

### **THIRD DAY**

#### **GENESEE COUNTY LEGISLATURE**

**OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY**

**WEDNESDAY, FEBRUARY 28, 2024**

The Genesee County Legislature met in Regular Session on Wednesday, February 28, 2024 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Legislator Torrey offered to assist with the audit, the prayer followed by the Pledge to the Flag.

Roll call taken, all in attendance, Madam Chair Stein stated they have a quorum.

In addition to the regular meeting, Madam Chair Stein called a public hearing in regards to persons 65 years of age or over/tax exemption (over age 65 sliding scale exemption).

Proclamations & Commendations: Commendation for Mary Spaulding Retiring from the Job Development Bureau presented by Legislator Clattenburg and accepted by Mary Spaulding.

Approval of Minutes: stand approved the February 14, 2024 minutes.

Committee & Special Assignment Reports: Legislator Maha reported information at NYSAC conference regarding Rescue EMS Crisis package, there are a number of bills presented on behalf of EMS, Legislator Maha requested the Clerk, Lisa Casey to be a resolution together. He also noted the state reviews over 24 thousands bills through Legislature. Chair Stein mentioned Robert Robinson a professional registered parliamentarian, reviewed suggested terminology and actions taken during a meeting. In example, roll call for a quorum and stand approved in relation to Robert's Rules. Communications & Petitions: None.

Legislator Comments: Chamber event recognized on Saturday, March 2<sup>nd</sup>, Chair Stein announced, "congratulations to all".

County Manager Report: County Manager Matt Landers reported that Tammi Feringer was recognized at NYSAC for completed training in County Government, concerns with long-term Medicaid spending, sent out support letters asking to restore cuts – asked for additional funding to go towards highway restoration, discussed sales tax on Airbnb and Vrbo – treasurer could track and monitor, broadband money still not in the state budget, Received grant for Tower placement – 2.2 million.

Resolutions - Consent Agenda Items - Ways And Means:

Legislator Clattenburg motioned for adoption for resolutions 1 through 23, seconded by Legislator Dibble.

Clerk read resolutions 1-23 of the Ways and Means Committee:

1. Agreement – Genesee County Bar Association/Mock Trial Program
2. Appointment - Glow Workforce Development Board/Christina Lyon
3. Appointment - Glow Workforce Development Board/Janet Olivieri
4. Authorization To Award Mega Energy Bids
5. 2024 Salary Schedule Amendment/Budget Amendment–Genesee Justice/Create One Full-Time Case Manager Position
6. By-Laws Revision - Criminal Justice Advisory Council (CJAC)
7. Contract Approval- Sheriff's Office/ Jail/PrimeCare Medical Of NY
8. Contract – Justice For Children Advocacy Center/International Institute Of Buffalo
9. Contractual Agreement-Justice For Children Advocacy Center/Morgan Quinn
10. 2024 Salary Schedule Amendment/Budget Amendment–Genesee Justice/Create One Full-Time Case Manager Position
11. Consultant Agreement–Facilities Management/Animal Shelter Improvements
12. Special Event–County Park/Solar Eclipse Program

13. Special Event – County Park/Music In The Park
14. Special Event–County Park/Acorns 5k/10k Trail Run And Walk Fundraiser
15. Amend Land Lease – County Airport/Ads-B Tower
16. Supplemental Consultant Agreement – Facilities Management/Engine House Renovation–Additional Services
17. Close/Transfer/Budget Amendment Capital Project–Highway/Park/ Facilities
18. Award Of Bid – Facilities/Genesee County Building 1 Roof And Parapet Repair
19. Retail Lease Agreement–Countywide Water Program/Town Of Pembroke Retail Lease Agreement With Monroe County Water Authority
20. Award Of Bid – Facilities Management /Fire Alarm Inspections
21. Close Project–Airport/Hangar Demolition
22. Budget Amendment/Transfer – Highway Department/Countywide Water Project /WTP Improvements Project
23. Contract–Parks/eReservation System

Legislator Clattenburg asked the Chair for the Clerk to correct the resolution title under no. 5 to read: 2024 Salary Schedule Amendment/Budget Amendment – Sheriff’s Office/ Creation of One Temporary Deputy Sheriff Position. Showing a duplicate title under no. 5 and 10. A typo. Legislator Clattenburg motioned to amend the title seconded by Legislator Maha, unanimously carried. The clerk then read the correct title under the consent agenda No 5 to read as: 2024 Salary Schedule Amendment/Budget Amendment – Sheriff’s Office/ Creation of One Temporary Deputy Sheriff Position.

Legislator Clattenburg requested to adopt resolutions 1-23 seconded by Legislator Dibble followed by a roll call: 9 ayes, 0 nays and 0 absences for a total vote of 200.

