

**TENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, May 26, 2021**

The Genesee County Legislature met in Regular Session on Wednesday, May 26, 2021 at 5:30 PM in the Legislative Chambers of the Old Courthouse and remotely using ZOOM. Legislator Klotzbach assisted with the audit. The prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

Minutes of the May 12, 2021 Legislature Meeting were approved upon motion of Legislator Torrey seconded by Legislator Klotzbach, carried unanimously.

Legislature Chair Stein shared comments from the WNY Inter-County Association meeting that she and Legislator Maha attended. The NYSAC legislative Director reviewed the top 5 NYSAC policy priorities. Legislator Maha explained how the discussion also included the recently adopted State budget and the NYSAC Fall Conference is scheduled for September 13-15 and will be held in-person.

Legislature Chair Stein stated today was the last scheduled vaccination clinic at GCC. She related that several volunteers commented on how they appreciated the opportunity to contribute by working at the COVID test clinics and vaccination clinics for the past 6 months. She thanked the volunteers, community leaders, re-deployed county employees, Health Department and Emergency Management Services employees and GCC for coming together to protect our community and citizens. A special thank you was extended to COVID “Czar” Bill Schutt who took on the monumental task of coordinating and scheduling workers for both the testing and vaccination clinics. All were thanked for the heroic effort to help protect our community.

County Manager Matt Landers also commented on the end to mass vaccination clinics at GCC and his deep appreciation for how the County came together and hours and days spent on testing and vaccination efforts. He announced that a water conservation notice is being published this week. The advisory is in alignment with the emergency water plan developed previously. Phase 2 water is delayed due to the pandemic and the hot summer months lie ahead. Water demand is beginning to outpace supply and the advisory notice will include actions citizens can take to conserve water.

Out-of-State Travel:

- EMS Coordinator Tim Yaeger – Las Vegas, NV for 2021 Homeland Security Conference August 29- Sept 3, 2021 \$2,190.50 Grant Funded. Motion to approve by Legislator Clattenburg seconded by Legislator Maha, carried unanimously.
- Sheriff’s Deputy Patrick Reeves-Washington DC - SRO Chaperone for student trip with Pembroke School June 21-23 & June 28-30 Pembroke CS is covering all expenses. Motion to approve by Legislator Dibble seconded by Legislator Torrey, carried unanimously.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 202 GRANT ACCEPTANCE - EMERGENCY
MANAGEMENT SERVICES - FY19 HAZARDOUS
MATERIALS (HazMat) GRANT – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator did request authorization to accept the FY19 HazMat grant funds in the amount of \$196,000 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

WHEREAS, Grant funds have been allocated for spill and mitigation response; personal protection equipment; detection, mitigation and decon equipment; the maintenance, repair and calibration of hazmat equipment in addition to the training of response personnel from the regional partnership, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY19 HazMat Grant Program (April 1, 2021 through August 31, 2021) in the amount of \$196,000, and to execute any and all other documentation related to this funding.

Budget Impact Statement: NONE. A portion of the FY19 HazMat grant funds has been appropriated in the 2021 Emergency Management Services (EMS) budget, offset by revenue in like amount.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 203 2021 BUDGET AMENDMENT - SHERIFF/
REMAINING GRANT FUNDS- APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The Sheriff's Office has grant funds remaining in the FY2019 Department of Homeland Security and Emergency Services Grant in the amount of \$3,108, which is available to be used in 2021, and

WHEREAS, The Sheriff is requesting a 2021 budget amendment to allow for the use of the grant funds, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 budget by increasing Sheriff's appropriations as follows:

\$3,108 to A3110.4800.0503 (Program Expense Homeland Security)

To be offset by increasing the following revenue accounts:

\$3,108 to A3110.4305.2 (Fed Aid Homeland Security)

Budget Impact: Increase in Sheriff's 2021 appropriations in the amount of \$3,108, offset by revenue in a like amount, with money coming from the FY19 DHSES grant funding.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 204 2021 BUDGET AMENDMENT - SHERIFF/K-9
PROGRAM-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, K9 Rayzor is undergoing routine physical therapy treatment and requires several medications, and

WHEREAS, K9 Frankie has some unresolved medical issues which require further evaluation and treatment, and

