

**FIFTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, September 9, 2020**

The Genesee County Legislature met in Regular Session on Wednesday, September 9, 2020 at 5:30PM in the Legislative Chambers at the Old Courthouse, 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

Minutes of the August 26, 2020 Legislature Meeting were approved upon motion of Legislator Maha seconded by Legislator Klotzbach, carried.

Legislature Chair Stein reported that NYSAC is hosting the Fall Conference remotely. Legislators may register for individual workshops which will be held over the next few weeks. NYSAC requested member Counties send their ideas for cost cutting measures. They will combine all suggestions into one report which includes 80 ideas. Local efforts to encourage participation in the 2020 U.S. Census include a mobile bus wrapped in US Census advertising with a refrigeration unit for ice cream sandwiches. Efforts are focused on the south side of Batavia as well as LeRoy and outlying areas. The Downs was thanked for sharing freezer space.

County Manager Matt Landers reported that department heads have submitted their budgets. He has met with the Treasurer and will be analyzing and tweaking expenses and revenues and meeting with department heads and financial staff in the coming weeks.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 326 2020 BUDGET TRANSFER – DEPARTMENT OF SOCIAL SERVICES - APPROVAL OF

Legislator Klotzbach offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services did request a transfer of funds between the categorical department budget lines as outlined, and

WHEREAS, The Committees of Human Services 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 transfers:

FROM: \$38,000 A 6010 1010.0000 Personal Services

TO: \$38,000 A 6010 8050.0000 General Fund Social Services
Administration Unemployment Claims

Budget Impact: Transfer of funds from A 6010 1010.0000 Personal Services line will reduce the projected budgeted costs for that line. Due to the number of staff vacancies that occurred there will be adequate funds to cover the transfer. Unemployment claims related to this request are estimated through 8/3/2020.

Legislator Deleo seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

**RESOLUTION NO. 327 2020 CHILD AND FAMILY SERVICES PLAN (CFSP) UPDATE-
DEPARTMENT OF SOCIAL SERVICES – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services reviewed and approved the 2020 CFSP Update, and

WHEREAS, The Genesee County Probation Department, Youth Bureau, and County Manager, did review the CFSP update and does recommend approval at this time, and

WHEREAS, The Committee on Human Services does concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to approve and sign the 2020 CFSP update, effective immediately.

Budget Impact: There is no financial impact associated with the Child and Family Services Annual Plan Update. Locally approved plans/updates are submitted to the NYS OCFS for final approval.

Legislator Yunker seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

**RESOLUTION NO. 328 2020 SALARY SCHEDULE AMENDMENT - COMMUNITY
MENTAL HEALTH SERVICES/MENTAL HEALTH CLINICAL
THERAPIST -APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2020 Employee Salary Schedule to **create** one (1) Mental Health Clinical Therapist, F.T., in CSEA-General, Grade 19, and **eliminate** (1) Mental Health Clinical Social Worker, F.T., in CSEA-General, Grade 19. The change of this title will allow the Mental Health Department to hire therapists that hold degrees other than Social Work and

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

RESOLVED, That the Genesee County Treasurer and Human Resource Officer are hereby authorized and directed to amend the 2020 Employee Salary Schedule by **creating** one (1) Mental Health Clinical Therapist, F.T., in CSEA-General, Grade 19, and **eliminating** (1) Mental Health Clinical Social Worker, F.T. in CSEA-General, Grade 19 effective September 10, 2020.

Budget Impact Statement: This Salary Schedule amendment will be funded by the vacant position that is being eliminated in the current 2020 budget.

Legislator Torrey seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

**RESOLUTION NO. 329 2020 BUDGET AMENDMENT - OFFICE FOR THE AGING –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Office for the Aging is requesting a budget amendment to the 2020 OFA County Budget due to funding increases in new revenue sources for a total of \$117,708.00 to support the COVID- 19 public health emergency; and

WHEREAS, a budget amendment is requested that will enable OFA to utilize these funds for Home Delivered Meals, groceries and specialized supplies for vulnerable homebound seniors, and

WHEREAS, the Committees on Human Services and Ways and Means did review this request and do concur, Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Budget by adjusting Office for the Aging Appropriations by the following amounts:

To: Appropriation

A6772.1010.0000 Personnel	\$30,692
A6772.8010.0000 Security Tax	\$1,903
A6772.8011.0000 Medicare Tax	\$445
A6772.8020.0000 Retirement	\$2,107
A6772.8030.0000 Medical	\$2,645
A6772.8040.0000 Dental	\$55
A6772.8040.0001 Dental Buyback	\$11
A6772.8070.0000 Vision	\$20
A6772.4110.0000 Office Supplies	\$15
A6772.4110.0011 Copier Program	\$195
A6772.4130.0000 Paper	\$250
A6772.4140.0000 Postage	\$950
A6772.4290.0035 MIFI	\$750
A6772.4540.0000 Personnel Mileage	\$8,923
A6772.4660.0457 Food Service Contract	\$48,335
A6772.4770.0000 Specialized Supplies	\$11,067
A6772.4800.0010 Food	\$9,345

Revenue:

1000.6772.4772 Federal Aid \$117,708

Budget Impact: An increase of \$117,708 to the 2020 County Budget offsetting by new funding sources provided by the Federal Stimulus Packages Families First Coronavirus Response Act, Cares Act Nutritional Services, Supportive Services, Caregiver Support and New York Connects. No county match is required.

Legislator Klotzbach seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 330 GRANT ACCEPTANCE/BUDGET AMENDMENT – HEALTH DEPARTMENT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The New York State Association of County Health Officials has awarded the Genesee County Public Health Department \$6,785 in funding for COVID-19 test kits and lab testing expenses,

WHEREAS, The Committees on Human Services and Ways & Means did review this Budget Amendment and do recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to sign any necessary paperwork to accept this award for \$6,785 as specified and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to Amend the 2020 Health Department budget to reflect an increase of \$2,885 in Appropriations A41010 4800.0000 Program Expense, \$3,900 in Appropriations A4010 4660.0012 Cont Svc-Laboratory and to be offset by an increase of \$6,785 in A4010 3401 St Aid, Public Health

Budget Implications: All expenses and revenue related to this grant will offset.

Legislator Deleo seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 331 GRANT ACCEPTANCE - HEALTH DEPARTMENT/ TOBACCO ENFORCEMENT PROGRAM - APPROVAL OF

Legislator Deleo offered the following resolution:

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

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Tobacco Enforcement contract for the period April 1, 2020 through March 31, 2021 in the amount of \$32,360, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$32,360, has been appropriated in the 2020 Dept. 4010 – Health Department Program budget.

Legislator Torrey seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

**RESOLUTION NO. 332 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM/RELATED SVS –
APPROVAL OF**

Legislator Maha offered the following resolution:

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period September 1, 2020 through June 30, 2021 per the 2019-2021 PSSHSP rate schedule.

Finger Lakes Therapy Works, PLLC210 Clifton Springs Professional Park, Clifton Springs, NY 1443

Room to Bloom Therapy Services, LLC1850 Buffalo Rd. Suite 200, Rochester, NY 14624

Budget Impact: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Clattenburg seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

**RESOLUTION NO. 333 CONTRACTS– HEALTH DEPARTMENT/PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies/individuals for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program retroactively dated to the period of September 1, 2020 through June 30, 2021 at the rates established by State of New York.

Cantalician Center For Learning At 2049 George Urban Boulevard, Depew, NY 14043

Finger Lakes Therapy Works, PLLC At 210 Clifton Springs Professional Park, Clifton Springs, NY 1443

Room To Bloom Therapy Services, LLC At 1850 Buffalo Rd. Suite 200, Rochester, NY 14624

Fiscal Implications: Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Maha seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 334 CONTRACT AMENDMENT – HEALTH DEPARTMENT/ACM GLOBAL LABORATORY – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director did present an amendment to the agreement with ACM Global Laboratory to bill insurance companies for COVID lab testing performed by the Genesee County Health Department, and

WHEREAS, The Committees on Human Services And Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract amendment with ACM Global Laboratory at 160 Elmgrove Park, Rochester, NY 14624, to bill insurance companies for the period March 18, 2020 through March 17, 2021

Budget Implications: No Budget Implications.

Legislator Klotzbach seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 335 GRANT ACCEPTANCE – HEALTH DEPARTMENT/LEAD POISONING PREVENTION PROGRAM – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that the Genesee County's Lead Poisoning Prevention Program contract has been approved in the amount of \$39,383, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Lead Poisoning Prevention Activities, and

WHEREAS, The Committees on Human Services 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 Department of Health for the acceptance of the Lead Poisoning Prevention Program contract for the period October 1, 2019 through September 30, 2020 in the amount of \$39,383, and to execute any and all other documentation related to this funding

Budget Impact: \$39,383 is included in the 2019 & 2020 Dept. 4010 – Health Department Budget. \$0 cost to the County as revenue and expense will offset

Legislator Klotzbach seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 336 CONTRACT WITH MERCY FLIGHT, INC. - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Mercy Flight, Inc., is a community based, not-for-profit corporation offering regional air medical services, and

WHEREAS, Funds were incorporated into the 2020 Genesee County Budget in the amount of \$12,825 to support the continued provision of air medical transfer service on behalf of Genesee County, and

WHEREAS, The Genesee County Manager did present a contract outlining the terms and conditions of this funding and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract between the County of Genesee and Mercy Flight, Inc., 100 Amherst Villa Road, Buffalo, NY for the provision of air medical transfer service in Genesee County for the period January 1, 2020 through December 31, 2020 for a contribution from Genesee County in the amount of \$12,825.

