

**SIXTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, March 25, 2020**

The Genesee Legislature met in Regular Session on Wednesday, March 25, 2020 at 5:30PM. Because of the Novel Coronavirus (COVID-19) Pandemic and the State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued March 12, 2020 suspending the Open Meeting Law, the Genesee County Legislature meeting scheduled for March 25, 2020 was held electronically via ZOOM video conference instead of a public meeting open for the public to attend in person. Legislator Hilchey assisted with the audit. Prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

Roll call; Legislators Hilchey and Deleo did not respond to roll call.

Legislator Young read a proclamation naming Public Health Week April 6-12, 2020 and commended Public Health Director Paul Pettit for his work and the work of his department employees during this COVID-19 Pandemic.

Minutes of the March 11, 2020 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Dibble, carried unanimously. Legislators Hilchey and Deleo joined the meeting.

Minutes of the March 18, 2020 Special Legislature Meeting were approved upon motion of Legislator Maha seconded by Legislator Torrey, carried unanimously.

Legislator Young commented that Genesee County Economic Development Center staff and board members are working on mitigating the impact of the executive order to have non-essential business temporarily closed due to COVID-19 Pandemic. Legislator Maha extended appreciation and thanks to Public Health Director Paul Pettit and county departments that are working diligently during the COVID-19 Pandemic. Legislature Chair Shelley Stein thanked all department heads and employees for making necessary adjustments and ensuring work is completed.

County Manager Jay Gsell commented on the Federal Stimulus Package approved by the Senate to provide a jolt to the economy reeling from the coronavirus pandemic. Information and details on the historic \$2 Trillion stimulus package will be forthcoming. The House still needs to vote on the measure and that is expected later in the week. FEMA is working with state and local governments to execute a thorough response to help protect the public. Genesee County is tracking FEMA covered expenses related to the Pandemic.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 141 BUDGET AMENDMENT - SHERIFF/DELIVERY AND SET-UP MRAP VEHICLE-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The City of Batavia Police Department has acquired a MRAP MaxxPro vehicle that will be used by the joint Emergency Response Team with the Genesee County Sheriff's Office, and

WHEREAS, The Sheriff has agreed to cover half the cost of the delivery and set-up of the MRAP Vehicle at a cost of \$5,407, and

WHEREAS, Funds are available in the deferred forfeiture of crime proceeds revenue, 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 Genesee County Treasurer is hereby authorized and directed to amend the 2020 budget as follows:

\$5,407 to A3110.4340.0000 (Vehicle Maintenance and Repair)

To be offset by increasing the following revenue account:

\$5,407 to A3110.2626 (Forfeiture of Crime Proceeds), with funds to come from A899.3 (Restricted Account) State Asset Forfeitures.

Budget Impact Statement: Increase in Sheriff's 2020 appropriations in the amount of \$5,407; offset by an increase in revenue in a like amount, with funds to come from the restricted account for state asset forfeitures.

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

**RESOLUTION NO. 142 AGREEMENT RENEWAL – SHERIFF'S OFFICE /
SECURUS TECHNOLOGIES, LLC FOR INMATE
COMMUNICATION SERVICES – APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, the current 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 will expire April 30, 2020, and

WHEREAS, there is an option to renew this Agreement for three (3) additional one-year periods, and both parties have expressed an interest in renewing the Agreement for the first one-year period (May 1, 2020, through April 30, 2021) 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, 2020, through April 30, 2021, under the same terms and conditions as the original Agreement.

BUDGET IMPACT: *Inmate communication costs have been budgeted for in the 2020 budget.*

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

**RESOLUTION NO. 143 REVISED AGREEMENT – SHERIFF'S OFFICE-JAIL /
MEDICAL PROVIDER – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee County entered into an Agreement pursuant to Resolution 478, dated December 9, 2015, with Dr. Alan Barcomb, One Dennis Drive, Batavia, NY 14020, to provide medical services for inmates incarcerated in the Genesee County Jail, and

WHEREAS, in order to maintain Dr. Barcomb's services, he has requested a revision to the payment schedule in which he will be paid \$5,000 per 12-month calendar year, retroactive to January 1, 2020, paid quarterly; and also, an increase from \$100 to \$150 per diem for any direct patient care services provided on site at the Jail, billed and paid on a monthly basis, and

WHEREAS, after discussions between the Genesee County Sheriff, County Attorney, and Jail Superintendent, it has been determined to be in the best interest of all parties to approve this revised payment schedule, 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 revised Agreement for Jail inmate medical services with Dr. Alan Barcomb, One Dennis

Drive, Batavia, NY 14020, compensation retroactive to January 1, 2020, through December 31, 2020, under the same terms and conditions as the original Agreement.

