

**ELEVENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, June 10, 2020**

The Genesee Legislature met in Regular Session on Wednesday, June 10, 2020 at 5:30PM. Because of the Novel Coronavirus (COVID-19) Pandemic and the State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order suspending the Open Meetings Law, the Genesee County Legislature meeting was held electronically via ZOOM video conference. Minutes of the meeting will be posted on the Genesee County Website Legislature Page. Legislator Young assisted with the audit. Prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

In addition to our regular meeting, Chair Stein opened a public hearing on the requested modification to Agricultural District No. 4 of the addition of 33 Acres in the Town of Byron. There were no comments made.

Chair Stein also opened a public hearing on Local Law Introductory No. One, Year 2020, with regard to extending the imposition of a mortgage recording tax within the County of Genesee. No one spoke or made comments.

Legislator Torrey presented June is Dairy Month Proclamation to Farm Bureau representative Natasha Sutherland and the Genesee County Dairy Princess and ambassadors. Dairy Princess Miah Werth described the benefits of dairy and how she is looking forward to serving as Dairy Princess. Dairy ambassadors include Georgia, Chloe, Claire, Maggie, Amelia and Jillian.

Minutes of the May 27, 2020 legislature meeting were approved upon motion of Legislator Dibble seconded by Legislator Torrey, carried.

Legislator Maha stated that Office for the Aging Advisory Committee members had a presentation from OFA employee Maureen Eastabrook who reported on the status of programs including the handyman program, home improvement program, transportation and housing needs for seniors. The new DePaul Housing facility in LeRoy is accepting applications. Legislator Clattenburg state the Holland Land Office Museum board of directors is working on re-opening plans. Law enforcement and organizers of the March held in Batavia on June 7th. Legislature Chair Stein commented on information provided during Control Room meetings. Finger Lakes region is scheduled to proceed to phase 3 however the Governor will make the determination of when that officially occurs.

County Manager Jay Gsell stated that County Government is phasing in with re-opening and departments are instituting plans to ensure employees and members of the public remain safe. Congressman Reed has been responsive to Genesee County and is serving as our "adopted" representative in the House. He and his staff have provided updates and has advocated on our behalf. Congress is expected to look more closely at another federal stimulus package later this month.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 223 APPOINTMENT -GENESEE COUNTY LEGISLATOR-
DISTRICT NO. ONE-ALABAMA AND OAKFIELD-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, There is a vacancy in District No. One, Alabama and Oakfield, on the Genesee County Legislature, due to the resignation of John Hilchey, and

WHEREAS, The Committee on Ways and Means does recommend that an appointment be made at this time. Now, therefore, Be it

RESOLVED, Pursuant to the Genesee County Local Law No. One Year 1967, the Genesee County Legislature does hereby appoint Chad Klotzbach of Alabama, New York to the Genesee County Legislature, representing District No. One, Alabama and Oakfield, effective June 10, 2020 through December 31, 2020.

Legislator Young seconded the resolution which was adopted by 298 votes, District #1
Legislator vacant.

County Attorney Kevin Earl administered the Oath of Office to Chad Klotzbach who was congratulated and welcomed to the Legislature.

**RESOLUTION NO. 224 CONTRACT RENEWAL – OFFICE FOR THE AGING/
PERSONAL EMERGENCY RESPONSE UNITS –
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a Renewal of Contract with Doyle Security Systems, Inc. not to exceed \$17,390 for the period July 1, 2020 – June 30, 2021 resulting from RFP 2016-105 which took effect July 1, 2016 and is renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County for the provision of personal emergency response systems for older adults in Genesee County under the federally funded New York State Family Elder Caregiver Support Program Title III E, Unmet Needs, and the Expanded In-Home Services for the Elderly Program (EISEP) and the Committee on Human Services does recommend approval at this time; and

WHEREAS, This is the fourth of 4 (four) potential 1 (one) year renewals for provision of personal emergency response systems and the Committee on Human Services 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 necessary documents to renew a contract with Doyle Security Systems, Inc. 792 Calkins Road, Rochester, NY 14623 for the provision of personal emergency response systems at the rate of:

Office for the Aging authorized clients:

