

**THIRTEENTH DAY  
GENESEE COUNTY LEGISLATURE  
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY  
WEDNESDAY, AUGUST 21, 2024**

The Genesee County Legislature met in Regular Session on Wednesday, August 21, 2024 at 4:30 PM in the Legislative Chambers of the Old Courthouse.

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

Roll Call was taken followed by 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18).

County Attorney Confidential Secretary Paula Beck announced a quorum was established

Proclamations & Commendations: None.

Approval of Minutes: July 24, 2024 approved by Chair Stein

Committee & Special Assignment Reports: None.

Communications & Petitions:

Travel Out-of-State: Nicole Pierce, Health Dept. to Atlanta, GA for CDC Childhood Lead Poisoning Prevention Program Annual Recipients Meeting. Cost \$1,840, fully grant funded. Legislator Yunker motioned to approve the request, seconded by Legislator Dibble followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18).

Travel Out-of-State: Grace Marzolf, Health Dept. to Atlanta, GA for CDC Childhood Lead Poisoning Prevention Program Annual Recipients Meeting. Cost \$1,840, fully grant funded. Legislator Hawley motioned to approve the request, seconded by Legislator Deleo followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18).

Legislator Comments: None.

Great job on the employee appreciation and next will be the employee recognition at Terry Hills coming up next month that recognizes employees based on years of service. Tim Yaeger and myself had a sit down with Mercy flight to see how the contract has been going over this first year and happy to see all the contract goals and standards that we put in place have been met, morale is up, under the contract Mercy requires increase in pay for staff \$2-3 increase. Retention efforts are up; morale is up and having a good impact. Availability of ambulances has improved and is a good partnership, this is big commitment for the County but he feels it was the right choice.

Resolutions:

Consent Agenda Items - Ways And Means:

1. Award Of RFP – Treasurer/Real Property/Tax Map GIS Upgrade
2. Relevy Of Unpaid School And Village Taxes-Treasurer
3. Contract – Treasurer/Tyler Technologies eSuite
4. Contract for Preparation of Tax Bills–Treasurer/Real Property/Applied Business Systems, Inc.
5. 2024 Genesee County Chargebacks To Towns And City Of Batavia–Treasurer/Real Property
6. Budget Transfer – Job Development Bureau
7. Agreement Renewal-County Manager /Professional Consulting Services ARPA
8. Policy Renewal – Self Insurance/Excess Insurance
9. Appointment/STOP-DWI Advisory Board
10. Set Public Hearing – Proposed Local Law Introductory B Of The Year 2024 Amending Local Law 4 Of The Year 2016, In Relation To The Genesee County Mutual Self Insurance Plan
11. Budget Amendment/The Healthcare And Mental Hygiene Worker Bonus Program

12. Budget Transfer-Human Resources/Collective Bargaining
  13. Contract Amendment-Human Resource/Third Party Administration Of Self-Funded Pharmacy Benefit Plan
  14. Genesee County Policy GC-060-Petty Cash
  15. Award Of RFP-County Manager/ Professional Grant Writing Services
  16. 2024 Budget And Contract Amendment - Mental Health/UConnectCare
  17. Appointment/Mental Health-Mental Health Community Services Board
  18. Renewal Agreement-Mental Health/TenEleven Group, LLC
  19. Memo Of Understanding–Mental Health/LGU OASAS Opioid Abatement Settlement Funds
  20. Contract Renewal For Security Services – Department Of Social Services, Mental Health, And Motor Vehicles
  21. Agreement - Public Health/NYS Dept. Of Agriculture & Markets
  22. Contract Amendment – Public Health/ Batavia City School District
  23. Contract Amendment – Public Health /Preschool Supportive Health Services Program/Related Services
  24. Budget Transfer And Budget Amendment- Public Health/ 3-5 Pre-K
  25. Establishing Energy Benchmarking Requirements For Certain County Buildings - Planning Department/ Clean Energy Communities
  26. Reappointments – Sheriff/Traffic Safety Board
  27. 2024 Salary Schedule Amendment – Probation Department/Temporary Principal Clerk Position
  28. Disposition Of Surplus Property – Probation Department
  29. Establish Capital Project/2024 Budget Amendment-DPW/County Road 19B (Fargo & Prole Road)
  30. Capital Project Transfer/Close Capital Project–DPW/ South Street Culvert Over Drainage Ditch
  31. Close/Transfer/Amend Capital Project-Facilities Management
  32. Budget Amendment/Donation Acceptance–DPW/County Park/Acorns Donation
  33. Agreement To Accept Property-DPW/Hundredmark Rd & Judge Rd
  34. Amend Capital Projects/2024 Budget Amendment–DPW/State Funded Highway Construction
  35. Memorandum Of Understanding–Facility Maintenance/Engine House Renovations Use Of City Of Batavia Property
  36. 2024 Budget Amendment – District Attorney/Purchase Of Vehicle
  37. 2024 Salary Schedule Amendment – District Attorney/Elimination Of The 37.5 Hour Per Week Full-Time Assistant District Position And Creation Of A 30 Hour Per Week Assistant District Position
  38. 2024 Budget Transfer – District Attorney
  39. Capital Project Establishment/2024 Budget Amendment–Sheriff’s Office/Radio Tower, And Backup 911 Center And Interoperable Equipment
  40. In Support of the Rural Equity Initiative to Promote Rural Resurgence
- Legislator Maha moved for the adoption of resolutions 1-40, seconded by Legislator Hawley followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18) for a vote of 159.

Consent Agenda - Public Service Committee:

41. Maintenance Agreement Renewal –Sheriff’s office /Communications/Wilmac

42. Grant Acceptance – Sheriff/Genesee Justice/New York State Division Of Criminal Justice Services
43. Rescind Resolution #137-2024–DPW/Asset Acquisition/6 X 4 Dump Truck
44. Rejection Of Bid #24-06 –DPW/Asset Acquisition/6x4 Dump Truck
45. NYSDOT Detour-DPW/RT 262
46. Grant Acceptance-District Attorney/Aid To Prosecution
47. Grant Acceptance – Office Of Emergency Management /FY21 Hazardous Materials (HazMat) Grant
48. Grant Acceptance – Office Of Emergency Management /FY22 Hazardous Materials (HazMat) Grant

Legislator Maha moved for the adoption of resolutions 41-48, seconded by Legislator Yunker followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18) for a vote of 159.

### **Rule 19**

Legislator Maha motioned to suspend the rules of the Genesee County Legislature to add one timely resolution: Change Order/ Budget Amendment–County Manager-Electric Vehicle Charging Stations seconded by Legislator Dibble followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18) for a weighted vote of 159.

Secretary Beck read resolution 49

49. Change Order/ Budget Amendment –County Manager- Electric Vehicle Charging Stations

Legislator Maha moved for the adoption of resolution 49, seconded by Legislator Dibble followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18) for a vote of 159.

### **Non-Consent Items:**

50. County Audit – August 21, 2024

Legislator Maha moved for the adoption of resolution 50, seconded by Legislator Deleo followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18) for a vote of 159.

51. Proposed Local Law Introductory B of the Year 2024, Amending Local Law No. Four of the Year 2016 In Relation To The Genesee County Mutual Self Insurance Plan

Legislator Maha moved for the adoption of resolution 51, seconded by Legislator Deleo followed by a roll call of 7 ayes, 0 nays and 2 absences (Torrey-23 and Clattenburg-18) for a vote of 159.

Chair Stein excused herself from the meeting and asked Legislator Maha to finish the meeting.

52. Contract- Planning Department/ Farmland Protection Implementation Grant Services/Genesee Land Trust

Legislator Yunker moved to for the adoption of resolution 52, seconded by Legislator Klotzbach followed by a roll call of 6 ayes, 0 nays and 3 absences (Torrey-23, Clattenburg-18 and Stein-26) for a vote of 133.

53. Contract- Planning Department/ Farmland Protection Implementation Grant Services/Western New York Land Conservancy

Legislator Yunker moved to for the adoption of resolution 53, seconded by Legislator Klotzbach followed by a roll call of 6 ayes, 0 nays and 3 absences (Torrey-23, Clattenburg-18 and Stein-26) for a vote of 133.

54. Contract- Planning Department/ Farmland Protection Implementation Grant Services/Genesee Valley Conservancy

Legislator Yunker moved to for the adoption of resolution 54, seconded by Legislator Klotzbach followed by a roll call of 6 ayes, 0 nays and 3 absences (Torrey-23, Clattenburg-18 and Stein-26) for a vote of 133.

Unfinished Business: None.

New Business: None.

Adjournment: Legislator Maha adjourned the meeting at 4:54 p.m.

**RESOLUTION NO. 321                      AWARD OF RFP–TREASURER/REAL PROPERTY  
/TAX MAP GIS UPGRADE–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, an RFP was issued for the upgrade of Genesee County’s tax map creation process and GIS data maintenance, and

**WHEREAS**, there were eight proposals that were received and reviewed by the Director of Real Property Tax Services and the RFP awards committee, and

**WHEREAS**, the Genesee County Director of Real Property Tax Services is recommending the award of RFP 2024-112 Tax Map GIS Upgrade to Geocove, Inc, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the award of RFP 2024-112 Tax Map GIS Upgrade to Geocove, Inc, 247 Cayuga Road Suite 70, Cheektowaga, NY 14225.

Budget Impact: Funds have been budgeted within Asset Acquisition for up to \$52,590.00 for this project.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 322                      RELEVY OF UNPAID SCHOOL AND VILLAGE  
TAXES-TREASURER–AUTHORIZATION FOR**

Legislator Maha offered the following resolution:

**WHEREAS**, the Real Property Tax Law requires that, by November 15, 2024, all rural Genesee County School Districts return their respective unpaid 2024-2025 school taxes to the County Treasurer for inclusion in the following year’s town and county levy, and

**WHEREAS**, the Legislature entered into an agreement with the various villages within the county that upon notification to the county by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the town and county levy. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Genesee immediately upon receipt by the County Treasurer’s Office.