BUDGET IMPACT: Funds to cover the additional inmate medical services costs are available in the current budget due to a decrease in the inmate population.

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

RESOLUTION NO. 144 AMENDMENT TO EMERGENCY MANAGEMENT SERVICES TASK FORCE – APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, Upon recommendation of the Genesee County 2000 Comprehensive Plan, Resolution No. 117-2000 adopted on March 22, 2000 established the Emergency Management Services Task Force, and

WHEREAS, The Emergency Management Coordinator did request the size and representation of the Task Force be modified to meet current needs and challenges facing the volunteer fire service, and

WHEREAS, the Task Force will identify the current fire capabilities, capacity and sustainability in Genesee County and develop a plan to ensure efficient and qualified fire/EMS protection to the communities of Genesee County, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do concur with the Emergency Management Services Coordinator’s recommendation, Now therefore be it

RESOLVED, That the Emergency Management Services Task Force is amended to include the following representatives to study and evaluate recruitment, retention and utilization of resources that presently affect volunteer emergency fire response within the County of Genesee, and Be it further

RESOLVED, That the Task Force will be made up of the following representative groups and members:

- | | | |
|-----|--|---|
| (1) | Member of the Genesee County Legislature | Gordon Dibble |
| (4) | Members of the Fire Advisory Board | Mike Heale, Fire Advisory Board Chair
Robert Murczek, Byron Fire Chief
Dewy Murrock, Pavilion Fire Chief
Eric Weiss, President, Bergen Fire Department |
| (2) | Municipal representatives | Donna Hynes, Elba Supervisor
Robert LaPoint, Pavilion Supervisor |

Supported by the Genesee County Office of Emergency Management Services Staff.

Budget Impact Statement: No County cost, Task Force members are unpaid volunteers.

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

RESOLUTION NO. 145 2020 BUDGET AMENDMENT-JUSTICE FOR CHILDREN ADVOCACY CENTER-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, In resolution number 81 of 2020, the Genesee County Legislature accepted an award in the amount of \$21,121.00 from the National Children’s Alliance; and

WHEREAS, The contract term runs from January 1, 2020 through December 31, 2020; and

WHEREAS, The Committee on Public Service and Ways and Means did review this request and does approve this request at this time. Now, therefore, Be it

RESOLVED, the Genesee County Treasurer is hereby authorized and directed to amend the 2020 budget by Increasing Revenue A.1352.4389 Federal Aid/ Public Safety in the amount of \$21,121 and Increase Expenditures A.3152.4550.0000 Training in the amount of \$4,105, A3152.4560.0000 Travel in the amount of \$3,135, A.3152.4660.0000 Contracted Other in the amount of \$12,040 and A.3152.4800.0000 Program Expense in the amount of \$1,841.

Budget Impact: Grant funding from the National Children’s Alliance will fund 100% of the cost of establishing a Parent-Child Interaction Therapy program at the Justice for Children Advocacy Center. This increases expenditures and offsetting revenues of \$21,121.00

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

**RESOLUTION NO. 146 2020 BUDGET AMENDMENT – PUBLIC DEFENDER
ASSIGNED COUNSEL – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County received an Indigent Legal Services Grant to cover expenses related to continuing legal education and trainings, mileage and travel, investigators/ experts/interpreters/Social Workers, transcription services, legal resource materials, legal reference subscriptions for criminal defense attorneys and phone services to contact incarcerated clients, etc., and

WHEREAS, The Assistant County Manager and County Treasurer request a budget amendment in order to utilize the grant funds, and

WHEREAS, The committees of Public Service and Ways and Means do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Budget by increasing A1171.4800.0000 – Program Expense by \$66,335 offset by an increase in A1171.3025 – Indigent Legal Services in a like amount

Budget Impact: Increase in expenses to the Assigned Counsel Program to be offset fully by grant revenue

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

Legislator Torrey made a motion to send Resolution “Establish Capital Projects/Budget Amendment-Approval Of” back to the Public Service Committee seconded by Legislator Maha, carried unanimously.

