

**TENTH DAY  
 GENESEE COUNTY LEGISLATURE  
 OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY  
 WEDNESDAY, JUNE 8, 2022 AT 5:30 PM  
 ZOOM WAS AVAILABLE**

The Genesee County Legislature met in regular session on Wednesday, June 8, 2022 at 5:30 p.m. in the Legislature Chamber of the Old Court House. Legislator Torrey offered to assist with the audit. The prayer will be offered by Legislator Torrey followed by the Pledge to the Flag.

Proclamations/Commendations: Legislator Clattenburg presented the proclamation for Dairy Month – June 2022 accepting Genesee County Farm Bureau, Natasha Sutherland and members of the 4H Club (Maggie and Kathy Winspear and Amelia Brewer. They handed out ice cream to the Legislature. Amelia Brewer spoke about the 4H Club, what it has done for her personally and for our community. Spoke on the value that farmers bring to our community. Natasha Sutherland thanked Legislature for their support of opposing any decrease to the farm labor overtime threshold from 60 to 40 hours.

Minutes: for May 25, 2022 approved by Legislator Maha and Seconded by Legislator Dibble. Amendment of the minutes to add Manager’s comments which were Police Review and Broadband. Legislator Clattenburg and seconded by Legislator Yunker. All in favor of the amendment.

Committee & Special Assignment Reports: Legislator Maha attended the Ribbon Cutting for HCR. Legislator Dibble attended the Ground Breaking for J&R Fancher Property Holdings Project.

Communications & Petitions:

Travel Out-of-State:

1. G. Lanich (PH) to attend NEHA Conference – \$0.00 (Grant Paid)

Travel 1)	Y	N	simple	2/3
1. Klotzbach	X		28	42
2. Yunker	X		45	55
3. Dibble	X		43	51
4. Hawley	NA		47	57
5. Stein	X		43	52
6. Torrey	X		38	45
7. Deleo	X		26	38
8. Clattenburg	X		28	40
9. Maha	X		28	40
<b>TOTALS</b>	<b>X</b>		<b>326</b>	<b>420</b>
Roll Call				
Approval			279	

2. H. Carlson (GCSO) J. O’Brien and B. McQuillan (JFCAC) to attend: National Children’s Alliance Leadership Conference- \$0.00 (Grant Paid)

Travel 2)	Y	N	simple	2/3
1. Klotzbach	X		28	42
2. Yunker	X		45	55
3. Dibble	X		43	51
4. Hawley	NA		47	57
5. Stein	X		43	52
6. Torrey	X		38	45
7. Deleo	X		26	38
8. Clattenburg	X		28	40
9. Maha	X		28	40
<b>TOTALS</b>	<b>X</b>		<b>326</b>	<b>420</b>
Roll Call				
Approval			279	

3. T. Roth (JFCAC)National Children’s Alliance Leadership Conference - \$0.00 (Grant Paid)

Travel 3)	Y	N	simple	2/3
1. Klotzbach	X		28	42
2. Yunker	X		45	55
3. Dibble	X		43	51
4. Hawley	NA		47	57
5. Stein	X		43	52
6. Torrey	X		38	45
7. Deleo	X		26	38
8. Clattenburg	X		28	40
9. Maha	X		28	40
<b>TOTALS</b>	<b>X</b>		<b>326</b>	<b>420</b>
Roll Call				
Approval			279	

**Legislator Comments:** Legislator Stein mentioned this is the favorite meeting of the year to received ice cream from the 4H Club, thank you.

**County Manager Report:** nothing to report

**Resolutions - Consent Agenda Items:** Legislator Clattenburg motioned for adoption seconded by Legislator Yunker. Carried unanimously.

