

**THIRD DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, February 12, 2020**

The Genesee Legislature met in Regular Session on Wednesday, February 12, 2020 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

Minutes of the January 22, 2020 Legislature Meeting were approved upon motion of Legislator Maha seconded by Legislator Yunker, carried.

Legislator Maha reported that he and Legislator Torrey attended the NYSAC Legislative Conference and he sent a summary the Public Service Committee meeting including resolutions they are supporting. Chair Stein attended the US Census Complete County Committee meeting and learned the County has an opportunity to apply for a grant however, a not-for-profit must provide the outreach and services. Soil and Water Conservation District has over \$1 million in grant funds to resource concerns and health soils as well as rural road management opportunities. Legislator Young reported that the next meeting of GAM is February 20th at 7:00 pm at County Building #2 and invited interested parties to attend.

The Clerk read the following out-of-state travel requests:

Sgt. Thomas Sanfratello, Sheriff's Department to travel to Orlando, FL for Tyler Connects Conference and Advisory Board Meetings 4/26-5/1/2020 County cost \$3,196 approved upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried.

Coroner Jeff McIntire, Public Health to travel to Troy, MI for 5th Annual North American Active Assailant Conference 5/26-5/30/20 County cost \$900 approved upon motion of Legislator Hilchey seconded by Legislator Torrey, carried.

EMS Deputy Coordinator Bill Schutt to Phoenix, AZ to present at FutureView 2020 3/10-3/11/20 County cost \$102 approved upon motion of Legislator Dibble seconded by Legislator Maha, carried.

Legislature Chair Stein thanked Legislators Maha and Torrey for attending NYSAC and bringing back reports and timely information. Congratulations were extended to local fire departments for achievements and awards announced during dinner banquets. Their volunteer service is foundational to our quality of life in Genesee County. She thanked the County Managers office for providing testimony at the recent Senate hearing on Bail Reform and thanked County Manger Jay Gsell for traveling to Albany today to represent Genesee County at the NYSAC lobby day.

Assistant County Manager Matt Landers reported that a presentation on the new jail was provided to Batavia Rotary Club and the next new jail outreach meeting is scheduled for Wednesday, February 19th at 6:00 pm in the Legislature Chambers.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 47 APPOINTMENT-OFFICE FOR THE AGING ADVISORY
 COUNCIL-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, There is a vacancy and we offered invitation to an individual to fill a vacancy based on NYSOFA regulations regarding OFA Aging Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and recommend appointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a three year term effective January 1, 2020 through December 31, 2022.

Provider Member:

Karen Gayton, RTS - GENESEE

Budget Impact Statement: None

Legislator Young seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 48 CONTRACT RENEWAL- OFFICE FOR THE
AGING/TRANSPORTATION – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Office for the Aging has requested the continuing of a transportation contract with RTS-GENESEE that includes Office for the Aging Medical and County Rural Transportation services within Genesee County to expand public transportation service for both older adults and rural Genesee County residents; and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew the contract between RTS-GENESEE at RTS, 1372 East Main Street, Rochester, NY 14609 and the County of Genesee for the provision of medical transportation for the elderly and rural transportation program, for a combined cost of \$56,531 for the period January 1, 2020 through December 31, 2020.

Budget Impact: None. Total 2020 contract is \$56,531 and is included in 2020 county budget. Rural Transportation cost is \$28,473 paid for by county general fund; OFA Medical Transport is \$28,058 paid through NY State Community Services for the Elderly Program grant funds. Same rates as 2019.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 49 SERVICE AGREEMENT/CERTIFICATE OF
INSURANCE-OFA/WESTERN NEW YORK
INTEGRATED CARE COLLABORATIVE, INC.
(WNYICC) -2020 APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging (OFA) did present the necessary documents for entering into a Master Service Agreement with Western New York Integrated Care Collaborative (WNYICC) Inc., a New York not-for-profit corporation with offices located at 742 Delaware Avenue, Buffalo, New York 14209, for the provision of OFA services to improve health outcomes for participants enrolled in a WNYICC Program; and

