

**SIXTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Batavia, New York**  
**Wednesday, MARCH 24, 2021**

The Genesee County Legislature met in Regular Session on Wednesday, March 24, 2021 at 5:30 PM in the Legislative Chambers of the Old Courthouse and remotely using ZOOM. The Genesee County Legislature has begun a phased-in process of resuming in-person meetings. Beginning Monday, March 1, 2021, Legislators and those presenting to a Standing Committee or the Legislature will meet in-person with others participating via Zoom Videoconference. Legislator Yunker assisted with the audit. The prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

Legislature Chair Stein presented a commendation commemorating Livingston County's Bicentennial to Board of Supervisors Chair David LeFeber and Historian Amie Alden. Celebratory activities are planned throughout the year. Former Genesee County Historian Sue Conklin is chair of the bicentennial committee.

Minutes of the March 10, 2021 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Chair Stein related that COVID-19 vaccine eligibility is expanding, the filing deadline for income tax was extended to May 17, 2021, the State's re-opening plan includes changes to amusement activities, sports and arts events, and discussion pertaining to an Empire Passport with more information to follow.

United Way County Campaign Co-Chairman Tim Hens explained the fundraising goal for the 2021 campaign is \$20,000. Funds raised are used for local United Way funded programs. This year, United Way funded programs have provided critical assistance to many local families and children. Donors may use paper pledge forms or register on-line.

Legislature Clerk Pamela LaGrou stated the following correspondence was received in the Legislature Office; The annual Law Day Observance & Criminal Justice Awards will be held later in April or early May and nominations are sought for the Criminal Justice Awards, Fulton County sent a copy of their resolution calling upon NYS Legislature to curtail Governor Cuomo's emergency powers authority and the Town of Barre is holding a public hearing on April 14<sup>th</sup> pertaining to their zoning ordinance referencing solar energy systems.

County Manager Matt Landers explained that the County Health Department website is where citizens can register for a vaccine and/or COVID rapid test. He asked that everyone remain vigilant and continue to follow guidelines to reduce the spread of COVID. He discussed the state budget proposal to eliminate VLT revenue with Senator Rath who pledged to continue to fight for the restoration.

Vice Chair Clattenburg stated her opposition to the elimination of the VLT funds. She thanked County Manager Landers for his continued discussions with our State representatives.

Legislature Chair Stein stated this is the last week of the rapid COVID test clinics held at the Fire Training Center. Future testing will be available at the Health Department. Heartfelt thanks were extended to the County Health Department employees, Emergency Management employees, Highway workers, volunteers and legislators for their dedication and commitment to conducting a well-run rapid testing clinic for the past three months for our residents.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 102     BATAVIA WELLFIELD EXPANSION - DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT – APPROVAL OF**

Legislator Yunker offered the following resolution:

**WHEREAS**, In accordance with Article 8 of the Environmental Conservation Law of the State of New York and the State Environmental Quality Review Act regulations (SEQRA), the Genesee County Legislature announced its intention to serve as lead agency for the purpose of conducting an environmental review of the Batavia Wellfield Expansion and received no objections to this designation from the other involved agencies, and

**WHEREAS**, The aforementioned statute and regulations require that the designated lead agency make determinations of significance regarding the actions upon completion of the environmental reviews, and

**WHEREAS**, The Genesee County Legislature has determined that the wellfield expansion is an “Unlisted Action” as defined under SEQRA, and

**WHEREAS**, Genesee County, in conducting the project review, has prepared and evaluated a Full Environmental Assessment Form (EAF) for this action, Now therefore, Be it

**RESOLVED**, That upon consideration and review of the EAF, the Genesee County Legislature, as lead agency, hereby finds and declares that the Batavia wellfield expansion which involves drilling and permitting a third groundwater well (well C), including the installation of a test well, final production well, wellhouse, associated piping and permitting, will not have a significant impact on the environment as defined by Article 8 of the Environmental Conservation Law and its underlying regulations, and Be it further

**RESOLVED**, That the Genesee County Legislature directs that a Negative Declaration - Notice of Determination of Non-Significance be filed pursuant to Article 8 of the Environmental Conservation Law and its underlying regulations.

**Budget Impact:** Funds to be allocated from County Water Fund. The cost to engineer/design Well C is \$80,000. Estimate to develop the new well is estimated at \$250,000. Negative impacts may result from not having Well C developed due to groundwater issues or high creek turbidity. This would result in the County not being able to produce up to 1.2 MGD at the City Water plant with a loss of revenue of approximately \$2,000 per day in surcharge and water plant operational surplus. In addition, there would be far reaching economic and health impact across the County to government, businesses and private citizens due to a water shortage.

