

**FIFTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, MARCH 27, 2024**

The Genesee County Legislature met in Regular Session on Wednesday, March 27, 2024 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Legislator Clattenburg offered to assist with the audit, the prayer and the Pledge to the Flag.

Roll Call was taken with 7 ayes, 0 nays and 2 absences (Yunker-26 and Dibble-25) Quorum Established.

Proclamations & Commendations:

National Public Health Week April 1-7, 2024 was presented by Legislator Torrey and accepted by Paul Pettit.

Women's History Month was presented by Legislator Clattenburg and accepted by Women of all Professions.

Approval of Minutes: Motion to approve the March 13, 2024 meeting minutes by Legislator Maha, seconded by Legislator Klotzbach, carried unanimously.

Committee & Special Assignment Reports: Legislator Maha announced he attended the last jail construction meeting. Discussion on a few items that still needed close out such as 75 doors in the process of being replaced. Open house will be available, more information to come. Chair Stein announced that she and Legislator Klotzbach attended Inter-County Association of Western New York where they toured CUTCO (knives) in Olean, New York. Prior to the tour the members discussed policies focusing on SUNY Community Colleges and the request for funding. Genesee County presented a resolution to the members which was supported. Also, Chair Stein and Legislator Maha attended the Water Resources Agency Meeting, discussion on the aquifer is down 16 ft. from this time last year. A public service announcement will be made sooner than later about this.

Communications & Petitions

Travel Out-of-State: Carla Wahls, Health Dept. to San Antonio, TX for National Conference of Association of Professionals in Infection Control. June 2-5 Cost \$2,239 \$2,000 funded by scholarship. Legislator Torrey motioned to approve seconded by Legislator Deleo followed by a roll call of 7 ayes, 0 nays and 2 (Yunker-26 and Dibble-25) absences.

Travel Out-of-State: Travel Out-of-State request: Emily Penrose, Health Dept. to Pittsburgh, PA for Council of State and Territorial Epidemiologists 2024 Annual Conference. Cost \$1,925 fully grant funded. Legislator Hawley motioned to approve seconded by Legislator Clattenburg followed by a roll call of 7 ayes, 0 nays and 2 (Yunker-26 and Dibble-25) absences.

Travel Out-of-State: Kristine Voos, Health Dept. to Pittsburgh, PA for Council of State and Territorial Epidemiologists 2024 Annual Conference. Cost \$2,125 fully grant funded. Legislator Maha motioned to approve seconded by Legislator Klotzbach followed by a roll call of 7 ayes, 0 nays and 2 (Yunker-26 and Dibble-25) absences.

Travel Out-of-State: Carla Wahls, Health Department to Philadelphia, PA, for National Immunization Coalition Conference, April 9-11 Cost \$656, Paid by NYSACHO. Legislator Klotzbach motioned to approve seconded by Legislator Clattenburg followed by a roll call of 7 ayes, 0 nays and 2 (Yunker-26 and Dibble-25) absences.

Legislator Comments: None.

County Manager Report: County Manager Matt Landers reported the New York State budget most likely will not be adopted by April 1st but is not too far off. He also stated that staff is happy with the early closing for the upcoming Eclipse on April 8, 2024. The reason of early closure was decided for safety measures. The airport is seeing an up-tic in interest from visitors.

Resolutions:

Consent Agenda Items - Ways And Means:

Legislator Clattenburg motioned for adoption for resolutions 1 through 17 seconded by Legislator Hawley.

Clerk read resolutions 1-17 of the Ways and Means Committee:

