

**FOURTEENTH DAY
 GENESEE COUNTY LEGISLATURE
 OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
 WEDNESDAY, AUGUST 16, 2023**

The Genesee County Legislature met in Regular Session on Wednesday, August 16, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse. Vice Chair Clattenburg was appointed to run the meeting in the absence of Chair Stein.

Legislator Maha offered to assist with the audit, the prayer and pledge to the Flag.

Proclamations & Commendations: None

Approval Of Minutes: Motion to approve the July 26, 2023 minutes by Legislator Hawley seconded by Legislator Deleo, carried unanimously.

Committee & Special Assignment Reports: None

Communications & Petitions:

1. Travel Out-of-State: Caleb Pettit, Health Department. Northampton, MA for 2023 FDA Northeast Retail Food Protection Seminar - cost of \$1,306

Pettit	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	2		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	Absent			26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	1		18	18
TOTALS	174		200	200
Roll Call			174	
Approval			101	134

Legislator Comments: None

County Manager Report: County Manager Matt Landers reported that Human Resources did an excellent job with the annual employee recognition event. The employee milestone recognition luncheon will be next month. Manager Landers announced summer hours will be ending and after Labor Day weekend, the hours will go back to regular work hours of 8:30 AM to 5:00 PM.

Resolutions: Consent Agenda Items: Ways And Means:

Legislator Torrey motioned for adoption for resolutions 1-28, seconded by Legislator Klotzbach. Clerk read the following resolutions of the Ways and Means Committee.

1. Contract Extension Preparation of Tax Bills-Treasurer/Real Property/Applied Business Systems, Inc.
2. Contract Amendment-Human Resources/Discover E-Gov Name Change
3. Contract Award/Budget Amendment -Website Development, Design and Maintenance/Granicus
4. Legislative Meeting Change-Clerk of the Legislature/September Meeting
5. Amending Resolution No. 297 of The Year 1980 In Relation to Genesee County Sales an Compensating Use Taxes, Increasing The Rate Of Taxes On Sales 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 Tax Law of The State of New York
6. 2024 Budget/Appportionment – Self Insurance
7. Guaranty Agreement-NYS Department of Environmental Conservation/STAMP Project
8. Contract-Health/Preschool Supportive Health Services Program/SEIT
9. Grant Acceptance-Health/Tobacco Enforcement Program
10. Grant Acceptance-Health/State Indoor Radon
11. Contract Amendment– Health Department/James McGuinness & Associates
12. Budget/Contract Amendment-Mental Health/GCASA/Recovery Station
13. Budget/Contract Amendment-Mental Health/GCASA/ Suicide Prevention Coalition

14. 2023 Salary Schedule Amendment-Mental Health/PT Intake Clerk/Supervising Nurse
15. Appointment-Office For the Aging/Advisory Council-Scherff
16. Appointment-Office For the Aging/Advisory Council-Hise
17. Master Subscription and Services Agreement-Office For the Aging/Blooming Health
18. Award of RFP / Budget Amendment – Sheriff/Genesee Justice/Case Management Software
19. Acceptance Of Equipment Donation/ Agreement–Sheriff-Jail/NYS Sheriffs’ Association
20. Disposition/Memorandum Of Understanding And Release–Sheriff’s Office/K-9 Frankie
21. Reappointments & Appointment – Sheriff / Traffic Safety Board
22. Consultant Agreement – Highway/Fisher Road Over Oak Orchard Creek Bridge (Design)
23. Award Of Bid – Highway/Oak Orchard Road Bridge Superstructure Replacement
24. Supplemental Consultant Agreement – Highway/Fargo Road Bridge – Construction Inspection And Administration
25. Memorandum Of Understanding Agreement - Rotary Club Of Batavia/Genesee County Park/Ellicott Trail
26. 2023 Budget Amendment – Genesee County Park/Snowmobile Trails
27. Award Of Bid – County Manager/Genesee County Jail- Furniture, Fixtures And Equipment
28. Appointment-Genesee Community College Board Of Trustees/Graber

1-28	Y	N	simple	2/3
1. Klotzbach	2		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	Absent			26
6. Torrey	1		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	X		18	18
TOTALS	174		200	200
Roll Call			174	
Approval			101	134

Human Services Committee under the Consent Agenda:

Legislator Torrey motioned for adoption of resolutions 29-30, seconded by Legislator Hawley. Clerk read the following resolutions of the Human Services Committee.

29. Agreement Renewal-Mental Health/Batavia City School District
30. Contract Renewal-DSS, Mental Health and DMV/Security Services

29-30	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	2		31	31
5. Stein	Absent			26
6. Torrey	1		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	X		18	18
TOTALS	174		200	200
Roll Call			174	
Approval			101	134

Public Service Committee under the Consent Agenda:

Legislator Maha motioned for adoption of resolutions 31-32, seconded by Legislator Yunker. Clerk read the following resolution of the Public Service Committee.

