

FOURTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, FEBRUARY 22, 2023

The Genesee County Legislature met in Regular Session on Wednesday, February 22, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse. Legislature Stein offered to assist with the audit. The prayer will be offered by Legislator Deleo followed by the Pledge to the Flag.
Proclamations & Commendations: None.

Approval of Minutes February 8, 2023 – Motioned by Legislator Maha seconded by Legislator Clattenburg

Committee & Special Assignment Reports: Legislator Maha, Klotzbach and Stein and Clerk Casey attended the Inter-County Association of Western New York in Seneca County. Very serious conversation from Senator O’Mara and Assemblyman Palmesano regarding eFMAP and 18b Attorney fee increase. Legislator Dibble mentioned there was a tour of CGASA through the CJAC which was well received and is highly recommended if you haven’t seen the facilities. They have a wide range of services. Chair Stein, mentioned Legislative Director Ryan Gregoire, stated eFMAP is real and it’s going to stay in the budget. Federal Government intended this to be used by Counties not the State. Three Representatives in D.C. working on this currently to correct this issue.

Communications & Petitions

Clerk Casey read a letter from the Town of Oakfield thanking Legislature for giving more Sales Tax Revenue to them, giving them the opportunity to put into services needed.

Appreciates Legislator Klotzbach for all he does as their Legislator.

Chair Stein discussed the SEQR document regarding Water Supply System Phase 3, Felipe Oltramari was thanked for the coordination.

Legislator Comments None.

County Manager Report: Positive feedback from Villages and Towns regarding the Sales Tax Revenue Distribution back to them. Also spoke of the loss of the eFMAP as Chair Stein states this loss of revenue will fall back on the tax payers, as Manager Landers concurred.

Resolutions: Consent Agenda Items - Ways and Means Committee resolutions:

Legislator Clattenburg motioned for adoption for resolutions 1-30, seconded by Legislator Hawley.

1. Insurance Renewal – 2023-2024 Policy With NYMIR
2. Contract Renewal – County Attorney – Broker/Risk Management Services
3. Genesee County Telecommuting Policy-Human Resources
4. Budget Amendment-Human Resources/The Healthcare And Mental Hygiene Worker Bonus Program
5. Appointment - Executive Secretary/ Genesee County Mutual Self Insurance Plan
6. Calling on The State of New York To Continue To Pass-Thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage Funds
7. 2023 Salary Schedule Amendment– Sherriff’s Office
8. 2023 Budget Amendment/Contract Amendment- Holland Land Office Museum
9. 2022 Budget Amendment-Authorize Distribution Payments To Enumerated City, Towns And Villages Within The County Of Genesee
10. Retail Lease Agreement Between The Town Of Pavilion And The Monroe County Water Authority

11. Intermunicipal Agreement–Bethany Water District No. 5
12. Agreement To Accept Property – Pratt Rd Bridge/NYS DOT
13. Acceptance Of Donation – Quit Claim Deeds – South St Over Mud Creek Right of Way
14. Term Agreement–County Highway/Architect And Engineer Services
15. Intermunicipal Agreement With The Village Of Alexander To Supply Water On An Emergency Basis
16. Grant Acceptance – Airport/State Matching Grant
17. Reappointment –Parks, Recreation And Forestry Advisory Committee
18. Accept Donation – County Park /Interpretive Center – Acorns
19. Affiliation Agreement Between Genesee County And State University Of New York, The College At Brockport – County Park
20. Grant Acceptance & 2023 Budget Amendment – Emergency Management Services / Hazard Mitigation Grant Program (HMGP)
21. Grant Acceptance/Capital Project Amendment/2023 Budget Amendment – Planning Dept/ Highway Dept/ Clean Energy Community Designation Grant
22. 2023 Budget Amendment – Glow Region Solid Waste Management Committee/ Solid Waste Management Planning Services
23. 2023 Salary Schedule Amendment/Budget Amendment – Glow Region Solid Waste Management Committee/Temporary Recycling Administrator
24. Justice For Children Advocacy Center-2023 Budget Amendment
25. 2023 Budget Transfer – District Attorney
26. 2023 Budget Amendment/Salary Schedule Amendment – Public Defender /Assistant Public Defender
27. Grant Acceptance-NYS Office Of Indigent Legal Services/Public Defender
28. Grant Acceptance-NYS Office Of Indigent Legal Services/Public Defender
29. Grant Acceptance-NYS Office Of Indigent Legal Services/Public Defender
30. Pre-Paid Ticket Order Client Agreement- Public Defender/Flixbus, Inc.

1-30	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	2		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	1		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			200	
Approval			101	134

Public Service Committee resolutions- Public Service Committee Chair Maha motioned for adoption of resolutions 31-41 seconded by Legislator Klotzbach.

31. Special Event Request–Airport/Fly-in-Breakfast
32. Award of Bid–Concrete Precast Units/Fargo Rd Bridge
33. Award of Bid–Asset Acquisition/6 x 4 Dump Truck
34. Contract Renewal–Facilities Management/Elevator Maintenance
35. Award of Bid–Facilities Management /Fire Alarm Inspections
36. Special Event Request–Genesee County Park & Forest/5K/10K Trail Run and Walk Fundraiser
37. Special Event Request–Music in the Park/DeWitt Recreation Area
38. Genesee/Finger Lakes Regional Planning Council Budget - Financial Support For 2023
39. Official Undertaking Of Public Employees Fidelity (Blanket) Bond For Genesee/Finger Lakes Regional Planning Council

40. Setting Public Hearing For Agricultural District No. 1 Review

41. Certificates Of Insurance- Glow Region Solid Waste Management Committee Events: CCE Safety Fair, Hemlock Fair, Lima Crossroads Blues Festival Wyoming County Fair

31-41	Y	N	simple	2/3
1. Klotzbach	2		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	1		18	18
TOTALS			200	200
Roll Call			200	
Approval			101	134

Non-Consent Items:

Legislator Clattenburg offered the Following Resolution, seconded by Legislator Deleo.