1) PERS

- | | |
|--|------------------------|
| a. One Time Installation Charge | \$ <u>0</u> per unit |
| b. Traditional Landline Device (aka Doyle Alert) | \$ <u>18</u> per month |
| c. Cellular Device (aka Telguard) | \$ <u>28</u> per month |
| d. Landline Auto. Fall Detection Device (aka Fall) | \$ <u>23</u> per month |
| e. Cell Fall Detection Device (aka Fall Telguard) | \$ <u>33</u> per month |

2) PERS MOBILE GPS

- | | |
|-------------------------------------|------------------------|
| a. One Time Activation Fee | \$ <u>10</u> per unit |
| b. Mobile GPS PERS | \$ <u>40</u> per month |
| c. Mobile GPS PERS w/Fall Detection | \$ <u>45</u> per month |

Self-Identifying Private Pay Genesee County clients pricing:

1) PERS

a. One Time Installation Charge	\$ <u>0</u> per unit
b. Traditional Landline Device (aka Doyle Alert)	\$ <u>25</u> per month
c. Cellular Device (aka Telguard)	\$ <u>35</u> per month
d. Landline Auto. Fall Detection Device (aka Fall)	\$ <u>30</u> per month
e. Cell Fall Detection Device (aka Fall Telguard)	\$ <u>40</u> per month

2) GPS PERS

a. One Time Activation Fee	\$ <u>10</u> per unit
b. Mobile GPS PERS	\$ <u>47</u> per month
c. Mobile GPS PERS w/Fall Detection	\$ <u>52</u> per month

Budget Impact: Neutral. Total contract for 2020 not to exceed \$17,390 and is included in the 2020 county budget. Title III-E Caregiver Support Program, Unmet needs and Expanded In-home Services for the Elderly (EISEP) funds 75% of the cost, with county funds providing required 25% match.

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

Legislator Young made a motion to amend the following resolution to reflect an increase in meal service as proposed by ARC of Genesee seconded by Legislator Yunker, carried unanimously.

**RESOLUTION NO. 225 RENEWAL OF CONTRACT – ARC OF GENESEE
ORLEANS/OFFICE FOR THE AGING FOR MEAL
PREPARATION SERVICES- APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract with The Arc of Genesee Orleans for the provision of Meal Preparation Services for Office for the Aging for the congregate and home delivered meal programs administered by the Office for the Aging resulting from RFP 2017-107 which took effect July 1, 2017; and

WHEREAS, This contract is renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County under the federally funded Title IIIC1, Title IIIC2, Nutrition Services Incentive Program and New York State Wellness in Nutrition, Unmet needs, WNYICC, Medicaid Managed Long Term Care programs, and supplemental stimulus funds;

WHEREAS, The County of Genesee may use Federal funding for a portion of this contract necessitating the addition of applicable contract clauses, and

WHEREAS, This is the third of 4 (four) potential 1 (one) year renewals and the Committee on Human Services 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 necessary documents to renew a contract with The Arc of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020, at a cost of \$6.83 per meal for regular home delivered meals; \$6.77 per meal for congregate meals; \$5.33 for 2nd meal (Cold or Sandwich Meal); and \$6.83 for frozen home delivered meals; with a total contract not to exceed \$310,909 for the period of July 1, 2020-June 30, 2021.

Budget Impact: Neutral. A budget at \$310,909 already in the 2020 County budget. Federal Title III C-1, Title III C-2, with the county paying an additional 10% of required matching funds on federal nutrition program Title III C grants WIN, NSIP grant funds, WNYICC, State Medicaid Managed Long Term Care revenue funds pay for the cost of this contract, as well as supplemental stimulus funds, which due to the MDD (Major Disaster Declaration) allows for OAA (Older Americas Act) money to be used without restriction in order to allow for expanding meal services and additionally increase in spending is able to be supplemented by FFCRA Families First Coronavirus Response Act and CARES (Coronavirus Aid, and Relief Economic Security Act

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

RESOLUTION NO. 226 2020 SALARY SCHEDULE AMENDMENT-DEPARTMENT OF SOCIAL SERVICES - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services did request an amendment to the 2020 Employee Salary Schedule by creating the position of one Housing Coordinator to fulfill mandated responsibilities of the department, and

WHEREAS, The Committee 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 Genesee County Treasurer and Human Resource Director are hereby authorized and directed to amend the 2020 Genesee County Employee Salary Schedule by creating the position of Housing Coordinator, CSEA Grade 9, effective April 9, 2020 and eliminating the Child Care Worker, CSEA Grade 8 position control 189-007, effective the same date.