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

**RESOLUTION NO. 103     SETTING PUBLIC HEARING ON INCLUSION OF VIABLE AGRICULTURAL LAND INTO AGRICULTURAL DISTRICTS NO. 1 & NO. 3**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Legislature established by Resolution No. 399 of 2003 the annual thirty-day period to consider inclusion of new parcels to existing Agricultural Districts to run from January 26<sup>th</sup> to February 24<sup>th</sup>, and

**WHEREAS**, During the 2021 Annual Enrollment Period one parcel in the Town of Alexander (Tax Map Parcel No. 4.-1-53.2) was requested to be included into Agricultural District No. 1, and

**WHEREAS**, During the 2021 Annual Enrollment Period one parcel in the Town of LeRoy (Tax Map Parcel No. 26.-1-60) was requested to be included into Agricultural District No. 3, and

**WHEREAS**, Article 25AA of the New York State Agriculture and Markets Law, Section 303-b specifies that the County Legislative Body shall hold a public hearing regarding the proposed request. Now, therefore, Be it

**RESOLVED**, That a Public Hearing shall be held on the requests to be included into the Agricultural Districts on Wednesday, April 28, 2021 at 5:30 PM at the Genesee County Old Courthouse, Batavia, New York.

**Budget Impact:** The only direct budget impact will be the cost for printing the legal ad itself. Legislator Yunker seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 104 CONTRACT AMENDMENT- PUBLIC DEFENDER/NYS OFFICE OF INDIGENT LEGAL SERVICES/GENESEE COUNTY - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Public Defender does recommend the acceptance of the amended five year contract between Genesee County and the New York State Office of Indigent Legal Services (ILS), Contract Number: CSTWIDEHH18, (Statewide Expansion of *Hurrell-Harring*). This contract now includes the Year 2 budget and work plan for the Public Defender and the Assigned Counsel Program approved by ILS. This amended contract continues to fund Genesee County's plan for its use of the previously approved five year contract grant funds provided to extend the benefits of the *Hurrell-Harring* settlement reforms, those being ensuring that all eligible defendants are represented by counsel at arraignment, that we fully comply with ILS' caseload standards and that we implement and continue initiatives to improve the quality of indigent defense.

**WHEREAS**, the Public Service Committee did review the amended contract and does 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 Amended Contract Number: CSTWIDEHH18, Statewide Expansion of *Hurrell-Harring*, a contract between our county and the New York State Office of Indigent Legal Services, located at the A. E. Smith Building, 11<sup>th</sup> Floor, 80 South Swan Street, Albany, New York 12210.

**BUDGET IMPACT STATEMENT:** Total Public Defender contract revenue for 2021 in the amount of \$283,260 is contained within the 2021 adopted budget in its line A.1170.3025 Indigent Legal Services offset by like amounts in expenses.

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

**RESOLUTION NO. 105 CONTRACT EXTENSION- PUBLIC DEFENDER/NYS DEFENDERS ASSOCIATION-APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The Public Defender is recommending the (PDCMS) Public Defense Case Management System Maintenance and Software Support Agreement between Genesee County and New York State Defenders Association, Inc. be extended for a one-year period, May 3, 2021, to May 3, 2022, and

**WHEREAS**, the Public Service Committee did review the amended contract and does 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 the necessary documents to extend the Public Defense Case Management System Maintenance and Software Agreement between Genesee County and New York State Defenders Association, Inc., Albany, New York for a one-year period, May 3, 2021 to May 3, 2022, at a cost of \$500 per license for thirteen (13) licenses with a contract price of \$6,500.

**Budget Impact:** Funds for this contract in the amount of \$6,500 are budgeted in the 2021 Budget under lines A1170.3025 Revenue and A1170.4880.0000 Program Expense. Legislator Hawley seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 106**                      **SPECIAL EVENT- GENESEE COUNTY PARK & FOREST/ INDEPENDENT LIVING 5K WALK- APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** A Special Events application was received from Independent Living of the Genesee Region to use DeWitt Park for a 5K Walk fundraiser on July 26, 2021, and

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

**WHEREAS,** The Committee on Public Service does concur with this requests. Now, therefore, Be it

**RESOLVED,** That the Genesee County Legislature does hereby grant permission to Independent Living of the Genesee Region to use DeWitt Park for a 5K Walk fundraiser on July 26, 2021 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

**Budget Impact:** None.

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

**RESOLUTION NO. 107**                      **2021 SALARY SCHEDULE AMENDMENT- HIGHWAY- FACILITIES MANAGEMENT/AFSCME-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** The Genesee County Highway Superintendent has requested increasing one Senior Building Maintenance Mechanic position from 32 hours per week to 40 hours per week in the Facilities Management Budget, and

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

**RESOLVED,** That the Genesee County Human Resources Director is hereby authorized and directed to amend the 2021 Employee Salary Schedule to increase the less than full-time Senior Building Maintenance Mechanic position, AFSCME, Grade 14 from 32 hours per week to 40 hours per week effective April 5, 2021.