WHEREAS, There are funds available in the K-9 Donations Reserve Account, from gifts and donations that have been made to the K9 Program, to cover the cost of these treatments and medical care, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 budget as follows:

\$5,000 to A3110.4800.3317 (Program Exp-Canine Program)

To be offset by increasing the following revenue account:

\$5,000 to A3110.2705 (Gifts and Donations), with funds to come from A915.6 (K-9 Assigned Unappropriated Funds)

Budget Impact Statement: Increase in Sheriff's 2021 appropriations in the amount of \$5,000; offset by an increase in revenue in a like amount, with funds to come from the K9 Donations Reserve Account.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 205

**AGREEMENT RENEWAL – SHERIFF /
SPECIAL/ADDITIONAL LAW
ENFORCEMENT SERVICES FOR SIX FLAGS
DARIEN, LLC – APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, the County of Genesee entered into an agreement with Six Flags Darien, LLC (“Darien Lake”) pursuant to Resolution 275 that was adopted on July 22, 2020, whereby the Sheriff's Office would provide additional law enforcement services at Darien Lake and its Performing Arts Center for the 2020 operating/concert season, and **WHEREAS**, the Sheriff's Office invoiced Darien Lake for the police services provided, and Darien Lake reimbursed the County, and

WHEREAS, the current agreement expires May 31, 2021, and Darien Lake has indicated a desire to renew the law enforcement services agreement with the County of Genesee for an additional one-year term (June 1, 2021 through May 31, 2022), and

WHEREAS, the renewal agreement is based on the same terms and conditions from 2020, with the exception of an increase in rates per the Sheriff's Employees' Association (SEA) and Deputy Sheriffs' Association (DSA) *Labor Agreements*, and

WHEREAS, after careful review by the Genesee County Attorney, the Sheriff does recommend renewing this agreement for the term stated above, and

WHEREAS, The Committee on 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 and the Genesee County Sheriff are authorized and directed to execute the renewal agreement for an additional one-year term (June 1, 2021 through May 31, 2022) for special/additional law enforcement services at Darien Lake for its 2021 operating and Performing Arts Center concert season.

Budget Impact: *\$191,112 has been appropriated to account A3110.1020.0800 (Overtime – Additional Police Services), to be offset by revenue billed back to entities for additional law enforcement services.*

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 206 AGREEMENT – SHERIFF / SPECIAL/ADDITIONAL
LAW ENFORCEMENT SERVICES FOR WESTERN
REGIONAL OTB – APPROVAL OF**

Legislator Hawley offered the following resolution:

WHEREAS, the County of Genesee last entered into an agreement with Western Regional OTB pursuant to Resolution 185 that was adopted on May 22, 2019, whereby the Sheriff's Office would provide additional law enforcement services at Batavia Downs Gaming for its 2019 summer concert season, and

WHEREAS, This agreement expired and no concerts were held in 2020 due to the Covid pandemic, therefore, there was no need for an Agreement renewal, and

WHEREAS, Western Regional OTB is entering into its 2021 summer concert season and has indicated a desire to enter into another law enforcement services agreement with the County of Genesee for a one-year term (June 1, 2021 through May 31, 2022) based on the same terms and conditions from 2019, with the exception of an increase in rates per the Deputy Sheriff's Association (DSA) and Sheriff's Employees' Association (SEA) *Labor Agreements*, and

WHEREAS, After discussions between the Sheriff, Chief Deputy of Road Patrol, Western Regional OTB representatives, and approval by the County Attorney, the Sheriff does recommend entering into this agreement for the term stated above, 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 and the Genesee County Sheriff are hereby authorized and directed to execute the Agreement for a one-year term (June 1, 2021 through May 31, 2022) for special/additional law enforcement services at Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020, for its 2021 summer concert season.

Budget Impact: *\$191,112 has been appropriated to account A3110.1020.0800 (Overtime – Additional Police Services), to be offset by revenue billed back to entities for additional law enforcement services.*

Legislator Klotzbach seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 207 GRANT AGREEMENT AMENDMENT -DISTRICT
ATTORNEY/AID TO PROSECUTION GRANT -
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Resolution No. 339 year 2019 authorized the Chair of the Legislature to execute an agreement with NYS Division of Criminal Justice Services for the Aid to Prosecution grant in the amount of \$30,200, and

WHEREAS, notification was received indicating the grant period was extended due to COVID-19 pandemic through March 31, 2021 and additional funds in the amount of \$15,100 have been allocated , and

WHEREAS, The Committee on Public Service does recommend acceptance of these additional funds and extended grant period at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the amended agreement with the New York State Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$15,100 for Aid to Prosecution in Genesee County

Budget Impact: No Budget impact.