42. County Audit – February 22, 2023

Please take the roll call:

42	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	2		17	17
8. Clattenburg	1		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			200	
Approval			101	134

Unfinished Business:

Adjournment

Vice Chair Clattenburg Moved to close the meeting and Seconded by Legislator Torrey at TIME: 5:47 p.m.

RESOLUTION NO. 48

INSURANCE RENEWAL–2023-2024 POLICY WITH NYMIR – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the County Attorney’s office prepared and submitted the 2023/24 Insurance Renewal Application to the Lawley Agency, and

WHEREAS, Lawley has presented a 2023-2024 renewal proposal with the County’s current insurance carrier, New York Municipal Insurance Reciprocal (NYMIR) to the County for the same level of coverage with an added Catastrophe Policy at an annual premium of \$323,192.69, and

WHEREAS, the County Attorney’s Office has recommended that the County renew coverage with NYMIR, 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 Genesee County Legislature does hereby designate New York Municipal Insurance Reciprocal, 12 Metro Park Road, Suite 208, Colonie, NY 12205-1139 to provide for the period February 1, 2023 (retroactively) through February 28, 2024 insurance coverage of \$1/\$2 million General Liability, \$1/\$2 million Owners/Contractors Protective Liability, Inland Marine, Commercial Auto Liability, Law Enforcement Liability and Public Officials Liability with a \$1 million self-insured retention by Genesee County and \$1/\$3 million Health Care Professional Liability and \$1/\$2 million Health Care General Liability for the Health Department, Mental

Health Department, and County Jail, and Excess Catastrophe Liability at an annualized premium of \$323,192.69.

Budget Impact: The County Attorney Budget had been increased to accommodate increase and is within budget.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 49 **CONTRACT RENEWAL – 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 recommend that this contract with Lawley Genesee be continued, 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 with 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 1, 2023 (retroactively) through February 28, 2024.

Budget Impact: The cost of \$22,000 is included in the 2023 budget.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 50 **GENESEEE COUNTY TELECOMMUTING POLICY-
HUMAN RESOURCES – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, it is the desire of the County Manager and Human Resources Director to implement new, and adapt existing, workplace methods into Genesee County operations to allow improved recruitment and retention of the County's workforce, and

WHEREAS, telecommuting is a recognized alternative work arrangement between an employee and employer, which can be mutually beneficial to both parties. Telecommuting has been found to increase workplace flexibility, improve morale and productivity, reduce cost and commuter stress, and

WHEREAS, the Human Resources Director did present the Genesee County Telecommuting Policy, and

WHEREAS, the Ways & Means Committee did review the Genesee County Telecommuting Policy and does recommend approval at this time. Now therefore, be it,

RESOLVED, that the Genesee County Legislature does hereby approve and adopt the Genesee County Telecommuting Policy, effective immediately.

Budget Impact: None.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 51 **BUDGET AMENDMENT-HUMAN RESOURCES/
THE HEALTHCARE AND MENTAL HYGIENE
WORKER BONUS PROGRAM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State allocated funding to the NYS Health Care Worker Bonus program for the purpose of recruitment and retention which mandates the payment of bonuses for certain frontline health care workers in the Health Department and the Mental Health Department, and

WHEREAS, Human Resources submitted claims for eligible titles based on criteria designed by New York State. The second of five vesting periods started April 1, 2022 – September 30, 2022, and

WHEREAS, the Committee of Ways & Means concurs. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget as follows:

Increase Revenue	A.4010.3401	Health Department, State Aid	\$9,688.
Increase Appropriation	A.4010.1060.0600	Health Department, Special Pay	\$9,000.
	A.4010.8010.0000	Health Department, Social Security Tax	\$558.
	A.4010.8011.0000	Health Department, Medicare Tax	\$130.
Increase Revenue	A.4310.3490	Mental Health Services, State Aid	\$46,828.
Increase Appropriation	A.4310.1060.0600	Mental Health Services, Special Pay	\$43,500.
	A.4310.8010.0000	Mental Health Services, Social Security Tax	\$2,697.
	A.4010.8011.0000	Mental Health Services, Medicare Tax	\$631.

And, be it Further

RESOLVED, the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to make such payments.

Budget Impact: No impact, State aid to cover bonus cost.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 52 **APPOINTMENT – EXECUTIVE SECRETARY/
GENESEE COUNTY MUTUAL SELF INSURANCE
PLAN – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Section 3 of Local Law No. 1 of the Year 1956 as subsequently amended in Local Law No. Three, Year 2016, does state the Ways and Means Committee shall appoint an Executive Secretary of the Genesee County Mutual Self Insurance Plan, and

WHEREAS, the current Executive Secretary of the Genesee County Mutual Self Insurance Plan is retiring, and

WHEREAS, the Assistant County Manager recommends appointing the Health and Safety Coordinator as the Executive Secretary of the Genesee County Mutual Self Insurance Plan, and

WHEREAS, the Ways and Means Committee has reviewed this recommendation and does concur. Now, therefore be it

RESOLVED, that the Genesee County Legislature appoint the Health and Safety Coordinator as Executive Secretary of the Genesee County Mutual Self Insurance Plan effective immediately.

Budget Impact: Salary and Fringes of the Health and Safety Coordinator are paid through the Workers Compensation Self Insurance Plan.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 53 **CALLING ON THE STATE OF NEW YORK TO
CONTINUE TO PASS-THRU FEDERAL AFFORDABLE
CARE ACT ENHANCED FEDERAL MEDICAID
ASSISTANCE PERCENTAGE FUNDS – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to Counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the strong view of NYSAC that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, Genesee County strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule de depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024.