WHEREAS, WNYICC desires to have services provided by Genesee OFA and Genesee OFA desires to provide services to WNYICC patients/former patients/participants (“participants”) in a sustainable manner under the terms and conditions set forth in this document; and

WHEREAS, Genesee OFA desires and has the capacity to provide services in support of WNYICC; and

WHEREAS, The agreement requires proof of insurance indicating general liability insurance in the amount of at least One (1) Million Dollars per occurrence with Three (3) Million Dollars in the aggregate naming Western New York Integrated Care Collaborative (WNYICC) Inc., 742 Delaware Avenue, Buffalo, New York 14209 as additional insured; and

WHEREAS, An addendum is attached to the Master Service Agreement for OFA to provide in-home, post-acute discharge meal delivery for eligible individuals for up to 14 meals for 7 calendar days; and

WHEREAS, The service agreement and addendum are automatically renewable on an annual basis; and

WHEREAS, the Committees on Human Services and Ways & Means 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 for Genesee County Office for the Aging to enter in to a Master Service Agreement with Western New York Integrated Care Collaborative, Inc., 742 Delaware Avenue, Buffalo, New York 14209 for an ongoing period until such time as either party gives written notice of termination to the other party at least ninety (90) calendar days in advance of such termination of contract for the period of January 1, 2020-December 31, 2020; and be it further

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Western New York Integrated Care Collaborative (WNYICC) Inc., 742 Delaware Avenue, Buffalo, New York 14209 as additional insured in the amount of at least one million dollars; and be in further

RESOLVED, that the Chair of the Legislature is hereby authorized and directed to execute the necessary addendum document to provide in-home, post-acute discharge meal delivery for up to 14 meals for 7 calendar days; as follows:

- **“Standard”**: delivery of (1) fresh meal and (1) shelf stable meal
\$11.75 per meal
- **“Alternate Standard”**: delivery of frozen, blast chilled, or shelf-stable meal
\$9.25 per meal

Budget Impact: None. The anticipated revenue for this is currently within the Medicaid Managed Care budget line and the anticipated expense for this is currently within the Cont. Svc-Food budget line in the 2020 County Budget. Legislator Yunker seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 50

**2020 BUDGET AMENDMENT- OFFICE FOR THE AGING
– APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Office for the Aging did receive a revised Notification of Grant Award (NGA) for the EISEP (Expanded In-Home Services for the Elderly Population) program sponsored by OFA for the period April 1, 2019 through March 31, 2020; and

WHEREAS, This revised NGA reflects an increase in funding from the tentative allocation schedule previously issued for this program for an additional, one-time reallocation of \$102,000 for to support the growing need for aging services and programs for older adults; and

WHEREAS, The Director is requesting a budget amendment to the 2020 OFA County Budget to accept the additional funds, which would enable us to expand and enhance our in-home services; and

WHEREAS, the Committees on Human Services and Ways and Means did review this request and do recommend approval of this budget amendment. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Budget by adjusting Office for the Aging Budget by the following amounts:

Increase Revenue:

A 6772.3772 State Aid \$102,000

Increase Appropriations:

A. 6772.1010.0000	Personnel Services	\$11,757.00
A. 6772.4110.0000	General Office Supplies	\$15.00
A. 6772.4110.0011	Copier Cost/Copy	\$20.00
A. 6772.4130.0000	Paper	\$10.00
A. 6772.4140.0000	Postage	\$50.00
A. 6772.4540.0000	Personnel Mileage	\$500.00
A. 6772.4290.0035	MiFi/Cell Phone/Air Card	\$882.00
A. 6772.4700.0000	Specialized Supplies	\$6,000.00
A. 6772.4800.0006	Program Exp.-Emerg. Assist	\$5,150.00
A. 6772.4660.0535	HomeCare	\$72,702.00
A. 6772.8010.0000	Social Security Tax	\$729.00
A. 6772.8011.0000	Medicare Tax	\$170.00
A. 6772.8020.0000	Retirement	\$1,619.00
A. 6772.8030.0000	Medical	\$2,304.00
A. 6772.8030.0001	Medical Buyback	\$25.00
A. 6772.8040.0000	Dental	\$53.00
A. 6772.8070.0000	Vision	\$14.00
Total		\$102,000.00

Budget Impact: Increase to the OFA 2020 budget by \$102,000 which will be utilized to expand in-home services to clients. Increased revenue requires a county match which is met from granted increase in county share in the approved 2020 budget, and therefore no additional county funds are required to accept this additional funding.