Budget Impact: We are deleting a Grade 8, Child Care Worker position that is currently in the 2020 budget. The hire rate expense for this position is \$30,968 salary and \$26,891 fringes. Anticipated hire rate expense for this Grade 9 position are \$32,717 salary and \$27,952 fringe. These expenses are not currently available in the 2020 A 6010 Social Services budget. The budget shortfall between the deleted position and the newly created position is \$2810 and will be available in the 2020 budget due to other vacancies projected throughout the year. Funding for the Grade 9 Housing Coordinator position will be included in the proposed 2021 A 6010 Social Services budget. Expenses related to this position are reimbursable up to 100% with State and Federal Aid for Social Services Administration.

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

RESOLUTION NO. 227 GRANT ACCEPTANCE – HEALTH DEPARTMENT/ PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Public Health Director Has received notification from the New York State Department of Health and Health Research, Inc. that Genesee County’s Public Health Emergency Preparedness Program has been awarded in the amount of \$49,625, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Public Health Emergency Preparedness Program Activities, 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 the Agreement with Health Research, Inc. 150 Broadway, Suite 560, Menands, New York 12204 for the acceptance of the Public Health Emergency Preparedness contract for the period July 1, 2020 through June 30, 2021 in the amount of \$49,625, and to execute any and all other documentation related to this funding.

Budget Impact: \$49,625 is included in the 2020 4010 Health Department Budget.

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

RESOLUTION NO. 228 CONTRACT – HEALTH DEPARTMENT/LAB TESTING - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 54-20 allowed for execution of an Intermunicipal Agreement with the County of Monroe for the provision of forensic pathology and medicolegal 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 Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Service Agreement with NMS Labs, 3701 Welsh Road, Willow Grove, PA 19090 for the period May 1, 2020 through April 30, 2021, and to execute any and all other documentation related to this Agreement.

Budget Impact: There is an \$8 increase per toxicology report for the 2020-2021 NMS contract period. This will create and anticipated increase of \$400 in the 2020 1185 Budget. This increase is accounted for in the 2020 1185 budget. No Budget amendment is needed.

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

**RESOLUTION NO. 229 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
PUBLIC HEALTH DRINKING WATER ENHANCEMENT
PROGRAM – APPROVAL OF**

Legislator Torrey 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 Drinking Water Enhancement Program contract has been awarded in the amount of \$85,922, 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 Drinking Water Enhancement activities, and

WHEREAS, The Committee on Human Services 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 Drinking Water Enhancement Program contract for the period April 1, 2020 through March 31, 2021, in the amount of \$85,922 and to execute any and all other documentation related to this funding.

Budget Impact: \$85,922 is included in the 2020 Dept. 4010 Health Department Budget.

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

**RESOLUTION NO. 230 2020 BUDGET AMENDMENT/COMMUNITY MENTAL
HEALTH SERVICES/COMPUTER EQUIPMENT
– APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request a Budget Amendment to the 2020 Mental Health budget to acquire new Computer Equipment, and

WHEREAS, The Director of the Community Mental Health Services does report the Department of Mental Health received funding in the amount of \$48,717 from a FLPPS Grant; at this time the Director of the Community Mental Health Services department does request a budget amendment of \$25,000 to purchase new Computer Equipment for staff to be able to provide telehealth services, 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

WHEREAS, The GCIDA was created by Resolution No. 177 of the Genesee County Legislature on September 23, 1970 to consist of 5 members “who shall serve at the pleasure of the Genesee County Legislature”, and

WHEREAS, The membership of the GCIDA was increased by Resolution No. 225 of the Genesee County Legislature on September 19, 1979 from 5 to 7 members with “said term of office expiring at the pleasure of the Genesee County Legislature.”, and

WHEREAS, Craig Yunker submitted an application requesting reappointment to remain in the seat for the seven member board of the Genesee County Industrial Development Agency, d/b/a the Genesee County Economic Development Center (“GCEDC”), and

WHEREAS, The Committee on Ways and Means does recommend Mr. Craig Yunker be reappointed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Mr. Craig Yunker of Elba, New York to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center effective July 1, 2020 to June 30, 2026.