Consent Agenda Items - Public Service:

Legislator Maha motioned for adoption of resolutions 24 through 28 seconded by Legislator Deleo. Clerk read resolutions 24 and 28 of the Public Service Committee:

24. Renewal Of Contract–Justice For Children Advocacy Center/Doyle Security Service
25. Renewal Of Contract–Justice For Children Advocacy Center/H2H Facility Services
26. Financial Support For The Genesee /Finger Lakes Regional Planning Council 2024 Budget
27. Official Undertaking Of Public Employees Fidelity (Blanket) Bond For Genesee/Finger Lakes Regional Planning Council
28. Household Hazardous Waste Collection Contract Extension – GLOW Solid Waste Management Committee

Legislator Maha motioned to adopt resolutions 24-28 seconded by Legislator Deleo followed by a roll call: 9 ayes, 0 nays and 0 absences for a total vote of 200.

Chair Stein asked if anyone wanted to speak on the open public hearing. No one came forward. Chair Stein, closed the public hearing at 5:50 p.m.

Non-Consent Items

Legislator Clattenburg offered the following Resolution, seconded by Legislator Maha.

Clerk read Resolution 29

29. Persons 65 Years Of Age Or Over/Tax Exemption (Over Age 65 Sliding Scale Exemption) - Treasurer / Real Property

Legislator Clattenburg thanked Deputy Treasurer Kevin Andrews and Legislator Dibble for bring this forward. After several inquiries from constituents about the increase in Social Security that it

was effecting their tax exemptions which this resolution was brought forward to assist with the issue. The action that was taken was quick – Thank you.

Kevin Andrews stated 3/1/24 is the deadline for 2024. Chair Stein stated they knew this would be tight timeline and Kevin worked with assessors well. Legislator Clattenburg motioned to adopt resolution 29 seconded by Legislator Maha followed by a roll call: 9 ayes, 0 nays and 0 absences for a total vote of 200.

Legislator Clattenburg offered the following Resolution, seconded by Legislator Torrey.

Clerk read Resolution 30

**30. County Audit – February 28, 2024**

Legislator Clattenburg motioned to adopt resolution 30 seconded by Legislator Torrey followed by a roll call: 9 ayes, 0 nays and 0 absences for a total vote of 200.

Unfinished Business: None.

Adjournment: Chair Stein stand ordered to close the meeting at: 5:55 p.m.

**RESOLUTION NO. 72   AGREEMENT – GENESEE COUNTY BAR  
ASSOCIATION/MOCK TRIAL PROGRAM-  
APPROVAL OF**

Legislator Clattenburg 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 4, March 6, and March 18, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Genesee County Bar Association for access to and use of the Genesee County Courts Facility on March 4, 6 and March 18, 2024 subject to the rules and regulations of the Genesee County Use of Facilities Agreement.

Budget Impact: None

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

**RESOLUTION NO. 73   APPOINTMENT - GLOW WORKFORCE  
DEVELOPMENT BOARD/CHRISTINA LYON –  
APPROVAL OF**

Legislator Clattenburg offered the following resolutions:

**WHEREAS**, the Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

**WHEREAS**, the Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

**WHEREAS**, the Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board, and

**WHEREAS**, Bethanne Guest-Bergum from ACCES-VR will no longer represent the Workforce Development Board, and

**WHEREAS**, the Committee on Ways & Means has reviewed and concurs with this recommendation. Now, therefore, be it

**RESOLVED**, the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

Christine Lyon, Workforce Development & Business Relations Representative at the New York State Education Department. She will represent WIOA Title IV Vocational Rehabilitation Program to serve an ongoing term at the discretion of the GLOW CEOs. Be it further

**RESOLVED**, the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Budget Impact: none

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

**RESOLUTION NO. 74                      APPOINTMENT - GLOW WORKFORCE  
DEVELOPMENT BOARD/JANET OLIVIERI-  
APPROVAL OF**

Legislator Clattenburg offered the following resolutions:

**WHEREAS**, the Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

**WHEREAS**, the Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

**WHEREAS**, the Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board, and

**WHEREAS**, the Committee on Ways & Means has reviewed and concurs with this recommendation. Now, therefore, be it

**RESOLVED**, the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

Janet Olivieri, Human Resources Manager at Pfisterer North America Inc. to represent a Genesee County Business on the GLOW Workforce Development Board. Her term of membership would begin on 3/19/24 and continue through 3/19/26. Be it further