Legislator Hilchey seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 51 2020 BUDGET AMENDMENT/SALARY SCHEDULE
AMENDMENT - COMMUNITY MENTAL HEALTH
SERVICES/MENTAL HEALTH CLINICAL THERAPIST-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2020 Employee Salary Schedule to create one (1) Mental Health Clinical Therapist, F.T., in CSEA-General, Grade 19, and eliminate one (1) Intake Clerk, F.T., in CSEA-General, Grade 7 and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Employee Salary Schedule by creating one (1) Mental Health Clinical Therapist F.T., in CSEA-General, Grade 19, and eliminating one (1) Intake Clerk, F.T., in CSEA-General, Grade 7 in Employee Salary Schedule effective February 12, 2020 and be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Genesee County Budget by:

Increasing A4310. .1620.10	Medicaid Managed Care	\$23,126.00
Increasing A4310. .1620.11	Medicaid Regular	\$13,700.00

Increasing A4310. .1620.12	Medicare	\$ 1,507.00
Increasing A4310. .1620.15	Third Party	\$ 3,534.00
Increasing A4310. .1620.16	Self-Pay	\$ 1,483.00

AND

Increasing A4310. .1010.0000	Personnel Services by	\$18,609.00
Increasing A4310. .8010.0000	Social Security Tax by	\$ 1,154.00
Increasing A4310. .8011.0000	Medicare Tax by	\$ 270.00
Increasing A4310. .8020.0000	Retirement by	\$ 2,350.00

Budget Impact Statement: Budget amendment required: Increase to 2020 Budget by \$22,382.00 due to MH Clinical Therapist position being a higher grade than an Intake Clerk position. Projected Net Savings to County Cost in the amount of \$20,968.00, generated by revenue associated with MH Clinical Therapist position.

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 52 BUDGET AMENDMENT 2019-MENTAL HEALTH SERVICES/WNY HEROES, INC. - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services is requesting an amendment to the 2019 Mental Health Budget to be able to allocate funding received from New York State to WNY Heroes, Inc. in the amount of \$40,000. There is a contract in place for this funding between Genesee County Department of Mental Health and WNY Heroes, Inc. for 2019, and

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2019 Genesee County Department of Mental Health budget and the Committees on Human Services and Ways and Means concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by

Increasing A4316.4660.0000	WNY Heroes, Inc.	\$40,000
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AND

Increasing A.4316.3490	State Aid, WNY Heroes, Inc.	\$40,000
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Budget Impact Statement: 2019 GCMH expense -\$0; NYS Aid for WNY Heroes, Inc. - \$40,000; net County GF 2019 impact =\$0

Legislator Maha seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 53 2020 BUDGET AMENDMENT/CONTRACT RENEWAL-COMMUNITY MENTAL HEALTH SERVICES/WNY HEROES, INC.- APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2020 Genesee County Department of Mental Health budget, and

WHEREAS, The Committee on Human Services does recommend approval of a contract with WNY Heroes, Inc. as presented by the Director of the Community Mental Health Services, and

WHEREAS, That there is no county cost in accordance with the terms of the contract attested to by the President of the Genesee Community Services Board and the Chairman of the Board of WNY Heroes, Inc. and approved as to form by the Genesee County Attorney. 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 WNY Heroes, Inc. for the provision of the Peer to Peer Support Program (Operation B.O.O.T.S.) at a cost not to exceed \$40,000 for the period January 1, 2020 through December 31, 2020, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Genesee County Budget by

Increasing A4316.4660.0000	WNY Heroes, Inc.	\$40,000
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AND