**CONSENT AGENDA ITEMS:**

**Ways and Means Committee:**

1. Standard Work Day Reporting-Legislature/Elected and Appointed Officials-New York State Retirement System
2. Amend Resolution No. 200-2022/Contract County Attorney/Add Additional User/Thomas Reuters
3. Temporary Waiver–Human Resources/Civil Service Examination Fee
4. Lease Agreement-Information Technology/Fiber Service/Empire Access to Emergency Management Services
5. Lease Agreement-Information Technology/Fiber Service/Empire Access to County Airport
6. Agreement-Information Technology/Spyglass Technology Expense Management Services
7. Salary Schedule Amendment/Budget Amendment-County Park/County Road Fund/Compensation for Jail Construction Coordination
8. Grant Acceptance/Budget and Salary Amendment-Public Health/Healthy Neighborhoods Program
9. Grant Acceptance-Public Health/Immunization Action Plan
10. Grant Acceptance-Public Health/Lead Poisoning Prevention Program
11. Agreement-Public Health/Wyoming County Public Health LeadWeb Platform
12. 2022 Budget and Contract Amendment-Community Mental Health Services/Genesee Council on Alcoholism and Substance Abuse (GCASA)
13. 2022 Salary Schedule Amendment-Community Mental Health Service /Deputy Director of Community Mental Health Services
14. In Support Of Assembly Bill A.9990 And Senate Bill S.8999-An Act To Amend The Education Law In Relation To Permitting Schools Located Within The State To Purchase Certain New York Milk
15. Appointment-Genesee County Planning Board/Timothy Welch

Roll call for resolution 1 through 15

1-15	Y	N	simple	2/3
1. Klotzbach	X		28	42
2. Yunker	2		45	55
3. Dibble	X		43	51
4. Hawley	NA		47	57
5. Stein	X		43	52
6. Torrey	X		38	45
7. Deleo	X		26	38
8. Clattenburg	1		28	40
9. Maha	X		28	40
<b>TOTALS</b>	<b>X</b>		<b>326</b>	<b>420</b>
Roll Call				
Approval			279	

**Human Service Committee under the Consent Agenda:**

Human Services Committee Chair Torrey motioned for adoption seconded by Legislator Klotzbach, carried unanimously.

Clerk read the following resolutions 16 through 18 of the Human Services Committee

16. Contract Renewal-Office For The Aging/Consumer Directed in-home Services  
Fiscal Intermediary-RFP 2018-103 Willcare, Inc.

17. Contract Renewal-Public Health/NMS Labs

18. Contract Renewal-Mental Health Services/Agri-Business Child Development at  
Batavia

Roll call for resolutions 16-18.

16-18	Y	N	simple	2/3
1. Klotzbach	2		28	42
2. Yunker	X		45	55
3. Dibble	X		43	51
4. Hawley	NA		47	57
5. Stein	X		43	52
6. Torrey	1		38	45
7. Deleo	X		26	38
8. Clattenburg	X		28	40
9. Maha	X		28	40
<b>TOTALS</b>			<b>326</b>	<b>420</b>
Roll Call				
Approval			279	

Moving onto NON-CONSENT ITEMS

Legislator Clattenburg offered the following Resolution, Legislator Torrey seconded.

Resolution 19: COUNTY AUDIT – JUNE 8, 2022 – APPROVAL

19	Y	N	simple	2/3
1. Klotzbach	X		28	42
2. Yunker	X		45	55
3. Dibble	X		43	51
4. Hawley	NA		47	57
5. Stein	X		43	52
6. Torrey	2		38	45
7. Deleo	X		26	38
8. Clattenburg	1		28	40
9. Maha	X		28	40
<b>TOTALS</b>			<b>326</b>	<b>420</b>
Roll Call				
Approval			279	

**RESOLUTION NO. 240**

**STANDARD WORK DAY REPORTING-  
LEGISLATURE/ELECTED AND APPOINTED  
OFFICIALS-NEW YORK STATE RETIREMENT  
SYSTEM-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**RESOLVED**, That the County of Genesee hereby establishes the following as standard work day for this title and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

Title	Standard Day Work (hrs/day)	Name	Tier 1	Current Term Begin & End	ROA Results	ROA –Not Submitted
Legislator	6 hrs	Chad Klotzbach	No	1/1/22-12/31/25	17.72	
Legislator	6 hrs	Brooks Hawley	No	1/1/22-12/31/25	13.08	
Legislator	6 hrs	Christian Yunker	No	1/1/20-12/31/23	12.56	
Legislator	6 hrs	Rochelle M. Stein	No	1/1/22-12/31/25	24.36	
Coroner	6 hrs	Chad Brade	No	1/1/22-12/31/25	1.39	
District Attorney	7.5 hrs	Kevin Finnell	No	1/1/22-12/31/25	23.30	