1. Agreement–Treasurer/Airbnb
2. Award of RFP – County Manager’s Office/ Housing Support & Consulting Services
3. Contract-Self-Insurance/Auditing Services
4. Contract Award/Budget Transfer- Compensation Consultation Services – Evergreen Solutions, LLC
5. Contract Addendum-SMRT Architects and Engineers-Genesee County Jail Project
6. Budget Amendment – Sheriff’s Office/Communications/Radio Consoles
7. Surplus Property – Sheriff’s Office/2005 Ford Econoline Transport Van
8. Budget Amendment–Sheriff Office/Noise Flash Diversionary Device (NFDD) Delivery System
9. Appointment - Genesee County Planning Board
10. 2024 Budget Transfer-GLOW Region Solid Waste Management Committee
11. Consultant Agreement – Airport /Replace Taxiway C And E Lighting And Signage Design
12. Consultant Agreement – Airport/ Replace Runway 10-28 Lighting And Signage (CA/CI)
13. Reappointment – Parks, Recreation And Forestry Advisory Committee
14. Rescind Resolution #33-2024–Highway/Award Of Bid/Asset Acquisition /6 X 4 Dump Truck
15. Award Of Bid – Highway/Asset Acquisition 6 X 4 Dump Truck
16. Change Order –Genesee County Jail
17. 2024 Salary Schedule Amendment -District Attorney/Salary Increase

Legislator Clattenburg motioned to adopt resolutions 1-17 seconded by Legislator Hawley followed by a roll call: 7 ayes, 0 nays and 2 (Yunker–26 and Dibble-25) absences for a total vote of 149.

Consent Agenda - Public Service Committee:

Legislator Maha motioned for adoption of resolutions 18 through 21 seconded by Legislator Deleo.

Clerk read resolutions 18 through 21 of the Public Service Committee:

18. Intermunicipal Agreement Renewal – Sheriff’s Office/Monroe County Department Of Public Safety Crime Laboratory
19. Acorns Donation Acceptance - Park/ Interpretive Center
20. Contract –Genesee County Soil and Water Conservation District
21. Rescuing Emergency Medical Services

Legislator Maha motioned to adopt resolutions 18-21 seconded by Legislator Deleo followed by a roll call: 7 ayes, 0 nays and 2 (Yunker–26 and Dibble-25) absences for a total vote of 149.

Non-Consent Items:

Legislator Torrey offered resolution 22, County Audit-March 27, 2024 seconded by Legislator Clattenburg.

Clerk read Resolution 22

22. County Audit – March 27, 2024

Legislator Torrey motioned to adopt resolutions 22 seconded by Legislator Clattenburg followed by a roll call: 7 ayes, 0 nays and 2 (Yunker–26 and Dibble-25) absences for a total vote of 149.

Unfinished Business: None.

Adjournment: Chair Stein announced meeting stands adjourned at 5: 58 PM

RESOLUTION NO. 123 AGREEMENT–TREASURER/AIRBNB–APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the County of Genesee has adopted a local law requiring an occupancy tax to be collected at certain facilities which provide lodging on an overnight basis, and

WHEREAS, Airbnb provides an internet based booking platform that processes transactions within the County which would be liable for the occupancy tax, and

WHEREAS, the Genesee County Treasurer recommends entering into an agreement with Airbnb to have Airbnb collect and remit the occupancy tax on behalf of facilities within the County that provide overnight lodging on their platform, and

WHEREAS, the Committee on Ways and Means has reviewed the agreement and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer hereby is authorized and directed to sign the agreement with Airbnb, Inc. for the collection and remission of occupancy tax in accordance with the County of Genesee's Occupancy Tax local law.

Budget Impact: Additional occupancy tax revenues are anticipated.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 124

**AWARD OF RFP–COUNTY MANAGER/HOUSING
SUPPORT & CONSULTING SERVICES – APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County does retain housing consultant services on behalf of the Genesee Region Housing Initiatives Committee (HIC), and

WHEREAS, the County issued RFP 2023-118 for the provision of Housing Support and Consulting Services, and

WHEREAS, the proposals received were reviewed by a committee consisting of the Deputy County Manager, the Planning Director and Chairperson of the Genesee Region HIC and the committee does recommend contracting with PathStone Corporation, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a two year agreement with Pathstone Corporation, 400 East Avenue, Rochester, New York for the provision of Housing Support and Consultant Services for the period January 1, 2024 through December 31, 2025 with a provision of three additional one-year periods of renewal under the same terms and conditions upon mutual agreement.