Increasing A.4316.3490	State Aid, WNY Heroes, Inc.	\$40,000
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Budget Impact Statement: 2020 GCMH expense -\$0; NY State Aid for WNY Heroes, Inc. - \$40,000; net County GF 2020 impact = \$0

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 54 CONTRACT RENEWAL – HEALTH DEPARTMENT/
MONROE COUNTY FORENSIC PATHOLOGY SERVICES
– APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, the County of Monroe did present a contract renewal for the provision of forensic pathology and medicolegal death investigation services, and

WHEREAS, the Genesee County Public Health Director does recommend entering into the contract with the County of Monroe, 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 County of Monroe backdated to January 1, 2020 and extending through December 31, 2020, and to execute any and all other documentation related to this Agreement.

Budget Impact: Expenses for \$80,700 have been appropriated in the 2020 Dept. 1185 – Coroner budget.

Legislator Yunker seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 55 INTERMUNICIPAL AGREEMENT – HEALTH
DEPARTMENT/MUTUAL AID PUBLIC HEALTH EMERGENCIES -
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The counties of Alleghany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming are referred to as the "Western New York Counties", and

WHEREAS, The County Health Departments of Western New York Counties all have responsibilities for public health emergency planning and response, and

WHEREAS, Some public health problems may require public health services that exceed the capacity of an individual County Public Health Department, and

WHEREAS, The County Health Departments of the Western New York Counties are desirous of establishing an intermunicipal agreement to provide mutual aid to each other during a public health emergency, and

WHEREAS, The Committees 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 an intermunicipal agreement with Western New York Counties of Alleghany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming for the provision of providing mutual aid to each other during a public health emergency for the term of July 1, 2020 through June 30, 2025.

Budget Impact: There is no direct cost associated with this agreement due to reimbursement by the receiving county.

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 56 LETTER OF AGREEMENT - HEALTH DEPARTMENT –
PERRY VETERINARY CLINIC - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director did present a Letter of Agreement with Perry Veterinary Clinic to deliver services related to the Rabies Program for the mutual benefit of both parties, 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 a Letter of Agreement with Perry Veterinary Clinic, PLLC, 3699 West Main Street Road, Batavia, NY 14020 for the provision of mutual Rabies Program related services valued up to the amount of two thousand dollars (\$2,000.00) per year. This three-year agreement is effective January 1, 2020 through December 31, 2022. Services provided beyond the valued amount shall be reimbursed on a pro rata basis.

Budget Impact: Expenditures related to this agreement are offset by fees collected for Vaccination Services.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 57 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM/RELATED
SERVICES – APPROVAL OF**

Legislator Torrey 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 a contract with Batavia City School District, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) retroactively to the period of July 1, 2019 through June 30, 2021 per the 2019-2021 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Maha seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 58 CONTRACTS– HEALTH DEPARTMENT/
PRESCHOOL SUPPORTIVE HEALTH SERVICES
PROGRAM/SEIT & CB – APPROVAL OF**

Legislator Maha 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 Batavia City School District for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program retroactively dated to the period of October 15, 2019 through June 30, 2021 at the rates established by State of New York.

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Hilchey seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 59 AFFILIATION AGREEMENT – HEALTH
DEPARTMENT/ROBERTS WESLEYAN COLLEGE -
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with Roberts Wesleyan College, and

WHEREAS, The Committees 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 necessary documents to enter into an affiliation agreement with Roberts Wesleyan College, 2301 Westside Drive, Rochester, New York, for the term of March 1, 2020 through March 1, 2025

Budget Impact: There is no direct cost associated with this agreement.

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 60 POLICY AMENDMENT - HUMAN RESOURCES/
GENESEE COUNTY SEXUAL HARASSMENT POLICY-
APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, the NYS Department of Labor released an amendment for the model sexual harassment policy for all employers in New York State, and

WHEREAS, amendments to the Human Rights Law builds on the sexual harassment reforms that New York State implemented over the course of 2018. Harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights and trivial inconveniences, and

WHEREAS, the Human Resources Director did present an amendment to the Genesee County Sexual Harassment policy to reflect the revised New York State Sexual Harassment Model Policy. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the amendment to the Genesee County Sexual Harassment policy, effective 2/12/2020.