**RESOLVED**, the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Budget Impact: none

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

**RESOLUTION NO. 75                      AUTHORIZATION TO AWARD MEGA ENERGY  
BIDS - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, On October 12, 2023, the Genesee County Legislature approved Resolution No. 2023-396, to issue an Invitation to Bid on behalf of the Municipal Electric and Gas Alliance for the supply of electricity and renewable energy credits for municipal and other customers located in National Grid, Central Hudson Gas and Electric, New York State Electric, Gas, and Rochester Gas and Electric, Orange & Rockland Utilities, PSE&G – Long Island and Con Edison utility, and an Invitation to Bid on behalf of the Municipal Electric and Gas Alliance for the supply of natural gas for municipal and other customers located in National Grid, Central Hudson Gas and Electric, New York State Electric and Gas, Rochester Gas and Electric, National Fuel, and Liberty Utilities utility territories, all in accordance with provisions of New York State Law, and

**WHEREAS**, Pursuant to the “piggybacking” provisions of both New York State General Municipal law Section 103, and County Law Section 408-a, such procurements for energy supplies allow other participating municipalities in New York State to receive offers pursuant to the terms of the procurement, and

**WHEREAS**, Responses to the Invitation to Bid were received and opened at the offices of the County Manager, Old Court House, 7 Main Street, Batavia, NY 14020 up to and including 2:00pm on Tuesday, January 23, 2024, and subsequently evaluated by MEGA staff and consultants for determination of lowest qualified bid(s) for the energy products requested in the designated utility service areas, with the results as follows:

**Constellation New Energy**- For electricity and renewable energy credits to Municipal and other customers located in National Grid, Central Hudson Gas and Electric, New York State Electric and Gas, and Rochester Gas and Electric, Orange & Rockland Utilities, PSE&G – Long Island and Con Edison utility territories.

**NRG Energy**- For natural gas supplies to Municipal and other customers located in National Grid, Central Hudson Gas and Electric, New York State Electric and Gas, Rochester Gas and Electric, National Fuel Gas and utility territories

And

**WHEREAS**, the MEGA Board of Directors, through action of its executive committee, on February 13, 2024, has accepted such bids and requests that Genesee County approve the award of the bids as noted above and authorize the County Manager and/or Chair of the Legislature to enter into contracts with the low bidders, and

**WHEREAS**, bids were presented to and reviewed by the Ways & Means Committee and the Committee 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 as appropriate to implement the above described program.

Legislator Dibble seconded the resolution which passed by 200 votes.

**RESOLUTION NO. 76**

**2024 SALARY SCHEDULE AMENDMENT-  
SHERIFF’S OFFICE/CREATION OF ONE  
TEMPORARY DEPUTY SHERIFF POSITION –  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Deputy Travis DeMuth recently submitted his resignation estimated to be between March 15 - March 25, 2024, and

**WHEREAS**, the Sheriff’s Office has, and is currently filling, three (3) Deputy Sheriff vacancies with recruits scheduled to attend the March 4, 2024, basic police training academy at Niagara County Community College, and

**WHEREAS**, there is an overlap in time between Deputy DeMuth's resignation date and the academy start date prohibiting the Sheriff’s Office from enrolling a fourth Deputy Sheriff in this academy without creating a temporary Deputy Sheriff position for the period of March 1, 2024, through April 14, 2024, and

**WHEREAS**, after discussion between the Sheriff, Undersheriff, and Human Resources Director, it has been determined to be in the best interest of the Sheriff’s Office to request the creation of a temporary Deputy Sheriff position for the period of March 1, 2024, through April 14, 2024, at a cost not to exceed \$15,587.25, and

**WHEREAS**, the Committees of Public Service and Ways & Means did review this request and do recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Human Resources Director is hereby authorized and directed to amend the 2024 Employee Salary Schedule by creating a temporary, full-time Deputy Sheriff Grade 12 position for a period beginning March 1, 2024, through April 14, 2024, at a cost not to exceed \$15,587.25.

Budget Impact: Due to the three (3) Deputy Sheriff vacancies, there are funds available in the Sheriff's personnel line item to cover the cost (not to exceed \$15,587.25) associated with this additional, temporary Deputy Sheriff position.

