TENTH DAY GENESEE COUNTY LEGISLATURE OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY WEDNESDAY, MAY 24, 2023

The Genesee County Legislature met in Regular Session on Wednesday, May 24, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

There were two amendments made to the agenda: resolution 2 would be removed from the consent agenda to non-consent and Resolution 27 amending the title of the resolution 'Capital Project DeWitt Improvements Phase IV'.

Legislator Hawley offered to assist with the audit. The prayer will be offered by Legislator Klotzbach followed by the Pledge to the Flag. There are no Proclamations & Commendations.

Motion to approve minutes from May 10, 2023 by Legislator Dibble, seconded by Legislator Deleo, carried.

Committee & Special Assignment Reports: none

Communications & Petitions: Genesee County Republican Committee sent a letter on May 22, 2023 to Chair Stein that recommended Charles Zambito as Western Regional Off-Track Betting Corporation Board of Director due to the recent vacancy of Richard Siebert. The letter was signed by the Secretary (Ms. Jasinski) of the Genesee County Republican Committee.

Legislator Comments: Chair Stein announced that Legislature Clerk Lisa Casey had received a Legislative Clerk Certification in May. Lisa Casey is one of 18 Clerks out of 62 who have completed this certification. In order to keep this certification she will need to continue with courses to keep the certification. Congratulations to Lisa Casey.

County Manager Report: County Manger Matt Landers reported that the Grant program that went into the 2023 Budgets providing grant assistance has been successful. He has been receiving positive feedback from municipalities - feels this is a perfect example of County Government being able to make an investment. 10 out of the 20 municipalities have reached out and submitted applications, which leaves 10 more available. The money has been well spent. The County is on a second State of Emergency Order, which will expire Saturday May 27 with the intention to reissue the order number 3 on Saturday along with 31 other counties and more growing daily. Matt Landers announced that the Shining Star of the Month is Jeanette Diehl from Emergency Management; Tim Yaeger nominated her for going above and beyond especially with all the work that went into the declarations with Covid, 2022 Blizzard and behind the scenes work at highway, emergency management, and the sheriff's office. She is the backbone at Emergency Management. Chair Stein acknowledged Jeanette in receiving this award.

Resolutions - Consent Agenda Items: Ways and Means

Legislator Clattenburg motioned to remove Resolution Number 2 2023-2024 Operation Budget Genesee Community College/Sponsor's Share from consent to non-consent agenda. Chair stein requested Legislature Clerk Lisa Casey to remove Resolution 2 from consent to non-consent agenda. Committee Chair Clattenburg referred 1 and 3 through 21 which have been unanimously approved through Ways and Means Committee and moved for their adoption. Ways and Means Committee Chair Clattenburg motioned for adoption for resolutions 1 and 3 through 21, a request for a second, Legislator Klotzbach seconded. Legislature Clerk Casey read resolutions 1 and 3 through 21 of the Ways and Means Committee:

- 1. Set Public Hearing Genesee Community College/2023-2024 Budget
- 3. Fraud Prevention Policies Corporate Compliance Program
- 4. Genesee County Policy-Resolutions and Legislative Documents
- 5. Distribution of Mortgage Tax-First Payment 2023
- 6. 2023 Budget Amendment- Asset Acquisition
- 7. Capital Projects Fund Reallocation Approval Genesee Community College/HEERF
- 8. Capital Project Fund Reallocation Approval Genesee Community College

- 9. Consultant Agreement/Budget Amendment-Countywide Water Supply Program/Phase 3 Source Supply Change Study
- 10. Amend Capital Projects/2023 Budget Amendment State Funded Highway Construction
- 11. Agreement between Genesee County and Rent.Fun, LLC– County Parks/Self-Service Kayak Rental Kiosk/ Reduce Capital Project Dewitt Improvements Phase IV/ Budget Amendment
- 12. Contract Award–Highway/Pavement Markings
- 13. Change Order / Genesee County Jail
- 14. Appointment to County Planning Board Joshua Mullen
- 15. Reappointment to County Planning Board Candace Hensel
- 16. Budget Amendment Sheriff's Office / Crisis Response Kits
- 17. Salary Schedule Amendment Sheriff's Office / Creation Of Two Part-Time, Temporary Emergency Services Dispatcher
- 18. Promulgation and Modification of Rules and Regulations-Genesee County Parks
- 19. Reappointments to Genesee County Agricultural and Farmland Protection Board Janette Veazey-Post and LuAnne McKenzie
- 20. Reappointment to Genesee County Water Resource Agency Steven J. Mountain
- 21. Appointment to Fish & Wildlife Management Board- John Lawrence