**RESOLUTION NO. 147 CONSULTANT AGREEMENT – 8-BAY T-HANGAR
DEVELOPMENT – AIRPORT -- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County has been awarded a state grant to develop additional T-Hangars at the Genesee County Airport, and

WHEREAS, Genesee County received a proposal from C&S Engineers for the design of the facility and preparation of bid specifications according to state and federal guidelines, and

WHEREAS, The Genesee County Highway Superintendent has reviewed this proposal and recommends its approval, 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 Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with C&S Companies, 499 Eileen Collins Blvd., Syracuse, NY 13212 for the design and bidding services for the 8-Bay T-Hangar in an amount not to exceed \$24,950.

Budget Impact: The agreement is for \$24,950. A capital project has been established for this work that is funded with state aid (75%) and local match (25%) in the amount of \$875,000

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

RESOLUTION NO. 148

DONATION ACCEPTANCE – SHED - GENESEE COUNTY PARKS – APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The County has a policy for accepting donations of value over \$1,000, and
WHEREAS, The ACORNS, County Parks volunteer organization has donated a shed for use at the Genesee County Park & Forest Interpretive Center valued at \$3,511.29 and
WHEREAS, The Highway Superintendent does request the approval of accepting the above mentioned donation, and
WHEREAS, The Committee on Public Service does concur with this request, Now, therefore,
Be it

RESOLVED, That the Genesee County Legislature accepts the donated shed from the ACORNS.

Budget Impact: None.

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

RESOLUTION NO. 149

AWARD OF BIDS – HIGHWAY CONSTRUCTION MATERIALS – APPROVAL OF

Legislator Clattenburg 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 2020 County Budget and capital projects as established.

Budget Impact: This is an annual bid that allows the Highway Superintendent to purchase materials in compliance with the General Municipal Law. The cost of most asphalt related materials are expected to remain fairly flat 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 Yunker seconded the resolution which was adopted by 298 votes, Legislator Hilchey (28) Abstain.

RESOLUTION NO. 150

AWARD OF BID-HIGHWAY/ DRY BRIDGE RD SHEET PILING

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent advertised specifications on engineering services, furnishing, and installing sheet piling on the Dry Bridge Road Bridge in Alexander; and

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

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

RESOLVED, The Genesee County Legislature does hereby award the Dry Bridge Road Sheet Piling contract in the amount of \$144,887.00 to The L.C. Whitford Co., Inc. 164 North Main Street, Wellsville NY 14895.

Budget Impact: The contract will be funded from the Large Span Culverts Capital Project. The capital project has an available balance of \$430,143.21 when factoring all current obligations.

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

RESOLUTION NO. 151 SPECIAL EVENT – GENESEE COUNTY PARK AND FOREST/CLIMB OUT OF THE DARKNESS ANNUAL WALK & FUNDRAISER -APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, A Special Events application was received from Postpartum Support International, a group raising funds and awareness for the mental health of new families to use DeWitt Park for a fundraiser event on Sunday, September 27, 2020, and

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

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

RESOLVED, That the Genesee County Legislature does hereby grant permission to Postpartum Support International to use DeWitt Park for a fundraiser event on September 27, 2020, as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None

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

RESOLUTION NO. 152 APPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Planning Board due to the resignation of Lucine Kauffman, and

WHEREAS, the Committees on Public Service and Ways & Means recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That Mr. Robert Houseknecht of Bogue Ave., Batavia is hereby appointed to the Genesee County Planning Board for a 3-year term effective immediately through May 31, 2023.

Budget Impact Statement: None. Planning Board members receive no salary or compensation.