WHEREAS, the Committee of Ways and Means recommends approval. Now, therefore,

BE IT RESOLVED, that Genesee County calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Inter-County Association of Western New York encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that Genesee County Clerk to the Legislature shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature representative, the New York State Congressional representative, and all others deemed necessary and proper.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 54 **2023 SALARY SCHEDULE AMENDMENT—
SHERIFF'S OFFICE – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Sheriff's Office no longer provides security services at the Genesee County Courts Facility, and

WHEREAS, The Genesee County Manager and Genesee County Sheriff recommended deleting some of those Deputy Sheriff's positions as they became vacant. As such, there is one vacant Deputy Sheriff position that they are recommending be deleted, and

WHEREAS, the Ways and Means Committee did review this request and recommends 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 2023 Genesee County Employee's Salary Schedule by eliminating open position of full-time Deputy Sheriff, DSA Grade 12, effective February 23, 2023 Budget Impact: None. No funds were budgeted in the 2023 budget.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 55

**2023 BUDGET AMENDMENT/CONTRACT
AMENDMENT- HOLLAND LAND OFFICE
MUSEUM - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the County Legislature allocated \$5,000 to the Holland Land Office Museum in the 2022 budget to obtain grant writing services, and

WHEREAS, the Holland Land Office Museum was unable to utilize the funds within the 2022 budget year and requests to use the funds in the 2023 budget year, and

WHEREAS, the Committee on Ways and Means did review this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2023 Genesee County Budget by increasing A.7450.4600.0000 Museum – Contracted Services in the amount of \$5,000 offset by an increase in A.1000.9999 – Balancing Appropriated, and Be it Further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an amended agreement with the Holland Purchase Historical Society, Inc. for the purpose of presenting programs of historical events and concern and for maintaining and operating a public museum for the period January 1, 2023 at an annual cost of \$33,554 and an additional \$10,000 to secure grant writing services.

Budget Impact: Increase 2023 funding to the Holland Land Office Museum to \$43,554, of which \$10,000 is allocated for grant writing services.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 56

**2022 BUDGET AMENDMENT-AUTHORIZE
DISTRIBUTION PAYMENTS TO ENUMERATED
CITY, TOWNS AND VILLAGES WITHIN THE
COUNTY OF GENESEE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager in consultation with the Genesee County Treasurer have conducted their annual analysis of the County’s Year 2022 fiscal status, and

WHEREAS, In consideration of unanticipated and unbudgeted revenue growth in the Year 2022, it is the desire of the Genesee County Legislature to make a voluntary distribution payment to the Towns, Villages and City of Batavia, and

WHEREAS, The County of Genesee recognizes the consideration and cooperation of the Towns, Villages and City of Batavia as partners in the delivery of services to our citizens, and

WHEREAS, the Committee on Ways & Means does concur and desires to make this voluntary distribution payment as set forth herein. Now therefore, be it

RESOLVED, that the County of Genesee Treasurer is hereby authorized and directed to make the following voluntary distribution payments to the Towns, Villages and City of Batavia listed below in the amount to each set forth below opposite its respective name:

City of Batavia	\$392,465
Town of Alabama	\$ 64,844
Village of Alexander	\$ 12,090
Town of Alexander	\$ 66,697
Town of Batavia	\$284,446
Village of Bergen	\$ 31,528
Town of Bergen	\$ 80,599
Town of Bethany	\$ 65,573
Town of Byron	\$ 73,009
Village of Corfu	\$ 23,300
Town of Darien	\$146,589

Village of Elba	\$ 17,248
Town of Elba	\$ 57,522
Village of LeRoy	\$114,300
Town of LeRoy	\$130,530
Village of Oakfield	\$ 32,178
Town of Oakfield	\$ 48,190
Town of Pavilion	\$ 86,458
Town of Pembroke	\$173,282
Town of Stafford	<u>\$ 99,152</u>
Total Distribution	\$2,000,000

And, be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Budget by increasing A.1000.1110 – Sales and Use Tax-County by \$1,500,000 and A.1000.2401 – Interest And Earnings by \$500,000 off set by an increase in A.1988.4800.0000 – Voluntary Distribution Payment by \$2,000,000

Budget Impact: Excess unanticipated, unbudgeted, Interest Earnings and Sales Tax proceeds will fund the voluntary payment to the municipalities listed above.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 57 RETAIL LEASE AGREEMENT BETWEEN THE
TOWN OF PAVILION AND THE MONROE
COUNTY WATER AUTHORITY –APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Town of Pavilion desires to amend the existing Retail Lease Agreement with the Monroe County Water Authority for the operation and maintenance of its Water Districts, and

WHEREAS, the Town of Pavilion acted as lead agency for this project in compliance with the State Environmental Quality Review Act and has duly notified the County of Genesee of the same, and

WHEREAS, the Town of Pavilion has requested the approval of the County of Genesee of said agreement in accordance with the provisions of the Public Authority Law, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have reviewed the agreement and recommend that the County of Genesee concur with its approval, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and recommend approval at this time. Now, therefore, be it

RESOLVED, that pursuant to Subdivision 7 of Section 1096 of the Public Authorities Law, the Genesee County Legislature does hereby approve the Retail Lease Agreement between the Town of Pavilion and the Monroe County Water Authority, and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute any documents necessary to effectuate this resolution.