Budget Impact: Anticipated expenses in the amount of \$12,150 have been included in the 2024 A.8989 Home & Community budget. Anticipated expenses for year two of the agreement shall be included in the 2025 A.8989 budget.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 125

**CONTRACT-SELF-INSURANCE/ AUDITING
SERVICES–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Mutual Self-Insurance Plan is committed to providing the best possible service to all participants of the plan at a fair and equitable cost, and

WHEREAS, the Deputy County Manager did present an agreement with Signal Risk Management for auditing services specific to the Genesee County Mutual Self-Insurance Plan, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documentation to the contract with Signal Risk Management, 14 Redwood Court, Rensselaer, New York 12144, for the provision of Auditing Services, for the period of April

1, 2024, at a cost of \$3,800 and will remain in force until the Plan's 2024 excess insurance policy's final premium calculation endorsement.

Budget Impact: \$3,800 anticipated expenditure to the Self-Insurance budget and apportioned to plan participants.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 126 **CONTRACT AWARD/BUDGET TRANSFER-
COMPENSATION CONSULTATION SERVICES –
EVERGREEN SOLUTIONS, LLC. - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County did issue Request for Proposals #2024-104 seeking compensation consultation services to review the County's current compensation structure and provide recommendations for an ongoing compensation plan and sustained market competitiveness, and

WHEREAS, a selection committee reviewed the proposals and has recommended the award of services to Evergreen Solutions, LLC at a cost not to exceed \$75,500, and

WHEREAS, an amount equal to \$20,000 was included in the 2024 budget in anticipation of the Request for Proposals. A budget transfer is necessary to cover the additional amount of \$55,500, and

WHEREAS, the Ways and Means Committee did review this recommendation and does concur.

Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Evergreen Solutions, LLC, 2528 Barrington Circle, Unit 201, Tallahassee, Florida 32308 for compensation consultation services at a cost not to exceed \$75,500, and Be it further

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

 \$55,500 FROM A.1990.4800.0000, Contingency – Program Expense

 \$55,500 TO A.1435.4660.0000, Collective Bargaining, Contracted-Other

Budget Impact: \$20,000 was included in the 2024 Budget. \$55,500 will be transferred from the Contingency Fund leaving a balance of \$144,500 in regular contingency.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 127 **CONTRACT ADDENDUM-SMRT ARCHITECTS
AND ENGINEERS – GENESEE COUNTY JAIL
PROJECT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution 71 duly adopted February 27, 2019, did award SMRT Architects and Engineers a contract for architectural and engineering planning, design, and construction administration services as outlined in RFP 2018-106 for the Genesee County Jail Project, and

WHEREAS, an addendum to the contract is needed to include 911 Center construction administration and telecommunication design services required to fit out the backup 911 center, and

WHEREAS, the Ways and Means Committee has reviewed the addendum and does recommend approval at this time. Now, therefore be it

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to execute a contract addendum with SMRP Architects and Engineers, PC, 11 Century Hill Drive, Suite 207, Latham, New York 12110 in the amount not to exceed \$9,500 for backup 911 Center construction administration services and telecommunication design services as outlined in the addendum and will

be executed subject to the terms and conditions described in the existing AIA B132 contract between Genesee County and SMRT Architects and Engineers, PC dated February 27, 2019

Budget Impact: Funding for these services will come from the existing Jail Capital Project.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes

RESOLUTION NO. 128

**BUDGET AMENDMENT – SHERIFF’S OFFICE
/COMMUNICATIONS /RADIO CONSOLES –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, three additional radio consoles are needed to outfit workstations added to the 911 Dispatch Center, and

WHEREAS, there are unappropriated funds available in the SI2021 Statewide Interoperable Communications Grant Funding, and

WHEREAS, the Sheriff is requesting a 2024 budget amendment to use \$180,000 of the funds available to purchase the radio consoles, 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 2024 budget by increasing Communications 2024 appropriations as follows:

\$180,000 to A3020.4660.SICG (Contractual Other SICG)

To be offset by increasing the following revenue account:

\$180,000 to A3020.3390.SICG (State Aid – SICG)

Budget Impact: Increase in Communications 2024 appropriations in the amount of \$180,000 to cover the cost of three new radio consoles, offset by revenue from SI2021 SICG funding in a like amount.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 129

**SURPLUS PROPERTY–SHERIFF’S OFFICE/2005
FORD ECONOLINE TRANSPORT VAN–APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, it has been determined that the Genesee County Sheriff’s Office old transport van’s (Vehicle Identification Number 1FBNE31L95HB37467) condition has severely deteriorated, therefore, the Genesee County Sheriff would like this item to be declared surplus and disposed of through auction, 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 2005 Ford Econoline 12-passenger transport van with Vehicle Identification Number 1FBNE31L95HB37467 surplus property to be disposed of through the auction process, and be it further,

RESOLVED, that the proceeds from the sale of this vehicle will be turned over to the County Treasurer.