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

RESOLUTION NO. 153 GENESEE COUNTY SALE OF COUNTY OWNED PROPERTY RATIFICATION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Bontrager Real Estate and Auction Services, Inc., on behalf of Genesee County, conducted a sale of county-owned property on Saturday, March 14, 2020, at 10:00 a. m. at 8975 Wortendyke Road, Batavia, New York, at which time county-owned property was sold to the highest bidder, and

WHEREAS, The Committee on Ways and Means did review the bids and does recommend ratification of the sale at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby ratifies and confirms the sale of the properties listed below to the following:

<u>Purchaser</u>	<u>Parcel</u>	<u>Tax Map #</u>	<u>Town</u>	<u>Price</u>
Adam Hoopengardner	#1	16.-1-11	Alabama	\$4,750
John Puls	#2,3,4	16.-1-63	Alabama	\$22,000
		16.-1-64		
		16.-1-65		

Jeffrey Mullen	#5	11.-1-51	Batavia	\$2,900
S & J Expressment, LLC	#6	2.-1-63	Bethany	\$21,000
Lorah Rotoli	#9	14.-1-4	Oakfield	\$300
Farm Bridge LLC	#10	15.-1-43.2	Pavilion	\$4,500
Jacob Stiles	#11	17.-1-26.1	Pembroke	\$9,000
		17.-1-26.2		
Richard W & Patricia A Reeves	#12	17.-1-1.1	Pembroke	\$11,000
Karl R Leanen	#13	7.-1-55.12	Stafford	\$1,500
Marshall Kelly & Matt Courtwright	#14	5.-1-60	Elba	\$38,000
		5.-1-61.1		
Bruce A Reynolds	#15	7.-2-2	V/Elba	\$12,000
Joshua James Englerth	#16	7.-2-9	V/Leroy	\$9,000
& Andrew Thomas Englerth				
Marshall Kelly & Matt Courtwright	#17	9.-3-97	V/Leroy	\$83,000
And, Now therefore, Be it				

RESOLVED, That payment of the net must be received from the buyer within sixty (60) days of ratification of the contract or the sale is considered void and all deposited monies will be forfeited.

Budget Impact: Total sale of foreclosed properties exceeds outstanding taxes owed by approximately \$ 131,268.91.

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

RESOLUTION NO. 154 DESIGNATION OF FAIR HOUSING MONTH

Legislator Deleo 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 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 as Fair Housing month

Budget Impact Statement: None

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

RESOLUTION NO. 155 FAIR HOUSING- OCR/CDBG-SETTING PUBLIC HEARING

Legislator Torrey 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 8, 2020 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 Clattenburg made a motion to amend the resolution to reflect a public hearing date of May 27, 2020 due to the Coronavirus pandemic seconded by Legislator Yunker, carried unanimously. Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 156 CONTRACT – DIRECT ENERGY BUSINESS FIXED PRICE AGREEMENT– APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Purchasing Office did sponsor a bid through MEGA in 2018, and

WHEREAS, As result of this bid Direct Energy was awarded the contract for supplying natural gas to Genesee County buildings, and

WHEREAS, Direct Energy Business, LLC has offered us a fixed price contract for the supply of natural gas in concordance with the MEGA contract, and

WHEREAS, The EnergyNext Consultant for MEGA determined that this 36-month fixed price contract will insulate Genesee County from price spikes and provide it with budget certainty. At this time, the natural gas market is at historic lows. As of 2/11/2020, the 3-year commodity price (upon which the retail rate of \$3.606/Dth is based) is \$2.44/Dth. Compared to the 10-year average rate of \$3.32/Dth, this is an estimated 31% discount in price. The market has since dropped even further, so the 3-year commodity price to be locked in at is \$3.526/Dth. providing even greater anticipated savings,

WHEREAS, The Genesee County Attorney and the EnergyNext Consultant have both reviewed and approved the contract, and

WHEREAS, The Committee on Ways and Means did review the fixed price contract with Direct Energy Business and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a three-year fixed price contract with Direct Energy Business, LLC, 194 Wood Avenue South, Second Floor, Iselin, NJ 08830 Attn: Contract Administration, to provide Genesee County with a fixed price contract for natural gas service to take us through the remainder of the MEGA contract, from the period of April 1, 2020 through March 31,2023. The MEGA contract contains the option for an additional three (3) one-year renewal periods upon written agreement of both parties.