31. MOU Renewals – Sheriff / School Resource Officers For Alexander, Byron-Bergen, Elba, Oakfield-Alabama, And Pembroke Central School Districts
32. Contract Amendment - Genesee County Public Defender/NYS Indigent Legal Service

31-32	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	2		26	26
3. Dibble	X		25	25

4. Hawley	X		31	31
5. Stein	Absent			26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	1		18	18
TOTALS	174		200	200
Roll Call			174	
Approval			101	134

NON-CONSENT ITEMS:

Legislator Torrey offered the following resolution, seconded by Legislator Maha.

Resolution 33: County Audit – August 16, 2023

33	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	Absent			26
6. Torrey	1		23	23
7. Deleo	X		17	17
8. Clattenburg	X		18	18
9. Maha	2		18	18
TOTALS	174		200	200
Roll Call			174	
Approval			101	134

Unfinished Business: None

Adjournment: Vice Chair Clattenburg moved to close the meeting. Motioned by Legislator Deleo seconded by Legislator Hawley, carried unanimously. Closed at 5:43 PM.

RESOLUTION NO. 308

CONTRACT EXTENSION FOR PREPARATION OF TAX BILLS – TREASURER/REAL PROPERTY/ APPLIED BUSINESS SYSTEMS, INC. – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County does contract for the preparation of tax bill laser printing and inserting into window envelopes, and

WHEREAS, 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

WHEREAS, Applied Business Systems, Inc., has consented to extending the contract for an additional one year period without a price increase, and

WHEREAS, the Director of Real Property does recommend approval for exercising the one year contract extension, and

WHEREAS, the Committee on Ways and Means did review this contract extension and does concur. Now, therefore, be it

RESOLVED, that Genesee County does hereby agree to 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.

Budget Impact: Approximate yearly expense of \$14,500 which is charged back to the various municipalities.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 309

CONTRACT AMENDMENT-DISCOVER E-GOV NAME CHANGE-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the Ways and Means Committee does recommend that Genesee County agree to the assignment of the contract with Governmentjobs.com, Inc. d/b/a/ NEOGOV. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement assigning a contract with NEOGOV, 2120 Park Place, Suite 100, El Segundo, California 90245 effective June 21, 2023.

Budget Impact: No budget impact as funds are available in the County Information Technology 2023 budget.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 310 CONTRACT AWARD/BUDGET AMENDMENT –
WEBSITE DEVELOPMENT, DESIGN AND
MAINTENANCE/GRANICUS – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County issued RFP #2023-108: Website Development, Design, and Maintenance, and

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the Ways and Means Committee has reviewed the recommendation and does concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized to amend the 2023 budget by increasing A.1230.4160.0010 – Software Licensing by \$45,220 offset by an increase in A.1000.1110.1 – Sales & Use Tax 1% in a like amount. Be it Further

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to execute 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.

Budget Impact: Funding for the website build and year one of the subscription cost equaling \$77,350 will be covered by 1% sales tax proceeds, a portion in 2023. Future annual maintenance costs will be included in the IT budget.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 311 LEGISLATIVE MEETING CHANGE-CLERK OF
THE LEGISLATURE/SEPTEMBER MEETING -
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, members of the Legislature will be attending a the New York State Association of Counties (NYSAC) conference on Wednesday, September 13, 2023 in Verona, New York; and

WHEREAS, 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; and

WHEREAS, the committee of 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 the date change from Wednesday, September 13, 2023 to Tuesday, September 12, 2023 at 5:30 p.m. at the Old Court House, 7 Main Street, Batavia, New York in the Legislative Chambers.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 312

AMENDING RESOLUTION NO. 297 OF THE YEAR 1980 IN RELATION TO GENESEE COUNTY SALES AND COMPENSATING USE TAXES, INCREASING THE RATE OF TAXES ON SALES 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 TAX LAW OF THE STATE OF NEW YORK – APPROVAL OF

Legislator Torrey offered the following resolution:

BE IT RESOLVED by the Genesee County Legislature:

That Resolution No. 297 of the Genesee County Legislature adopted November 26, 1980, as amended by Resolution No. 16 of 1981, adopted January 14, 1981, as amended by Resolution No. 184, adopted June 22, 1994 as amended by Resolution No. 227, adopted July 31, 1995, as amended by Resolution No. 218 adopted July 28, 1997, as amended by Resolution No. 327 adopted August 11, 1999, as amended by Resolution 333 adopted September 12, 2001, as amended by Resolution 211 adopted June 25, 2003 as amended by Resolution 298 adopted September 10, 2003, and as amended by Resolution No. 226 adopted July 12, 2005 and as amended by Resolution No. 309 adopted August 8, 2007, as amended by Resolution No. 270 adopted August 12, 2009, as amended by Resolution No. 311 adopted September 28, 2011, as amended by Resolution No. 337 adopted September 11, 2013, as amended by Resolution No. 353 adopted October 14, 2015, as amended by Resolution No. 313 adopted August 9, 2017, as amended by Resolution No. 217 adopted May 27, 2020, be hereby further amended in its several parts as follows:

Section 1: The first sentence of section two of Resolution No. 297 of the year 1980, enacted November 26, 1980, as amended, is hereby amended to read as follows:

Section 2: Imposition of sales tax.