Budget Impact: No budget impact.

Legislator Young seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 61 REAPPOINTMENT – STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The term of office has expired for Frank Ciaccia, citizen member of the STOP-DWI Advisory Board and he has indicated a desire and ability to continue service, and

WHEREAS, The Committee on Ways and Means does recommend the reappointment of citizen Frank Ciaccia. Now, therefore, Be it

RESOLVED, That Frank Ciaccia of Bergen, New York be reappointed as citizen members of the Genesee County STOP-DWI Advisory Board to serve another term effective immediately through December 31, 2022.

Budget Impact: None – these are volunteer Board Members

Legislator Maha seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 62 APPOINTMENT – AMERICAN DISABILITY ACT COORDINATOR – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, To meet the requirements of the American’s With Disability Act, Genesee County must appoint a Coordinator to assure compliance with the law, and

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

RESOLVED, That the Genesee County Compliance Officer, be and hereby appointed as the Genesee County American Disability Act (ADA) Coordinator.

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 63 BUDGET TRANSFER – COUNTY ATTORNEY/SALARY AND BENEFITS FOR DEPUTY COUNTY ATTORNEY

Legislator Clattenburg offered the following Resolution

WHEREAS, in 2019, the County Attorney’s Office was responsible for 25% of the Deputy County Attorney’s salary and benefits and 30% for an Assistant County Attorney’s salary and benefits. This was due to the fact that the Deputy County Attorney, Durin Rogers also served as a part-time judge for the City of Batavia. When a conflict of interest would arise, another Assistant County Attorney would serve as a back-up; and

WHEREAS, when preparing the 2020 budget, the same formulas were followed with the exception of benefits; and

WHEREAS, effective January 1, 2020, Durin Rogers became a full-time Judge for the City of Batavia and a new Deputy County Attorney (Paula Campbell) was appointed. Therefore the conflict of interest is no longer a factor and negates the necessity to have an additional Assistant County Attorney serve as back-up; and

WHEREAS, the Director of Social Services (DSS) and the County Attorney agree that the County Attorney will continue to cover 25% of the Deputy County Attorney's salary and benefits and the Social Services will cover the other 75%; and

WHEREAS, DSS agrees to cover 100% of the remaining Assistant County Attorneys salaries and benefits which was already allocated in their 2020 budget; and

WHEREAS, the County Attorney's Office needs to transfer funds to cover 25% of the Deputy County Attorney's benefits; and

WHEREAS, the County Attorney has the funds to cover these benefits since they budgeted a 30% salary (\$24,215) for an Assistant County Attorney that is now being paid for by DSS; and

WHEREAS, the Committee on Ways and Means reviewed this request and does concur at this time.

Now, therefore, Be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to transfer the following funds in the County Attorney's 2020 budget to cover 25% of the Deputy County Attorney's benefits:

Transfer \$10,855 from account 1420.1010.00 – Personnel Services to the following

Accounts:

\$1500	Social Security	1420.8010.0000
\$350	Medicare Tax	1420.8011.0000
\$3900	Retirement	1420.8020.0000
\$5000	Medical	1420.8030.0000
\$85	Dental	1420.8040.0000
\$20	Vision	1420.8070.0000

Budget Impact: None – as the County Attorney's budget allocated \$24,215 (30% of an Assistant County Attorney salary) that was incorporated into the DSS budget at 100%.

Legislator Yunker seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 64 CONTRACT RENWAL – COUNTY ATTORNEY/ BROKER
RISK MANAGEMENT SERVICES-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, in 2016 Genesee County did contract with Lawley Genesee for Broker/Risk Management Services to review and evaluate the County's risks and appropriateness of various coverages, and

WHEREAS, The County Attorney does wish to continue this contract with Lawley Genesee, and

WHEREAS, the Committee on Ways and Means reviewed this recommendation and does concur at this time. Now, therefore, Be it

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to renew a contract to Lawley Genesee, 20 Jefferson Square, Batavia, NY 14020, for the provision of Broker/Risk Management Services in the amount of \$22,000 for the period of February 29, 2020 through February 28, 2021.

