

**ELEVENTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, JUNE 26, 2024**

The Genesee County Legislature met in regular session on Wednesday, June 26, 2024 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

In absence of Chair Stein, Vice Chair Clattenburg presided the meeting. Vice Chair asked for a motion to amend the agenda to add an executive session in regards to Employment Matters under: Public Officers Law § 105 f.) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Legislator Yunker motioned to approve the amended agenda, seconded by Legislator Maha.

Legislator Clattenburg offered to assist with the audit. The prayer was offered by Legislator Torrey followed by the Pledge to the Flag.

Vice Chair Clattenburg called a public hearing for the 2024-2025 Operation Budget-Genesee Community College/Sponsor's Share opened at 5:32 p.m.

Roll Call was taken to establish a quorum with 7 ayes, 0 nays and 2 absences (Dibble-25 and Stein-26).

Proclamations & Commendations: None.

Approval of Minutes: June 12, 2024 minutes were approved by Vice Chair Clattenburg.

Committee & Special Assignment Reports: Legislator Maha stated the ICAWNY at Point Breeze was a nice meeting with approximately 25 attendees.

Communications & Petitions:

Travel Out-of-State: Adam Doktor, IT 2024 MS-ISAC Conference in Orlando, FL. Total Cost to the County \$882.30. Legislator Deleo moved to approve the request, seconded by Legislator Klotzbach with a roll call taken of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26).

Travel Out-of-State: Tyler Lang, EMS National Fire Academy-Fire Investigation Course – Emmitsburg, MD. Total Cost \$1,313. Legislator Maha moved to approve the request, seconded by Legislator Hawley with a roll call taken of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26).

Legislator Comments: None.

County Manager Report: Manager Landers was absent and Deputy County Manager Tammi Ferringer reported the following: Social Services home finders are holding an informational night for anyone interested in learning more about Foster Care & Adoption at Grace Baptist Church July 9th at 5:30. The Parks department has successfully rolled out the e-reservations system. The system is offering greater flexibility, efficiency to both the community and staff. Kudos to the staff at Public Health, Emergency Management and all the Human Services agencies who came together to provide access to cooling centers during the extended heat event. The annual STOP-DWI Night at the Ballpark is scheduled for Thursday, July 18th – gates open at 5:35.

Resolutions: Consent Agenda Items - Ways And Means:

Clerk read resolutions 1-22 of the Ways and Means Committee:

1. Contract Renewal-Treasurer/M&T Bank P Card Program
2. Intermunicipal Agreement-Treasurer /Oakfield-Alabama Central School District Tax Collection
3. Award of Bid – Facilities Management/Engine House Renovation
4. Budget Transfer – Central Service Vehicle/Lease
5. Budget Transfer–Job Development Bureau
6. Contract With Livingston County - Glow Workforce Development Board/ Job Development Bureau/Services/ Workforce Innovation Opportunity Act (WIOA) Program
7. Genesee County Policy GC-056-Use of County Facilities

8. Grant Acceptance/Budget Amendment - Sheriff's Office/DCJS LETECH (Law Enforcement Technology) Program Grant Funds
9. Budget Amendment/Opioid Abatement Settlement Funds/Equipment Purchase /Sheriff's Office
10. 2024-2025 Grant Acceptance–Genesee Justice/NYS Division Of Criminal Justice Services ATI Grant
11. Authorization To Sign The YWCA Of Genesee County, Inc. Memorandum Of Understanding For Elder Abuse Grant
12. Amended Agreement-Sheriff-Justice for Children Advocacy Center/Medical Director John F. Coyne, MD
13. 2024 Management Salary Schedule Amendment–Public Defender/Part Time Assistant Public Defender
14. Contract-Public Defender/NYS Office of Indigent Legal Services
15. Establish Capital Project/2024 Budget Amendment–Airport/AIP 51-24 Taxiway Lighting & Signage (Design)
16. Amend Leases And Rental Rates–County Airport
17. Service Agreement–Facility Maintenance/Chiller Preventative Maintenance
18. Amend Capital Project/Budget Amendment Facilities Management/Engine House Renovation
19. Change Order–Facilities/Genesee County Building 1 Roof And Parapet Repair
20. Change Order/Project Transfer – County Park/Interpretive Center Moisture Protection & Siding Capital Project
21. Change Order/Capital Project Amendment/2024 Budget Amendment – Facility Maintenance/Energy Performance Contract (PH2)
22. Appointment - Genesee County Administrative Water Review Board – Ficarella

Legislator Torrey moved for the adoption of resolution 1 through 22 of the Ways and Means committee, seconded by Legislator Yunker followed by a roll call of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26) for a total vote of 149.

