

**FIFTH DAY
 GENESEE COUNTY LEGISLATURE
 OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
 WEDNESDAY, MARCH 8, 2023**

The Genesee County Legislature met in Regular Session on Wednesday, March 8, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse. Legislator Yunker offered to assist with the audit. The prayer will be offered by Legislator Clattenburg followed by the Pledge to the Flag. Proclamations & Commendations: Developmental Disabilities Awareness Month - Presented By Legislator Clattenburg Accepting: Cheryl Englert; ARC GLOW Board President

Approval of Minutes February 22, 2023 – Motioned by Legislator Yunker and seconded by Legislator Klotzbach, carried.

Committee & Special Assignment Reports: Legislator Maha spoke on the Jail meeting he attended. Injury on-site but individual is okay. Jail progress is schedule. Good shape financially with the Jail project. Contractor ordered wrong door frames and is working through that. Another Contractor left out some piping 90K worth, negotiating a price for cost savings. Chair Stein appreciates those that are involved in this important project.

Chair Stein discussed attendance of a MEGA meeting at the NYSAC conference. Chair Stein a member of the MEGA Board discussed MEGA 2.0, reinvigorating the entire organization. Will hear more on that in the future. At NYSAC Conference, strong presences “Cost Shift Count Down–eFMAP”. Raising voices to stop cost shift to the counties. Less than 200K impact from this 2023 Budget, as it goes on the tax payers they will feel the burden. Have contacted Senator Schumer, majority leader, champion of counties for years. This was his accolade where he pushed for the 3 % cap a long time ago. Waiting for his Senator Schumer’s response.

Communications & Petitions

1. Travel Out-of-State: David Bell, Health Department NACCHO – No Cost, Scholarship

Travel - Bell	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	1		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			200	
Approval			101	134

Legislator Comments: None

County Manager Report: Attended the NYSAC conference February 27th through March 1st. Reviewed several resolutions. A lot of repeats, new ones such as 18b discussion, early voting under elections and associated cost. Paul Pettit going live with the mobile unit for coroner transports. Assistant County Manager Tammi Ferringer worked with Public Health Director Paul Pettit on RFP’s. They are thinking outside the box. This is a great solution to use the mobile unit for the coroner transport.

Resolutions: Consent Agenda Items - Ways And Means Committee resolutions: Legislator Clattenburg motioned for adoption for resolutions 1-6, a request for a second, Legislator Yunker seconded.

1. Lease Agreement-Information Technology/Award of 36-month Dark Fiber and Internet with Empire Access
2. 2022 Year-End Budget-Treasurer/Amendments
3. 2022 Budget Item Transfers- Treasurer/County Departments
4. Affiliation Agreement - Health Department/Cornell University

5. Genesee-Orleans Regional Arts Council Funding Agreement

6. Coroner Appointment

1-6	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	2		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	1		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			200	
Approval			101	134

Swearing-in of Donald Newton, the new appointed coroner. The County Clerk, Michael Cianfrini gave Donald Newton the Oath of Office.

Consent Agenda - Human Services Committee Resolutions

Human Services Committee Chair Torrey motioned for adoption of resolutions 7-9 and Legislator Deleo seconded.

- 7. Contract Amendment – Health Department/Paratransit Services
- 8. Renewal Agreement – Health Department/Early Intervention Program/New York State Department of Health
- 9. Grant Amendment – NYS Public Health Corps Fellows Program Funding

7-9	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	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

- 10. County Audit – March 8, 2023 seconded by Legislator Yunker.

Please take the roll call:

10	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	2		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	1		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			200	
Approval			101	134

Unfinished Business: None

Adjournment: Vice Chair Clattenburg Moved to close the meeting and seconded by Legislator Deleo. TIME:5:58 p.m.