Budget Impact Statement: none.

Legislator Dibble seconded the resolution which was adopted by 281 votes, Legislator Yunker (45) abstain.

The Public Hearing on Local Law Introductory No. 1 Year 2020 pertaining to extending the mortgage tax was closed at 6:09 PM. No one spoke on the matter.

RESOLUTION NO. 235 LOCAL LAW INTRODUCTORY NO. 1 OF THE YEAR 2020, A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF THE YEAR 2017, AMENDING LOCAL LAW NO. 3 OF THE YEAR 2015, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2013, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2011, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2009, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2007, AMENDING LOCAL LAW NO. 6 OF THE YEAR 2004, WITH REGARD TO THE IMPOSITION OF A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF GENESEE-ADOPTION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The following resolution was duly introduced to the Genesee County Legislature in accordance with the Law: LOCAL LAW INTRODUCTORY NO. 1 OF THE YEAR 2020, A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF THE YEAR 2017, AMENDING LOCAL LAW NO. 3 OF THE YEAR 2015, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2013, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2011, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2009, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2007, AMENDING LOCAL LAW NO. 6 OF THE YEAR 2004, WITH REGARD TO THE IMPOSITION OF A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF GENESEE

Be it enacted, by the Legislature of the County of Genesee, State of New York as follows:

Section 1. Section 1 of Local Law No. 4 of the year 2017 is hereby amended to read as follows:

Section 1. Imposition of Tax

Pursuant to Chapter 58 of the Laws of 2020, for the period beginning August 1, 2020 and ending July 31, 2023, there is hereby imposed, in the County of Genesee, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter,

by a mortgage or real property situated within the County of Genesee and recorded on or after August 1, 2020 and a tax of \$0.25 on such Mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

Section 2. Effective Date

This local law shall take effect on August 1, 2020 provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Genesee County Clerk, the Secretary of State and the State Comptroller within five days after the date it is duly enacted. And,

WHEREAS, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin board in the Old Courthouse, and

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in the Daily News, the Official Newspaper of the County of Genesee, the Notice of Public Hearing on Local Law Introductory No. 1 of the Year 2020, and

WHEREAS, The Public Hearing was held at 5:30PM on the 10th day of June, 2020 in Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, Be it

RESOLVED, That LOCAL LAW INTRODUCTORY NO. 1 OF THE YEAR 2020, A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF THE YEAR 2017, AMENDING LOCAL LAW NO. 3 OF THE YEAR 2015, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2013, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2011, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2009, AMENDING LOCAL LAW NO. 2 OF THE YEAR 2007, AMENDING LOCAL LAW NO. 6 OF THE YEAR 2004, WITH REGARD TO THE IMPOSITION OF A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF GENESEE **to be known as Local Law No. 2 of the Year 2020, for the County of Genesee is hereby adopted.**

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

The Public Hearing on modifications to Agricultural District No. 4, Town of Byron was closed at 6:10 PM. No one spoke on the matter.

RESOLUTION NO. 236

AGRICULTURAL DISTRICTS -2020 ANNUAL ENROLLMENT / INCLUSION REQUEST OF ONE PARCEL TO AGRICULTURAL DISTRICT NO. 4 TOWN OF BYRON- APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, Chapter 523 of the Laws of 2003 did amend NYS Agricultural and Markets Law (AML) Section 303-b which now requires the County Legislature to designate an annual thirty-day time period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district, prior to the County established review period, and **WHEREAS**, Genesee County Legislature through resolution No. 399 of 2003 designated the time period from January 26th to February 24th as the annual thirty-day time period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district prior to the County established review period, and

WHEREAS, During the 2020 Annual Enrollment Period one parcel in the Town of Byron (Tax Map Parcel No. 11.-2-42) was requested to be included into Agricultural District No. 4 and