Budget Impact: There is no budget impact to the actual resolution; however, the water users will contribute water surcharge revenue to the County Water Fund as per the Amended and Restated Water Supply Agreement with the Town of Pavilion dated June 13, 2018.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 58 INTERMUNICIPAL AGREEMENT–BETHANY
WATER DISTRICT NO. 5 – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

WHEREAS, Bethany Water District No. 5 requests that the Town of Batavia provide operation and maintenance of their water system, and

WHEREAS, Genesee County is required to provide oversight and review of all intermunicipal agreements relative to water within Genesee County, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have reviewed this agreement and do recommend concurrence at this time, and

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

RESOLVED, that Genesee County Legislature does hereby concur and approve of the intermunicipal agreement between the Town of Batavia and the Town of Bethany Water District No. 5 for the operation and maintenance of said water district.

Budget Impact: This agreement will add revenue to the Water Fund through the sale of water and the collection of the \$1.20 surcharge. Revenue will be based upon the actual water usage within the district.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 59 **AGREEMENT TO ACCEPT PROPERTY – PRATT
RD BRIDGE/NYS DOT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent established a capital project for and completed the replacement of the Pratt Road Bridge over the Tonawanda Creek in the Town of Pembroke, and

WHEREAS, the Highway Superintendent requested that the New York State Department of Transportation acquire right to any and all property required by the County to advance the project, and

WHEREAS, the New York State Department of Transportation requires the County of Genesee to agree to accept ownership of any property required by the State or rights therein to all involved property connected with the project, and

WHEREAS, the Genesee County Highway Superintendent does recommend an agreement with the New York State Department of Transportation as this time, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, be it

RESOLVED, the County of Genesee hereby agrees to accept all acquired property from the State or its agencies upon completion of the project and to keep the property for the life of the structure.

Budget Impact: There is no budget impact to accepting these parcels and easements.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 60 **ACCEPTANCE OF DONATION – QUIT CLAIM
DEEDS – SOUTH ST OVER MUD CREEK RIGHT OF
WAY – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has been awarded a Federal Aid pass-thru grant for the replacement of the South St culvert over the Mud Creek in the Town of Le Roy, and

WHEREAS, plans for the replacement of this culvert require additional right of way in order to construct and maintain the culvert, and

WHEREAS, property owners adjacent to the culvert have agreed to donate portions of their property, as described in maps prepared for the project, to the County in the interest of saving taxpayer funds required for the acquisition of de Minimis property, and

WHEREAS, the County is required to file deeds in order to secure donation of these portions of property, and

WHEREAS, the County Attorney has prepared, and the property owners have executed Quit Claim Deeds for the portions of property involved in the donation, and

WHEREAS, the Village of Alexander currently has a water service supply Intermunicipal Agreement with the Village of Attica and has requested this agreement in case of an emergency supply situation; and

WHEREAS, the County has considered this request by the Village of Alexander and is agreeable to consider such emergency water supply if the County can do so at that time based upon water supply availability; and Be it

RESOLVED, the Public Service Committee and the Ways and Means Committee has considered this request and the Legislature Chair is authorized and approved to sign an Intermunicipal Agreement with the Village of Alexander.

Budget Impact: There is no immediate budget impact from this agreement. In the case of emergency water supply, the Village of Alexander would be charged the same rate as provided to the Town of Alexander, which includes payment of the water surcharge to Genesee County.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 63 **GRANT ACCEPTANCE – AIRPORT/STATE
MATCHING GRANT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has been offered a matching grant from the New York State Department of Transportation to match an existing Airport Improvement Program (AIP) grant by the Federal Aviation Administration for the Reconstruction of the Existing Runway 10-28 Edge Lighting System & Reconstruct Four of the Existing Airfield Guidance Signs for Runway 10-28 (Design), and

WHEREAS, the County Superintendent of Highways has reviewed this grant agreement and recommends accepting the grant to authorize funding of the state portion of the existing grants, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to approve the grant offer as prepared by the New York State Department of Transportation

Budget Impact: The supplemental grant offer provides \$3,720 for the 5% state match to the existing federal grant for the same project. The capital project already factors in the state aid.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 64 **REAPPOINTMENT –PARKS, RECREATION AND
FORESTRY ADVISORY COMMITTEE -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the term of office for two members of the Genesee County Parks, Recreation and Forestry Advisory Committee will expire on March 31, 2023 and they have expressed an interest and desire to serve another 3 year term, and

WHEREAS, the Committees on Public Service and Ways and Means does recommend that the reappointments be made at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby reappoint the following to serve another term on the Genesee County Parks, Recreation, and Forestry Advisory Committee effective April 1, 2023 through March 31, 2026:

Catherine Seward	Town of Oakfield	District #1
John Gerace	Town of Batavia	District #4

Budget Impact: None

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 65

**ACCEPT DONATION – COUNTY PARK
/INTERPRETIVE CENTER – ACORNS –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Association for Conservation of Outdoor Recreation and Natural Spaces (ACORNS), a non-profit group which supports programming and activities at Genesee County Parks, wishes to donate funds to Genesee County in order to support a Student Conservation Association internship, and

WHEREAS, the Highway Superintendent and Deputy Highway Superintendent have reviewed this request and recommend acceptance of the donation and request at this time, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to accept the \$5,800 grant from the ACORNS to be used to cover the costs of the Student Conservation Association Internship.

Budget Impact: this \$5,800 donation will directly fund a 40hr/wk. – 16wk. internship that will be used by the County as a volunteer coordinator and environmental education assistant. This money was put into the 2023 budget; A7110 INTC 2705 Gifts and Donations.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 66

**AFFILIATION AGREEMENT BETWEEN GENESEE
COUNTY AND STATE UNIVERSITY OF NEW
YORK, THE COLLEGE AT BROCKPORT –
COUNTY PARK – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent and the Genesee County Deputy Highway Superintendent do request an Affiliation Agreement with the State University of New York, The College At Brockport to establish an educational internship program in the discipline of Recreation and Leisure Studies, and

WHEREAS, the Affiliation Agreement would be in conjunction with the Genesee County Parks for assistance in environmental programs through the Interpretive Nature Center, and

WHEREAS, the County Attorney did review this request and does recommend approval at this time, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, that the Chairperson of the County Legislature is hereby authorized and directed to sign an Affiliation Agreement with the State University of New York, The College At Brockport to establish an educational internship program in conjunction with the Genesee County Parks for assistance in environmental programs through the Interpretive Nature Center.