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

**RESOLUTION NO. 77**                      **BY-LAWS REVISION - CRIMINAL JUSTICE**  
**ADVISORY COUNCIL (CJAC) – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Criminal Justice Advisory Council (CJAC), created pursuant to Resolution #293 in the year 1981, is comprised of a wide array of member agencies that promote public good and safety through improved coordination and cooperation among criminal justice agencies and other organizations in the community concerning criminal justice issues, and

**WHEREAS**, the Criminal Justice Advisory Council (CJAC) does advise the Legislature on matters concerning Criminal Justice in Genesee County, and

**WHEREAS**, the Corfu Police Department expressed an interest in becoming a member of the Council, and

**WHEREAS**, at its January 10, 2024, meeting, the Council discussed and approved adding Corfu Police Department as a member. Additionally, the structure of the Genesee County Youth Bureau has been reorganized with it now falling under the supervision of the Genesee County Department of Social Services, which is currently a member of CJAC. Commissioner Mindler confirmed that there is no longer a need for a separate representative for the Youth Bureau on CJAC. She, or her designee, will represent both departments, and

**WHEREAS**, there have also been agency name changes to current members: Genesee/Orleans Council on Alcoholism & Substance Abuse (GCASA) is now UConnectCare Behavioral Health Services and Genesee County Magistrates' Association is now Genesee County Magistrates' and Court Clerks' Association, and

**WHEREAS**, the Committees of Public Service and Ways & Means do recommend revising the by-laws by appointing Corfu Police Department as a member, removing the Youth Bureau as a member, and approving the recent agency name changes. Now, therefore, be it

**RESOLVED**, that it has been approved to revise the by-laws of the Criminal Justice Advisory Council to update its current member agencies as outlined below:

Batavia City Court	Crime Victim
Batavia Police	Dept. of Social Services
Citizen Representative 1	Dispute Resolution
Citizen Representative 2	District Attorney
Consumer Representative	Drug/Treatment Courts
Corfu Police	Genesee County Mental Health
Magistrates & Court Clerks' Assoc.	Genesee Justice
County Court	Hope Haven
Mental Health Association	
County Jail	
County Legislature	
County Manager	

Horizon Health Services  
Justice for Children Advocacy Center  
New York State Police  
Probation Department  
Sheriff

Immigration Customs Enforcement  
LeRoy Village Police  
NYS Parole/DOCCS  
Public Defender  
STOP-DWI Coordinator  
Veteran Administration Police

UConnectCare Behavioral Health Services  
YWCABudget Impact: None.

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

**RESOLUTION NO. 78                      CONTRACT APPROVAL- SHERIFF'S OFFICE/  
JAIL/PRIMECARE MEDICAL OF NY-APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, pursuant to Resolution 306, dated July 26, 2023, Genesee County awarded PrimeCare Medical with a contract (RFP 2023-11) to provide medical services at the Genesee County Jail beginning September 1, 2023, through December 31, 2023, with the intent of both parties to enter into a new contract January 1, 2024, for a one-year period, and

**WHEREAS**, after careful review by the County Attorney, Jail Superintendent, and Sheriff, it is recommended that the County of Genesee enter into an agreement with PrimeCare Medical of NY for January 1, 2024, through December 31, 2024, at a monthly cost not to exceed \$65,412.71, with the option to renew for four (4) additional one-year periods upon mutual, written consent by both parties, and

**WHEREAS**, the Committees of Public Service and Ways & Means did review this request and do recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature and Sheriff are hereby authorized to enter into an agreement with PrimeCare Medical of NY (located at 3940 Locust Lane, Harrisburg, Pennsylvania 17109) to provide medical services at the Genesee County Jail for January 1, 2024, through December 31, 2024, at a monthly cost not to exceed \$65,412.71 with the option to renew for four (4) additional one-year periods upon mutual, written consent by both parties.

Budget Impact: Funds are allocated in the Jail's 2024 adopted budget to cover 2024 medical expenses.

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

**RESOLUTION NO. 79                      CONTRACT – JUSTICE FOR CHILDREN  
ADVOCACY CENTER/INTERNATIONAL  
INSTITUTE OF BUFFALO–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Justice for Children Advocacy Center wishes to enter into a contract with the International Institute of Buffalo for interpreting and translation services, and

**WHEREAS**, the Justice for Children Advocacy is required by grant funding and National Children's Alliance accreditation to provide language access for all clients, and

**WHEREAS**, the Committee on Public Service and Ways and Means did review the 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 a contract with the International Institute of Buffalo, located at 864 Delaware Ave., Buffalo, NY 14209 for foreign language interpreting and translation services at the Justice for Children Advocacy Center.

Budget Impact: Interpreting and translation services are fully covered by grants from the NYS Office of Children and Family Services and the NYS Office of Victim Services.

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

**RESOLUTION NO. 80**                      **CONTRACTUAL AGREEMENT-JUSTICE FOR  
CHILDREN ADVOCACY CENTER/MORGAN  
QUINN - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Coordinator of the Justice for Children Advocacy Center did submit for approval a contractual agreement for a community educator for the Justice for Children Advocacy Center, and

**WHEREAS**, this contract will allow the JFCAC to meet the growing need for high-quality, evidence-based child abuse preventions training for students and the community, 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 Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter a contractual agreement with Morgan Quinn with residence at 6247 Main Road, Stafford, NY for provision of child abuse prevention programming for students and the community for the period of March 1, 2024 through September 30, 2024 at a cost of \$25.00 per hour not to exceed \$1,200.