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 241 AMEND RESOLUTION NO. 200-2022/CONTRACT-COUNTY ATTORNEY/ADD ADDITIONAL USER/THOMSON REUTERS - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Legislature duly adopted Resolution No. 200-2022 on May 11, 2022, to enter into contract with Thomson Reuter – West (Westlaw), and

**WHEREAS**, Thomson Reuter-West (Westlaw) has a proposed extension of services to the current agreement that County departments could benefit from at no additional cost in the current year and a decrease in the annual increase if the contract is renewed for an additional ten years, and

**WHEREAS**, the County Attorney recommends additional users for the Thomson Reuters-West (Westlaw) software, not to exceed a rate of \$4,000 monthly, and

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

**RESOLVED**, that the Chair of the Legislature is hereby authorized and directed to execute a contract with Thomson Reuters - West (Westlaw) for on-line legal research services. The monthly fee not to exceed \$4,000.00 in the first 12 month period beginning June 1, 2022 and a 2% annual increase to 2032.

Budget Impact: Expense has been budgeted in the 2022 County Manager budget.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 242 TEMPORARY WAIVER-HUMAN RESOURCES /CIVIL SERVICE EXAMINATION FEE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 170 in the year 2011 established an examination fee of \$25.00 per application for each separately numbered Competitive examination for all titles related to Police, Sheriff, Fire, Probation and Dispatch, and a \$20.00 fee for all other separately numbered Competitive examinations, and

**WHEREAS**, the number of Civil Service exam participants has been decreasing over the last several years and the County is desirous of attracting more exam candidates by temporarily waiving the examination fee for all candidates from June 1 through December 31, 2022, and

**WHEREAS**, the County pays the New York State Department of Civil Service for each examination ordered, and

**WHEREAS**, the County Manager and the Human Resources Director recommend temporarily waiving the examination fee for all candidates and the Committee on Ways and Means did review this request and does concur. Now, therefore, be it

**RESOLVED**, that the Genesee County Human Resources Office is authorized and directed to temporarily waive the collection of an examination fee for all candidates beginning with Civil Service examinations announced after June 1, 2022 through December 31, 2022.

Budget Impact: An estimated \$3,000 decrease in revenue.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 243**

**LEASE AGREEMENT-INFORMATION  
TECHNOLOGY/ FIBER SERVICE FROM EMPIRE  
ACCESS TO EMERGENCY MANAGEMENT  
SERVICES - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Director of Information Technology did present a 36-month lease agreement with Empire Access for one strand of fiber from County Building-II to Emergency Management Services (EMS) located at 7690 State Street Road and

**WHEREAS**, The County Attorney did review the contract and the Ways and Means Committee did review the 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 execute the agreement with Empire Access, 34 Main Street, Prattsburgh, NY 14873 for a 36 - month lease effective July 1, 2022 through July 31, 2025 at a cost of \$500.00 a month

Budget Impact: \$500.00 monthly charge - A.1680.4290.0600 Internet and Bandwidth.

County IT will request a budget transfer of \$6,000.00 from A.1680.4600.0000 Contracted Services to A.1680.4290.0600 Internet and Bandwidth to support the 2022 monthly charges and the \$3,000 installation charge.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 244**

**LEASE AGREEMENT-INFORMATION  
TECHNOLOGY/ FIBER SERVICE FROM EMPIRE  
ACCESS TO COUNTY AIRPORT - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Director of Information Technology did present a 36-month lease agreement with Empire Access for one strand of fiber from County Building-II to County Airport located at 4701 East Saile Drive and

**WHEREAS**, The County Attorney did review the contract and the Ways and Means Committee did review the 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 execute the agreement with Empire Access, 34 Main Street, Prattsburgh, NY 14873 for a 36-month lease effective July 1, 2022 through July 31, 2025 at a cost of \$500.00 a month

Budget Impact: \$500.00 monthly charge - A.1680.4290.0600 Internet and Bandwidth.

County IT will request a budget transfer of \$6,000.00 from A.1680.4600.0000 Contracted Services to A.1680.4290.0600 Internet and Bandwidth to support the 2022 monthly charges and the \$3,000 installation charge.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 245**

**AGREEMENT-INFORMATION TECHNOLOGY  
/SPYGLASS TECHNOLOGY EXPENSE  
MANAGEMENT SERVICES - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Director of Information Technology did present an agreement with The SpyGlass Group, LLC to audit Genesee County Phone and Internet Services to look for potential

savings to the county

**WHEREAS**, The County Attorney did review the contract and the Ways and Means Committee did review the 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 execute the agreement with The SpyGlass Group, LLC, 25777 Detroit Rd., Ste. 400, Westlake, Ohio 44145 to perform an audit on Genesee County office phone, cell phone and Internet services.