Budget Impact: none

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 67

**GRANT ACCEPTANCE & 2023 BUDGET
AMENDMENT – EMERGENCY MANAGEMENT
SERVICES / HAZARD MITIGATION GRANT
PROGRAM (HMGP) – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Emergency Management Services Coordinator requests authorization to accept the Hazard Mitigation Grant Program (HMGP) award (project number 4480-1112) from the Federal Emergency Management Agency (FEMA), to be administered by The New York State Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, grant funding in the amount of \$150,000 with a federal share of \$142,500 (including reimbursement for management costs up to \$7,500) and a required non-federal matching share of \$15,000 to be met in either cash, in-kind-services or a combination of both is to be used for plan updates to the Genesee County Multi-Jurisdictional Multi-Hazard Mitigation Plan, and

WHEREAS, the Committee on Public Service and Ways and Means did review this request and does concur. 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 Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of 4480-DR-NY Hazard Mitigation Grant Program (HMGP) and to execute any and all other documentation related to this funding, and be it Further

RESOLVED, that the Genesee County Treasurer is authorized and directed to amend the 2023 County Budget by increasing the EMO Appropriations Account A.3640-4660.0000 - Contracted Other in the amount of \$135,000 to be offset by an increase in EMO Revenue Account A.3640.4305 – Federal Aid in the amount of \$135,000.

Budget Impact: No County cost. Increase in the EMO appropriation account A.3640.4660.000 Contract Other in the amount of \$135,000 to be offset by an increase in EMO revenue account A.3640.4305 Federal Aid in the amount of \$135,000.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 68

**GRANT ACCEPTANCE/CAPITAL PROJECT
AMENDMENT/2023 BUDGET AMENDMENT –
PLANNING DEPT/ HIGHWAY DEPT/ CLEAN
ENERGY COMMUNITY DESIGNATION GRANT –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Director of Planning has received notification from the New York State Energy Research and Development Authority (NYSERDA) that Genesee County has been designated as a New York State Clean Energy Community and as such is eligible to receive a Designation Grant in the amount of \$5,000, and

WHEREAS, the Director of Planning has requested that the County accept this funding which will be used to offset costs related to County building energy performance upgrades, and

WHEREAS, the Committee on Public Service and 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 sign the required letter of commitment and execute any and all other documentation related to this funding, and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to increase capital project Energy Performance Contract in the amount of \$5,000. Increase H.1997.2080.0000 in the amount of \$5,000 to be offset by an increase in revenue account H.1997.3097 (State Aid) in the same amount.

Budget Impact: Grant funds will partly offset the Highway (Facilities) Energy Performance Contract #2 in several County Buildings including replacing fluorescent lighting with LED and replacing outdated air handlers with more energy efficient units.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 69

**2023 BUDGET AMENDMENT – GLOW REGION
SOLID WASTE MANAGEMENT COMMITTEE/
SOLID WASTE MANAGEMENT PLANNING
SERVICES – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the GLOW Region Solid Waste Management Committee has entered into a professional consultant services contract with Barton & Loguidice, D.P.C of Rochester, NY for assistance with the completion of the GLOW local solid waste management plan (LSWMP) for a cost not to exceed \$15,000, and

WHEREAS, the cost of these services were not anticipated in the 2023 GLOW Region Solid Waste Management Committee Budget, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by Increasing Revenue A.8090 1270 - Shared Services Charges in the amount of \$15,000 and Increase Appropriation A.8090 4800.0000 - Program Expense in the same amount. Budget Impact: Funding will come from GLOW Region Solid Waste Management Committee Fund Balance and will not have an impact on the Genesee County General Fund.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 70 **2023 SALARY SCHEDULE AMENDMENT/BUDGET AMENDMENT – GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE/TEMPORARY RECYCLING ADMINISTRATOR- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the current Recycling Administrator is retiring as of June 30, 2023, and

WHEREAS, the GLOW Region Solid Waste Management Committee is requesting an amendment to the 2023 Management Salary Schedule to create one (1) Temporary, Full-time Recycling Administrator position to allow the incumbent to assist with the transition of a Recycling Administrator, and

WHEREAS, the costs of this temporary position were not anticipated in the 2023 GLOW Region Solid Waste Management Committee Budget, and

WHEREAS, the Committees on Public 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 and Genesee County Human Resources Director are hereby authorized and directed to amend the 2023 Management Salary Schedule by creating one temporary Grade 110 Recycling Administrator, effective April 10, 2023 through August 11, 2023, and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2023 County Budget by adjusting the GLOW Region Solid Waste Management Committee (Environmental Control) Appropriations and Revenues by the following amounts:

Appropriations:

A.8090.1010.0000	Personal Services	\$16,892
A.8090.8010.0000	Social Security Tax	\$1,048
A.8090.8011.0000	Medicare Tax	\$245
A.8090.8020.0000	Retirement	\$2,517
A.8090.8030.0000	Medical	\$7,562
A.8090.8040.0000	Dental	\$140
A.8090.8070.0000	Vision	\$24

Revenues:

A.8090.1270	Shared Services Charges	\$ 28,426
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Budget Impact: Funding will come from GLOW Region Solid Waste Management Committee Fund Balance and will not have an impact on the Genesee County General Fund.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 71 **JUSTICE FOR CHILDREN ADVOCACY CENTER- 2023 BUDGET AMENDMENT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator has made a request to add \$25,643.00 in revenue and corresponding expense to the 2023 budget, and

