGING/ MURIEL H. MARSHALL FUND-CALLHUB PROGRAM– APPROVAL OF

Legislator Hawley offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request acceptance of grant awards for a total of \$11,100 from the Rochester Area Community Foundation's Muriel H. Marshall Fund for the aging each for the period of February 1, 2021-December 31, 2021. These specialized funds are available for needs that have arisen due to COVID-19 and are awarded for assistance with the launch of a pilot program called CallHub; and

WHEREAS, Office for the Aging is a beta-site participant for CallHub in this development phase, easy technology allows people to safely connect with phone calls going through the Hub. CallHub is a secure web-based tool that makes communication between individuals and groups of people easier, quicker and safer through a designated phone number. It is an application that allows for improved program management for staff and volunteer-based programs, through mass messaging and real-time data collection and monthly reporting capabilities. Our "safe" number appears on the caller ID, keeping the caller's personal number private. This is advantageous for volunteer-based programs and staff working remotely due to the pandemic; and

WHEREAS, the Committee on Human Services did review this request and does recommend acceptance of this grant. Now, Therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is authorized to accept this grant award and is authorized to enter into any and all agreements under the grant to contract for goods and services to meet the grant requirements.

Budget Impact: Revenue increase. The \$11,100 of Marshall Fund grant awards is additional revenue not previously accounted for in the 2021 adopted budget and will be utilized to supplant county share. There is no cost to the county.

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

RESOLUTION NO. 58 2020-2021 – EARLY INTERVENTION GRANT FUNDING ACCEPTANCE/HEALTH DEPARTMENT – APPROVAL OF

Legislator Klotzbach 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 Early Intervention Administration contract has been awarded in the amount of \$31,982, 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 administration of the Early Intervention Program, And

WHEREAS, The Committee on Human Services 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 Early Intervention Administration contract for the period October 1, 2020 through September 30, 2021 in the amount of \$31,982, and to execute any and all other documentation related to this funding.

Budget Implications: Revenue and expenses are appropriated in the 2020 & 2021 Dept. 4059 Early Intervention Budget. Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 59 CONTRACT – HEALTH DEPARTMENT/ COVID VACCINATION CLINIC STAFFING – APPROVAL OF

Legislator Torrey offered the following resolution

WHEREAS, Genesee County Health Department is holding vaccination clinics to aid in the distribution of the COVID-19 vaccine, and

WHEREAS, In addition to the numerous volunteers and reassigned County employees, there is a need for consistent staffing for the clinics, and

WHEREAS, The Public Health Director did present a contract for staffing services from Coastal Staffing Inc., 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 Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Coastal Staffing, Inc., 4949 Tamiami Trail North, Suite 202, Naples, FL 34103, at a cost of the determined rate plus 42% administrative fee.

Budget Impact: A 2021 Budget Amendment was done to incorporate funds into the Health Department budget. Estimated expense for six months is approximately \$65,500.

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

RESOLUTION NO. 60 CONTRACT AMENDMENT- COMMUNITY MENTAL HEALTH SERVICES/VIRGINIA WOHLTMANN, M.D. - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, Resolution No.487-2020, did authorize a contract with Virginia Wohltmann, M.D. for the provision of consulting psychiatric services at a rate of \$175 per hour, and

WHEREAS, The Director of Community Mental Health Services did request an amendment to the contract rate to allow for the expansion of the services in the department's Continuing Day Treatment (CDT) division, and

WHEREAS, the Committee on Human Services did review this recommendation and does concur, Now therefore Be It

RESOLVED that the Chairman of the Genesee County Legislature is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and Virginia Wohltmann, M.D., 490 Crosskeys Office Park, Fairport, NY 14450 for the provision of consulting psychiatric services at a rate of \$180 per hour; annual amount not to exceed \$270,000.

Budget Impact Statement: Rate - \$180 per hour, \$5.00/hr. increase.

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

RESOLUTION NO. 61 CONTRACT RENEWAL- COMMUNITY MENTAL HEALTH SERVICES/CONSULTING PSYCHIATRIC SERVICES - APPROVAL OF

Legislator Klotzbach offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract renewal with

Temitope Omoloye Oyegbile, M.D. as presented by the Director of Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Temitope Omoloye Oyegbile, M.D. for the provision of consulting psychiatric services at a rate of \$250 per hour for a maximum of 150 hours for the period of January 1, 2021 through March 31, 2021 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$250 per hour – no change; reduction of hours by 450.