Legislator Yunker seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 208 GRANT ACCEPTANCE - DISTRICT ATTORNEY/
AID TO PROSECUTION - APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The District Attorney has been notified of the award of grant funding from the New York State Division of Criminal Justice Services for prosecution services aid in the amount of \$30,200.00 for the term of April 1, 2021 – March 31, 2022, and

WHEREAS, The Committee on Public Services does recommend acceptance of these funds at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$30,200.00 for Aid to Prosecution in Genesee County, and Be it further

RESOLVED, That funds for said grant have been appropriated in the 2021 Genesee County Budget and will be incorporated into the 2022 Genesee County Budget.

Budget Impact: None - funds have been appropriated.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 209 AUTHORIZING THE ACCEPTANCE OF
TRANSFER OF ELLICOTT TRAIL EASEMENTS
TO THE COUNTY OF GENESEE- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Town of Batavia (“the Town”) acquired certain easements to support the development of the Ellicott Trail, including the following:

<u>TAX ID</u>	<u>RECORDING LOCATION</u>	<u>GRANTOR</u>
85.013-1-29	Instrument # DE2018-564	1515 Management Company, Inc.
85.013-1-31	Instrument # DE2018-358	Sikes Realty, LLC

(collectively, the “Easements”), and,

WHEREAS, the Town now wishes to transfer to the County of Genesee (the “County”) all of its rights, title and interest in and to such Easements and all Ellicott Trail improvements thereon, and

WHEREAS, The County Attorney has reviewed this recommendation and does concur, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this recommendation and do concur, and

Now, therefore, Be it

RESOLVED, That the transfer without financial consideration of the two above-named Easements and all Ellicott Trail improvements thereon to the County is hereby approved, and the Chair of the Genesee County Legislature is hereby authorized and directed to sign all documents in the form acceptable to the County Attorney that are necessary to effectuate these transfers.

Budget Impact Statement: The Genesee County Department of Parks, Recreation & Forestry currently maintains these easements through the Memorandum of Understanding signed in 2019 with the Town of Batavia in conjunction with construction of the wetland bridge for the Ellicott Trail Project. The Parks budget will be impacted yearly due to increased maintenance of the Ellicott Trail areas mentioned thereon. This was understood when the project was proposed and is minimal to date.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 210 AUTHORIZING THE ACCEPTANCE OF
TRANSFER OF REAL PROPERTY FROM THE
TOWN OF BATAVIA TO THE COUNTY OF
GENESEE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Town of Batavia (“the Town”) acquired certain real property, in fee, to support the development of the Ellicott Trail, including the following:

<u>TAX ID</u>	<u>RECORDING LOCATION</u>	<u>GRANTOR</u>
85.013-1-45.2	Instrument # DE2018-934	Time Warner Cable Northeast, LLC (the “Premises”), and,

WHEREAS, the Town now wishes to transfer all its rights, title and interest in and to the Premises and all Ellicott Trail Improvements thereon to the County of Genesee (the “County”),

WHEREAS, The County Attorney has reviewed this recommendation and does concur, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this recommendation and do concur, and

Now, therefore, Be it

RESOLVED, That the transfer without financial consideration of the fee interest in the Premises and all Ellicott Trail improvements thereon to the County is hereby approved, and the Chair of the Genesee County Legislature is hereby authorized and directed to sign all documents in the form acceptable to the County Attorney that are necessary and sufficient to effectuate this transfer.