WHEREAS, This budget amendment is being requested due to the fact that the Justice for Children Advocacy Center received an unexpected windfall in the form of substantially increased reimbursement from the New York State Office of Victim Services for forensic rape exams, and

WHEREAS, These funds will be utilized to support the mission of the Justice for Children Advocacy Center and enhance the services that we are able to provide to children, families, and the community, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend acceptance of the budget amendment at this time. Now, therefore, Be it

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to make the following budget amendment to the 2023 budget as follows:

An increase in:

Revenue Account A.1000.999	\$11,157.00
Revenue Account A.3152 1289	\$14,486.00

TOTAL REVENUE:	\$25,643.00
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An increase in:

Expense Account A.3152 4550.0000	Training	\$5,500.00
Expense Account A.3152 4800.0000	Program Expense	\$20,143.00

TOTAL EXPENSES:	\$25,643.00
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Budget Impact: Appropriations to the 2023 Justice for Children Advocacy Center budget are offset by revenue from the New York State Office of Victim Services.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 72 2023 BUDGET TRANSFER – DISTRICT
ATTORNEY/ APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the District Attorney has requested an Appropriation Transfer to the 2023 County Budget to allow for the utilization of a portion of these unexpended funds in the amount of \$700.00, and

WHEREAS, The Committees on Public Service and Ways & Means concur. Now, therefore, be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2023 budget transfer:

\$700.00 from A.1165.4800.0000 – District Attorney, Program Expense

\$700.00 to A.1165.2010.0022 – District Attorney, Chairs

Budget Impact: Increased expense for the District Attorney’s 2023 budget of \$700.00 which is totally offset by using funds allocated for the District Attorney’s Office Program Expense Line.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 73 2023 BUDGET AMENDMENT/SALARY SCHEDULE
AMENDMENT – PUBLIC DEFENDER/ASSISTANT
PUBLIC DEFENDER – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender is requesting an amendment to the 2023 Budget and Management Salary schedule to create one full-time Assistant Public Defender position to fill the

requirement of New York State to provide services for parents facing Family Court Neglect charges in Genesee County, and

WHEREAS, the Committees on Human Services and Ways and Means did review the request and recommend approval at this time. Therefore, be it

RESOLVED, that the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2023 Management Salary Schedule by adding one (1) Full-Time Assistant Public Defender, Grade 118, effective March 1, 2023. Be it, Further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Genesee County Budget by:

Increasing Line A.1170.3025	Indigent Legal Services	\$139,245.00
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AND

Increasing Line A.1170.1010.0000	Personal Services by	\$94,710.00
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Increasing Line A.1170.8010.0000	Social Security Taxes	\$5,872.00
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Increasing Line A.1170.8011.0000	Medicare Tax by	\$1,374.00
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Increasing Line A.1170.8020.0000	Retirement by	\$14,112.00
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Increasing Line A.1170.8030.0000	Medical by	\$22,685.00
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Increasing Line A.1170.8040.0000	Dental by	\$420.00
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Increasing Line A.1170.8070.0000	Vision	\$72.00
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Budget Impact: An increase of Personal Services and fringe benefits of \$139,245.00 offset by Revenue from State Aid in like amount.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 74

**GRANT ACCEPTANCE-NYS OFFICE OF
INDIGENT LEGAL SERVICES/PUBLIC
DEFENDER-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender does recommend the acceptance of the contract between the New York State Office of Indigent Legal Services and Genesee County, to fund a full-time Assistant Public Defender in their Family Court Division along with their fringe benefits, non-attorney professional services, media and print funding, a computer, cellular phone, office furniture, professional membership fees, and attorney registration fees, training and legal reference material for the new Assistant Public-Defender.

WHEREAS, the Committees on Human Services and Ways and Means did review the contract and do recommend acceptance at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: C2NDUFD18, Second Upstate Family Defense (Child Welfare) Quality Improvement & Caseload Reduction, with the New York State Office of Indigent Legal Services, A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210 for the period of January 1, 2023 through December 31, 2025.

Budget Impact: A 2023 Budget Amendment/Salary Schedule Amendment is being requested in conjunction with this request which will result in \$160,681 revenue in line A.1170.3025 Indigent Legal Services offset by like amount in expenses.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 75

**GRANT ACCEPTANCE-NYS OFFICE OF
INDIGENT LEGAL SERVICES/PUBLIC
DEFENDER-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender does recommend the acceptance of the contract between the New York State Office of Indigent Legal Services and Genesee County, to continue to fund the

salary and fringe benefits of one Assistant Public Defender and partially funds their Investigator position.

Lastly, it continues to fund necessary ancillary services and expenses related to the some of these positions, and

WHEREAS, the Committees on Human Services and Ways and Means did review the contract and do recommend acceptance at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: C100018, Distribution # 10, with the New York State Office of Indigent Legal Services, A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210 for the period of January 1, 2020 through December 31, 2022.

Budget Impact: Contract revenue for 2021 in the amount of \$12,012 is contained within the 2021 adopted budget and revenue in the amount of \$155,088 is contained within the 2022 adopted budget in line A.1170.3025 Indigent Legal Services offset by like amounts in expenses.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 76

**GRANT ACCEPTANCE-NYS OFFICE OF
INDIGENT LEGAL SERVICES/PUBLIC
DEFENDER-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender does recommend the acceptance of the contract between the New York State Office of Indigent Legal Services and Genesee County, to continue to fund the salary and fringe benefits of two Assistant Public Defenders and partially funds their Investigator position. It also provides a parity stipend for their Legal Clerk-Typist and supplements another's fringe benefits. Furthermore, it continues to fund necessary ancillary services and expenses related to the some of these positions. Lastly, it will fund a renovation project in the Engine House which will turn four (4) offices into six (6) offices, and

WHEREAS, the Committees on Human Services and Ways and Means did review the contract and do recommend acceptance at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Number: C110018, Distribution # 11, with the New York State Office of Indigent Legal Services, A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210 for the period of January 1, 2021 through December 31, 2023.