Budget Impact: Contractual services for a community educator are fully funded by a grant from the NYS Office of Children and Family Services.

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

**RESOLUTION NO. 81**                      **2024 SALARY SCHEDULE AMENDMENT/BUDGET  
AMENDMENT-GENESEE JUSTICE/CREATE ONE  
FULL-TIME CASE MANAGER POSITION-  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee Justice received a 2023-2024 Pretrial Services Grant from the NYS Division of Criminal Justice Services in the amount of \$129,903 to be used to support certified pretrial services, and

**WHEREAS**, the Genesee Justice Program Coordinator did evaluate the staffing needs of the department and the increased work load of court-ordered, pretrial supervision cases, and

**WHEREAS**, after discussions between the Sheriff, Genesee Justice Program Coordinator, and Human Resources Director, it was determined that another full-time Case Manager – Genesee Justice position would enhance the service level and efficiency of the program, and

**WHEREAS**, after careful review and discussion with the Sheriff, the Genesee Justice Program Coordinator respectfully requests a budget amendment within the 2024 Genesee County budget, and

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

**RESOLVED**, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2024 Genesee County Employees Salary Schedule by creating one full-time, 37.5 hours/week Case Manager – Genesee Justice, CSEA-General Grade 16, position. Be it Further

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing revenue account A.3151.3322 State Aid-Dept of Criminal Justice in the



amount of \$59,816, offset by in an increase in expense accounts as follows:

A.3151 1010.0000	Personal Services	\$ 31,902.00
A.3151 8010.0000	Social Security Tax	\$ 1,978.00
A.3151 8011.0000	Medicare Tax	\$ 463.00
A.3151 8020.0000	Retirement	\$ 3,605.00
A.3151 8030.0000	Medical	\$ 15,501.00
A.3151 0840.0000	Dental	\$ 419.00
A.3151 8070.0000	Vision	\$ 48.00
A.3151 4550.0000	Personnel Training	\$ 2,700.00
A.3151 4540.0000	Personnel Mileage	\$ 1,000.00
A.3151 4110.0000	General Office Supplies	\$ 700.00
A.3151 4700.0200	Spec Supplies-Testing	\$ 1,500.00

Budget Impact: This position and additional pretrial expenses listed, will be fully funded by the 2023-2024 Pretrial Services Grant received on January 9, 2024, from the NYS Division of Criminal Justice Services. Balance of grant to be appropriated in 2025 Genesee County Budget to fund the remainder of the new position. This position will be for a minimum of one year, with subsequent years dependent on future grant funding.

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

**RESOLUTION NO. 82                      CONSULTANT AGREEMENT–FACILITIES  
MANAGEMENT/ANIMAL SHELTER  
IMPROVEMENTS – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County has been notified by the New York State Department of Agriculture and Markets that the Guidelines for Shelters, adopted by the American Shelter Veterinarians have changed, and

**WHEREAS**, a compliance date has been established by New York State for municipal shelters to meet these requirements by December 1, 2025, and

**WHEREAS**, the Genesee County Sheriff and the Genesee County Highway Superintendent have reviewed the condition of the Genesee County Animal Shelter, and

**WHEREAS**, the Highway Superintendent does recommend engaging an Architect to develop construction drawings and specifications to direct these improvements, and

**WHEREAS**, the Highway Superintendent maintains a Term Agreement with Labella Associates for this type of work, and

**WHEREAS**, the Highway Superintendent has negotiated a fee with Labella Associates for the development of plans and specifications for the Genesee County Animal Shelter Improvements, and

**WHEREAS**, the Committees on Public Service and Ways and Means do concur with this request. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize a consultant agreement with Labella Associates, 300 State Street, Suite 201, Rochester, NY 14614 for the development of design documents and limited construction administration related the Genesee County Animal Shelter Improvements in the amount of \$124,500.