Clerk Casey called the roll for resolutions 1 and 3 through 21

1 & 3 thru21	Y	Ν	simple	2/3
1. Klotzbach	2		16	16
2. Yunker	absent		26	26
3. Dibble	Х		25	25
4. Hawley	Х		31	31
5. Stein	Х		26	26
6. Torrey	absent		23	23
7. Deleo	Х		17	17
8. Clattenburg	1		18	18
9. Maha	Х		18	18
TOTALS	151		200	200
Roll Call			151	
Approval			101	134

Public Service Committee under the Consent Agenda:

Chair Stein announced Resolutions 22-26 have been approved by the Public Service Committee to be placed on the agenda. Committee Chair Maha requested Legislature Clerk Casey to introduce resolutions 22-26 which have been unanimously approved through the Public Service Committee and moved for their adoption. Committee Chair Maha motioned for adoption of resolutions 22-26 and I request a second, Legislator Dibble seconded.

- 22. Renewal Agreement Office Of Emergency Management Services Comprehensive Fire Service Implementation Plan Development Consultant
- 23. SEQRA Type I Action Classification, Establishing Lead Agency, Determination Of Significance Planning Department/ Water Supply Project Phase 3
- 24. Agricultural District No. 1 Towns Of Alexander, Batavia, Bethany, Darien, Pembroke, And Stafford/Eight Year Review/Continuation And Modification
- 25. Contract Amendment-Genesee County Public Defender/New York State Office Of Indigent Legal Services/Third Counsel at First Appearance
- 26. Contract Amendment Genesee County Public Defender/New York State Office Of Indigent Legal Services/Distribution # 10

22-26 Y N simple 2/3

	L I		
 Klotzbach 	Х	16	16
2. Yunker	absent	26	26
3. Dibble	2	25	25
4. Hawley	X	31	31
5. Stein	X	26	26
6. Torrey	absent	23	23
7. Deleo	X	17	17
8. Clattenburg	X	18	18
9. Maha	1	18	18
TOTALS	151	200	200
Roll Call		151	
Approval		101	134

Non-Consent Items:

Legislator Clattenburg requested to motion for a rule 16 to table Resolution No. 2 "2023-2024 Operation Budget-Genesee Community College Sponsor's Share" to be returned at the Legislature meeting on June 14, 2023. Seconded by Legislator Klotzbach

16 26 25 31 26 23	16 26 25 31 26 23
25 31 26	25 31 26
31 26	31 26
26	26
23	23
17	17
18	18
18	18
200	200
151	
101	134

Legislator Maha motioned to amend resolution 27 to strike the words in the title "Capital Project DeWitt Improvement Phase IV", seconded by Legislator Deleo.

Amendment	Y	Ν	simple	2/3
1. Klotzbach	Х		16	16
2. Yunker	absent		26	26
3. Dibble	Х		25	25
4. Hawley	Х		31	31
5. Stein	Х		26	26
6. Torrey	absent		23	23
7. Deleo	2		17	17
8. Clattenburg	Х		18	18
9. Maha	1		18	18
TOTALS	151		200	200
Roll Call			151	
Approval			101	134

Resolution 27 was amended and Clerk Casey read the amended tile "2023 Budget Amendment/Donation/ DeWitt Park"

27. 2023 Budget Amendment/Donation/Dewitt Park

Please take the roll call:

27	Y	Ν	simple	2/3
1. Klotzbach	Х		16	16
2. Yunker	absent		26	26
3. Dibble	Х		25	25
4. Hawley	Х		31	31
5. Stein	Х		26	26
6. Torrey	absent		23	23
7. Deleo	2		17	17
8. Clattenburg	Х		18	18
Maha	1		18	18
TOTALS	151		200	200
Roll Call				
Approval			101	134

Legislator Clattenburg offered the Following Resolution and Legislator Hawley seconded. 28. County Audit – May 24, 2023

28.	County	Aud	it – May	24, 20)2
27	Y	Ν	simple	2/3	

1. Klotzbach	X	16	16
2. Yunker	absent	26	26
3. Dibble	X	25	25
4. Hawley	2	31	31
5. Stein	X	26	26
6. Torrey	absent	23	23
7. Deleo	X	17	17
8. Clattenburg	1	18	18
9. Maha	X	18	18
TOTALS	151	200	200
Roll Call		151	
Approval		101	134

Legislator Clattenburg motioned for a rule 19 to suspend the rules of the Genesee County Legislature to add two timely resolutions, the first one: An Appointment of Director-Western Regional Off-Track Betting and second one: A Grant Application – Countywide Water Program – 2023 Northern Border Regional Commission State Economic and Infrastructure Development Program. Seconded by Legislator Hawley.

Rule 19	Y	Ν	simple	2/3
1. Klotzbach	Х		16	16
2. Yunker	absent		26	26
3. Dibble	Х		25	25
4. Hawley	2		31	31
5. Stein	Х		26	26
6. Torrey	absent		23	23
7. Deleo	Х		17	17
8. Clattenburg	1		18	18
9. Maha	Х		18	18
TOTALS	151		200	200
Roll Call			151	
Approval			101	134

Legislator Clattenburg motioned for the adoption of

Resolution 29 Appointment of Director-Western Regional Off-Track Betting seconded by Legislator Hawley

Legistator 1	lawiey		-	
29	Y	Ν	simple	2/3
 Klotzbach 	Х		16	16
2. Yunker	absent		26	26
3. Dibble	Х		25	25
4. Hawley	2		31	31
5. Stein	Х		26	26
6. Torrey	absent		23	23
7. Deleo	Х		17	17
Clattenburg	1		18	18
9. Maha	Х		18	18
TOTALS	151		200	200
Roll Call		151		
Approval		101	134	

Legislator Clattenburg motioned for the adoption of

Resolution 30 Grant Application – Countywide Water Program – 2023 Northern Border Regional Commission State Economic and Infrastructure Development Program. Seconded by Legislator Deleo.

30	Y	Ν	simple	2/3
1. Klotzbach	Х		16	16
2. Yunker	absent		26	26
3. Dibble	Х		25	25
4. Hawley	Х		31	31
5. Stein	Х		26	26
6. Torrey	absent		23	23
7. Deleo	2		17	17
8. Clattenburg	1		18	18
9. Maha	Х		18	18
TOTALS	151		200	200
Roll Call			151	
Approval			101	134

Unfinished Business: None.

A motion to enter into an Executive Session - Discussion regarding Proposed, Pending or Current Litigation at 5:53 P.M. by Legislator Klotzbach seconded by Legislator Hawley. Motion to exit executive session at 6:25 P.M. by Legislator Maha, seconded by Legislator Clattenburg.

Adjournment: Motion to close the meeting by Legislator Klotzbach, Seconded by Legislator Dibble at 6:25 P.M

Resolutions:

RESOLUTION NO. 195

SET PUBLIC HEARING-GENESEE COMMUNITY COLLEGE/2023-2024 BUDGET-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the President and Trustees of the Genesee Community College have prepared a proposed operating budget for academic year 2023-2024 in the amount of \$37,350,000 with a sponsor share of \$2,786,374 and

WHEREAS, pursuant to law, it is necessary to hold a public hearing on said budget prior to adoption, and

WHEREAS, the Committee on Ways and Means did review this request and does recommend setting a public hearing at this time. Now, therefore, be it

RESOLVED, that a Public Hearing shall be held on the proposed operating budget for Genesee Community College for academic year 2023-2024 at 5:30 PM on Wednesday, June 14, 2023 at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 196

FRAUD PREVENTION POLICIES - CORPORATE COMPLIANCE PROGRAM- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County updated its Corporate Compliance Plan (Resolution 104-2023) to integrate required elements of the finalized rules of the Office of the Medicaid Inspector General (OMIG), and

WHEREAS, in 2017, Genesee County Contractor Fraud Prevention Policy and Employee Fraud Prevention Policy were adopted (Resolution 132-2017), and

WHEREAS, both Fraud Prevention Policies require updates to be in alignment with the above referenced OMIG rules and have been reviewed by the County Attorney, Compliance Committee Members and Compliance Officer and all recommend adoption of said policies, and

WHEREAS, the Committee on Ways & Means does concur and recommends approval of the Genesee County Contractor Fraud Prevention Policy and Employee Fraud Prevention Policy at this time. Now, therefore be it

RESOLVED, that the Genesee County Legislature does hereby adopt the Genesee County Contractor Fraud Prevention Policy and Employee Fraud Prevention Policy as submitted by the Genesee County Compliance Officer.

Budget Impact: Zero budget impact.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 197GENESEE COUNTY POLICY-RESOLUTIONS AND
LEGISLATIVE DOCUMENTS-ADOPTION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, a policy and procedure that outlines what documents are required when Department Heads or their designee bring governmental business to the Legislature for action, and **WHEREAS**, policy GC-050 Resolutions and Legislative Documents identifies the following policy statement; It is the policy of Genesee County to establish a protocol for Department Heads or their designee to prepare resolutions and provide required supporting back-up documentation for Committee and Legislature consideration.", and

WHEREAS, the above named policy codifies current unwritten procedure and practice, and

WHEREAS, the Clerk to the Legislature, County Manager and Policy & Procedure Committee did review GC-050 Resolutions and Legislative Documents Policy and recommends adoption, and **WHEREAS**, the Ways & Means Committee did review GC-050 Resolutions and Legislative Documents Policy and does recommend approval at this time . Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve and adopt GC-050 Resolutions and Legislative Documents Policy.

Budget Impact: None

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 198

DISTRIBUTION OF MORTGAGE TAX-FIRST PAYMENT 2023-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$469,976.12, and

WHEREAS, the Committee on Ways & Means did review the mortgage tax money available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

City of Batavia	\$ 110,175.18
Town of Alabama	\$ 8,412.02
Town of Alexander	\$ 27,606.46
Town of Batavia	\$ 102,188.96
Town of Bergen	\$ 12,215.15
Town of Bethany	\$ 17,252.44
Town of Byron	\$ 12,933.80
Town of Darien	\$ 29,548.18
Town of Elba	\$ 11,242.94
Town of LeRoy	\$ 35,768.49
Town of Oakfield	\$ 12,056.45
Town of Pavilion	\$ 24,859.10
Town of Pembroke	\$ 25,400.70
Town of Stafford	\$ 20,007.16
Village of Alexander	\$ 2,550.49
Village of Attica	\$ 883.54
Village of Bergen	\$ 1,655.00
Village of Corfu	\$ 1,515.26
Village of Elba	\$ 1,401.70
Village of LeRoy	\$ 10,398.34
Village of Oakfield	\$ 1,904.76
Total	\$ 469,976.12

Now, therefore, be it

RESOLVED, that the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax refund. Budget Impact: 2022 1st Payment \$540,499.71

2022 1st Payment \$540,499.71 2021 1st Payment \$465,345.03 2020 1st payment \$388,967.72 2019 1st payment \$262,518.89 2018 1st payment \$383,585.91 2017 1st payment \$384,918.90 2016 1st payment \$278,153.64 2015 1st Payment \$292,934.98

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 199

2023 BUDGET AMENDMENT- ASSET ACQUISITION- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, in 2020 the Sheriff's Office submitted a multi-year asset acquisition request for body cameras, docking stations, and annual licenses for the road patrol that did not get transferred to the 2023 Budget, and

WHEREAS, the County Manager and County Treasurer recommend using 1% sales tax reserve funds to cover the expense to the 2023 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 2023 Genesee County Budget by increasing A.1989.2080.1201 Asset Acquisition –Firearms/Holsters/Body Cameras in the amount of \$26,521 offset by an increase in A.1000.1110.1 – Sales & Use Tax 1%. Budget Impact: Increase to the 2023 Asset Acquisition account by \$26,251 offset by use of the 1% sales tax reserve.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 200

CAPITAL PROJECTS FUND REALLOCATION APPROVAL – GENESEE COMMUNITY COLLEGE/HEERF – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the State University of New York (SUNY) had authorized colleges to submit requests for funding for certain capital projects using Higher Education Emergency Relief Funds (HEERF) as part or all of the local 50% share match, and

WHEREAS, the Genesee County Legislature approved to support four capital projects for Genesee Community College that met the U.S. Department of Education's definition of allowable expenses under HEERF via Resolution No. 101 dated March 10, 2022, and

WHEREAS, Genesee Community College wishes to reallocate the funding for the following projects:

Current Allocation:

Current / mocution.	
HVAC System	\$1,800,000
Data Room Control Unit	\$ 300,000
Gym Air Handling Unit	\$ 450,000
	\$2,550,000
New Allocation:	
HVAC System	\$2,000,000
Gym Air Handling Unit	\$ 550,000
	\$2,550,000

These reallocations are based on priority of needs; and

WHEREAS, the New York State Division of Budget requires Sponsor support as part of the approval process and acknowledgement that funding of the projects would be borne half by the State of New York and half by HEERF, and

WHEREAS, the Committee on Ways and Means did review this request and do recommend the reallocation of funding of the projects as described above to the Legislature. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby support and approve Genesee Community College and their request to SUNY and the State for the reallocation of funding related to the capital projects listed, with no funding required from Genesee County.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 201

CAPITAL PROJECT FUND REALLOCATION APPROVAL GENESEE COMMUNITY COLLEGE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Legislature approved to support various Capital Projects for Genesee Community College via Resolution No. 483 dated November 21, 2021 and via Resolution No. 101 dated March 10, 2022, and

WHEREAS, Genesee Community College wishes to reallocate the funding for the following projects as described below:

Current Allocation:	
Technology Parking Lot (Lot T) Replacement	\$800,000
New Allocation:	
Technology Parking Lot (Lot T) Replacement	\$300,000
HVAC System	\$500,000

This reallocation is due to the approximate costs of the Technology Parking Lot project being under budget and the HVAC System project being over budget, and

WHEREAS, the State of New York requires Sponsor commitment of funds of specific approved Capital Projects to obtain SUNY approval to progress, and financing of capital projects to be borne half by the State of New York, and when approved, half by the County, and

WHEREAS, the Committee on Ways and Means did review this request and do recommend the reallocation of funding of the projects as described above to the Legislature. Now, therefore, be it **RESOLVED**, that the Genesee County Legislature does hereby support and approve proceeding with the Capital Project fund reallocation not to exceed \$400,000.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 202

CONSULTANT AGREEMENT/BUDGET AMENDMENT - COUNTYWIDE WATER SUPPLY PROGRAM/PHASE 3 SOURCE SUPPLY CHANGE STUDY – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County desires to obtain additional water supply from the Monroe County Water Authority, and

WHEREAS, Aracdis of New York, Inc. has worked with the Genesee County Water Resources Agency, the Monroe County Water Authority, 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, and

WHEREAS, the Genesee County Highway Superintendent did review a scope of work from Arcadis for the next steps required on the Source Supply Change Study, and

WHEREAS, the Genesee County Highway Superintendent did negotiate a contract price based on this scope and does recommend entering into a consultant agreement for this work, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to enter into a consultant agreement with Arcadis of New York, Inc., 100 Chestnut Street, Suite 1020, Rochester, NY 14604 in the amount of

\$195,000 for the purpose of completing the needed steps in the Source Supply Change Study, and be it further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2023 Budget by increasing EW.8320.9999 Balancing by \$195,000 and increasing EW.8320.4660.0000 Contracted-Other in a like amount.

Budget Impact: the consultant agreement is for \$195,000 and is funded from the Water Fund. The Water Fund is being amended with additional revenue from increased water sales and offset by a contractual expense.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 203

AMEND CAPITAL PROJECTS/2023 BUDGET AMENDMENT – STATE FUNDED HIGHWAY CONSTRUCTION – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the State of New York has provided Genesee County with Consolidated Local Street and Highway Improvement Program (CHIPS), Extreme Winter Recovery (EWR), Pave Our Potholes (POP), and PAVE-NY funding, and

WHEREAS, the Genesee County Superintendent of Highways has established capital projects for the repair and replacement of highways, bridges and culverts that have been completed with prior year's funding, and

WHEREAS, the Superintendent of Highways recommends amending existing projects, for work planned for this construction season, 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 does hereby authorize and direct the County Treasurer to amend the following capital projects as required:

Amend Projects:

Title Source A	mendment	
Highway Chipseal	CHIPS	Add \$730,000 from 2023 CHIPS
Highway Overlay	CHIPS	Add \$380,496 from 2023 POP
Hwy Surface Treatment	PAVE-NY	Add \$570,744 from 2023 PAVE-NY
EWR Add \$369	9,997 from 2023 E	WR

CHIPS Add \$610,538 from 2023 CHIPS

Highway RecyclingCHIPSAdd \$924,401 from 2023 CHIPS

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the following CHIPS, EWR, POP and PAVE-NY funded capital projects by increasing Highway Capital Project Expense H5112.2080 in the amount of \$3,586,176 and Increase H5112.3501 CHIPS in a like amount.

Budget Impact: 2023 CHIPS allocation is \$2,264,939; 2023 PAVE-NY allocation is \$570,744, 2023 EWR allocation is \$369,997 and 2023 POP allocation is \$380,496. CHIPS increase over 2022 funding is approximately 10% all other programs remained at 2022 level.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 204

AGREEMENT BETWEEN GENESEE COUNTY AND RENT.FUN, LLC – COUNTY PARK/ SELF-SERVICE KAYAK RENTAL KIOSK/ REDUCE CAPITAL PROJECT DEWITT IMPROVEMENTS PHASE IV/ BUDGET AMENDMENT -APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent and the Genesee County Deputy Highway Superintendent have reviewed a proposal from Rent.Fun LLC to put a self-service kayak rental kiosk at the DeWitt Recreation Area, and

WHEREAS, kayaking is an activity that has been identified in the 2021 Comprehensive Recreation Plan as a need to be made available to the community, and

WHEREAS, the Genesee County Highway Superintendent and the Genesee County Deputy Highway Superintendent recommend the approval of the proposal, 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 Chairperson is hereby authorized and directed to enter into an agreement with Rent.Fun, LLC located at 201 S. Division Street, Suite 400, Ann Arbor, MI 48104 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. Be it further

RESOLVED, that the Genesee County Treasurer is authorized and directed to reduce Capital Project DeWitt Improvements Phase IV by reducing H.1997.2080.0000 – Capital Project Expense by \$10,000 off set by an increase in H.9907.9 – Transfer to General Fund by a like amount, be it further

RESOLVED, that the Genesee County Treasurer is authorized and directed to make the following budget amendment. Increasing A.7110.4660.0000 – Contracted – Other by \$10,000 offset by an increase in A.1000.5031 – Interfund Transfer by \$10,000

Budget Impact: \$10,000 will be reallocated from the Capital Project DeWitt Improvements Phase IV into the Parks Operating budget to cover expense. \$6,000 of this cost is being offset by a donation from ACORNS.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 205

CONTRACT AWARD – HIGHWAY – PAVEMENT MARKINGS -- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent and the Purchasing Department did receive bids for the painting of pavement markings on county roads and airport, and,

WHEREAS, the Genesee County Highway Superintendent has reviewed the bids and the qualifications of bidders and does recommend awarding contracts at this time, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Seneca Pavement Markings, Inc., 3526 Watkins Rd, Horseheads, NY 14845 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, and be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into 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, 2023 through May 31, 2024 in an amount not to exceed budgeted amounts, and be it further

RESOLVED, that the Genesee County Legislature does hereby reject the bids received from O&H Striping, Inc., 11217 River Rd, Corning, NY 14830 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.

Budget Impact: The County Road Fund includes \$211,370 for highway pavement markings and the Airport budget includes \$18,000 for pavement maintenance which will be used towards the application of pavement markings.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 206 CHANGE ORDER / GENESEE COUNTY JAIL --APPROVAL OF

Legislator Clattenburg offered the following resolution:

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

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

RESOLVED, that the Chair of the Genesee County Legislature does hereby authorize a change order 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.

Budget Impact: The total amount of the final change order is being negotiated by Pike and LeChase. The cost of the change order will not exceed \$84,000.00

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 207

APPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, a vacancy does exist on the Genesee County Planning Board due to the resignation of Larry Hale of Batavia, New York, and

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

RESOLVED, that Mr. Joshua Mullen of Basom, NY is hereby appointed to the Genesee County Planning Board for a term effective through May 31, 2026.

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

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes

RESOLUTION NO. 208

REAPPOINTMENT - GENESEE COUNTY PLANNING BOARD - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, 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, and

WHEREAS, this candidate is in compliance with the training requirements required by New York State for reappointment under Chapter 662 of the Laws of 2006, and

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

RESOLVED, that the Genesee County Legislature does hereby 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.

Budget Impact: None

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 209

BUDGET AMENDMENT – SHERIFF'S OFFICE / CRISIS RESPONSE KITS – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Sheriff's Office has requested to purchase 25 School Resource Officer Crisis Response kits to be available within schools in Genesee County funded by Opioid Settlement Funds, and

WHEREAS, the kits will be provided to School Resource Officers from the Genesee County Sheriff's Office, Batavia Police Department and the LeRoy Police Department, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to make the following 2023 Budget Amendment: Increase A.3110.2735 – Sheriff - Opioid Settlement Funds by \$7,764 offset by an increase in A.3110.4800.0600 – Sheriff – Program Expense - Opioid Settlement in a like amount. Funds coming from A.688.1 – Other Liabilities-Opioid Settlement. Budget Impact: Total cost for 25 kits is \$7,764.00 and is fully funded by the Opioid Settlement. Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 210

SALARY SCHEDULE AMENDMENT – SHERIFF'S OFFICE / CREATION OF TWO (2) PART-TIME, TEMPORARY EMERGENCY SERVICES DISPATCHER – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Emergency Services Dispatch Center currently has four (4) fulltime 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, and

WHEREAS, there are only two (2) part-time Emergency Services Dispatchers to aid in filling these vacant shifts and leave time requests, and

WHEREAS, 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, and

WHEREAS, the Committees on Public Service and Ways & Means have reviewed this request and do concur 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 2023 Employee Salary Schedule by creating two (2) part-time, temporary Emergency Services Dispatcher, in SEA Grade 10 in Employee Salary Schedule effective May 27, 2023, through December 31, 2023.

Budget Impact: Cost associated with this temporary, part-time position will be covered from May 27, 2023, through December 31, 2023, from funds available as a result of the four (4) vacant, full-time Emergency Services Dispatcher positions.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 211

PROMULGATION AND MODIFICATION OF RULES AND REGULATIONS-GENESEE COUNTY PARKS – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the Deputy Highway Superintendent does request authorization to rescind the Deer Management Hunting Rules and Regulations as an appendix, and

WHEREAS, in response to the positive impact the Ellicott Trial has on the citizens of Genesee County, the Deputy Highway Superintendent does request approval to further promulgate and modify the existing rules to allow dogs at DeWitt Recreation Area immediately, and

WHEREAS, the Committee on Public Service and Ways and Means does concur with these requests. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does 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.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes

RESOLUTION NO. 212

REAPPOINTMENTS - GENESEE COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

Legislator Clattenburg offered the following resolution:

WHEREAS, 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; and

WHEREAS, the Law requires the Board's membership to be comprised of:

- Four farmers
- One representative of agri-business
- One representative of an organization dedicated to farmland preservation
- The chairperson of the county soil and water conservation district's board of directors
- A member of the county legislative body
- A county cooperative extension agent
- The county planning director
- The county director of real property tax services, and

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

RESOLVED, that the Genesee County Legislature does hereby reappoint 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

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 213 REAPPOINTMENT - GENESEE COUNTY WATER RESOURCES AGENCY –APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the term of office of Steven J. Mountain on the Genesee County Water Resources Agency expired December 31, 2022 and he has indicated an interest and desire for reappointment, and

WHEREAS, the Committees on Public Service and Ways and Means do recommend reappointed effective January 1, 2023. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby 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.

Budget Impact: None, this is an unpaid position.

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 214

APPOINTMENT –FISH & WILDLIFE MANAGEMENT BOARD - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, an interest by John Lawrence of Batavia, New York 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, and

WHEREAS, a minimum 3-member board, appointed by the Legislature includes a sportsman, landowner and legislator and also the Soil & Water Chair or their designee is an automatic member, and

WHEREAS, John Lawrence is desirous of an appointment and the Committees on Public Service and Ways and Means do recommend this appointment at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby reappoint the following to serve on the Fish & Wildlife Management Board.

John Lawrence Landowner Representative 5/24/23-12/31/24Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 215

RENEWAL AGREEMENT – OFFICE OF EMERGENCY MANAGEMENT SERVICES – COMPREHENSIVE FIRE SERVICE IMPLEMENTATION PLAN DEVELOPMENT CONSULTANT-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the Genesee County Emergency Management Services Coordinator, as the party responsible for payment and a representative of the Fire Service Task Force, does request the renewal options, and

WHEREAS, the Public Service Committee 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 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.

Budget Impact: None. No additional cost to the county.

Legislator Dibble seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 216

SEQRA TYPE I ACTION CLASSIFICATION, ESTABLISHING LEAD AGENCY,

DETERMINATION OF SIGNIFICANCE – PLANNING DEPT/ WATER SUPPLY PROJECT PHASE 3 – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, 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; and

WHEREAS, to aid the Genesee County Legislature in determining whether such Project and financing and other actions of the Genesee County Legislature in connection therewith (the "action") might have a significant effect on the environment, the Genesee County Legislature caused to be prepared an environmental assessment form for each sub-project or similar information ("EAFs"), a copy of each which it attached hereto; and

WHEREAS, the Genesee County Legislature duly reviewed the EAFs and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"); and

WHEREAS, the Genesee County Legislature determined that the project was a "Type I Action" pursuant to SEQRA; and

WHEREAS, the Genesee County Legislature determined that the project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Genesee County Legislature duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies have consented to the Genesee County Legislature's request to be designated Lead Agency status; and

WHEREAS, the Committee on Public Service does concur with the above determinations. Now, therefore, be it

RESOLVED, that the Genesee County Legislature declares itself to be 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, Be it Further

RESOLVED, by the Genesee County Legislature as follows:

1. Based upon the review by the Genesee County Legislature of the EAFs and other necessary criteria, the Genesee County Legislature hereby finds and determines that the proposed action is a "Type I Action" under SEQRA and will result in no significant impacts and therefore, such action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement" need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes 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.

2. The Genesee County Legislature does hereby authorize the Chair of the Legislature to sign all necessary documentation and a copy of this resolution shall be placed on file in the office of the Genesee County Legislature, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

Budget Impact: There are no immediate budget impacts from this specific action on SEQRA, but the estimated total cost of planned water infrastructure improvements in Phase 3 of the Countywide Water project are estimated at \$153 million.

Legislator Dibble seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 217

AGRICULTURAL DISTRICT NO. 1 - TOWNS OF ALEXANDER, BATAVIA, BETHANY, DARIEN, PEMBROKE, AND STAFFORD/EIGHT YEAR REVIEW/CONTINUATION AND MODIFICATION – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the County Legislative has subsequently modified Agricultural District No. 1 through reviews in 1991, 2002, 2007, and 2015, and

WHEREAS, the District was duly referred to the Agricultural and Farmland Protection Board which produced a report with the recommendation for the approval and modification of the District at its March 14, 2023 meeting, and

WHEREAS, on the 26th day of April 2023, pursuant to public notice, a public hearing was held on the proposed District at the Old Courthouse in Batavia, and

WHEREAS, in accordance with the New York State Environmental Quality Review Act of 1975, and in accordance with adopted review procedures and the criteria set forth in Part 617, the Agricultural District under review has been determined to have no significant effect on the environment after preparing and evaluating a Short Environmental Assessment Form (EAF), and

WHEREAS, the Committee on Public Service does concur with the recommendation of the Agricultural and Farmland Protection Board. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby 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. Be it further

RESOLVED, that the Genesee County Legislature does hereby authorize the Chair of the Legislature to sign all necessary SEQR documentation and directs the Department of Planning to 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.

Budget Impact: None

Legislator Dibble seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 218

CONTRACT AMENDMENT – GENESEE COUNTY PUBLIC DEFENDER/NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES/THIRD COUNSEL AT FIRST APPEARNCE – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Public Defender does recommend 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, and **WHEREAS**, the Committee of Public Service 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 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, located at the A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210.

Budget Impact: Public Defender contract revenue for 2023 in the amount of \$159,315 is contained within the 2023 adopted budget in its a.1170.3025 Indigent Legal Services offset by like amounts in expenses.

Legislator Dibble seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 219

CONTRACT AMENDMENT – GENESEE COUNTY PUBLIC DEFENDER/NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES/ DISTRIBUTION # 10 – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Public Defender does recommend 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, and

WHEREAS, the Committee of Public Service does recommend approval at this time. New, therefore be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed 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, located at the A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210.

Budget Impact: Public Defender contract revenue for 2023 in the amount of \$59,568 is contained within the 2023 adopted budget in its a.1170.3025 Indigent Legal Services offset by like amounts in expenses.

Legislator Dibble seconded the resolution, which was adopted by 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

RESOLUTION NO. 220

2023 BUDGET AMENDMENT/DONATION/DEWITT PARK - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent does request an amendment to the 2023 Genesee County Budget to allow the acceptance of donation 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, and

WHEREAS, the budget increase will allow Highway Superintendent to use the funding towards the purchase of a kayak rental kiosk at DeWitt Park, 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 accept the \$6,000 donation from the ACORNS to be used towards the purchase of a kayak rental kiosk, and

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Genesee County budget by increasing A.7110.4660.0000 – Contracted – Other by \$6,000 offset by an increase in A.7110.2705 – Gifts & Donations in a like amount.

Budget Impact: increase to 2023 budget expense in amount of \$6,000. Cost to County \$0

Legislator Klotzbach seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 221

COUNTY AUDIT-MAY 24, 2023-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Hawley did review the following claims:

General Fund	\$	1,110,673.61
Highway		172,004.36
Self Insurance		17,907.66
Water Fund		296,040.04
DSS Abstracts		408,612.21
Capital Projects		
Sheriff/Jail – Jail Construction	3,804,	935.22
Facilities Management – Genesee Justice Stonework	33,	991.95
County Park – Water System Upgrade		78.60
Highway – S. Lyons St. Bridge	30,	720.86
Highway – Garage De-Stratification Fans	16,	850.00
Highway – Large Span Culverts	23,	557.15
GCC – Turf Field Replacement		319.26
GCC – Arts Center Connector Replacement	1,	345.34
GCC – Cooling Tower Replacement	22,	852.08
Payroll – General		
May 19, 2023		1,915,631.04
Medicaid		
May 16, 2023		152,875.00
May 23, 2023		152,875.00
Total Audit	\$	8,161,269.38

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 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 222

APPOINTMENT OF DIRECTOR-WESTERN REGIONAL OFF-TRACK BETTING–APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No 202, duly adopted on September 26, 1973, empowered Genesee County to participate in and become a member of the Western Regional Off-Track Betting Corporation, and

WHEREAS, the resignation of Richard E. Siebert as Board of Director for Western Regional Off-Track Betting Corporation for the County of Genesee serving continuously until May 2, 2023, and **WHEREAS**, the Genesee County Republican Committee recommended for consideration Charles N. Zambito to fill the vacancy and serve his initial four year. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby appoints Charles N. Zambito to serve his initial four year term effective May 24, 2023 through May 23, 2027 as the Board of Director to the Western Regional Off-Track Betting Corporation representing the County of Genesee, and provided further, that this act shall expire and be deemed repealed four years after such effective date.

Legislator Hawley seconded the resolution, which was adopted by 151 (Torrey Absent -23, Yunker Absent -26) votes.

RESOLUTION NO. 223

GRANT APPLICATION – COUNTYWIDE WATER PROGRAM – 2023 NORTHERN BORDER REGIONAL COMMISSION STATE ECONOMIC

AND INFRASTRUCTURE DEVELOPMENT PROGRAM – SUPPORT AND AUTHORIZATION OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County supports the submission of a 2023 State Economic & Infrastructure Development (SEID) grant to construct approximately 10,000 linear feet of a 36-inch ductile iron pipe transmission main on Prole Road in the Town of Stafford; and

WHEREAS, the Northern Border Regional Commission (NBRC) provides a competitive Catalyst Program to assist with the construction of this water infrastructure project. 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 SEID 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 2023 Catalyst Program application to construct the Prole Road Water Transmission Main in the Town of Stafford.

Budget Impact: The total maximum award permitted under the 2023 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 151 (Torrey Absent – 23, Yunker Absent - 26) votes.

Motion to close the meeting by Legislator Klotzbach, Seconded by Legislator Dibble at 6:25 P.M