Budget Impact: Contract revenue for 2022 in the amount of \$90,593 is contained within the 2022 adopted budget and revenue in the amount of \$243,607 is contained within the 2023 adopted line A.1170.3025 Indigent Legal Services offset by like amounts in expenses.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 77

**PRE-PAID TICKET ORDER CLIENT
AGREEMENT- PUBLIC DEFENDER/FLIXBUS,
INC.-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender is recommending entering into a pre-paid ticket order client agreement with FlixBus, Inc. in order to purchase online Greyhound bus tickets for emergency client transportation, and

WHEREAS, the Committees of Public Service and Ways & Means do recommend approval at this time. Therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents or provide the necessary approval to enter into a pre-paid ticket client agreement between Genesee County Public Defender and FlixBus, Inc., 340 S. Lemon Avenue # 8045, Walnut, California 91789.

Budget Impact: Funds for this contract are budgeted for in the 2023 Budget under lines A1170.3025 Revenue and A1170.4660.0000 Contracted Other.

Legislator Hawley seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 78 **AGREEMENT WITH ROTARY CLUB OF
BATAVIA, NY, INC. -FLY-IN BREAKFAST -
GENESEE COUNTY AIRPORT - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Legislature did receive a request from the Rotary Club of Batavia, NY, Inc. to hold a Fly-In Breakfast at the Genesee County Airport on Sunday, June 18, 2023, and

WHEREAS, The Committee of Public Service did review this 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 enter into agreement with the Rotary Club of Batavia, NY, Inc. for access to and use of the Genesee County Airport on June 16, 17, 18, 19 and 20, 2023 subject to the rules and regulations of the Genesee County Airport to conduct a public Fly-In Pancake Breakfast on June 18, 2023.

Budget Impact: Minimal utility expense offset by Rotary Club promotion of Airport and increased fuel sales.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 79 **AWARD OF BID – PRECAST CONCRETE
UNITS/FARGO RD BRIDGE – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent advertised and received bids on precast concrete units to be used in the construction of the Fargo Rd Bridge Replacement project, and

WHEREAS, the Highway Superintendent recommends awarding a contract to the lowest bidder meeting specifications, and

WHEREAS, the Committee of Public Service did review this recommendation and do concur. Now, therefore, be it

RESOLVED, the Genesee County Highway Superintendent is hereby authorized and directed to award a precast concrete unit contract to Binghamton Precast & Supply Corporation, 18 Phelps St, Binghamton, NY 13901, as per bid specifications, in an amount not to exceed \$156,790.63.

Budget Impact: This award will be funded from the Large Span Culvert Capital Project. The cost of the contract is \$156,790.63, which is less than the engineer's estimate of construction. The balance in the capital project is \$1,958,388.05. Installation of the units will be awarded via separate RFB.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 80 **AWARD OF BID – ASSET ACQUISITION/6 x 4
DUMP TRUCK – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent reviewed available county bids on dump trucks for use at the County Highway Department, and

WHEREAS, Onondaga County Contract #8996 provides for the piggyback purchase of dump trucks, and

WHEREAS, the Genesee County Highway Superintendent does recommend awarding the bid to the lowest responsible bidder, and

WHEREAS, the Committee of Public Service did review this recommendation and do concur. Now, therefore, Be it

RESOLVED, the Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused 2024 Mack Granite 64FR Dump Truck from Beam Mack Sales and Service, Inc. 6260 East Molloy Rd, East Syracuse, NY 13057 in an amount not to exceed \$317,529.00 per Onondaga County Contract #8996-2022 bid specifications.

Budget Impact: The equipment will be purchase using Asset Acquisition funds. Budgeted amount for this purchase is \$350,000 and the actual cost of the truck is \$317,529.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 81 CONTRACT RENEWAL – FACILITIES
MANAGEMENT/ELEVATOR MAINTENANCE –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the County of Genesee does contract with TK Elevator Corporation for the maintenance and repair of elevators located in various county facilities, and

WHEREAS, said contract does provide for three additional one year renewal options, and

WHEREAS, the Highway Superintendent does recommend the contract be renewed and the Committee on Public Service do concur. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract renewal with TK Elevator Corporation., 2745 Broadway, Suite 25, Cheektowaga, NY 14227 for the maintenance and repair of elevators located at various county facilities for the period of January 1, 2023 through December 31, 2023.

Budget Impact: Facilities Management budgets for this contract in its operating budget. The annual cost of monthly inspections at all locations is \$14,760. Repairs are billed at \$325 per hour for mechanic helper teams and parts are marked up 20% over cost from the manufacturer.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 82 AWARD OF BID – FACILITY MAINTENANCE –
FIRE ALARM INSPECTIONS – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Purchasing Officer did research New York State Office of General Services Contracts relating to fire alarm inspections, and

WHEREAS, The Highway Superintendent does recommend awarding a contract to Johnson Controls Fire Protection LP, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Johnson Controls Fire Protection LP, 90 Goodway Dr, Rochester, NY 14623 as per the terms of NY SOGS Contract PT68816 effective March 1, 2023 through February 29, 2024.