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:

Section 2: Subdivision (f) of section three of Resolution No. 297 of the year 1980, enacted November 26, 1980, as amended, is amended to read as follows:

(f) 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 (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivision (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1994, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1994, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1994. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1994 any transaction which may not be subject to the additional tax imposed effective on that date.

Section 3: Section four of Resolution No. 297 of the year 1980, as enacted November 26, 1980, as amended, is hereby amended to read as follows:

Section 4: Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1994 except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software

used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontract or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1994, and ending **November 30, 2025**, the tax shall be at the rate of four percent (4%) and on and after **December 1, 2025**, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1994, and ending November 30, 2015, the tax shall be at the rate of four percent (4%), and on and after December 1, 2015, the tax shall be at the rate of three percent (3%), of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed as taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1994, and ending **November 30, 2025**, the tax shall be at the rate of four percent (4%), and on and after **December 1, 2025**, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for tangible personal property manufactured, processed, or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvements to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1994, and ending **November 30, 2025**, the tax shall be at the rate of four percent (4%), and on and after **December 1, 2025**, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1, 1994, and ending **November 30, 2025**, the tax shall be at the rate of four percent (4%), and on and after **December 1, 2025**, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (f) by its author or other creator shall not be deemed a taxable use by such person.

Section 4: Subdivision (k) of section six of Resolution No. 297 of the year 1980, enacted in November 26, 1980, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes ; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections 2 and 4, respectively, of this resolution for the period commencing September 1, 1994, and ending **November 30, 2025.**

Section 5: Paragraph (B) of subdivision one of section eleven of Resolution No. 297 of the year 1980, as enacted November 26, 1980, as amended, is amended to read as follows:

(B) 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.

Section 6: Subdivision (h) of section fourteen of Resolution No. 297 of the year 1980, as enacted November 26, 1980, as amended, is amended to read as follows:

(h) 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.

Section 7: This resolution shall take effect **December 1, 2023.**

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 313 2024 BUDGET AND APPORTIONMENT–SELF-INSURANCE – APPROVAL OF

Legislator Torrey offered the following resolution:

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

RESOLVED, that the Budget and Apportionment of the Genesee County Mutual Self-Insurance Plan, as submitted, is hereby adopted for the year 2024, and Be it further **RESOLVED,** that a certified copy of the budget and resolution be forwarded to all participants of the Genesee County Self-Insurance Plan.

Budget Impact: As proposed, \$491,296 shall be apportioned to plan participants.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 314 GUARANTY AGREEMENT – NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION–STAMP PROJECT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center (“GCEDC”), in conjunction with the Genesee Gateway Local Development Corporation (“GGLDC”), the non-profit real estate affiliate of the GCEDC have been working for more than a decade on the development of the Western New York Science & Technology Advanced Manufacturing Park (“STAMP” or the “Project”), an advanced manufacturing technology campus on approximately 1,262 acres located on the west side of New York State Route 63/77, approximately five miles north of the I-90/New York State Thruway (“STAMP Site”) in the Town of Alabama, New York (“Town”), and

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, pursuant to Section 884 of the General Municipal Law, in the event that GCEDC ceases to exist, all rights, titles, and interest and all obligations and liabilities thereof vested in or possessed by the agency shall thereupon vest in and be possessed by Genesee County, New York. Now, therefore, be it

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to 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.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 315 CONTRACT – HEALTH DEPARTMENT
/PRESCHOOL SUPPORTIVE HEALTH SERVICES
PROGRAM/SEIT – APPROVAL OF**

Legislator Torrey 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 Committee on Human Services and Ways and Means did review the request to establish a 2 year 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 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 contract with the following agency, for the provision of Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services in the Preschool Supportive Health Services Program (PSSHSP) for the period of September 1, 2023 through June 30, 2025 per the 2023-2025 PSSHSP rate schedule. The Summit Center, 150 Stahl Road, Getzville, NY 14068

Budget Impact: Revenue and expenses are included in the 2023 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 Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 316 GRANT ACCEPTANCE - HEALTH DEPARTMENT/
TOBACCO ENFORCEMENT PROGRAM –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Public Health Director has received notification from the New York State Department of Health Bureau of Community Environmental Health and Food Protection that Genesee County’s Tobacco Enforcement contract will be awarded state funding in the amount of \$32,360, and

WHEREAS, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Tobacco Enforcement Program, and

WHEREAS, the Committees on Human Services and 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 execute the agreement with the New York State Department of Health for the acceptance of the Tobacco Enforcement contract for the period April 1, 2023 through March 31, 2024 in the amount of \$32,360, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$32,360, have been appropriated in the 2023 Dept. 4010 – Health Department Program budget.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 317 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
STATE INDOOR RADON GRANT - APPROVAL OF**

Legislator Torrey 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 Health Department has been awarded \$10,000 in annual funding for the State Indoor Radon Program, 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 Radon activities, and

WHEREAS, the Committees on Human Services and Ways & 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 the agreement with the New York State Department of Health for the acceptance of the Radon Program contract for the period July 1, 2023 through June 30, 2024 in the amount of \$10,000, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$10,000 have been appropriated in the 2023 Dept. 4010 – Health Department program budget. \$0 cost to the county, revenue and expenses offset.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 318 CONTRACT AMENDMENT– HEALTH
DEPARTMENT/JAMES MCGUINNESS &
ASSOCIATES – APPROVAL OF**

Legislator Torrey offered the following resolution:

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

WHEREAS, the Public Health Director did present an amendment to the agreement with James McGuinness & Associates to add the CPSE Portal software (additional \$541 per month) to our current software package that we purchase from James McGuinness & Associates, and

WHEREAS, the Committee on Human Services and Ways & Means did review this recommendation 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 amend the contract with James McGuinness & Associates, located at, 1482 Erie Boulevard, Schenectady, NY 12305, for the addition of the CPSE Portal software for the Preschool Supportive Health Services Program for the period of September 1, 2023 through August 31, 2024.

Budget Impact: Estimated increase in computer expenses for the 2023 budget year will be \$2,164 and an increase to the 2024 budget of \$4,328. An estimated total of \$13,100 in salary and \$9,600 in fringe will be reduced from the 3-5 Pre-K 2023 & 2024 budgets.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 319 BUDGET/CONTRACT AMENDMENT - MENTAL
HEALTH/GENESEE COUNCIL ON ALCOHOLISM
AND SUBSTANCE ABUSE (GCASA)/RECOVERY
STATION – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Director of the Community Mental Health Services did request an amendment to the 2023 Genesee Council on Alcoholism and Substance Abuse (GCASA) contract and budget, and

WHEREAS, these additional funds are the result of an increase in State Aid funding for State Opioid Response. This funding is being allocated directly for the Recovery Center operated by GCASA. The funding for the Recovery Station will be coming from State Aid received from the NYS Office of Alcohol and Substance Abuse, 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 be and hereby is authorized and directed to execute the necessary documents to amend the 2023 contract and budget between the County of Genesee and GCASA. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Genesee County Budget by:

Increasing A4313 4660.0000 Contracted-Other by \$ 58,750.00

AND

Increasing A4313 3494 State Aid OASAS by \$ 58,750.00

Budget Impact: Increasing the budget by \$58,750.00, offset by an increase in State Aid OASAS in the amount of \$58,750.00.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 320 BUDGET/CONTRACT AMENDMENT - MENTAL HEALTH/GENESEE COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE (GCASA)/SUICIDE PREVENTION COALITION – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Director of the Community Mental Health Services did request an amendment to the 2023 Genesee Council on Alcoholism and Substance Abuse (GCASA) budget, and

WHEREAS, these additional funds are the result of GCASA becoming the host agency for the Suicide Prevention Coalition in Genesee County. The funding for this additional duty will be coming from State Aid received from the NYS Office of Mental Health, 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 be and hereby is authorized and directed to execute the necessary documents to amend the 2023 budget between the County of Genesee and GCASA. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Genesee County Budget by

Increasing A4310.4650.0003 Contracted Services by \$ 5,000.00

AND

Increasing A4310.3490 State Aid Mental Health by \$ 5,000.00

Budget Impact: Increasing the budget by \$5,000, offset by an increase in State Aid in the amount of \$5,000.00.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 321 2023 SALARY SCHEDULE AMENDMENT - MENTAL HEALTH/PART-TIME INTAKE CLERK /SUPERVISING NURSE -APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Director of Community Mental Health services is requesting a Part-Time Intake Clerk position be created and a Part-Time Chauffeur position be deleted. There is a need for

additional support staff in the SPOA department at Mental Health due to the increased duties coming from the State level, and

WHEREAS, the Director of Community Mental Health services is also requesting (1) one Supervising Nurse full-time position be created and one (1) Community Mental Health Nurse position be deleted. There is a need for a higher level of supervision within the medical unit at Mental Health due to the increase in services for the community, and

WHEREAS, the Director of the Community Mental Health Services did request an amendment to the 2023 Employee Salary Schedule to create one (1) Intake Clerk Part-Time, in CSEA-General, Grade 7, and to eliminate one (1) part-time Chauffeur in CSEA-General, Grade 4, and create one (1) Supervising Nurse full-time, in CSEA-General, Grade 18N, and to eliminate one (1) Community Mental Health Nurse in CSEA-General, Grade 18N, 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 and Human Resources Director are hereby authorized and directed to amend the 2023 Employee Salary Schedule by creating one (1) Intake Clerk part-time, in CSEA-General, Grade 7, creating one (1) Supervising Nurse full-time in CSEA-General Grade 18N, and eliminating one (1) part-time Chauffeur in CSEA-General, Grade 4, and one (1) Community Mental Health Nurse full-time in CSEA-General, Grade 18N effective July 27, 2023.

Budget Impact: No Budget impact due to current vacancies.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 322 APPOINTMENT - OFFICE FOR THE AGING/
ADVISORY COUNCIL/SCHERFF - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over, and

WHEREAS, an open position currently exists on the Office for the Aging Advisory Council and we offered invitation to a community member residing in Leroy to fill the Office for the Aging Advisory Council vacancy, based on NYSOFA regulations regarding OFA Advisory Council composition, and

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

RESOLVED, that the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a first term effective August 17, 2023 through December 31, 2025.

