

Present: Committee Legislators- Clattenburg, Yunker, Klotzbach and Deleo. Additional Legislators Stein, Hawley, and Torrey. County Manager Matt Lander, Assistant County Manager Tammi Ferringer, County Attorney James Wujcik, Confidential Secretary to the County Attorney Paula Beck, Highway Superintendent Timothy Hens, Deputy Superintendent Paul Osborn, District Attorney Kevin Finnell, Confidential Secretary to the District Attorney Lacie Snell, Probation Director Timothy Michalak, Sheriff William Sheron, Emergency Management Services Coordinator Timothy Yaeger and Highway Assistant County Engineer Laura Wadhams. Also in attendance Carl York from the Pike Company and Brian Quinn with the Daily News.

On May 15, 2023, Public Service Committee Chair Maha previously requested Legislator Clattenburg to act as Public Service Committee Chair in his absence. Legislator Clattenburg appointed Legislator Deleo to the committee to fill the temporary vacancy due to Clattenburg role change.

Minutes of the May 15, 2023 Public Service Committee meeting were approved upon motion of Legislator Yunker seconded by Legislator Klotzbach.

Carl York from the Pike Company reported that there were no accidents in May. Plans to mock up paint color and spray fire proofing stairs and officers pods. Anticipates the jail to be completed by March 15, 2024.

Highway Superintendent Timothy Hens presented a contract in place for the delivery of fuel products to the Highway Department. Mr. Hens fixed the price in the contract to reflect differential pricing and requested authorization to renew the contract for the delivery of Fuel Products to NOCO Energy Corp, 2440 Sheridan Drive, Tonawanda, NY 14150 as per specifications in Genesee County Bid. This was approved for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens presented a contract in place for the delivery of sodium chloride to the Highway Department. He requested authorization to renew the 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, 2023 through September 30, 2024 at a price of \$58.81 per ton. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Stein, carried unanimously.

Highway Superintendent Timothy Hens presented a contract in place the monitoring of county-owned vehicles and equipment. He has received a proposal from Enterprise Fleet Management using Sourcewell Contract #020221-GEO to provide better telematics service at a lower cost. Which also would include GPS and maintenance services. Timothy Hens recommended Legislature to execute a contract agreement with Enterprise Fleet Management, PO Box 800089, Kansas City, MO. 64180-0089 as per bid specifications, and effective July 1, 2023 through June 30, 2024 at a price of \$19.25 per vehicle per month. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Timothy Hens reported Genesee County has executed an Aviation Capital Grant as part of New York State's AIR '99 Program for the acquisition of Snow Removal Equipment for use at the Genesee County Airport. A capital project was created for the purchase of this equipment. Timothy Hens would like to at allocate funds from 1% sales tax to allow for this project

to move forward. Timothy Hens requested authorization to amend capital project Airport Snow Removal Equipment by increasing County Funds by \$16,342 from 1% Sales Tax. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Timothy Hens prepared and advertised for bids on two detachable snow throwers for use at the Genesee County Airport. Timothy Hens requested authorization to purchase two detachable snow throwers from Viking Cives, 2917 Judge Rd, Oakfield, NY 14125 in an amount not to exceed \$408,842. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Timothy Hens reported due to recent water damage within County Building No. 1 and the Old Courthouse, the Genesee County Highway Superintendent has selected an engineering firm off the 2023 Genesee County Highway Engineering Term Contract to design a replacement roof system and rehabilitate the existing Old Courthouse porch. Genesee County approved the selection of LaBella Associates, D.P.C. to enter into a three year Term Agreement for architectural and engineering services on an as-needed basis. Timothy Hens recommended Legislature to enter into a consultant agreement with LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614 in the amount of \$31,000.00, which includes review of the site, architectural plans/details, bidding support, and construction administration services. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens reported Genesee County is anticipating an Airport Improvement Program (AIP) grant from the Federal Aviation Administration to design the replacement of the 10/28 PAPI Systems for the Genesee County Airport. Timothy Hens recommended that the Legislature approve the grant offer as prepared by the Federal Aviation Administration. He also requested authorization to establish a capital project AIP 49-24, Replace Runway 10/28 PAPI Systems (Design) for a total of \$45,000 as per the following: Federal Funds \$40,500; State Funds \$2,250; County Funds \$2,250 (1% Sales Tax). This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Timothy Hens recommended establishing a capital project for the reconstruction of County Road 50 (Perry Rd). Genesee County Legislature did budget for and approve the County's Capital Budget Plan for 2023. Timothy Hens requested authorization to establish the following capital project: Highway – County Rd 50 (Perry Rd). He also requested authorization to fund the projects by increasing 1 % sales tax in the amount of \$723,000. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens reported the Genesee County Soil and Water Conservation District has offered a Grant Agreement with the Genesee County Highway Department to implement installation of Large Span Culverts. Genesee County will be replacing Culvert 8G on Wortendyke Rd in the Town of Batavia to provide the matching funds under this project. Timothy Hens recommended Legislature to execute the Soil and Water Conservation Landowner/Operator Contract with Genesee County Soil & Water Conservation District in the amount of \$50,000. He also

requested authorization to amend the 2023 Budget for Large Span Culverts by increasing Other Local Governments in the amount of \$50,000.00 to be offset by an increase in Capital Project Expense in a like amount. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Stein, carried unanimously.