RESOLUTION NO. 90

**LEASE AGREEMENT-INFORMATION
TECHNOLOGY/AWARD OF 36 MONTH DARK
FIBER AND INTERNET WITH EMPIRE ACCESS -**

<u>To From</u>	<u>Dept Code</u>	<u>Dept Name</u>	<u>Account Category</u>	<u>Amount</u>
To	A.1010.1	Legislative Board	Personnel Services	3,325
From	A.1010.8	Legislative Board Family Court Assign	Benefits	3,325
To	A.1411.4	Counsel	Contractual	74,605
From	A.1170.1	Public Defender	Personnel Services	74,605
To	A.1185.4	Coroners	Contractual	20,000
From	A.4010.1	Health Department	Personnel Services	20,800
To	A.1420.1	County Attorney	Personnel Services	6,250
From	A.1420.8	County Attorney	Benefits	6,250
To	A.1450.4	Elections	Contractual	1,800
To	A.1450.8	Elections	Benefits	5,400
From	A.1610.1	Central Services	Personnel Services	7,200
From	A.2960.4	3-5 Preschool Program	Contractual	10
To	A.3640.1	Emergency Management	Personnel Services	3,300
From	A.3640.4	Emergency Management	Contractual	3,300
To	A.5630.4	Bus Operation	Contractual	12,800
From	A.6010.4	Social Services	Contractual	12,800
To	A.6101.4	Medicaid Other	Contractual	225,172
From	A.6010.1	Social Services Emergency Assistance to	Personnel Services	225,172
To	A.6142.4	Adults	Contractual	177
From	A.6010.1	Social Services	Personnel Services	177
To	A.8090.1	Environmental Control	Personnel Services	1
From	A.8090.4	Environmental Control	Contractual	1
To	D.5020.1	County Road Engineering	Personnel Services	2,000
To	D.5020.4	County Road Engineering County Road Snow	Contractual	2,000
To	D.5142.1	Removal	Personnel Services	21,000
From	D.5110.1	County Road Maintenance County Road Snow	Personnel Services	21,000
To	D.5142.8	Removal	Benefits	1,200
From	D.5110.8	County Road Maintenance	Benefits	1,200
To	DM.5130.1	Road Machinery	Personnel Services	19,000
To	DM.5130.8	Road Machinery	Benefits	300
From	DM.5130.4	Road Machinery	Contractual	19,300
To	EW.8310.1	Water Administration	Personnel Services	1
From	EW.8310.4	Water Administration	Contractual	1

Budget Impact: None, transfers made from other appropriations.

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

RESOLUTION NO. 93

**AFFILIATION AGREEMENT – HEALTH
DEPARTMENT/ CORNELL UNIVERSITY–
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Health Director did present an agreement with Cornell University for the placement and experiential learning opportunity for the benefit of Student Interns of the College, and

WHEREAS, the Committees on Human Services and Ways & Means did review this request and

RESOLUTION NO. 96

**CONTRACT AMENDMENT– HEALTH
DEPARTMENT/PARATRANSIT SERVICES –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County must provide transportation services for the Early Intervention and Preschool Supportive Health Services Program, and

WHEREAS, the Public Health Director did present an amendment to the agreement with Student Transport Inc. and Transpo Bus Services LLC., to increase the contracted annual cost of living index percentage from 4.7% to 6.3%, and

WHEREAS, the Committee on Human Services did review this recommendation 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 amend the contract with Student Transport, Inc. (DBA: WNY Bus Co.), 79 Sheldon Avenue, Depew, NY 14043 and Transpo Bus Services LLC., 233 Fillmore Ave. Tonawanda, NY 14150, for the provision of paratransit services for the Early Intervention and Preschool Supportive Health Services Programs for the period of January 1, 2023 through August 31, 2023 based on the current bid rates plus 6.3%. The 6.3% is the NYSED CPI increase.

Budget Impact: Estimated increase in transportation expenses for the 2023 budget year will be \$7,596, no increase to the 2023 A 2960 Preschool Supportive Health Services and 4059 Early Intervention budgets are needed at this time.

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

RESOLUTION NO. 97

**RENEWAL OF AGREEMENT – HEALTH
DEPARTMENT/EARLY INTERVENTION
PROGRAM/NEW YORK STATE DEPARTMENT OF
HEALTH–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Public Health Director did present an agreement with the New York State Department of Health to provide fiscal management and payment of Early Intervention claims, and

WHEREAS, this is a renewal of a five year contract for the provision of fiscal management and payment of early intervention claims, and the Committee on Human Services did review the request and does recommend approval at this time. Now, therefore be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a five-year agreement with the New York State Department of Health to provide fiscal management and payment of Early Intervention claims, effective April 1, 2023.

Budget Impact: Cost savings are not anticipated during the five-year duration of this agreement. All reductions in expenditures will be offset by a proportionate reduction in revenue.

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

RESOLUTION NO. 98

**GRANT AMENDMENT NYS PUBLIC HEALTH
CORPS FELLOWS PROGRAM – HEALTH
DEPARTMENT – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the New York State Department of Health has extended the Genesee County Public Health Department NYS PH Corps Fellows Grant until 6/30/24, and

WHEREAS, the Committees on Human Services did review this grant proposal and does recommend approval at this time. Now, therefore be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Amendment with the New York State Department of Health as specified.

Budget Impact: There is \$0 cost to the county.

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

RESOLUTION NO. 99

COUNTY AUDIT–MARCH 8, 2023–APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Yunker did review the following claims:

General Fund	\$	1,096,615.35
Highway		55,965.49
Water Fund		376,376.56
Self Insurance		864.24
DSS Abstracts		319,387.10
Capital Projects		
Sheriff/Jail – Jail Construction		7,035.90
Airport – Runway Lighting & Signage Replacement		10,000.00
Facilities Management – Engine House Renovations		763.10
Facilities Management – Energy Performance Contract		210,980.00
Highway – S Lyons Street Over Tonawanda Creek		3,860.00
Highway – South St. Culvert over Drainage Ditch		10,441.04
Highway – Large Span Culverts		15,839.58
Payroll – General		
February 24, 2023		2,400,975.29
Medicaid		
February 28, 2023		152,875.00
March 7, 2023		<u>152,875.00</u>
Total Audit	\$	<u>4,814,853.65</u>

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