Budget Impact: Genesee County is currently on variable natural gas rate with National Fuel (local natural gas distribution company), whereas this contract is fixed price and will not vary based on the market. Our Energy consultant informed us that currently the natural gas market is at historic lows. As of 2/11/2020, the 3-year commodity price (upon which the retail rate of \$3.606/Dth is based) is \$2.44/Dth. Compared to the 10-year average rate of \$3.32/Dth, this is a 31% discount in price. Based on 2019 expenditures, this could be a savings of approximately \$43,000/year, or \$129,000 over the 36 month contract. The 3-year fixed commodity price has since dropped to \$3.526/Dth, providing even greater anticipated savings.

Prior to the vote Chair Stein commented on the 3-year commodity price dropping to a lower rate of \$3.526/Dth.

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

RESOLUTION NO. 157 CONTRACT RENEWAL – COST-PER-COPY PROGRAM – APPROVAL OF

Legislator Hilchey offered the following resolution.

WHEREAS, the Director of Purchasing did present a contract renewal with Eagle Systems, Inc. for the provision of copy equipment under the Cost-Per-Copy program for the second 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, 2020 through April 30, 2021 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 2020.

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

**RESOLUTION NO. 158 AUTHORIZATION FOR HOME RULE REQUEST –
SALES TAX INCREASE RENEWAL EXTENSION -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County is currently authorized by the New York State Legislature to impose a one percent sales tax, in addition to the three percent rate authorized by the tax law, and **WHEREAS**, The authorizing legislation for the additional one percent expires November 30, 2020, and

WHEREAS, The County desires to renew the authorization for the additional sales tax of one percent. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. S.7966 and Assembly Bill No. A. 10134 which is the legislation necessary to renew the additional one percent sales tax, and Be it further

RESOLVED, That the renewal of the additional one percent authorized by the State Legislature will become effective immediately and expire November 30, 2023, and Be it further

RESOLVED, That the Clerk to the Genesee County Legislature is authorized and directed to sign and file the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Request be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley.

Budget Impact Statement: Funds from this additional one percent sales tax is used to finance capital projects and long term debt, in lieu of property taxes.

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

**RESOLUTION NO. 159 AUTHORIZATION FOR HOME RULE REQUEST –
MORTGAGE TAX INCREASE RENEWAL - APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee is currently authorized by the New York State Legislature to impose an additional one-quarter of one percent (0.25%) local tax on mortgages for real property situated within the County of Genesee in addition to the current tax imposed on said mortgages with the local tax of one-quarter of one percent to be used for the purpose of offsetting of the Recording/County Clerk's Office or any County General Fund purpose in Genesee County, and

WHEREAS, The authorizing legislation for the additional one-quarter of one percent expires November 1, 2020, and

WHEREAS, The County desires to renew the authorization for the additional one quarter of one percent. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. Bill No. S.7968 and Assembly Bill No. A. 10133 which is the legislation necessary to extend the additional one-quarter of one percent tax on mortgages for real property situated within the County of Genesee in addition to the current tax imposed on said mortgages for a three year period, and Be it further

RESOLVED, That the Clerk to the Genesee County Legislature is authorized and directed to sign the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Request be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley.

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

**RESOLUTION NO. 160 REVISING NEW YORK STATE RETIRMENT TIER
STATUS FOR GENESEE COUNTY EMPLOYEE STEVEN
GRICE**

Legislator Maha offered the following resolution:

WHEREAS, Steven Grice became Deputy County Clerk an appointed full-time position under Michael Cianfrini on February 16, 2016, and

WHEREAS, Mr. Grice had started working as a County employee June 22, 1981 but was not offered the opportunity to join the NYS Public Employee Retirement System which would have established his status as a Tier III retirement system employee, and

WHEREAS, The New York State Comptroller, sole trustee of the New York State Retirement System has ruled favorably on Mr. Grice's petition to be granted Tier III retroactive status to his initial 1981 employment date, and

WHEREAS, In order to complete this revised membership/tier status, special New York State Legislation and a Genesee County resolution need to be executed so the New York State Legislature can consider said State Legislation. Now, therefore Be it

RESOLVED, The Genesee County Legislature acting on the advice and consent of the County Attorney and County Treasurer hereby agree to make a one-time contribution of approximately \$11,200 to satisfy Mr. Grice's status as a "current" Tier III contributor for immediate past service, and, Be it further

RESOLVED, The County Legislature hereby directs said County Treasurer to make whatever adjustments in the payroll system and said one-time contribution to the New York State Retirement System for the County's share of Mr. Grice's immediate past service and forward this Resolution to New York State Senator, Michael Ranzenhofer and State Assemblyman, Stephen Hawley as supporters and proponents of passage of necessary State Legislation of behalf of Steven Grice's revised New York State Retirement tier III status.