Budget Impact Statement: The Genesee County Department of Parks, Recreation & Forestry currently maintains this section of property through the Memorandum of Understanding signed in 2019 with the Town of Batavia in conjunction with construction of the trail for the Ellicott Trail Project. The Parks budget will be impacted yearly due to increased maintenance of the Ellicott Trail area mentioned thereon. This was understood when the project was proposed and is minimal to date.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 211 AMEND CAPITAL PROJECT &2021
BUDGET AMENDMENT –
HIGHWAY/HUNDREDMARK RD BRIDGE**

Legislator Yunker offered the following resolution:

WHEREAS, Genesee County has received Federal Aid funding for the design and right-of-way portions of the Hundredmark Rd over Drainage Ditch bridge project within the Town of Elba and the County expects to receive a Supplemental Grant Agreement for the Construction phase of this project, and

WHEREAS, The Genesee County Highway Superintendent recommends amending the capital project and the 2021 County Budget in order to move forward with construction of this project, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this recommendation and do concur at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to amend capital project Hundredmark Rd Bridge in the amount of \$1,299,700, with federal aid of \$1,039,760, state aid of \$194,955 and a local match from 1% Sales Tax of \$64,985, and be if further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2021 County Budget:

Increase A.1000.1101.1	1% Sales Tax	\$64,985
Increase A.9950.9000	Transfers to Capital	\$64,985
Increase H.5197.5031	Interfund Revenue	\$64,985
Increase H.5197.3597	State Aid - Marchiselli	\$194,955
Increase H.5197.4592	Federal Aid	\$1,039,760
Increase H.5197.2080.0000	Hundredmark Rd over Drainage	\$1,299,700

Budget Impact: The total cost of the construction phase of this project is \$1,299,700, funded with 80% federal aid, 15% Marchiselli Aid from the state and a \$64,985 local match from 1% sales tax.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 212 AWARD OF BIDS/CONSULTANT AGREEMENT –
HIGHWAY – HUNDREDMARK RD BRIDGE –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County has received federal aid to replace the Hundredmark Rd Bridge over Drainage Ditch in the Town of Elba, and

WHEREAS, The County advertised the specifications for this and did receive (7) seven bids from contractors, and

WHEREAS, The Genesee County Highway Superintendent did review these bids and make a recommendation for award at this time, and

WHEREAS, The Highway Superintendent also reviewed proposals from consultants for construction administration and inspection services related to this project and did make a recommendation to approve a consultant agreement at this time, and

WHEREAS, The Committee on Public Service did review these recommendations 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 construction contract with Cold Spring Construction Corp, 43 Jackson St, Akron NY 14001 in the amount of \$967,856.50.

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a supplemental consultant agreement with Erdman Anthony, 145 Culver Rd, Suite 200, Rochester NY 14620 in an amount not to exceed \$136,000.

RESOLVED, That the award of these contracts is contingent upon the execution of a supplemental grant agreement from the NYS Department of Transportation to fund this phase of the project.

Budget Impact Statement: This work is anticipated to start upon receipt of a supplemental grant agreement from NYSDOT. The total cost for these awards are \$1,103,856.50, which is covered by a capital project established for this project that is funded by 80% federal aid, and a 20% local match from 1% sales tax. The low bidder was more than \$100,000.00 below the engineer's estimate of probable construction costs for the entire project. It is anticipated that the State may provide additional Marchiselli Aid to fund the construction phase of the project and if it is received, the project will be further amended to represent a state contribution to construction costs.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 213 SURPLUS EQUIPMENT – HIGHWAY – COUNTY
ROAD FUND – APPROVAL OF**

Legislator Dibble offered the following resolution:

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

Budget Impact Statement: This contract has been closed out and the change order is needed after the fact to formally accept final adjustments on the contract. The overall contract was completed with a balance remaining of \$8,479.31 in line item payments, so the net effect of the change order is an increase of \$11,961.55 in authorized expense on the contract. Funds remaining will stay in the capital project for use on other culverts.

Legislator Yunker seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 216 SUPPLEMENTAL CONSULTANT AGREEMENT #2
– PRATT RD BRIDGE – CONSTRUCTION
INSPECTION AND ADMINISTRATION - APPROVAL
OF**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County has been awarded a BRIDGE-NY grant to replace the Pratt Road over the Tonawanda Creek, and

WHEREAS, Genesee County has an existing consultant agreement with Barton & Loguidice for the design and construction administration and inspection of the project, and

WHEREAS, Additional construction inspection and construction administration services were required to complete the project and conform with the rules and regulations of the Federal Highway Administration, and

WHEREAS, The Genesee County Highway Superintendent reviewed this work and does recommend approval at this time, and

WHEREAS, The Committee on Public Service has reviewed this request and does concur at this time, Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with Barton & Loguidice, 290 Elwood Davis Rd, Bo 3107, Syracuse, NY 13220 for construction inspection and administration services related to the replacement of the Pratt Road Bridge over the Tonawanda Creek in a cost not to exceed \$31,259.