Budget Impact: None

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 323                      CONTRACT–TREASURER/TYLER  
TECHNOLOGIES ESUITE–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County utilizes New World Systems, owned by Tyler Technologies, Inc, as the ERP financial and human resources system for the County, and

**WHEREAS**, the Genesee County Treasurer, Human Resources Director, and Information Technology Director would like to purchase an additional New World module to expand the capabilities of the system, and

**WHEREAS**, this module will allow for employees to electronically view and update certain payroll information, and

**WHEREAS**, the Genesee County Treasurer, Human Resources Director, and Information Technology Director recommend approval of the contract to purchase this module, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the documentation necessary for the purchased of the eSuite module with Tyler Technologies, Inc, 5101 Tennyson Parkway, Plano, TX 75024 for one time fees in the amount of \$26,065 and recurring annual fees of \$5,712.

Budget Impact: Funds are available in the Financial System.NET capital project for the initial fees in 2024 and the annual maintenance fees will be incorporated into future IT department budgets.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 324**

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

Legislator Maha offered the following resolution:

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

**WHEREAS**, the Director of Real Property has solicited quotes from vendors to provide this specialized tax processing service however no other responses or quotes were received and does recommend approval for entering into a contract with Applied Business Systems, Inc., as a sole source vendor, and

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

**RESOLVED**, that Genesee County does hereby agree to a one year contract with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020, for the processing of tax bills for the period September 1, 2024 through August 31, 2025, with the option to automatically renew each year in accordance with the contract dated July 25, 2024.

Budget Impact: Approximate yearly expense of \$15,000 which is charged back to the various municipalities.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 325**

**2024 GENESEE COUNTY CHARGEBACKS TO  
TOWNS AND CITY OF BATAVIA – TREASURER /  
REAL PROPERTY – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Director of Real Property Tax Services has submitted a list of chargebacks to the several Towns and City of Batavia for assessment rolls, tax rolls, tax bills, supplies, and assessment update services that were provided in the previous fiscal year, and

**WHEREAS**, the Committee on Ways and Means does recommend apportionment of this expense. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize the following amounts to be billed to the several Towns and City of Batavia:

**2024 Chargebacks Applied to 2025 Town / City Budgets**

<b>TOWN</b>	<b>PARCELS</b>	<b>ASSESSMENT ROLLS/BILLS</b>	<b>NYSORPTS LICENSE FEE</b>	<b>TOTAL</b>
Alabama	1,140	\$3,705.00	\$1,000.00	\$4,705.00
Alexander	1,479	\$4,806.75	\$1,000.00	\$5,806.75
Batavia(T)	3,144	\$10,218.00	\$634.02	\$10,852.02
Bergen	1,689	\$5,489.25	\$1,000.00	\$6,489.25
Bethany	1,019	\$3,311.75	\$425.91	\$3,737.66
Byron	1,367	\$4,442.75	\$1,000.00	\$5,442.75
Darien	1,852	\$6,019.00	\$774.09	\$6,793.09
Elba	1,516	\$4,927.00	\$1,000.00	\$5,927.00
LeRoy	3,492	\$11,349.00	\$1,300.00	\$12,649.00
Oakfield	1,533	\$4,982.25	\$1,000.00	\$5,982.25
Pavilion	1,525	\$4,956.25	\$1,000.00	\$5,956.25
Pembroke	2,500	\$8,125.00	\$1,200.00	\$9,325.00
Stafford	1,578	\$5,128.50	\$1,000.00	\$6,128.50
Batavia(C)	5,534	\$17,985.50	\$1,115.98	\$19,101.48
<b>TOTALS</b>	<b>29,368</b>	<b>\$95,446.00</b>	<b>\$13,450.00</b>	<b>\$108,896.00</b>

and, Be it further

**RESOLVED**, that the amounts to be paid to the County Treasurer are credited to Revenue A.1325 2226 Sales / Supplies to Other Governments, in the current budget year.

Budget Impact: Licensing fee revenue of \$13,450.00 is paid to the NYSORPTS for software licensing. Assessment services and roll/bill revenue of \$95,446.00 covers salary and all other expenses incurred in providing these services to the municipalities. The 2023 chargebacks totaled \$101,344.00.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 326**

**BUDGET TRANSFER–JOB DEVELOPMENT BUREAU-APPROVAL OF**

Legislator Maha offered the following resolutions:

**WHEREAS**, the Employment and Training Director of Genesee County Job Development Bureau has requested that a transfer be made within accounts to allow for proper funding for Dental Buyback, and

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

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

\$26.00 from: CD6290 8040.0001 Dental Buyback

\$26.00 to: CD6293 8040.0001 Dental Buyback

Budget Impact: Neutral

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 327**

**AGREEMENT RENEWAL-COUNTY MANAGER /PROFESSIONAL CONSULTING SERVICES ARPA-**

**APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County issued RFP 2021-107 for the purpose of providing professional consulting services related to the American Rescue Plan Act funding, and

**WHEREAS**, an RFP Committee comprised of the County Manager, County Treasurer and Compliance Officer received and reviewed proposals and recommended EFPR Group, and

**WHEREAS**, Resolution 341-2021 awarded the contract to EFPR Group to provide consulting services related to ARPA, and

**WHEREAS**, the RFP 2021-107 did allow for an option to renew for three additional one-year periods and the County Manager and Compliance Officer recommend the renewal of this contract for September 1, 2024 through August 31, 2025, and

**WHEREAS**, the Committee on Ways & Means did review this recommendation and does concur. Now, therefore, be it

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to enter into the second of three one-year renewal contracts with EFPR Group, 690 Main Street, Suite 200, Williamsville, NY 14421 to provide professional consulting services related to the American Rescue Plan Act for the period September 1, 2024 through August 31, 2025 at a discounted governmental rate as follows: Partner- \$190.00 per hour, Senior Accountant - \$100.00 per hour, Staff Accountant \$85.00 per hour with a provision of one additional one-year renewal. Budget Impact: Funds are included in the County Manager - ARPA 2024 budget.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 328**

**POLICY RENEWAL–SELF INSURANCE/EXCESS  
INSURANCE–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee County Mutual Self Insurance Plan did purchase excess insurance through Midwest Employers Casualty Company through July 31, 2024, and

**WHEREAS**, the County Manager’s Office and County Attorney did submit a proposal for continuing coverage through July 31, 2026, and

**WHEREAS**, the Committee on Ways and Means did review this proposal 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 Midwest Employers Casualty Company, 14755 North Outer Forty Drive, Chesterfield, Missouri 63017 to provide Excess Insurance for the Genesee County Mutual Self Insurance Plan effective August 1, 2024 through July 31, 2026 for a total premium of \$170,313 annually.

Budget Impact: Premium expense in the amount of \$170,313 will be included in the 2025 Self-Insurance budget and shall be apportioned to participants.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 329**

**APPOINTMENT/ STOP-DWI ADVISORY BOARD–  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Vicky Muckle has been actively involved with the STOP-DWI Advisory Board in an administrative capacity since 2011 and was officially appointed as a citizen member of the STOP-DWI Advisory Board in 2022, and

**WHEREAS**, the Genesee County STOP-DWI Coordinator does recommended the reappointment of Ms. Muckle for a three year term, and

**WHEREAS**, the Committee on Ways and Means does recommend the appointment to fill a vacancy of citizen member. Now, therefore, be it

**RESOLVED**, that Vicky Muckle of Batavia, New York be appointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve a term effective January 1, 2024 through December 31, 2026.

Budget Impact: None – these are volunteer Board Members.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 330**

**SET PUBLIC HEARING–PROPOSED LOCAL LAW  
INTRODUCTORY B OF THE YEAR 2024,  
AMENDING LOCAL LAW NO. FOUR OF THE  
YEAR 2016 IN RELATION TO THE GENESEE  
COUNTY MUTUAL SELF INSURANCE PLAN–  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, there is hereby introduced to the Genesee County Legislature a proposed Local Law entitled: “PROPOSED LOCAL LAW INTRODUCTORY B OF THE YEAR 2024 AMENDING LOCAL LAW NO. FOUR OF THE YEAR 2016, AMENDING LOCAL LAW NO. FOUR, YEAR 2012, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NO. FOUR OF THE YEAR 1999, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NO. ONE OF THE YEAR 1956, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NO. TWO OF THE YEAR 1962, LOCAL LAW NO ONE OF THE YEAR 1966, LOCAL LAW NO. ONE OF THE YEAR 1972, LOCAL LAW NO. TWO OF THE YEAR 1974, LOCAL LAW NO. TWO OF THE YEAR 1977, LOCAL LAW NO. TWO OF THE YEAR 1981, LOCAL LAW NO. FOUR OF THE YEAR 1981 AND LOCAL LAW NO. THREE OF THE YEAR 1998 IN RELATION TO THE GENESEE COUNTY MUTUAL SELF INSURANCE PLAN” and

**WHEREAS**, subdivision 5 of Section 20 of the Municipal Home Rule Law requires a Public Hearing to be held on such Local Law, and

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

**RESOLVED**, that Public Hearing shall be held on the Proposed Local Law Introductory B, of the Year 2024 on September 11, 2024 at 5:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 331**

**BUDGET AMENDMENT-THE HEALTHCARE AND  
MENTAL HYGIENE WORKER BONUS PROGRAM  
–APPROVAL OF**

Legislator Maha offered the following resolutions:



**WHEREAS**, New York State allocated funding to the NYS Health Care Worker Bonus program for the purpose of recruitment and retention which mandates the payment of bonuses for certain frontline health care workers in the Health Department and the Mental Health Department, and **WHEREAS**, Human Resources submitted claims for eligible titles based on criteria designed by New York State. The final vesting period started October 1, 2023 – March 31, 2024, and **WHEREAS**, the Committee of Ways & Means concurs. Now, therefore, be it **RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget as follows:

Increase Revenue:	A.4310.3490	Mental Health Services, State Aid	\$9,689
Increase Appropriation:	A.4310.1060.0600	Mental Health Services, Special Pay	\$9,000
	A.4310.8010.0000	Mental Health Services, Social Security Tax	\$558
	A.4010.8011.0000	Mental Health Services, Medicare Tax	\$131

And, Be it Further

**RESOLVED**, the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to make such payments.

Budget Impact: No impact, State aid to cover bonus cost.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

#### **RESOLUTION NO. 332**

#### **BUDGET TRANSFER-HUMAN RESOURCES /COLLECTIVE BARGAINING–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Human Resources Director did request a budget amendment to cover a shortfall of funds in her contractual legal line due to ongoing legal expenses related to disciplinary actions, and