Community Member:

Ann L. Scherff
8319 East Main Rd.
Leroy, NY 14482

Budget Impact: None

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 323 APPOINTMENT - OFFICE FOR THE AGING/
ADVISORY COUNCIL/HISE - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who

are Genesee County residents age 60 and over, and

WHEREAS, an open position currently exists on the Office for the Aging Advisory Council and we offered invitation to a community member residing in Alexander to fill the Office for the Aging Advisory Council vacancy, based on NYSOFA regulations regarding OFA Advisory Council composition, and

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

RESOLVED, that the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a first term effective August 17, 2023 through December 31, 2025.

Community Member:

Margaret Hise
4034 Spring Rd.
Alexander, NY 14005

Budget Impact: None

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 324 MASTER SUBSCRIPTION AND SERVICES
AGREEMENT-OFFICE FOR THE AGING
/BLOOMING HEALTH, INC- APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Director of the Office for the Aging did present documents to enter into an agreement with Blooming Health for the purpose of remote engagement of older adults and their caregivers by the Area Association on Aging (AAA) to improve older adult access to social programs and social connectivity, and

WHEREAS, the State of New York has allocated funds for the care of older adults in NY which are dispersed through a Education Project grant from the New York State Office for the Aging (NYSOFA) to the Association on Aging in New York, Inc., a NY non-profit-organization (“Aging NY”) and Aging NY has entered into an agreement with Blooming Health whereby Aging NY will pay Blooming Health to provide its Platform and Services to certain AAAs in NY with the intent to improve older adults’ awareness of community-based aging services and benefits in NY, and

WHEREAS, the Committee on Human Services and 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 execute the necessary document to enter into the Master Subscription and Services Agreement with Blooming Health INC., 501 123rd St. Apt. 5D New York, NY 10027, effective August 17, 2023.

Budget Impact: This project is fully funded by the New York State Office for the Aging and there is no expense associated at the local level.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 325 AWARD OF RFP / BUDGET AMENDMENT –
SHERIFF/GENESEE JUSTICE/CASE MANAGEMENT
SOFTWARE - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, proposals were received in response to the Request for Proposal for Case Management Software for Alternatives to Incarceration Programs, and

WHEREAS, after careful review it has been decided that the contract be awarded to Catalis Courts & Land Records, LLC (formerly AutoMon), 2035 Windward Plaza, Suite 200, Alpharetta, GA 30005, and

WHEREAS, the contract will take effect October 1, 2023 and continue through September 30, 2025, and

WHEREAS, the contract may then be renewed for THREE (3) additional one (1) year periods upon mutual, written consent of both parties and in the best interest of Genesee County, and

WHEREAS, the total cost for the first year of the contract shall not exceed \$29,250.00, and

WHEREAS, funding for this software system is currently being held in Other Liabilities Account A688 Misc as a result of the one time Pretrial Services Grant monies received late in 2022, 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 Chair of the Genesee County Legislature, and the Sheriff of Genesee County, are hereby authorized and directed to enter into an agreement with Catalis Courts & Land Records, LLC (formerly AutoMon), 2035 Windward Plaza, Suite 200, Alpharetta, GA 30005, to provide Case Management Software for Alternatives to Incarceration Programs to Genesee Justice for the period of October 1, 2023 through September 30, 2025, with the option to renew for three additional one year periods. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by increasing expense account A.3151.2024.0005 Software Database in the amount of \$29,250.00 offset by an increase in revenue account A.3151.3310.31 State Aid-ATI in a like amount with funds coming from the A.688 account.

Budget Impact: Grant monies to fund this RFP are currently being held in Other Liabilities Account A.688 and will be used to increase revenue and expenses for the initial contract period.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 326 ACCEPTANCE OF EQUIPMENT DONATION/
AGREEMENT–SHERIFF-JAIL/NYS SHERIFFS’
ASSOCIATION – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the New York State Sheriffs’ Association has been awarded a grant/contract, and is tasked with the oversight of its distribution, from the Center for Disease Control (CDC) to provide detection and mitigation of COVID-19 in confinement facilities, and

WHEREAS, the New York State Sheriffs’ Association wishes to donate equipment (not to exceed \$81,943) for the new Genesee County Jail, and

WHEREAS, the Sheriff, Jail Superintendent, County Attorney, and Purchasing Director have reviewed this request and recommend entering into this Agreement to accept this equipment donation at this time, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature and the Sheriff to enter into an Agreement to accept equipment (not to exceed \$81,943) from the NYS Sheriffs’ Association for the new Genesee County Jail.

