

## **SEVENTH DAY**

### **GENESEE COUNTY LEGISLATURE**

**WEDNESDAY, APRIL 27, 2022 AT 5:30 PM**

**OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY**

The Genesee County Legislature met in Regular Session on Wednesday, April 27, 2022 at 5:30 p.m. in the Legislature Chamber of the Old Court House. Zoom video conferencing was made available. Legislator/Vice Chair Clattenburg opened the meeting. Legislator Dibble offered to assist with the audit. The prayer was offered by Legislator Hawley followed by the Pledge to the Flag. Clerk of the Legislature announced the following: Proclamations & Commendations

National Crime Victims' Rights Week – April 24-30, 2022 – Legislator Deleo presented to Theresa Roth and Diana Prinzi, Sheriff Sheron and Undersheriff Mazur . National County Government Month “Counties Thrive” – April 2022 – Legislator Hawley presented to County Manager Matt Landers and members of his Staff.

National Correctional Officers' Week – May 1-7, 2022 – Legislator Maha presented to Undersheriff Mazur, Sheriff Sheron and three correctional officers.

Minutes of the April 13, 2022 were amended to state Phase 3 is in the amount of upwards of \$135 Million not \$35 Million. This amendment motioned by Legislator Deleo and Seconded by Torrey, carried. Approval of the minutes motioned by Legislator Dibble seconded by Legislator Maha, carried unanimously.

Committee & Special Assignment Reports: Legislator Maha reported Inter-County Association of Western New York met and discussed 2023 State Budget, it was a productive meeting. Legislator Maha and a few other Legislators attended the Criminal Justice Day event. Legislator Clattenburg attended the Holland Land Meeting. Legislator Yunker attended the GAM meeting where water and broadband was the discussion.

Travel Out-of-State: Information Technology – Extreme Connect 2022: Adam Doktor \$2,744. Motioned by Legislator Yunker and seconded by Legislator Deleo, carried unanimously.

Emergency Management Services - 2022 National Homeland Security Conference

-Tim Yaeger \$2,802 (Grant Funded). Motioned by Legislator Maha and seconded by Legislator Dibble, carried unanimously.

County Manager Landers spoke on the tragic accident of the Helicopter Crash on Tuesday, April 26, 2022. Two Mercy Flight employees lost to the crash.

Also, the County received revenue in the amount of \$1.4 Million from New York State which was the County's portion of what the State received from the Seneca Nation Casino revenue.

Madam Vice Chair announced and opened two public hearings:

1. New York State Office of Community Renewal and Community Development Block Grant Funding/Fair Housing OPEN AT 5:54 P.M.
2. New York State Office of Community Renewal/For Community Development Block Grant Funding/La Fermiere Inc. OPEN AT 5:54 PM.

Madam Vice Chair Clattenburg called for a Consent Agenda for Genesee County Legislature per the adopted rules #18 on March 9, 2022. Ways and Means Committee Chair/Legislator Clattenburg referred resolutions to be placed on the consent agenda. Legislator Torrey motioned for adoption, Legislator Hawley seconded, carried unanimously for resolutions 1-16. Legislature Clerk read resolution titles 1 through 16. There were no resolutions requested to be removed.

**Ways and Means Committee:**

1. Appointment-GLOW Workforce Development Board/Robert Sotir
2. Appointment-Genesee County Planning Board/Derek Geib
3. 2022 Budget Amendment-Community Mental Health Services/Schuyler County Joins Membership Of Integrity Partners For Behavioral Health
4. Genesee County Sale of County Owned Property-Treasurer
5. 2022 Budget Amendment-Sheriff/Asset Acquisition/Vehicle Equipment
6. Budget Amendment-Water Fund/MRB Group Grant Writing
7. 2022 Salary Schedule Amendment-County Manager/Public Communications and Web Design Specialist
8. Salary Schedule Amendment/Budget Transfer-County Manager and Clerk of the Legislative Board/Clerk Typist
9. 2022 Hold Harmless Agreement-Genesee County and City of Batavia/Memorial Day Parade
10. 2022 Budget Amendment-District Attorney
11. Account Authorization-Public Defender/Greyhound Prepaid Ticket Order Charge Account
12. Agreement & Budget Amendment-Highway/ARPA Subrecipient Agreement with Town of Alexander for Water Construction Project
13. Change Order/Capital Project Amendment/Budget Amendment-Highway/Energy Performance Contract
14. Change Orders-Highway/Countywide Water Phase 2 – Well ‘C’ Contracts A & B
15. 2022 Budget Amendment-Highway/Water Fund
16. Surplus Equipment-Highway/Road Machinery

Roll call for resolution 1 through 16

|                |            |   |            |            |
|----------------|------------|---|------------|------------|
| 1-16           | Y          | N | simple     | 2/3        |
| 1. Klotzbach   | NA         |   | 28         | 42         |
| 2. Yunker      | X          |   | 45         | 55         |
| 3. Dibble      | x          |   | 43         | 51         |
| 4. Hawley      | 2          |   | 47         | 57         |
| 5. Stein       | NA         |   | 43         | 52         |
| 6. Torrey      | 1          |   | 38         | 45         |
| 7. Deleo       | X          |   | 26         | 38         |
| 8. Clattenburg | X          |   | 28         | 40         |
| 9. Maha        | X          |   | 28         | 40         |
| <b>TOTALS</b>  | <b>255</b> |   | <b>326</b> | <b>420</b> |
| Roll Call      |            |   |            |            |
| Approval       |            |   | 255        |            |

**Public Service Committee:**

1. Award of Bid-Sheriff/Vehicle Equipment & Installation/Gerber Collision and Glass
2. Contract Revisions-Sheriff/Wyoming County Prisoner Housing Contract
3. Software Amendment—Sheriff/Tyler Technologies Automated Secure Alarm Protocol (ASAP) Interface
4. Property Access Request –United States Department of Agriculture
5. Grant Award Acceptance-Justice for Children Advocacy Center/MDT/CAC Medical Component
6. Renewal of Contract-Justice for Children Advocacy Center/H2H Facility Services
7. Setting Public Hearing-New York State Agriculture and Markets/Inclusion of Viable Agricultural Land into Agricultural Districts No. 1

Legislator Maha motioned for adoption, Legislator Yunker seconded, carried unanimously for resolutions 17-23. Legislature Clerk read resolution titles 17 through 23. There were no resolutions requested to be removed.

