

Present Committee Legislators Torrey, Klotzbach, Stein (in absence of Committee Chair Clattenburg) and Maha. Also present Legislators Hawley, Deleo, and Yunker. County Manager Matt Landers, Assistant County Manager Tammi Ferringer, Public Communications and Web Design Specialist Steven Falitico, Clerk of the Legislature Lisa Casey, County Attorney James Wujcik, Human Resources Director Anita Cleveland and Senior Vice President of Operations of Genesee County Economic Development Center, Mark Masse. JoAnne Beck from the Batavian and Brian Quinn from the Daily News were also present.

The meeting was opened on August 9, 2023 at 4:30 p.m. Meeting location was at 7 Main Street, Old Court House in Batavia, New York. In the Legislative Conference Room.

In the absence of Ways and Means Committee Chair Clattenburg Legislator Stein stepped in. Legislator Klotzbach was appointed to temporarily fill Legislator Steins place on the committee.

Legislator Stein amended the agenda by adding an appointment under the chair report, adding a resolution under County Attorney James Wujcik and adding a resolution under County Manager Matt Landers. Motion to approve the amended agenda by Legislator Maha seconded by Legislator Klotzbach, carried unanimously.

Minutes of the July 19, 2023 Ways and Means Committee meeting were approved upon motion of Legislator Torrey seconded by Legislator Maha, carried unanimously.

In the absence of County Deputy Treasurer Kevin Andrews, Matt Landers presented contract for the preparation of tax bill laser printing and inserting into window envelopes. Genesee County and Applied Business Systems, Inc., entered into a one year contract dated August 7, 2019 with the option to extend the contract up to four additional one year periods with mutual consent of both parties and Applied Business Systems, Inc., has consented to extending the contract for an additional one year period without a price increase. Matt Landers recommended approval for a one year contract extension with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020, for the processing of tax bills for the period September 1, 2023 through August 31, 2024, in accordance with the contract dated August 7, 2019. This was approved for placement on the next Legislature Agenda upon motion of Legislator Maha seconded by Legislator Klotzbach, carried unanimously.

Human Resources Director Anita Cleveland reported resolution No. 142 duly adopted on April 28, 2016 did award a contract with Discover E-Gov for a Personnel/Civil Service Software System Portal and Maintenance to ensure compliance with New York State Civil Service Law as well as the Genesee County Civil Service Rules and Regulations. Discover E-Gov has created a new business entity as the result of an asset purchase agreement with Governmentjobs.com, Inc. d/b/a NEOGOV, where the Personnel/Civil Service Software System Portal and Maintenance agreement with Genesee County will fall. Ms. Cleveland recommended that Legislature enter into an agreement assigning a contract with NEOGOV, 2120 Park Place, Suite 100, El Segundo, California 90245 effective June 21, 2023. This was approved for placement on the next Legislature Agenda upon motion of Legislator Torrey seconded by Legislator Klotzbach, carried unanimously.

Public Communications and Web Design Specialist Steven Falitico reported the Website Awards Committee reviewed the proposals, interviewed the vendors, and received feedback from an

expanded Website Team in order to determine which vendor would best fit the County's needs and does recommend Granicus be awarded said contract. The initial setup fee of \$ 45,220 will require a 2023 budget amendment and milestone payments of \$32,130 will be budgeted in the County Manager's 2024 budget. Steven Falitico requested authorization to amend the 2023 budget by increasing Software Licensing by \$45,220 offset by an increase in Sales & Use Tax 1% in a like amount. Steven Falitico recommended that Legislature enter into a contract with Granicus, 408 St. Peter Street, Suite 600, Saint Paul, MN, 55102, in the amount of \$77,350 for the Development, Design, and Maintenance of the Genesee County website. The contract may then be renewed for four additional one-year periods upon mutual written consent of both parties and in the best interest of Genesee County. Legislator Maha motioned to amend the resolution to add additional wording regarding the payment schedule seconded by Legislator Torrey. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Maha, carried unanimously.

Clerk of the Legislature Lisa Casey reported members of the Legislature will be attending the New York State Association of Counties (NYSAC) conference on Wednesday, September 13, 2023 in Verona, New York. There is a request to change the Legislature meeting scheduled for Wednesday, September 13, 2023 to Tuesday, September 12, 2023 at 5:30 p.m. at the Old Court House. This was approved for placement on the next Legislature Agenda upon motion of Legislator Maha seconded by Legislator Torrey, carried unanimously.

County Attorney Jim Wujcik presented an amendment to resolution number 297 of the year 180 in relation to Genesee County sales and compensating use taxes, increasing the rate of taxes on sales tax and uses of tangible personal property and of certain services, and on occupancy of hotel rooms and amusements charges, pursuant to Article 29 of the tac law of the State of New York. The first sentence of section two of Resolution No. 297 of the year 1980, enacted November 26, 1980, as amended, and is hereby amended to read as follows. On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent (3%) upon, and for the period commencing September 1, 1994, and ending November 30, 2025, there is hereby imposed and there shall be paid an additional tax of one percent (1%) upon. With respect to the additional tax of one percent (1%) imposed for the period commencing September 1, 1994 and ending November 30, 2025, the provisions of subdivision nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1994. Any transaction that may not be subject to the additional tax imposed effective on that date and with respect to the additional tax of one percent imposed for the period beginning September 1, 1994, and ending November 30, 2025, in respect to the use of property used by the purchaser in this county prior to September 1, 1994. Notwithstanding any other provision of law to the contrary, net collections attributable to the additional one percent rate of sales and compensating use taxes imposed by sections two and four of this resolution for the period December 1, 2005 through November 30, 2025, shall be divided in the same manner and proportion as the net collections attributable to the County's existing three percent rate of such taxes during such period are divided. This resolution shall take effect December 1, 2023. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Maha, carried unanimously.

Assistant County Manager Tammi Ferringer reported the budget and apportionment of expenses for the fiscal year 2024 for the Genesee County Mutual Self-Insurance Plan has been prepared and

submitted for approval. Tammi Ferringer recommended Legislature to adopt the Budget and Apportionment of the Genesee County Mutual Self-Insurance Plan for the year 2024 and that a certified copy of the budget and resolution be forwarded to all participants of the Genesee County Self-Insurance Plan. This was approved for placement on the next Legislature Agenda upon motion of Legislator Maha seconded by Legislator Klotzbach, carried unanimously.

County Manager Matt Landers presented a travel out-of-state request for Caleb Pettit in the Health Department to go to Northampton, MA for 2023 FDA Northeast Retail Food Protection Seminar at a total cost of \$1,306. This was approved for placement on the next Legislature Agenda upon motion of Legislator Maha seconded by Legislator Klotzbach, carried unanimously.

County Manager Matt Landers reported the New York State Department of Environmental Conservation (“NYSDEC”) has determined that development of STAMP will result in a “take” of potentially occupied habitat for certain threatened and endangered species (“Winter Raptors”) and therefore requires the issuance of an Incidental Take Permit pursuant to Part 182. NYSDEC has approved an application by GCEDC for an Incidental Take Permit, but has required as a condition of such approval that the Genesee County Legislature approve an agreement guaranteeing performance of the mitigation obligations set forth in the permit. Matt Landers recommended that Legislature execute all documents related to a guaranty with NYSDEC, in a form to be approved by the Chairperson and counsel for the Genesee County Legislature. This was approved for placement on the next Legislature Agenda upon motion of Legislator Torrey seconded by Legislator Maha, carried unanimously.