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

RESOLUTION NO. 62 CONTRACT AMENDMENTS - COMMUNITY MENTAL HEALTH SERVICES/ THE MENTAL HEALTH ASSOCIATION OF GENESEE & ORLEANS COUNTIES, RESTORATION SOCIETY, LIVING OPPORTUNITES OF DEPAUL, GENESEE COUNTY ALCOHOL AND SUBSTANCE ABUSE (GCASA), AND ARC OF GENESEE ORLEANS – APPROVAL OF

Legislator Hawley offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the payment schedule of the following 2021 Contracts: The Mental Health Association of Genesee & Orleans Counties, Restoration Society, LOPD, GCASA, and Arc of Genesee Orleans, and

WHEREAS, It has been noted by the State that all payments should be paid quarterly, not monthly as the current contract states, and

WHEREAS, The Committee on Human Services did review this request and does recommend approval 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 the necessary documents to amend the 2021 contracts between the County of Genesee and following agencies: The Mental Health Association of Genesee & Orleans Counties, Restoration Society, LOPD, and GCASA, and Arc of Genesee Orleans to change the payment structure from monthly to quarterly, and Be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Contract payments to quarterly payments not to exceed the following amounts:

The Mental Health Association of Genesee & Orleans Counties	\$ 95,142.75 / Quarter
Restoration Society	\$71,113.50 / Quarter
Living Opportunities of DePaul	\$11,201.25 / Quarter
Genesee County Alcohol and Substance Abuse	\$387,668.25 / Quarter
Arc of Genesee Orleans	\$10,436.25 / Quarter

Budget Impact Statement: No County Budget Impact.

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

RESOLUTION NO. 63 REFUNDING BOND RESOLUTION DATED FEBRUARY 10, 2021. REFUNDING BOND RESOLUTION OF THE COUNTY OF GENESEE, NEW YORK, ADOPTED FEBRUARY 10, 2021, AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 OR 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS”, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

Legislator Clattenburg offered the following resolution:

WHEREAS, the County of Genesee, New York (hereinafter, the "County") heretofore issued \$2,050,000 Public Improvement (Serial) Bonds, 2009 pursuant to a bond determinations certificate dated July 23, 2009 and duly executed by the County Treasurer (the "2009 Bond Certificate"), to finance the cost of various improvements in

and for said County as further described in the 2009 Bond Certificate, such bonds being dated July 15, 2009 with remaining maturities on September 15 in the years 2021 through 2024, both inclusive (the "2009 Refunded Bonds"); and

WHEREAS, the County also heretofore issued \$4,745,827 Public Improvement (Serial) Bonds, 2014 pursuant to a bond determinations certificate dated December 23, 2014 and duly executed by the County Treasurer (the "2014 Bond Certificate") to finance the cost of various improvements in and for said County as further described in the 2014 Bond Certificate, such bonds being dated December 15, 2014 with remaining maturities on December 15 in each of the years 2021 through 34, both inclusive (the "2014 Refunded Bonds" and together with the 2009 Refunded Bonds, the "Refunded Bonds"); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the Refunded Bonds maturing in 2022 and thereafter by the issuance of refunding bonds pursuant to Section 90.00 or 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.00 or 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the Legislature of Genesee County, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds maturing in 2022 and thereafter as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, (iv) the redemption premium to be paid on such Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$3,960,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 or 90.00 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$3,435,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-21 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the County Treasurer. Notice of such call for redemption shall be given by mailing

such notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Treasurer as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Treasurer as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Treasurer, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The County Treasurer is hereby further delegated all powers of this Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

- (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by the Local Finance Law;
- (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified in the Bond Certificates which are incorporated herein by reference;
- (c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued;
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of the Local Finance Law. The County Treasurer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Treasurer shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in the Local Finance Law.

Section 6. The faith and credit of said Genesee County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and

established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with either Section 90.00 or 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the County Treasurer shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to Roosevelt & Cross Inc. (the "Underwriter") as shall be determined by the County Treasurer for purchase prices to be determined by the County Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds.

Section 11. The County Treasurer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection thereof are hereby delegated to the County Treasurer.