Budget Impact: The supplemental agreement is for \$31,259. The construction has been completed. The resolution is required to memorialize the additional work approved by the county during the project.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 217 RENEWAL OF BID – HIGHWAY – SODIUM
CHLORIDE -- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Purchasing Department did receive bids for Sodium Chloride for the control of snow and ice on county roads and,

WHEREAS, The contract specifications allow for the renewal of the bid upon agreement between the County and the vendor, and

WHEREAS, The Highway Superintendent requested an extension of the contract and the vendor agreed to pricing, and

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

WHEREAS, The Committee on Public Service 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 renew a contract agreement with American Rock Salt Co., LLC., P.O. Box

190, Mt. Morris, NY 14510 for the delivery of Sodium Chloride as per bid specifications, effective October 1, 2021 through September 30, 2022 at a price of \$51.29 per ton.

Budget Impact Statement: The County Road Fund includes \$150,000 for Sodium Chloride.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 218 2021 BUDGET TRANSFER/SALARY
SCHEDULE AMENDMENT-HIGHWAY/CSEA
- APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has reevaluated the duties of the current Principal Clerk, and

WHEREAS, Upon review by the Human Resources Director it was determined that the correct title for the position should be Principal Financial Clerk, and

WHEREAS, The Highway Superintendent recommends upgrading a Principal Clerk to a Principal Financial Clerk, and

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

RESOLVED, That the Genesee County Human Resources Director is hereby authorized and directed to amend the Salary Schedule to eliminate the Principal Clerk position (Grade 11) and create a Principal Financial Clerk position (Grade 13), and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfers within the 2021 Budget by increasing D5010.1010.0000 Personnel Services in the amount of \$1,802, increasing D5010.8010.0000 in the amount of \$112, increasing D5010.8011.0000 Medicare Tax in the amount of \$26, increasing D5010.8020.0000 NYS Retirement in the amount of \$328 to be offset by decreasing D5010.4550.0000 Personnel Training in the amount of \$1,625, decreasing D5010.4800.1026 Supt's Expense in the amount of \$300, and decreasing D5010.4660.0000 Contracted-Other in the amount of \$343.

Budget Impact: The cost of the upgrade is \$2,268, which will be transferred within the County Road Fund D5010 Administration Department.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 219 HIGHWAY CAPITAL PROJECTS – BUDGET
AMENDMENT/CLOSE-APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review established capital projects and does recommend closing two projects, and

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following Budget Amendment:

Decrease H.5197.2080.0000 Appropriation \$161,007.09

Decrease H.5197.4592 Federal Aid Revenue \$144,644

Decrease H.5197.3501 State Aid \$16,363.09

RESOLVED, That the balance of the local share in the amount of \$30,531.20 be returned to General Fund, Building & Equipment Reserve – Roads & Bridges, and be it further

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to close the following capital projects:

Highway - Preventative Maintenance Bridge Painting

Highway - Searles Road Bridge over Spring Creek

Budget Impact Statement: Proper allocation of state and federal aid allows the county to reduce its overall committed local share and therefore reduce the amount of funds obligated to capital projects and returns \$30,531.20 to the Building & Equipment Reserve – Roads & Bridges.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 220

**2021 BUDGET AMENDMENT – COUNTY
PARKS - INTERPRETIVE CENTER/YOUTH
BUREAU GRANT AWARD APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent does request an amendment to the 2021 Genesee County Budget to allow the acceptance of Youth Bureau grant funds from the NYS Office of Child and Family Services, and

WHEREAS, The budget increase will allow the Deputy Highway Superintendent to use the funding to administer an Environmental summer program for Genesee County youth through the Environmental Education programming at the Genesee County Park and Forest Interpretive Nature Center in Bethany, 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 2021 Genesee County Budget by increasing Appropriation A.7110 INTC 4660.0000 County Park, Contractual in the amount of \$6,550 to be offset by an increase in Revenue A.7110 INTC 2002 Programs in a like amount.

Budget Impact: Increase to 2021 budget expense in the amount of \$6,550 offset by revenue in like amount. Cost to County \$0.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 221

**APPOINTMENT - GENESEE COUNTY PLANNING
BOARD - APPROVAL OF**

Legislator Hawley offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee County Planning Board due to the resignation of Bernie Staats of Stafford, 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. Eric Biscaro of Town of Batavia, NY is hereby appointed to the Genesee County Planning Board for a term effective June 1, 2021 through May 31, 2024.

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

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 222

**GRANT ACCEPTANCE – INFORMATION
TECHNOLOGY FY2019 CYBER SECURITY GRANT
– APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Genesee County Information Technology Department requests acceptance of the FY2019 Cyber Security Grant Program in an amount of \$50,000 from US Department of Homeland Security (DHS) administered by the New York State Division of Homeland Security and Emergency Services (DHSES) to assist local

agencies to enhance their cyber security posture, and

WHEREAS, The Committee on Ways and Means does concur with this request and recommends acceptance at this time. Now, therefore Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to accept the FY2019 Cyber Security Grant Program award, and Be it further

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute all documents with the New York State Division of Homeland Security and Emergency Services (DHSES) necessary to accept and obtain grant funds in the amount of \$50,000 for Cyber Security projects for the County of Genesee, NY.

Budget Impact Statement: \$50,000 will be reimbursed to the County after the projects have been completed.

Legislator Yunker seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 223 SET PUBLIC HEARING-GENESEE COMMUNITY COLLEGE/2021-2022 BUDGET-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The President and Trustees of the Genesee Community College have prepared a proposed operating budget for academic year 2021-2022 in the amount of \$37,400,000 with a sponsor share of \$2,686,374 and

WHEREAS, Pursuant to law, it is necessary to hold a public hearing on said budget prior to adoption. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the proposed operating budget for Genesee Community College for academic year 2021-2022 at 5:30PM on Wednesday, June 9, 2021 at the Old Courthouse, 7 Main Street, Batavia, New York and virtually using Zoom Video Conference.

Legislator Klotzbach seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 224 AUTHORIZING THE CHAIRPERSON OF THE GENESEE COUNTY LEGISLATURE TO SIGN THE GENESEE COUNTY JOB DEVELOPMENT BUREAU CONTRACTOR'S AGREEMENT WITH LIVINGSTON COUNTY ON BEHALF OF THE GLOW WORKFORCE DEVELOPMENT BOARD FOR THE WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) PROGRAM

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Job Development Bureau has been approved by the GLOW Workforce Development Board as the Contractor to provide WIOA Adult, Dislocated Worker, and Youth Services for Genesee County. The grant is a one-year agreement that may be extended based on performance for (1) one additional one-year periods with a budget of \$279,160.00. And

WHEREAS, The Genesee County Job Development Bureau has entered into contracts with Livingston County on behalf of the GLOW Workforce Development Board in order to receive these funds. Now, therefore Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chairman of the Genesee County Legislature to sign said contract with Livingston County on behalf of

the GLOW Workforce Development Board in order for the Job Development Bureau to provide WIOA Services.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 225 AUTHORIZING CHAIRPERSON OF THE GENESEE COUNTY LEGISLATURE TO SIGN THE GLOW LOCAL PLAN

Legislator Clattenburg offered the following resolutions:

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014, requires each local Workforce Development Board to develop and submit to the State a comprehensive local plan with the appropriate Chief Elected Officials. And,

WHEREAS, The State will be submitting, a new Plan to USDOL for PY2021. As such, the local Workforce Development Boards are to submit a new local plan to NYSDOL for PY2021 to PY2025, in order to be eligible to receive WIOA funds for administering the One Stop System and delivering services to its customers. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chair of the Genesee County Legislature to sign the GLOW Local Plan on behalf of Genesee County for the period July 1, 2021 through June 30, 2025.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 226 BUDGET TRANSFER – COUNTY MANAGER/ SUPERVISORY SKILLS TRAINING-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee Community College offered a supervisory skills course designed to assist supervisors or potential supervisors develop skills needed to be effective within County government, and

WHEREAS, The County Manager and various department heads identified employees that would benefit from and are committed to completing the training(s), and