| 17-23          | Y          | N | simple     | 2/3        |
|----------------|------------|---|------------|------------|
| 1. Klotzbach   | NA         |   | 28         | 42         |
| 2. Yunker      | 2          |   | 45         | 55         |
| 3. Dibble      | X          |   | 43         | 51         |
| 4. Hawley      | X          |   | 47         | 57         |
| 5. Stein       | NA         |   | 43         | 52         |
| 6. Torrey      | X          |   | 38         | 45         |
| 7. Deleo       | X          |   | 26         | 38         |
| 8. Clattenburg | X          |   | 28         | 40         |
| 9. Maha        | 1          |   | 28         | 40         |
| <b>TOTALS</b>  | <b>255</b> |   | <b>326</b> | <b>420</b> |
| Roll Call      |            |   | 255        |            |
| Approval       |            |   |            |            |

**NON-CONSENT ITEMS**

Resolution 24: ISSUANCE OF UP TO \$275 MILLION PRINCIPAL AMOUNT OF REVENUE BOND-GENESEE COUNTY FUNDING CORPORATION/ROCHESTER REGIONAL HEALTH PROJECT. LEGISLATOR TORREY OFFERED THE FOLLOWING RESOLUTION

Vice Chair: Legislator Deleo seconded

| 24             | Y          | N | simple     | 2/3        |
|----------------|------------|---|------------|------------|
| 1. Klotzbach   | NA         |   | 28         | 42         |
| 2. Yunker      | X          |   | 45         | 55         |
| 3. Dibble      | X          |   | 43         | 51         |
| 4. Hawley      | X          |   | 47         | 57         |
| 5. Stein       | NA         |   | 43         | 52         |
| 6. Torrey      | 1          |   | 38         | 45         |
| 7. Deleo       | 2          |   | 26         | 38         |
| 8. Clattenburg | X          |   | 28         | 40         |
| 9. Maha        | X          |   | 28         | 40         |
| <b>TOTALS</b>  | <b>255</b> |   | <b>326</b> | <b>420</b> |
| Roll Call      |            |   |            |            |
| Approval       |            |   | 255        |            |

**CLOSE PUBLIC HEARINGS:**

Public Hearings:

1. New York State Office of Community Renewal and Community Development Block Grant Funding/Fair Housing 6:02 P.M. No Speakers
2. New York State Office of Community Renewal/For Community Development Block Grant Funding/La Fermiere Inc. 6:02 P.M. No Speakers

Resolution 25: AUTHORIZATION TO SUBMIT A GRANT APPLICATION – GENESEE GATEWAY LOCAL DEVELOPMENT CORPORATION/NYSOCR FOR CDBG FUNDING. LEGISLATOR DIBBLE OFFERED THE FOLLOWING RESOLUTION

Vice Chair: Legislator Deleo seconded

| 25             | Y          | N | simple     | 2/3        |
|----------------|------------|---|------------|------------|
| 1. Klotzbach   | NA         |   | 28         | 42         |
| 2. Yunker      | X          |   | 45         | 55         |
| 3. Dibble      | 1          |   | 43         | 51         |
| 4. Hawley      | X          |   | 47         | 57         |
| 5. Stein       | NA         |   | 43         | 52         |
| 6. Torrey      | X          |   | 38         | 45         |
| 7. Deleo       | 2          |   | 26         | 38         |
| 8. Clattenburg | X          |   | 28         | 40         |
| 9. Maha        | X          |   | 28         | 40         |
| <b>TOTALS</b>  | <b>255</b> |   | <b>326</b> | <b>420</b> |
| Roll Call      |            |   |            |            |
| Approval       |            |   | 255        |            |

Resolution 26:

COUNTY AUDIT – APRIL 27, 2022 – APPROVAL OF.  
LEGISLATOR TORREY OFFERED THE FOLLOWING  
RESOLUTION:

Vice Chair: Legislator Dibble seconded

| 26             | Y          | N | simple     | 2/3        |
|----------------|------------|---|------------|------------|
| 1. Klotzbach   | NA         |   | 28         | 42         |
| 2. Yunker      | X          |   | 45         | 55         |
| 3. Dibble      | 2          |   | 43         | 51         |
| 4. Hawley      | X          |   | 47         | 57         |
| 5. Stein       | NA         |   | 43         | 52         |
| 6. Torrey      | 1          |   | 38         | 45         |
| 7. Deleo       | X          |   | 26         | 38         |
| 8. Clattenburg | X          |   | 28         | 40         |
| 9. Maha        | X          |   | 28         | 40         |
| <b>TOTALS</b>  | <b>255</b> |   | <b>326</b> | <b>420</b> |
| Roll Call      | 255        |   |            |            |
| Approval       |            |   | 255        |            |

**RULE 19:**

Legislator Deleo motion to suspend the rules to add a timely resolution for the creation of 2022 Management Salary Schedule Amendment/Appointment Of–Youth Bureau/Temporary Part-Time Executive Director seconded by Legislator Yunker.

| Rule 19        | Y   | N | simple     | 2/3        |
|----------------|-----|---|------------|------------|
| 1. Klotzbach   | n/a |   | 28         | N/A        |
| 2. Yunker      | 2   |   | 45         | 55         |
| 3. Dibble      | X   |   | 43         | 51         |
| 4. Hawley      | X   |   | 47         | 57         |
| 5. Stein       | n/a |   | 43         | N/A        |
| 6. Torrey      | X   |   | 38         | 45         |
| 7. Deleo       | 1   |   | 26         | 38         |
| 8. Clattenburg | X   |   | 28         | 40         |
| 9. Maha        | X   |   | 28         | 40         |
| <b>TOTALS</b>  |     |   | <b>326</b> | <b>420</b> |
| Roll Call      |     |   |            |            |
| Approval       |     |   |            | 326        |

Resolution 27:

2022 MANAGEMENT SALARY SCHEDULE  
AMENDMENT/APPOINTMENT OF – YOUTH  
BUREAU/TEMPORARY PART-TIME EXECUTIVE  
DIRECTOR – YOUTH BUREAU – APPROVAL OF.  
LEGISLATOR DELEO OFFERED THE FOLLOWING  
RESOLUTION:

Legislator Dibble seconded.

|                |    |   |            |            |
|----------------|----|---|------------|------------|
| 27             | Y  | N | simple     | 2/3        |
| 1. Klotzbach   | NA |   | 28         | N/A        |
| 2. Yunker      | X  |   | 45         | 55         |
| 3. Dibble      | 2  |   | 43         | 51         |
| 4. Hawley      | X  |   | 47         | 57         |
| 5. Stein       | NA |   | 43         | N/A        |
| 6. Torrey      | X  |   | 38         | 45         |
| 7. Deleo       | 1  |   | 26         | 38         |
| 8. Clattenburg | X  |   | 28         | 40         |
| 9. Maha        | X  |   | 28         | 40         |
| <b>TOTALS</b>  |    |   | <b>326</b> | <b>420</b> |
| Roll Call      |    |   |            |            |
| Approval       |    |   |            | 326        |

**RESOLUTION NO. 171**

**APPOINTMENTS TO THE GLOW  
WORKFORCE DEVELOPMENT BOARD  
MEMBERSHIP**

Legislator Torrey offered the following resolutions:

**WHEREAS**, the Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act of 2014, and

**WHEREAS**, the Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Workforce Development Board to administer and oversee the local Workforce Innovation and Opportunity System, and

**WHEREAS**, the Chief Elected officials are charged with the responsibility of soliciting and appointing members to this Workforce Development Board. Now, therefore, Be it

**RESOLVED**, that the Genesee County Legislature does hereby approve the following appointment to the GLOW Workforce Development Board:

Robert Sotir, Organizer for the Bricklayers and Allied Craftworkers Local 3 NY representing Labor Organizations and Apprenticeship for a term at the discretion of the GLOW CEO's.