**WHEREAS**, additional funds are necessary for the remainder of 2024 to cover complex legal issues that may arise.

**WHEREAS**, the County Manager recommends using funds budgeted in the Contingency account to cover the unexpected expenses, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to make the following 2024 budget transfers:

\$22,500.00	from	A.1990.4800.0000	Contingency, Program Expense
\$22,500.00	to	A.1435.4640.0000	Collective Bargaining, Contracted Legal

Budget Impact: Funds are available in the 2024 Contingency Fund.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

#### **RESOLUTION NO. 333**

#### **CONTRACT AMENDMENT-HUMAN RESOURCES /THIRD PARTY ADMINISTRATION OF SELF- FUNDED PHARMACY BENEFIT PLAN– APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, resolution No. 358 awarded a contract to provide Third-Party Administration for the Genesee County's Self-Funded Prescription Drug Plan to Keenan Pharmacy Purchasing Coalition (KPPC), and

**WHEREAS**, Keenan Pharmacy Clinical Management provides Case Management Services on Specialty and Non-Specialty Drugs to ensure the best possible drug therapies are chosen based on their clinical effectiveness to maximize the employees and the County's pharmacy benefit saving, and

**WHEREAS**, case management services fee provide will increase from \$3.00 per member per month (PMPM) to \$3.25 per member per month, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed amend the agreement with Keenan Pharmacy Purchasing Coalition (KPPC), 2355 Crenshaw Blvd, Suite 200, Torrance, CA 90501; for the provision of Case Management services of the Genesee County's Self-Funded Pharmacy Benefit Plan effective July 1, 2024.

Pharmacy Clinical Management for Case Management      \$3.25 Per Member Per Month

Budget Impact: Increase of \$2,262 for the administration of the Self-Funded Pharmacy Benefit. Funds are available in the 2024 Self Funded Health Plan. The modest fee increase is the first increase since the program inception in 2021.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 334                                      GENESEE COUNTY POLICY GC-060-PETTY  
CASH-ADOPTION OF**

Legislator Maha offered the following resolution:

**WHEREAS**, policy GC-060 Petty Cash establishes procedure and guidelines for creating, managing, auditing and dissolving petty cash accounts, and

**WHEREAS**, the County Manager, County Treasurer, Deputy County Treasurer and Policy & Procedure Committee did carefully review GC-060 Petty Cash and recommend adoption, and

**WHEREAS**, the Ways & Means Committee did review GC-060 Petty Cash 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-060 Petty Cash policy.

Budget Impact: None.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 335                                      AWARD OF RFP-COUNTY MANAGER/  
PROFESSIONAL GRANT WRITING SERVICES-  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County issued RFP 2024-111 for the purpose of providing professional grant writing services, and

**WHEREAS**, a total of six proposals were received and an RFP Committee comprised of the County Manager, Legislature Chair and Compliance Officer received and reviewed all proposals and recommend G&G Municipal Consulting and Grant Writing, and

**WHEREAS**, the Committee on Ways & Means did review this recommendation and does concur. Now, therefore, be it

**RESOLVED**, that the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the award of RFP 2024-111 Grant Writing and Consultant Services to G & G Municipal Consulting and Grant Writing, 131 South Union Street, PO Box 39,

Spencerport, New York, 14559 at the rate of \$155 per hour 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 between both parties.

Budget Impact: \$10,000 is budgeted in the 2024 budget for grant writing services.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 336**

**2024 BUDGET AND CONTRACT AMENDMENT-  
MENTAL HEALTH/UCONNECTCARE-APPROVAL  
OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Director of the Community Services did request an amendment to the 2024 UConnectCare contract and budget, and

**WHEREAS**, these additional funds are the result of an increase of 2024 New York State OASAS funds (\$75,000) and receipt of 2.84% COLA (\$55,120), 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 2024 contract and budget between the County of Genesee and UConnectCare. Be it further

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 Genesee County Budget by:

Increasing A4313.4660.0000                      Contracted Other by                      \$130,120.00

AND

Increasing A.4313.3494                      State Aid Mental Health by                      \$130,120.00

Budget Impact: Increasing the budget by \$130,120.00, offset by an increase in State Aid in the amount of \$130,120.00, a contract total to not exceed \$2,952,923.00.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 337**

**APPOINTMENT-MENTAL HEALTH/COMMUNITY  
SERVICES BOARD/BROWN-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, one application has been received from Arron Brown, of Darien Center, NY 14040 indicating an interest and desire for appointment to the Mental Health Community Services Board, and

**WHEREAS**, the Committees on Human Services and Ways and Means do recommend that the appointment be made effective August 22, 2024. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby appoint Arron Brown to assume one of the vacant terms on the Mental Health Community Services Board effective August 22, 2024. Arron Brown will assume the vacancy left by Dr. Mir, term through 12/31/2028.

Budget Impact: \$40 budgeted stipend per attended meeting, per person.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 338**

**RENEWAL AGREEMENT-MENTAL HEALTH  
/TENELEVEN GROUP, LLC-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Director of Community Mental Health Services is requesting approval of an

agreement renewal between the County of Genesee Department of Mental Health and TenEleven Group, LLC, with offices located at 2 20<sup>th</sup> St., N 5<sup>th</sup> Floor, Birmingham, AL 35203. The parties hereto entered into an agreement for the period of July 1, 2019 to June 30, 2024 for the provision of integrated web-based electronic medical/health record & practice management system, and **WHEREAS**, there is an option to renew this contract for five (5) additional one-year period(s), upon mutual, written agreement between both parties. The parties have negotiated and hereto do wish to renew this contract for the first two (2) one-year terms, which continues the contract under the same terms and conditions as the original Agreement, with changes as stated in the accompanying “Renewal Purchase Schedule”, with the agreement of increasing the monthly payment to \$1,008 per months and

**WHEREAS**, in consideration of the mutual promises contained herein and those contained in the original agreement between the parties, it is mutually agreed as follows: subject to the terms and conditions as set forth by the July 1, 2019 Agreement, the Agreement by and between the County of Genesee and TenEleven Group, LLC, be and hereby is extended upon mutual agreement between both parties, to continue for the period of July 1, 2024 to June 30, 2026, and

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

**RESOLVED**, that the Chairman of the Genesee County Legislature be and hereby is authorized and directed to approve the necessary documents and payment to implement an agreement between the County of Genesee Department of Mental Health and TenEleven Group, LLC. The contract will be for the period July 1, 2024 through June 30, 2026 in accordance with the terms of said contract.

Budget Impact: The 2024 budget impact will be an additional \$1,008 every month for the remainder of 2024. This results in the total of \$6,008 for the remainder of 2024. The remainder of the contract through 2025-2026 will be budgeting in future budgets.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 339**

**MEMO OF UNDERSTANDING—MENTAL HEALTH  
/LGU OASAS OPIOID ABATEMENT SETTLEMENT  
FUNDS-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Director of Community Services brought forth the 2024 Request for Application (RFA) for OASAS Opioid allocated LGU funding, and

**WHEREAS**, the Community Services Board reviewed and approved the award of RFA and Memo of Understandings (MOU) for City Church, City of Batavia, Genesee County Mental Health, UConnectCare on behalf of Genesee County Treatment Court, Independent Living of the Genesee Region, Horizon Health Services, Inc., and UConnectCare on behalf of Suicide Prevention Coalition, and

**WHEREAS**, resolutions 190, 191, 192, 230, 231, 294, 295 of the year 2024 authorized a budget amendment for the Opioid Abatement Settlement funds to be distributed to the corresponding applicants (RFA), and

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

**RESOLVED**, the Genesee County Legislature accepts the applications for City Church, City of Batavia, Genesee County Mental Health, UConnectCare on behalf of Genesee County Treatment Court, Independent Living of the Genesee Region, Horizon Health Services, Inc., and

UConnectCare on behalf of Suicide Prevention Coalition. Be it further, **RESOLVED**, the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the MOU for Opioid Abatement Settlement Funds following the specifications of the RFA received for the term ending 12/31/2024:

- City Church, 210 East Main Street, #2, Batavia, New York, 14020 in an amount not to exceed \$26,948.00
- City of Batavia, 10 West Main Street, Batavia, New York, 14020 in an amount not to exceed \$18,000.00
- Genesee County Mental Health, 5130 East Main Street Road, Ste. 2, Batavia, NY 14020 in an amount not to exceed \$21,725.00
- UConnectCare - Genesee County Treatment Court, 1 West Main Street, Batavia, New York, 14020 in an amount not to exceed \$9,100.00
- Independent Living of the Genesee Region, 319 West Main Street, Batavia, New York, 14020 in an amount not to exceed \$87,500.00
- Horizon Health Services, 314 Ellicott Street, Batavia, New York, 14020 in an amount not to exceed \$50,000.00
- UConnectCare - Suicide Prevention Coalition, 430 East Main Street, Batavia, New York, 14020 in an amount not to exceed \$5,934.00

Budget Impact: None. 2024 Budget Amendments are complete for all of the above.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 340**

**CONTRACT RENEWAL—DEPARTMENT OF  
SOCIAL SERVICES, MENTAL HEALTH, AND  
MOTOR VEHICLES/SECURITY SERVICES—  
APPROVAL OF**

Legislator Maha 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 \$34.35 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, 2024, through August 31, 2025, at the rate of \$34.35 per man hour.

