ELEVENTH DAY GENESEE COUNTY LEGISLATURE OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY WEDNESDAY, JUNE 22, 2022 AT 5:00 PM

The Genesee County Legislature met in regular session on Wednesday, June 22, 2022 at 5:00 p.m. in the Legislature Chamber of the Old Court House. Legislator Deleo offered to assist with the audit. The prayer will be offered by Legislator Deleo followed by the Pledge to the Flag.

Minutes: for June 8, 2022 approved by Legislator Clattenburg and Seconded by Legislator Maha. Committee & Special Assignment Reports: Legislator Maha spoke of the Inter-County Association of Western New York meeting held on June 17, 2022. Pat Cummings, Counsel from NYSAC discussed 18B Attorney. Also, discussed at the ICAWNY was presentation from Broome County. Communications & Petitions: Governor Appointment for the Board of Trustees of Genesee Community College: Mr. David Hagelberger. Governor Appointment as a member of the Rochester-Genesee Regional Transportation Authority: Laurie Oltramari.

<u>Legislator Comments</u>: Legislator Stein mentioned RGA Transport had a Cares Award Night – where they honored an employee with 25 years of service.

County Manager Report: County Manager discussed ARPA funds.

<u>Resolutions:</u> <u>Consent Agenda Items - Legislator Clattenburg motioned for adoption seconded by Legislator Dibble. Carried unanimously.</u>

CONSENT AGENDA ITEMS:

- 1. Set Public Hearing-Genesee Community College/2022-2023 Budget
- Contract Amendment -Human Resources/Third Party Self-Funded Pharmacy Benefit Manager/Express Scripts Administrator Of Self-Funded Pharmacy Benefit Manager/Express Scripts
- 3. Budget Transfer & Contract Amendment-Mental Health/Spectrum Health & Human Services 2022
- 4. Set Public Hearing/Local Law Introductory B, Year 2022
- 5. 2022 Salary Schedule Amendment-Board of Elections/Creating Part-time Temporary Position
- 6. County-wide Policy & Procedure Process-County Manager
- 7. Capital Projects Establishment/Budget Amendment-Genesee Community College
- 8. Amend Capital Project/2022 Budget Amendment-Highway– Facilities Management/Genesee Justice Stonework
- 9. Amend Capital Project/2022 Budget Amendment-Highway/South Lyons Street Bridge
- 10. Establish Capital Project/2022 Budget Amendment –Highway/Remove Underground Waste Oil Tank
- 11. Opposition Of Assembly Bill A6652 And Senate Bill S.4162 In Permitting To Add Class C Streams To The Protection Of Waters Regulatory Programs In New York

1-11	Y	N	simple	2/3
 Klotzbach 	X		28	42
2. Yunker	X		45	55
3. Dibble	2		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
TOTALS	X		326	420
Roll Call	•			
Approval	•		279	,

Public Service Committee under the Consent Agenda:

Public Service Committee Chair Maha motioned for adoption seconded by Legislator Klotzbach, carried unanimously. Clerk read the following resolutions 12 through 19 of the Public Service Committee

- 12. Contract Revisions-Sheriff/Wyoming County Prisoner Housing at Genesee County Jail
- 13. MOU Renewal-Sheriff/Genesee Valley BOCES School Resource Officer
- 14. PDCMS Contract Extension-Public Defender/New York State Defenders Association
- 15. Award of Bid-Highway-Facility Maintenance/Generator Inspection and Maintenance
- 16. Award of Bid-Highway/Rotary Mower Attachment
- 17. Award of Bid-Highway/Sodium Chloride
- 18. Award of Bid-Highway-Facility Maintenance/Job Order Contracts
- 19. Award of Bid-Facilities Management/Genesee Justice Stonework

12-19	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	X		38	45
7. Deleo	X		26	38
8. Clattenburg	X		28	40
9. Maha	1		28	40
TOTALS			326	420
Roll Call	•			
Approval	•		279	

NON-CONSENT ITEMS:

Legislator Clattenburg offered the following Resolution by motioning for adoption seconded by Legislator Deleo.