WHEREAS, The County Manager is requesting to transfer funds from the Contingency account to the County Managers budget to cover the expense, and

WHEREAS, The Committee on 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 make the following Budget Transfer:

\$2,097.00	From	A.1990.4800.0000	Contingency, Program Expense
\$2,097.00	To	A.1435.4550.0000	Collective Bargaining, Personnel Training

Budget Impact: General Contingency account balance after this transaction = \$49,208.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 227 APPOINTMENT OF EXECUTIVE DIRECTOR YOUTH BUREAU/2021 MANAGEMENT SALARY SCHEDULE AMENDMENT – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, Jocelyn Sikorski resigned as Executive Director Youth Bureau effective January 15, 2021, and

WHEREAS, The Interview Committee did select and interview several highly qualified individuals for the Youth Bureau Executive Director position and unanimously

recommend Mr. William Schutt, and

WHEREAS, The Committee on Ways and Means does recommend that Mr. William Schutt, be appointed to the position of Executive Director Youth Bureau. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Mr. William Schutt as Executive Director Youth Bureau effective June 20, 2021, and Be it further

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2021 Genesee County Management Salary Schedule to appoint Mr. William Schutt as Executive Director Youth Bureau, Grade 113 at an annual rate of \$61,000 on the Genesee County Management Salary Schedule.

Budget Impact Statement: Savings has occurred due to paying a lower rate for the Interim Director and the incumbent starting at a lower rate than the previous Director.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 228 BUDGET TRANSFER/AUTHORIZATION OF DISCRETIONARY COMPENSATION FOR SERVICES RENDERED DURING CATASTROPHIC EVENT BY CORONER – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Discretionary compensation for services rendered during catastrophic events for elected or appointed Genesee County Coroners was established by Local Law No. 1, year 2021, and

WHEREAS, One of the Coroners has provided an attestation of lost wages due to the extraordinary time spent at the plane crash site in the Town of Pembroke in October 2020, and

WHEREAS, The Ways and Means Committee has reviewed the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to compensate Jeffery W. McIntire, for loss of full time employment hours due to the plane crash in the Town of Pembroke in October 2020, in the amount of \$1,369, and Be it Further

RESOLVED, That the Genesee County Treasurer is hereby authorized to make the following 2021 Budget Transfers:

\$1,369.00	From	A.1990.4800.0000	Contingency, Program Expense
\$1,271.00	To	A.1185.1010.0000	Medical Exam & Coroners, Personal Svcs
\$ 79.00		A.1185.8010.0000	Medical Exam & Coroners, Soc Sec Tax
\$ 19.00		A1185.8011.0000	Medical Exam & Coroners, Medicare Tax

Budget Impact: Balance of General Contingency Account after this transaction = \$47,839

Legislator Klotzbach seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 229 HOLD HARMLESS AGREEMENT/GENESEE COUNTY AND CITY OF BATAVIA

Legislator Maha offered the following resolution:

WHEREAS, Genesee County desires to participate in the City of Batavia Memorial Day parade on May 31, 2021, and

WHEREAS, the City of Batavia requires a certificate of insurance or a hold harmless agreement, now therefore be it

RESOLVED, the Chair of the Genesee County Legislature is authorized and directed to sign the Hold Harmless Agreement for participation in the City of Batavia Memorial Day Parade on May 31, 2021.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 230 COUNTY AUDIT –MAY 26- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Klotzbach, did review the following claims:

General Fund	\$	776,761.12
Highway		141,048.24
Self Insurance		16.68
Voluntary Distribution		833,335.00
Water Fund		95,617.34
DSS Abstracts		33,172.76
Capital Projects		
Highway-Large Span Culverts		2,629.56
County Park-County Park Area “D” Shelter Improvements		2,029.60
County Park-Dewitt Improvements Phase IV		281.40
Sheriff/Jail-Jail Construction		4,000.00
Payroll – General		
May 21, 2021		1,736,776.12
Medicaid		
May 18, 2021		132,890.00
May 25, 2021		<u>132,890.00</u>
Total Audit	\$	3,891,447.82

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 Klotzbach seconded the resolution which was adopted by 326 votes.

At 6:01 PM the meeting adjourned upon motion of Legislator Yunker seconded by Legislator Deleo, carried unanimously.