**Budget Impact:** None, the full-time position was included and approved in the 2021 budget in anticipation of retirement. The funds are in A1620 1010.0000

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

**RESOLUTION NO. 108**                      **REAPPOINTMENTS –PARKS, RECREATION AND FORESTRY ADVISORY COMMITTEE - APPROVAL OF**

Legislator Yunker 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, 2021 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 do 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, 2021 through March 31, 2024:

George Squires  
Bruno DeFazio

Town of Byron  
Town of LeRoy

District #2  
District #5

**Budget Impact:** None

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

**RESOLUTION NO. 109**

**AWARD OF BIDS – HIGHWAY/ CONSTRUCTION  
MATERIALS – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent advertised specifications for the various construction materials used by Genesee County for highway and bridge maintenance and construction, and

**WHEREAS**, The Highway Superintendent did review these bids and does recommend their award at this time, and

**WHEREAS**, The Committees on Public Service did review this request and does recommend an award at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Highway Superintendent is hereby authorized and directed to award bids to the various vendors on the annual construction materials bid as allowed for under the specifications for each item and as budgeted for within the 2021 County Budget and capital projects as established.

**Budget Impact:** This annual bid allows the Highway Superintendent to purchase materials in compliance with the General Municipal Law. The cost of most asphalt related materials are expected to increase slightly through the construction season. The purchase of materials is limited by budgeted amounts within the County Road Fund and the various capital projects in place for the repair and replacement of highways and bridges. The Highway Superintendent uses low bid, as adjusted by the contract hauling formula. The Highway Superintendent also reserves the right to award bids in the best value for the County based on availability of product, equipment failures and long wait times.

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

**RESOLUTION NO. 110**

**AWARD OF BIDS – SIGN MANUFACTURING  
EQUIPMENT – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent advertised specifications for various sign manufacturing equipment, and

**WHEREAS**, The Highway Superintendent did review these bids and does recommend their award at this time, and

**WHEREAS**, The Committees on Public Service did review this request and does recommend an award at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Highway Superintendent is hereby authorized and directed to award the following listed sign manufacturing equipment as provided in the bid specifications to Grant Graphics, LLC, 610 Maple Ave, Saratoga Springs, NY 12866 in an amount not to exceed \$56,939.

(1) High Speed Solvent Printer/Cutter	\$15,982
(1) Multi-purpose Work Table with Electrical Height Adjustment	\$25,519
(1) 54" Verastile Roll Fed Cutting Plotter	\$6,684
(1) 55" Heated Pressure Sensitive Laminator	\$6,924
(1) 3 Ft and 5 Ft Linear Cutters	\$1,830

**Budget Impact:** This equipment is used within the sign shop at the Highway Department. An Asset Acquisition project was established for \$75,000 to cover the purchase of the equipment. The total of all equipment purchased under this award is \$56,939

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

**RESOLUTION NO. 111 CONTRACT STATEMENT OF WORK AMENDMENT – SHERIFF’S OFFICE / PERICLE COMMUNICATIONS COMPANY – PUBLIC SAFETY RADIO COVERAGE ANALYSIS – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County approved a contract with Pericle Communications, from Colorado Springs, CO, to provide an independent coverage impact study of the new Public Safety P25 800 MHz Radio System by Harris Corporation pursuant to resolution 259, dated July 11, 2013, and amendments to the contract pursuant to resolution 180, dated May 29, 2014; resolution 73, dated February 26, 2015; and resolution 21, dated January 21, 2016; and

**WHEREAS**, Genesee County anticipates FY20 New York Statewide Interoperable Communications Grants to improve the Genesee County Public Safety Radio System; and

**WHEREAS**, Genesee County has designated Pericle Communications as a sole source consultant for the planning and coverage assessment of the public safety radio system upgrades; and

**WHEREAS**, After careful review by the Sheriff, County Attorney, and Director of Emergency Communications, it is recommended the County execute the amendment to the contract for a total cost of a statement of work not to exceed \$81,154.75; and

**WHEREAS**, The Committee on Public Service did review this proposal and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, That the Genesee County Legislature does hereby approve a proposed “Fourth Amended Agreement for Consulting Services” with Pericle Communications Company, 7222 Commerce Center Drive, Suite 180, Colorado Springs, CO 80919, for the planning and coverage assessment of the radio system upgrades for a cost not to exceed \$81,154.75, and the Chair of the Genesee County Legislature is hereby authorized and directed to execute this document on behalf of the County of Genesee.

**BUDGET IMPACT:** The cost of this project will be offset by FY20 New York Statewide Interoperable Communications Grant revenues allocated to the Public Safety Communications Tower Capital project.

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

**RESOLUTION NO. 112 AGREEMENT RENEWAL – SHERIFF’S OFFICE / SECURUS TECHNOLOGIES, LLC FOR INMATE COMMUNICATION SERVICES – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, the Agreement entered into per Resolution 170, dated May 23, 2018, with Securus Technologies, LLC, 4000 International Parkway, Carrollton, TX 75507, for inmate communication services provided to the Genesee County Jail included an option to renew the agreement for three (3) additional one-year periods, and both parties have expressed an interest in renewing the Agreement for the second one-year period (May 1, 2021, through April 30, 2022) under the same terms and conditions as the original Agreement, and

**WHEREAS**, the Committee 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 hereby authorized and directed to enter into a Renewal Agreement for Jail inmate communication services with Securus

Technologies, LLC, 4000 International Parkway, Carrollton, Texas 75007, for the period of May 1, 2021, through April 30, 2022, under the same terms and conditions as the original Agreement.