Budget Impact: None.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 130

**BUDGET AMENDMENT–SHERIFF’S OFFICE/NOISE
FLASH DIVERSIONARY DEVICE (NFDD) DELIVERY
SYSTEM–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Sheriff's Office wishes to purchase a Noise Flash Diversionary Device (NFDD) delivery system to be used by the joint City of Batavia / Genesee County Emergency Response Team (ERT), and

WHEREAS, this equipment is only sold by a sole source at a cost of \$2,570, with funds available in the State Restricted Fund Account (A899.3), and

WHEREAS, the Sheriff has requested a budget amendment to transfer funds to cover this expense, and

WHEREAS, the Committees on Public Service and Ways & 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 make the following budget amendment:

\$2,570 to Sheriff's Account A3110.2030.0030 (Equipment)

Offset by increasing Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds) by \$2,570, with funds to come from Account A899.3 (State Restricted Fund)

Budget Impact: Increase in Sheriff's appropriations of \$2,570 to A3110.2030.0030 (Equipment) to be offset by an increase in Sheriff's Revenue Account A3110.2626 (Forfeiture of Crime Proceeds) by \$2,570, with funds to come from Account A899.3 (State Restricted Fund)

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 131

APPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, a vacancy does exist on the Genesee County Planning Board due to the resignation of Candace Hensel of the Town of Byron (District #2), 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. Joshua D. Kent of Byron, NY (District #2) is hereby appointed to the Genesee County Planning Board for a term effective immediately and through May 31, 2027.

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

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 132

2024 BUDGET TRANSFER-GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Recycling Administrator has requested a budget transfer to address a deficit in the budget for reimbursement of Ms. Peggy Grayson's Medicare expenses, and

WHEREAS, additional funds are necessary for the remainder of 2024 to cover the quarterly reimbursements, and

WHEREAS, the Recycling Administrator recommends using funds budgeted in the Contingency account to cover the expenses, and

WHEREAS, the Committees of Public Service and Ways and Means do concur with this recommendation. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to make the following 2024 budget transfer:

\$300.00 from A.8090 4800.0900 Contingency

\$300.00 to A.8090 8030.0000 Medical

Budget Impact: Funds are available in the Contingency fund. Balance of Contingency after this transaction = \$700.00.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 133

CONSULTANT AGREEMENT–AIRPORT/ REPLACE TAXIWAY C AND E LIGHTING AND SIGNAGE DESIGN-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has been awarded a grant from the Federal Aviation Administration for the design of the replacement of the lighting and signage along taxiways C and E at the County Airport, and

WHEREAS, Genesee County has received a proposal from C&S Engineers to execute this work, and

WHEREAS, the Genesee County Highway Superintendent has reviewed this proposal and does recommend approval at this time, and

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

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with C&S Engineers, 499 Col. Eileen Collins Blvd, Syracuse, NY 13212 for the design of the replacement of the lighting and signage along taxiways C and E at the County Airport at cost not to exceed \$85,000.

Budget Impact: The consultant agreement is for \$85,000. The agreement is contingent upon receipt of federal and state grants as well as the creation of a capital project. The capital project will be established for this project once federal grants are offered, which is funded with 90% Federal Aid and 5% State Aid with a 5% local match.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 134

CONSULTANT AGREEMENT – AIRPORT/ REPLACE RUNWAY 10-28 LIGHTING AND SIGNAGE (CA/CI) - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has been awarded a grant from the Federal Aviation Administration for the construction administration and inspection of the replacement of the runway 10/28 lighting and signage at the County Airport, and

WHEREAS, Genesee County has received a proposal from C&S Engineers to execute this work, and

WHEREAS, the Genesee County Highway Superintendent has reviewed this proposal and does recommend approval at this time, and

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

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with C&S Engineers, 499 Col. Eileen Collins Blvd, Syracuse, NY 13212 for the construction administration and inspection of the replacement of the runway 10/28 lighting and signage at the County Airport at cost not to exceed \$215,000.