Resolution 20: COUNTY AUDIT – JUNE 22, 2022 – APPROVAL

20	Y	N	simple	2/3
 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	2		26	38
8. Clattenburg	1		28	40
9. Maha	X		28	40
TOTALS			326	420
Roll Call				
Approval			279	

RESOLUTION NO. 259

SET PUBLIC HEARING-GENESEE COMMUNITY COLLEGE/2022-2023 BUDGET-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the President and Trustees of the Genesee Community College have prepared a proposed operating budget for academic year 2022-2023 in the amount of \$37,200,000 with a sponsor share of \$2,736,374 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 2022-2023 at 5:30 PM on Wednesday, July 27, 2022 at the Old Courthouse, 7 Main Street, Batavia, New York.

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

RESOLUTION NO. 260

CONTRACT AMENDMENT - HUMAN RESOURCES/ THIRD PARTY SELF-FUNDED

PHARMACY BENEFIT MANAGER/EXPRESS SCRIPTS ADMINISTRATOR OF SELF-FUNDED PHARMACY BENEFIT MANAGER/EXPRESS SCRIPTS - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution 504 in the year 2020 established an agreement with Express Scripts Inc. to provide prescription drug benefit management services, and

WHEREAS, Express Scripts, on an annual basis, will re-negotiate the pricing for the prescription drug plan to enhance. The enhanced pricing will increase the discounts and rebates received by the plan, and

WHEREAS, the County Manager and the Human Resources Director recommend approval of the amendment to the Pharmacy Benefit Manger contract and the Committee on Ways and Means did review this request and does concur. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized to amendment the Pharmacy Benefit Management Agreement with Express Scripts Inc., 1 Express Way, St. Louis, MO 63121; and to execute any and all other documentation related to this contract. Effective January 1, 2022.

Budget Impact: The additional negotiated discounts and rebates will be used in future budgets to help offset premium increases.

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

RESOLUTION NO. 261

BUDGET TRANSFER & CONTRACT AMENDMENT/MENTAL HEALTH/SPECTRUM HEALTH & HUMAN SERVICES – 2022 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Community Mental Health Services is requesting an amendment to the 2022 Contract with Spectrum Health & Human Services to provide our after hours on-call coverage through the end of the 2022 calendar year. The initial contract was for 6 months, to end on June 30, 2022; the Director is requesting the contract be extended from July 1, 2022 through December 31, 2022, and WHEREAS, The Committee on Human Services does recommend approval of a contract amendment with Spectrum Health & Human Services, located at 227 Thorn Avenue, Orchard Park, NY 14127 as presented by the Director of the Community Mental Health Services to provide crisis after-hours 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

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a budget transfer and contract amendment between the County of Genesee and Spectrum Health & Human Services for the provision of after-hours crisis services at a cost not to exceed \$55,000 for the period July 1, 2022 through December 31, 2022 in accordance with the terms of said contract, now Be it Further

RESOLVED, That the county agrees to contribute a total sum not to exceed \$55,000 in accordance with the terms of the amended contract attested to by the President of the Genesee County Community Services Board and Spectrum Health & Human Services, and approved as to form by the Genesee County Attorney.

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following Transfer:

To:	A.4310 4660.0000	Contracted Other	\$55,000.00
From:	A.4310 1010.0000	Personal Services	\$51,675.00
	A.4310 4700.0400	DOC Arts & Crafts	\$ 325.00
	A.4310 4800.0200	DOC Activity Fees	\$ 500.00
	A.4310 4700.0300	DOC Food & Paper	\$ 2,500.00

Budget Impact Statement:

There will be an increase in expenses of \$55,000.00 for the remainder of the year (July 1, 2022 – December 31, 2022). This is able to be covered by SA funds remaining unspent due to the closure of the Day Treatment program.

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

RESOLUTION NO. 262

SET PUBLIC HEARING/LOCAL LAW INTRODUCTORY B, YEAR 2022 OF THE COUNTY OF GENESEE, NEW YORK - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, there is hereby introduced to the Genesee County Legislature a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF THE YEAR 1967, AS AMENDED BY LOCAL LAW NUMBER 3 OF THE YEAR 1986, AS FURTHER AMENDED BY LOCAL LAW NUMBER 1 OF THE YEAR 1994, AS FURTHER AMENDED BY LOCAL LAW NO. 3 OF 2002 IN RELATION TO THE AMENDMENT OF WEIGHTED VOTING PLANS FOR THE COUNTY OF GENESEE"; and

WHEREAS, subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such Local Law, Now, therefore, be it

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

RESOLVED, that a public hearing shall be held on said proposed Local Law by the Genesee County Legislature on the 27th day of July, 2022 at 5:30 p.m.at the Genesee County Old Courthouse 7 Main Street, Batavia, New York.

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

RESOLUTION NO. 263

2022 SALARY SCHEDULE AMENDMENT-BOARD OF ELECTIONS/CREATING PART-TIME TEMPORARY POSITION – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Election Commissioner Lorie Longhany has stated that due to new Election Law mandates in regards to Early Voting, new equipment required and increase in volume of work a new part time Democratic BOE Clerk/Machine Technician is needed on a temporary basis, and

WHEREAS, This temporary position is being created due to the impending retirement of a current Democratic BOE Clerk/Machine Technician who will help train the new individual, and

WHEREAS, The Committee on Ways and Means did review the request and does recommend approval at this time, now therefore, be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2022 Genesee County Management Salary Schedule by creating one part time temporary position of Clerk/Machine Technician at a rate of \$20.00 per hour effective June 27, 2022.

Budget Impact: The current part time budgeted salary of \$55,000 should be sufficient for 2022. Legislator Dibble seconded the resolution which was adopted by 279 votes, Hawley (47) absent.

RESOLUTION NO. 264

COUNTY-WIDE POLICY & PROCEDURE PROCESS-COUNTY MANAGER -ADOPTION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, it is the desire of the County Manager to institute a formal process for establishing new county-wide policy and procedure, modifying county-wide policy & procedure and regularly reviewing and updating county-wide policy and procedure, and

WHEREAS, the County Manager is presenting a *County-wide Policy & Procedure Process* Policy that defines parameters for writing new policy, modifying existing policy & procedure and periodically reviewing and updating policies and procedures, and

WHEREAS, the Ways & Means Committee did review the County-wide Policy & Procedure Process Policy and does recommend approval at this time. Now therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve and adopt the Genesee County County-wide Policy & Procedure Process Policy as presented, effective June 23, 2022. Budget Impact: None.

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

RESOLUTION NO. 265 CAPITAL PROJECTS ESTABLISHMENT/BUDGET AMENDMENT – GENESEE COMMUNITY COLLEGE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee Community College Board of Trustees formally approved the Facilities Master Plan on October 5, 2020, and

WHEREAS, Resolution 483 duly adopted on November 22, 2021, did commit funding for 50% of said projects cost as the host community, and

WHEREAS, Genesee Community College is requesting the establishment of capital projects: Turf Field Replacement, Conable Technology Building – Roof Replacement, Cooling Tower Replacement, Arts Center Connector Replacement, and

WHEREAS, The Committee on Ways and Means has reviewed these requests and does recommend that said capital projects be established at this time. Now, therefore, Be it **RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to establish capital projects:

Turf Field Replacement	\$ 950,000
Conable Technology Building – Roof Replacement	\$1,060,000
Cooling Tower Replacement	\$ 410,000
Arts Center Connector Replacement	\$ 180,000

and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget by increasing A9950.9 – Transfer to Capital in the amount of \$1,300,000 offset by an increase in A.1000.1101.1 – 1% Sales Tax in a like amount, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2022budget by increasing appropriation H.2497.2080.0000 (Capital Project Expense) by \$2,600,000 offset by an increase in revenue H.2497.3285 (St. Aid Community College Const.) in the amount of \$1,300,000 and H.2497.5031(Interfund Transfer) in the amount of \$1,300,000 Budget Impact: As the host community, Genesee County will be responsible for \$1,300,000 for said projects Legislator Dibble seconded the resolution which was adopted by 279 votes, Hawley (47) absent.

RESOLUTION NO. 266

AMEND CAPITAL PROJECT/2022 BUDGET AMENDMENT-FACILITIES MANAGEMENT/ GENESEE JUSTICE STONEWORK – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has a capital project established for the restoration of the stonework and exterior façade at the Genesee Justice Facility located at 14 West Main Street in the City of Batavia, and

WHEREAS, the County will be awarding a construction bid to Montante Construction in the amount of \$1,468,100.00, and

WHEREAS, the capital project established for this project requires amendment before construction can begin, and

WHEREAS, the Highway Superintendent recommends amending the capital project and the 2022 County Budget to allow for this work, and

WHEREAS, the Committees on Public Service and Ways and Means do concur with this recommendation 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 Facilities Management – Genesee Justice Stonework in the amount of \$1,468,100.00 to be paid from Building & Equipment Reserve (Jail), 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 2022 County Budget:

Increase A.1000 9999	Building & Equipment Reserve (Jail)	\$1,468,100.00
Increase A.9950.9000	Transfers to Capital	\$1,468,100.00
Increase H.1997.5031	Interfund Revenue	\$1,468,100.00
Increase H.1997.2080.0000	Capital Expense	\$1,468,100.00

Budget Impact: The total cost of this project is \$1,769,510.00 which is funded from 1% Sales Tax and the Building & Equipment (Jail) Reserve.

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

RESOLUTION NO. 267

AMEND CAPITAL PROJECT/2022 BUDGET AMENDMENT-HIGHWAY/SOUTH LYON ST BRIDGE- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has received Federal Aid funding for the construction and replacement of the South Lyon St Bridge over the Tonawanda Creek bridge project within the City of Batavia and the County has received a Supplemental Grant Agreement for the remainder of the project, and

WHEREAS, Genesee County has awarded a construction contract to Union Concrete and executed a supplemental consultant agreement with Fisher Associates for construction administration and inspection, and

WHEREAS, the Genesee County Highway Superintendent recommends amending the capital project and the 2022 County Budget in order to move forward with remainder of the 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 South Lyon St Bridge in the amount of \$3,344,222.00 with federal aid of \$2,675,377.60 and a local match from 1% Sales Tax of \$171,700.00 and \$497,144.40 from the Roads and Bridges Reserve, 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 2022 County Budget:

Increase A.1000.1101.1	1% Sales Tax	\$ 171,700.00
Increase A.1000 9999	Roads and Bridges Reserve	\$ 497,144.40
Increase A.9950.9000	Transfers to Capital	\$ 668,844.40
Increase H.5197.5031	Interfund Revenue	\$ 668,844.40
Increase H.5197.4592	Federal Aid	\$2,675,377.60
Increase H.5197.2080.0000	Capital Expense	\$3,344,222.00

Budget Impact: The total cost of all phases of this project is \$3,989,930.00 funded with 80% federal aid and a 20% match from local 1% sales tax and from Roads and Bridges Reserve. Legislator Dibble seconded the resolution which was adopted by 279 votes, Hawley (47) absent.

RESOLUTION NO. 268

ESTABLISH CAPITAL PROJECT/2022 BUDGET AMENDMENT-HIGHWAY/REMOVE UNDERGROUND WASTE OIL TANK – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Superintendent of Highways is recommending establishing a capital project to remove and replace an underground waste oil storage tank with an aboveground tank, and

WHEREAS, the Genesee County Legislature did budget for and approve this project within the County's Capital Budget Plan for 2022, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following capital projects as required:

Establish Capital Project:

TitleTotalRevenue SourceHighway - Remove Underground Waste Oil Tank\$55,5321% Sales Tax

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to fund the projects by increasing A.1000.1110.1 1% sales tax in the amount of \$55,532, increasing to A.9950.9000 Transfer to Capital in the amount of \$55,532, increase H.1997.5031 Interfund Transfers in the amount of \$55,532 and increase in H.1997.2080.0000 Capital Project Expense in a like amount.

Budget Impact: This capital project was accounted for in the 2022 Proposed Capital Budget. Capital project budget of \$55,532 to be funded by 1% Sales Tax.

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

RESOLUTION NO. 269

OPPOSITION OF ASSEMBLY BILL A.6652 AND SENATE BILL S.4162 IN PERMITTING TO ADD CLASS C STREAMS TO THE PROTECTION OF WATERS REGULATORY PROGRAMS IN NEW YORK – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State Soil and Water Conservation Districts, Local Municipalities and Landowners work diligently to protect the states pristine water quality, habitat, fisheries, private and public infrastructure, and

WHEREAS, New York State Water and Soil Conservation Districts across the State, enjoy a well-earned and well-deserved reputation for their leadership and long-standing success in conserving and protecting water quality, habitats, fisheries, and public and private infrastructure. These districts have long worked closely with the New York State Department of Environmental Conservation (DEC) and other state and local agencies, especially county and town highway departments, local farmers and landowners, foresters, and others who play key roles in stream protection statewide. Together, they implement what is believed to be one of the nation's strongest stream protection frameworks.

WHEREAS, currently Soil and Water Conservation Districts are leaders in their local communities assisting public entities, and private citizens with thousands of stream habitat, stabilization, flood remediation, and flood mitigation projects on an annual basis, and

WHEREAS, the Assembly Bill A.6552/Senate Bill S.4162 as it relates to the NYS DEC permitting to add class C streams to the Protection of Waters Regulatory Program were recently passed for the Governor's signature, and

WHEREAS, the Genesee County Legislature and Soil and Water Conservation District are urging Governor Hochul to veto these bills which allows class C streams to be added to the Protection of Waters Regulatory Program. This proposed change to the conservation law would require Article 15 permits for each project which would increase the volume of permits needed by 40 to 50 times the number of annual applications,

that means the permitting process would take upwards of 33 months to accomplish, and

WHEREAS, if enacted, this legislation would force the reclassification of thousands of New York State streams and result in a more time-consuming, costly, overregulated, and impractical state-level permitting process for stream-related projects involving flood repair and mitigation, bridge and culvert maintenance, farmland protection, and other public works priorities.

WHEREAS, local highway maintenance resources that are already stretched to the limit, could result in inordinate road closures, possible flooding and disruptions of travel within communities that would have to find ways around a failed culvert or bridge crossing for an extended amount of time. The bill would hinder farmers' abilities to quickly clear waterways, instead possibly waiting months to obtain permits to repair failures or remove obstructions. This could be devastating for seasonal farm operations when trying to protect crops from nature's elements

WHEREAS, this bill is proposed to protect water quality in the possibilities of federal deregulation, by changing the conservation law to include all class C streams in the state for Article 15 permits that will encompass tens of thousands of streams in NY state that have not and will not face any federal deregulation, and

WHEREAS, Soil and Water Conservation Districts goals as sub units of New York State are to implement conservation to aid in the protection and improvement of that water quality. The impacts of Harmful Algae Blooms, and especially Climate Change have made that implementation of conservation practices that much more important, and

WHEREAS, passing this bill would not allow for these conservation efforts led by Soil and Water Conservation Districts to be implemented and would be catastrophic economically in multifaceted forms, and

WHEREAS, the Genesee County Legislature opposes this potential change that would affect the New York Soil & Water Conservation Districts and how they would implement projects within the class C streams. Now therefore, be it

RESOLVED, Genesee County is urging Governor Hochul to support our Soil and Water Conservation District and dissolve Assembly Bill A.6652 and Senate Bill S.4162 in permitting to add class C streams to the Protection of Waters Regulatory Programs in New York. Be it further **RESOLVED,** that copies of this resolution are forwarded to Governor Hochul, Assemblyman Stephen Hawley, Senator Edward Rath, Senator George Borrello, NYS Soil and Water Conservation Districts Chair, NYS DEC, Inter-County Association of Western New York, Genesee County Soil and Water Conservation District.

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

RESOLUTION NO. 270

CONTRACT REVISION-SHERIFF/ WYOMING COUNTY PRISONER HOUSING AT GENESEE COUNTY JAIL – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Legislature duly adopted Resolution No. 178, on May 28, 2014, to enter into a contract with the County of Wyoming and the Wyoming County Sheriff for the housing of its prisoners at the Genesee County Jail, and

WHEREAS, since 2014, all the signatory parties' names have changed, 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 is hereby authorized and directed to sign the revised contract with the County of Wyoming for the continuance of housing of its prisoners at the Genesee County Jail.

Budget Impact: None.

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

RESOLUTION NO. 271

MOU RENEWAL – SHERIFF / SCHOOL RESOURCE OFFICER FOR GENESEE VALLEY BOCES -APPROVAL OF Legislator Maha offered the following resolution:

WHEREAS, Genesee Valley BOCES desires to renew its Memorandum of Understanding with the County of Genesee and the Genesee County Sheriff for a School Resource Officer (SRO) at its Batavia campus for the following periods, and

Time Period	Reimbursement
9/1/2022 - 12/31/22	\$31,833.40
1/1/2023 - 8/31/23	\$65,230.69
9/1/2023 - 12/31/2023	\$32,255.89
1/1/2024 - 8/31/2024	\$65,644.30

WHEREAS, reimbursement includes the hourly rate for a Deputy Sheriff, fringe benefits, and insurances, and

WHEREAS, after careful review by the Sheriff, County Attorney, County Treasurer, 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 Genesee County Sheriff are authorized to sign the MOU.

Budget Impact: Cost is offset by revenue in the same amount.

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

RESOLUTION NO. 272

PDCMS CONTRACT EXTENSION-PUBLIC DEFENDER/NEW YORK STATE DEFENDERS ASSOCIATION-APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Public Defender is recommending the (PDCMS) Public Defense Case Management System Maintenance and Software Support Agreement between Genesee County Public Defender and New York State Defenders Association, Inc. be extended for a one-year period, May 3, 2022, to May 3, 2023, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to extend the Public Defense Case Management System Maintenance and Software Agreement between Genesee County Public Defender and New York State Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210-2314 for a one-year period, May 3, 2022 to May 3, 2023, at a cost of \$500 per license for fifteen (15) licenses with a contract price of \$7,500.

Budget Impact: Funds for this contract in the amount of \$7,500 are budgeted in the 2022 Budget under lines A1170.3025 Revenue and A1170.4880.0000 Program Expense.

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

RESOLUTION NO. 273

AWARD OF BID- FACILITY MAINTENANCE/ GENERATOR INSPECTION AND MAINTENANCE -APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the County of Genesee researched quotes for the maintenance and repair of generators located at various county facilities through available cooperative bid contracts, and **WHEREAS**, the Highway Superintendent does recommend the awarding a contract through Sourcewell Contract #109258, and

WHEREAS, the committee of Public Service does concur with this recommendation at this time, Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Milton Caterpillar Service Agreements, 100 Quarry Drive, Milford, MA 01757 for the inspection and maintenance of generators located at various county facilities for the period of July 1, 2022 through June 30, 2025.

Budget Impact Statement: Facilities Management budgets for this contract within its operating budget. The annual average cost of monthly inspections at all locations is approximately \$8,000. The total cost of the contract over the 3-year term is \$24,218.30.

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

RESOLUTION NO. 274 AWARD OF BID – HIGHWAY/ROTARY MOWER ATTACHMENT – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Sourcewell Cooperative Purchasing Contract #040319-KBA allows for the piggyback purchasing of tractors and attachments within the State of New York, and

WHEREAS, the Genesee County Highway Superintendent recommends purchasing a rotary mower attachment through this contract, and

WHEREAS, the committee on Public Service did review this request and does recommend this purchase to be authorized at this time. Now, therefore, be it

RESOLVED, that the Genesee County Highway Superintendent is hereby authorized and directed to purchase a 2022 Kubota TK3480298619 Rotary Mower Attachment at a cost of \$20,296 from Bentley Brothers, 13936 Route 31 West, Albion, NY 14411 to be paid from the Road Machinery Capital Project.

Budget Impact: Road Machinery Capital Project has an available balance of \$177,435.03 available for this purchase.

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

RESOLUTION NO. 275 AWARD OF BID – HIGHWAY/SODIUM CHLORIDE – APPROVAL OF

Legislator Maha offered the following resolution:

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

WHEREAS, the Highway Superintendent reviewed these bids and does recommend awarding a 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 enter into 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, 2022 through September 30, 2023 at a price of \$58.81 per ton.

Budget Impact: The County Road Fund includes \$138,496 for Sodium Chloride. The bid price of \$58.81 is a 15% increase from the prior year.

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

RESOLUTION NO. 276 AWARD OF BID – FACILITY MAINTENANCE/JOB ORDER CONTRACTS – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Highway Superintendent has researched available contracts to allow for the maintenance and repair of county facilities on a job order contract basis rather than obtaining three individual quotes or sealed bids for each task, and

WHEREAS, the Highway Superintendent has identified a contract available through Gordian that allows for such repairs to occur, and

WHEREAS, the Town of Greece has awarded a contract that is available statewide for other municipalities to piggyback on, and

WHEREAS, this type of contract will allow for efficient and affordable repairs within county facilities, especially during times of emergency, and

WHEREAS, the Gordian contract awarded by the Town of Greece complies with and is accessible under NYS General Municipal Law 103 (16), and

WHEREAS, the Highway Superintendent does recommend the awarding a contract through Gordian for an initial term of one (1) year, with two (2) optional renewals, and

WHEREAS, the committees of Public Service does concur with this recommendation at this time, Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Gordian, 30 Patewood Dr, Bldg 2, Suite 350, Greenville, SC 29615 for Job Order Contracts for the period July 1, 2022 through June 30, 2023.

Budget Impact: There is no immediate budget impact to this resolution. Job Order Contracting allows the County to work with Gordian's vetted and selected contractors for repairs and installations for HVAC, Plumbing, Electrical and General Construction trades. The County provides a detailed scope of work for each task to be completed and then Gordian is responsible for providing a cost breakdown for the work. This work is currently included in the Facility Maintenance budget, but it is a different method of securing contractors and quotes, while still complying with the County's Purchasing Policy and NYS General Municipal Law.

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

RESOLUTION NO. 277

AWARD OF BID – FACILITY MANAGEMENT/ GENESEE JUSTICE STONEWORK – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County advertised bid specifications for the repairs of the stonework and exterior façade of the Genesee Justice facility located at 14 West Main Street and received one competitive bid, and

WHEREAS, the Genesee County Highway Superintendent and Flynn & Battaglia Architects have reviewed the bids to determine the lowest responsible bidder, and

WHEREAS, the Genesee County Highway does make a recommendation to award a construction contract at this time, and

WHEREAS, the committee of Public Service does review this recommendation and do concur. Now, therefore, Be it,

RESOLVED, that the Genesee County Legislature is hereby authorized and directed to enter into a construction contract with Montante Construction, 2760 Kenmore Avenue, Buffalo, NY 14150 in the amount of \$1,468,100.00, which includes all four alternates.

Budget Impact: The contract amount is \$1,468,100.00, which will be funded by the capital project established for Facility Management - Genesee Justice Stonework.

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

RESOLUTION NO. 278 COUNTY AUDIT – JUNE 22, 2022 – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Deleo, did review the following claims:	
General Fund	\$ 1,675,607.21
Highway	171,803.69
Self Insurance	16.18
Water Fund	142,602.36
DSS Abstracts	178,444.72
Capital Projects	
Airport – Apron Reconstruction Construction	2,826.52
Sheriff/Jail – Jail Construction	307,149.97
GCC – Turf Field Replacement	7,272.40
Highway – Large Span Culverts	2,060.28
Facilities Management – County Wide HVAC Upgrade	50,048.50
Highway – Highway Surface Treatment	8,642.15
Highway – Darien-Alexander Townline Road Bridge	95,784.67
Sheriff/Jail – Automated Secure Alarm Protocol	7,000.00
GCC - Conable Technology Building Roof Replacement	330,000.00
Payroll – General	
June 17, 2022	1,791,721.63
Medicaid	
June 14, 2022	167,754.00
June 21, 2022	<u>167,754.00</u>
Total Audit	\$ 5,106,488.28
Now therefore Reit	

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

County Attorney, James Wujcik called an Attorney-Client Privilege Discussion Regarding Services at 5:16 p.m. Moved by Legislator Clattenburg and seconded by Legislator Torrey. Legislator Klotzbach motioned to exit executive session seconded by Legislator Deleo at 6:44 p.m. Chair Stein asked for a motioned to close the meeting. Moved by Legislator Klotzbach and seconded by Legislator Deleo at 6:45 p.m.