

**SEVENTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, APRIL 24, 2024**

The Genesee County Legislature met in Regular Session on Wednesday, April 24, 2024 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Madam Chair Stein amended the agenda to add an executive session: Executive session under Public Officer Law § 105 f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Legislator Dibble motioned to approve the amended agenda seconded by Legislator Deleo.

Legislator Hawley offered to assist with the audit. The prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

Roll Call was taken to establish a quorum with 8 ayes, 0 nays and 1 (Clattenburg-18) absence.

Proclamations & Commendations: None.

Approval of Minutes: April 10, 2024 minutes stand approved by Madam Chair Stein.

Committee & Special Assignment Reports: Legislator Stein and Maha attended the ICAWNY in Elmira, NY hosted by Steuben County. Legislator Maha reported: the State budget has passed, attorney Patrick Cummings from NYSAC attended the meeting and discussed: AIM increase by 50 million (one time), Shared Services elimination, In-Rem, Cannabis – local laws, retail crime increase of 10 million due to this, a State task force will be implement to combat this issue. Also, Genesee County is hosting the next ICAWNY at Liberty Pumps in Bergen on May 10th. Registration is at 9:30 a.m. with program to start at 10 a.m. A tour will be conducted after lunch. Also, the new Jail dedication will be on May 10th at 2 p.m. Legislator Stein discussed the struggle of the budget, it has been in the past the Legislature vs. Governor. Previously, Gov. Cuomo wrote the bills and now the Legislature is doing it. Also, the Seneca gaming contract is up and negotiations have started. Onondaga County filed a lawsuit about even year elections, this county has the most pieces of the home rule in their county charter and they have the best chances to go against the State. Legislator Stein, acknowledged Patrick Cummings, the attorney for NYSAC who adds so much knowledge to the group. Stein, recognized Legislator Deleo's participation at the Youth Bureau Recognition and thanked Legislator Hawley for his hard work as well.

Communications & Petitions:

Travel Out-of-State: Mike Heale, Charles Dodson, Gary Patnode and Dwane Weatherrell with Emergency Management Service to Baltimore, MD for the 2024 International Hazardous Materials Conference. Total Cost \$13,914.68 fully grant funded. Legislator Hawley motioned to approve the request, seconded by Legislator Maha with a roll call taken of 8 ayes, 0 nays and 1 (Clattenburg-18) absence.

Legislator Comments: Several legislators attended Dr. James Sunser's retirement, it was a great event. 160 people attended.

County Manager Report: Deputy County Manager Ferringer mentioned recognition for the SRO's at the Youth Bureau Recognition Dinner this year. Ms. Ferringer attended the Workers Comp meeting with the Fire Advisory Board – to bridge the gaps; it was very productive and well received. Genesee Justice held an informative breakfast meeting for National Crime Victims Week, discussion of human trafficking. Awareness is important, the speakers made it clear that it is happening everywhere, including here. Lastly, there is a statewide campaign called No Empty Chair. It is to bring awareness of safety while teens drive to their proms.

Resolutions - Consent Agenda Items: Ways And Means:

Clerk read resolutions 1-14 of the Ways and Means Committee:

1. Grant Acceptance-Job Development Bureau/New York State Education Department for the 2024-2028 Core Rehabilitative Services Program
2. Amendment To Reporting Standard Work Day-New York State & Local Retirement System/Clerk Machine Technician
3. Contract And Budget Amendment–Website Development, Design And Maintenance /Granicus
4. Genesee County Policy GC-054-Public Access To Programs, Services & Activities
5. Genesee County Policy GC-055-Public Space Designation Of County Property
6. Appointment-Genesee County Planning Board/McCullough
7. Contracts Acceptance-Genesee County Public Defender/LABB/NYS ILS
8. Award Of Bids–Highway/Construction Materials
9. Special Event Request–Airport/Rotary Club Of Batavia, NY, Inc. Fly-In Breakfast
10. Grant Application–Countywide Water Program–2024 Northern Border Regional Commission Catalyst Program
11. Award Of Bid–Airport/Replace Runway Lighting And Signage
12. Grant Acceptance/Budget Amendment – JFCAC/NYS OCFS
13. MOU Approval–Sheriff/Genesee Justice/ Justice for Children Advocacy Center–YWCA of Genesee County, Inc.
14. Supporting Assembly Bill A.8374 and Senate Bill S.8958-Authorize Regional Planning Council’s Eligibility to Apply for Federal and/or State Grants

Legislator Klotzbach motioned to adopt resolution 1-14 seconded by Legislator Deleo followed by a roll call of 8 ayes, 0 nays and 1 (Clattenburg-18) absence for a total vote of 182.