Budget Impact: The consultant agreement is for \$215,000. The agreement is contingent upon receipt of federal and state grants as well as the creation of a capital project for this construction. The capital project will be established for this project once federal grants are offered, which is funded with 90% Federal Aid and 5% State Aid with a 5% local match.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 135

REAPPOINTMENT – PARKS, RECREATION AND FORESTRY ADVISORY COMMITTEE - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the term of office for one member of the Genesee County Parks, Recreation and Forestry Advisory Committee will expire on March 31, 2024 and he has expressed an interest and desire to serve another 3 year term, and

WHEREAS, the Committees on Public Service and Ways and Means does recommend that the reappointment 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, 2024 through March 31, 2027:

George Squires Town of Byron District #2

Budget Impact: None

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 136

RESCIND RESOLUTION #33-2024 – HIGHWAY /AWARD OF BID/ASSET ACQUISITION/6 X 4 DUMP TRUCK – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Highway Superintendent awarded bids to vendors piggybacking off the Onondaga County bid, and

WHEREAS, the vendors misquoted the specified equipment and longer wish to honor the Onondaga County contract, and

WHEREAS, the Genesee County Highway Superintendent, Purchasing Officer, and County Attorney have reviewed the situations and options for remedy, and

WHEREAS, the Genesee County Highway Superintendent recommends that the awards approved by Resolution #33-2024 be rescinded, and

WHEREAS, the Committees of Public Service Committee and Ways and Means has reviewed this request and concurs with this recommendation at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby rescind Resolution #33 of 2024.

Budget Impact: The funds allocated will be returned to 2024 Asset Acquisition in the amount of \$328,636. The Highway Superintendent will be researching other vendors and possible avenues of award.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 137

AWARD OF BID – HIGHWAY/ASSET ACQUISITION 6 x 4 DUMP TRUCK – APPROVAL OF

Legislator Clattenburg offered the following resolution:

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

WHEREAS, Cattaraugus County Bid Award #51-2023 provides for the piggyback purchase of dump trucks, and

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

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

RESOLVED, the Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused 2025 Western Star 47x Dump Truck from Fleet Maintenance, Inc. 67

Ransier Dr, West Seneca, NY 14224 in an amount not to exceed \$347,659 per Cattaraugus County Bid #51-2023 bid specifications.

Budget Impact: The equipment will be purchase using Asset Acquisition funds. Budgeted amount for this purchase is \$357,000 and the actual cost of the truck, body and snowplow equipment is \$347,659.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

**RESOLUTION NO. 138 CHANGE ORDER –GENESEE COUNTY JAIL-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the County Manager is authorizing additional work with Pike Construction Services, as part of the Genesee County Jail project, and

WHEREAS, the Committees of Public Service and Ways and Means did review this request and do concur with this recommendation at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature does hereby authorize a change order to Pike Construction Services in the amount of \$59,725.00 for costs related to the construction oversight for installing the backup 911 Center in the planned shell space in the Genesee County Jail. Budget Impact: This will be paid out of the new Jail Capital Project.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

**RESOLUTION NO. 139 2024 SALARY SCHEDULE AMENDMENT -DISTRICT
ATTORNEY/SALARY INCREASE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Manager did request an amendment in the 2024 Management Salary Schedule in accordance with the New York State Commission on Legislative, Judicial and Executive Compensation recommendations which mandates an increase in the full time District Attorney salary pursuant to Judiciary Law 183-a, which links judicial salaries with county district attorneys' salaries and requires district attorneys' salaries to be at least as high as the County Court Judge in the County, and

WHEREAS, New York State Supreme Court Justices are receiving a COLA increase on April 1, 2024, requiring Genesee County to increase the full time District Attorney's salary in accordance with NYS Judiciary Law 183-a , and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do concur with the County Manager's recommendation. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2024 Genesee County Management Salary Schedule by increasing the District Attorney's annual salary from \$200,355 to \$220,970, effective April 1, 2024. Budget Impact: Increased salary and benefit expenses totaling \$18,437.54 for 2024 will be covered by current vacancies in the department budget. There is no State funding in place for this State mandated increase.