Section 13. The validity of the Refunding Bonds may be contested only if:

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

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

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

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Legislator Maha seconded the resolution which was adopted by 420 votes under the two-thirds majority weighted voting plan of the Genesee County Legislature.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: 9 NAYS: 0 ABSENT: 0 EXCUSED: 0

This resolution was thereupon declared duly adopted.

RESOLUTION NO. 64

AGREEMENT RENEWAL– GENESEE COUNTY SELF-INSURANCE/ONE GROUP –APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Resolution No. 79 duly adopted on February 22, 2017, did award a contract to One Group for Workers’ Compensation Cost Allocation Study via RFP 2017-101, and

WHEREAS, RFP 2017-101 did allow for two additional one-year period renewals and the County Manager does recommend renewing this contract for the second one year term March 1, 2021 – February 28, 2022 under the same terms and conditions as the original agreement, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the renewal agreement between the County of Genesee and One Group, 706 North Clinton Street, Syracuse, New York 13204, for Workers’ Compensation Cost Allocation services for the period of March 1, 2021 through February 28, 2022, at a cost not to exceed \$8,500

Budget Impact: \$8,500 contract has been budgeted in the Workers’ Compensation budget.

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

RESOLUTION NO. 65

**2020 FUNDING SOURCE
AMENDMENT/TRANSFER/CLOSE
CAPITAL PROJECTS – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, County Building 2, Security Upgrades Capital Project has been completed and can be closed out at this time, and

WHEREAS, Resolution 82, duly adopted on February 22, 2017, did establish the 2017 Security Enhancements Capital Project funded partially by a State grant which did not materialize, and

WHEREAS, The Genesee County Treasurer has recommended using 2020 sales tax revenue and the remaining balance of the Building 2, Security Upgrades to fill the revenue shortfall in the 2017 Security Enhancements Capital Project and close the project, and

WHEREAS, The Committee on Ways and Means has reviewed the request and recommends approval at this time. Now, therefore be it

RESOLVED, That the Genesee County Treasurer be and hereby authorized and directed to make the following transfer:

\$6,769.45	From	Capital Project, County Manager, County Building 2, Security Upgrade
	To	Capital Project, County Manager, 2017 Security Enhancements

and, Be it further

RESOLVED, That the Genesee County Treasurer be and hereby authorized and directed to reduce authorization of the 2017 Security Enhancement Capital Project by \$4,022.58 and amend the capital budget by replacing \$109,207.97 of H.1997.3097 State Aid with 2020 A.1000.1110 Sales Tax Revenue in a like amount and Increase A.9950.9 Transfers to Capital in the amount of \$109,207.97 and Increase H .1997.5031 Interfund Transfers in a like amount.

and, Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to close the following completed Capital Projects:

- County Manager, County Building 2, Security Upgrades
- County Manager, 2017 Security Enhancements

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

RESOLUTION NO. 66 COUNTY AUDIT –FEBRUARY 10- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Dibble, did review the following claims:

General Fund 2020	\$	569,375.86
General Fund 2021		514,944.24
Highway 2020		2,791.29
Highway 2021		772,864.78
Self Insurance 2020		6,077.10
Self Insurance 2021		545.60
Water Fund 2020		41,117.45
Water Fund 2021		1,202,329.72
DSS Abstracts		97,295.20
Capital Projects 2020		
Highway- Road Machinery		2,590.00
Highway-South Lyons Street Bridge Over Tonawanda Creek		78,241.61
Highway-Upton Road Bridge Over Bowen Creek		10,249.00
Highway-Judge Road Bridge Over Whitney Creek		25,078.99
Highway-Hundredmark Road Bridge Over Drainage Ditch		13,462.87
Sheriff/Jail-Public Safety Communication Tower		1,133.82
Capital Projects 2021		
Highway-Judge Road Bridge Over Whitney Creek		56,393.09
County Park-County Park Comprehensive Recreation Plan		7,332.50
Payroll – General		
January 29, 2021		1,745,773.52
Medicaid		
February 2, 2021		132,890.00
February 9, 2021		<u>132,890.00</u>
Total Audit	\$	5,413,376.64

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 Dibble seconded the resolution which was adopted by 326 votes.

At 5:51 PM the meeting adjourned upon motion of Legislator Hawley seconded by Legislator Klotzbach, carried unanimously.