Budget Impact: The cost for this service has stayed flat at \$22,000 since 2016 and was allocated in the County Attorney's budget

Legislator Maha seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

**RESOLUTION NO. 65 AGREEMENT – GENESEE COUNTY BAR ASSOCIATION/
MOCK TRIAL PROGRAM – APPROVAL OF**

Legislator Maha 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 4 and March 11, 2020, 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 an agreement with the Genesee County Bar Association for access to and use of the Genesee County Courts Facility on March 4, March 11 and March 18, 2020, subject to the rules regulations of the Genesee County Use and Facilities Agreement.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 66 INSURANCE RENEWAL- 2020-2021POLICY WITH NYMIR-APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, the County Attorney's office prepared and submitted the 2020/21 Insurance Renewal Application to the Lawley Agency, and

WHEREAS, the Lawley team surveyed the marketplace to see if there were any programs that could compete with the County's current insurance carrier, New York Municipal Insurance Reciprocal, (NYMIR), and

WHEREAS, during this process they indicated what pricing would be necessary to be competitive, and found that other carriers could not compete with NYMIR's pricing, especially with the Umbrella Excess Coverage, and

WHEREAS, at our current coverage, the annual premium increased approximately \$20,000 due to:

1. NYMIR had a 4% increase on property rates from the previous year. This was company-wide and did not just pertain to the County of Genesee.
2. Due to inconsistencies found, the policy was carefully examined, and it was determined that property values were underinsured by approximately \$13MM.
3. An additional 45 vehicles were added to the policy which were not currently listed.
4. NYMIR's Healthcare Professional Liability took a 24% increase. This was company-wide and did not just pertain to the County of Genesee, and

WHEREAS, upon recommendation from Lawley Insurance Agency, the Excess Liability coverage was reviewed and compared to other similar municipalities, 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 2020/21 Insurance renewal be placed with NYMIR, and further, Be it

RESOLVED: that the Excess Liability Coverage be increased to \$5MM/\$10MM for a total premium of \$254,292.

Budget Impact: \$254,292 will be charged against the A.1910.4660.0000, Contracted Other, which has been allotted for in the County Attorney's budget.

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 67 OFFICIAL TOURISM AGENCY -DESIGNATION OF

Legislator Young offered the following resolution:

WHEREAS, The County of Genesee and the Genesee County Chamber of Commerce have determined that it is in their best interests to work together in their endeavors to promote tourism within Genesee County, and

WHEREAS, The Chamber of Commerce did present a Tourism Report for 2019 and plans for 2020 and did request the official designation as Tourism Agency for Genesee County, and

WHEREAS, The Committee on Ways and Means does recommend the official designation of the Chamber of Commerce as the County's Tourism Agency. Now, therefore, Be it

RESOLVED, That the Genesee County Chamber of Commerce be and hereby is designated as the Official Tourism Agency for the County of Genesee for the fiscal year January 1, 2020 through December 31, 2020.

Budget Impact Statement: No fiscal impact.

Legislator Torrey seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 68 CHAMBER OF COMMERCE/TOURISM CONTRACT - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The County of Genesee is desirous of continuing its support of a program to promote tourism within Genesee County, and

WHEREAS, The County of Genesee has implemented a hotel and motel tax to fund tourism promotion within Genesee County, and

WHEREAS, The Genesee County Chamber of Commerce has presented a tourism marketing plan and budget for 2020 inclusive of the Matching Funds Program called "I Love New York", the Non-Matching Funds Program and administrative and operating expenses, and

WHEREAS, The Committee on Ways and Means has reviewed the proposed marketing plan and budget and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chair be and hereby is authorized and directed to execute an agreement by and between the County of Genesee and the Genesee County Chamber of Commerce for the year 2020 to be funded from the County's 2020 hotel and motel tax receipts up to an amount not to exceed \$420,000 for publicity and tourism services for the calendar year ending December 31, 2020.