Budget Impact Statement:

- 2020 annual funding = \$12,825
- 2019 annual funding = \$12,825
- 2018 annual funding = \$12,825
- 2017 annual funding = \$12,825
- 2016 annual funding = \$14,250
- 2015 annual funding = \$14,250
- 2014 annual funding = \$14,250
- 2013 annual funding = \$14,250
- 2012 annual funding = \$14,250
- 2011 annual funding = \$14,250
- 2006-2010 annual funding = \$15,000
- 1998 – 2005 annual funding = \$10,000
- 1997 annual funding = \$7,500
- 1996 annual funding = \$5,000

Legislator Yunker seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 337 CONTRACT RENEWAL –INFORMATION TECHNOLOGY/ SOFTWARE AND HARDWARE CYBERSECURITY SUPPORT SERVICES – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Director of Information Technology did present a contract agreement with DOX Electronics the licensed reseller of Sophos products, for annual maintenance of software support services for Cybersecurity protection and,

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with DOX Electronics Inc 105 College Ave Rochester NY 14607 for a period of 1-year beginning November 1, 2020.

BUDGET IMPACT STATEMENT: The contract cost of \$89,324.61 is included in the 2020 Information Technology Budget line A.1680.4600.0000. DOX Electronic is a licensed reseller of Sophos products on PEPPM 2020 contract. Renewal of the contract is necessary to ensure the County is protected from both internal and external cybersecurity threats.

Legislator Klotzbach seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

RESOLUTION NO. 338 CELLULAR AND DATA EQUIPMENT & SERVICES INFORMATION TECHNOLOGY - APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Information Technology Deputy Director is recommending Genesee County to renew their service under Verizon Wireless new agreement with New York State called the Telecommunication Connectivity Services ("TCS") which was formerly the Comprehensive Telecommunications Service ("CTS") contract.

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

Legislator Torrey seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

Legislator Clattenburg made a motion to suspend the rules to add a resolution authorizing a timely easement release and to place an item on the agenda to consider entering into executive session to have a privileged and confidential discussion with the County Attorney regarding a construction project contract issue seconded by Legislator Maha, carried.

RESOLUTION NO. 341 EASEMENT RELEASE-COUNTY OF GENESEE

Legislator Clattenburg offered the following resolution:

WHEREAS, On April 18, 1973, a drainage Easement was recorded in the Genesee County Clerk's office in Liber 423 of Deeds at Page 868, running from Lewis and Helen T. Partridge to the County of Genesee (Hereinafter "Easement") and

WHEREAS, Helen T. Partridge is in the process of selling a small portion of the real property covered by the Easement, which consists of 0.665 acre, and

WHEREAS, Helen T. Partridge by her attorney, has asked that the County release and discharge any of its rights regarding the Easement with regard to this parcel, and

WHEREAS, the County Highway Superintendent has reviewed a document entitled "Release", and has determined that the County no longer needs this drainage Easement, and

WHEREAS, the County Attorney has also reviewed the Release and determined that it is legally acceptable as to form and content. Now, therefore, be it

RESOLVED, that the County Legislature does hereby determine that a water drainage Easement as it is described above is no longer necessary for County purposes, with regard to a certain parcel of land currently owned by Helen T. Partridge, which is more particularly described in Schedule "A" that is annexed thereto and made a part of the proposed Release, and it is further

RESOLVED, that the proposed Release reviewed by the County Highway Superintendent and the County Attorney is hereby approved, and the Chair of the Legislature is hereby authorized and directed to execute on behalf of the County of Genesee this proposed Release; together with such other and further forms and documents that may be necessary to record the Release at the Genesee County Clerk's office.

Budget Impact: No impact.

Legislator Maha seconded the resolution which was adopted by 236 votes Dibble (43), Young (47) absent.

At 5:44 PM Legislator Clattenburg made a motion to enter into executive session to have a privileged and confidential discussion with the County Attorney regarding a construction project contract issue seconded by Legislator Maha, carried.

At 6:28 PM the Legislature Meeting reconvened upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried.

The meeting adjourned at 6:28 PM upon motion of Legislator Torrey seconded by Legislator Yunker, carried.