**Referral from Human Services Committee:**

1. Contract-Health/Preschool Supportive Health Services Program/SEIT seconded by Legislator Maha, carried unanimously.
2. Grant Acceptance-Health/Tobacco Enforcement Program seconded by Legislator Klotzbach, carried unanimously.
3. Grant Acceptance-Health/State Indoor Radon seconded by Legislator Maha, carried unanimously.
4. Contract Amendment– Health Department/James McGuiness & Associates seconded by Legislator Klotzbach, carried unanimously.
5. Budget/Contract Amendment-Mental Health/GCASA/Recovery Center seconded by Legislator Maha, carried unanimously.
6. Budget/Contract Amendment-Mental Health/GCASA/ Suicide Prevention Coalition seconded by Legislator Klotzbach, carried unanimously.
7. 2023 Salary Schedule Amendment-Mental Health/PT Intake Clerk/Supervising Nurse seconded by Legislator Maha, carried unanimously.
8. Appointment-Office for the Aging/Advisory Council-Scherff seconded by Legislator Klotzbach, carried unanimously.
9. Appointment-Office for the Aging/Advisory Council-Hise seconded by Legislator Maha, carried unanimously.
10. Master Subscription and Services Agreement-Office for the Aging/Blooming Health seconded by Legislator Klotzbach, carried unanimously.

**Referral from Public Services Committee:**

1. Award of RFP/Budget Amendment–Sheriff/Genesee Justice/Case Management Software

- seconded by Legislator Torrey, carried unanimously.
2. Acceptance of Equipment Donation/ Agreement–Sheriff-Jail/NYS Sheriffs’ Assoc. seconded by Legislator Klotzbach, carried unanimously.
  3. Disposition/Memorandum of Understanding and Release–Sheriff’s Office/K-9 Frankie seconded by Legislator Torrey, carried unanimously.
  4. Reappointments and Appointment – Sheriff / Traffic Safety Board seconded by Legislator Klotzbach, carried unanimously.
  5. Consultant Agreement – Highway/Fisher Road over Oak Orchard Creek Bridge (Design) seconded by Legislator Torrey, carried unanimously.
  6. Award Of Bid – Highway/Oak Orchard Road Bridge Superstructure Replacement seconded by Legislator Klotzbach, carried unanimously.
  7. Supplemental Consultant Agreement – Highway/Fargo Road Bridge – Construction Inspection and Administration seconded by Legislator Torrey, carried unanimously.
  8. Memorandum Of Understanding Agreement - Rotary Club of Batavia – Genesee County Park seconded by Legislator Klotzbach, carried unanimously.
  9. 2023 Budget Amendment – Genesee County Park seconded by Legislator Torrey, carried unanimously.
  10. Award Of Bid – County Manager/Genesee County Jail- Furniture, Fixtures and Equipment seconded by Legislator Klotzbach, carried unanimously.

Legislature Clerk Lisa Casey announced the next Ways and Means Committee Meeting is Wednesday, September 6, 2023 at 4:30 p.m. in the Legislative Conference Room at the Old Court House.

Legislature Clerk Lisa Casey led a discussion regarding a request for a Local Law to add to the Ethics Board procedure. It was discussed to allow electronic signature for attestations and for financial disclosures. Allow for the software NEOGOV to collect the training requirement and provide a report that shows the required completion. The committee agreed to work with the County Attorney on updating the Local Law to allow for this change.

Under the Chair Report Legislator Stein presented the nomination for appointment to the GCC Board of Trustees – Gary Graber. Board Trustee, Laurie Miller retired from the board after 23 years of service, which creates a vacancy. Gary A. Graber submitted an application requesting appointment by the Genesee County Legislature for a seven-year term. Legislator Dibble and Torrey recommended Gary A. Graber of Darien Center, New York. Effective August 16, 2023 through June 30, 2030. This was approved for placement on the next Legislature Agenda upon motion of Legislator Torrey seconded by Legislator Maha, carried unanimously.

A motion to adjourn Ways and Means meeting at 5:05 PM by Legislator Klotzbach seconded by Legislator Torrey, carried.

*Rochelle M. Stein*

Rochelle M. Stein 9-6-23  
Ways & Means Committee