**RESOLVED**, that the GLOW Workforce Development Board will be in effect until such time that the Workforce Innovation and Opportunity Act of 2014 is repealed.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 172**

**APPOINTMENT - GENESEE COUNTY PLANNING  
BOARD/DEREK GEIB - APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, a vacancy does exist on the Genesee County Planning Board due to the resignation of Richard Richmond II of the City of Batavia (District #8), 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. Derek Geib of Batavia, NY (District #8) is hereby appointed to the Genesee County Planning Board for a term effective April 27, 2022 through May 31, 2024.

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

Legislator Hawley seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 173**

**2022 BUDGET AMENDMENT-COMMUNITY  
MENTAL HEALTH SERVICES/SCHUYLER  
COUNTY JOINS MEMBERSHIP OF INTEGRITY  
PARTNERS FOR BEHAVIORAL HEALTH –  
APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, the Director of the Community Mental Health Services did request an amendment to the 2022 Western Region Consortium budget, and

**WHEREAS**, there is a signed agreement between Schuyler County and Genesee County on behalf of Integrity Partners for Behavioral Health to accept the initial buy-in for membership to this organization. The purpose for resolution number 444-2021 is for Schuyler County to become an official member of Integrity Partners for Behavioral Health, and

**WHEREAS**, the Legislature of Genesee County did approve this feasibility agreement in November 2021, Resolution 444, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget by

Increasing A.4315.1630 Voluntary Contributions by \$ 17,000.00

AND

Increasing A.4315.4590.0000 Membership Dues by \$ 17,000.00

**Budget Impact Statement:** Increasing the budget by \$17,000, offset by an increase in revenue received from Schuyler County.

Legislator Hawley seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 174**

**GENESEE COUNTY SALE OF COUNTY OWNED  
PROPERTY-TREASURER – RATIFICATION OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, Bontrager Real Estate and Auction Services, Inc., on behalf of Genesee County, conducted an online sale of county-owned property, ending Thursday, April 14, 2022, at 7:00 p.m., 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> |
|--------------------------------------|---------------|------------------|-------------|--------------|
| Tasha M. Madera & Pascual G. Navarro | #1            | 13.-1-22         | Oakfield    | \$1,750      |
| Jerome & LeAnn Brewster              | #3            | 3.-2-33          | Alexander   | \$14,500     |
| James LaPiana                        | #4            | 14.-1-34         | Elba        | \$2,250      |
| Gerald Good Jr.                      | #5            | 10.-1-16         | Alabama     | \$32,000     |
| Famm Properties/Jonathan Flannery    | #6            | 7.-2-12          | Leroy       | \$9,000      |
| Tasha M. Madera & Pascual G. Navarro | #7            | 11.-1-9          | Pavilion    | \$5,000      |
| Richard McDonell                     | #8            | 4.-1-69.2        | Pembroke    | \$400        |
| Jacob Stiles                         | #9            | 2.-3-4.1         | Alexander   | \$13,000     |

Be it further

**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 taxed owed by approximately \$31,680.33.

Legislator Hawley seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 175**

**2022 BUDGET AMENDMENT- SHERIFF/ASSET  
ACQUISITION/VEHICLE EQUIPMENT-  
APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, In 2021 the Sheriff's Office began the bidding process for vehicle equipment and installation for patrol vehicles, the funding was available at that time in the 2021 Asset Acquisition account but did not get transferred to the 2022 Budget, and

**WHEREAS**, The County Manager and County Treasurer recommend using 1% sales tax reserve funds to cover the expense to the 2022 Budget, and

**WHEREAS**, The Committee on Ways and Means did review this request and do recommend approval at this time. Now, therefore, be it

**RESOLVED**, The County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget by increasing A.1989.2060.0002 Asset Acquisition –Vehicle - Accessories in the amount of \$87,787 offset by an increase in A.1000.1110.1 – Sales & Use Tax 1% in a like amount.

Budget Impact: Increase to the 2022 Asset Acquisition account by \$87,787 offset by use of the 1% sales tax reserve.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 176**

**BUDGET AMENDMENT – WATER FUND/MRB  
GROUP GRANT WRITING– APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, Resolution No. 10 duly adopted January 26, 2022, did secured MRB Group Engineering, Architecture & Surveying for grant writing services and

**WHEREAS**, Genesee County is actively seeking grant opportunities for all phases of the Water Project, and

**WHEREAS**, The County Manager and County Treasurer recommend using funds from Fund Balance (Water) to cover the grant writing services related to water, and

**WHEREAS**, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2022 County Budget by increasing Water – Source – Supply, Power, Pumping – Grant Writing EW. 8320.4660.0046 in the amount of \$25,000 to be offset by an increase in Water – EW.1000.9999 Balancing – Appropriated in a like amount.

Budget Impact: \$25,000 expense will be covered by the fund balance (water)

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 177**

**2022 SALARY SCHEDULE AMENDMENT –  
COUNTY MANAGER- PUBLIC  
COMMUNICATIONS AND WEB DESIGN  
SPECIALIST – APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, It is vital for Genesee County to disseminate clear, concise information to the community through the County website, various social media platforms and media outlets in a consistent manner, and

**WHEREAS**, The County Manager requests the creation of a Public Communications and Web Design Specialist to coordinate this effort, and

**WHEREAS**, The Ways and Means Committee did review this request and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2022 Genesee County Management Salary Schedule by creating one full time position of Public Communications and Web Design Specialist (Management grade 111) effective April 27, 2022.





**RESOLUTION NO. 180**

**2022 BUDGET AMENDMENT – DISTRICT  
ATTORNEY/PURCHASE SCANNERS - APPROVAL  
OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, the District Attorney has requested an amendment to the 2022 County Budget to allow for utilization of a portion of the forfeiture crime funds in the amount of \$560.00 to purchase two scanners for the Paralegals, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget by increasing District Attorney Appropriation A.1165.2022.0033 Scanners in the amount of \$560.00 to be offset by an increase in District Attorney Revenue A.1165.2626 Forfeiture of Crimes in the amount of \$560.00.

