

Present: Committee Legislators Maha, Clattenburg, Yunker, and Deleo. Additional Legislators Stein, Hawley and Torrey. Assistant County Manager Tammi Ferringer, Legislature Clerk Lisa Casey, Deputy Highway Superintendent Paul Osborn, Highway Superintendent Tim Hens, County Attorney Jim Wujcik, Department of Planning Director Felipe Oltramari, Highway Assistant County Engineer Laura Wadhams, Emergency Management Services Coordinator Tim Yaeger, Undersheriff Brad Mazur, Public Defender Jerry Ader, Director of Emergency Communication Frank Riccobono, Assigned Counsel Kristie DeFreze, Esq. Also, present Brian Quinn from the Daily News and Carl York from the Pike Company.

Committee Chair Maha opened the Public Service Committee meeting at 4:30 p.m. on May 15, 2023. Chair Maha appointed Legislator Deleo to sit on the committee in place of Legislator Klotzbach absence.

Minutes of the April 17, 2023 Public Service Committee meeting were approved upon motion of Legislator Yunker seconded by Legislator Clattenburg.

Carl York with the Pike Company presented a jail update.

- All floor slabs complete in Pod areas
- Final roofing being installed this week
- Crane onsite today installing HVAC equipment on second floor mechanical space
- Maintenance building foundation complete and backfilled, slab to be poured next week
- The masonry block is approximately 95% complete in the admin building, and the drywall is approximately 95% Complete.
- Exterior brick work has begun, spray insulation is complete
- GC, EC, PC, and MechC following masons, installing piping, duct, electrical panels, etc. Photos provided.

Highway Superintendent Tim Hens reported the Highway Deputy Superintendent David Wozniak is retiring May 30, 2023. Craig Smith who has been with the Highway for five years has been promoted to the Deputy Superintendent vacancy. The committee welcomed Craig.

Highway Superintendent Tim Hens reported Genesee County desires to obtain additional water supply from the Monroe County Water Authority. Arcadis of New York, Inc. has worked with the Genesee County Water Resources Agency, the Monroe County Water Authority, and Genesee County as a subconsultant to Clark Patterson Lee on initial inventory of water quality data related the change of source water needed for the Countywide Water Project Phase 3. Tim Hens recommends that Legislature enter into a consultant agreement with Arcadis of New York, Inc., in the amount of \$195,000 for the purpose of completing the needed steps in the Source Supply Change Study. Also requested authorization to amend the 2023 Budget by increasing Balancing by \$195,000 and increasing Contracted-Other in a like amount. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Clattenburg, carried unanimously.

Highway Superintendent Tim Hens reported the State of New York has provided Genesee County with Consolidated Local Street and Highway Improvement Program, Extreme Winter Recovery, Pave Our Potholes, and PAVE-NY funding. Tim Hens has established capital projects for above mentioned. Requested authorization to amend the following capital projects as required: Highway Chipseal Add \$730,000 from 2023 CHIPS. Highway Overlay add \$380,496 from 2023 POP. Hwy Surface Treatment add \$570,744 from 2023 PAVE-NY, add \$369,997 from 2023 EWR, and add \$610,538 from 2023 CHIPS. Highway Recycling add \$924,401 from 2023 CHIPS. Also requested authorization to amend the following CHIPS, EWR, POP and PAVE-NY funded capital projects by

increasing Highway Capital Project Expense in the amount of \$3,586,176 and Increase CHIPS in a like amount. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

Highway Superintendent Tim Hens requested an amendment to the 2023 Genesee County Budget to allow the acceptance of grant fund from the Association for Conservation of Outdoor Recreation and Natural Spaces (ACORNS), a non-profit group which supports programming and activities at Genesee County Parks. The budget increase will allow Highway Superintendent to use the funding towards the purchase of a kayak rental kiosk at DeWitt Park. Tim Hens recommended the Legislature to accept the \$6,000 grant from the ACORNS to be used towards the purchase of a kayak rental kiosk. Also requested authorization to amend the 2023 Genesee County budget by increasing the Capital Project DeWitt Improvements Phase IV by increasing Gifts and Donations, in the amount of \$6,000 to be offset by an increase in Capital Project Expense in a like amount. Legislature Clattenburg motioned to amend the resolution to correct title and whereas statement to state donation over grant. Motion to amend the resolution was seconded by legislator Yunker. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Tim Hens presented a proposal from Rent.Fun LLC to put a self-service kayak rental kiosk at the DeWitt Recreation Area. Kayaking is an activity that has been identified in the 2021 Comprehensive Recreation Plan as a need to be made available to the community. Tim Hens recommended that Legislature enter into an agreement with Rent.Fun, LLC located at for a period of 5 years, at a total cost of \$16,000 for the installation and activation of smart lockers, fully equipped with kayaks/lifejackets and locker signage. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Deleo, carried unanimously.