Budget Impact: The DSS portion of the cost for security services for the contract renewal period is \$165,224. Approximately \$41,306 is local share, with the remaining \$123,918 reimbursed by federal/state aid. The hourly billing rate change at renewal will result in an increase of \$2,048 from

the original budgeted amount for 204. If Armor requests an increase based on new prevailing wages expected to be released in July 2025, the remaining four months of 2025 will be affected. The MH portion of the cost for security services for the contract renewal period is \$89,310. All \$89,310 is local share. The hourly billing rate change at renewal will result in an increase of \$2,048 from the original budgeted amount for 204. If Armor requests an increase based on new prevailing wages expected to be released in July 2025, the remaining four months of 2025 will be affected. The DMV portion of the cost for security services for the contract renewal period is \$75,914. All \$75,914 is local share. The hourly billing rate change at renewal will result in an increase of \$2,048 from the original budgeted amount for 204. If Armor requests an increase based on new prevailing wages expected to be released in July 2025, the remaining four months of 2025 will be affected. Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 341**

**AGREEMENT-PUBLIC HEALTH/NYS DEPT. OF  
AGRICULTURE & MARKETS-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee County Public Health Director has received notification from the New York State Department of Agriculture and Markets that Genesee County's Petroleum Product Quality Program agreement has been approved and the Public Health Department will receive funding in the amount of \$23,100, 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 local Petroleum Product Quality Program, and

**WHEREAS**, the Committees on Human Services and Ways and Means did review this agreement 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 Agriculture and Markets for the acceptance of the Petroleum Product Quality Program agreement, for the period April 1, 2024 through March 31, 2029, to accept funding in the amount of \$23,100 (\$4,620 annually) and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and Expenses are included in the 2024 6610 budget. The cost to the county for the continuation of the petroleum product quality program is \$0.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 342**

**CONTRACT AMENDMENT-PUBLIC HEALTH/  
BATAVIA CITY SCHOOL DISTRICT-APPROVAL  
OF**

Legislator Maha offered the following resolution:

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

**WHEREAS**, the Public Health Director did present a contract amendment with Batavia School District to provide transportation services for the preschool supportive health services program, and

**WHEREAS**, the Committees on Human Services and Ways and Means did review this contract amendment 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 amend the contract with the Batavia City School District, having its principal location of

business at, 260 State Street, Batavia NY 14020, for the provision of paratransit services for the Preschool Supportive Health Services Programs for the period of July 1, 2023 through June 30, 2025.

Budget Impact: The intention of this amendment will be to reduce transportation expenses and increase availability of transportation options for the 3-5 Prek program. Transportation expenses are budgeted in the 2024 and 2025 2960 budget.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 343**

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

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County is mandated to provide and pay for related services for the Preschool Supportive Health Services Program, and

**WHEREAS**, the Genesee County Public Health Department did an analysis of their related service rates compared to neighboring counties, and

**WHEREAS**, due to a lack of service providers for qualifying children needing related services in Preschool Supportive Health, the Public Health Director is seeking to increase related service rates from \$58 to \$63 (individual) and from \$35 to \$38 (group), to attract new service providers and to keep our current service providers, and

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

**RESOLVED**, that the Chair of the Legislature may execute a contract amendment to increase rates for individual related services from \$58 to \$63 and for group related services from \$35 to \$38. Reimbursement at 59.5% from NYS Department of Health. Genesee County Public Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement. Effective September 1, 2024 through June 30, 2025.

<b>Provider</b>	<b>Address</b>	<b>Contract Resolution #</b>
ARC GLOW - Kidstart	18 Main Street, Mount Morris, NY 14510	190-23
Alexander Central School	3314 Buffalo Street, Alexander, NY 14005	190-23
Batavia City School District	260 State Street, Batavia, NY 14020	190-23
(Brown) Nelson, Karen	4588 Conway Road, East Bethany, NY 14054	190-23
Buffalo Hearing & Speech Center	50 East North Street, Buffalo, NY 14203	190-23
Building Blocks Comprehensive Services, Inc.	P.O. Box 1209, Canandaigua, NY 14424	190-23
Byron-Bergen Central School District	6917 West Bergen Road, Bergen, NY 14416	190-23
Cornerstone Occupational & Speech Therapy	4 Flint Avenue, Akron, NY 14001	15-24
CP Rochester (United Cerebral Palsy Association)	3399 Winton Road South, Rochester, NY 14623	190-23
Beyond Support Network/Cantalician Center for Learning	2049 George Urban Blvd, Depew, NY 14043	190-23
Creative Therapies of WNY SLP, PT, OT PLLC	26 San Fernando Lane, East Amherst, NY 14051	190-23
DeVoe, Sandra	10725 Molasses Hill Road, Alexander, NY 14005	190-23
Elba Central School	P.O. Box 370, South Main Street, Elba, NY 14058	190-23
Erie County Medical Center	4242 Ridge Lea, Suite 2, Amherst, NY 14226	190-23
Ferraro, Paula	1091 Maryvale Drive, Cheektowaga, NY 14225	190-23
Finger Lakes Therapy Works, PLLC	210 Clifton Springs Professional Park, Clifton Springs, NY 14432	190-23
Fisher, Mary Katherine R.	3723 South Main Street Road, Batavia, NY 14020	190-23
Frank, Amatina	5566 Jerico Road, East Bethany, NY 14054	190-23
Gallo, Pamela	9074 Calpin Parkway, Clarence Center, NY 14032	190-23
Hearing and Speech Center of Rochester, Inc.	1000 Elmwood Avenue, Rochester, NY 14620	234-24

Hearing and Speech of WNY	2980 William Street, Cheektowaga, NY 14227	190-23
Hilton, R. Mark	PO Box 615, Newark, NY 14513	397-23
Integrated Therapy Services	25 Liberty Street, Suite 5, Batavia, NY 14020	190-23
LeRoy Central School	Trigon Park, LeRoy, NY 14482	190-23
Liberty Post	331 Alberta Drive, Suite 110, Amherst, NY 14226	190-23
Music Therapy Pathways - Jennifer Reding	80 South Main Street, Oakfield, NY 14125	190-23
Oakfield-Alabama Central School	7001 Lewiston Road, Oakfield, NY 14125	190-23
Opalecky Physical Therapy Services, PLLC	1985 Sweden-Walker Road, Hilton, NY 14468	190-23
Pembroke Central School	P.O. Box 308, Routes 5 & 77, Corfu, NY 14036	190-23
Room to Bloom Therapy Services, LLC	1850 Buffalo Rd., Suite 200, Rochester, NY 14624	190-23
Schultz, Denise	14 Skyline Drive, Akron, NY 14001	190-23
Sczudlo, Michelle	20 Lincoln Avenue, Leroy, NY 14482	190-23
Senf, Rebecca	6620 East Bird Road, Byron, NY 14422	199-24
SLC Therapy of WNY	1419 Union Road, West Seneca, NY 14224	190-23
Southtowns Children's SLP, PT and OT Associates	3755 Abbott Road, Orchard Park, NY 14127	288-23
Stepping Stones Therapeutics	92 Riverview Court, Grand Island, NY 14072	190-23
Stone II, Gregory R.	4 Flint Avenue, Akron, NY 14001	190-23
Stone, Heather C.	4 Flint Avenue, Akron, NY 14001	190-23
Sunshine Speech Therapy, PLLC	6 Main Street, Wyoming, NY 14591	233-24
Tuites, Elizabeth	16 Elm Street, Batavia, NY 14020	190-23
White, Mary Kathryn	6793 Club Road, Perry, NY 14530	17-24
WNY Speech-Language Pathology, OT and PT Consultants (CAFL)	590 Fishers Station Dr., Ste. 130, Victor, NY 14564	190-23
Wyoming Central School	1225 State Route 19, Wyoming, NY 14591	300-24

Budget Impact: The increased rates will add approximately \$25,000 in additional expenses to the 2024 2960 Preschool Supportive Health budget. The \$25,000 of additional expenses has been accounted for and budgeted in the 2024 2960 Budget. Reimbursement of 59.5% from the NYS Department of Health and Medicaid reimbursement of approximately \$17,175. No budget amendment is currently needed.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

#### **RESOLUTION NO. 344**

#### **BUDGET TRANSFER AND BUDGET AMENDMENT-PUBLIC HEALTH/3-5 PRE-K- APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the 3-5 Pre-K program has seen a significant increase in the number of children in the program over the last year. The Public Health Director is requesting additional funds to cover the increase in expenses in the 3-5 Pre-K program, and

**WHEREAS**, the funds to cover these additional expenses in the 3-5 Pre-K program will be transferred from the 4010 Budget and from state aid reimbursement, and

**WHEREAS**, the Committees on Human Services and Ways and Means did review the requested budget amendments and transfers and do recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby approve the following amendments and does hereby authorize and direct the County Treasurer to make the following amendments to the 2024 Budget:

Increase A2960 4660.0301 Contd Svc-0/S Cty/Cb in the amount of \$861,753 and Increase A2960 3277 St. Aid, Educ of Handicap Children in the amount of \$861,753. Be it further,

**RESOLVED**, the Genesee County Treasurer is hereby authorized and directed to make the following transfers in the 2024 County Budget:



\$30,000 from A4010 1010.0000 Personal Services  
\$295,000 from A4010 4480.0000 COVID-19 Expenses  
\$207,571 from A4010 4650.0003 Contracted Expenses  
\$24,000 from A4010 8030.0000 Medical Expenses  
\$30,000 from A4010 4800.0000 Program Expense  
\$306,266 to A2960 4660.0298 Contd Svc - Transport  
\$280,305 to A2960 4660.0304 Contd Svc - Seit+Rs/other  
Budget Impact: Increasing the 2024 2960 budget, by a total of \$1,448,324 for increased 3-5 Pre-K program expenses. After the 59.5% state aid reimbursement, there will be a County cost of \$586,571.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 345**

**ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN COUNTY BUILDINGS -PLANNING DEPARTMENT/CLEAN ENERGY COMMUNITIES—APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings— for the exact same building use; and

**WHEREAS**, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the County of Genesee is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

**WHEREAS**, the Genesee County Legislature desires to use Building Energy Benchmarking - a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Genesee County; and

**WHEREAS**, the Genesee County Legislature desires to establish procedure or guideline for Genesee County staff to conduct such Building Energy Benchmarking; and

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

**NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED**, that the following specific policies and procedures are hereby adopted;

**BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES**

**§1. DEFINITIONS**

- (1) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.
- (3) “Director” shall mean the head of the Department.
- (4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the County of Genesee that is 6,000 square feet or larger in size.
- (5) “Department” shall mean the Department of Planning.

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(10) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(11) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(12) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

## **§2. APPLICABILITY**

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Director may exempt a particular Covered Municipal Building from the benchmarking requirement if the Director determines that it has characteristics that make benchmarking impractical.

## **§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

(1) No later than May 1, 2025, and no later than May 1 every year thereafter, the Director or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Director or his or her designee from the Department shall begin inputting data in the following year.

## **§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2025 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

- (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
- (iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

**§5. MAINTENANCE OF RECORDS**

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

**§6. ENFORCEMENT AND ADMINISTRATION**

(1) The Director or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Genesee County Legislature including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Director determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

**§7. EFFECTIVE DATE**

This policy shall be effective immediately upon passage.