Budget Impact: Increased expense for the District Attorney’s 2022 budget of \$560.00 which is totally offset by using funds allocated for the District Attorney’s Office in a Forfeiture of Crimes proceeds.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 181**

**ACCOUNT AUTHORIZATION-PUBLIC  
DEFENDER/GREYHOUND PREPAID TICKET  
ORDER CHARGE ACCOUNT-APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, the Public Defender is recommending entering into a pre-paid ticket order charge account with Greyhound in order to purchase online bus tickets for emergency client transportation, and

**WHEREAS**, the Committees on Public Service and Ways & Means 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 execute the necessary documents or provide the necessary approval to enter into a pre-paid ticket order charge account between the County of Genesee’s Public Defender and Greyhound, 2425 E. Kearney Street, Springfield, Missouri 65803.

Budget Impact: Funds for this contract are budgeted for in the 2022 Budget under lines A1170.3025 Revenue and A1170.4660.0000 Contracted Other.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 182**

**AGREEMENT & BUDGET AMENDMENT-  
HIGHWAY/ARPA SUBRECIPIENT AGREEMENT  
WITH TOWN OF ALEXANDER FOR WATER  
CONSTRUCTION PROJECT-APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, Genesee County desires to advance certain portions of water improvements being made by the Town of Alexander which benefits the County and are planned for Phase 3 of the Countywide Water Project, and

**WHEREAS**, a Subrecipient agreement between the County of Genesee and Town of Alexander has been prepared and provides ARPA funds to the Town of Alexander under terms acceptable to the County and compliant with the requirements of the American Rescue Plan Act (ARPA) and recommend its 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 Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund 21.027 Subrecipient Agreement between the County of Genesee and the Town of Alexander related to the installation of water transmission mains and a water storage tank as part of the formation of Water District #6, and be it further

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to make the following amendment to the 2022 County Budget by increasing A1231.2080.0700 – ARPA Equipment Expenses (American Rescue Plan Act- COVID19) in the amount of \$5,424,000 offset by an increase in A.1231.4089.3 – Federal Aid – ARPA (American Rescue Plan Act – COVID19) in a like amount.

Budget Impact: The County will make two scheduled deposits to an Escrow account that the Town of Alexander may make draws against in order to fund contractor pay requests for the work on the Water Storage Tower and associated mains. The total estimated cost of construction is \$5.424 million. The County will monitor construction and certify draw requests from the Town as per the agreement.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 183**

**CHANGE ORDER/CAPITAL PROJECT  
AMENDMENT /BUDGET AMENDMENT –  
HIGHWAY/ ENERGY PERFORMANCE  
CONTRACT - APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, Genesee County executed an Energy Performance Contract with Johnson Controls, Inc. under the authority of Resolution 179-2018,

**WHEREAS**, the work under the Energy Performance Contract was completed in accordance with specifications and Johnson Controls, Inc. retained incentives and rebates obtained by the County during the Energy Performance Contract, and

**WHEREAS**, work programmed at certain County-owned buildings were left off this Energy Performance Contract due to planned facility disposal at that time, and

**WHEREAS**, the County now intends to keep these facilities and make improvements to them at this time, and

**WHEREAS**, the Highway Superintendent and Deputy Highway Superintendent recommend issuing a change order to the existing Energy Performance Contract with Johnson Control, Inc. to perform needed envelope and energy-related improvements at these facilities, and

**WHEREAS**, the Committees on Public Service and Ways and Means have reviewed this request and do 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 execute Change Order #001 with Johnson Controls, Inc., 90 Goodway Drive, Rochester, NY 14623, increasing the contract by \$1,496,378 for a total Performance Contract amount of \$5,760,320.

**RESOLVED**, that the Genesee County Legislature does hereby direct the County Treasurer to make an amendment to Capital Project Energy Performance Contract by increasing the project \$1,392,100 from 1% Sales Tax, and be it further

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2022 Budget by increasing A.1000.1110.1 1% Sales Tax in the amount of \$1,392,100, increasing A9950.9 Transfer to Capital and H.1997.5031 Inter Fund Transfer in the amount of \$1,392,100 and increase capital project expense H.1997.2080.0000 in the amount of \$1,392,100.

**Budget Impact:** Phase 2 of the Energy Performance Contract will address facilities that were left off the original Energy Performance Contract completed in 2019. The contract with Johnson Controls, Inc. will be increased by \$1,496,378. The total net payment from the County will be \$1,392,100 with the balance of costs being covered by incentives and rebates of \$104,548, which were obtained during the original Energy Performance Contract and held in escrow by Johnson Controls, Inc.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 184**

**CHANGE ORDERS-HIGHWAY/COUNTYWIDE  
WATER PHASE 2 – WELL ‘C’ CONTRACTS A & B**

**– APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, Genesee County has completed work on a project related to Phase 2 of the Countywide Water Supply Program, and

**WHEREAS**, Genesee County desires to make further improvements within the City of Batavia Wellfield, and

**WHEREAS**, change orders are required to properly close and adjust contracts in place, and

**WHEREAS**, the Genesee County Highway Superintendent has reviewed these change requests for need and accuracy of pricing, and

**WHEREAS**, the Genesee County Highway Superintendent recommends approval of the change orders 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 and directed to approve a deductive change order to Contract A: Well C with Frey Well Drilling, Inc., 11565 Broadway Rd, Alden, NY 14004, in the amount of (\$10,000) to reconcile final installed quantities encountered during the project as compared to contractual quantities, and

**RESOLVED**, that the Chairperson of the Genesee County Legislature is hereby authorized to and directed to approve a change order to Contract B: Well C with Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450 in the amount of \$27,000 for the additional work of cleaning and rehabbing Well ‘A’ within the City of Batavia Well Field.

Budget Impact: The total amount for both of the change orders is \$17,000. The change to Contract A lowers the total contract amount to \$137,090. The change order to Contract B raises the total contract amount to \$421,000 and extends the contract time to complete the Well ‘A’ improvement in the fall of 2022.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28). **RESOLUTION NO. 185**

**2022 BUDGET AMENDMENT–  
HIGHWAY/WATER FUND –**

Legislator Torrey offered the following resolutions:

**WHEREAS**, the Genesee County Highway Superintendent does request an amendment to the 2022 Genesee County Budget, and

**WHEREAS**, the budget amendment will allow Genesee County to properly fund the governmental relation contract at both the federal and state level throughout the balance of the calendar year, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Genesee County Budget by increasing Water Fund EW8320.4660.000 and Water Fund Balance EW1000.9999 in the amount of \$79,000.