Budget Impact: The consultant agreement will be funded from the Animal Shelter Improvements project, which has an available balance of \$203,500

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

**RESOLUTION NO. 83**

**SPECIAL EVENT–COUNTY PARK/SOLAR  
ECLIPSE PROGRAM –APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County will be hosting a Community Solar Eclipse Event within the Genesee County Park and Forest on Monday, April 8, 2024, and

**WHEREAS**, a fee will be collected from participants at the event to offset setup logistics and traffic control costs for the event, and

**WHEREAS**, Genesee County has adopted a policy related to special events within the County Park, and

**WHEREAS**, the Highway Superintendent did review and recommend approval of the special event and fee, and

**WHEREAS**, the Committees of Public Service and Ways and Means does concur with this request. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize the collection of a \$10 per vehicle fee for the Community Solar Eclipse Event at the Genesee County Park and Forest on April 8, 2024, as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas

Budget Impact: It is estimated that the County Park and Forest can adequately support 1,400 vehicles for the event. At \$10 per vehicle, this would generate \$14,000 in revenue for the County Park, which will be used to offset the additional staffing and overtime required to direct traffic and parking in and around the County Park and Forest.

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

**RESOLUTION NO. 84**

**SPECIAL EVENT – COUNTY PARK/MUSIC IN THE  
PARK–APPROVAL OF**

Legislator Clattenburg 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 3, 2024, and

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

**WHEREAS**, the Committees of Public Service and Ways and Means does 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 3, 2024, as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None

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

**RESOLUTION NO. 85**

**SPECIAL EVENT–COUNTY PARK/ACORNS  
5K/10K TRAIL RUN AND WALK FUNDRAISER –  
APPROVAL OF**

Legislator Clattenburg 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 6, 2024, and

**WHEREAS**, the Highway Superintendent did review and recommends approval of, and

**WHEREAS**, the Committees of Public Service and Ways and Means does concur with these requests. Now, therefore, be it



Budget Impact: The total amount of the supplemental agreements is \$228,315.55. The additional services are funded from the Engine House Renovation capital project which has a balance of \$806,822.55

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

**RESOLUTION NO. 88                      CLOSE/TRANSFER/BUDGET AMENDMENT  
CAPITAL PROJECT-HIGHWAY/PARK/  
FACILITIES-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommends that said Capital Projects be closed at this time, and

**WHEREAS**, the Genesee County Highway Superintendent reported that two Capital Projects are requiring additional funding due to the required work and bids received and funds are available to be shifted from capital projects being closed, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to make the following budget amendment:

Decrease H5197.4592 Federal Aid Bridges - Judge Rd in the amount of \$ 362,689.92

Decrease H5197.3597 State Aid Bridges - Judge Rd in the amount of \$ 68,004.35

Decrease H5197.5301 Local Bridges - Judge Rd in the amount of \$ 26,658.02

Decrease H5197.2080.0000 Capital Expense Bridges - Judge Rd in the amount of \$ 457,352.29

Increase H1997.2080.0000 Facilities Management - Bldg #1 Roof & Parapet Repairs in the amount of \$ 26,658.02 to be offset by increase in H1997.5031 Local Funds from funds available from Bridges - Judge Road over Whitney Creek

Be it further

**RESOLVED**, that the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Capital Project transfers:

<u>FROM</u>	<u>AMOUNT</u>
Facilities Management - Highway Garage Fans	\$ 25,404.37
Facilities Management - Remove Underground Waste Tank	\$ 9,693.56
Facilities Management - Genesee Justice Stone Work	\$ 78,954.45
Facilities Management - HVAC Controls Upgrade	\$ 9,107.00

TO

Facilities Management - Bldg #1 Roof & Parapet Repairs	\$ 123,159.38
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Be it further

**RESOLVED**, that the Genesee County Treasurer is authorized and directed to close the following capital projects:

Bridges - Judge Road over Whitney Creek

Facilities Management - Highway Garage Fans

Facilities Management - Remove Underground Waste Tank

Facilities Management - Genesee Justice Stone Work

Facilities Management - HVAC Controls Upgrade

Be it further

**RESOLVED**, that the Genesee County Treasurer is authorized and directed to make the following capital project transfers:

<u>FROM</u>	<u>AMOUNT</u>
-------------	---------------

County Park - Area D Shelter \$60,000.00

TO

Facilities Management - Bldg #1 Roof & Parapet Repairs \$30,000.00

County Park - Reconstruct Area B Parking \$30,000.00

Budget Impact: Proper allocation of state and federal aid allow the County to reduce its overall committed local share and therefore reduce the amount of funds obligated to capital projects.