**§8. SEVERABILITY**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Budget Impact: No additional costs are associated with this new policy at this time. Potential savings may be identified by this program as energy efficiency improvements are identified. Continued monitoring of building energy usage may alert staff of problems early thus resulting in cost savings.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 346**

**REAPPOINTMENTS–SHERIFF/TRAFFIC SAFETY BOARD-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the terms of the following Traffic Safety Board members have expired and they have expressed a desire to be reappointed to an additional three-year term (retroactive 8/1/2024 – 7/30/2027), and

- |                        |                                    |
|------------------------|------------------------------------|
| William A. Sheron, Jr. | Genesee County Sheriff’s Office    |
| Shawn Heubusch         | City of Batavia Police Department  |
| David Bell             | Genesee County Health Department   |
| Felipe Oltramari       | Genesee County Planning Department |

**WHEREAS**, the Committees on Public Service and Ways & Means do recommend these reappointments. Now, therefore, be it

**RESOLVED**, that the following Traffic Safety Board members are approved to be reappointed to an additional three-year term (8/1/2024 – 7/30/2027).

William A. Sheron, Jr.      Genesee County Sheriff’s Office  
Shawn Heubusch              City of Batavia Police Department  
David Bell                      Genesee County Health Department  
Felipe Oltramari              Genesee County Planning Department

Budget Impact: None.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 347                      2024 SALARY SCHEDULE AMENDMENT–  
PROBATION DEPARTMENT/TEMPORARY  
PRINCIPAL CLERK POSITION–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Principal Clerk at the Genesee County Probation Department is retiring, effective July 31, 2024, with her last day of work being July 30, 2024, and

**WHEREAS**, the Genesee County Probation Director is requesting an amendment to the 2024 CSEA Employee Salary Schedule to create one temporary Principal Clerk position in the CSEA-General, Grade 12, in order to provide transitional training for the replacement, and

**WHEREAS**, the Committees of 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 and Human Resources Director are hereby authorized and directed to amend the 2024 CSEA Employee Salary Schedule by creating one temporary Principal Clerk position in the CSEA-General, Grade 12, effective September 9, 2024, through December 31, 2024, for transitional purposes, not to exceed \$12,000.

Budget Impact: Cost associated with this temporary position will be covered within the Probation Department budget and will not exceed \$12,000.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 348                      DISPOSITION OF SURPLUS PROPERTY–  
PROBATION DEPARTMENT–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Probation Department does possess (7) grey filing cabinets, (9) grey stackable chairs, (12) orange stackable chairs, (6) orange cushion chairs, and (1) metal computer desk, and

**WHEREAS**, the above items are no longer needed in the Probation Department and no other department has shown interest in their use, and

**WHEREAS**, the Probation Director is requesting to dispose of the above items, and

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

**RESOLVED**, that the Purchasing Director is hereby authorized to dispose of the above items by method deemed most appropriate by that department.

Budget Impact: Should any of the items sell at auction, the proceeds shall go to the county general fund.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 349**

**ESTABLISH CAPITAL PROJECT/2024 BUDGET  
AMENDMENT-DPW/COUNTY ROAD 19B (FARGO  
& PROLE ROAD)-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee County Legislature did budget for and approve the County’s Capital Budget Plan for 2024, and

**WHEREAS**, the County Commissioner of Public Works is recommending establishing a capital project for the reconstruction of County Road 19B, and

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

**RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following capital project:

**Establish Capital Projects:**

<b>Title</b>	<b>Total</b>	<b>Revenue Source</b>
DPW – County Rd 19B (Fargo & Prole Rd)	\$415,750	1% Sales Tax

and be it further

**RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to fund the project by increasing A.1000 1110.1 1% Sales Tax in the amount of \$415,750, increasing A.9950 9000 Transfer to Capital in the amount of \$415,750, increasing H.5197 5031 Interfund Transfers in the amount of \$415,750 and increasing H.5197 2080.0000 Capital Project Expense in a like amount.

Budget Impact: Capital project for County Rd 19B was accounted for in the 2024 Proposed Capital Budget.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 350**

**CAPITAL PROJECT TRANSFER/CLOSE CAPITAL  
PROJECT-DPW/SOUTH STREET CULVERT OVER  
DRAINAGE DITCH-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County Commissioner of Public Works did review established capital projects and does recommend closing one project, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to make the following transfer: Transfer \$21,408.90 from Capital Project South Street Culvert over Drainage Ditch to Capital Project Large Span Culverts, and be it further

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to close the South Street Culvert over Drainage Ditch Capital Project.

Budget Impact: All State Aid has been spent. \$21,408.90 back to Capital Project Large Span Culverts.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 351**

**CLOSE/TRANSFER/AMEND CAPITAL PROJECT-  
FACILITIES MANAGEMENT-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County Commissioner of Public Works reported that the Holland Land Office Museum Restoration Study Capital Project has been completed and recommends that said Capital Project be closed at this time, and

**WHEREAS**, the County Commissioner of Public Works has recommended that the remaining funds from the Capital Project being closed to be moved to a Capital Project requiring additional funding, 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 Treasurer is authorized and directed to make the following capital project transfer: Transfer \$139,500.00 from Holland Land Office Museum Restoration Study Capital Project to Holland Land Office Museum Restoration & Life Safety Improvements (Design) Capital Project, and be it further

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to close the following capital project: Holland Land Office Museum Restoration Study Capital Project.

Budget Impact: None.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes

**RESOLUTION NO. 352**

**BUDGET AMENDMENT/DONATION  
ACCEPTANCE-DPW-COUNTY PARK/ACORNS  
DONATION-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Association for Conservation of Outdoor Recreation and Natural Spaces (ACORNS), a non-profit group which supports programming and activities at Genesee County Parks, wishes to donate funds to Genesee County in order to purchase materials to replace the Pavilion A Bridge during the 2024 Hard Hat camp, and

**WHEREAS**, the County Commissioner of Public Works and the Deputy County Commissioner of Public Works have reviewed this request and recommend acceptance of the donation and request at this time, and

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

**RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to accept \$1,000 from the ACORNS to be used to cover the costs of materials to replace the Pavilion A Bridge during the 2024 Hard Hat camp.

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 Genesee County Budget by increasing Appropriation A.7110 4700.1007 Building Materials in the amount of \$1,000 to be offset by an increase in Revenue A.7110 1289 General Department Income in a like amount.

Budget Impact: Offsetting revenue and expense related to the donation.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 353**

**AGREEMENT TO ACCEPT PROPERTY-DPW/  
HUNDREDMARK RD & JUDGE RD-APPROVAL  
OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County Commissioner of Public Works established capital projects for and completed the replacement of the Judge Rd Bridge over Whitney Creek in the Town of Alabama,

and Hundredmark Rd over Drainage Ditch in the Town of Elba, and

**WHEREAS**, the County Commissioner of Public Works requested that the New York State Department of Transportation acquire right to any and all property required by the County to advance the projects, and

**WHEREAS**, the New York State Department of Transportation requires the County of Genesee to agree to accept ownership of any property required by the State or rights therein to all involved property connected with the projects, and

**WHEREAS**, the County Commissioner of Public Works does recommend an agreement with the New York State Department of Transportation as this time, and

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

**RESOLVED**, the County of Genesee hereby agrees to accept all acquired property from the State or its agencies upon completion of the projects and to keep the property for the life of the structure. Budget Impact: There is no budget impact to accepting these parcels and easements.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 354**

**AMEND CAPITAL PROJECTS/2024 BUDGET  
AMENDMENT-DPW/STATE FUNDED HIGHWAY  
CONSTRUCTION-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County Commissioner of Public Works has established capital projects for the repair and replacement of highways, bridges and culverts with funding from the State of New York Consolidated Local Street and Highway Improvement Program (CHIPS), Extreme Winter Recovery (EWR), Pave Our Potholes (POP), and PAVE-NY funding, and

**WHEREAS**, the County Commissioner of Public Works received more 2024 funding than was anticipated, and

**WHEREAS**, the County Commissioner of Public Works recommends amending existing projects, for additional funding received, and

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

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

**Amend Projects:**

<b>Title</b>	<b>Source</b>	<b>Amendment</b>
Highway Overlay	POP	Add \$.56
Hwy Surface Treatment	PAVE-NY	Add \$.34
Hwy Surface Treatment	EWR	Add \$.25
Hwy Surface Treatment	CHIPS	Add \$.93

And be it further,

**RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the following CHIPS, EWR, POP and PAVE-NY funded capital projects by increasing Highway Capital Project Expense H5112.2080 in the amount of \$2.08 and Increase H5112.3501 CHIPS in a like amount.

Budget Impact: Increases 2024 CHIPS allocation, 2024 PAVE-NY allocation, 2024 EWR allocation and 2024 POP allocation by \$2.08

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 355**

**MEMORANDUM OF UNDERSTANDING–  
FACILITY MAINTENANCE/ENGINE HOUSE  
RENOVATIONS USE OF CITY OF BATAVIA  
PROPERTY–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County is progressing renovations to the Engine House located at 3 West Main St in the City of Batavia, and

**WHEREAS**, the County and its contractors will require space to store materials for the project, and

**WHEREAS**, the only available space to stage and store equipment without disrupting traffic to the County and adjacent Courts Facility is tax parcel #84.010-4-13.3, which is owned by the City of Batavia and is the former location of the Ellicott St Water Storage Tower, and

**WHEREAS**, the City has prepared a Memorandum of Understanding outlining the use of the parcel by the County, and

**WHEREAS**, the Genesee County Attorney has reviewed this Memorandum of Understanding and does concur to the form of the agreement, and

**WHEREAS**, the County Commissioner of Public Works recommends approval of the Memorandum of Understanding at this time,

**WHEREAS**, the Public Service Committee and Ways and Means Committee does concur with this recommendation at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to execute the Memorandum of Understanding between the County of Genesee and the City of Batavia relative to the use of tax parcel #84.010-4-13.3 as part of the Engine House renovations.