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

**RESOLUTION NO. 161 AUTHORIZATION FOR HOME RULE REQUEST-
RETROACTIVE RETIREMENT STATUS –
APPROVAL OF**

Legislator Clattenburg offered the following resolution;

WHEREAS, Steven Grice became Deputy County Clerk, an appointed full-time position under Michael Cianfrini on February 16, 2016, and

WHEREAS, Mr. Grice had started working as a County employee June 22, 1981 but was not offered the opportunity to join the NYS Public Employee Retirement System which would have established his status as a Tier II retirement system employee, and

WHEREAS, The New York State Comptroller, sole trustee of the New York State Retirement System has ruled favorably on Mr. Grice's petition to be granted Tier III retroactive status to his initial 1981 employment date, and

WHEREAS, The Genesee County Legislature did pass Resolution No. 160-2020 authorizing a one-time contribution of approximately \$11,200 to satisfy Mr. Grice’s status as a “current” Tier III contributor for immediate past service. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby requests the New York State Legislature to support and pass Senate Bill No. S.07917 and Assembly Bill No. A.9981 which is the legislation necessary to grant Tier III retroactive status to Steven Grice to his initial 1981 employment date, and Be it further

RESOLVED, That the Chair of the Genesee County Legislature is authorized and directed to sign and file the necessary Home Rule Request, and Be it further

RESOLVED, That a copy of this resolution for Home Rule Request be sent to Governor Andrew Cuomo, Senator Michael Ranzenhofer, and Assemblyman Stephen Hawley

Budget Impact Statement: A charge of \$11,200 will be charged to the retirement benefit line of the County Clerk budget
Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 162 CELEBRATING THE 100TH ANNIVERSARY OF THE
PASSAGE AND RATIFICATION OF THE 19TH
AMENDMENT TO THE U.S. CONSTITUTION**

Legislator Clattenburg offered the following resolution:

WHEREAS, Congress passed the 19th Amendment to the Constitution of the United States on August 18, 1920 to declare, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex”; and

WHEREAS, this amendment, which granted women the right to vote, was the culmination of a decades-long struggle by women’s rights advocates across the United States and worldwide; and

WHEREAS, women faced many obstacles women in their struggle for the vote, including the prevailing opinion that women belonged in the domestic sphere and not the public sphere; and

WHEREAS, the women’s suffrage movement has its origins in New York State at the Seneca Falls Convention of 1848, the first women’s rights convention ever held in the United States; and

WHEREAS, in the following decades, women marched, protested, lobbied, and even went to jail in the fight for equal treatment under the law; and

WHEREAS, New York women were on the front lines in the fight for suffrage, including Susan B. Anthony, Alva Vanderbilt Belmont, and Carrie Chapman Catt; and

WHEREAS, the ratification of the 19th Amendment represented a major victory and a turning point in the women’s rights movement, ensuring women could more fully participate in our democracy and fundamentally changing the role of women in the civic life of our nation; and

WHEREAS, this amendment changed the face of the American electorate forever and opened the door to women serving in local government; and

WHEREAS, August 26, 2020 marks the centennial of the 19th Amendment becoming a part of the United States Constitution, and this historical milestone is to be lauded and celebrated.

NOW, THEREFORE, BE IT RESOLVED, that Genesee County celebrates the 100th anniversary of the passage and ratification of the 19th Amendment to the Constitution of the United States; and

BE IT FURTHER RESOLVED, that the Genesee County Legislature honors the role of the ratification of the 19th Amendment in further promoting the core values of our democracy as promised by the Constitution of the United States; and

BE IT FURTHER RESOLVED, that Genesee County reaffirms the desire of counties to continue strengthening democratic participation and to inspire future generations to cherish and preserve this historic precedent.