Budget Impact: Water Fund increase from Fund Balance in the amount of \$79,000. It is anticipated that these funds will be used for Governmental Relations contract expenses.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 186**

**SURPLUS EQUIPMENT-HIGHWAY/ROAD  
MACHINERY FUND – APPROVAL OF**

Legislator Torrey offered the following resolutions:

**WHEREAS**, the Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

**WHEREAS**, the Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, be it, **RESOLVED**, that the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

#6024 Sno-Go Truck Mounted Snow Blower

#6163 Snow Blower 3

Robinair Cool Tech 347002 A/C Recovery/Recharge Machine

Budget Impact: Revenue for the Road Machinery Fund. Items will be disposed of via online auction.

Legislator Hawley seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

#### **RESOLUTION NO. 187**

#### **AWARD OF BID-SHERIFF/VEHICLE EQUIPMENT & INSTALLATION- GERBER COLLISION & GLASS – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County did receive three (3) bids in response to the Invitation to Bid 2022-07 for the purchase of vehicle equipment and installation, and

**WHEREAS**, the lowest bid meeting specifications was received from Gerber Collision & Glass, 2111 Empire Blvd., Webster, NY 14580, at a cost of \$87,786.61, and

**WHEREAS**, After careful review by the Sheriff, Sheriff, Undersheriff, Chief Deputy – Road Patrol, and the Purchasing Director, it is recommended the County award this bid to Gerber Collision & Glass, for a total purchase price not to exceed \$87,786.61, and

**WHEREAS**, the Committees on Public Service 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 award the bid to Gerber Collision & Glass, 2111 Empire Blvd., Webster, NY 14580, for vehicle equipment and installation for a total cost not to exceed \$87,786.61.

Budget Impact: Funds are being appropriated to the 2022 Asset Acquisition to cover the \$87,786.61 purchase price of the equipment and installation.

Legislator Yunker seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

#### **RESOLUTION NO. 188**

#### **CONTRACT REVISIONS-SHERIFF/WYOMING COUNTY PRISONER HOUSING CONTRACT- APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee County Legislature duly adopted Resolution No. 100, on March 23, 2011, to enter into a contract with Wyoming County for the housing of prisoners at the Genesee County Jail, and

**WHEREAS**, the Genesee County Legislature additionally adopted Resolution No.41 on January 25, 2012, to enter into a renewal contract with Wyoming County for the housing of prisoners at the Genesee County Jail, with the term of the contract automatically renewing on a year-to-year basis, and

**WHEREAS**, since 2012, all the signatory parties' names have changed, and

**WHEREAS**, the Committee of 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 sign the revised contract with Wyoming County for the continuance of housing of prisoners at the Genesee County Jail.

Budget Impact: None.

Legislator Yunker seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 189**

**SOFTWARE AMENDMENT – SHERIFF/TYLER  
TECHNOLOGIES AUTOMATED SECURE  
ALARM PROTOCOL (ASAP) INTERFACE -  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Association of Public Safety Communications Officers and The Monitoring Association have established national standards for the automated receipt of alarms by 911 centers in order to reduce call processing time, data entry error, and improve emergency response times, and

**WHEREAS**, The Genesee County 911 Operations Board reviewed the benefits of implementing an Automated Secure Alarm Protocol (ASAP) within the Genesee County Emergency Dispatch Center and do recommend amending the software agreement with Tyler Technologies to include an Automated Secure Alarm Protocol (ASAP) Interface for its Computer-Aided Dispatch system in the amount of \$15,740.00 including associated maintenance costs through December 31, 2026, and

**WHEREAS**, The Committee on Public Service has reviewed this request and recommends that the software agreement with Tyler Technologies be amended to include an Automated Secure Alarm Protocol (ASAP) Interface for its Computer-Aided Dispatch system. Now, therefore, Be it **RESOLVED**, That the Genesee County Chairperson is authorized and directed to amend the software agreement with Tyler Technologies, 840 West Long Lake Road, Troy, MI 48098, to include an Automated Secure Alarm Protocol (ASAP) Interface for its Computer-Aided Dispatch system in the amount of \$15,740.00 including associated maintenance costs through December 31, 2026.

Budget Impact Statement: Project is funded by the Automated Secure Alarm Protocol Capital Project.

Legislator Yunker seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 190**

**PROPERTY ACCESS REQUEST – UNITED STATES  
DEPARTMENT OF AGRICULTURE – APPROVAL  
OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the United State Department of Agriculture (USDA) has requested access to all County-owned properties in order to place bait and traps under the New York European Cherry Fruit Fly Program, and

**WHEREAS**, the County has an established history in working with the USDA in monitoring invasive pests, and

**WHEREAS**, the Genesee County Highway Superintendent and County Attorney have reviewed this request and do recommend that the County grant permission at this time, and

**WHEREAS**, the Committee on Public Service does concur with this recommendation at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize the Chairperson of the County Legislature to grant authority to the USDA to access all County-owned properties through September 30, 2022 for the placement of bait and traps under the New York European Cherry Fruit Fly Program.

Budget Impact: None

Legislator Yunker seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 191**

**GRANT AWARD ACCEPTANCE - JUSTICE FOR CHILDREN ADVOCACY CENTER/MDT/CAC MEDICAL COMPONENT—APPROVAL OF**

Legislator Maha offered the following resolution:

**HEREAS**, the Justice for Children Program Coordinator has been notified that the New York State Office of Children and Family Service intends to award a MDT/CAC Medical Component grant to support medical services provided at the Justice for Children Advocacy Center in Genesee, Orleans, and Wyoming Counties; and

**WHEREAS**, this new grant will continue funding Justice for Children Advocacy Center medical services after the existing grant for this project expires on September 30, 2022; and

**WHEREAS**, the contract term runs from October 1, 2022 through September 30, 2027, and the total award amount is \$245,000.00; and

**WHEREAS**, the annual award amount is \$49,000.00; and

**WHEREAS**, we respectfully request permission to accept this award from the New York State Office of Children and Family Services; and

**WHEREAS**, the Committee on Public Service did review this request and does 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 execute the necessary documents for acceptance of this grant funding for the period of October 1, 2022 through September 30, 2027 in the amount of \$245,000.00

Budget Impact: Grant funding from the New York State Office of Children and Family Services will fund 100% of the cost of the proposed enhancements to the medical program at the Justice for Children Advocacy Center.

Legislator Yunker seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 192**

**RENEWAL OF CONTRACT – JUSTICE FOR CHILDREN ADVOCACY CENTER/H2H FACILITY SERVICES – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Justice for Children Advocacy Center has had a contract with H2H Facility Services Inc. for cleaning services at the Batavia, Albion, and Warsaw locations since March 1, 2017, and;

**WHEREAS**, the Justice for Children Program Coordinator did request a renewal of the contract with H2H Facility Services, Inc., 202 W. Henrietta Rd., Suite 2A, Rochester, NY 14623 for office cleaning service at the Batavia, Albion, and Warsaw sites of the Justice for Children Advocacy Center, and;

**WHEREAS**, the contract period is March 1, 2022 through March 1, 2023 at a monthly rate of \$525.00, and;

**WHEREAS**, the Committee on Public Service did review the recommendation and does concur. Now, therefore, be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with H2H Facility Services, Inc., 202 W. Henrietta Rd., Suite 2A, Rochester, NY 14623 for Office Cleaning Service at the Batavia, Albion, and Warsaw sites of the Justice for Children Advocacy Center from March 1, 2022 through March 1, 2023 at a monthly rate of \$525.00.