Budget Impact: None. Use and restoration of the parcel shall be a responsibility of the contractor. Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 356**

**2024 BUDGET AMENDMENT–DISTRICT  
ATTORNEY/ PURCHASE OF VEHICLE–  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, a 2014 Ford Fusion vehicle was declared surplus by the City of Batavia Police Department and the District Attorney’s Office would like to purchase and retain said vehicle for law enforcement purposes by our Investigator, and

**WHEREAS**, the Chief of the City of Batavia Police Department has agreed to sell the District Attorney’s Office the 2014 Ford Fusion at a cost of \$3,000, and

**WHEREAS**, the District Attorney’s Office has a Restricted Fund Balance account which has a balance of \$16,872.22, and

**WHEREAS**, the District Attorney has requested an amendment to the 2024 County Budget to allow for the utilization of a portion of these funds in the amount of \$3,000, 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 as follows:



\$3,000 to A1165.2060.0000 (Vehicles)

To be offset by increasing the following revenue account:

\$3,000 to A1165.2626 (Forfeiture of Crime Proceeds)

Budget Impact: Increase in District Attorney's Office 2024 appropriations in the amount of \$3,000; offset by an increase in revenue in a like amount.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 357**

**2024 SALARY SCHEDULE AMENDMENT–  
DISTRICT ATTORNEY/ELIMINATION OF THE  
37.5 HOUR PER WEEK FULL-TIME ASSISTANT  
DISTRICT POSITION AND CREATION OF A 30  
HOUR PER WEEK ASSISTANT DISTRICT  
POSITION-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, in 2024, the District Attorney's Office sought an additional full-time Assistant District Attorney position to help alleviate the workload facing the District Attorney's Office, and **WHEREAS**, while we have had difficulty finding qualified candidates for the full-time Assistant District Attorney position we have been fortunate enough to find a candidate with significant experience who is willing to work less than full-time and is ready to being work on July 29, 2024, and

**WHEREAS**, it has been determined that deleting the one 37.5 hour per week full-time Assistant District Attorney position and creating a 30 hour per week full-time Assistant District Attorney position would be in the best interest of our candidate and our office, and

**WHEREAS**, the District Attorney's Office is respectfully requesting an amendment to the 2024 Salary Schedule that will eliminate one 37.5 hour per week, Assistant District Attorney position and add a 30 hour per week, Assistant District Attorney position.

**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 Treasurer and Human Resources Director are hereby authorized and directed to amend the 2024 Management Salary Schedule by eliminating a 37.5 hour per week, Assistant District Attorney position and adding a 30 hour per week, Assistant District Attorney position effective July 29, 2024.

Budget Impact: There is no impact to the 2024 County Budget. Personnel and fringe benefits budgeted for the 37.5 hour per week Assistant District Attorney along with not filling this position immediately in 2024 will result in no budget impact.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 358**

**2024 BUDGET TRANSFER–DISTRICT ATTORNEY  
–APPROVAL OF**

Legislator Maha offered the following the resolution:

**WHEREAS**, the District Attorney's Office Grand Jury expenses have exceeded that budget due to an increase number of cases presented so far this year along with several more serious cases which increases the time and expense on each of the individual cases, and

**WHEREAS**, the District Attorney has requested a budget transfer in the 2024 Adopted Budget in the amount of \$17,000, 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 Treasurer is hereby authorized and directed to make the following budget transfer:

\$17,000 from A.1165.1010.0000 (Personal Services)

\$17,000 to A.1165.4640.0014 (Court Reporter/GJ)

Budget Impact: No net impact on the 2024 budget, shifting funds between expense accounts.

Due to a vacant position, we have available funds in our Personal Account.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 359**

**CAPITAL PROJECT ESTABLISHMENT/2024  
BUDGET AMENDMENT–SHERIFF’S OFFICE–  
RADIO TOWER, AND BACKUP 911 CENTER AND  
INTEROPERABLE EQUIPMENT–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Resolution No. 122 duly adopted on March 14, 2024, did authorize the acceptance of FY23 SICG Targeted funds in the amount of \$2,257,429, for the construction of a radio tower at the new jail site and purchase of interoperable communications equipment and related items, and

**WHEREAS**, L3 Harris Corporation and the County are currently under contract and have negotiated a price for the construction of the tower and to outfit the backup dispatch center with radio equipment, and

**WHEREAS**, The Sheriff’s Office, County Manager, and County Treasurer are requesting the establishment of a Radio Tower, and Backup 911 Center and Interoperable Equipment Capital Project, and

**WHEREAS**, The Committees on Public Service and Ways and Means have reviewed the request and do recommend that said capital project be established at this time. Now, therefore, be it

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to establish capital project: Sheriff’s Office – Radio Tower, and Backup 911Center and Interoperable Equipment in the amount of \$2,299,458, 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 \$42,029 offset by an increase in A.1000.1110.1 – Sales & Use Tax – CO 1% and increase in H.3397.3390.SICG State Aid – SICG in the amount of \$2,257,429 and an increase in H.3397.5031 Interfund Transfer in the amount of \$42,029 offset by an increase in H.3397.2080.0000 in the amount of \$2,299,458

Budget Impact: Total project cost - \$2,299,458 with \$2,257,429 coming from the grant award and \$42,029 from 1% sales tax revenue.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 360**

**IN SUPPORT OF THE RURAL EQUITY  
INITIATIVE TO PROMOTE RURAL  
RESURGENCE-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County of Genesee is located in the beautiful expanse of New York's rural landscape; and

**WHEREAS**, rural communities such as Genesee County honors its history and heritage while embracing innovation and looking toward the future;

**WHEREAS**, the State of New York falls short in giving rural communities the attention and investment that is deserved; and

**WHEREAS**, this body supports the Assembly Minority Rural Equity Initiative's focus on economic development and resurgence through the creation of the "Rural Equity Assistance Program" to foster economic development in small towns and communities (A.8136) and by incentivizing remote workers to live in rural areas of the state (A.9348), and

**WHEREAS**, this body also applauds the ways the Rural Equity Initiative attempts to make rural communities whole by increasing Medicaid reimbursements for rural ambulance services (A.9353), by fleshing out telecommunication infrastructure by allowing municipalities to cooperatively develop regional internet access plans (A.4686) and by establishing the "Rural Mobile Communications Fund" to provide grants to increase cellular coverage in rural communities (A.8134), and

**WHEREAS**, this body affirms that rural students deserve access to a world-class education like more-resourced students and believes in the Rural Equity Initiative's efforts to enrich rural education by creating the "EmpowerED" Act to allow students to enroll in classes within a region (A.8133) and allowing local schools to focus investments on education rather than chasing a hard-to-obtain zero-emission standard for school transportation (A.9183) and to enter into drive-sharing contracts with parents, teachers, and other community members (A.8135); and

**WHEREAS**, this body also recognizes the Rural Equity Initiative's efforts to preserve the culture, history, and heritage of rural New York by creating the "Adopt-a-Rural Cemetery Program" to provide assistance to maintain and upgrade rural cemeteries (A.9422) and exempting the use of wood burning for recreation, building heating, and cooking from greenhouse gas emission reduction requirements (A.9743); and

**WHEREAS**, Genesee County is committed to advocating for the needs of its residents and encourages any and all efforts to invest in and innovate rural New York. Now, therefore, be it

**RESOLVED**, the County of Genesee urges the Governor and the state Legislature to pursue and adopt the legislation outlined in the Rural Equity Initiative so that Upstate New York can have a chance to thrive. Be it further,

**RESOLVED**, that a copy of this resolution be delivered to Governor Kathy Hochul, Interim Commissioner to the Department of Environmental Conservation Sean Mahar, Speaker Carl Heastie, and Senate Majority Leader Andrea Stewart-Cousins, State Senator George Borrello, State Assemblyman Stephen Hawley, executive officers of New York State Association of Counties and members of Inter-County Association of Western New York.

Legislator Hawley seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 361**

**MAINTENANCE AGREEMENT RENEWAL–  
SHERIFF’S OFFICE/COMMUNICATIONS/  
WILMAC–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the three-year maintenance agreement between Genesee County and Wilmac Technologies for the 911 digital voice recording system expired on December 31, 2023, and

**WHEREAS**, Wilmac has provided a three-year maintenance agreement renewal with an annual cost of \$30,968 through December 31, 2026, per New York State OGS Contract, and

**WHEREAS**, funds to cover the cost of the recording system maintenance are appropriated in the Sheriff's Communications budget, with the money coming from the SI23 NYS Statewide Interoperable Communications Grant Award, and

**WHEREAS**, the Genesee County Sheriff, and the Director of Emergency Communications request to renew the 911 digital voice recorder maintenance agreement with Wilmac Technologies, at a cost not to exceed \$30,968 per year for the period of January 1, 2024 to December 31, 2026, 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 is hereby authorized and directed to sign the three-year maintenance agreement renewal with Wilmac Technologies located at 100 Chestnut Street, Suite 1004, Rochester, NY 14604.

Budget Impact: The annual cost of the three-year maintenance agreement with Wilmac for the digital voice recording system is \$30,968. Funds are appropriated in the Sheriff's Communications budget to cover the cost, with those funds coming from the SI23 SICG grant funding.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 362**

**GRANT ACCEPTANCE-SHERIFF/GENESEE  
JUSTICE/NEW YORK STATE DIVISION OF  
CRIMINAL JUSTICE SERVICES-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Genesee Justice Program Coordinator has received notification from the New York State Division of Criminal Justice Services that Genesee Justice has been awarded a Genesee County Pretrial Services Grant in the amount of \$136,061, and

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

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Division of Criminal Justice Services for the acceptance of the Genesee County Pretrial Services award in the amount of \$136,061, and to execute any and all other documentation related to this funding.

Budget Impact: The total amount of the revenue received will be included in 2025 Genesee Justice budget to offset wage and fringe expenses.