**BUDGET IMPACT:** *Inmate communication costs have been budgeted for in the 2021 budget.*

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

**RESOLUTION NO. 113                      SURPLUS EQUIPMENT – SHERIFF’S OFFICE -  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee County Sheriff’s Office has taken ownership of a 2006 Toyota Avalon (Vehicle Identification Number 4T1BK36B96U144608), pursuant to a court order as the result of a tax law forfeiture, requiring the vehicle to be used for law enforcement purposes, and

**WHEREAS**, the Genesee County Highway Department inspected the vehicle for safety purposes and needed repairs, it was determined that the vehicle is in need of an engine replacement, and

**WHEREAS**, the Genesee County Sheriff did request this 2006 Toyota Avalon be declared surplus property, and

**WHEREAS**, the Committees on Public Service and Ways & Means did review this request and do recommend this vehicle be declared surplus property at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby declare the 2006 Toyota Avalon (Vehicle Identification Number 4T1BK36B96U144608) surplus property to be disposed of through auction or scrap processing, and be it further,

**RESOLVED**, that the proceeds from the sale or scrap of this vehicle be appropriated to Sheriff’s Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

**Budget Impact:** Revenue from the sale of this vehicle to be appropriated to Sheriff’s Revenue Account A3110.2626 (Forfeiture of Crime Proceeds)

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

**RESOLUTION NO. 114      CONTRACT RENEWAL – SHERIFF / ORLEANS COUNTY  
PRISONER HOUSING – APPROVAL OF**

Legislator Yunker offered the following resolution:

**WHEREAS**, the Sheriff did present a prisoner housing contract with Orleans County Jail, and

**WHEREAS**, the County Attorney has reviewed and approved the terms of this Contract, and

**WHEREAS**, the Committee on Public Service did review this contract renewal and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract between the County of Genesee and the County of Orleans for the provision of jail space in the Orleans County Jail at a rate of \$90.00 per day for each prisoner housed retroactively between January 1, 2021, through December 31, 2023.

**Budget Impact:** Funds have been appropriated to the 2021 budget.

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

**RESOLUTION NO. 115                      SURPLUS EQUIPMENT – SHERIFF’S  
OFFICE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Sheriff’s Office has a 2008 Jeep Grand Cherokee (Vehicle Identification Number 1J8GR48K88C217980) which is in need of repair, and

**WHEREAS**, the Genesee County Highway Department inspected the vehicle for safety purposes and needed repairs, it was determined that due to the year and mileage of the vehicle it is not fiscally sound to repair, and

**WHEREAS**, the Genesee County Sheriff did request this 2008 Jeep Grand Cherokee be declared surplus property, and

**WHEREAS**, the Committees on Public Service and Ways & Means did review this request and do recommend this vehicle be declared surplus property at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby declare the 2008 Jeep Grand Cherokee (Vehicle Identification Number 1J8GR48K88C217980) surplus property to be disposed of through auction or scrap processing, and be it further,

**RESOLVED**, that the proceeds from the sale or scrap of this vehicle be turned over the County Treasurer.

**Budget Impact:** Proceeds from the sale of this surplus vehicle will be turned over to the County Treasurer.

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

**RESOLUTION NO. 116 GRANT AWARD-GENESEE JUSTICE/NYS DIVISION OF CRIMINAL JUSTICE SERVICES-APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The Program Coordinator of the Genesee Justice Program did receive notification of the award of grant funding from the New York State Division of Criminal Justice Services for the continuation of the Community Service Sentencing Program and the Pre-Trial Services Program for a one-year contract term starting July 1, 2020 through June 30, 2021, and

**WHEREAS**, The Public Service Committee did review and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby accept grant funding from the New York State Division of Criminal Justice Services in the amount of \$41,876 for the continuation of the Community Service Sentencing Program and the Pre-Trial Services Program for 2020 - 2021, and Be it further,

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary form for the acceptance of funds for the period of July 1, 2020 through June 30, 2021 in the amount of \$41,876.

**Budget Impact:** A 2021 Budget Amendment is not necessary at this time as it was requested to reduce our budget by 20% for DCJS funds. There was no reduction in amount of the full grant award.