Highway Superintendent Timothy Hens established capital projects for the repair and replacement of highways, bridges and culverts with funding from the State of New York Consolidated Local Street and Highway Improvement Program (CHIPS), Extreme Winter Recovery (EWR), Pave Our Potholes (POP), and PAVE-NY funding. Timothy Hens requested authorization to amend the following capital projects as required: Highway Chipseal, CHIPS, Add \$7,947.72, Highway Overlay, POP, Add \$3,184.31, Hwy Surface Treatment PAVE-NY Add \$4,777.03 and Hwy Surface Treatment EWR Add \$.75. Transfer \$391.11 from Highway Overlay to Highway Chipseal and Transfer \$112.95 from Highway Overlay to Highway Surface Treatment. He also requested authorization to amend the following CHIPS, EWR, POP and PAVE-NY funded capital projects by increasing Highway Capital Project Expense in the amount of \$15,909.81 and Increase CHIPS in a like amount. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Timothy Hens reported County owns right of way and property adjacent to the South Lyons Street Bridge within the City of Batavia. The New York State Department of Environmental Conservation also maintains an easement for access to the Tonawanda Creek Flood Control Project. This access was impacted by the relocation and reconstruction of the South Lyons Street Bridge by Genesee County. The New York State Department of Environmental Conservation has requested property from Genesee County in order to maintain access to the Flood Control Project. Timothy Hens recommended Legislature to execute the Quit Claim Deed prepared by the Genesee County Attorney for a portion of the parcel identified on Map 'A' as prepared by Fisher Associates and file all necessary documents and instruments as required by the Genesee County Clerk to record the aforementioned Quit Claim Deed. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens reported Genesee County is a member county of the Genesee Transportation Council and is seeking an application to apply for a planning and demonstration grant through the Safe Streets and Roads for all program, through the New York State Secretary of Transportation. This grant will provide funding to prepare a regional safety plan and create a template for a Local Road Safety Plan that can be used by supporting counties to reduce vehicle crashes and improve safety. Timothy Hens recommended Legislature to support the Genesee Transportation Council in seeking the planning and demonstration grant through the Safe Streets and Roads for all program with a share of the local match required by the grant should the Genesee Transportation Council be successful in its application. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens reported Genesee County has been awarded a CULVERT-NY grant to replace the South St Drainage Ditch Culvert in LeRoy. Genesee County has an existing consultant agreement with Lu Engineers for the design of the project. Timothy Hens requested authorization to approve a supplemental consultant agreement with Lu Engineers, 280 East Broad St, Suite 170, Rochester NY 14604 for construction inspection and administration services related to the replacement of the South St Culvert in a cost not to exceed \$94,100. This was referred to Ways

& Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Stein, carried unanimously.

Highway Superintendent Timothy Hens proposed a Project for the Richley Rd over Murder Creek Bridge Replacement, Town of Darien. County of Genesee is eligible for funding. Apportionment of the costs to be borne at the ration of 80% Federal Funds, 15% State Marchiselli Match, and 5% local match. Timothy Hens recommended Legislature to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof and in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Genesee County Timothy Hens also requested authorization to establish a capital project for Richley Rd over Murder Creek Bridge with federal aid in the amount of \$1,206,400, state aid in the amount of \$226,200 and a local match from 1% Sales tax of \$75,400. He also requested authorization to make the following budget amendment. Increase 1% Sales tax in the amount of \$75,400, increase appropriation Transfers to Capital in a like amount. Increase Federal Aid in the amount of \$1,206,400. Increase State Aid in the amount of \$226,200. Increase Interfund Transfers in the amount of \$75,400 and increase Highway Capital Project Expense for the Richley Rd over Murder Creek for \$1,508,000. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens received bids for the replacement of Fargo Road Bridge over Black Creek. He recommended Legislature to award the construction contract to LC Whitford, 164 N Main St, Wellsville NY 14895, as per bid specifications, in an amount not to exceed \$1,358,493.00. A motion to amend the resolution to add a second resolve to read Resolved, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the contract agreement with LC Whitford, 164 N Main St, Wellsville NY 14895, in an amount not to exceed \$1,358,493.00. Moved by Legislator Stein, seconded by Legislator Yunker. This was referred to Ways & Means with a recommendation for placement on the next Committee Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Timothy Hens reported Genesee County has been awarded a grant from the Federal Aviation Administration for the preparation of an Airport Pavement Management Study at the County Airport. Timothy Hens recommended the Legislature to approve a supplemental consultant agreement with C&S Engineers, 499 Col. Eileen Collins Blvd, Syracuse, NY 13212 for preparation of an Airport Pavement Management Study in a cost not to exceed \$85,000. This was referred to Ways & Means with a recommendation for placement on the next Committee Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Emergency Management Services Coordinator Timothy Yaeger reported Resolution #67, dated February 23, 2023, did authorize acceptance of the Hazard Mitigation Grant Program (HMGP) award, project number 4480, to update the County's Hazard Mitigation Plan. He recommended that Genesee County enter into an agreement with Tetra Tech, Inc. of 2000 Linglestown Road, Suite 203, Harrisburg, PA 17110 to serve as consultant for development of updating the County's Multi-Hazard Mitigation Plan at a cost not to exceed \$135,000. This was referred to Ways & Means with a recommendation for placement on the next Committee Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Stein, carried unanimously.