WHEREAS, The Genesee County Agricultural and Farmland Protection Board reviewed this request and after applying its test for determining what constitutes viable agricultural farmland, made recommendations that the County Legislature adopt the inclusion of the aforementioned parcel into Ag District No. 4, and

WHEREAS, The Clerk of the Genesee County Legislature published the required notices and sent the required mailings and the Genesee County Legislature held a public hearing on the requests for inclusion of these parcels on Wednesday, June 10, 2020, 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 adoption of this inclusion has been determined to have no significant effect on the environment, and

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

RESOLVED, That the Genesee County Legislature does hereby approve the inclusion of parcel 11.-2-42 in the Town of Byron into Ag District No. 4 under the provisions of Section 303-b of NYS Agriculture and Markets Law, authorizes the Chair of the Legislature to sign all necessary SEQR documentation and directs the Director of Planning to submit the necessary documentation to the NYS Commissioner of Agriculture and Markets for review and certification.

Budget Impact: No expected costs for this activity other than administrative activities, undertaken by the Clerk of the County Legislature and Department of Planning, which are being covered by their current operating budgets.

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

RESOLUTION NO. 237 COUNTY AUDIT –JUNE 10- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Young, did review the following claims:

General Fund	\$	486,816.72
Highway		61,034.95
Self Insurance		79.80
Water Fund		1,000,316.08
DSS Abstracts		520,969.66
Capital Projects		
Highway- Large Span Culverts		820.79
Sheriff's/Jail- Sheriff's Public Safety Communications Tower		297,173.89
Payroll – General		
June 5, 2020		1,057,614.27
Medicaid		
June 2 2020		177,332.00
June 9, 2020		<u>177,332.00</u>
Total Audit	\$	3,779,490.16

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 Young seconded the resolution which was adopted by 326 votes.

Legislator Clattenburg made a motion to suspend the Rules to add a resolution calling on New York State to release Federal Medicaid matching funds seconded by Legislator Yunker, carried unanimously.

**RESOLUTION NO. 238 CALLING ON THE STATE OF NEW YORK TO
RELEASE ENHANCED FEDERAL MEDICAID
MATCHING FUNDS TO COUNTIES AND NEW
YORK CITY**

Legislator Clattenburg offered the following resolution:

WHEREAS, in response to the COVID-19 pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenue; and

WHEREAS, a key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP); and

WHEREAS, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn; and

WHEREAS, we understand the State of New York has already drawn down about \$2.5 billion for the period January 1, 2020 through June 30, 2020; and

WHEREAS, under federal law a portion of these funds are required to be passed through to counties and New York City; and

WHEREAS, we estimate the local share is about 20 percent; and

WHEREAS, counties and New York City are struggling with higher costs associated with responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy; and

WHEREAS, in addition to mounting losses in local revenues, counties are also expecting significant cuts in state aid; and

WHEREAS, many counties have enacted plans to reduce non-mandated expenses to the degree they can without sacrificing public health and safety; and

WHEREAS, these expense reductions also require a review of the workforce, including layoffs; and

WHEREAS, we project that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City; and

WHEREAS, the State has been holding three years of similar enhanced FMAP payments owed to counties and New York City under the Affordable Care Act that are worth hundreds of millions of dollars; and

WHEREAS, Genesee County's expected share for 2020 is \$460,000 of this Federally directed State managed locally executed funds, now therefore Be it

RESOLVED, that the County of Genesee is requesting that the State immediately release the first quarter of enhanced Medicaid federal matching funds for the pandemic response to Genesee County to provide some partial fiscal relief to the current conditions; and

BE IT FURTHER RESOLVED, we request that the State provide a timeline to all counties on the release of the enhanced federal Medicaid matching funds related to the Affordable Care Act that have been withheld for years and the likely mechanism on how these funds will be delivered to counties and New York City; and

BE IT FURTHER RESOLVED, we understand the State is experiencing severe fiscal stress, as well, and we want to work cooperatively with the State to develop a plan on the release of the withheld federal enhanced Medicaid funds due to counties under the Affordable Care Act and future pandemic FMAP increased funding; and

BE IT FURTHER RESOLVED, that this resolution be sent to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

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

The meeting adjourned at 6:15 PM upon motion of Legislator Klotzbach seconded by Legislator Dibble, carried unanimously.