Budget Impact: None

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 246**

**SALARY SCHEDULE AMENDMENT/BUDGET  
AMENDMENT – COUNTY PARK/COUNTY  
ROAD FUND/COMPENSATION FOR JAIL  
CONSTRUCTION COORDINATION  
– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County has undertaken a \$70 million jail construction project that will require numerous extra duties and responsibilities for certain employees during the course of the construction, and

**WHEREAS**, the County Manager recommends compensating Deputy Highway Superintendent, Paul Osborn and Assistant County Engineer, Laura Wadhams \$6,000 annually during the course of the jail construction project for additional duties assigned, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Budget by increasing D5020.1010.0000 – Personal Services by \$3,462, D5020.8010.0000 – Social Security Tax by \$215, D5020.8011.0000- Medicare Tax by \$50 offset by an increase in D5020.1289- General Dept Income by \$3,727, and increasing A.7110.1010.0000 – Personal Services by \$3,462, A.7110.8010.0000 – Social Security Tax by \$215, A.7110.8011.0000 – Medicare Tax by \$50 offset by an increase in A.7110.1289- General Dept Income by \$3,727. Be it further

**RESOLVED**, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2022 Management Salary schedule by increasing the compensation to the Deputy Highway Superintendent, Paul Osborn and Assistant County Engineer, Laura Wadhams by \$6,000 each annually effective June 6, 2022 through the course of the jail construction project.

Budget Impact: additional cost of approximately \$24,000 over the life of the project will be paid from the jail capital project and is being paid by savings already generated by work done by the two individuals receiving the extra compensation

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 247**

**GRANT ACCEPTANCE/BUDGET AND SALARY  
SCHEDULE AMENDMENT–PUBLIC  
HEALTH/HEALTHY NEIGHBORHOODS  
PROGRAM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Public Health Director has received notification from the New York State Department of Health that the Genesee County Health Department has been awarded \$95,514

in annual funding for Healthy Neighborhood Program grant activities, and **WHEREAS**, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support Healthy Neighborhood Program activities, and **WHEREAS**, The Public Health Director has requested the creation of a full-time Public Health Sanitarian, position to fulfill the grant work plan activities. **WHEREAS**, the Committee of Human Services and Ways and Means 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 execute the Agreement with the New York State Department of Health for the acceptance of the Healthy Neighborhoods Program contract for the period April 1, 2022 through March 31, 2023, in the amount of \$95,514 and to execute any and all other documentation related to this funding and **Beit further RESOLVED**, that the Genesee County Treasurer and Human Resources Director has reviewed, authorized and directed to Amend the 2022 Genesee County Salary Schedule by creating (1) full-time Public Health Sanitarian position (CSEA Grade 20) the position listed is effective 4/1/2022 – 03/31/2027. **RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to Amend the 2022 Health Department budget to reflect an increase of:

- \$28,170 in Appropriations A4010 1010.0000 Personal Services
- \$1,760 in Appropriations A 4010 8010.0000 Social Security Tax
- \$410 in Appropriations A4010 8011.0000 Medicare Tax
- \$11,625 in Appropriations A4010 8030.0000 Medical
- \$2,310 in Appropriations A4010 8020.0000 Retirement
- \$165 in Appropriations A4010 8040.0000 Dental
- \$36 in Appropriations A4010 8070.0000 Vision
- \$250 in Appropriations A4010 4560.0000 Travel
- \$4,000 in Appropriations A4010 4650.0003 Contracted Services
- \$8,000 in Appropriations A4010 4800.0000 Program Expense

and to be offset by an increase of \$56,726 in A4010 3401.40 State Aid – Healthy Community. Remaining Funds \$38,788 will be allocated to the 2023 4010 – Health Department budget.  
Budget Impact: \$0 Cost to the county, revenue and expenses offset.  
Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 248                      GRANT ACCEPTANCE–PUBLIC HEALTH**  
**/IMMUNIZATION ACTION PLAN – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Public Health Director Has received notification from the New York State Department of Health that Genesee County’s Immunization Action Plan contract will be awarded in the amount of \$31,050, and **WHEREAS**, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Immunization Action Plan Activities, and **WHEREAS**, the Committees on Human Service and Ways and Means 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 execute the agreement with the New York State Department of Health for the acceptance of the Immunization Action Plan contract for the period April 1, 2022 through March 31, 2023 in the amount of \$31,050, and to execute any and all other documentation related to this funding **Budget Implications:** Revenue and expenses, in the amount of \$31,050 has been appropriated in the 2022: 4010 – Health Department program budget.  
Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 249**