Consent Agenda - Public Service Committee:

Clerk read resolutions 23-28 of the Public Service Committee:

23. Application–Emergency Management– BEMS Course Sponsorship
24. Agreement Renewal–Sheriff/Special/ Additional Law Enforcement Services For Western Regional OTB
25. Agreement Renewal-Sheriff's Office - Jail/PrimeCare Medical Of NY
26. Contract Renewal – Sheriff's Office / Orleans County Prisoner Housing Out
27. Facility Lease Renewal–County Airport/Federal Aviation Administration- Automated Weather Observation System
28. NYSDOT Detour–Highway/Route 63

Legislator Maha moved for the adoption of resolution 23 through 28 of the Public Service committee, seconded by Legislator Klotzbach followed by a roll call of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26) for a total vote of 149.

Vice Chair Clattenburg announced before closing the public hearing on 2024-2025 Operation Budget-Genesee Community College/Sponsor's Share – Vice Chair asked for interested speakers/comments, hearing none, Vice Chair Clattenburg closed the public hearing at 5:43 p.m.

Non-Consent Items:

Clerk read Resolution 29

29. 2024-2025 Operation Budget-Genesee Community College/Sponsor's Share

Legislator Torrey motioned to adopt resolution 29, seconded by Legislator Hawley followed by a roll call of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26) for a total vote of 149.

Clerk read Resolution 30

30. Department Name Change-Emergency Management Services to Office of Emergency Management

Legislator Maha motioned to adopt resolution 30, seconded by Legislator Yunker followed by a roll call of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26) for a total vote of 149.

Clerk read resolution 31

31. Set a Public Hearing - A Local Law Introductory A of The Year 2024 – Creating Department Of Public Works And The Position Of County Commissioner Of Public Works, And Incorporating The Genesee County Highway Department Into The Department Of Public Works

Legislator Maha motioned to adopt resolution 31, seconded by Legislator Klotzbach followed by a roll call of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26) for a total vote of 149.

Clerk read resolution 32

32. County Audit – June 26, 2024

Legislator Torrey motioned to adopt resolution 32, seconded by Legislator Deleo followed by a roll call of 7 ayes, 0 no's and 2 absences (Dibble-25 and Stein-26) for a total vote of 149.

Unfinished Business: None.

New Business:

Vice Chair Clattenburg called an executive session under Public Officers Law § 105 f.) in reference to: the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Legislator Klotzbach motioned to enter into executive session at 5:47 p.m. seconded by Legislator Maha.

Legislator Torrey motioned to exit executive session at 6:03 p.m. seconded by Legislator Deleo. Anita Cleveland, Tim Hens, Laura Wadhams and Mark Boylan attended.

Adjournment: Vice Chair Clattenburg adjourned the meeting at 6:03 PM.

**RESOLUTION NO. 254 CONTRACT RENEWAL-TREASURER/M&T BANK P
CARD PROGRAM-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Resolution No. 373 of 2020 authorized a two year contract with M&T Bank to provide a Purchasing Card Program with three 1 year optional renewals, and

WHEREAS, the Genesee County Treasurer and Director of Purchasing wish to renew the contract for one more year utilizing the third of three renewal options, and

WHEREAS, M&T Bank wishes to renew the contract for one more year, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to sign a one year contract renewal with M&T Bank with the same terms and conditions as the original contract with the renewal expiring on September 7, 2025.

Budget Impact: No cost to the county, the county receives a yearly rebate based on the annual purchase amount.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 255

**INTERMUNICIPAL AGREEMENT-TREASURER
/OAKFIELD-ALABAMA CENTRAL SCHOOL
DISTRICT TAX COLLECTION – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Oakfield-Alabama Central School District contacted the Genesee County Treasurer to request that the Treasurer’s Office continue to handle the collection of school property taxes for the 2024-25 school tax year, and

WHEREAS, the Genesee County Treasurer has reviewed this request with the Oakfield-Alabama Central School District and has proposed to collect the taxes for a fee of \$3.85 per tax bill, and

WHEREAS, the Oakfield-Alabama Central School District has prepared an agreement which has been reviewed and approved by the County Attorney, and

WHEREAS, the Committee on Ways and Means has reviewed the agreement 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 agreement with the Oakfield-Alabama Central School District for the collection of the 2024-25 school property taxes.

Budget Impact: Annual revenue of approximately \$10,300 received from this agreement will offset the cost of providing the requested tax collection services.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 256

**AWARD OF BID–FACILITIES MANAGEMENT
/ENGINE HOUSE RENOVATION–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County did issue Bid No. 2024-04, for work packages related to the Engine House Renovation Project, and

WHEREAS, The Highway Superintendent, Purchasing Director, and the County’s Construction manager, The Pike Company, did review the low bidders and recommend their award at this time, and

WHEREAS, the Genesee County Legislature, in reviewing 6 NYCRR Part 617, specifically Section 617.5, has determined that the proposed project is a Type II SEQR action as described under Section 617.5 (C) (2), not subject to review under SEQRA, and

WHEREAS, the Committee of Ways and Means have reviewed this recommendation and do concur at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to award bids and execute any and all documents related to the award to:

Work Package No. 1 – General Construction – LeChase Construction Services, LLC, 205 Indigo Creek Drive, Rochester, New York, at a stipulated sum of \$1,555,000 inclusive of Alternate #1.

Work Package No. 2 – Plumbing – Michael A. Ferraulo Plumbing & Heating 1600 Jay Street, Rochester, New York, at a stipulated sum of \$179,000

Work Package No. 3 – HVAC – Pipitone Enterprises LLC, 25 East Buffalo Street, Churchville, New York, at a stipulated sum of \$281,340

Work Package No. 4 – Electrical – Hewitt Young Electric, LLC 25 Maple Street, Rochester, New York, at a stipulated sum of \$467,000

Budget Impact: Total stipulated sum of work packages is \$2,482,340. Funds are available in the Engine House Renovation Capital Project.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 257

BUDGET TRANSFER-CENTRAL SERVICE /VEHICLE LEASE-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the leased vehicle used by Central Services Courier was replaced in early 2024 and this has increased the monthly lease amount, and

WHEREAS, adequate funds were not budgeted for the vehicle lease increase, and

WHEREAS, there are funds available in the Central Services Personal Services line item due to open positions, and

WHEREAS, Central Services is requesting to transfer \$5,656 from the Personal Services line item to the Vehicle Lease line item, and

WHEREAS, the Committee on 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 make the following budget transfer within the Central Services 2024 appropriations:

\$5,656 from A.1610.1010.0000 (Personal Services)

\$5,656 to A.1610.4330.0000 (Vehicle Lease/Rental)

Budget Impact: Transfer of \$5,656 from the Central Services Personal Services line item to the Central Services Vehicle Lease/Rental line item. There is no budget impact as funds will be transferred within the Central Services Budget.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 258

BUDGET TRANSFER-JOB DEVELOPMENT BUREAU- APPROVAL OF

Legislator Torrey offered the following resolutions:

WHEREAS, the Employment and Training Director of Genesee County Job Development Bureau has requested that transfers be made within accounts to allow for proper funding to cover Workers Compensation, and

WHEREAS, the Ways and Means Committee and the County Manager have reviewed this request and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer be and hereby is authorized and directed to make the following budget item transfer:

\$995.00 from: CD6293 8060.0000 Self-Insurance and

\$600.00 from: CD6290 8060.0000 Self-Insurance

\$1,595.00 to: CD9040 8060.0000 Workers Compensation

Budget Impact: Neutral

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 259

CONTRACT WITH LIVINGSTON COUNTY - GLOW WORKFORCE DEVELOPMENT BOARD/ JOB DEVELOPMENT BUREAU/SERVICES/ WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) PROGRAM – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Job Development Bureau has been approved by the GLOW Workforce Development Board as the Contractor to provide WIOA Adult, Dislocated Worker, and Youth Services for Genesee County. The grant is a one-year agreement from July 1, 2024, and continues until June 30, 2025 with a budget of \$338,479.00, and

Budget Impact: Acceptance of DCJS LETECH grant in the amount of \$167,000, to be used as a funding source to assist in the acquisition of law enforcement technology and equipment.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 262

**BUDGET AMENDMENT/OPIOID ABATEMENT
SETTLEMENT FUNDS-SHERIFF OFFICE
/EQUIPMENT PURCHASE –APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Opioid Task Force received funding requests from the Genesee County Sheriff's Office to fund the purchase of 3 Automated External Defibrillators (AED's) to equip patrol vehicles and a Thermo Scientific TruNarc Analyzer to rapidly identify drugs and reduce the handling of potential harmful drugs by Sheriff's Deputies, and

WHEREAS, the Opioid Task Force has reviewed the requests and recommends allocating \$5,524 for the purchase of three AED's and \$30,360 for the purchase and training of a TruNarc Analyzer system, and

WHEREAS, the Committee of Public Service and Ways and Means did review this request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing A.3110.4800.0600 – Sheriff, Program Expense – Opioid Settlement Expense by \$35,884, offset by an increase in A.3110.2735 Opioid Settlement in the amount of \$35,884 with monies coming from A688.1 Other Liabilities – Opioid Settlement

Budget Impact: total cost of request = \$35,884. Balance of Other Liabilities fund after this purchase = \$542,439

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 263

**2024-2025 GRANT ACCEPTANCE–GENESEE
JUSTICE/NYS DIVISION OF CRIMINAL JUSTICE
SERVICES ATI GRANT–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee Justice received a Grant Award Notice from the NYS Division of Criminal Justice Services in the amount of \$41,876 to be used to support Alternatives to Incarceration Programs, and

WHEREAS, the Genesee Justice Program Coordinator requested approval to apply for and accept the NYS DCJS Article 13-A Classification/Alternatives to Incarceration (ATI) Grant for the continuation of the Community Service Sentencing Program and the Pre-Trial Services Program award in the amount of \$41,876 for a one-year contract term starting July 1, 2024, through June 30, 2025, and

WHEREAS, the Program Coordinator has requested that the County accept this funding which stipulates that this revenue will be used to support the Genesee Justice ATI Program, and

WHEREAS, the Committee on Public Service 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 necessary form for the application and acceptance of funds for the period of July 1, 2024, through June 30, 2025, in the amount of \$41,876, and to execute any and all other documentation related to this funding.

Budget Impact: There is no change to A 3151 3320 (State Aid-Community Service) as monies were already anticipated at noted levels in our 2024 County Budget.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 264

**AUTHORIZATION TO SIGN THE YWCA OF
GENESEE COUNTY, INC. MEMORANDUM OF
UNDERSTANDING FOR ELDER ABUSE GRANT**

Legislator Torrey offered the following resolutions:

WHEREAS, the YWCA of Genesee County Inc. is submitting an application for Office on Violence Against Women Fiscal Year 2024 Abuse in Later Life Program, and

WHEREAS, the YWCA seeks to enter into a Memorandum of Understanding (MOU) with the Genesee County Sheriff's Office – Genesee Justice, the Genesee County Office for the Aging, and the Genesee County District Attorney's Office to provide additional services under the grant, and

WHEREAS, Sheriff's Office – Genesee Justice, the Office for the Aging, and the District Attorney's Office can provide advocacy, referrals, counseling and support for elder abuse victims, and criminal prosecution as outlined in the MOU, and

WHEREAS, the Genesee County Undersheriff, Genesee Justice Program Coordinator, Director of the Office for the Aging, and District Attorney are seeking authorization to sign the MOU.

WHEREAS, the Committee on Public Service and Ways and Means did review this, and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct Bradley Mazur, Genesee County Undersheriff, Diana Prinzi, Genesee Justice Program Coordinator, Diana Fox, Director of the Office for the Aging, and Kevin Finnell, District Attorney to sign the YWCA Memorandum of Understanding. Be it further

RESOLVED, that upon notification of grant award; a grant acceptance and budget amendment Resolution will be presented to the Legislature for further action.

Budget Impact: Neutral. The YWCA MOU does not establish any financial liability for any of the parties.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 265

**AMENDED AGREEMENT – SHERIFF-JUSTICE FOR
CHILDREN ADVOCACY CENTER / MEDICAL
DIRECTOR JOHN F. COYNE, MD - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the County of Genesee entered into an Agreement with John F. Coyne, MD pursuant to resolution 437, dated October 26, 2023, to provide Medical Director services to the Justice for Children Advocacy Center (JFCAC) for the time period of October 1, 2023, through September 30, 2024, and

WHEREAS, the JFCAC Program Coordinator did request an amendment to the Agreement to include reimbursement to Medical Director Coyne for one third of the cost of medical malpractice insurance, totaling \$1,368.00, annually, fully covered by grants from the NYS Office of Victim Services, and

WHEREAS, the Committees of Public Service & 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 and the Genesee County Sheriff are hereby authorized and directed to execute the Amended Agreement with John F. Coyne, M.D., F.A.A.P., with residence at 1215 Backus Road, Derby, NY 14047, to include reimbursement to Mr. Coyne for one third of the cost of medical malpractice insurance, totaling \$1,368.00, annually, fully covered by grants from the NYS Office of Victim Services.

RESOLUTION NO. 272

**CHANGE ORDER–FACILITIES/GENESEE COUNTY
BUILDING 1 ROOF AND PARAPET REPAIR–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, RMG Custom Metal LLC has commenced construction at County Building No. 1 and the Old Court House, and

WHEREAS, the scope of the Old Court House basement ceiling repairs have been reduced, and

WHEREAS, RMG Custom Metal LLC performed additional masonry work to repair the deteriorated parapet interior, and

WHEREAS, LaBella Associates requires additional compensation to their contract for services provided during the design and construction phases, and

WHEREAS, the Genesee County Highway Superintendent has reviewed this change request for need and accuracy of pricing, and

WHEREAS, the Genesee County Highway Superintendent recommends approval of the change order at this time, and

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

RESOLVED, that the Chair of the Genesee County Legislature does hereby authorize Change Order #1 deduct in the amount of (\$12,484.35) for RMG Custom Metal, LLC, 1369 Paul Road, Churchville, NY 14428 for the OCH basement ceiling to receive a sealer and painted finish only and eliminate the proposed plaster finish.

RESOLVED, that the Chair of the Genesee County Legislature does hereby authorize Change Order #2 in the amount of \$38,409.80 for RMG Custom Metal, LLC, 1369 Paul Road, Churchville, NY 14428 to restore the deteriorated masonry of the County Building No.1 interior parapet after a detailed field investigation.

RESOLVED, that the Chair of the Genesee County Legislature does hereby authorize Change Order #3 in the amount of \$9,000 for LaBella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 for additional lab expenses, roof scanning services required, drawing details, and code compliance meetings.

Budget Impact: The total amount for the change order is \$34,925.45. The change to RMG’s contract brings the total contract amount to \$372,243.45. The change to LaBella’s contract brings the total contract amount to \$40,000.00. Both contracts are funded from the County Building 1 Roof and Parapet Repair Capital Project with a remaining balance of \$16,230.97.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 273

**CHANGE ORDER/PROJECT TRANSFER – COUNTY
PARK/INTERPRETIVE CENTER MOISTURE
PROTECTION & SIDING CAPITAL PROJECT–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent would like to authorize additional work with Kircher Construction, Inc. as part of the Interpretive Center Moisture Protection & Siding capital project, and

WHEREAS, the Genesee County Highway Superintendent is recommending a project transfer for the Interpretive Center Moisture Protection & Siding capital 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 Chair of the Genesee County Legislature does hereby authorize a change order in the amount of \$4,906.17 for Kircher Construction, Inc. for costs related to additional work needed, and be it further

RESOLVED, that the Genesee County Treasurer is authorized and directed to make the following capital project transfer:

<u>FROM</u>	<u>AMOUNT</u>
County Park - Area D Shelter	\$ 4,907.00

TO
County Park - Interpretive Center Moisture Protection & Siding \$ 4,907.00

Budget Impact: The change order increases the total contract amount to \$253,257.00. There is a balance of \$66,034.50 left in the Interpretive Center Moisture Protection & Siding capital project after the capital project transfer is completed.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes

RESOLUTION NO. 274 **CHANGE ORDER/CAPITAL PROJECT
AMENDMENT/2024 BUDGET AMENDMENT –
FACILITY MAINTENANCE/ENERGY
PERFORMANCE CONTRACT (PH2)–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has an Energy Performance Contract (EPC) in place with Johnson Controls, and

WHEREAS, the Deputy County Superintendent of Highways recommends the immediate replacement of Boiler #2 and all circulation pumps in the Courts Facility, and

WHEREAS, the County Superintendent of Highway recommends approving a change order to the existing EPC with Johnson Controls as the most expedient and efficient means of progressing this work, and

WHEREAS, the Committees on Public Service and Ways and Means did review these requests and do recommend approval at this time, 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 authorize and direct the Genesee County Treasurer to make the following amendments to the 2024 Budget:

Increase A9950.9 Transfer to Capital

Increase A1000.9999 Balancing – Appropriated

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to amend the Capital Project Energy Performance Contract by increasing the project \$122,122 from A915.4 Assigned Unappropriated – Infrastructure.

RESOLVED, that the Chairperson of the Genesee County Legislative is hereby authorized and directed to approve Change Order #3 to the Energy Performance Contract between Genesee County and Johnson Controls, Inc., 90 Goodway Drive, Rochester, NY 14623 in the amount of \$122,122 for the purpose of replacing a boiler and the circulation pumps at the Genesee County Courts Facility.

Budget Impact: Transfer of \$122,122 from Assigned Unappropriated – Infrastructure in the amount of \$122,122 to fund the amendment to the capital project with authorizes this work.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 275 **APPOINTMENT-GENESEE COUNTY
ADMINISTRATIVE WATER REVIEW BOARD –
FICARELLA - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the creation of Genesee County Administrative Water Review Board was adopted by resolution number 222 on May 22, 2024 to take formal steps to plan for future water improvements and to designate board members, and

WHEREAS, after discussions between the Sheriff, Chief Deputy of Road Patrol, Western Regional OTB representatives, and approval by the County Attorney and County Manager, the Sheriff does recommend renewing this agreement for the term stated above, and

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

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to execute the renewal Agreement for a one-year term (retroactive to June 1, 2024 through May 31, 2025) for special/additional law enforcement services at Batavia Downs Gaming, 8315 Park Road, Batavia, New York 14020.

Budget Impact: Funds have been budgeted in the 2024 adopted budget and will be offset by revenue billed back to entities for additional law enforcement services.

Legislator Klotzbach seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 278

**AGREEMENT RENEWAL-SHERIFF'S OFFICE -
JAIL/PRIMECARE MEDICAL OF NY-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, pursuant to Resolution 306, dated July 26, 2023, Genesee County awarded PrimeCare Medical with a contract (RFP 2023-11) to provide medical services at the Genesee County Jail beginning September 1, 2023, through December 31, 2023, with the intent of both parties to renew its contract January 1, 2024, for a one-year period, and

WHEREAS, after careful review by the County Attorney, Jail Superintendent, and Sheriff, it is recommended that the County of Genesee enter into the renewal agreement with PrimeCare Medical of NY for January 1, 2024, through December 31, 2024, at a monthly cost not to exceed \$65,412.71, with the option to renew for four (4) additional one-year periods upon mutual, written consent by both parties, and

WHEREAS, the Public Service Committee 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 Sheriff are hereby authorized to enter into the renewal agreement with PrimeCare Medical of NY (located at 3940 Locust Lane, Harrisburg, Pennsylvania 17109) to provide medical services at the Genesee County Jail for January 1, 2024, through December 31, 2024, at a monthly cost not to exceed \$65,412.71 with the option to renew for four (4) additional one-year periods upon mutual, written consent by both parties.

Budget Impact: Funds are allocated in the Jail's 2024 adopted budget to cover 2024 medical expenses. Legislator Klotzbach seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 279

**CONTRACT RENEWAL-SHERIFF'S OFFICE/
ORLEANS COUNTY PRISONER HOUSING OUT -
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Sheriff did present a prisoner housing renewal contract with Orleans County Jail, and

WHEREAS, the County Attorney has reviewed and approved the terms of this renewal contract, and

WHEREAS, the Committee on Public Service did review this contract renewal and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute the contract between the County of Genesee and the County of Orleans for the provision of jail space in the Orleans County Jail at a rate of \$90.00 per day for each prisoner housed retroactively between January 1, 2024, through December 31, 2024.

Budget Impact: Funds have been appropriated to the 2024 budget.

Legislator Klotzbach seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 280

**FACILITY LEASE RENEWAL-COUNTY AIRPORT
/FEDERAL AVIATION ADMINISTRATION -
AUTOMATED WEATHER OBSERVATION SYSTEM
(AWOS)–APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee County has an existing facility lease with the Federal Aviation Administration for hosting an antenna and equipment related to the operation of the Automated Weather Observation System (AWOS), and

WHEREAS, the continued operation of the AWOS facility is beneficial to Genesee County and local air traffic and it is in the interest of Genesee County to amend and continue the lease, and

WHEREAS, the Genesee County Highway Superintendent and County Attorney have reviewed the amendment to the land lease and do recommend approval at this time, and

WHEREAS, the Committee on Public Service does concur with this request and recommends approval. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize the renewal of the existing facility lease between the Federal Aviation Administration, Real Estate Branch AAQ-910, 1701 Columbia Avenue, College Park, GA 30337-2714 and Genesee County for the continued hosting and operation of an AWOS Antenna and Equipment located at the Genesee County Airport with a term commencing October 1, 2024 and ending September 30, 2044.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 281

**NYS DOT DETOUR–HIGHWAY/ROUTE 63–
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the New York State Department of Transportation proposes to replace culverts that carry Route 63 through the Iroquois National Wildlife Refuge in the Town of Alabama, Genesee County, and

WHEREAS, in conformance with Section 42 of the New York State Highway law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of construction:

Lewiston Road (CR#12), from Niagara County to Rt 63; and

Lewiston Road (CR#12), from Rt 63 to Knowlesville Rd (CR#23); and

Knowlesville Road (CR#23), from Lewiston Rd (CR#12) to Orleans County

WHEREAS, the New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned road to make them adequate to handle additional detour traffic, and

WHEREAS, the Committee on Public Service did review and recommends approval. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with the Subsection 619 of its Standard Specifications during the period of necessity, and be it further

RESOLVED, that Genesee County will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control, and be it further

RESOLVED, that four (4) certified copies of this resolution shall be transmitted to the New York State Department of Transportation.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 282

**2024-2025 OPERATION BUDGET-GENESEE
COMMUNITY COLLEGE/SPONSOR'S SHARE-
ADOPTION OF**

Legislator Torrey offered the following resolution:

WHEREAS, the President and Trustees of Genesee Community College have presented to the Genesee County Legislature the proposed operating budget of Genesee Community College for the academic year 2024-2025 in the amount of \$37,750,000 and

WHEREAS, the Board of Trustees has approved the amount of \$2,836,374 as the sponsor's share of the proposed current operating budget for Genesee Community College, and

WHEREAS, the committee of Ways & Means did review the proposed operating budget and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve of the proposed 2024/2025 operating budget of the Genesee Community College in the amount of \$37,750,000 for academic year 2024-2025, and Be it further

RESOLVED, that the Genesee County Legislature does hereby approve of the sponsor's share of the operating budget of the Genesee Community College for the fiscal year September 1, 2024 through August 31, 2025 in the amount of \$2,836,374 and cause the same to be included in the County Tax levy for the year 2024.

Budget Impact: the current Genesee County operating budget for Genesee Community College has been proposed in the amount of \$2,836,374 which would result in a \$50,000 increase from the last fiscal year.

Legislator Hawley seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 283

**DEPARTMENT NAME CHANGE– EMERGENCY
MANAGEMENT SERVICES TO OFFICE OF
EMERGENCY MANAGEMENT – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, resolution 221 of the year 1984 consolidated the functions of the Fire Mutual Aid Department and the Civil Defense and Disaster Preparedness and established the Office of Emergency Management Services, and

WHEREAS, over time the agency was misconstrued as being limited to the oversight and coordination of Emergency Medical Services (EMS), and

WHEREAS, in fact the agency provides coordination of a wide variety of emergency response services to enhance the capabilities of area first responders, including but not limited to: fire, medical, mutual aid, mobilization of resources, planning, mitigation, response, recovery, hazardous materials response, confined space rescue, high angle rescue, search and rescue and fire investigation, and

WHEREAS, the Coordinator of Emergency Management Services has proposed a modification to the agencies' name to clarify and more accurately depict the services provided to all first responders and to the citizens of Genesee County, and

WHEREAS, the Committee of Ways and Means has reviewed this request and recommends adopting the proposed changes. Now therefore be it,

RESOLVED, that the Genesee County Legislature does hereby authorize the name change from Genesee County Emergency Management Services (EMS) to Genesee County Office of Emergency Management (OEM), and be it further

Budget Impact: None.

Legislator Yunker seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 284

**SET PUBLIC HEARING– A LOCAL LAW
INTRODUCTORY A OF THE YEAR 2024 – CREATING
DEPARTMENT OF PUBLIC WORKS AND THE
POSITION OF COUNTY COMMISSIONER OF PUBLIC
WORKS, AND INCORPORATING THE GENESEE
COUNTY HIGHWAY DEPARTMENT INTO THE
DEPARTMENT OF PUBLIC WORKS – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, there has been duly presented and introduced to this Legislature on June 17, 2024, a proposed local law entitled: **A LOCAL LAW INTRODUCTORY A OF THE YEAR 2024 - CREATING DEPARTMENT OF PUBLIC WORKS AND THE POSITION OF COUNTY COMMISSIONER OF PUBLIC WORKS AND INCORPORATING THE GENESEE COUNTY HIGHWAY DEPARTMENT INTO THE DEPARTMENT OF PUBLIC WORKS**”; and

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

WHEREAS, the Clerk of the Genesee County Legislature will post a certified notice of public hearing on said proposed Local Law Introductory A of the Year 2024 on the bulletin board in the Old County Courthouse and caused to be published in The Daily News, the official newspaper of the County of Genesee. Now, therefore, be it,

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 24th day of July, 2024 at 5:30 p.m. at the Legislative Chambers, 7 Main Street, Batavia, New York at which time all interested person who wish to speak will be heard.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 149 (Dibble-25 and Stein-26 absent) votes.

RESOLUTION NO. 285

COUNTY AUDIT–JUNE 26, 2024 - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Legislator Clattenburg did review the following claims:

2024 General Fund	\$	1,255,325.26
2024 Highway		165,599.41
2024 Water Fund		29,323.86
DSS Abstracts		560,055.48
Capital Projects		
Sheriff/Jail – Jail Construction		1,252,325.26
Airport – Snow Removal Equipment		408,842.00
County Manager – Building Security Upgrades		320.00
Facilities Management – Engine House Renovations		2,914.10
Facilities Management – Holland Land Office Restoration Study		5,500.00
GCC – Arts Center Connector Replacement		8,422.00
Highway – Large Span Culverts		31,952.88
Highway – Attica Road – Bridge 11M		475.00
Highway – Highway Recycling		2,600.55
Highway – Dry Bridge Road over Drainage Ditch		11,713.29
Payroll – General		
June 14, 2024		1,557,551.44

Medicaid

June 18, 2024	181,406.00
June 25, 2024	<u>181,406.00</u>
Total Audit	\$ 5,655,732.53

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 149 (Dibble-25 and Stein-26 absent) votes.

CERTIFICATION OF THE CLERK

STATE OF NEW YORK, County of Genesee, ss:

I, Lisa K. Casey hereby certify that the foregoing is a true report of the Genesee County Legislature Meeting on Wednesday, June 26, 2024, at 5:30 P.M., typographical errors excepted.

Lisa K. Casey