Budget Impact Statement: Funds for office cleaning services are fully covered by grants from the NYS Office of Children and Family Services and the NYS Office of Victim Services and are already included in the 2022 Justice for Children Advocacy Center Budget.

Legislator Yunker seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 193**

**SETTING PUBLIC HEARING – NEW YORK  
STATE AGRICULTURE AND MARKETS  
/INCLUSION OF VIABLE AGRICULTURAL LAND  
INTO AGRICULTURAL DISTRICTS 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 2022 Annual Enrollment Period one parcel in the Town of Darien (Tax Map Parcel No. 14.-1-51) 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 requests to be included into the Agricultural Districts on Wednesday, May 25, 2022 at 5:30 PM at the Genesee County Old Courthouse, Batavia, New York.

Budget Impact: The only direct budget impact will be the cost for printing the legal ad itself.

Legislator Yunker seconded the resolution which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 194**

**THE GENESEE COUNTY LEGISLATURE, AS THE  
ELECTED LEGISLATIVE BODY OF GENESEE  
COUNTY, NEW YORK, IN ACCORDANCE WITH  
SECTION 147(F) OF THE INTERNAL REVENUE  
CODE OF 1986, AS AMENDED (THE "CODE"),  
APPROVING THE ISSUANCE BY THE GENESEE  
COUNTY FUNDING CORPORATION OF UP TO  
\$275,000,000 PRINCIPAL AMOUNT OF REVENUE  
BONDS (ROCHESTER REGIONAL HEALTH  
PROJECT), SERIES 2022, IN ONE OR MORE SERIES,  
AS PART OF A PLAN OF FINANCE – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Genesee County Legislature (the "Legislature"), as the elected legislative body of Genesee County, New York (the "County") has been advised by The Genesee County Funding Corporation (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Rochester Regional Health, a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Code, its successors or designees (collectively, "Rochester Regional"), on behalf of itself and as the sole member of THE ROCHESTER GENERAL HOSPITAL and its successors or designees (collectively, "RGH"), THE UNITY HOSPITAL OF ROCHESTER and its successors or designees (collectively, "Unity"), NEWARK-WAYNE COMMUNITY HOSPITAL and its successors or designees (collectively, "NWCH"), UNITED MEMORIAL MEDICAL CENTER and its successors or designees (collectively, "UMMC"), THE CLIFTON SPRINGS SANITARIUM COMPANY (collectively, "Clifton Springs") and its successors or designees and CANTON-POTSDAM HOSPITAL and its successors and assigns ("CPH"; and, together with Rochester Regional, RGH, Unity, NWCH and UMMC, the "Institution"), each a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Code, has requested that the Issuer issue its Revenue Bonds (Rochester Regional Health Project), Series 2022 (the "Series 2022 Bonds"), in one or more series in the aggregate principal amount not to exceed \$275,000,000 for the purpose of financing or refinancing capital improvement projects at the Institution's facilities, as part of a plan of financing, as more particularly described below (collectively, the "Project") located at 8103

Oak Orchard Road in the City of Batavia, Genesee County, New York (the "Batavia Campus"), 1425 Portland Avenue in the City of Rochester, Monroe County, New York (the "RGH Campus"), 50 Leroy Street in the Town of Potsdam, St. Lawrence County, New York (the "CPH Campus"), 360 Linden Oaks Drive in the Town of Pittsford, Monroe County, New York (the "Pittsford Campus"), the corner of Monroe Avenue and Alexander Street in the City of Rochester, New York (the "Rochester Campus"), 2010 Empire Boulevard in the Town of Penfield, Monroe County, New York (the "Penfield Campus"), 6119 U.S. Highway 11 in the Town of Canton, St. Lawrence County, New York (the "Greenfield Campus") and 1 Hospital Drive in the Town of Massena, New York (the "Massena Campus"); and

**WHEREAS**, the proceeds of the Series 2022 Bonds will be used to finance all or a portion of the costs associated with the qualifying portions of the Project, and to provide funds for all or a portion of the costs of issuing the Series 2022 Bonds, credit enhancement fees relating to the Series 2022 Bonds, if any, funding a debt service reserve fund, if any, and capitalized interest, if any; and

**WHEREAS**, the Project consists of the Batavia Project, the Monroe Project and the North Country Project, each as described below; and

**WHEREAS**, the Batavia Project, for which the maximum aggregate principal amount \$47,000,000 in Series 2022 Bonds are to be issued, consists of: (i) the construction on the Batavia Campus of (a) an approximately 105,393 square-foot medical facility that will house extension sites of three Rochester Regional affiliate hospitals to be used for outpatient cardiac care, women's health services, primary care, urgent care, outpatient surgical services, gastroenterology, outpatient radiology and other outpatient services and (b) approximately 56,147 square feet of related ground floor parking, and (ii) the acquisition and installation in and around such improvements of certain items of machinery, equipment and other tangible personal property (collectively, the "Batavia Facility"); and

**WHEREAS**, the Monroe Project, for which the maximum aggregate principal amount of \$106,300,000 in Series 2022 Bonds are to be issued, consists of: the refunding or refinancing of all or a portion of the outstanding principal amount of (i) the Monroe County Industrial Development Corporation Tax-Exempt Revenue Bonds (The Rochester General Hospital Project), Series 2013A (the "Series 2013A Bonds") and (ii) the Monroe County Industrial Development Corporation Tax-Exempt Revenue Bonds (The Rochester General Hospital Project), Series 2013B (the "Series 2013B Bonds" and together with the Series 2013A Bonds, the "Series 2013 Bonds"); and