**GRANT ACCEPTANCE–PUBLIC HEALTH/LEAD  
POISONING PREVENTION PROGRAM –  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Public Health Director has received notification from the New York State Department of Health that the Genesee County’s Lead Poisoning Prevention Program contract has been approved in the amount of \$56,300, and

**WHEREAS**, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Lead Poisoning Prevention Activities, and

**WHEREAS**, the Committees of Human Services and Ways and Means did review this award 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 execute the agreement with the New York State Department of Health for the acceptance of the Lead Poisoning Prevention Program contract for the period October 1, 2021 through September 30, 2022 in the amount of \$56,300, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$56,300 has been appropriated in the 2022 4010 – Health Department program budget.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 250**

**AGREEMENT– PUBLIC HEALTH/WYOMING  
COUNTY PUBLIC HEALTH LEADWEB  
PLATFORM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Public Health Director did present an agreement with The Wyoming County Health Department, which allows the Genesee County Health Department to access to the County of Wyoming LeadWeb platform and all lead-related data stored therein for the tracking and analysis of data regarding childhood lead testing to support primary prevention of childhood lead poisoning throughout the GLOW region, and

**WHEREAS**, the Committees on Human Services and Ways and Means did review this award 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 execute an agreement with The Wyoming County Health Department, located at 5362A Mungers Mill Road, Silver Springs, NY 14550 which allows the Genesee County Health Department access to the County of Wyoming LeadWeb platform and all lead-related data stored therein from June 9, 2022 - September 30th, 2026.

Budget Impact: No County Cost.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 251**

**2022 BUDGET AND CONTRACT AMENDMENT-  
COMMUNITY MENTAL HEALTH SERVICES  
/GENESEEE COUNCIL ON ALCOHOLISM AND  
SUBSTANCE ABUSE (GCASA) - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Director of the Community Mental Health Services did request an amendment to the 2022 Genesee Council on Alcoholism and Substance Abuse (GCASA) contract and budget, and

**WHEREAS**, these additional funds are the result of an increase of 2022 New York State OASAS funds, and



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

**RESOLVED**, that the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2022 contract and budget between the County of Genesee and GCASA. Be it further

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

Increasing A4313 4660.0000 Contracted Other by \$ 599,250.00

Increasing A.4313 3494 State Aid OASAS by \$ 599,250.00

Budget Impact: Increasing the budget by \$599,250.00, offset by an increase in State Aid in the amount of \$599,250.00

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 252**

**2022 SALARY SCHEDULE AMENDMENT-  
COMMUNITY MENTAL HEALTH  
SERVICES/DEPUTY DIRECTOR OF COMMUNITY  
MENTAL HEALTH SERVICES – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Department of Mental Health in Genesee County is anticipating the retirement of key senior staff members. The Director of Community Services would like to create a Deputy Director of Community Mental Health Services; this position will merge the duties of the current Clinical Supervisor, as well as the current Director of Clinical Services, and

**WHEREAS**, the Director of Community Mental Health Services does request an amendment to the 2022 Employee Salary Schedule to create one (1) Deputy Director of Community Mental Health Services, Management Grade 117 to be funded through the open vacancies in the current 2022 budget, and

**WHEREAS**, the Committees on Human Services 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 2022 Employees Salary Schedule by creating one full-time Deputy Director of Community Mental Health Services, Management Grade 117 effective June 9, 2022.