Budget Impact: There is no impact to the budget.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 327 DISPOSITION/MEMORANDUM OF
UNDERSTANDING AND RELEASE–SHERIFF’S
OFFICE/K-9 FRANKIE – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Deputy Sheriff Andrew Mullen resigned his position and has requested to take over ownership of K-9 Frankie as his pet, and

WHEREAS, after discussions between the Sheriff, Undersheriff, and Road Patrol Chief Deputy, it has been determined that it is not cost-beneficial for Genesee County to retain K-9 Frankie and train him with another new handler. Additionally, due to K-9 Frankie's age being over 7 years old and considering his past health issues, I am requesting K-9 Frankie be retired from police work and donated as a pet to his handler, Deputy Andrew Mullen, with the understanding that K-9 Frankie will not be involved in future police work at any other law enforcement agency, and

WHEREAS, the County Attorney has been consulted with regard to this disposition of K-9 Frankie and a Memorandum of Understanding and Release was prepared to properly outline this disposition, and

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

RESOLVED, that the Genesee County Legislature Chair and Sheriff are hereby authorized to enter into a Memorandum of Understanding and Release to donate K-9 Frankie as a pet to his handler, Deputy Andrew Mullen.

Budget Impact: There is no cost associated with the donation of K-9 Frankie.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 328 REAPPOINTMENTS AND APPOINTMENT–
SHERIFF / TRAFFIC SAFETY BOARD -
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, reappointments do exist on the Genesee County Traffic Safety Board and the Committees on Public Service and Ways & Means do recommend reappointing the following three-year terms:

Bradley D. Mazur 3/1/2023 – 2/28/2026 Genesee Co. Sheriff's Office

Gregory Kellogg 3/1/2023 – 2/28/2026 Village of LeRoy Police Dept.

Thomas Graham 3/1/2023 – 2/28/2026 Genesee County Magistrates' Association, and

WHEREAS, the Transportation Representative, Pembroke Central School District Transportation Supervisor Donna Hackett, retired and her term on the Traffic Safety Board does not expire until November 30, 2024. Ms. Hackett recommends Julie Lawson (her replacement as Transportation Supervisor for Pembroke Central School District) be approved to complete her appointment which expires November 30, 2024. Now, therefore, be it

RESOLVED, that the above reappointments and appointment for the Genesee County Traffic Safety Board are approved at this time.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 329 CONSULTANT AGREEMENT – HIGHWAY/FISHER
ROAD OVER OAK ORCHARD CREEK BRIDGE
(DESIGN) - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been awarded federal and state funding to replace the Fisher Rd over Oak Orchard Creek Bridge in the Town of Oakfield, and

WHEREAS, engineering design services are required to complete the project and conform with the rules and regulations of the Federal Highway Administration, and

WHEREAS, the Highway Superintendent reviewed the proposal from the consultant for design services related to this project and did make a recommendation to approve a consultant agreement at this time, 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 Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with LaBella Associates, 300 State Street, Rochester NY 14614 for engineering design services related to the replacement of the Fisher Rd Bridge in a cost not to exceed \$217,200.00.

Budget Impact: The design agreement is for \$217,200.00. The capital project established for this project has a balance of \$1,770,200, which is 80% Federal Aid, 15% State Aid and 5% local match. Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 330 AWARD OF BID – HIGHWAY/OAK ORCHARD
ROAD BRIDGE SUPERSTRUCTURE
REPLACEMENT – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent advertised and received bids for the Oak Orchard Bridge Superstructure Replacement project, and

WHEREAS, the Highway Superintendent recommends awarding a contract to the lowest bidder meeting specifications, and

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

RESOLVED, the Chair of the Genesee County Legislature is hereby authorized and directed to award the construction contract to Keeler Construction, 13519 West Lee Rd, Albion NY 14411, as per bid specifications, in an amount not to exceed \$449,000.00.

Budget Impact: This award will be funded from the Large Span Culvert Capital Project. The cost of the contract is \$449,000, approximately \$50,000 less than the engineer's estimate of construction. The balance in the capital project is \$2,905,382.39.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 331 SUPPLEMENTAL CONSULTANT AGREEMENT –
HIGHWAY/FARGO ROAD BRIDGE –
CONSTRUCTION INSPECTION AND
ADMINISTRATION - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been progressing the replacement of the Fargo Rd Bridge over Black Creek in the Town of Bethany, and

WHEREAS, Genesee County has an existing consultant agreement with Ravi Engineering for the design of the project, and

WHEREAS, a proposal for part time Construction inspection and construction administration services was requested as an addition to their existing contract, and

WHEREAS, the Genesee County Highway Superintendent reviewed this work and does recommend approval at this time, 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 Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with Ravi Engineering 2110 S Clinton Ave, Suite 1 Rochester NY 14618 for part time construction inspection and administration services related to the replacement of the Fargo Rd Bridge in a cost not to exceed \$78,000.

Budget Impact: The supplemental agreement is for \$78,000.00. This project is funded from the large span culvert project which has a balance of \$2,905,382.39

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 332 MEMORANDUM OF UNDERSTANDING
AGREEMENT - ROTARY CLUB OF BATAVIA/**

**GENESEE COUNTY PARK-ELLCOTT TRAIL -
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent does request a Memorandum of Understanding agreement with the Rotary Club of Batavia, and,

WHEREAS, the Rotary Club of Batavia functions as a service and support organization for the Parks and Recreation Areas owned and managed by Genesee County, and

WHEREAS, the goal of the Rotary Club of Batavia is to support the Genesee County Parks through the up keep of the Ellicott Trail, and

WHEREAS, the County Attorney did review this Memorandum of Understanding and does recommend approval at this time, 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 Chairperson is hereby authorized and directed to sign a Memorandum of Understanding with the Rotary Club of Batavia.