Budget Impact: Estimated annual cost of this contract is \$14,835.14. This amount is factored into the Facility Maintenance budget (A1620) in the Contracted - Other line item as well as through the DM5130 Fund. This is a recurring annual cost.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 83 SPECIAL EVENT – 5K/10K TRAIL RUN AND
WALK FUNDRAISER - GENESEE COUNTY PARK
& FOREST - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, a Special Events application was received from the Association for Conservation Of Recreational and Natural Spaces (ACORNS) to use the Genesee County Park and Forest for a 5K/10K trail run and walk fundraiser on October 1, 2023, and

WHEREAS, the Highway Superintendent did review and recommends approval of this special event request, and

WHEREAS, the Committee of Public Service do concur with these requests. Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby grant permission to the Association for Conservation of Recreational and Natural Spaces (ACORNS) to use the Genesee County Park and Forest for a 5K/10K trail run and walk fundraiser on October 1, 2023 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 84 **SPECIAL EVENT – MUSIC IN THE PARK –
DEWITT RECREATION AREA – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, a Special Events application was received from the ACORNS, the County Parks volunteer organization to use DeWitt Park for a music in the park event on Saturday, August 5, 2023, and

WHEREAS, the Highway Superintendent did review and recommend approval of, and

WHEREAS, the Committee of Public Service do concur with this request. Now, therefore, Be it

RESOLVED, that the Genesee County Legislature does hereby grant permission to the ACORNS to use DeWitt Park for a music in the park event on August 5, 2023, as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 85 **GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL BUDGET - FINANCIAL SUPPORT FOR
2023 - APPROVAL OF**

Legislator Maha offered the following resolution:

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

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has formally notified this Legislature that, under its proportional funding formula, Genesee County's 2023 share will be \$11,515 and

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

RESOLVED, That the Genesee County Legislature does hereby authorize continued participation in the Genesee/Finger Lakes Regional Planning Council and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$11,515 as appropriated in the 2023 Budget, Account A8025.4660.0000.

Budget Impact: The 2023 Genesee County Budget appropriated \$11,515 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other).

Legislator Klotzbach seconded the resolution which was adopted by 200 votes.

RESOLUTION NO. 86 **OFFICIAL UNDERTAKING OF PUBLIC
EMPLOYEES FIDELITY (BLANKET) BOND FOR
GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee County, herein named as "the County", has appropriated the sum of \$11,515 as its share of the Year 2023 operating funds of the Genesee/Finger Lakes Regional Planning Council, herein named "the agency"; and

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

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Paul Gavin, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blank bond coverage for officers and employees of the Council in the amount of \$500,000.00. Therefore, be it

RESOLVED, that the Genesee County Legislature hereby approves such a bond as the official undertaking required pursuant the Section 119-00 of the General Municipal Law; and be it further

RESOLVED, that a copy of this resolution shall be forwarded to the G/FLRPC offices and the County Director of Planning.

Budget Impact: The 2023 Genesee County Budget appropriated \$ 11,515 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other).The Annual Report from G/FLRPC has historically shown a significant "return" for this investment.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 87

**SETTING PUBLIC HEARING FOR
AGRICULTURAL DISTRICT NO. 1 REVIEW**

Legislator Maha offered the following resolution:

WHEREAS, The creation of Agricultural District No. 1 was approved by the Genesee County Legislature by Resolution No. 219 adopted November 25, 1974, and certified by the State of New York on April 25, 1975, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications and recommendations proposed as a result of this review. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held as part of the eight-year review of Agricultural District No. 1 on Wednesday, April 26, 2023 at 5:30 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

Budget Impact: The only direct budget impact will be the cost for printing the legal ad itself.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 88

**CERTIFICATES OF INSURANCE- GLOW REGION
SOLID WASTE MANAGEMENT COMMITTEE
EVENTS: CCE SAFETY FAIR, HEMLOCK FAIR,
LIMA CROSSROADS BLUES FESTIVAL
WYOMING COUNTY FAIR, APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in the Iroquois National Wildlife Refuge's Spring Into Nature event for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in his event, and

WHEREAS, The Recycling Administrator has been invited to participate in the Cornell Cooperative Extension of Livingston County’s Safety Fair for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event on, and

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

WHEREAS, The Recycling Administrator has been invited to participate in the Lima Crossroads Blues Festival by the Crossroads Council for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Safety and Wellness Fair event to be held in Mt. Morris, NY on May 20, 2023 (rain date May 27, 2023).

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in Hemlock Fair to be held in Hemlock, NY from July 18-22, 2023

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Lima Crossroads Blues Festival to be held in Lima, NY from August 5-6, 2023.

BE IT FURTHER RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Wyoming County Fair to be held in Pike, NY from August 12-19, 2023.

Budget Impact: There is no cost to participate in the Safety and Wellness Fair, Spring Into Nature or the Lima Crossroads Blues Festival. The cost of booth space for the Hemlock Fair is \$150.00 and is included in GLOW’s 2023 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant. The cost of booth space for the Wyoming County Fair is \$180.00 and was included in GLOW’s 2023 Administrative Budget. One half of this amount will be funded by an NYSDEC MWR&R grant.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 89 COUNTY AUDIT–FEBRUARY 22, 2023–APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Stein, did review the following claims:

2022 General Fund	\$	291,549.46
2023 General Fund		1,167,041.45
2022 Voluntary Distribution		2,000,000.00
2023 Highway		103,344.75
2023 Water Fund		219,119.71
2022 Self Insurance		6,000.00

2023 Capital Projects

Sheriff/Jail – Jail Construction	4,326,290.26
County Parks – Water System Upgrade	486.37
Facilities Management – Highway Fuel Farm Upgrade	1,565.40
Facilities Management – Remove Underground Waste Oil Tank	37,843.71
Facilities Management – Engine House Renovations	2,660.88
Highway – S Lyons Street Over Tonawanda Creek	3,000.00

Payroll – General

February 10, 2023	1,320,903.22
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Medicaid

February 14, 2023	152,875.00
February 21, 2023	<u>152,875.00</u>

Total Audit	\$ 9,785,555.21
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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 200 votes.