Budget Impact: No budget impact for 2022 due to numerous vacant positions.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 253**

**IN SUPPORT OF ASSEMBLY BILL A.9990 AND  
SENATE BILL S.8999-AN ACT TO AMEND THE  
EDUCATION LAW IN RELATION TO PERMITTING  
SCHOOLS LOCATED WITHIN THE STATE TO  
PURCHASE CERTAIN NEW YORK MILK –  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, whole milk is a healthy, nutritious, and arguably essential option for the developing bodies of children. At 97% fat free, whole milk is a complete protein and contains thirteen vital nutrients and vitamins, including many that need to be consumed with fat to be absorbed by the body; and

**WHEREAS**, while many consider skim, low-fat, and reduced-fat milks to be healthier options, researchers are now discovering surprising benefits for those who drink whole milk. Recent studies have found that those who consume whole-fat dairy may have a lower risk for heart disease

and type 2 diabetes, lower blood pressure, an increased satiety without weight gain, and better sleep. Even more unexpected, it has been found that children who drink full-fat dairy are leaner and less likely to be overweight compared to their peers who do not consume whole milk. As evidence continues to show that whole milk is a beneficial beverage, many dieticians are recommending that people, children especially, consume the type of milk they prefer as part of an overall healthy diet; and

**WHEREAS**, despite its health benefits, whole milk is currently prohibited from being served in schools due to a federal restriction put in place ten years ago to lower childhood obesity and diabetes rates. While the policy was well-intentioned at the time, over the last decade, we have witnessed these rates continue to rise and have learned that the restriction could even be exacerbating the problem; and

**WHEREAS**, dairy is an important part of a healthy diet for children, and it is essential that kids are drinking their milk: Since whole milk was prohibited from being served to students, the amount of milk consumed in schools has decreased and the amount of milk wasted has increased; and

**WHEREAS**, restricting milk choice negatively impacts the health, growth, and development of kids in our State. Simply put, children do not get the benefits of milk's vitamins and nutrients if they are not drinking it; and

**WHEREAS**, New York's dairy farmers, who take great pride in producing such a nutritious product, are feeling the strain of having a limited milk market in schools; and

**WHEREAS**, Assembly Bill A.9990 and companion Senate Bill S.8999 not only guarantees that children across the State, who receive meals at school, can once again have the fresh, New York produced, whole milk they enjoy, but it also supports New York's struggling dairy farmers. Now, therefore, be it

**RESOLVED**, the Genesee County Legislature fully supports Assembly Bill A.9990 and Senate Bill S.8999. Be it further

**RESOLVED**, that copies of this resolution be sent to Governor Hochul, Assemblyman Stephen Hawley, Senator Edward Rath, Senator George Borrello, Commissioner Ball, New York State Agricultural and Markets, Inter-County Association of Western New York, Chair of the Education Committee (Assembly and Senate), New York State Farm Bureau and Genesee County Farm Bureau.

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 254                      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 expiring term of Jill Gould of Pavilion, and

**WHEREAS**, the approval of the Public Service Committee Chair and the Committee of Ways & Means recommend an appointment be made at this time. Now, therefore, be it

**RESOLVED**, that Mr. Timothy Welch of Pavilion, NY is hereby appointed to the Genesee County Planning Board for a term effective June 15, 2022 through May 31, 2025.

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

Legislator Yunker seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 255                      CONTRACT RENEWAL-OFFICE FOR THE AGING/CONSUMER DIRECTED IN-HOME**

**SERVICES FISCAL INTERMEDIARY- RFP 2018-103  
WILLCARE, INC. – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Director of the Office for the Aging did present a renewal of contract established through RFP 2018-103 with Willcare, Inc., c/o parent company, LHC Group, Inc. 901 Hugh Wallis Rd South Lafayette, LA 70508 to serve as Fiscal Intermediary for Consumer Directed In-home Services operated by Genesee County Office for the Aging, and

**WHEREAS**, homecare services are in great demand with the rising number of frail and/or chronically ill elders in our county needing in-home and community support services with homecare agencies unable to fill homecare cases due to lack of in-home workers; and

**WHEREAS**, under Consumer Directed In-home Services, control is shifted to the consumer (or eligible consumer representative) for budgeting, care planning, decision making, arranging for services and staffing; and

**WHEREAS** this is the final renewal contract with same terms and conditions as the original agreement for provision of Fiscal Intermediary services with regard to Consumer Directed In-home Services and the Committee on Human Services does recommend approval at this time, and

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

**RESOLVED**, that the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to Willcare, Inc. to serve as Fiscal Intermediary for Genesee County Office for the Aging Consumer Directed In-home Services under Expanded In-home Services for the Elderly, Title III E, and other in-home services funds at a cost of \$20.51/hour for CDIS-Basic Worker and \$23.11/hour for CDIS-Enhanced Worker, not to exceed \$19,968 for the period of June 1, 2022-May 31, 2023.