Consent Agenda - Public Service Committee:

Clerk read resolution 15-17:

15. Grant Acceptance – Emergency Management Services/FY23 Hazardous Materials Emergency Preparedness (HMEP) Grant
16. Setting Public Hearing On Inclusion Of Viable Agricultural Land Into Agricultural District No. 1
17. Renewal Of Bids–Highway/Pavement Markings

Legislator Maha motioned to adopt resolutions 15-17, seconded by Legislator Dibble followed by a roll call of 8 ayes, 0 nays and 1 (Clattenburg-18) absence for a total vote of 182.

Non-Consent Items:

Clerk read Resolution 18

18. County Audit – April 24, 2024

Legislator Yunker motioned to adopt resolution 18, seconded by Legislator Hawley followed by a roll call of 8 ayes, 0 nays and 1 (Clattenburg-18) absence for a total vote of 182.

Unfinished Business: None.

Executive Session: Executive session under Public Officer Law § 105 f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Legislator Deleo motioned to enter into executive session at 5:50 p.m. seconded by Legislator Hawley. Legislator Hawley motioned to exit executive session at 6:10 p.m. seconded by Legislator Dibble.

Adjournment: Madam Chair Stein adjourned the meeting at 6:10 p.m.

**RESOLUTION NO. 165 GRANT ACCEPTANCE - JOB DEVELOPMENT
BUREAU/NEW YORK STATE EDUCATION
DEPARTMENT FOR THE 2024 - 2028 CORE
REHABILITATIVE SERVICES PROGRAM**

Legislator Klotzbach offered the following resolutions:

WHEREAS, the Genesee County Job Development Bureau has been approved by the New York State Education Department as a grant recipient to provide Core Rehabilitative Services. The grant is a multi-year agreement with a performance based budget for an estimated value of \$368,006.00, and **WHEREAS**, the Genesee County Job Development Bureau has entered into contracts with the New York State Education Department in order to receive these funds, and

WHEREAS, the committee of Ways and Means does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby authorizes the Chairperson of the Genesee County Legislature to sign said contract with the New York State Education Department located at 89 Washington Avenue, Room 503W-EB Albany, New York 12234 in order for the Job Development Bureau to provide Core Rehabilitative Services.

Budget Impact: The grant is a five-year agreement; 1/1/24 – 12/31/24 \$69,316.00, 1/1/25 – 12/31/25 \$71,395.00, 1/1/26 – 12/31/26 \$73,537.00, 1/1/27 – 12/31/27 \$75,743.00, 1/1/28 – 12/31/28 \$78,015.00.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 166 **AMENDMENT TO REPORTING STANDARD WORK DAY-NEW YORK STATE & LOCAL RETIREMENT SYSTEM/CLERK MACHINE TECHNICIAN - APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, an error was located on resolution 7-2024 Reporting Standard Work Day for Genesee County Employees – New York State and Local Retirement System under Clerk Machine Technician, and

WHEREAS, the resolution listed the position at a 7.5 hour standard work day and the position should be at a 6.0 hour standard work day, and

WHEREAS, the Human Resource Director and Deputy County Treasurer concur this correction is appropriate and requested to amend, and

WHEREAS, the committee of Ways and Means does recommend approval at this time. Now, therefore, be it

RESOLVED, that Genesee County hereby establish the following as standard workday for its employees and will report days worked to the New York State and Local Retirement System based on the time keeping system. Be it further,

RESOLVED, the Treasurer’s Office will report to New York State and Local Retirement the correct standard workday for Clerk/Machine Technician, retroactive from January 2024. Legislator Deleo seconded the resolution, which was adopt by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 167 **CONTRACT AND BUDGET AMENDMENT–WEBSITE DEVELOPMENT, DESIGN AND MAINTENANCE/ GRANICUS – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, Genesee County issued RFP #2023-108 for Website Development, Design, and Maintenance, and

WHEREAS, resolution 310 was duly adopted on August 16, 2023 awarding the Website Development, Design and Maintenance contract to Granicus, and

WHEREAS, a management software called Peak Agenda was included in the Website Development, Design and Maintenance, and

WHEREAS, in December 2023 Peak Agenda initiated training, by the end of January 2024, after thorough testing, it was determined, additional functionality was needed for efficiency, and

WHEREAS, Granicus offered an alternative solution to pivot to a different software called OneMeeting that better meets the needs of the County, and

WHEREAS to implement One Meeting there is a one-time, up-front cost of \$3,824.10 and an additional annual fee of \$4,337.90 totaling \$8,162 to be transferred from contingency-program expense account, and

WHEREAS, the Ways and Means Committee has reviewed the recommendation and does concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized to transfer \$8,162 from the A.1990.4800.0000 Contingency - Program Expense to A.1230.4160.0010 – County Manager - Software Licensing. Be it Further

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to execute the first amendment to the Granicus contract, 408 St. Peter Street. Suite 600, Saint Paul, MN, 55102. The contract may then be renewed for three additional one-year periods upon mutual written consent of both parties and in the best interest of Genesee County.

Budget Impact: Future annual maintenance costs for the Website Development, Design and Maintenance which includes OneMeeting is \$39,080.45 in year two, \$41,816.08 in year three, \$44,743.21 in year four, \$47,875.23 in year five will be included in the IT budget. The regular contingency balance is: \$191,838.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 168

GENESEE COUNTY POLICY GC-054-PUBLIC

**ACCESS TO PROGRAMS, SERVICES & ACTIVITIES-
ADOPTION OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, policy GC-054 *Public Access to Programs, Services & Activities* establishes guidelines and compliance with Title II of the Americans with Disabilities Act (ADA), and

WHEREAS, the County Manager and Policy & Procedure Committee did carefully review GC-054 *Public Access to Programs, Services & Activities* and recommends adoption, and

WHEREAS, the Ways & Means Committee did review GC-054 *Public Access to Programs, Services & Activities* Policy and does recommend approval and adoption at this time. Now therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve and adopt GC-054 *Public Access to Programs, Services & Activities* Policy.

Budget Impact: None

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 169

GENESEE COUNTY POLICY GC-055-PUBLIC SPACE

**DESIGNATION OF COUNTY PROPERTY-ADOPTION
OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, Genesee County is committed to protecting the rights of citizens under the First Amendment of the United States Constitution while implementing policies that protect the health, safety and personal privacy of its customers and employees, and

WHEREAS, policy GC-055 *Public Space Designation of County Property* establishes guidelines for the County to appropriately delineate County property that is observable and accessible to the general public from that which has limited accessibility, and

WHEREAS, the County Manager, County Attorney and Policy & Procedure Committee did carefully review GC-055 *Public Space Designation of County Property* and recommends adoption, and

WHEREAS, the Ways & Means Committee did review GC-055 *Public Space Designation of County Property* Policy and does recommend approval and adoption at this time. Now therefore, be it

the specifications for each item and as budgeted for within the 2024 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 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 Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

**RESOLUTION NO. 173 SPECIAL EVENT REQUEST–AIRPORT/ROTARY
CLUB OF BATAVIA, NY, INC. FLY-IN BREAKFAST –
APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, the Genesee County Legislature did receive a request from the Rotary Club of Batavia, NY, Inc. to hold a Fly-In Breakfast at the Genesee County Airport on Sunday, June 16, 2024, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Rotary Club of Batavia, NY, Inc. for access to and use of the Genesee County Airport on June 14-18, 2024 subject to the rules and regulations of the Genesee County Airport to conduct a public Fly-In Pancake Breakfast on June 16, 2024.

Budget Impact: Minimal utility expense offset by Rotary Club promotion of Airport and increased fuel sales.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

**RESOLUTION NO. 174 GRANT APPLICATION–COUNTYWIDE WATER
PROGRAM–2024 NORTHERN BORDER REGIONAL
COMMISSION CATALYST PROGRAM – SUPPORT
AND AUTHORIZATION TO APPLY**

Legislator Klotzbach offered the following resolution:

WHEREAS, Genesee County supports the submission of a 2024 Catalyst Program grant to construct approximately 10,000 linear feet of 36-inch ductile iron pipe transmission main on Prole Road in the Towns of Batavia and Stafford; and

WHEREAS, the Northern Border Regional Commission (NBRC) provides a competitive Catalyst Program to assist with the construction of this water infrastructure project, 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, the County Legislature hereby identifies Rochelle Stein, Legislative Chair, as the authorized representative for the project able to execute the NBRC Catalyst application; and upon award of funding, execute all NBRC investment documents that bind the County relative to and as required for this application and award; and be it further

RESOLVED, the County Legislature does hereby authorize and obligate local matching funds of the minimum 20% of the total grant funding awarded in the form of in-kind services or cash contribution; and be it further

RESOLVED, that Genesee County recognizes and fully supports the submission of the 2024 Catalyst Program application to construct the Prole Road Water Transmission Main in the Towns of Batavia and Stafford.

Budget Impact: The total maximum award permitted under the 2024 NBRC Catalyst program is \$1 million. The estimated cost of the Prole Road Water Transmission Main Project is \$10.3 million and will be funded from the water fund and or future MCWA borrowing.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

**RESOLUTION NO. 175 AWARD OF BID – AIRPORT/REPLACE RUNWAY
LIGHTING AND SIGNAGE – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, Genesee County is expecting a federal aid grant to replace runway lighting and signage at the Genesee County Airport, and

WHEREAS, Genesee County advertised bid specifications for the construction of this project and received two competitive bids, and

WHEREAS, the Genesee County Highway Superintendent and C&S Engineers have reviewed the bids to determine 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, that the Genesee County Legislature is hereby authorized and directed to enter into a construction contract with Baseline King Corporation, 111 Liberty Lane, Barneveld, NY in the amount of \$692,978.50, and be it further

RESOLVED, that the award of these contracts is contingent upon the successful receipt of a Federal Aviation Administration grant to fund the work.

Budget Impact: The lowest responsible bid is \$692,978.50 which was 32.7% below the engineer's estimate of \$1,030,000.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

**RESOLUTION NO. 176 GRANT ACCEPTANCE/BUDGET AMENDMENT-
JUSTICE FOR CHILDREN ADVOCACY CENTER/
NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES–APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, the Justice for Children Advocacy Center has been selected to receive a \$18,000 grant award from the New York State Office of Children and Family Services to be utilized for the multi-disciplinary team (MDT-CAC Program) for a term that runs from March 1, 2024 through September 30, 2024, and

WHEREAS, the Undersheriff is requesting acceptance of these grant funds and an amendment to the 2024 budget, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and do approve this request at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to accept the New York State Office of Children and Family Services grant funding for the period of March 1, 2024 through September 30, 2024, in the amount of \$18,000, and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget as follows:

Increase the following revenue account:

\$18,000 to A.3152 3323 (St Aid-Dss/Just Fr Childn)

To be offset by increasing the following expense accounts:

\$3,000 to A.3152 4660.0000 (Contracted-Other)

\$6,000 to A.3152 4800.0000 (Program Expense)

\$4,000 to A.3152 8020.0000 (Retirement)

\$5,000 to A.3152 8030.0000 (Medical)

Budget Impact: Acceptance of the New York State Office of Children and Family Services grant in the amount of \$18,000 to be used as a funding source for the CAC MDT (Multi-Disciplinary Team) program.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 177

**MOU APPROVAL–SHERIFF/GENESEE JUSTICE/
JUSTICE FOR CHILDREN ADVOCACY CENTER–
YWCA OF GENESEE COUNTY, INC. – APPROVAL
OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, the YWCA of Genesee County Inc. is submitting an application for the Office of Violence Against Women Fiscal Year 2024 Rural Domestic Violence, Dating Violence, Sexual Assault, and Stalking program grant (10/1/24-9/30/27), and

WHEREAS, Genesee Justice and the Justice for Children Advocacy Center seek to enter into a Memorandum of Understanding (MOU) with the YWCA of Genesee County, Inc. to provide advocacy and referrals under the grant, and

WHEREAS, Genesee Justice and the Justice for Children Advocacy Center can provide advocacy and referrals for adults in need of counseling services due to dating violence, sexual assault, human trafficking and stalking, and children in need of crisis counseling services, or trauma counseling services when a wait list exists, due to domestic violence, sexual assault, and stalking, and

WHEREAS, Genesee Justice and the Justice for Children Advocacy Center is seeking authorization to sign the MOU, and that upon notification of the grant award, a grant acceptance and budget amendment Resolution will be presented to the Legislature for further action. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize the Genesee County Undersheriff, Genesee Justice Program Coordinator and the Justice for Children Advocacy Center Program Coordinator to sign the YWCA Memorandum of Understanding located at 301 North Street, Batavia, New York 14020.

Budget Impact: none at this time.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 178

**SUPPORTING ASSEMBLY BILL A.8374 AND SENATE
BILL S.8958-AUTHORIZE REGIONAL PLANNING
COUNCIL'S ELIGIBILITY TO APPLY FOR FEDERAL
AND/OR STATE GRANTS – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, the Genesee County Legislature recognizes the importance of Federal and State grants; and

WHEREAS, New York State Association of Regional Planning Councils (NYSARC) is composed of nine locally created regional councils throughout New York State dedicated to studying the needs and conditions of a region and developing strategies that enhance its member counties through intergovernmental cooperation; and

WHEREAS, under the current law, Articles 12-B, Section 239-G and 239-H of the New York State General Municipal Law give affiliated municipalities the legal authority to create regional planning boards/councils. The law states; regional planning councils serve as an increasingly important resource to the state and its localities, helping to establish productive linkages between communities as well as with state and federal agencies; and

WHEREAS, currently, regional planning councils are eligible for some state and federal funds. However, there are many state and federal programs that they are ineligible for; and

WHEREAS, one of the key issues being when new state grant programs are conceived, and eligibility established, regional planning councils are often left out and certain legacy state grants continue to leave regional planning boards out; and

WHEREAS, Genesee Finger Lakes Regional Planning Council provides forums for discussion, debate, and consensus building, and develops and implements a focused action plan with clearly define outcomes which include programs, personnel and funding which continues to be extremely important to our communities; and

WHEREAS, State and Federal grant assistance would increase opportunities for Genesee County and the Finger Lakes Region; and

WHEREAS, Assembly Bill A.8374 McDonald and Senate Bill S.8958 authorizes regional planning council's (RPC) eligibility for federal and/or state grants; and

WHEREAS, the provisions outlined in the bill, if enacted, ensure regional planning councils can more effectively accomplish the intermunicipal (or regional) purpose for which they were created by the counties which they serve. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby supports New York State Assembly Bill A.8374 and Senate Bill S.8958 in its current form. Be it further

RESOLVED, that a copy of this resolution be transmitted to the Governor Kathy Hochul, Andrea Stewart-Cousins the Majority Leader and Robert Ortz the Minority Leader of the New York State Senate, Assembly members Crystal Peoples-Stokes and Carl Heastie, the Speaker of the New York State Assembly, Senator George Borrello, Assemblyman Stephen Hawley, Members of Inter-County Association of Western New York and any other person or organization deemed necessary.

Legislator Deleo seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

**RESOLUTION NO. 179 GRANT ACCEPTANCE – EMERGENCY
MANAGEMENT SERVICES/FY23 HAZARDOUS
MATERIALS EMERGENCY PREPAREDNESS (HMEP)
GRANT-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Emergency Management Services Coordinator requests authorization to accept the FY23 Hazardous Materials Emergency Preparedness (HMEP) Grant Program award in the amount of \$16,000.00 provided by the U.S Department of Transportation (DOT), Pipeline and Hazardous Security and Emergency Services (DHSES), and

WHEREAS, this allocation, awarded to the Western Region HazMat Consortium (Genesee, Monroe, Livingston, Orleans and Wyoming counties) is to be administered by Genesee County and requires a local match of \$4,000 to be met through in-kind services, and

WHEREAS, the HMEP grant program prioritizes efforts that lead to the prevention of serious hazmat transportation related incidents, principally those of high consequences to people and the environment, and

WHEREAS, the Committee on Public Service does concur with the Emergency Management Services Coordinator's recommendation. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services (DHSES), 1220 Washington Avenue, Building 7A, Albany, NY 12242 for the acceptance of FY 2023 Hazardous Materials Emergency Preparedness (HMEP) Grant - (December 13, 2023 through December 31, 2024) and to execute any and all other documentation related to this funding.

Budget Impact: No County cost. Grant funds in the amount of \$16,000.00 will be appropriated in the 2024 Emergency Management Services (EMS) budget. (Appropriation Account A.3640.4800.0503 offset by Revenue Account. A.3640.4305.1000)

Legislator Dibble seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

**RESOLUTION NO. 180 SETTING PUBLIC HEARING ON INCLUSION OF
VARIABLE AGRICULTURAL LAND INTO
AGRICULTURAL DISTRICT NO. 1-APPROVAL OF**

Legislator Maha 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 26th to February 24th, and

WHEREAS, during the 2024 Annual Enrollment Period one parcel in the Town of Batavia (Tax Map Parcel No. 18.-1-73) was requested to be included into Agricultural District No. 1, 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 request to be included into Agricultural District No. 1 on Wednesday, May 8, 2024 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 Dibble seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 181 RENEWAL OF BIDS–HIGHWAY/PAVEMENT MARKINGS–APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent had previously advertised for bids and awarded a contract for the application of Pavement Markings, and

WHEREAS, the contractors and the Highway Superintendent mutual agree to renew the terms of the current agreement as allowed for under the original request for bid, and

WHEREAS, the Highway Superintendent does recommend renewing the contract at this time, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to renew a contract with Seneca Pavement Markings, Inc., 23 Hunters Run, Horseheads, NY 14845 for the application of pavement markings as bid under Item Groups A and B, as per specifications, effective June 1, 2024 through May 31, 2025 in an amount not to exceed budgeted amounts, and be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to renew a contract with Accent Stripe, Inc., 3275 North Benzing Rd, Orchard Park, NY 14127 for the application of epoxy pavement markings as bid under Item Groups C as per specifications, effective June 1, 2024 through May 31, 2025 in an amount not to exceed budgeted amounts.

Budget Impact: The renewal locks in bid pricing received in 2023. The 2024 County Road Fund includes \$284,890 for pavement marking of all county roads.

Legislator Dibble seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes.

RESOLUTION NO. 182 COUNTY AUDIT–APRIL 24, 2024-APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, Legislator Stein did review the following claims:

2024 General Fund	1,522,948.99
2024 General Fund – Sales Tax Distribution	4,246,036.05
2024 Highway	397,501.05
2024 Self Insurance	500.58
2024 Water Fund	231,431.37
DSS Abstracts	667,369.30

Capital Projects

Sheriff/Jail – Jail Construction	621,470.37
Sheriff – Dispatch Center Console Furniture	5,828.66
County Manager – Building Security Upgrades	18,733.70
Facilities Management – Engine House Renovations	77,500.00
GCC – Arts Center Connector Replacement	2,766.33
Highway – Large Span Culverts	3,060.00
Highway – County Road 50 (Perry Road)	5,600.00
Highway – Rose Road over Bowen Creek	16,218.87

Payroll – General

April 19, 2024	2,082,682.82
Medicaid	
April 16, 2024	181,406.00
April 23, 2024	<u>181,406.00</u>
Total Audit	\$ 10,262,460.09

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 Hawley seconded the resolution, which was adopted by 182 (Clattenburg absent-18) votes. Madam Chair Stein adjourned the meeting at 6:10 p.m.

CERTIFICATION OF THE CLERK
STATE OF NEW YORK, County of Genesee, ss:
I, Lisa K. Casey hereby certify that the foregoing is a true
report of the Genesee County Legislature on Wednesday,
April 24, 2024, at 5:30 P.M., typographical errors excepted.

Lisa K. Casey