**WHEREAS**, the Series 2013A Bonds were used to finance (A) (1) the modernization of RGH's perioperative facilities within the existing hospital located on the RGH Campus ("RGH Hospital") consisting of: (a) the demolition, reconstruction and equipping of its Day of Surgery Admissions Unit including, but not limited to, patient cubicles, clinical staff workspace, infrastructure upgrades and support spaces, (b) the demolition, renovation and equipping of its Short Stay Unit including, but not limited to, inpatient rooms; clinical staff workspace; infrastructure upgrades and support spaces, and (c) the renovation, equipping and modernization to RGH Hospital's central utility plant including, but not limited to, increasing capacity to the existing steam, electrical and chilled water production systems; (2) the acquisition, construction, renovation and equipping of existing space on the RGH Campus to create an imaging suite with an X-ray system, a control room and clinical support space; and (3) the expansion of RGH Hospital's oncology facilities including, but not limited to, the renovation of a vault to house a new linear accelerator (collectively, the "2013 RGH Facility"); (D) the acquisition, construction, equipping and enhancement of RGH's new dialysis center located on the Penfield Campus including, but not limited to, the renovation of existing space to create treatment stations, clinical workspace and support space and the installation of furniture, fixtures, water treatment systems and related equipment (collectively, the "Penfield Facility"); (E) the renovation and equipping of RGH's medical imaging center located on the Rochester Campus including, but not limited to, a CT-scanner, fluoroscopy, ultrasound, DEXA, mammography and plain film modalities, clinical staff workspace and support spaces (collectively,



the "Rochester Facility"); and (F) the construction and equipping of an ambulatory surgery center including, but not limited to, operating rooms, procedure rooms, patient prep and recovery areas, clinical workspace and support spaces, as an addition to the existing office building located on the Pittsford Campus, together with the renovation and upgrade of the utility infrastructure of the existing building and the increase of the existing parking area (collectively, the "Pittsford Facility" and together with the 2013 RGH Facility, the Rochester Facility and the Penfield Facility, the "2013A RGH Facility"); and

**WHEREAS**, the Series 2013B Bonds were used to finance the refunding of the Rochester General Hospital Insured Revenue Bonds, Series 2005 (the "Series 2005 Bonds") issued by the Dormitory of the State of New York ("DASNY"), which Series 2005 Bonds were used to finance (A) (1) the construction of a new parking garage on the RGH Campus, (2) the construction of a loading dock, an atrium walkway, physician offices and lounge space on the RGH Campus, (3) the construction of an addition to the northwest side of the RGH Campus and a main access pavilion on the northeast side of the RGH Campus and (4) the financing of various capital needs of RGH including x-ray, operating room and other clinical equipment, information technology, regulatory life safety improvements and various replacements (collectively, the "2005 RGH Facility"); (B) the refunding of DASNY's Rochester General Hospital FHA- Insured Mortgage Revenue Bonds, Series 1993 (the "Series 1993 Bonds"), which Series 1993 Bonds were used to refund DASNY's Hospital Revenue Bonds, Rochester General Hospital (FHA- Insured Mortgage), Series 1985 (the "Series 1985 Bonds"), which Series 1985 Bonds were used to finance (1) the construction of an addition to Building E located on the RGH Campus, (2) the construction of an addition to the 8<sup>th</sup> Floor of Building B located on the RGH Campus, (3) the renovation of the atrium space located within RGH Hospital, (4) the construction of a one-story addition to Building E located on the RGH Campus, (5) renovations to an existing central plant located on the RGH Campus and (6) the construction of a one-story addition to an existing garage located on the RGH Campus (collectively, the "1985 RGH Facility"); and (C) the refunding of DASNY's Rochester General Hospital Issue, Series A (the "Series A Bonds"), which Series A Bonds were used to finance (A) the construction of a 3-story addition to RGH Hospital, (2) the construction of a new lobby/waiting area within RGH Hospital, (3) the construction of a connecting bridge between RGH Hospital and an existing parking ramp located on the RGH Campus and (4) the renovation of existing areas of the RGH Campus (collectively, the "Series A RGH Facility" and together with the 2005 RGH Facility and the 1985 RGH Facility, the "2013B RGH Facility") (the 2013A RGH Facility and the 2013B RGH Facility being collectively referred to hereinafter as the "RGH Facility"); and

**WHEREAS**, the North Country Project, for which the maximum aggregate principal amount of \$121,700,000 in Series 2022 Bonds are to be issued, consists of: (A) (i) the construction of a four-story bed tower containing in the aggregate approximately 96,189 square feet on the CPH Campus to house (a) an expansion of CPH's emergency department, (b) 60 medical/surgical beds and (c) shell space for future growth and (ii) the acquisition and installation in and around such improvements of certain items of machinery, equipment and other tangible personal property (collectively, the "2022 CPH Facility"); (B) the refunding or refinancing of all or a portion of the outstanding principal amount of the (i) St. Lawrence County Industrial Development Agency Civic Development Corporation Multi-Mode Civic Development Corporation Revenue Bonds (Canton-Potsdam Hospital Project), Series 2010A (the "Series 2010A Bonds") and (ii) the St. Lawrence County Industrial Development Agency Civic Development Corporation Multi-Mode Civic Development Corporation Revenue Bonds (Canton-Potsdam Hospital Project), Series 2010B (the "Series 2013B Bonds" and together with the Series 2010A Bonds, the "Series 2010 Bonds"); (C) the refunding or refinancing of all or a portion of the outstanding principal amount of the St. Lawrence County Industrial Development Agency Civic Development Corporation Revenue Bonds (St. Lawrence Health System Project), Series 2016 (the "Series 2016 Bonds"); and (D) the refinancing of all or a portion of the outstanding principal amount of a taxable loan (the "SLHS Taxable Loan") to St. Lawrence Health System, Inc. ("SLHS"); and

**WHEREAS**, the Series 2010 Bonds were used to finance (A) (1) the construction of an approximately 10,090 square foot addition (the "CPH Addition") to the existing hospital located on the CPH Campus ("CPH Hospital") to create a comprehensive cancer treatment center, (2) renovation of CPH Hospital, including the modification and renovation of the existing emergency department and other improvements and (3) the acquisition and installation in CPH Hospital and the CPH Addition of certain machinery and equipment (collectively, the "2010 CPH Facility"); and

**WHEREAS**, the proceeds of the Series 2016 Bonds were used to finance (A) (1) the construction of an approximately 60,000 square foot, three-level medical office building/ambulatory care center for the benefit of CPH and SLHS located on the Canton Campus and (2) the acquisition and installation in and around such improvements of furniture, machinery and equipment (collectively, the "Canton Facility"); and (B) (1) the renovation and improvement of CPH Hospital and (2) the acquisition and installation of furniture, machinery and equipment at CPH Hospital (the "2016 CPH Facility" and together with the 2022 CPH Facility and the 2010 CPH Facility, the "CPH Facility"); and

**WHEREAS**, the proceeds of the SLHS Taxable Loan were used by SLHS to (1) finance certain improvements at a certain hospital facility known as the Greenfield Medical Campus, located on the Greenfield Campus, (2) pay all or a portion of the outstanding principal balance of a certain bridge loan, used for project startup costs at the Greenfield Medical Campus, (3) finance the acquisition of a certain hospital facility known as Massena Hospital located on the Massena Campus, and (4) provide funds for all or a portion of the costs associated with the SLHS Taxable Loan (collectively, the "SLHS Facility"); and