Legislator Yunker seconded the resolution which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 363**

**RESCIND RESOLUTION  
#137-2024-DPW/ASSET ACQUISITION/6 X 4 DUMP TRUCK-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County Commissioner of Public Works awarded bids to vendors piggybacking off the Cattaraugus County bid, and

**WHEREAS**, the vendors were no longer able to provide the truck quoted on the bid due to supply chain issues with automatic transmissions and frame rails, and

**WHEREAS**, the, Purchasing Officer, and County Attorney have reviewed the situations and options for remedy, and

**WHEREAS**, County Commissioner of Public Works recommends that the awards approved by Resolution 137-2024 be rescinded, and

**WHEREAS**, the Public Service Committee has reviewed this request and does concur with this recommendation at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby rescind Resolution #137 of 2024. Budget Impact: The funds allocated will be returned to 2024 Asset Acquisition in the amount of \$328,636. The County Commissioner of Public Works will be researching other vendors and possible avenues of award.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 364**

**REJECTION OF BID #24-06–DPW/ASSET  
ACQUISITION/6X4 DUMP TRUCK–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the County Commissioner of Public Works did advertise local bid specifications for a 6 X 4 Dump Truck for use within the Road Machinery Fund, and

**WHEREAS**, the County is having a difficult time finding vendors that can supply trucks within an appropriate amount of time, and

**WHEREAS**, the County Commissioner of Public Works recommends the rejection of this bid, and

**WHEREAS**, the Committee on Public Service did review this recommendation and does concur. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby reject any and all bids received for the 6 X 4 Dump Truck as specified in RFB# 24-06.

Budget Impact: No impact to the budget. Asset Acquisition funds will remain for future use.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 365**

**NYSDOT DETOUR–DPW/RT 262–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the New York State Department of Transportation proposes to replace a culvert along NYS Route 262 in the Town of Byron, Genesee County, and

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

Bank Street Rd (CR#13), from Rt 262 to Cockram Rd, and

Transit Rd (CR#42), from Cockram Rd to Rt 262

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

**WHEREAS**, the Committee of Public Service reviewed this recommendation and does concur at this time. Now, therefore, be it

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

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

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

Budget Impact: None.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 366**

**GRANT ACCEPTANCE-DISTRICT ATTORNEY/  
AID TO PROSECUTION-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the District Attorney has been notified of the award of grant funding from the New York State Division of Criminal Justice Services for prosecution services aid in the amount of \$220,970 for the term of April 1, 2024 – March 31, 2025, and

**WHEREAS**, the Committee of Public Services does recommend acceptance of these funds 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 Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$220,970 for Aid to Prosecution in Genesee County for the term of April 1, 2024 – March 31, 2025. Be it further,

**RESOLVED**, that funds for said grant have been appropriated in the 2024 Genesee County Budget and will be incorporated into the 2025 Genesee County Budget.

Budget Impact: None - funds have been appropriated.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 367**

**GRANT ACCEPTANCE-OFFICE OF EMERGENCY  
MANAGEMENT/FY21 HAZARDOUS MATERIALS  
(HazMat) GRANT-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Office of Emergency Management Director did request authorization to accept the FY21 HazMat grant funds in the amount of \$184,250 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

**WHEREAS**, grant funds have been allocated for spill and mitigation response; personal protection equipment; detection, mitigation and decon equipment; the maintenance, repair and calibration of hazmat equipment in addition to the training of response personnel from the regional partnership, and

**WHEREAS**, the Committee on Public Service does concur with the Emergency Management Service Coordinator's recommendation. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY20 HazMat Grant Program (April 1, 2024 through August 31, 2025) in the amount of \$184,250, and to execute any and all other documentation related to this funding.

Budget Impact: No County cost. Grant funds in the amount of \$184,250 will be appropriated in the 2024 Emergency Management Budget.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 368**

**GRANT ACCEPTANCE–OFFICE OF EMERGENCY  
MANAGEMENT/FY22 HAZARDOUS MATERIALS  
(HazMat) GRANT–APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, the Office of Emergency Management Director did request authorization to accept the FY22 HazMat grant funds in the amount of \$184,250 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

**WHEREAS**, grant funds have been allocated for spill and mitigation response; personal protection equipment; detection, mitigation and decon equipment; the maintenance, repair and calibration of hazmat equipment in addition to the training of response personnel from the regional partnership, and

**WHEREAS**, the Committee on Public Service does concur with the Emergency Management Service Coordinator's recommendation. Now, therefore, be it

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY20 HazMat Grant Program (April 1, 2024 through August 31, 2025) in the amount of \$184,250, and to execute any and all other documentation related to this funding.

Budget Impact: No County cost. Grant funds in the amount of \$184,250 will be appropriated in the 2025 Emergency Management Budget, offset by a revenue in the like amount.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 369**

**CHANGE ORDER/ BUDGET AMENDMENT–  
COUNTY MANAGER-ELECTRIC VEHICLE  
CHARGING STATIONS–APPROVAL OF**

Legislator Maha offered the following resolution:

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

**WHEREAS**, RFP 2024-113 was issued and vendor submissions were reviewed, and

**WHEREAS**, Resolution No. 292 of 2024 established the capital project for the construction of the charging stations as “County Manager – Electric Vehicle Charging Stations”, and

**WHEREAS**, Resolution No. 293 of 2024 awarded the contract for the construction of the charging stations to Pure Performance Renewable Energy Solutions, Inc. (PPR), located at 430 Lawrence Bell Drive, Suite 12, Buffalo NY 14221 in the amount not to exceed \$163,806, and

**WHEREAS**, The Internal Revenue Service (IRS) established the Alternative Fuel Vehicle Refueling Property Credit which through “elective pay” allows tax-exempt and governmental entities to receive the full value of the credit as a refund payment, and

**WHEREAS**, The Alternative Fuel Vehicle Refueling Property Credit program has apprenticeship requirements in order to obtain the maximum allowed refund payment, and

**WHEREAS**, for an added charge of \$13,962 PPR can utilize apprentices in their proposed services, and

**WHEREAS**, The Genesee County Manager and Planning Director are requesting the change order and the amendment to the Electric Vehicle Charging Station Capital Project. Now therefore, be it **RESOLVED**, that the Genesee County Legislature does hereby authorize the Chair of the Genesee

County Legislature to execute Change Order #1 in the amount of \$13,962.00 for Pure Performance Renewable Energy Solutions, Inc. (PPR), 430 Lawrence Bell Drive, Suite 12, Buffalo NY 14221 to in part utilize apprentices to install EV Charging Stations at the Courts Facility. Be it further **RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2024 budget increasing A9950.9 – Transfer to Capital in the amount of \$13,962 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 an increase in H.1997 5031 Equipment & Capital Outlay Interfund Transfer in the amount of \$13,962 offset by an increase in H.1997 2080.0000 Capital Project Expense in a like amount..

Budget Impact: The total amount for the change order is \$13,962. The change to this contract brings the total contract amount not to exceed \$177,768. The change order will allow the County to obtain a larger IRS elective pay refund in 2025 with a net gain between \$25,351.44, and \$77,131 depending on how the language in this new program is interpreted by the IRS.

Legislator Yunker seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 370 COUNTY AUDIT–AUGUST 21, 2024-APPROVAL OF**  
 Legislator Maha offered the following resolution:

**WHEREAS**, Legislator Deleo did review the following claims:

2024 General Fund	\$	1,753,843.31
2024 Highway		151,841.26
2024 Self Insurance		44,439.25
2024 Water Fund		1,200,795.68
DSS Abstracts		1,045,651.66

**Capital Projects**

Sheriff/Jail – Jail Construction		11,202.72
Sheriff – Radio Tower & Backup 911 Center		280,757.55
Airport – Taxiway Lighting & Signage (design)		4,000.00
Airport – Pavement Management System		5,100.00
County Park – Area D Shelter Improvements		2,123.25
Facilities Management – Holland Land Office Restoration & Life Safety Improvements (design)		3,500.00
Facilities Management – Bldg #1 Roof and Parapet Repairs		211,158.07
GCC – Arts Center Connector Replacement		1,785.51
OFA Property Improvements		861.67
Highway – Large Span Culverts		279,918.47
Highway – Dry Bridge Road over Drainage Ditch		19,950.07
Highway – Highway Recycling		992,724.60
Highway – County Road 50 (Perry Road)		285,099.76
Highway – Road Machinery		13,972.50
Highway – Surface Treatment		1,103,592.70

**Payroll – General**

July 26, 2024		2,190,356.41
August 9, 2024		1,560,916.72

**Medicaid**

July 30, 2024		181,406.00
August 6, 2024		181,406.00



August 13,2024  
August 20, 2024

181,406.00  
181,406.00

**Total Audit**

\$ 11,889,215.16

Now, therefore, be it

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

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

Legislator Deleo seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 371**

**PROPOSED LOCAL LAW INTRODUCTORY B OF  
THE YEAR 2024 AMENDING LOCAL LAW 4 OF  
THE YEAR 2016 IN RELATION TO THE GENESEE  
COUNTY MUTUAL SELF INSURANCE PLAN-  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The following Local Law was duly introduced to the Genesee County Legislature in accordance with the Law

**A LOCAL LAW** amending Local Law number One of the Year 1956 as subsequently amended by Local Law No. 2 of the Year 1962, Local Law No. 1 of the year 1966, Local Law No. 1 of the Year 1972, Local Law No. 2 of the Year 1974, , Local Law No. 3 of the Year 1975 Local Law No. 2 of the year 1977, Local Law No. 2 of the Year 1981, Local Law No. 4 of the year 1981, Local Law No. 3 of the Year 1998, Local Law No. 4 of the year 1999, and Local Law No. 4 of the year 2012, and Local Law 4 of 2016 in relation to the Genesee County Mutual Self Insurance Plan. to be known as Local Law \_\_\_\_ of the year 2024.

**BE IT ENACTED** by the Genesee County Legislature as follows:

Section 1. Section 1 of Local Law No. 1 of the year 1956 as subsequently amended, is hereby amended to read as follows:

A Self Insurance Plan as provided for in Article 5 of the Workers Compensation Law is hereby established for the County of Genesee and shall be known as the “Genesee County Mutual Self Insurance Plan,” hereafter referred to as the “Plan.”

Section 2. Section 2 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

The Plan heretofore established under the provisions of subdivision 3-a of section 50 of the Workers Compensation Law of the State of New York is here continued and shall be governed by the Ways and Means Committee of the Genesee County Legislature, as provided in Article 5 of the Workers Compensation Law.

Section 3. Section 3 of Local Law No 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

The Ways and Means Committee shall appoint an Executive Secretary of the Plan whose salary and expenses shall be payable from funds of the plan, who shall keep the necessary records of the Plan, attend hearings and transact such other business as shall be delegated to such officer by the Ways and Means Committee. The Ways and Means Committee may also employ such persons or organizations as may be deemed necessary for the operation of the Plan and may contract for the necessary actuarial or other expert or professional services.

Section 4. Section 4 of Local Law No 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

Participation. In addition to the County, participation in the Plan shall be available to the following municipal entities located within or partially within the County of Genesee.

Cities

Towns

Villages

Soil Conservation Districts

School Districts

Genesee Community College

Batavia Housing Authority

Volunteer Fire Departments

Public Libraries established as separate taxing entities

Section 5. Section 5 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

Any municipal entity eligible to become a member of the Plan may become a member by filing with the Executive Secretary of the Plan, on or before the 15<sup>th</sup> day of July in any year, a certified copy of the resolution of its governing body, indicating its intention to become a participant in the Plan for the next calendar year of operation of the Plan. The Ways and Means Committee may impose fair and equitable terms and conditions to be fulfilled by such new participant as a condition precedent to acceptance as a participant in the Plan. All new plan members must sign a Plan Participant Agreement within 180 days of the adoption of Local Law No. \_\_\_ of the Year 2024 or within 30 days of first year joining the plan, whichever comes later. Future changes to the Plan Participant Agreement can be made by the Ways and Means Committee and must be resigned by the Plan members within 30 days of the adopted changes. Failure to sign the Plan Participant Agreement will be treated as the member effectively electing to withdraw from the plan per Section 6 below. A certified copy of the resolution of the governing body electing withdrawal shall not be required.

Section 6. Section 6 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

Withdrawal from the Plan may be effected on or before the 15<sup>th</sup> day of July in any year by filing with the Executive Secretary of the Plan a certified copy of the resolution of its governing body electing to withdraw from the Plan at the end of the current operating year. A condition of withdrawal is the agreement of the participant to pay its proportionate share of the estimated outstanding liabilities of the Plan as determined by an actuary within ninety (90) days after the date of withdrawal. Payment of such liabilities shall be made in lump sum or the Executive Secretary may, upon approval of the Ways and Means Committee, permit said payment to be made in installments. The actuary shall determine at this time the exiting participant's share of any fund balance and a credit equal to 75% of that value will be applied against the amount due.

Section 7. Section 7 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

For any violation of the provisions of Section 7 above or for a violation of any requirements of the Worker's Compensation Law or its underlying Rules and Regulations, by any participant, the Ways and Means Committee of the Genesee County Legislature

may assess a penalty not to exceed Five Hundred Dollars (\$500.00). Upon the recommendation of the Ways and Means Committee the Genesee County Legislature may assess a penalty in excess of Five Hundred Dollars (\$500.00) for said violation or in the alternative, expel the participant from the Plan. Any participant expelled from the Plan shall receive written notification of such expulsion at least thirty (30) days prior to the effective date of such expulsion. Expulsion from the Plan shall not relieve the participant from paying its proportionate share of the outstanding liabilities of the Plan as determined by an actuary.

Section 8. Section 8 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

All participants in the Plan shall cooperate fully with the Executive Secretary in the administration of the Plan, reporting all accidents within 48 hours, rendering such reports as may be requested and promptly furnish all pertinent information relative to any claim. Accidents reported after 48 hours and resulting in the Plan receiving a fine will be the responsibility of the late reporting participant. In addition, participant will be subject to additional penalties as addressed in Section 7 above.

Section 9. Section 9 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 10. Section 10 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

In the event that any Participant incurs double penalties for the illegal hiring of minors pursuant to sect 14-a of the Workers Compensation Law, said double penalties shall be the sole responsibility of the hiring participant.

Section 11. Section 11 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

The Executive Secretary shall present to the Ways and Means Committee and the Ways and Means Committee shall approve and present to the Legislature, not later than the fifteenth day of September in each year an estimate of several amounts necessary for the ensuing calendar year a) to meet the payments with respect to the liability of participants required to be made by the county pursuant to section sixty three of the Workers Compensation Law, b) to pay the administrative expenses of the Plan, c) to repay any amounts advanced to the Plan and d) to provide for contributions to the reserve, if any.

Section 12. Section 12 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

The Plan's expenses will be apportioned among the Plan participants on the New York State Insurance Fund calculation of a Workers' Compensation and Employers Liability total policy cost using factors and rules promulgated by the New York Compensation Insurance Rating Board and approved by the New York State Department of Financial Services, in effect on the first day of the fiscal year for which the apportionment is being made. Participants will be notified of their apportionment amounts on or before September 15th. The share of each participant in the Plan shall be billed by the Executive Secretary with payment due by January 30th.

Section 13. Section 13 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 14. Section 14 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 15. Section 15 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 16. Section 16 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended, to read as follows:

A reserve not to exceed the present value of the Plan's outstanding liabilities as calculated by an actuary is hereby established for the Plan.

Section 17. This local Law shall take effect upon proper filing in the office of the Secretary of State, and

**WHEREAS**, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing of said proposed Local Law on the bulletin board in the Old Courthouse, and on the County website.

**WHEREAS**, The Clerk of the Genesee County Legislature did cause to be published in The Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Proposed Local Law Introductory B of the Year 2024, and

**WHEREAS**, a Public Hearing will be held at 5:30 PM on the 11th day of September 2024 at the Genesee County Legislature Chambers, Old Courthouse, 7 Main Street, Batavia, New York, at which time all interested persons who wish to speak will be heard. Now, therefore, be it

**RESOLVED**, that a Proposed LOCAL LAW amending Local Law No. One of the Year 1956 as subsequently amended by Local Law No. 2 of the Year 1962, Local Law No. 1 of the year 1966, Local Law No. 1 of the Year 1972, Local Law No. 2 of the Year 1974, Local Law No. 3 of the Year 1975, Local Law No. 2 of the Year 1977, Local Law No. 2 of the Year 1981, Local Law No. 4 of the Year 1981 local Law No. 3 of the Year 1998, Local Law No. 4 of the Year 1999, Local Law No. 4 of the year 2012, and Local Law No. 4 of the year 2016 in relation to the Genesee County Mutual Self Insurance Plan to be known as Local Law No.\_\_, of the year 2024 for the County of Genesee be and hereby is adopted.

Legislator Klotzbach seconded the resolution, which was adopted by 159 (Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 372**

**CONTRACT-PLANNING DEPARTMENT/  
FARMLAND PROTECTION IMPLEMENTATION  
GRANT SERVICES/GENESEE LAND TRUST–  
APPROVAL OF**

Legislator Yunker offered the following resolution:

**WHEREAS**, Genesee County has for decades supported the policy of agricultural and farmland protection through its Comprehensive Plan and Agricultural and Farmland Protection Plan, and

**WHEREAS**, the Genesee County Agricultural and Farmland Protection Board has unanimous recommended that the Genesee County Legislature enter into agreements with land trusts to assist farmland owners in applying for and administering farmland protection grant programs, and

**WHEREAS**, the Director of Planning did present a contract for the provision of New York State Department of Agriculture and Markets' (NYSDAM) Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services to eligible farmland owners, and

**WHEREAS**, the Committees on Public Services and Ways & Means 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 a contract with Genesee Land Trust of 46 Prince Street, Suite LL003, Rochester, NY 14607 for the provision of New York State Department of Agriculture and Markets' (NYSDAM)

Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services from backdated from January 2024 and extending through December 31, 2025.

Budget Impact: Expenses not to exceed \$10,000 were included in the 2024 Planning Budget and will be included in the 2025 Planning Budget line A8020.4600.0000 Contracted Services.

Legislator Klotzbach seconded the resolution, which was adopted by 133 (Stein-26, Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 373**

**CONTRACT-PLANNING DEPARTMENT/  
FARMLAND PROTECTION IMPLEMENTATION  
GRANT SERVICES/WESTERN NEW YORK LAND  
CONSERVANCY—APPROVAL OF**

Legislator Yunker offered the following resolution:

**WHEREAS**, Genesee County has for decades supported the policy of agricultural and farmland protection through its Comprehensive Plan and Agricultural and Farmland Protection Plan, and

**WHEREAS**, the Genesee County Agricultural and Farmland Protection Board has unanimous recommended that the Genesee County Legislature enter into agreements with land trusts to assist farmland owners in applying for and administering farmland protection grant programs, and

**WHEREAS**, the Director of Planning did present a contract for the provision of New York State Department of Agriculture and Markets' (NYSDAM) Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services to eligible farmland owners, and

**WHEREAS**, the Committees on Public Services and Ways & Means 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 a contract with Western New York Land Conservancy of 11663 Old Strykersville Road, East Aurora for the provision of New York State Department of Agriculture and Markets' (NYSDAM) Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services from backdated from January 2024 and extending through December 31, 2025.

Budget Impact: Expenses not to exceed \$10,000 were included in the 2024 Planning Budget and will be included in the 2025 Planning Budget line A8020.4600.0000 Contracted Services.

Legislator Dibble seconded the resolution, which was adopted by 133 (Stein-26, Torrey-23 and Clattenburg-18 absent) votes.

**RESOLUTION NO. 374**

**CONTRACT- PLANNING DEPARTMENT/  
FARMLAND PROTECTION IMPLEMENTATION  
GRANT SERVICES/GENESEE VALLEY  
CONSERVANCY—APPROVAL OF**

Legislator Yunker offered the following resolution:

**WHEREAS**, Genesee County has for decades supported the policy of agricultural and farmland protection through its Comprehensive Plan and Agricultural and Farmland Protection Plan, and

**WHEREAS**, the Genesee County Agricultural and Farmland Protection Board has unanimous recommended that the Genesee County Legislature enter into agreements with land trusts to assist farmland owners in applying for and administering farmland protection grant programs, and

**WHEREAS**, the Director of Planning did present a contract for the provision of New York State Department of Agriculture and Markets' (NYSDAM) Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services to eligible farmland owners, and

**WHEREAS**, the Committees on Public Services and Ways & Means 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 a contract with Genesee Valley Conservancy, Inc., One Main Street, Geneseo for the provision of New York State Department of Agriculture and Markets' (NYSDAM) Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services backdated from January 2024 and extending through December 31, 2025.

Budget Impact: Expenses not to exceed \$10,000 were included in the 2024 Planning Budget and will be included in the 2025 Planning Budget line A8020.4600.0000 Contracted Services.

Legislator Hawley seconded the resolution, which was adopted by 133 (Stein-26, Torrey-23 and Clattenburg-18 absent) votes.