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

RESOLUTION NO. 163 COUNTY AUDIT –MARCH 25- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Hilchey, did review the following claims:

General Fund	\$ 914,848.95
Highway	82,345.36
Water Fund	139,705.87
Self Insurance	132.60
DSS Abstracts	87,828.60
Capital Projects	
Highway- Upton Road Bridge Over Bowen Creek	25,000.00
Park-Park Area “D” Shelter Improvements	3,390.72
Sheriff/Jail-Jail Construction	162,170.00
Payroll – General	
March 13, 2020	1,113,818.02
Medicaid	
March 17, 2020	177,332.00
March 24, 2020	<u>177,332.00</u>
Total Audit	\$ 2,883,904.12

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 Hilchey seconded the resolution which was adopted by 326 votes.

Legislator Clattenburg made a motion to suspend the rules of the Legislature to add two resolutions that provide required budget amendments for the Health Department in response to COVID-19 pandemic and add one resolution approving a contract for EAP services due to the death of the County’s current contracted service provider seconded by Legislator Torrey, carried unanimously.

RESOLUTION NO. 164 BUDGET AMENDMENT – HEALTH DEPARTMENT/ EMERGENCY PREPAREDNESS COVID-19 & NURSING SERVICES– APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The New York State Department of Health has awarded the Genesee County Public Health Department \$7,700 in funding for COVID-19 investigations, data management, overtime, quarantine support, and supplies, and

WHEREAS, The Genesee County Legislature did review this Budget Amendment and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$7,700 as specified and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Genesee County Budget by increasing Appropriations A4010 4650.0003 by \$7,700 to be offset by an increase of \$7,700 in A4010 4401.10 Fed Aid, Bioterrorism

Budget Implications: Funding will be used to offset costs of COVID-19 response activities, all other COVID-19 costs over \$7,700 will be partially offset by state aid.

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

**RESOLUTION NO. 165 BUDGET AMENDMENT – HEALTH DEPARTMENT/
EMERGENCY PREPAREDNESS COVID-19 &
TEMPORARY COORDIANTOR- APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The New York State Department of Health has awarded the Genesee County Public Health Department \$67,490 in funding for COVID-19 investigations, data management, overtime, quarantine support, and supplies and,

WHEREAS, The Genesee County Legislature did review this Budget Amendment and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$67,490 as specified and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to Amend the 2020 Health Department budget to reflect an increase of \$8,000 in Appropriations A4010 1010.0000 Personal Services, \$30,000 in Appropriations A4010 1020.0000 Over-time Salaries, \$10,000 in Appropriations A4010 4650.0003 Contracted Services, \$16,583 in Appropriations A4010 4800.0000, \$2,356 in Appropriations A4010 8010.0000 Social Security Tax, \$551 in Appropriations A4010 8011.0000 Medicare Tax and to be offset by an increase of \$67,490 in A4010 4401.10 Fed Aid, Bioterrorism.

Budget Implications: Funding will be used to offset costs of COVID-19 response activities, all other COVID-19 costs over \$67,490 will be partially offset by state aid.

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

**RESOLUTION NO. 166 CONTRACT – EMPLOYEE ASSISTANCE PROGRAM –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County Human Resources Department did have a contract for the administration of Employee Assistance Program (EAP) with Educational Resource Associates, and

WHEREAS, the contractor, Educational Resource Associates, suddenly went out of business due to the death of the owner, and

WHEREAS, Genesee Council on Alcoholism and Substance Abuse, Inc. acting by and through its Company, Royal Employer Services, submitted a proposal for the last RFP 2018-105 issued for this service and received acceptable scores on their proposal which was opened September 4, 2018, and

WHEREAS, Genesee Council on Alcoholism and Substance Abuse, Inc. acting by and through its Company, Royal Employer Services, is prepared and has the capacity to take over the existing contract for a price to be negotiated for the remainder of the contract period, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Genesee Council on Alcoholism and Substance Abuse, Inc. acting by and through its Company Royal Employer Services, 430 East Main Street, Batavia, NY 14020 to provide Genesee County with the administration of the Employee Assistance Program at a cost of \$4,905 for the period March 25, 2020 through December 31, 2020.

Budget Impact: The cost of this program was included in the Human Resources 2020 budget. The total amount budget for the Employee Assistance Program was \$6,540.

Legislator Hilchey seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

T 6:15 PM the meeting adjourned upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried.