

**TWELFTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, JULY 24, 2024**

The Genesee County Legislature met in Regular Session on Wednesday, July 24, 2024 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

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

In addition to the regular meeting, Chair Stein opened the Public Hearing for the 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. Opened at: 5:32 P.M.

Roll Call was taken followed by 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26).

Clerk Casey announced a quorum was established

Proclamations & Commendations: a Parks and Recreation Month proclamation was presented by Legislator Hawley and accepted by Highway Superintendent, Tim Hens.

Foster Care/Adoption Program – “Deciding Together” commendation presented by Legislator Torrey and accepted by Director of Social Services Ben Dennis, Foster Care Supervisor Danielle Wojtastele and Home finder Taya Toonley.

Approval of Minutes: June 26, 2024 approved by Chair Stein.

Committee & Special Assignment Reports: Legislator Maha stated he attended the Water Resource Agency meeting with Legislator Yunker, Tim Hens report of the meeting was thorough.

Communications & Petitions: Travel Out-of-State: Courtney Ihuri, OFA for AmeriCorps Seniors 2024 National Convening held in Baltimore, MD total cost to County \$1,112. Legislator Hawley moved to approve the request seconded by Legislator Torrey followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26).

Legislator Comments: Chair Stein thanked those who volunteered for the Genesee County Fair. Legislature worked hard in the Chuckwagon. Chair Stein stated that Chief Deputy Criminal Sheriff, Joe Graff and Deputy Treasurer, Kevin Andrews also stepped in and helped out in the Chuckwagon during the fair. All provided tips that were collected in the Chuckwagon went to the inception for the Junior Ag Society, allowing opportunity for the youth.

County Manager Report: Thank you to our IT staff on the recent internet outage that caused issues throughout the world (Crowdstrike). There was staff working as early as 1 a.m. to help correct the issues that occurred 90% of County devices were restored by 8:30 a.m. Praise goes out to the IT department. County Manager Matt Landers stated that National Grid prices are expected to increase 15% for residents and 3-25% commercially. Chair Stein stated this is why MEGA is crucial; the County has locked in rates to year 2026 with possible extension to 2029. DEC Commissioner, Sean Mahar met with County Manager Landers, Legislator Chair Stein, Highway Superintendent Tim Hens and Consultant Katie Holm to discuss the aquifer and the low levels of the water table. Lastly, Mr. Landers announced budget season is here and he will be meeting with Department Heads.

Resolutions: Consent Agenda - Ways and Means:

Clerk read resolutions 1-25 of the Ways and Means Committee:

1. Contract Renewal - Information Technology/Maintenance Agreement For History Department Imaging Equipment
2. Award of Contract – Central Services Shredding Services

3. Award of RFP – Central Services/Vending Services
4. Disposition of Surplus Property – Human Resources/File Cabinets
5. Disposition of Surplus Property–Legislature/Brochure Stand, Announcement Board With 3/4” Plastic Letters
6. Genesee County Policy GC-058-Website Blocking And Unblocking
7. Capital Project Establishment/2024 Budget Amendment-County Manager-Electric Vehicle Charging Stations
8. Contract Award – Courts Facility EV Charging Solution/Pure Performance Renewable Energy Solutions, Inc. (PPR)
9. Award of RFA/Budget Amendment-Mental Health/LGU OASAS Opioid Abatement Settlement Funds/City Church, Batavia, NY
10. Award of RFA/Budget Amendment-Mental Health/LGU OASAS Opioid Abatement Settlement Funds/City Of Batavia
11. 2024 Authorization To Decrease Petty Cash-Mental Health/Client Services Account
12. Award of Bid– Office For The Aging/Caring Environments J+H, Inc./ Ramp Equipment
13. Contract – Public Health/Preschool Supportive Health Services Program/SEIT
14. Grant Acceptance – Public Health/Lead Poisoning Prevention Program
15. Contract – Public Health /Preschool Supportive Health Services Program
16. Grant Acceptance – Public Health/ Drinking Water Enhancement Program
17. Award of Bid – Highway/Excavator
18. Award of Bid – Highway/Sodium Chloride
19. Amend Permit Fees – Highway
20. Surplus Equipment – Highway/Road Machinery Fund
21. Grant Acceptance – Airport/Runway Lighting and Signage Construction
22. 2024 Management Salary Schedule Amendment – Public Defender
23. Budget Amendment-Sheriff’s Office/Communications/Tower Repairs
24. Budget Amendment-Sheriff’s Office/Communications/Portable Radios and Accessories
25. 2024 Budget Amendment & Use Of ARPA Funds – Water Fund – City Of Batavia Water Treatment Plant Equipment Repair & Replacement

Legislator Clattenburg moved for the adoption of resolutions 1-25 seconded by Legislator Dibble followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26) for a vote of 158.

Consent Agenda - Human Services Committee:

Clerk read resolutions 26-28 of the Human Services Committee:

26. Contract Renewal – Public Health /Sexually Transmitted Infection (STI)
27. Contract Renewal – Public Health/ Paratransit Services
28. Contract Renewal – Public Health/NMS Labs

Legislator Torrey moved for the adoption of resolutions 26-28 seconded by Legislator Hawley followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26) for a vote of 158.

Consent Agenda - Public Service Committee:

Clerk read resolutions 29-32 of the Public Service Committee:

29. Contract Renewal – Highway/Fuel Products
30. Agreement Renewal – Sheriff’s Office/Justice Benefits, Inc.
31. MOU Renewals – Sheriff’s Office/SROs for Alexander, Genesee Valley BOCES, Byron-Bergen, Oakfield-Alabama, Pavilion & Pembroke Central School Districts

32. Agreement Renewal & Budget Amendment – Sheriff’s Office/Village of Bergen
Additional Law Enforcement Patrols

Legislator Maha moved for the adoption of resolutions 29-32 seconded by Legislator Deleo followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26) for a vote of 158.

Chair Stein asked for interested speakers/comments before closing the public hearing on 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. Hearing none Chair Stein closed the public hearing at 6:00 p.m.

Non-Consent Items:

Clerk read Resolution 33

33. County Audit – July 24, 2024

Legislator Clattenburg moved for the adoption of resolution 33 seconded by Legislator Torrey followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26) for a vote of 158.

Clerk please read Resolution 34

34. 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 moved for the adoption of resolution 34 seconded by Legislator Clattenburg followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26) for a vote of 158.

Clerk please read Resolution 35

35. Road Use Agreement – Highway/Cider Solar

Legislator Clattenburg moved for the adoption of resolution 35 seconded by Legislator Dibble followed by a roll call of 7 ayes, 0 nays and 2 absences (Klotzbach-16 and Yunker-26) for a vote of 158

Unfinished Business: None.

New Business: None.

Adjournment: Chair Stein announced, as there is no further business before us, the meeting stands adjourned at 6:04 p.m.

RESOLUTION NO. 286

**CONTRACT RENEWAL - INFORMATION
TECHNOLOGY/MAINTENANCE AGREEMENT
FOR HISTORY DEPARTMENT IMAGING
EQUIPMENT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Information Technology did present a maintenance renewal agreement with InStream to provide a one-year (12 month) service agreement to maintain the ScanPro 800 Microfilm Scanner and the Alos 41-II Planetary Document Camera located in the Genesee County History department.

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with InStream dba Biel’s, 1201 Indian Church St., West Seneca, NY

14224 for a one-year agreement effective July 30, 2024 through July 30, 2025 at a cost of \$1,280. Budget Impact: A \$1,280 charge from A.1680 4410.0090 Maint-Mainframe H/W.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 287

**AWARD OF CONTRACT – CENTRAL SERVICES
SHREDDING SERVICES - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Purchasing Director solicited quotes for shredding services, and **WHEREAS**, the Purchasing Director and the Purchasing Agent did review the quotes and recommend the award of a contract for shredding services to Shred-it,

WHEREAS, this contract will result in the standardization of shredding services within the County, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the award of a contract for shredding services to Shred-it, 400 Riverwalk Parkway, Suite 300, Tonawanda, NY 14150, as per the specifications of the quote for the term of August 1, 2024, through July 31, 2025, with four additional one-year renewals upon mutual agreement.

Budget Impact: No budget impact with transfer of \$4,520 from Central Services, .4 line items to Central Services Shredding/Recycling account.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 288

**AWARD OF RFP – CENTRAL SERVICES/VENDING
SERVICES - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Purchasing Director is recommending the award of RFP 2024-103 Vending Services to Sirness Vending Service, and

WHEREAS, the Ways and Means Committee did review this request and recommend the award of RFP 2024-103 Vending Services to Sirness Vending Service. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the award of RFP 2024-103 Vending Services to Sirness Vending Services, 3595 Buffalo Road, Rochester, NY 14624, as per the specifications of the RFP for the contract term of September 1, 2024, through August 31, 2026, with three additional one-year renewals upon mutual agreement.

Budget Impact: The contract includes an estimated 10% commission on sales from Sirness Vending Services machines placed in Genesee County buildings.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 289

**DISPOSITION OF SURPLUS PROPERTY – HUMAN
RESOURCES/FILE CABINETS – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Human Resources does possess three (3) metal file cabinets for employee personnel use, and

WHEREAS, the file cabinets are no longer needed and no other department has shown interest in their use and should be declared as surplus, and

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

RESOLVED, that the Genesee County Legislature does hereby declare these file cabinets as surplus and, be it further

RESOLVED, that the Purchasing Director is hereby authorized to dispose of the three (3) metal file cabinets by the method deemed most appropriate by that department.

Budget Impact: Should the file cabinets sell at auction, the proceeds would go to the county's general revenue in A.1000.2650 Sale of Scrap.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 290

**DISPOSITION OF SURPLUS PROPERTY–
LEGISLATURE/BROCHURE STAND,
ANNOUNCEMENT BOARD WITH 3/4” PLASTIC
LETTERS - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Legislature possesses one (1) brochure stand and (1) announcement board with (1) box of ¾” plastic letters for employee use, and

WHEREAS, the brochure stand and announcement board with letters in question are no longer needed in this department and no other department has shown interest in their use, and

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

RESOLVED, that the Purchasing Director is hereby authorized to dispose of the one (1) brochure stand and (1) announcement board with a box of ¾” plastic letters, by the method deemed most appropriate by that department.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO.291

**GENESEE COUNTY POLICY GC-058-WEBSITE
BLOCKING AND UNBLOCKING-ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, policy GC-058 Website Blocking and Unblocking establishes procedure and guidelines for unblocking and blocking access to websites, and

WHEREAS, the County Manager, Information Technology Director and Policy & Procedure Committee did carefully review GC-058 Website Blocking and Unblocking and recommends adoption, and

WHEREAS, the Ways & Means Committee did review GC-058 Website Blocking and Unblocking Policy and does recommend approval and adoption at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve and adopt GC-058 Website Blocking and Unblocking policy.

Budget Impact: None.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 292

**CAPITAL PROJECT ESTABLISHMENT/2024
BUDGET AMENDMENT – COUNTY MANAGER –
ELECTRIC VEHICLE CHARGING STATIONS –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County is desirous to install an EV Charging Stations at the Courts Facility, and

WHEREAS, RFP 2024-113 was issued and vendor submissions have been reviewed, and

WHEREAS, the Genesee County Manager and Planning Director are requesting the establishment of an Electric Vehicle Charging Stations Capital Project, 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:

County Manager – Electric Vehicle Charging Stations	\$163,806
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and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 Genesee County Budget by increasing A9950.9 – Transfer to Capital in the amount of \$153,806 offset by an increase in A.1000.9999-Balancing- Appropriated - in a like amount with funds coming from the A.915.4- Assigned Unappropriated – Infrastructure and increase H.1997.3097 – St. Aid – Comm Grant in the amount of \$10,000 and an increase in H.1997.5031-Equipment & Capital Outlay, Interfund Transfer in the amount of \$153,806 offset by an increase H.1997.2080.0000 – Capital Project Expense in the amount of \$163,806.

Budget Impact: Total project cost = \$163,806 with \$10,000 from the Clean Energy Community Grant and \$153,806 County Infrastructure funds.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 293

CONTRACT AWARD – COURTS FACILITY EV CHARGING SOLUTION/ PURE PERFORMANCE RENEWABLE ENERGY SOLUTIONS, INC. (PPR) – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County issued RFP 2024-113 to seek vendors for a Courts Facility EV Charging Station Solution, and

WHEREAS, the RFP Award committee reviewed 13 proposals and the committee recommends the award go to Pure Performance Renewable Energy Solutions, Inc. (PPR), located at 430 Lawrence Bell Drive, Suite 12, Buffalo NY 14221, and

WHEREAS, there are various funding opportunities that this project will leverage including the NYSERDA Clean Energy Communities Program, Federal Elective Pay, National Grid EV Make Ready and Demand Rebate, as well as revenue to be generated via surcharge on EV charging all of which is expected to make the project revenue positive within two years, and

WHEREAS, the County Manager is requesting to award a contract to PPR as presented in the amount not to exceed \$163,806, 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) (9), not subject to review under SEQRA, and

WHEREAS, the Committee on Ways and Means has reviewed the request and recommends awarding the contract subject to final County Attorney approval to PPR at this time. Now therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract subject to final County Attorney approval with Pure Performance Renewable

Energy Solutions, Inc. (PPR), located at 430 Lawrence Bell Drive, Suite 12, Buffalo NY 14221, at a cost not to exceed \$163,806, for the Courts Facility EV charging station solution.

Budget Impact: Total project cost = \$163,806 with \$10,000 from the Clean Energy Community Grant and \$153,806 County Infrastructure funds

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 294

**AWARD OF RFA/BUDGET AMENDMENT-
MENTAL HEALTH/LGU OASAS OPIOID
ABATEMENT SETTLEMENT FUNDS/CITY
CHURCH, BATAVIA, NY - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Community Services within the Mental Health department is bringing forward the 2024 RFA for OASAS Opioid allocated LGU funding. City Church, Batavia, NY has requested a total of \$26,948.00.00 for: Recovery (\$20,948), Transportation (\$1,000), Public Awareness (\$5,000) and Genesee County will keep the administrative fee of \$4,042.00 and

WHEREAS, the Director of the Community Mental Health Services does approve this request and would like to award the City Church the requested amount of \$26,948, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget to take the administrative fee of \$4,042.00 from the A.688.2 Other Liabilities and put it into A.4314.2735 Opioid Settlement, and

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing appropriation A.4314.4660.0000 Contractual in the amount of \$26,948.00 and increasing revenue A.4314.2735 Opioid Settlement in a like amount with monies coming from A.688.2 Other Liabilities.

Budget Impact: There is no County cost; NYS OASAS funding will cover total amount of \$30,990.00, and the county will keep the 15% administrative fee of \$4,042.00.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 295

**AWARD OF RFA/BUDGET AMENDMENT-
MENTAL HEALTH/LGU OASAS OPIOID
ABATEMENT SETTLEMENT FUNDS/CITY OF
BATAVIA - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Community Services within the Mental Health department is bringing forward the 2024 RFA for OASAS Opioid allocated LGU funding. City of Batavia has requested a total of \$18,000.00 for: Prevention (\$18,000), and Genesee County will keep the administrative fee of \$2,700 to be used with the Police and Fire departments, and

WHEREAS, the Director of the Community Mental Health Services does approve this request and would like to award the City of Batavia the requested amount of \$18,000, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget to take the administrative fee of \$2,700.00 from the A.688.2 Other Liabilities and put it into A.4314.2735 Opioid Settlement, and

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing appropriation A.4314.4660.0000 Contractual in the amount of \$18,000.00 and increasing revenue A.4314.2735 Opioid Settlement in a like amount with monies coming from A.688.2 Other Liabilities.

Budget Impact: There is no County cost; NYS OASAS funding will cover total amount of \$20,700.00, and the county will keep the 15% administrative fee of \$2,700.00.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 296

**2024 AUTHORIZATION TO DECREASE PETTY
CASH-MENTAL HEALTH/CLIENT SERVICES
ACCOUNT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 89, duly adopted on April 11, 1989, did create a Petty Cash Fund for the Case Management Program in the Genesee County department of Mental Health, and

WHEREAS, said resolution was amended on October 14, 1992, January 26, 1994, October 8, 1997, February 10, 2000, August 10, 2000, February 21, 2002, March 14, 2007, May 11, 2012 and December 12, 2019 to adjust petty cash to the present amount of \$1,500, and

WHEREAS, the Director of Community Services did request that the amount be decreased to \$600 due to the implementation of checks and balances related to petty cash procedures, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to decrease Petty Cash in the Genesee County department of Mental Health for Client Services Funds to the amount of six hundred dollars (\$600) effective immediately.

Budget Impact: None.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes

RESOLUTION NO. 297

**AWARD OF BID–OFFICE FOR THE AGING/
CARING ENVIRONMENTS J+H, INC. /RAMP
EQUIPMENT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of the Office for the Aging did present an award of Bid #2024-05 to Caring Environments J+H, Inc. to provide modular ramp equipment; and

WHEREAS, modular ramp installations are continuing to be installed through the Office for the Aging to help address home accessibility needs for eligible older adults as a need in Genesee County exists and is in demand with the increasing number of frail and/or chronically ill elders in our county needing in-home and community support services in order to remain in the home of their choice; and

WHEREAS, the Committee on Human Services and Ways and Means does recommend approval at this time, and

WHEREAS, this is a five year contract effective August 1, 2024 through July 31, 2029. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to Caring Environments J+H, Inc. 6231 Transit Rd. Ste. 3 Depew, NY 14043, to serve as supplier for modular ramp equipment for the period of August 1, 2024 through July 31,2029.

Budget Impact: Costs for this program are offset from Unmet Needs grant funds, for which there is no county match, and the costs are in the approved 2024 county budget in the Homecare and Maintenance/Equipment lines.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 298

**CONTRACT – PUBLIC HEALTH/PRESCHOOL
SUPPORTIVE HEALTH SERVICES
PROGRAM/SEIT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Health Director did present a contract for the provision of services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, the Committees on Human Services and Ways and Means did review the request to establish a contract for the provision of Services in the Preschool Supportive Health Services Program (PSSHSP): Special Education Itinerant Teacher Services (SEIT), Classroom Services (CB), and Evaluator Services and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with the following provider, for the provision of Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services in the Preschool Supportive Health Services Program (PSSHSP), retroactively, for the period of May 29, 2024 through June 30, 2025, per the 2024-2025 PSSHSP rate schedule.

Oakfield-Alabama Central School District – 7001 Lewiston Road, Oakfield, NY 14125

Budget Impact: Revenue and expenses are included in the 2024 A 2960 3-5 Preschool Budget and will be included in the 2024 and 2025 Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 299

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

Legislator Clattenburg offered the following resolution:

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

WHEREAS, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Lead Poisoning Prevention Activities, and **WHEREAS**, the Committees on Human Services and Ways and Means did review this award and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute any and all documentation with the New York State Department of Health in order to accept funding in the amount of \$56,300, for the Lead Poisoning Prevention Program, for the period of October 1, 2023 through September 30, 2024.

Budget Impact: \$56,300 is included in the 2023 & 2024 Dept. 4010 – Public Health Department Budget. \$0 cost to the County as revenue and expense will offset

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 300

CONTRACT – PUBLIC HEALTH /PRESCHOOL

**SUPPORTIVE HEALTH SERVICES PROGRAM –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Health Director did present a contract for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Wyoming Central School District, having its principal location of business at 1225 State Route 19, Wyoming, NY 14591, for the provision of Related Services in the Preschool Supportive Health Services Program (PSSHSP), for the period of September 1, 2024 through June 30, 2025, per the 2024-2025 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2024-2025 A 2960 3-5 Preschool Budget and will be included in the 2024-2025 Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 301

**GRANT ACCEPTANCE – PUBLIC HEALTH/
DRINKING WATER ENHANCEMENT PROGRAM –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County’s Drinking Water Enhancement Program contract has been awarded in the amount of \$85,922, and

WHEREAS, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Drinking Water Enhancement activities, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the New York State Department of Health for the acceptance of the Drinking Water Enhancement Program contract, for the period April 1, 2024 through March 31, 2025, in the amount of \$85,922 and to execute any and all other documentation related to this funding.

Budget Impact: \$85,922 is included in the 2024 Dept. 4010 Public Health Department Budget.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 302

**AWARD OF BID – HIGHWAY/EXCAVATOR –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent did review available cooperative purchasing contracts available through Sourcewell #032119-HCE for Hydraulic Excavators, and

WHEREAS, the Genesee County Highway Superintendent recommends awarding a bid at this time, and

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

RESOLVED, that the Genesee County Legislature does hereby award a Hyundai R55-9A Excavator and associated attachments to George & Swede, 7155 Big Tree Rd, Pavilion, NY 14525 in the amount of \$88,154.

Budget Impact: The purchase of this excavator and attachments is from the Road Machinery capital project, which is funded by CHIPS. The cost of the excavator and attachments is \$88,154. Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 303 AWARD OF BID – HIGHWAY/SODIUM CHLORIDE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent and Purchasing Officer did advertise local specifications developed for sodium chloride for snow and ice removal, and
WHEREAS, Genesee County received four bids and these bids were reviewed by the Highway Superintendent, and
WHEREAS, the Highway Superintendent recommends awarding a bid at this time, and
WHEREAS, the Committees of Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby award bids for the purchase of sodium chloride for use in snow and ice removal to American Rock Salt Company LLC, PO Box 190, Mt. Morris, NY 14510 at a price of \$62.85 FOB and \$55.00 picked up at the Hampton Corners mine.

Budget Impact: The purchase of road salt is a budgeted item within the County Road Fund. This bid can be used by all municipalities within Genesee County. The current price of sodium chloride is \$58.81. The new bid price is 6.8% increase from last year’s price.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 304 AMEND PERMIT FEES–HIGHWAY– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County currently charges a fee for permits pertaining to utility easements, construction, driveways and other maintenance by contractors and utility companies as allowed per Section 136 of the New York State Highway Law, and
WHEREAS, Genesee County currently charges fees for transport vehicles exceeding dimensional standards as set forth by the New York State Vehicle and Traffic Law, and
WHEREAS, the County Highway Superintendent has recommended increasing the permit fees, and
WHEREAS, the Committees of Public Service and Ways and Means do concur with this recommendation. Now, therefore, be it

RESOLVED, that the Genesee County Highway Superintendent is hereby authorized and directed to charge the following review and permit fees which will take effect on August 1, 2024:

<u>Commercial/Residential Accesses</u>	<u>Review Fee</u>	<u>Permit Fee</u>
Residential Driveway (New/Enlarge)	\$40	\$60
Commercial Entrance (NYS DOT STD Specification)	\$200	\$300
Temporary Access/Construction Entrance	\$50	\$50
Pipe Roadside Ditch (Per County Specification)	\$100	\$250
Agricultural Driveway	\$100	\$200
<u>Underground Installation</u>	<u>Review Fee</u>	<u>Permit Fee</u>

(AIP 52-24) grant offer by the Federal Aviation Administration for the Runway Lighting & Signage Replacement (Construction) at the Genesee County Airport, and

WHEREAS, the County Superintendent of Highways recommends authorizing the approval of this grant offer, and

WHEREAS, the Committees on 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 Legislature does hereby authorize and direct the Chair of the Legislature to accept and approve the grant offer as prepared by the Federal Aviation Administration immediately upon receipt.

Budget Impact: None. A capital project will be authorized once the grant has been fully executed that will allow for project expenses.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 307

**2024 MANAGEMENT SALARY SCHEDULE
AMENDMENT–PUBLIC DEFENDER – APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender is requesting an amendment to the 2024 Management Salary schedule to create one part-time Assistant Public Defender position in the Family Court division, and

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

RESOLVED, that the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2024 Management Salary Schedule by establishing one (1) 39 hour bi-weekly part-time Assistant Public Defender, Grade 120, effective July 29, 2024.

Budget Impact: There are sufficient funds in the .1 and the corresponding fringe lines from the other vacant positions in the budget.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 308

**BUDGET AMENDMENT-SHERIFF’S OFFICE/
COMMUNICATIONS/TOWER REPAIRS–
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, repairs were performed on several of the radio towers at a cost of \$10,500, and

WHEREAS, there are unappropriated funds available in the SI2021 Statewide Interoperable Communications Grant Funding, and

WHEREAS, the Sheriff is requesting a 2024 budget amendment to use \$15,000 of the funds available to cover the cost of the tower repairs and anticipated future repairs, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing Communications 2024 appropriations as follows:

\$15,000 to A3020.4660.SICG (Contractual Other SICG)

To be offset by increasing the following revenue account:

\$15,000 to A3020.3390.SICG (State Aid – SICG)

Budget Impact: Increase in Communications 2024 appropriations in the amount of \$15,000 to cover the cost of radio tower repairs, offset by revenue from SI2021 SICG funding in a like amount.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 309

**BUDGET AMENDMENT- SHERIFF'S OFFICE
/COMMUNICATIONS/PORTABLE RADIOS AND
ACCESSORIES– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, current portable radios are approaching end of life and will no longer be supported by the manufacturer, and

WHEREAS, there are unappropriated funds available in the SI2021 Statewide Interoperable Communications Grant Funding, and

WHEREAS, the Sheriff is requesting a 2024 budget amendment to use \$360,000 of the funds available to purchase the portable radios and accessories, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing Communications 2024 appropriations as follows:

\$360,000 to A3020.4660.SICG (Contractual Other SICG)

To be offset by increasing the following revenue account:

\$360,000 to A3020.3390.SICG (State Aid – SICG)

Budget Impact: Increase in Communications 2024 appropriations in the amount of \$360,000 to cover the cost of portable radios and accessories, offset by revenue from SI2021 SICG funding in a like amount.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 310

**2024 BUDGET AMENDMENT & USE OF ARPA
FUNDS – WATER FUND – CITY OF BATAVIA
WATER TREATMENT PLANT EQUIPMENT
REPAIR & REPLACEMENT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution 562, duly adopted on December 14, 2022, did authorize the use of \$2,502,492 of American Rescue Plan Act (ARPA) funds to make needed repair and replacement of water production equipment within the City of Batavia Water Treatment Plant, and

WHEREAS, a budget amendment is needed to continue to utilize the remaining unspent funds in the 2024 budget, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to make the following amendment to the 2024 County Budget by increasing A.1231 2080.0700 – ARPA Equipment Expenses (American Rescue Plan Act) in the amount of \$1,684,614 offset by an increase in A.1231 4089.3 – Federal Aid – ARPA (American Rescue Plan Act) in a like amount.

Budget Impact: ARPA project cost = \$2,502,492. 2023 expenses and PO carryover = \$817,879.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes

RESOLUTION NO. 311

**CONTRACT RENEWAL– PUBLIC HEALTH
/SEXUALLY TRANSMITTED INFECTION (STI)
DIAGNOSIS AND TREATMENT SERVICES –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Public Health Director did present a contract renewal with Rochester Regional Health for the provision of Sexually Transmitted Infection (STI) diagnosis and treatment services, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to sign the necessary documents to renew a contract with Rochester Regional Health, located at, 8103 Oak Orchard Road, Batavia, New York, 14020, to provide Sexually Transmitted Infection (STI) Diagnosis and Treatment Services for the term September 1, 2024 through December 31, 2025.

Budget Impact: \$800 is allocated for Rochester Regional Health for STI services in the 2024-2025 A 4010 Public Health Department Budget.

Legislator Hawley seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 312

**CONTRACT RENEWAL – PUBLIC HEALTH/
PARATRANSIT SERVICES – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County must provide transportation services for the Early Intervention and Preschool Supportive Health Services Program, and

WHEREAS, the Public Health Director did receive proposals for the provision of this service, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with ERIE Bus Inc. (DBA: WNY Bus Co.), having its principal location of business at 79 Sheldon Avenue, Depew, NY 14043 and ARC GLOW having its principal location of business at 18 Main St. Mt. Morris, NY 14510, for the provision of paratransit services for the Early Intervention and Preschool Supportive Health Services Programs for the period of September 1, 2024 through August 31, 2025, based on current bid rates, plus 3.9%. The 3.9% increase is based on the NYSED CPI table for the 2024-2025 school year.

WNY Bus

23-24 Rate	CPI %	Increase	24-25 Rate
\$496.00	3.9%	\$ 19.34	\$515.34
\$546.00	3.9%	\$ 21.29	\$567.29

**These routes include children from both Genesee and Orleans County on the same run. Costs will be allocated by splitting the round trip or full day based on the number of children from each

Bidder 2: ARC GLOW

School District	Kidstart	Rochester		Buffalo			
		West	East	East	North	West	Lockport
Alexander	\$301.31	\$348.07	\$358.46	\$332.48	\$322.09	\$327.29	\$327.29
Batavia	\$296.12	\$327.29	\$342.87	\$327.29	\$374.04	\$363.65	\$301.31
Byron-Bergen	\$301.31	\$301.31	\$332.48	\$342.87	\$374.04	\$363.65	\$327.29
Elba	\$301.31	\$332.48	\$348.07	\$332.48	\$374.04	\$363.65	\$301.31
LeRoy	\$285.73	\$327.29	\$332.48	\$379.24	\$436.38	\$436.38	\$342.87
Oak.-Alabama	\$301.31	\$342.87	\$348.07	\$311.70	\$436.38	\$348.07	\$290.92
Pembroke	\$301.31	\$348.07	\$358.46	\$311.70	\$322.09	\$327.29	\$290.92

county on the run.

Budget Impact: There is a \$17 increase per toxicology report and a \$36 increase per postmortem expanded tissue forensics for the 2024-2026 NMS contract period. This will create and anticipated increase of \$1,234 in the 2025 1185 Budget. This increase is accounted for in the 2024 1185 budget. No Budget amendment is needed.

Budgeted amount in the 2024 A 2960 Preschool Supportive Health Services budget is \$530,000 and will be included in the 2025 A 2960 Preschool Supportive Health Services budget. Budgeted amount in the 2024 A 4059 Early Intervention budget is \$20,000 and will be included in the 2025 A 4059 Early Intervention budget.

Legislator Hawley seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 313

CONTRACT RENEWAL – PUBLIC HEALTH/NMS LABS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, resolution No. 245-23 allowed for execution of an Intermunicipal Agreement with the County of Monroe for the provision of forensic pathology and medico legal death investigation services, and

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

WHEREAS, the Genesee County Public Health Director presented a contract renewal with NMS Labs, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Service Agreement with NMS Labs, having its principal location of business at 3701 Welsh Road, Willow Grove, PA 19090, retroactively for the period of July 1, 2024 to May 31, 2026 and to execute any and all other documentation related to this Agreement.

Budget Impact: There is a \$17 increase per toxicology report and a \$36 increase per postmortem expanded tissue forensics for the 2024-2026 NMS contract period. This will create and anticipated increase of \$1,234 in the 2025 1185 Budget. All expenses related to this agreement will be accounted for in the 2024, 2025 and 2026 1185 budgets. No Budget amendment is needed.

Legislator Hawley seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 314

CONTRACT RENEWAL – HIGHWAY/FUEL PRODUCTS – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Highway Department has in place a contract for the delivery of fuel products to the Highway Department, and

WHEREAS, the Highway Superintendent does recommend renewing this contract, and

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

RESOLVED, that the Genesee County Highway Superintendent is hereby authorized and directed to renew contract for the delivery of Fuel Products to NOCO Energy Corp, 2440 Sheridan Drive, Tonawanda, NY 14150 as per specifications in Genesee County Bid #2022-08.

Budget Impact: The cost of fuel is a budgeted item within the Road Machinery budget. The cost of fuel has been stable over the last several months. The current 2024 Budget includes expenses of \$930,000 for unleaded and \$550,000 for Diesel. These budget numbers were calculated at a base rate of approximately \$3.55 for unleaded and diesel as September 2023. The current price based on the June 24, 2024 rack was \$2.76 for Diesel and \$2.69 for unleaded.

Legislator Deleo seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 315

AGREEMENT RENEWAL – SHERIFF / JUSTICE BENEFITS, INC - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County entered into an agreement with Justice Benefits, Inc., for the provision of professional assistance with revenue enhancement services, pursuant to Resolution 248, dated June 27, 2019, for an initial term of one year (July 1, 2019 through June 30, 2020, with the option to renew for four (4) additional one-year periods, approved each year, at the same terms and conditions, upon written mutual agreement of both parties), and

WHEREAS, this agreement expired on June 30, 2024, and

WHEREAS, after careful review and approval by the County Attorney, the Sheriff does recommend renewing the agreement, with Justice Benefits being compensated at the rate of 12.5% of all revenue paid to the county, for an initial term of one year commencing July 1, 2024, through June 30, 2025, at which time the contract may be renewed for four (4) additional one-year renewals, at the same terms and conditions, 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 is hereby authorized and directed to enter into an agreement with Justice Benefits, Inc., 1711 East Beltline Road, Coppell, Texas 75019, for professional assistance with revenue enhancement services.

Budget Impact: Increase in Jail revenue; appropriated to the 2024 budget.

Legislator Deleo seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 316

MOU RENEWALS – SHERIFF’S OFFICE / SCHOOL RESOURCE OFFICERS FOR ALEXANDER, GENESEE VALLEY BOCES, BYRON-BERGEN, OAKFIELD-ALABAMA, PAVILION, & PEMBROKE CENTRAL SCHOOL DISTRICTS - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Alexander, Genesee Valley BOCES, Byron-Bergen, Oakfield-Alabama, Pavilion and Pembroke Central School Districts desire to renew their Memorandums of Understanding with Genesee County and the Genesee County Sheriff for a School Resource Officer (SRO) for each of its Districts for the following periods:

School District	Time Period	Reimbursement *
Genesee Valley BOCES	24 months 9/1/24 – 8/31/25	\$132,284.69
	9/1/25 – 8/31/26	\$137,262.19
Alexander	12 months 7/1/24 – 6/30/25	\$111,655.48
Byron-Bergen	12 months 9/1/24 – 8/31/25	\$117,475.00
Oakfield-Alabama	12 months 9/1/24 – 8/31/25	\$133,871.52
Pavilion	10 months 9/1/24 – 6/30/25	\$ 96,344.87
Pembroke	10 months 9/1/24 – 6/30/25	\$117,969.41

Reimbursement from each District includes the hourly rate for a Deputy Sheriff, fringe benefits and insurances. *The yearly retirement and medical rates are not available until late fall, therefore, the retirement and medical rates are at the 2024 rate.

WHEREAS, after careful review by the Sheriff and County Attorney, 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 MOUs for a School Resource Officer for each school district.

Budget Impact: Costs for each School District’s School Resource Officer are offset by revenue in the same amount.

Legislator Deleo seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 317

**AGREEMENT RENEWAL & BUDGET
AMENDMENT – SHERIFF’S OFFICE /
VILLAGE OF BERGEN ADDITIONAL LAW
ENFORCEMENT PATROLS - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Village of Bergen’s contract for additional law enforcement patrols for the Village expired May 31, 2024, and it has requested to renew its agreement beginning June 1, 2024, through May 31, 2025, for a total budget not to exceed \$15,000, and

WHEREAS, the Sheriff does recommend entering into a renewal agreement, and the Committees on Public Service and Ways & Means do concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the renewal agreement by and between the Village of Bergen and the Genesee County Sheriff’s Office for a period of June 1, 2024, through May 31, 2025, and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget by increasing Sheriff’s account A3110.1020.0900 (Overtime - Bergen Patrols) in the amount of \$15,000 to be offset by an increase in revenue account A3110.2804.1 (Shared Services-Additional Police Services) in a like amount.

Budget Impact: Appropriation of \$15,000 offset by revenue billed back to entities for additional law enforcement services in a like amount.

Legislator Deleo seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 318

COUNTY AUDIT–JULY 24, 2024 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Torrey, did review the following claims:

2024 General Fund	\$	4,950,114.62
2024 2 nd Quarter Sales Tax Distribution		4,450,059.07
2024 Highway		1,076,883.37
2024 Self Insurance		60,942.13
2024 Water Fund		1,605,346.06
DSS Abstracts		354,067.87
Capital Projects		
Sheriff/Jail – Jail Construction		509,255.02
Sheriff – Dispatch Center NG-911 Upgrade		296,768.19
Airport – Taxiway Lighting & Signage (design)		7,000.00
Airport – Pavement Management System		4,900.00
County Manager – Building Security Upgrades		24,416.89
Facilities Management – Engine House Renovations		12,679.12
Facilities Management – Holland Land Office Restoration & Life Safety Improvements (design)		3,500.00
Facilities Management – Animal Shelter Upgrades		6,800.12
Facilities Management – Bldg #1 Roof and Parapet Repairs		151,230.03
Highway – Large Span Culverts		392,354.09
Highway – Silver Rd over Little Tonawanda		15,059.29
Highway – Highway Recycling		215.88
Highway – County Road 50 (Perry Road)		1,302.47
Highway – Rose Road over Bowen Creek		10,320.45
Highway – Fisher Road over Orchard Creek		23,498.42
Highway – Surface Treatment		334,810.60
Highway – Chipseal		52,965.13
Highway – Colby Road over Crooked Creek		24,542.92
Payroll – General		
June 28, 2024		2,149,169.45
July 12, 2024		1,708,544.45
Medicaid		
July 2, 2024		181,406.00
July 8, 2024		181,406.00
July 16, 2024		181,406.00
July 23, 2024		<u>181,406.00</u>
Total Audit	\$	18952,369.64

Now, therefore, be it

RESOLVED, that the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, that the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Torrey seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 319

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 – ADOPTION OF

Legislator Maha offered the following resolution:

WHEREAS, Local Law 1 of the Year 1962 established a Highway Department for maintenance of county roads and bridges and the control of snow and ice, and

WHEREAS, since 1962 the Highway Department has evolved to provide additional services such as, maintenance of facilities, parks and forest, airport maintenance, engineering, signage, fleet maintenance and development of water infrastructure, and

WHEREAS, it is the intent of the County of Genesee to consolidate the various Public Works functions and duties of the County of Genesee heretofore performed by the Highway Department under a single County Department and administration to more efficiently and economically serve the needs of the residents of Genesee County, and

WHEREAS, a proposed local law creating a Department of Public Works and creating the position of County Commissioner of Public Works and incorporate the Genesee County Highway Department into the Department of Public Works was presented to the Genesee County Legislature on June 17, 2024; and

WHEREAS, the Clerk of the Genesee County Legislature did post a certified notice of public hearing on said proposed A Local Law 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** 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, and

WHEREAS, a public hearing was held at 5:30 p.m. on July 24, 2024 in the Legislative Chambers of the Old County Courthouse, 7 Main Street, Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

GENESEE COUNTY - STATE OF NEW YORK: A LOCAL LAW NO. 2 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

A local law establishing a County Department of Public Works, pursuant to Section 10 (1)(ii)(a)(1) of the Municipal Home Rule Law of the State of New York.

BE IT ENACTED BY THE GENESEE COUNTY LEGISLATURE, AS FOLLOWS:

SECTION 1: LEGISLATIVE INTENT.

The County of Genesee owns and maintains approximately 261 miles of County owned public roadways and thoroughfares for the benefit of its residents and others traveling through the County. Additionally, the County owns numerous buildings, an airport, water infrastructure, and other public grounds used for the conduct of County business and for the benefit of County residents.

Genesee County additionally owns and maintains certain lands dedicated for public use and enjoyment as parklands. Ongoing maintenance, development and improvement of these various structures, lands and improvements have heretofore been delegated and assigned to the Genesee County Highway Department, which has also assumed responsibility for maintenance of County Parks & Forest, County Airport, and development of water infrastructure. It is the intent of the County of Genesee to consolidate the various Public Works functions and duties of the County of Genesee heretofore performed by the Highway Department under a single County Department and administration to more efficiently and economically serve the needs of the residents of Genesee County. For this reason, a Department of Public Works is necessary to coordinate and consolidate the functions previously performed by the Genesee County Highway Department.

SECTION 2: CREATION OF DEPARTMENT OF PUBLIC WORKS AND INCORPORATION OF THE GENESEE COUNTY HIGHWAY DEPARTMENT INTO THE DEPARTMENT OF PUBLIC WORKS.

- A. Pursuant to the provisions of Section 10 of the Municipal Home Rule Law, the Genesee County Department of Public Works is hereby created. This Department shall be under the supervision and direction of a County Commissioner of Public Works, who shall be appointed by the Genesee County Legislature. The County Commissioner of Public Works shall have the authority to appoint Deputy County Commissioners of Public Works. The County Commissioner of Public Works shall report to the Genesee County Manager, and shall serve at the pleasure of the Genesee County Legislature. The County Commissioner of Public Works shall be responsible for the coordination and performance of all duties heretofore assigned to and performed by the Genesee County Highway Department, which functions are hereby transferred to and consolidated into the Department of Public Works.
- B. The salary of the County Commissioner of Public Works shall be fixed by the Legislature, payable by the Genesee County Treasurer in bi-weekly installments. In addition thereto the County Commissioner of Public Works shall be paid the actual and necessary expenses incurred in the performance of his/her official duties, upon the audit of claims therefore by the Legislature in the manner provided by law.
- C. The Legislature may remove the County Commissioner of Public Works for malfeasance or misfeasance in office upon written charges, after an opportunity to be heard not less than five (5) days after the service upon the Legislature of a copy of such charges.
- D. The County Commissioner of Public Works shall function as the Highway Superintendent for the County of Genesee. The Deputy County Commissioners of Public Works shall function as the Deputy Highway Superintendents. The term of office of the County Commissioner of Public Works shall be four (4) years, unless sooner removed by the Genesee County Legislature as provided herein. (See, Highway Law §100). A vacancy in the office of County Commissioner of Public Works shall be filled by the Legislature for the unexpired term as prescribed by law. The position of County Commissioner of Public Works shall be an unclassified position, as defined by the Civil Service Law of the State of New York.
- E. To incorporate the Genesee County Highway Department into the Department of Public Works.

SECTION 3: POWERS AND DUTIES.

The County Commissioner of Public Works shall have all of the powers and duties specifically referred to in the New York State Highway Law, §102, and shall further have the power and authority to coordinate all duties and functions of the County relating to roads and highways,

facility maintenance, fleet maintenance, engineering, airport, water, and parks. The County Commissioner of Public Works shall have the following specific powers and duties, in addition to those powers and that authority specifically referred to in the New York State Highway Law, §102, and such other powers or duties as are necessarily implied within the grant of authority herein:

- A. To plan and supervise the maintenance and repair of the existing County highway system and the design and construction of new roads and bridges.
- B. To review engineering designs and the progress of current design projects.
- C. To study the need for improvement of the County Highway system and advances in methods, techniques and equipment in the civil engineering field.
- D. To direct equipment maintenance and repair programs for the Department.
- E. To direct the drawing of detailed engineering plans and to make recommendations relative to contracting with private firms as necessary.
- F. To confer with State and local officials on highway problems within the county.
- G. To ensure compliance with policy as established by the Legislature and New York State regulations.
- H. To develop, delegate and approve the preparation of specifications for and the purchase of equipment and materials.
- I. To oversee the preparation of the Department budget and to determine that necessary budget controls are maintained.
- J. To direct the preparation of Department activity records and reports.
- K. To negotiate the purchase of property for County rights of way.
- L. To approve and bear responsibility for plans for snow removal and ice control programs.
- M. To plan and supervise carpentry, plumbing, heating, electrical and mechanical repairs to buildings and equipment, whether by employees or by contractors.
- N. To plan and prepare specifications for major alterations and repairs to buildings and equipment including electrical, plumbing and heating systems, development of grounds, and interior decoration.
- O. To inspect and otherwise exercise control over repair and alteration work performed by outside contractors.
- P. To act as technical advisor in the hiring of consultants, technicians and contractors.
- Q. To make regular inspections of buildings to maintain proper maintenance and repair procedures and to make recommendations for improvements or new equipment.
- R. To operate and maintain the County airport in conformance with state and federal regulations and guidelines.
- S. To oversee the development and operation of the County wide water system.
- T. To supervise the maintenance, operation, development of the County Park & Forest system.
- U. To develop and implement public programming and educational activities at County Parks and outreach centers.
- V. To maintain records and accounts pertaining to equipment, operation, purchase of supplies and equipment, and payments to suppliers.
- W. To make a variety of oral and written reports of activities conducted by the Department.
- X. To appoint persons to the positions of employment established from time to time by the County Legislature for the Department.
- Y. To remove Departmental employees in the manner provided by law.

Z. To adopt rules and regulations, not inconsistent with law, for the conduct of the affairs and business of the Department of Public Works.

SECTION 4: LIMITATION OF POWERS.

Nothing contained herein shall be construed to give to the Department of Public Works authority over the operation of any existing departments, officers or functions of the County, other than those Offices, Officers and functions specifically enumerated herein. Nor shall the Department of Public Works have any authority over programs maintained by public or private agencies not under the jurisdiction of the County of Genesee. The final determination as to the establishment or manner of operation of any Public Works program, the funding thereof, and the extent of County participation in such shall be made by the Genesee County Legislature, with the advice of the County Manager. The County Commissioner of Public Works shall report to the Genesee County Legislature and to the Genesee County Manager.

SECTION 5: EFFECTIVE DATE.

This Local Law shall take effect upon proper filing in the Office of the Secretary of State.

BE IT FURTHER RESOLVED, that a “**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**” to be known as Local Law Number 2 of the Year 2024, for the County of Genesee be and hereby is adopted.

Budget Impact: There are no budget impacts to the adoption of this local law.

Legislator Clattenburg seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.

RESOLUTION NO. 320

**ROAD USE AGREEMENT– CIDER SOLAR –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent has proposed that Hecate Energy Cider Solar, LLC adopt a Road Use Agreement to cover County Highways, Bridges and Culverts that may be impacted by the development of the Cider Solar Project within the Towns of Elba and Oakfield, and

WHEREAS, the Genesee County Attorney has reviewed this agreement and approves in form, and

WHEREAS, the Genesee County Highway Superintendent recommends that the County enter into a Road Use Agreement with Hecate Energy Cider Solar, LLC, and

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

RESOLVED, the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a Road Use Agreement with Hecate Energy Cider Solar, LLC, 621 West Randolph Street, Chicago, IL 60661 for the use and related impacts to county-owned infrastructure related to the development of the Cider Solar project within the Towns of Elba and Oakfield.

Budget Impact: There is no immediate budget impact to the adoption of this agreement, however, by adopting the agreement, the developer commits to working with the County to either improve, repair or restore impacted highways, bridges or culverts related to the Cider Solar project.

Legislator Dibble seconded the resolution, which was adopted by 158 (Klotzbach-16 and Yunker-26 absent) votes.