Highway Superintendent Tim Hens received bids for the painting of pavement markings on county roads and airport. Tim Hens recommended that Legislature enter into a contract with Seneca Pavement Markings, Inc., for the application of pavement markings as bid under Item Groups A and B, as per specifications, effective June 1, 2023 through May 31, 2024 in an amount not to exceed budgeted amounts. Also recommended that Legislature enter into a contract with Accent Stripe, Inc., 3275 North Benzing Rd, for the application of epoxy pavement markings as bid under Item Groups C as per specifications, effective June 1, 2023 through May 31, 2024 in an amount not to exceed budgeted amounts. Requested that Genesee County Legislature reject the bids received from O&H Striping, Inc., based on due diligence performed by the County Superintendent of Highways that indicated this vendor as a non-responsible bidder in several other counties and towns across the state. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Deleo seconded by Legislator Yunker, carried unanimously.

County Attorney Jim Wujcik presented Local Law Number 7, Year 2002 – Genesee County Department of Parks, Recreation and Forestry Rules and Regulations was adopted by the Genesee County Legislature by Resolution 454 for the safety of all park visitors, orderly operation of the parks and to protect parkland and facilities. Pursuant to Section XVII of Local Law 7, Year 2002, the Deputy Highway Superintendent, formerly known as the Parks Supervisor, is authorized to request approval from the Genesee County Legislature to promulgate, modify and distribute additional rules and regulations for Genesee County Parks. The Genesee County Legislature, pursuant to Resolution

197 of 2015, adopted further rules regarding Deer Management Hunting Rules and Regulations as an appendix and also to amend the Fishing Rules and Regulations. He recommended that Legislature approve the request and further modification of Parks Rules and Regulations to rescind the Deer Management Hunting Rules and Regulations at the Genesee County Park and authorizes the immediate allowance of dogs at Dewitt Recreation Area. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Deleo seconded by Legislator Yunker, carried unanimously.

Highway Assistant County Engineer Laura Wadhams reported the County Manager is authorizing additional work with LeChase Construction, as part of the Genesee County Jail project. Requested authorization for a change order with a cost not to exceed \$84,000.00 for LeChase Construction, for costs related to cutting in exterior chase doors in the shower chases to the new Genesee County Jail. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Clattenburg, carried unanimously.

Emergency Management Services Coordinator Tim Yaeger reported the 2021 Resolution #172 did authorize Genesee County to enter into an agreement with Municipal Resources, Inc. (MRI), to serve as a consultant to the Genesee County Fire Service Task Force for the development of a comprehensive fire services implementation plan. The Request for Proposal (RFP 2021-103) for this service allowed for an original contract, effective May 1, 2021 through April 30, 2023, and one (1) additional and final renewal (May 1, 2023-April 30, 2024) if needed, at the same terms and conditions. Tim Yaeger requested authorization to renew the agreement previously executed with Municipal Resources, Inc., 66 Main Street, Suite B, Plymouth, NY 03264 for the period of May 1, 2023 through April 30, 2024 for the completion of the Scope of Work contained within the original agreement. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

Department of Planning Director Felipe Oltramari reported the Genesee County Legislature is considering the financing and construction of improvements for Phase 3 of the Genesee County Water Supply Project, involving an increase of 7.6 million gallons per day in water supplied to Genesee County from the Monroe County Water Authority's Shoremont Water Treatment Plant through multiple sub-projects including construction of new pump stations, water storage tanks, transmission and distribution mains, together with improvements incidental thereto (the "project") with the goal of removing the existing City of Batavia Water Treatment Plant from service. Genesee County Legislature declared itself lead agency for the project for the proposed action and therefore responsible for determining whether an environmental impact statement is required in connection therewith and otherwise complying with the procedural and substantive requirements of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law. Recommended that Legislature execute all necessary documentation. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Department of Planning Director Felipe Oltramari reported the creation of Agricultural District No. 1 was approved by the Genesee County Legislature by Resolution No. 219 adopted November 25, 1974, and certified by the State of New York on April 25, 1975. Article 25AA of the New York State Agriculture and Markets Law, Section 303-A specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter. Felipe Oltramari recommended that the County Legislature approve of the

adoption of the proposal for the continuation and modifications of Agricultural District No. 1 in the Towns of Alexander, Batavia, Bethany, Darien, Pembroke, and Stafford as recommended by the Agricultural and Farmland Protection Board for a period of eight years. Also requested the Chair of the Legislature to sign all necessary SEQR documentation and submit certified copies of this resolution, along with all required maps, reports, SEQR documentation and records pertaining to this eight-year Agricultural District review to the Commissioner of the New York State Department of Agriculture and Markets for review and certification. This was approved for placement on the next Legislature Agenda upon motion of Legislator Deleo seconded by Legislator Yunker, carried unanimously.

Department of Planning Director Felipe Oltramari reported a vacancy does exist on the Genesee County Planning Board due to the resignation of Larry Hale of Batavia, New York. Recommended that Mr. Joshua Mullen of Basom, NY be appointed to the Genesee County Planning Board for a term effective through May 31, 2026. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Department of Planning Director Felipe Oltramari reported the term of office of Candace Hensel on the Genesee County Planning Board will expire this year and she has indicated an interest and desire for reappointment. Recommended that Legislature to reappoint Ms. Candace Hensel of Byron, NY to serve another term on the Genesee County Planning Board for the period ending on May 31, 2026. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Deleo, carried unanimously.