Budget Impact: None

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 333 2023 BUDGET AMENDMENT – GENESEE COUNTY
PARK/SNOWMOBILE TRAILS - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent does request an amendment to the 2023 Genesee County Budget to allow for additional funding received from the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Trail Development and Maintenance grant, and

WHEREAS, the Genesee County Highway Department is the administrative agency for this grant and reimburses the funding received to local snowmobile clubs, 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 County Treasurer to make the following amendments to the 2023 County Budget:

Increase A.7110.3891	State Aid – Parks	\$ 4,610.00
Increase A.7110.4800.0017	Snowmobile Trails	\$ 4,610.00

Budget Impact: Increase the 2023 budget expense by \$4,610.00 and increase revenue in the amount of \$4,610.00. Excess revenue will offset the expenses for the snowmobile clubs. Cost to County \$0.00.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 334 AWARD OF BID – COUNTY MANAGER/GENESEE
COUNTY JAIL- FURNITURE, FIXTURES AND
EQUIPMENT – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Purchasing Director advertised and received bids for the Genesee County Jail Furniture, Fixtures and Equipment, and

WHEREAS, the County Manager recommends awarding a contract to the lowest bidder that met specifications, and

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

RESOLVED, the Chair of the Genesee County Legislature is hereby authorized and directed to award the construction contract to Sedgewick Business Interiors, 176 Anderson Avenue, Rochester NY 14607, as per bid specifications, in an amount not to exceed \$243,882.95.

Budget Impact: This award will be funded from the Genesee County Jail Capital Project. The cost of the contract is \$243,882.95. This amount was budgeted in the overall bonded capital project.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 335 APPOINTMENT-GENESEE COMMUNITY
COLLEGE BOARD OF TRUSTEES/GRABER -
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee Community College (GCC) Board of Trustees is the policy making body of the College, and

WHEREAS, the GCC Board of Trustees is responsible for a wide range of college business including approval of new curricula, appointing a new president and review and approval of the college budget and recommending its adoption to the Genesee County Legislature, and

WHEREAS, Board Trustee, Laurie Miller retired from the board after 23 years of service which creates a vacancy, and

WHEREAS, Gary A. Graber submitted an application requesting appointment by the Genesee County Legislature for a seven year term, and

WHEREAS, the committee on Ways and Means does recommend Gary A. Graber be appointed to a full 7-year term. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby appoint Gary A. Graber of Darien Center, New York to the Genesee Community College Board of Trustees effective August 16, 2023 through June 30, 2030.

Budget Impact: none.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 336 AGREEMENT RENEWAL-MENTAL HEALTH /BATAVIA
CITY SCHOOL DISTRICT - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Director of Community Mental Health Services is requesting approval of an agreement renewal between the Genesee County Department of Mental Health and the Batavia City School District to provide Outpatient Mental Health Services to individuals within the Batavia City School District at the satellite office located at 80 Union Street, Batavia, NY 14020, and

WHEREAS, the Committee on Human Services does recommend approval of an agreement renewal with the Batavia City School District as presented by the Director of the Community Mental Health Services. Genesee County Department of Mental Health will provide onsite services to the Batavia City School District campus. Now, therefore, be it

RESOLVED, that the Chairman of the Genesee County Legislature be and hereby is authorized and directed to approve the necessary documents to implement an agreement between the County of Genesee Department of Mental Health and the Batavia City School District. The contract will be for the period July 1, 2023 through June 30, 2024 in accordance with the terms of said contract.

Budget Impact: County Cost - \$0

Legislator Hawley seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 337 CONTRACT RENEWAL– DEPARTMENT OF
SOCIAL SERVICES, MENTAL HEALTH, AND
MOTOR VEHICLES/SECURITY SERVICES –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, resolution No. 36 adopted February 8, 2023, did authorize a contract for the provision of security services for the Genesee County Departments of Social Services (DSS), Mental Health (MH), and Motor Vehicles (DMV), and

WHEREAS, pursuant to the Request for Proposal (RFP) 2023-101 four additional one-year contract period(s) may be entered upon mutual written agreement between parties, and

WHEREAS, it is the desire of the Genesee County Commissioner of Social Services, the Director of Mental Health, the Genesee County Clerk and Armor Security and Protection, Inc. to renew said contract for the period of one additional year, and

WHEREAS, security services will be provided for each department at \$33.12 per man hour under the current rates with the same terms and conditions, and

WHEREAS, the Human Service and Ways and Means Committees having reviewed the RFP recommendation and do concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with Armor Security and Protection, Inc., 100 Chestnut Street, Suite 1607, Rochester, NY 14604 to provide security services for offices occupied or owned by Genesee County for the period September 1, 2023, through August 31, 2024, at the rate of \$33.12 per man hour.