Emergency Management Services Coordinator Timothy Yaeger reported there is an available FY22 Hazardous Materials Emergency Preparedness (HMEP) Grant Program award in the amount of

\$16,000.00 provided by the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA) and administered by the New York Division of Homeland Security and Emergency Services (DHSES). This allocation, awarded to the Western Region HazMat Consortium (Genesee, Monroe, Livingston, Orleans and Wyoming counties) is to be administered by Genesee County and requires a local match of \$4,000 to be met through in-kind services. Tim Yaeger requested authorization to execute the Agreement with New York State Division of Homeland Security and Emergency Services (DHSES), for the acceptance of FY 2022 Hazardous Materials Emergency Preparedness (HMEP) Grant - (June 1, 2023 through December 31, 2024). This was referred to Ways & Means with a recommendation for placement on the next Committee Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Sheriff William Sheron presented an agreement with Six Flags Darien, LLC (“Darien Lake”) pursuant to Resolution 233 that was adopted on May 25, 2022, whereby the Sheriff’s Office would provide additional law enforcement services at Darien Lake and its Performing Arts Center for the 2022 operating/concert season. The Sheriff’s Office invoiced Darien Lake for the police services provided, and Darien Lake reimbursed the County. The renewal agreement is based on the same terms and conditions from 2022, with the exception of a change in rates per the Sheriff’s Employees’ Association (SEA) and Deputy Sheriffs’ Association (DSA) Labor Agreements. William Sheron requested authorization for a renewal agreement for an additional one-year term for special/additional law enforcement services at Darien Lake for its 2023 operating and Performing Arts Center concert season. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Sheriff William Sheron presented an agreement with Western Regional OTB pursuant to Resolution 234 that was adopted on May 25, 2022, whereby the Sheriff’s Office would provide additional law enforcement services at Batavia Downs Gaming for its 2022 summer concert season. This agreement expired May 31, 2023. Western Regional OTB is entering into its 2023 summer concert season and has indicated a desire to renew its agreement with the County of Genesee for an additional one-year term based on the same terms and conditions from 2022, with the exception of a change in rates per the Deputy Sheriff’s Association (DSA) and Sheriff’s Employees’ Association (SEA) Labor Agreements. William Sheron requested authorization for a renewal Agreement for a one-year term June 16, 2023 through May 31, 2024 for special/additional law enforcement services at Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020, for its 2023 summer concert season. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Sheriff William Sheron presented a current agreement for forensic laboratory services with Monroe County expired December 31, 2022. He recommended Legislature to execute the agreement between the County of Genesee and the County of Monroe for forensic laboratory services for the period of January 1, 2023, through December 31, 2023, at a cost of \$154,395. This was approved for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Klotzbach, carried unanimously.

County Manager Matt Landers reported additional work with LeChase Construction, as part of the Genesee County Jail project is necessary. He recommended Legislature to authorize a change order with a cost of \$57,266.00 to LeChase Construction, for costs related to installing high-density storage in the intake property room of the Genesee County Jail. This was referred to Ways & Means with a recommendation for placement on the next Committee Legislature Agenda upon motion of

Legislator Yunker seconded by Legislator Stein, carried unanimously.

Timothy Michalak presented a department review for Probation. In his review, he covered departmental progress that included maintaining dress guidelines, providing shadow opportunities for high school student and internships for college students. He concluded with 2023 budget status and 2024 budgets and beyond.

Kevin Finnell presented a district attorney annual review that covered budget performance for 2022. Additional revenue due to a Discovery Reform Grant for a second consecutive year. Expenses in 2022 fell within budget and the expectation is that 2023 will be the same. He concluded with revenue and expense changes, trend indicators, and number of staff and anticipated changes.

Confidential Secretary to the County Attorney Paula Beck announced the next Public Service Committee Meeting will be on Monday, July 17th at 5:30 p.m. following the Human Service Committee Meeting.

A motion to adjourn Public Service meeting at 5:45 p.m. by Legislator Stein seconded by Legislator Klotzbach, carried.

Marianne Clattenburg/Gary Maha Approved

Public Service Committee

6-19-23