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

**RESOLUTION NO. 117 ADOPTION OF IMPLEMENTATION PLAN PER EXECUTIVE ORDER #203, NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Executive Order #203, New York State Police Reform and Reinvention Collaborative, requires the chief executive officer of the municipality to perform a comprehensive review of deployments, policies, procedures, and practices of its respective police agency and to develop an improvement plan, and

**WHEREAS**, the Genesee County Legislature Chair, Sheriff and County Manager, formed a task force in October of 2020 with diverse local representation for the purpose of reviewing Sheriff



Office operations and soliciting community input with the intent to develop a plan for any needed improvements of this office, and

**WHEREAS**, the local Task Force for Police Reform and Reinvention in Genesee County, as defined by Executive Order #203, convened for the first time October 28, 2020 and met again November 2, November 16, December 7, December 21, January 4, January 19, February 1, February 23 and March 2, 2021 to discuss and consider evidence based policing strategies including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program, and

**WHEREAS**, the draft report was made public for comment and feedback February 5, 2021, and **WHEREAS**, on March 2, 2021, the Task Force, upon consideration of all public and internal comments, finalized a draft report, entitled Genesee County Police Reform and Reinvention Report, and

**WHEREAS**, on March 15, 2021, the Report was submitted to the Public Service Committee for consideration with a recommendation for approval by the Committee, now, therefore, Be it

**RESOLVED**, that the Genesee County Legislature, by way of resolution, has adopted the Genesee County Police Reform and Reinvention Plan Report and authorizes the Legislature Chair to execute Appendix B – New York State Police Reform and Reinvention Collaborative Plan Certification Form.

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

**RESOLUTION NO. 118 REAPPOINTMENT - GENESEE COUNTY  
AGRICULTURAL AND FARMLAND PROTECTION  
BOARD**

Legislator Yunker offered the following resolution:

**WHEREAS**, The Genesee County Legislature established the Agricultural and Farmland Protection Board on January 13, 1993 in accordance with Section 302 of New York State Agriculture and Markets Law; and

**WHEREAS**, The Law requires the Board's membership to be comprised of:

- Four farmers
- One representative of agri-business
- One representative of an organization dedicated to farmland preservation
- The chairperson of the county soil and water conservation district's board of directors
- A member of the county legislative body
- A county cooperative extension agent
- The county planning director
- The county director of real property tax services, and

**WHEREAS**, The term of office of Steven Boldt expired December 31, 2020 and he has indicated an interest and desire for reappointment and the Committees on Public Service and Ways & Means do recommend reappointment at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby reappoint Steven Boldt of Stafford, NY to serve a term on the Genesee County Agricultural and Farmland Protection Board for the period ending on December 31, 2023.

**Budget Impact Statement:** None.

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

**RESOLUTION NO. 119 REAPPOINTMENT - GENESEE COUNTY WATER RESOURCES AGENCY –APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The term of office of Bruno DeFazio on the Genesee County Water Resources Agency expired December 31, 2020 and he has indicated an interest and desire for reappointment, and

**WHEREAS**, the Committees on Public Service and Ways and Means do recommend reappointed effective January 1, 2021. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby reappoint Mr. Bruno DeFazio, of LeRoy, NY to serve another term on the Genesee County Water Resources Agency for the period ending on December 31, 2023.

**Budget Impact Statement:** None, this is an unpaid position.

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

**RESOLUTION NO. 120 SUPPORT ENACTMENT OF CIVIL SERVICE REFORMS**

Legislator Maha offered the following resolution:

**WHEREAS**, Governor Andrew M. Cuomo signed Executive Order 203 (E.O. 203), the “New York State Police Reform and Reinvention Collaborative”; and

**WHEREAS**, counties continue to develop plans in the spirit of this executive order through community engagement and stakeholder involvement, a series of civil service reforms are necessary to effectuate meaningful reform; and

**WHEREAS**, the New York State Department of Civil Service, an institution first created in 1883, mission is “to build tomorrow’s workforce today by promoting a diverse, inclusive, and talented workforce;” and

**WHEREAS**, county government wants to partner with the Department of Civil Service to advance this mission.

**NOW, THEREFORE, BE IT RESOLVED**, that the Genesee County Legislature encourages the Governor and State Legislature to implement the following civil service reforms:

- Ease the “rule of three” for appointments. The state should consider a simple pass/fail test for deputy sheriffs, correction officers, public safety telecommunicators, and police officers. If this is unachievable, the state should consider band-scoring to a wider band than 5 points to allow for a more robust pool of eligible applicants.
- Ease or suspend the restrictions on hiring former police officers as it applies to Section 58 (4) CSL.
- Ease the restrictions on hiring part-time police officers, especially retired members or retired troopers on a non-competitive basis. Forcing retired state troopers to have to take a civil service test is unreasonable, especially for a 209-V GML peace officer position.
- Reform civil service rules and regulations to ensure reasonable probationary periods for all transferees of at least six months.
- Reform civil service rules and regulations to ensure that a previous test disqualification should prevent an individual from re-taking a test for a period of time.
- Grant counties the authority to enact “continuous recruitment” options for correction officers. The state already has continuous recruitment for state correctional officers at DOCCS facilities.

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to Governor Andrew Cuomo, Senator Edward Rath, Assemblyman Stephen Hawley, Speaker of the Assembly Carl Heastie, Senate Majority Leader Andrea Stewart-Cousins, New York Association of Counties and Inter-County Association of Western New York.