Budget Impact: All in-home services are already incorporated into our 2022 County budget. No additional County funds will be required. Rate is \$20.51 for CDIS-Basic Worker and \$23.11/hour for CDIS-Enhanced Worker. A total of \$19,968 is designated for CDIS for the period of 6/1/2022-5/31/2023.

Legislator Klotzbach seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 256**

**CONTRACT RENEWAL – PUBLIC HEALTH/NMS  
LABS – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, resolution No. 54-2020 allowed for execution of an Intermunicipal Agreement with the County of Monroe for the provision of forensic pathology and medico legal death investigation services, and

**WHEREAS**, Monroe County Medical Examiner's Office will be referring all laboratory testing and toxicology services to NMS Labs with costs billed separately to the Health Department, and

**WHEREAS**, the Genesee County Public Health Director presented a service agreement with NMS Labs, and

**WHEREAS**, the Committees on Human Services did review the request and do recommend approval at this time. Now therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Service Agreement with NMS Labs, 3701 Welsh Road, Willow Grove, PA 19090 for the period May 1, 2022 through April 30, 2023, and to execute any and all other documentation related to this Agreement.

Budget Impact: There is a \$12 increase per toxicology report for the 2022-2023 NMS contract period. This will create an anticipated increase of \$600 in the 2022 1185 Budget. This increase

is accounted for in the 2022 1185 budget. No Budget amendment is needed.

Legislator Klotzbach seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 257 CONTRACT RENEWAL-MENTAL HEALTH SERVICES /AGRI-BUSINESS CHILD DEVELOPMENT AT BATAVIA- APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, the Committee on Human Services does recommend approval of a contract renewal with Agri-Business Child Development at Batavia, located at 18 Brooklyn Avenue, Batavia, NY 14020 as presented by the Director of the Community Mental Health Services. Genesee County Department of Mental Health will provide onsite services to Agri-Business Child Development. Now, therefore, be it

**RESOLVED**, that the Chairman of the Genesee County Legislature be and hereby is authorized and directed to approve the necessary documents to implement a contract between the County of Genesee Department of Mental Health and Agri-Business Child Development. The contract rate for services provided by the Department of Mental Health are at the rate of remuneration: \$400 for the period April 1, 2022 through March 31, 2024 in accordance with the terms of said contract. Now, be it Further

**RESOLVED**, Genesee County agrees to the contracted rate of \$400 in accordance with the terms of the contract attested to by the President of the Genesee County Community Services Board and Agri-Business Child Development at Batavia, and approved as to form by the Genesee County Attorney.

Budget Impact: County Cost - \$0

Legislator Klotzbach seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**RESOLUTION NO. 258 COUNTY AUDIT – JUNE 8, 2022**

Legislator Clattenburg offered the following resolution:

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

General Fund	\$	1,092,743.52
Highway		103,155.57
Self Insurance		812.02
Water Fund		553,286.88
DSS Abstracts		153,734.98
<b>Capital Projects</b>		
Airport – Apron Reconstruction Construction		7,347.46
Sheriff/Jail – Jail Construction		1,218,499.05
Highway – County Road #5		160.00
Highway – Large Span Culverts		7,685.98
Highway – S Lyons Street Bridge over Tonawanda Creek		7,750.38
Facilities Management – Genesee Justice Stone Work		6,476.31
Highway – County Park & Forest Water System Upgrade		2,518.09
County Parks – Dewitt Rec Area Waterfront Enhancements		17,150.00
County Manager – building Security Upgrades – Phase III		4,125.00
<b>Payroll – General</b>		
June 3, 2022		1,243,452.75
<b>Medicaid</b>		
May 31, 2022		167,754.00
June 7, 2022		<u>167,754.00</u>
<b>Total Audit</b>	\$	4,754,405.99

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 Torrey seconded the resolution, which was adopted by 279 votes (Hawley) absent (47).

**UNFINISHED BUSINESS - None**

ADJOURNMENT of meeting at 5:47 p.m. by Legislator Deleo and Seconded by Legislator Dibble.