Budget Impact: The DSS portion of the cost for security services for the contract renewal period is \$159,307. Approximately \$39,827 is local share, with the remaining \$119,480 reimbursed by federal/state aid. The hourly billing rate is unchanged at renewal and therefore will not affect the 2023 budget. The 2024 budget may be impacted at the next renewal in September 2024 if Armor requests an increase based on new prevailing wages expected to be released in July 2024.

The Mental Health Department's portion of the cost for security services for the contract renewal period is \$78,362. All \$78,362 is local share. The hourly billing rate is unchanged at renewal and therefore will not affect the 2023 MH departmental budget. The 2024 budget may be impacted at the next renewal in September 2024 if Armor requests an increase based on new prevailing wages expected to be released in July 2024.

The Department of Motor Vehicles portion of the cost for security services for the contract renewal period is \$73,195. All \$73,195 is local share. The hourly billing rate is unchanged at renewal and therefore will not affect the 2023 DMV departmental budget. The 2024 budget may be impacted at the next renewal in September 2024 if Armor requests an increase based on new prevailing wages expected to be released in July 2024.

Legislator Hawley seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 338 MOU RENEWALS – SHERIFF / SCHOOL RESOURCE OFFICERS FOR ALEXANDER, BYRON-BERGEN, ELBA, OAKFIELD-ALABAMA, AND PEMBROKE CENTRAL SCHOOL DISTRICTS - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, the Alexander, Byron-Bergen, Elba, Oakfield-Alabama, 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 *
Alexander	12 months	7/1/23 – 6/30/24	\$ 98,838.04
Byron-Bergen	12 months	9/1/23 – 8/31/24	\$104,036.73
Elba	24 months	9/1/23 – 8/31/25	\$241,138.53
Oakfield-Alabama	12 months	9/1/23 – 8/31/24	\$119,980.39
Pembroke	10 months	9/1/23 – 6/30/24	\$104,433.78

Reimbursement from each District includes the hourly rate for a Deputy Sheriff, fringe benefits and insurances.

** The Genesee County Deputy Sheriffs ' Association 2020-2023 Labor Agreement Contract will expire on December 31, 2023. The hourly rate for 2024 and 2025 will not be known until it is ratified; therefore, the rates listed include the current 2023 hourly rates. Additionally, the yearly retirement and medical rates are not available until late fall each year; therefore, the rates listed include 2023 rates.*

Once all the rates have been confirmed, the rates will be modified; and, if applicable, the difference will be billed under a separate invoice or a credit will be applied, and

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 Yunker seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

**RESOLUTION NO. 339 CONTRACT AMENDMENT - GENESEE COUNTY
PUBLIC DEFENDER/NYS INDIGENT LEGAL
SERVICE - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Public Defender does recommend the approval of the contract amendment between the County of Genesee and the New York State Office of Indigent Legal Services Contract Number: C3RD618, Third Upstate Quality Improvement and Caseload Reduction, to continue to provide funding for the contract between Genesee County and Legal Aid Bureau of Buffalo (LABB) for appellate services, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute Amended Contract Number: C3RD618, Third Upstate Quality Improvement and Caseload Reduction, with the New York State Office of Indigent Legal Services, A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210 for the period of July 1, 2023 through June 30, 2024.

Budget Impact: Contract funds in the amount of \$50,000 are contained in the 2023 Adopted Budget under lines A1170.3025 Revenue offset by a like amount contained in Expense line A1170.4660.2000 Indigent Legal Services-Appellate.

Legislator Yunker seconded the resolution, which was adopted by 174 (Stein absent – 26) votes.

RESOLUTION NO. 340 COUNTY AUDIT –AUGUST 16, 2023- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Legislator Maha did review the following claims:

General Fund	\$	2,291,120.77
Highway		513,039.90
Self Insurance		13,874.15
Water Fund		1,510,777.06
DSS Abstracts		227,340.62
Capital Projects		
Sheriff/Jail – Jail Construction		1,238,338.12
County Park – Area D Shelter Improvements		466.79
County Park – Reconstruct Area B Parking		1,569.27
Facilities Management – Genesee Justice Stone Work		1,200.00

GCC – Arts Center Connector Replacement	30,368.19
GCC – HVAC System Replacement	500,000.00
GCC – Tech Parking Lot (Lot T) Replacement	300,000.00
Highway – South St. Culvert Over Drainage Ditch	105,737.59
Highway – Large Span Culverts	31,754.17
Highway – Richley Rd Over Murder Creek	1,000.00
Highway – Fisher Rd. over Oak Orchard Creek	800.00
Sheriff – Dispatch Center Console Furniture	338,724.05
Sheriff – Dispatch Center NG-911 Upgrade	174,119.62
Payroll – General	
July 28, 2023	1,928,672.22
August 11, 2023	1,476,769.15
Medicaid	
August 1, 2023	170,704.00
August 8, 2023	170,704.00
August 15, 2023	<u>170,704.00</u>
Total Audit	\$ 11,197,783.67

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.

Legislature Maha seconded the resolution, which was adopted by votes.

Adjournment: Vice Chair Clattenburg moved to close the meeting. Motioned by Legislator Deleo seconded by Legislator Hawley at 5:43 PM.