Legislator Hawley seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

**RESOLUTION NO. 140 INTERMUNICIPAL AGREEMENT RENEWAL –
SHERIFF'S OFFICE/MONROE COUNTY
DEPARTMENT OF PUBLIC SAFETY CRIME
LABORATORY – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the current agreement for forensic laboratory services with Monroe County expired December 31, 2023; and

WHEREAS, the Sheriff did present an agreement renewal, approved by the County Attorney, for the time period of January 1, 2024, through December 31, 2024, at a cost of \$173,496 and

WHEREAS, it is recommended the County Legislature approve this agreement for this time period and cost, and

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

RESOLVED, that the Chair of the Genesee County Legislature is authorized and directed to execute the agreement between the County of Genesee and the County of Monroe for forensic laboratory services for the period of January 1, 2024, through December 31, 2024, at a cost of \$173,496.

Budget Impact: Appropriation of \$173,496 was included in the 2024 adopted budget for this contracted service.

Legislator Deleo seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 141 DONATION ACCEPTANCE - PARK/ INTERPRETIVE CENTER/ACORNS – APPROVAL OF

Legislator Maha offered the following resolution:

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

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

WHEREAS, the Committee of Public Service has reviewed this request and does concur with the recommendation at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to accept the \$7,476 grant from the ACORNS to be used to cover the costs of the Student Conservation Association Internship.

Budget Impact: this \$7,476 donation will directly fund a 40hr/wk. – 14 wk. internship that will be used by the County as a volunteer coordinator and environmental education assistant. This money was put into the 2024 budget; A7110 INTC 2705 Gifts and Donations.

Legislator Deleo seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 142 CONTRACT–GENESEEE COUNTY SOIL AND WATER CONSERVATION DISTRICT-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Public Service Committee as reviewed the proposed contract for 2024 between the County of Genesee and the Genesee County Soil and Water Conservation District and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract with the Genesee County Soil and Water Conservation District for a period beginning January 1, 2024 through December 31, 2024. Be it further

RESOLVED, that the sum of \$151,891 in regular funding and \$21,960 in additional funding to support an additional staff position for a total of \$173,851, shall be paid in regular installments, pursuant to the Agreement.

Budget Impact: Funding of \$173,851 has been included in the 2024 Budget.

Legislator Deleo seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 143 RESCUING EMERGENCY MEDICAL SERVICES – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, throughout the state, counties are contending with a shortage of Emergency Medical Services (EMS) personnel in their communities. Regardless of location, the counties are contending with this issue and the shortage of available personnel; and

WHEREAS, EMS providers across the state are in crisis due to rising costs and high demand for increasingly complex services; and

WHEREAS, Genesee County is being asked to fill growing gaps in EMS services, but does not have the resources, flexibility, or statutory authority to develop county-wide or publicly funded EMS programs; and

WHEREAS, EMS is a form of healthcare and is subject to the same escalating costs as the rest of the healthcare industry. Municipalities that operate EMS departments, or contract for services with those that do, feel the ongoing financial strain of these costs that are far outpacing inflation; and

WHEREAS, local governments' efforts to collaborate on joint EMS services across municipal and county boundaries are hindered by the current law, which prohibits counties and local municipalities from creating joint taxing districts for EMS services; and

WHEREAS, Genesee County urges the State Legislature to amend the General Municipal Law to allow flexibility within local governments to help solve the issues within the EMS crisis and to consider EMS as essential service; and

WHEREAS, Genesee County propels for a change in the current law by allowing for joint taxing districts, property tax exemptions, EMS Medicaid reimbursements, income and property tax credit, increase of tax income credit and patient transport on the Thruway for EMS services.

WHEREAS, the Committee of Public Service endorses this request and recommends approval at this time.

NOW, THEREFORE, BE IT RESOLVED the Genesee County Legislature is in full support of the New York State Association of Counties (NYSAC) "Rescuing Local Emergency Medical Services (EMS) Package" which consists of the following proposed state legislation and programs for Emergency Medical Services:

S.4020-B (Mayer) / A.3392-B (Otis): Special Taxing Districts & EMS Being Deemed an Essential Service This comprehensive legislative package allows special taxing districts to be created to fund EMS services. In addition, this legislation would recognize EMS as an essential service and provide reforms to the Emergency Medical Services Council;

S.5000 (May) / A.4077 (Lupardo): Property Tax Exemption for EMS Services. This legislation would remove EMS services from the real property tax cap, which would allow local municipalities to expand and better support their local EMS services. This measure is needed in the short-term while other solutions are being discussed;

S.8486 (Hinchev) / A.9102 (Kelles): Authorization of Reimbursement for Treatment in Place and Transportation to Alternative Destinations. This legislation authorizes Medicaid reimbursement to emergency medical services (EMS) agencies for providing Treatment in Place (TIP) to a patient at the point of response; as well as Transportation to an Alternate Provider (TAP), getting a patient to the most appropriate health care setting other than a hospital, such as a mental health clinic, rehabilitation facility or urgent care;

S.6630 (Mannion) / A.6274 (Barrett): Income Tax and Property Tax Credits. This legislation allows volunteer firefighters and ambulance workers to claim both state income and local property tax credits;

S.7286 (Martinez) / A.7524 (Thiele): Income Tax Credit Increase. This legislation increases the volunteer firefighters' and ambulance workers' personal income tax credit from \$200 to \$800 for eligible individuals and from \$400 to \$1,600 for eligible married joint filers;

S.3223 (Sanders) / A.9237 (Hevesi): Targeted Medicaid Rate Increase for EMS Providers. This bill would create a methodology for ambulance reimbursement under Medicaid that more closely approximates the cost of providing the service. Ambulances are required by law to pick everyone up, including Medicaid patients. It is unfair to require these ambulance companies to accept Medicaid

patients and then not fairly reimburse them for the costs of providing services to these patients;

S.6645 (Comrie) / A.6136 (Eachus): Thruway Permits for EMS Vehicles. This legislation requires the thruway authority to issue emergency services permits to EMS vehicles as is already done for fire vehicles, which would exempt EMS from being required to pay tolls while transporting patients on the NYS thruway.

BE IT FURTHER RESOLVED, that the Clerk of the Legislature of Genesee County shall forward copies of this resolution to New York State Governor Kathy Hochul, New York State Senate Majority Leader Andrea Stewart-Cousins, New York State Assembly Speaker Carl E. Heastie, New York State Senator George Borrello, New York State Assemblyman Stephen Hawley, New York State Association of Counties, Inter-County Association of Western New York and all others deemed necessary and proper.

Legislator Deleo seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

RESOLUTION NO. 144 COUNTY AUDIT–MARCH 27, 2024-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Legislator Clattenburg did review the following claims:

2024 General Fund	\$	1,204,734.70
2024 Highway		37,610.46
2024 Self Insurance		50.00
2024 Water Fund		199,442.25
DSS Abstracts		365,209.39
Capital Projects		
Sheriff/Jail – Jail Construction		773,765.52
Sheriff/ Jail – Jail Construction – Manuals		15,862.62
Airport – Replace Runway PAPI System		9,000.00
Airport – Runway Lighting & Signage Replacement		3,000.00
Airport – Pavement Management System		7,000.00
County Manager – Countywide Broadband Expansion		312.50
County Park – Water System Upgrade		204.95
Highway – Large Span Culverts		7,607.45
Highway – Richley Road over Murder Creek		20,423.70
Payroll – General		
March 22, 2024		2,072,758.87
Medicaid		
March 19, 2024		199,971.00
March 26, 2024		<u>199,971.00</u>
Total Audit	\$	5,116,924.41

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 Clattenburg seconded the resolution, which was adopted by 149 (Yunker-26 and Dibble-25 absent) votes.

Adjournment: Chair Stein announced meeting stands adjourned at 5: 58 PM.