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

**RESOLUTION NO. 89                      AWARD OF BID – FACILITIES/GENESEE COUNTY  
BUILDING 1 ROOF AND PARAPET REPAIR –  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Highway Superintendent advertised specifications and construction drawings for the replacement of a portion of the County Building No. 1 roof and parapet repairs, and

**WHEREAS**, the County advertised the specifications for this work and did receive (4) four bids from contractors, and

**WHEREAS**, the Genesee County Highway Superintendent reviewed the accuracy of these bids and does recommend award at this time, and

**WHEREAS**, the Committees on Public Service and Ways and Means did review this request and does recommend an award at this time. Now, therefore, be it

**RESOLVED**, the Genesee County Legislature does hereby award the Genesee County Building No. 1 Roof Recover and OCH Exterior Repair contract in the amount of \$346,318.00 to RMG Custom Metal, LLC at 1369 Paul Road, Churchville, NY 14428. The total contract amount includes the acceptance of all five bid alternates:

Base Bid                      \$110,718.00

Alternate Bid No. 1    \$151,500.00 (Parapet repointing and copper flashing)

Alternate Bid No. 2    \$46,100.00 (Removal and replacement of existing copper trim)

Alternate Bid No. 3    \$6,000.00 (Damaged existing roof system)

Alternate Bid No. 4    \$30,000.00 (Replacement of plaster ceiling in OCH tunnel)

Alternate Bid No. 5    \$2,000.00 (Damaged drywall in Building No. 1 conf. room)

Budget Impact: The award of bid will be funded from the Capital Project Facilities Management – Bldg #1 Roof and Parapet Repairs, which has been amended to fund all bids and alternate bids.

The total amount of this work is \$346,318.

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

**RESOLUTION NO. 90                      RETAIL LEASE AGREEMENT–COUNTYWIDE  
WATER PROGRAM/TOWN OF PEMBROKE  
RETAIL LEASE AGREEMENT WITH MONROE  
COUNTY WATER AUTHORITY–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**, the Town of Pembroke is developing a Water District 4 and the Monroe County Water Authority has requested that the Town renew its existing Retail Lease Agreement with the Authority, 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 Retail Lease Agreement between the Town of Pembroke and the Monroe County Water Authority.

Budget Impact: This resolution renews the current lease agreement and does not impact the funding of the water project. There is no budget impact.

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

**RESOLUTION NO. 91**                                        **AWARD OF BID – FACILITIES MANAGEMENT  
/FIRE ALARM INSPECTIONS–APPROVAL OF**

Legislator Clattenburg 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 Committees of Public Service and Ways and Means 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 NYSOGS Contract PT68816 effective March 1, 2024 through February 28, 2025.

Budget Impact: Estimated annual cost of this contract is \$15,614.42. 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 Dibble seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 92**                                        **CLOSE PROJECT–AIRPORT/HANGAR  
DEMOLITION–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Highway Superintendent did review established capital projects at the Genesee County Airport and does recommend closing one project, 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 the Genesee County Treasurer is hereby authorized and directed to close the following capital project:

AIP #43-20 – Hangar Demolition (Construction)

Budget Impact: Proper allocation of state and federal aid allow the County to reduce its overall committed local share and therefore reduce the amount of funds obligated to capital projects. All Federal and State payments have been received.

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

**RESOLUTION NO. 93**                                        **BUDGET AMENDMENT/TRANSFER – HIGHWAY  
DEPARTMENT/COUNTYWIDE WATER PROJECT  
/WTP IMPROVEMENTS PROJECT – APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:



**WHEREAS**, the Committees on Public 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 authorized and directed to enter into a service agreement with Doyle Security Systems, 792 Calkins Road, Rochester, NY 14623 for security monitoring services at Justice for Children Advocacy Center satellite locations in Batavia, Albion, and Warsaw, N.Y.

Budget Impact: Funds for security monitoring services are fully covered by a grant from the NYS Office of Children and Family Services and are already included in the 2024 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 96**                      **RENEWAL OF CONTRACT–JUSTICE FOR  
CHILDREN ADVOCACY CENTER/H2H FACILITY  
SERVICES – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Justice for Children Advocacy Center has had a contract with H2H Facility Services Inc. for cleaning services at the Batavia, Albion, and Warsaw locations since March 1, 2017, and

**WHEREAS**, the Justice for Children Program Coordinator did request a renewal of the contract with H2H Facility Services, Inc., 202 W. Henrietta Rd., Suite 2A, Rochester, NY 14623 for office cleaning service at the Batavia, Albion, and Warsaw sites of the Justice for Children Advocacy Center, and

**WHEREAS**, the contract period is March 1, 2023 through March 1, 2024 at a monthly rate of \$540.70, and

**WHEREAS**, the Committee on Public Service did review the 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 a contract with H2H Facility Services, Inc., 202 W. Henrietta Rd., Suite 2A, Rochester, NY 14623 for Office Cleaning Service at the Batavia, Albion, and Warsaw sites of the Justice for Children Advocacy Center from March 1, 2024 through September 30, 2025 at a monthly rate of \$540.75.