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

**RESOLUTION NO. 121 CONTRACT RENEWAL – CENTRAL SERVICES/COST-PER-COPY PROGRAM – APPROVAL OF**

Legislator Torrey offered the following resolution.

**WHEREAS**, the Director of Purchasing did present a contract renewal with Eagle Systems, Inc., with offices located at 2421 Harlem Rd, Buffalo, NY 14225, for the provision of copy equipment under the Cost-Per-Copy program for the third and final additional one-year period,

**WHEREAS**, the Committee on Ways and Means did review the contract 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 a contract with Eagle Systems Inc. of Buffalo, NY for the provision of copy equipment under the Cost-Per-Copy program for the period of May 1, 2021 through April 30, 2022 at the cost of \$0.0060 per black and white copy and \$0.0350 for color copies.

**Budget Impact:** Funds were allocated in departmental budgets for 2021.

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

**RESOLUTION NO. 122 CONTRACT RENEWAL-ELECTIONS/CARTAGE OF VOTING MACHINES-APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The existing contract with Clark Moving & Storage, Inc. of 3680 Buffalo Rd., Rochester, NY will terminate May 31, 2020, and

**WHEREAS**, This contract to move the electronic voting machines and supplies to and from the 24 polling sites used by the Genesee County Board of Elections at a cost of \$138 per polling site (delivery and pickup) did provide the provision to renew said contract for up to three (3) years, and

**WHEREAS**, Commissioners Lorie Longhany and Richard Siebert are very pleased with the services provided by Clark Moving and Storage Inc. and they have agreed to renew at the original terms for the third optional year. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Clark Moving & Storage, Inc. of 3680 Buffalo Rd., Rochester, NY 14624 for moving services of \$138 per polling site for Primary and General Elections for the period of June 1, 2021 thru May 31, 2022. This fee completely covers both delivery and pickup as one total price.

**Budget Impact Statement:** Budget neutral as all fees are included in 2021 Board of Elections budget.

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

**RESOLUTION NO. 123 CONTRACT RENEWAL-ELECTIONS/PRINTING SUPPLIES-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, This contract which expired June 30, 2018 provided the option for four (4) additional one (1) year renewals upon mutual agreement between both parties and must in the best interest of Genesee County, and

**WHEREAS,** The Genesee County Legislature did authorize the renewal of the 2<sup>nd</sup> one year option at a cost of \$14,205 covering the period of July 1, 2019 thru June 30, 2020, and

**WHEREAS,** Both Commissioners Richard Siebert and Lorie Longhany are very pleased with the services rendered by Phoenix Graphics and the company has agreed to provide the needed supplies for the period of July 1, 2021 thru June 30, 2022 which would be the 4<sup>th</sup> one year option, and

**WHEREAS,** Commissioners Richard Siebert and Lorie Longhany would like to request renewal of the contract for the third (3<sup>rd</sup> additional year. Now, therefore, Be it

**RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement with Phoenix Graphics Inc., 1525 Emerson St., Rochester, NY 14606 for the printing supplies for the 2021 Primary and General Election, per bid specifications, effective July 1, 2021 through June 30, 2022 in the amount of \$14,205 prorated by the required number of ballots per election

**Budget Impact Statement:** Budget neutral as all fees are included in 2021 Board of Elections budget.

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

**RESOLUTION NO. 124 CHARGE BACKS-ELECTIONS/INSPECTOR PAY-APPROVAL OF**  
Legislator Maha offered the following resolution:

**WHEREAS,** It has been previously determined by the Ways & Means Committee that beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

**WHEREAS,** The Real Property Department will notify all municipalities of the charges in 2021 so that the Genesee County Treasurer can bill and collect these charges in 2022. Now, therefore, Be it

**RESOLVED,** That the following charges be levied to the 13 Towns and the City of Batavia as follows and the amounts to be paid to the County Treasurer are credited to revenue A1450 2215 Election Expense-Other Govts in the current budget year:

**2020 Election Expenses per Town/City for Chargebacks**

	<b>Training</b>	<b>Local Primary 6/23/20</b>	<b>Local Primary 6/23/20</b>	<b>General Election 11/3/20</b>	<b>General Election 11/3/20</b>	
	<b>\$35.00</b>	<b>Inspectors - \$215</b>	<b>Coordinators - \$90</b>	<b>Inspectors - \$215</b>	<b>Coordinators - \$290</b>	<b>Total</b>
City	\$2,555.00	\$6,665.00	\$2,610.00	\$9,030.00	\$3,770.00	\$24,630.00
Alabama	\$315.00	\$860.00	\$580.00	\$1,290.00	\$580.00	\$3,625.00
Alexander	\$525.00	\$1,075.00	\$580.00	\$1,290.00	\$580.00	\$4,050.00
Batavia	\$875.00	\$1,505.00	\$1,740.00	\$3,010.00	\$1,740.00	\$8,870.00
Bergen	\$700.00	\$860.00	\$580.00	\$1,290.00	\$580.00	\$4,010.00
Bethany	\$315.00	\$430.00	\$580.00	\$860.00	\$580.00	\$2,765.00
Byron	\$420.00	\$645.00	\$580.00	\$1,290.00	\$580.00	\$3,515.00
Darien	\$455.00	\$860.00	\$380.65	\$1,075.00	\$580.00	\$3,350.65
Elba	\$490.00	\$860.00	\$580.00	\$1,075.00	\$580.00	\$3,585.00