Public Defender Jerry Ader recommended the acceptance of the amended contract between Genesee County and the New York State Office of Indigent Legal Services (ILS), Contract Number: CAFA318, Third Counsel at First Appearance, providing for a one-year extension of the contract. He requested authorization to execute the Contract Amendment for Contract No.," 3rd CAFA, Third Counsel at First Appearance, between Genesee County Public Defender and the New York State Office of Indigent Legal Services. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Public Defender Jerry Ader recommended the acceptance of the amended contract between Genesee County and the New York State Office of Indigent Legal Services (ILS), Contact Number: C100018, Distribution# 10, providing for a one-year extension of the contract. He requested authorization to execute Contract Amendment for Contract No.: C100018, Distribution # 10, between Genesee County Public Defender and the New York State Office of Indigent Legal Services. This was approved for placement on the next Legislature Agenda upon motion of Legislator Deleo seconded by Legislator Yunker, carried unanimously.

Undersheriff Brad Mazur and Director of Emergency Communication Frank Riccobono requested to purchase 25 School Resource Officer Crisis Response kits to be available within schools in Genesee County funded by Opioid Settlement Funds. The kits will be provided to School Resource Officers from the Genesee County Sheriff's Office, Batavia Police Department and the LeRoy Police Department. Brad Mazur requested authorization to amend the 2023 budget to Increase Sheriff - Opioid Settlement Funds by \$7,764 offset by an increase in Sheriff – Program Expense - Opioid Settlement in a like amount. Funds coming from Other Liabilities-Opioid Settlement. This was

referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Undersheriff Brad Mazur and Director of Emergency Communication Frank Riccobono reported the Genesee County Emergency Services Dispatch Center currently has four full-time Emergency Services Dispatcher vacancies, which have created a dramatic increase in overtime and very limited allowance to grant leave time for current full-time Dispatchers. After discussions between the Sheriff, Director of Emergency Communications, and the County Manager, it has been determined that adding an additional part-time, temporary Emergency Services Dispatcher position until the full-time vacancies are filled would be beneficial. They requested authorization to amend the 2023 Employee Salary Schedule by creating one part-time, temporary Emergency Services Dispatcher, in SEA Grade 10 in Employee Salary Schedule effective May 27, 2023, through December 31, 2023. Rochelle Stein suggested creating two part-time, Emergency Services Dispatchers in place of just one part-time. Legislator Clattenburg motioned to amend the resolution to create two part-time Emergency Services Dispatchers, seconded by Legislator Deleo. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Assigned Counsel Kristie DeFreze, Esq. with Bonarigo & Mccutcheon Attorneys presented an assigned counsel department review. The review contained panel attorney's summary, 2022 and 2023 Year to Date referrals, a budget performance summary, assigned counsel rate increase review, and ILS grant funds for Hurrell-Harring settlement & Reforms for criminal panel only summary. She also provided summaries on caseload relief, OTPS, quality improvement for contracted and consultant and counsel at first appearance.

Assistant County Manager Tammi Ferringer filled in for County Manager Landers she had nothing to report on his behalf.

Legislature Clerk Lisa Casey announced the next Public Service Committee Meeting will be on Monday, June 19th at 4:30 p.m. Legislator Gary Maha will be out from the 15th to the 19th of June and has asked Legislator Marianne Clattenburg to fill in for him on June 19, 2023.

Under the chair report, a reappointment was presented. The Genesee County Legislature established the Agricultural and Farmland Protection Board on January 13, 1993 in accordance with Section 302 of New York State Agriculture and Markets Law. The terms of office of Janette Veazey-Post and LuAnne McKenzie expire May 31, 2023 and both have indicated an interest and desire for reappointment for another term. It is recommended that the Legislature reappoints Janette Veazey-Post of Oakfield, NY and LuAnne McKenzie of Pavilion, New York to serve a four year term on the Genesee County Agricultural and Farmland Protection Board for the period starting June 1, 2023 ending on May 31, 2027. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Clattenburg, carried unanimously.

A reappointment was presented as the term of office of Steven J. Mountain on the Genesee County Water Resources Agency expired December 31, 2022. It is recommended that Legislature reappoint Mr. Steven J. Mountain of Batavia, New York, to serve another term on the Genesee County Water Resources Agency for the period ending on December 31, 2025. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

An appointment to Fish and Wildlife Management was presented for John Lawrence of Batavia, New York who has requested to serve as a Landowner Member of the Fish & Wildlife Management Board and has submitted an application, which has been reviewed by the Legislature Liaison for approval. It is recommended that Legislature appoint the following to serve on the Fish & Wildlife Management Board: John Lawrence, Landowner Representative for a term of May 19, 2023 to December 31, 2024. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Clattenburg, carried unanimously.

A motion to adjourn Public Service meeting at 5:43 p.m. by Legislator Clattenburg seconded by Legislator Deleo, carried.

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