**WHEREAS**, the RGH Facility is or will be owned and operated by RGH. The Batavia Facility is or will be owned and operated by RGH. The CPH Facility is or will be owned and operated by CPH; and

**WHEREAS**, pursuant to Section 147(f) of the Code, interest on the Series 2022 Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Series 2022 Bonds and the portion thereof to be applied to finance the Project is approved by the County Legislature after a public hearing to consider both the issuance of the Series 2022 Bonds and the nature and location of the facilities located within the County financed therewith has been conducted following reasonable public notice; and

**WHEREAS**, on April 20, 2022, the Issuer held such a public hearing upon proper notice in compliance with the Code, with access to the general public being provided by toll-free telephone number (in accordance with Internal Revenue Service Revenue Procedure 2022-20); and

**WHEREAS**, to aid the Legislature in its deliberations, the Issuer has made available to the members of the Legislature prior to this meeting (a) the notice of public hearing posted by the Issuer on April 11, 2022, on the Issuer's website, together with a certificate of a representative of the Issuer attesting to the posting thereof on the Issuer's website, and (b) the minutes of such public hearing held on April 20, 2022; and

**WHEREAS**, the Legislature, after due consideration of the foregoing, as the "applicable elected representative" of Genesee County, New York, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Series 2022 Bonds and the application of up to \$275,000,000 principal amount thereof to finance or refinance the Project, provided the principal, premium, if any, and interest on the Series 2022 Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Genesee County, New York and neither the State nor any political subdivision thereof including, without limitation, Genesee County, New York shall be liable thereon.. Now, therefore, be it

**RESOLVED**, by the Genesee County Legislature as follows:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code and on the recommendation of the Genesee County Ways and Means Committee, the

Legislature hereby gives its approval of the issuance by the Issuer of the Series 2022 Bonds in an amount not to exceed \$275,000,000, in one or more series, as part of a plan of finance; *provided* that, the Series 2022 Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York or any political subdivision thereof including, without limitation, Genesee County, New York and neither the State of New York nor any political subdivision thereof including, without limitation, Genesee County, New York, shall be liable thereon.

Section 2. This Resolution shall be deemed to be made for the benefit of the holders of the Series 2022 Bonds.

Section 3. This Resolution shall take effect immediately.

Legislator Deleo seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 195**

**AUTHORIZATION TO SUBMIT A GRANT  
APPLICATION-GENESEE GATEWAY LOCAL  
DEVELOPMENT CORPORATION /THE NEW  
YORK STATE OFFICE OF COMMUNITY  
RENEWAL FOR COMMUNITY DEVELOPMENT  
BLOCK GRANT FUNDING – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, La Fermiere Inc. (the "Company") plans to develop a yogurt and dessert production facility in the Genesee Valley Agri-Business Park located within the Town of Batavia (hereinafter the "Project"), and

**WHEREAS**, the Genesee Gateway Local Development Corporation (the "GGLDC") is assisting in the facilitation of the Project and has requested that the County apply to the New York State Office of Community Renewal (the "OCR") for a grant to support the Project and provide the OCR funding to the GGLDC as a grant for the purpose of making a grant to the Company, and

**WHEREAS**, the GGLDC has the capacity to administer the OCR grant in the best interests of the County, and

**WHEREAS**, the Project will result in substantial benefit to the County in the form of an estimated 135 new employment positions and an estimated private investment of over \$20 million, and

**WHEREAS**, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and regarding the Project. Now, therefore, be it

**RESOLVED**, that the Genesee County Chairman is hereby authorized to submit a grant application in an amount to be determined by the OCR and not to exceed the sum of \$750,000, such amount to be provided as a grant to the GGLDC to be used to provide funding to the Company to finance a portion of the costs of machinery and equipment and furnishings and fixtures and fees and working capital expenses associated with the Project, and be it further

**RESOLVED**, that the Genesee County Chairman is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant, and be it further

**RESOLVED**, that the Genesee County Chairman is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, including a grant agreement with GGLDC, subject to review and approval by the County Attorney.

Legislator Deleo seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 196**

**COUNTY AUDIT – APRIL 27, 2022 – APPROVAL OF**

Legislator Torrey offered the following resolution:

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

|                    |    |              |
|--------------------|----|--------------|
| General Fund       | \$ | 1,603,822.21 |
| Sales Tax Payments |    | 4,220,895.48 |

|                                |                   |
|--------------------------------|-------------------|
| Highway                        | 1,323.78          |
| Self Insurance                 | 36,690.61         |
| Water Fund                     | 192,533.84        |
| DSS Abstracts                  | 56,562.62         |
| <b>Capital Projects</b>        |                   |
| Sheriff/Jail-Jail Construction | 52,948.50         |
| <b>Payroll – General</b>       |                   |
| April 22 2022                  | 1,794,788.77      |
| <b>Medicaid</b>                |                   |
| April 19, 2022                 | 146,087.00        |
| April 26, 2022                 | <u>146,087.00</u> |
| <b>Total Audit</b>             | \$ 8,251,739.81   |

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 Dibble seconded the resolution, which was adopted by 255 votes (Stein absent – 43) (Klotzbach absent – 28).

**RESOLUTION NO. 197**

**2022 MANAGEMENT SALARY SCHEDULE  
AMENDMENT/APPOINTMENT OF – YOUTH  
BUREAU/TEMPORARY PART-TIME EXECUTIVE  
DIRECTOR – YOUTH BUREAU – APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Executive Director Youth Bureau position is currently vacant, and

**WHEREAS**, The County Manager is requesting an amendment to the 2022 Management Salary Schedule to create a temporary, part-time, 39 hour biweekly, Executive Director – Youth Bureau, Grade 113 for no longer than six (6) months, to provide program administration on an interim basis until a permanent replacement can be found, and

**WHEREAS**, due to this timely matter it will be reviewed as a Rule 19 during the Legislature meeting on April 27, 2022. Now, therefore, be it

**RESOLVED**, The Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2022 Management Salary Schedule by creating one, temporary, part-time Executive Director – Youth Bureau, Grade 113, at a rate of \$31.40/hr., effective April 28, 2022, for no longer than six (6) months, and Be it further

**RESOLVED**, That the Genesee County Legislature does hereby appoint Chelsea Elliott as the temporary, part-time Executive Director Youth Bureau, effective April 28, 2022, for no longer than six (6) months.

Budget Impact: Funds are available in the 2022 Youth Bureau budget to cover the expense

Legislator Dibble seconded the resolution, which was adopted by 326 (2/3) votes (Stein absent – 52) and (Klotzbach absent – 42).

Madam Vice Chair Clattenburg asked for any unfinished business. There was no unfinished business.

At 6:06 pm the meeting adjourned upon motion of Legislator Maha seconded by Legislator Dibble, carried unanimously.