LeRoy	\$945.00	\$3,225.00	\$1,160.00	\$3,870.00	\$1,160.00	\$10,360.00
Oakfield	\$245.00	\$1,290.00	\$580.00	\$1,290.00	\$580.00	\$3,985.00
Pavilion	\$315.00	\$1,075.00	\$580.00	\$1,290.00	\$580.00	\$3,840.00
Pembroke	\$700.00	\$1,720.00	\$1,740.00	\$2,795.00	\$1,740.00	\$8,695.00
Stafford	\$280.00	\$1,720.00	\$580.00	\$1,505.00	\$580.00	\$4,665.00
						<b>\$89,945.65</b>

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

**RESOLUTION NO. 125 CHARGE BACKS-ELECTIONS/INSPECTOR PAY  
EARLY VOTING-APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, It has been previously determined by the Ways & Means Committee that beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

**WHEREAS**, The Real Property Department will notify all municipalities of the charges in 2021 so that the Genesee County Treasurer can bill and collect these charges in 2022. Now, therefore, Be it

**RESOLVED**, That the following charges be levied to the 13 Towns and the City of Batavia as follows and the amounts to be paid to the County Treasurer are credited to revenue A1450 2215 Election Expense-Other Govts in the current budget year:

**2020 Early Voting Election Expenses per Town/City for Chargebacks**

	Early Voting	Early Voting
	6/13/2020-6/21/2020	10/24/2020-11/1/2020
City	\$1,949.00	\$2,616.00
Alabama	\$263.00	\$352.00
Alexander	\$354.00	\$473.00
Batavia	\$946.00	\$1,268.00
Bergen	\$470.00	\$629.00
Bethany	\$244.00	\$328.00
Byron	\$332.00	\$458.00
Darien	\$487.00	\$651.00
Elba	\$313.00	\$419.00
LeRoy	\$1,129.00	\$1,512.00
Oakfield	\$424.00	\$568.00
Pavilion	\$348.00	\$463.00
Pembroke	\$679.00	\$912.00
Stafford	\$384.00	\$514.00
Grand Total	\$8,322.00	\$11,163.00

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

**RESOLUTION NO. 126 AMEND LEGISLATURE RULES 2020/2021 – approval of**

Legislator Maha offered the following resolution:

**WHEREAS**, at the last biennial meeting of the Genesee County Legislature, on January 8, 2020, former Legislator Andrew Young was elected as the Second Vice Chairperson, and

**WHEREAS**, upon his resignation, a vacancy was created in this position, and

**WHEREAS**, the current Rules of the Genesee County Legislature do not have a provision to allow this vacancy to be filled prior to the next biennial meeting. Now, therefore, Be it

**RESOLVED**, that the Rules of the Genesee County Legislature - 2020/2021, are hereby amended to add the following sentence at the end of Section (I) (1) to read as follows; In the event that a vacancy occurs prior to the next biennial organizational meeting for any of the foregoing positions, as soon as practicable, the Genesee County Legislature shall in the same manner either elect or appoint an individual to fill the vacancy to serve until the next biennial meeting.

**Budget Impact Statement:** NA

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

**RESOLUTION NO. 127 FAIR HOUSING MONTH - DESIGNATION OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The County of Genesee understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds, and

**WHEREAS**, to ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the County has developed a Fair Housing Plan describing the procedures developed to further fair housing in the community, and

**WHEREAS**, The County's Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity by appointing a Fair Housing Officer, providing information to the public, and promoting Fair Housing Activities and available resources as well as designate the month of April as Fair Housing Month, Now, therefore, Be it **RESOLVED**, The Genesee County Legislature hereby designates the month of April, 2021 as Fair Housing month.

**Budget Impact Statement:** None

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

**RESOLUTION NO. 128 SET PUBLIC HEARING-FAIR HOUSING- OCR/CDBG**

Legislator Maha offered the following resolution:

**WHEREAS**, As a recipient of OCR/CDBG grant funds the County is required to hold an annual public meeting on fair housing to identify any concerns and issues with fair housing practices in the County, and

**WHEREAS**, The Committee on Ways and Means does recommend setting a public hearing on Fair Housing. Now, therefore, Be it

**RESOLVED**, That a Public Hearing on Fair Housing Practices will be held on Wednesday, April 14, 2021 at 5:30 p.m. at the Old County Courthouse, 7 Main Street, in the City of Batavia, New York.