Budget Impact Statement: Appropriation fully funded by Bed Tax revenue; County will only supply funding for Tourism activity to the extent actual revenues from bed tax are realized, not to exceed fiscal year appropriation of \$420,000.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 69 AUTHORIZATION TO ESTABLISH/BUDGET AMENDMENT- 2020 CAPITAL PROJECTS - APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Planning Director, County Manager and County Treasurer did prepare a list of Proposed Countywide Capital Projects for fiscal years 2020 through 2025 and a list of capital projects to be funded in 2020 and do recommend establishment of new 2020 project at this time, and

WHEREAS, The Committee on Ways and Means have reviewed these request 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 Project for the year 2020:

<u>PROJECT</u>	<u>FUNDING SOURCE</u>	<u>AMOUNT</u>
County Manager, Building Security Upgrades – phase II and Be it further	1% Sales Tax	\$ 56,385

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Genesee County Budget by Increasing A9950.9 – Transfer to Capital in the amount of \$56,385 offset by an Increase in A.1000.1110.1- 1% Sales Tax in a like amount, and increase appropriation H1997.2080.0000-Equipment & Capital Outlay in the amount of \$56,385 offset by an increase in revenues H1997.5031 – Equipment & Capital Outlay, Interfund Transfer in a like amount.

Budget Impact Statement: Project is funded fully by 1% Sales Tax.

Legislator Yunker seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 70

**GENESEE COUNTY ETHICS AND DISCLOSURE
LAW-DESIGNATION OF POLICY MAKING
POSITIONS AND BOARDS-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Local Law No. One Year 1992 did create the Genesee County Ethics and Disclosure Law which requires the Legislature to determine annually additional County Officers and Employees holding policy-making positions, and

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

RESOLVED, that the Genesee County Legislature does hereby designate the following boards and additional positions as policy-making, thereby obligated to complete and file an annual statement of financial disclosure on or before May 31 of each year.

GCC Board of Trustees

GCEDC Board

GGLDC Board

Genesee County Funding Corporation Board

GCEDC President/CEO, Sr. VP of Operations, VP Business Dev., CFO, Dir. Of Marketing

Genesee County Board of Health

Genesee County Community Services Board

Genesee County Planning Board

Genesee County Soil & Water Directors

Genesee County Ethics Board

Genesee County Water Resources Agency Board

Deputy County Attorney

Assistant District Attorney-1st

Assistant County Manager

Senior Assistant Public Defender

Legislator Dibble seconded the resolution which was adopted by 300 votes, Legislator Deleo (26) absent.

RESOLUTION NO. 71 COUNTY AUDIT –FEBRUARY 12- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund 2019	\$	565,975.81
General Fund 2020		551,514.57
Highway 2019		27,024.89
Highway 2020		160,568.46
Water 2019		98,250.00
Water 2020		2,646,300.64
Self Insurance 2019		48,300.11
Self Insurance 2020		468.00
DSS Abstracts		320,069.30
Capital Projects-2019		
Highway-Upton Road Bridge	\$	8,058.00
Highway-Highway Preventive Maintenance Bridge Painting		8,777.12
Highway-Highway Pratt Road Bridge Over Tonawanda Creek		31,244.90
Highway-Highway Large Span Culverts		17,315.20
Facilities Management-Animal Shelter Improvements		3,600.00
Park-DeWitt Park Improvements Phase IV		61.35
Park-Area “D” Shelter Improvements		403.30
Airport-Airport Taxiway “C” Reconstruction		10,055.85
Airport-Apron Reconstruction & Obstruction Removal		4,341.95
Capital Projects-2020		
Highway-Judge Road Bridge Over Whitney Creek	\$	1,721.00
GCC-GCC Backup Power Improvement		58,452.06
Payroll – General		
January 31, 2020		1,141,700.69
Medicaid		
January 28, 2020		177,332.00
February 4, 2020		177,332.00
February 11, 2020		<u>177,332.00</u>
Total Audit	\$	6,236,199.20

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 300 votes, Legislator Deleo (26) absent.

The meeting adjourned at 5:50 PM upon motion of Legislator Clattenburg seconded by Legislator Dibble, carried.