Budget Impact: Funds for office cleaning services are fully covered by grants from the NYS Office of Children and Family Services and the NYS Office of Victim Services and are already included in the 2024 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 97**                      **FINANCIAL SUPPORT FOR THE GENESEE/  
FINGER LAKES REGIONAL PLANNING COUNCIL  
2024 BUDGET - 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 2024 share will be \$11,515.35 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 located at 50 West Main St., 2<sup>nd</sup> Floor, Rochester, New York 14614 and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$11,515.35 as appropriated in the 2024 Budget, Account A8025.4660.0000. Budget Impact: The 2024 Genesee County Budget appropriated \$11,515.35 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other).

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

**RESOLUTION NO. 98**

**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 \$11,515.35 as its share of the Year 2024 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 Richard Sutherland, 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.

**WHEREAS**, the Committee on Public Service did review the recommendation and does concur. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature hereby approves such a bond with the Genesee/Finger Lakes Regional Planning Council located at 50 West Main Street, 2<sup>nd</sup> Floor, Rochester, New York 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 2024 Genesee County Budget appropriated \$11,515.35 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 Deleo seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 99**

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

Legislator Maha offered the following resolution:

**WHEREAS**, the GLOW Region Solid Waste Management Committee (herein referred to as “GLOW”) expects to be awarded funding from the New York State Department of Environmental Conservation in 2024 for a single Household Hazardous Waste Collection Program; and

**WHEREAS**, Environmental Enterprises, Inc. (EEI) was awarded the contract for the 2023 collection; and

**WHEREAS**, this contract contained two one year extension options, with pricing to be renegotiated; and

**WHEREAS**, EEI has agreed to charge GLOW the prices that were originally agreed upon for the 2023 program for the 2024 program; and

**WHEREAS**, GLOW desires to exercise this option for the 2024 program; and

**WHEREAS**, the GLOW Committee has recommended that this option be exercised and the Committee of Public Service concurs with recommendation. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature authorizes the Chairperson to enter into an extension of this contract with the other GLOW Counties and Environmental Enterprises, Inc. located at 10163 Cincinnati, Ohio 45241 for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed \$45,000.

Budget Impact: The 2024 Genesee County Budget appropriated \$25,805.00 for Contractual Services with GLOW (Account A8092.4800.0000 Program Expense) as its annual contribution to GLOW. GLOW budgeted \$51,000 for the 2024 HHW and Electronic collection events.

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

**RESOLUTION NO. 100 OVER AGE 65 SLIDING SCALE EXEMPTION - TREASURER / REAL PROPERTY– ADOPTION OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Section 467 of the Real Property Tax Law gives local governments the option of granting a reduction on the amount of taxes paid by qualifying senior citizens, and

**WHEREAS**, Genesee County has adopted this exemption to benefit qualifying senior citizens and

**WHEREAS**, to keep pace with increases in social security income and to assist senior citizens with limited incomes to be able to afford to stay in their homes the Director of Real Property Tax Services recommends amendments to the sliding scale income amounts for this exemption and

**WHEREAS**, the Committee on Ways & Means has reviewed and concurs with this recommendation. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby adopt the Over Age 65 Sliding Scale Tax Exemption as follows:

Less than \$23,800		50%
Equal or more than	\$23,800 but less than \$24,800	45%
	\$24,800 but less than \$25,800	40%
	\$25,800 but less than \$26,800	35%
	\$26,800 but less than \$27,700	30%
	\$27,700 but less than \$28,600	25%
	\$28,600 but less than \$29,500	20%
	\$29,500 but less than \$30,400	15%
	\$30,400 but less than \$31,300	10%
	\$31,300 but less than \$32,200	5%

and, Be it further

**RESOLVED**, that this action shall take effect March 1, 2024.

Budget Impact: None

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

**RESOLUTION NO. 101                      COUNTY AUDIT–FEBRUARY 28, 2024-APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:

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

2023 General Fund	\$ 1,236.00
2024 General Fund	2,118,890.29
2024 Highway	61,161.63
2024 Water Fund	135,969.31
<b>Capital Projects</b>	
Sheriff/Jail – Jail Construction	1,386,419.33
Airport – Apron Reconstruction/ Construction	110.00
County Manager – Countywide Broadband Expansion	308.33
County Park – Water System Upgrade	566.27
Highway – Large Span Culverts	6,230.50
<b>Payroll – General</b>	
February 23, 2024	2,039,083.37
<b>Medicaid</b>	
February 20, 2024	199,971.00
February 27, 2024	<u>199,971.00</u>
<b>Total Audit</b>	\$ 6,149,917.03

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 Torrey seconded the resolution, which was adopted by 200 votes.

Chair Stein stand ordered to close the meeting at 5:55 p.m.