**Budget Impact Statement:** None

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

**RESOLUTION NO. 129 PANDEMIC PLAN - ADOPTION OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, New York State Labor Law section 27-c and New York State Education Law

paragraphs k and l of subdivision 2 of section 2801-a were amended by legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, and **WHEREAS**, the amendments require all New York State public employers to develop and adopt a plan for operations in the event of a declared Public Health Emergency involving a communicable disease on or before April 1, 2021, and **WHEREAS**, The Committee on Ways and Means did review the Genesee County Pandemic Plan and does recommend approval at this time. Now, therefore, Be it **RESOLVED**, That the Genesee County Legislature does hereby approve the Genesee County Pandemic Plan and that the Chair of the Genesee County Legislature is hereby authorized and directed to execute any and all documentation related to this plan.

**Budget Impact:** None

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

**RESOLUTION NO. 130 LEASE – LEGAL AID OF ROCHESTER AGREEMENT – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Manager did present an agreement with Legal Aid of Rochester for the lease of space at County Building #2, 3837 West Main Street, Batavia, for administrative purposes for the period of April 1, 2021 – March 31, 2022, at a rate of \$2,224.80 annually, and

**WHEREAS**, The Committee on Ways and Means did review said agreement and recommends approval at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Legal Aid of Rochester and the County of Genesee for the lease of space at County Building #2, 3837 West Main Street, effective April 1, 2021 through March 31, 2022; at a cost of \$2,224.80 per year.

**Budget Impact:** Additional revenue of \$2,224.80 annually

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

**RESOLUTION NO. 131 ETHICS OVERSIGHT PROGRAM – ADOPTION OF CORRECTIVE ACTION PLAN**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County was one of 20 municipalities statewide to be selected for an Ethics Program audit by the NYS Comptroller’s Office in May of 2019, and

**WHEREAS**, Genesee County received a Draft Report of Examination at the exit discussion held by the Office of the State Comptroller occurring on September 9, 2020 and submitted the required response letter September 30, 2020, and

**WHEREAS**, Genesee County received the Final Report of Examination S9-19-11, December 30, 2020 and prepared a Corrective Action Plan (CAP) identifying each audit recommendation, implementation of plan of action, timeframe and responsible personnel, and

**WHEREAS**, The Committee on Ways and Means does concur. Now, therefore Be it

**RESOLVED**, The Genesee County Legislature hereby authorizes adoption of the Genesee County Ethics Program Corrective Action Plan and directs the County Manager to submit the CAP to the Office of the State Comptroller, Division of Local Government and School Accountability.

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

**RESOLUTION NO. 132 COUNTY AUDIT –MARCH 24- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

General Fund	\$	1,392,824.16
Voluntary Distribution		833,335.00
Highway		83,061.06
Self Insurance		375.00
Water Fund		41,402.41
DSS Abstracts		335,077.04
<b>Capital Projects</b>		
Highway-South Lyons Street Bridge Over Tonawanda Creek		52,971.58
Co Park- Dewitt Improvements Phase IV		1,270.92
Facilities Management-Energy Performance Contract		216,734.00
Facilities Management-Animal Shelter Improvements		50,283.50
<b>Payroll – General</b>		
March 12, 2021		1,164,331.36
<b>Medicaid</b>		
March 16, 2021		132,890.00
March 23, 2021		<u>132,890.00</u>
<b>Total Audit</b>	\$	4,437,446.03

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 Yunker seconded the resolution which was adopted by 326 votes.

#### **Rule 19**

Legislator Maha made a motion to suspend the rules of the Genesee County Legislature to add a resolution authorizing Genesee County to submit a letter of interest to Northern Borders Regional Commission for a grant opportunity seconded by Legislator Clattenburg, carried unanimously.

#### **RESOLUTION NO. 133**

#### **LETTER OF INTEREST – NORTHERN BORDERS REGIONAL COMMISSION GRANT- APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County agrees, in principle, to be part of a grant funding application to the Northern Borders Regional Commission’s State Economic & Infrastructure Development Investment Program, and

**WHEREAS**, Genesee County, if successful, would utilize the grant to subsidize a county-wide broadband inventory/availability study and develop a Business Plan, and

**WHEREAS**, Genesee County agrees to a ‘Letter of Interest’ be submitted to Northern Border Regional Commission so that State Program Managers are aware of the proposed project and can provide guidance and feedback prior to the submission of the full application, and

**WHEREAS**, The Genesee County Legislature has reviewed the proposed letter and does recommend submission. Now, therefore Be it

**RESOLVED**, That the Genesee County Legislature does hereby approve the submission of the ‘Letter of Interest’ to Northern Borders Regional Commission, and Be it further



**RESOLVED**, That the Chair of the Genesee County Legislature is hereby directed and authorized to execute any and all documents related to the Norther Borders Regional Commission grant application in conjunction with the Finger Lakes Regional Planning Council. Legislator Clattenburg seconded the resolution which was adopted by 326 votes. At 6:12 PM the meeting adjourned upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried.