

**FOURTEENTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, SEPTEMBER 11, 2024**

The Genesee County Legislature met in Regular Session on Wednesday, September 11, 2024 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Legislator Yunker offered to assist with the audit. The prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

Chair Stein called a public hearing for a 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 opened at 5:32 p.m.

Roll Call was taken to establish a quorum with 9 ayes, 0 no's and 0 absences.

Proclamations & Commendations: National Recovery Month: presented by Legislator Dibble and accepted by Genesee County Mental Health Services Director Lynda Battaglia, John Bennet and Melissa Vinyard from UConnectCare, Susan Gagne a mental health professional and guests.

National Suicide Prevention Month & Week: presented by Legislator Torrey and accepted by Genesee County Mental Health Services Director Lynda Battaglia and Suicide Prevention Coalition Association representative Sue Gagne and guests. Ms. Gagne spoke of Maddy's Day of Caring, young girl who took her life at the age of 14. October 3rd (her birthday) is the official Maddy's Day of Caring – simply choose an act of kindness to do for others.

Sheriff's Week: presented by Legislator Maha and accepted by Sheriff William Sheron and Chief Deputy Criminal Investigation Division, Joseph Graff.

Approval of Minutes: August 21, 2024 minutes were approved by Chair Stein.

Committee & Special Assignment Reports: Legislator Maha commented on the NYSAC Conference, he attended September 9-11th. He spoke of a demo from a detective and K9 who had been trained in electronics which included a fire stick (thumb drive). The K9 would seek out technology such as an electronic fire stick/thumb drive. A K9 of this magnitude would cost approximately 10K. Currently NYS has only three or four that are trained in electronics. The detectives also warned about fire sticks that have been left behind. They urge not to use a fire stick that has been found because it can be loaded with harmful virus. Chair Stein added the conference brochure is of a Chessboard and it appears that the king and queen are being taken down and that's exactly how every county manager, legislator, town supervisor feels the mandates of NYS is going to do, take us down. On a positive note, NYSAC leadership is doing a terrific job and has come together with two other leaders to help tackle these mandates from NYS. The three leaders are: NYSAC, NYCOM, AOT (Association of Towns of State of NY). There is more power from these organizations working together than apart. Legislator Torrey noted from NYSAC the solar projects in NYS; the session was on providing alternatives from taking up too much farmland. In example, placing the solar farms on the thruway.

Communications & Petitions: None.

Legislator Comments: None.

County Manager Report: Mr. Landers noted he's working on the 2025 budget; the sales tax has been flat for the year. There was discussion at the NYSAC Conference regarding Medicaid cost increase. Legislator Clattenburg mentioned a call with State Comptroller, there was discussion regarding retirement cost increase. Mr. Landers elaborated about tier 6 benefits could potentially see a change to tier 4 membership level to incentivize potential candidates. Legislator Deleo asked about the Medicaid. If they take the cap off, (cap is at 9) it would easily double. It has grown so much over the years. It would potentially increase the levy by 30-40%. Chair Stein spoke with another county legislator about breaking the tax cap to just bus preschool kids.

Resolutions - Consent Agenda Items - Ways And Means:

Resolutions 1-16 of the Ways and Means Committee:

1. Award of RFP And Contract Agreement-Information Technology/Telephone System Maintenance Meridian IT
2. Contract Agreement-Information Technology/CISA Cyber Hygiene Program
3. Contract Renewal-Information Technology/For Software And Hardware Support Services
4. Addendum to Intergovernmental Agreement-Information Technology/For the Provision of Endpoint Protection and Response Services
5. Contract Renewal-Website Development, Design and Maintenance/Granicus
6. Contract Renewal-Self-Insurance/Cost Allocation Services
7. Contract Renewal-Self-Insurance/Actuarial Services
8. Contract Renewal-Self-Insurance/Safety Consultant Services
9. Contract Renewal-Self-Insurance/Third Party Administration Services
10. 2025 STOP-DWI Plan/County Manager/STOP-DWI
11. Designation of Official Tourism Agency/Genesee County Chamber Of Commerce
12. 2024 Budget Amendment-Mental Health
13. 2024 Budget Amendment-Social Services/Rollover of Unspent Funds
14. Contract For Personal Safety Devices-Department Of Social Services
15. Disposition Of Surplus Property-Social Services
16. Appointment-Genesee County Youth Board/Korzelius

Legislator Clattenburg moved for the adoption of resolutions 1 through 16 of the Ways and Means committee, seconded by Legislator Klotzbach followed by a roll call of 9 ayes, 0 no's and 0 absences for a total vote of 200.

Consent Agenda – Human Services Committee:

Resolutions 17-20 of the Human Services Committee:

17. Contract Renewal-Public Health/James McGuiness & Associates
18. Contract Renewal-Public Health/ Western New York Independent Living
19. Donation Acceptance-Public Health /WNY Children's Environmental Health Center
20. 2024 Affiliation Agreement With Genesee Community College-Social Services

Legislator Torrey moved for the adoption of resolutions 17 through 20 of the Human Services Committee, seconded by Legislator Dibble followed by a roll call of 9 ayes, 0 no's and 0 absences for a total vote of 200.

Chair Stein announced before closing the public hearing on the 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 – Chair Stein asked for interested speakers/comments, hearing none, Chair Stein closed the public hearing at 6:07 p.m.

Non-Consent Items:

Resolution 21

21. County Audit – September 11, 2024

Legislator Clattenburg moved for the adoption of resolution 21, seconded by Legislator Yunker followed by a roll call of 9 ayes, 0 no's and 0 absences for a total vote of 200.

Resolution 22

22. To Adopt 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 Clattenburg moved for the adoption of resolution 22, seconded by Legislator Hawley followed by a roll call of 9 ayes, 0 no's and 0 absences for a total vote of 200.

Resolution 23

23. 2025 Budget and Apportionment-Self-Insurance

Legislator Clattenburg moved for the adoption of resolution 23, seconded by Legislator Dibble followed by a roll call of 9 ayes, 0 no's and 0 absences for a total vote of 200.

Unfinished Business: None.

New Business: None.

Adjournment: Chair Stein adjourned the meeting at 6:09 p.m.

RESOLUTION NO. 375

**AWARD OF RFP AND CONTRACT AGREEMENT-
INFORMATION TECHNOLOGY/TELEPHONE
SYSTEM MAINTENANCE MERIDIAN IT-APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the County issued RFP 2024-109 for the provision of Telephone System Maintenance, and

WHEREAS, the proposals received were reviewed by a committee consisting of Director of Information Technology, IT Operations Analyst II and IT Operations Analyst I, and

WHEREAS, the Director of Information Technology is recommending Genesee County award RFP 2024-109 - Telephone System Maintenance to Meridian IT Inc., 509 Erie Blvd. West Syracuse, NY 13204 for service to Genesee County, and

WHEREAS, the Director of Information Technology did present a 12-month agreement with Meridian IT to provide Avaya IP Office Software Support to Genesee County, and

WHEREAS, the County Attorney and Genesee County Legislature reviewed the request and do recommend approval at this time. Now, therefore, be it

RESOLVED, the Chair of the Genesee County Legislature authorizes the Director of Information Technology to approve the award of RFP 2024-109 - Telephone System Maintenance. Be it further

RESOLVED, the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with Meridian IT Inc., 509 Erie Blvd. West Syracuse, NY 13204 for a 12-

month service agreement effective December 1, 2024 through November 30, 2025 at a cost of \$8,572. Budget Impact: The contract cost of \$8,572 for Telephone System Maintenance is within the 2024

Adopted Budget in line item A.1680 4290.0100 PBX Maintenance/Agreement and is included in the 5-year projected budget.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 376

**CONTRACT AGREEMENT-INFORMATION
TECHNOLOGY/CISA CYBER HYGIENE PROGRAM-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Information Technology did present a service agreement with the Cybersecurity and Infrastructure Security Agency (CISA) to enroll the county in CISA's cyber hygiene program, and

WHEREAS, the County Attorney and Committee on 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 CISA to complete vulnerability scanning for Genesee County.

Budget Impact: \$0 as this service is provided at no cost to the County.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 377

**CONTRACT RENEWAL-INFORMATION
TECHNOLOGY/FOR SOFTWARE AND HARDWARE
SUPPORT SERVICES-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Information Technology did present a contract agreement with Linstar for software and hardware support services for the Security Systems, and

WHEREAS, the County Attorney and the Committee of Ways and 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 the agreement with Linstar Inc., 430 Lawrence Bell Dr., Buffalo NY 14221 for a period of 1 year beginning June 15, 2024 in the amount of \$69,551.58.

Budget Impact: The contract cost of \$69,551.58 for Linstar is included in the 2024 Information Technology Budget line A.1680 4600.0000 – Contracted Services. The contract provides for a maximum 3% increase in the subsequent years of the contract.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 378

ADDENDUM TO INTERGOVERNMENTAL AGREEMENT - INFORMATION TECHNOLOGY / FOR THE PROVISION OF ENDPOINT PROTECTION AND RESPONSE SERVICES - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Information Technology did present an addendum to the Intergovernmental Agreement with the New York State Office of Information Technology Services and the New York State Division of Homeland Security and Emergency Services Resolution No. 2023-250, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the addendum with the New York State Office of Information Technology Services, Empire State Plaza, PO Box 2062, Albany, NY 12220-0062 and the NYS Division of Homeland Security and Emergency Services, 1220 Washington Ave, Bldg 7A, Albany, NY 12226.

Budget Impact: This service is provided by New York State at zero cost to Genesee County.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 379

CONTRACT RENEWAL-WEBSITE DEVELOPMENT, DESIGN AND MAINTENANCE /GRANICUS- APPROVAL OF

Legislator Clattenburg offered the following resolution:

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

WHEREAS, resolution 310 was duly adopted on August 16, 2023 awarding the Website Development, Design and Maintenance contract to Granicus, and

WHEREAS, resolution 167 was duly adopted on April 25, 2024 amending the contract to include the One Meeting software alternative to Peak Agenda, and

WHEREAS, an annual renewal amount of \$39,080.45 is due for August 31, 2024 through August 30, 2025, and therefore be it

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized and directed to sign the renewal agreement for \$39,080.45 with Granicus located at 408 St. Peter Street, Suite 600, Saint Paul, MN, 55102.

Budget Impact: \$39,080.45 was included in the 2024 IT Budget

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 380

CONTRACT RENEWAL-SELF-INSURANCE/COST ALLOCATION SERVICES-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, resolution no. 520 adopted December 8, 2021 did authorize a contract for the provision of Cost Allocation Services, and

WHEREAS, pursuant to Genesee County Request for Proposal #2021-113 it is the mutual desire of the Deputy County Manager and One Group to renew said contract under the last of three additional one-year period under the same terms and conditions, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documentation to renew the contract with One Group, 706 North Clinton Street, Syracuse, New York 13204, for the provision of Cost Allocation Services for the period of March 1, 2025 through February 28, 2026, at a cost not to exceed \$4,250 per year.

Budget Impact: \$4,250 has been including in the 2025 Self-Insurance budget and apportioned to the participants.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 381 CONTRACT RENEWAL–SELF-INSURANCE/
ACTUARIAL SERVICES–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, resolution no. 18 adopted January 13, 2021 did authorize a contract for the provision of Actuarial Services for the Genesee County Mutual Self-Insurance Plan, and

WHEREAS, pursuant to Genesee County Request for Proposal #2020-112 it is the mutual desire of the Deputy County Manager and S.G. Risk, LLC to renew said contract for the second of two additional years under the same terms and conditions, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documentation to renew the contract with S. G. Risk, LLC, 1050 Wall Street West, Lyndhurst, New Jersey 07071 for the provision of Actuarial Services in the amount of \$6,000 per year for the period January 1, 2025 through December 31, 2025.

Budget Impact: \$6,000 has been included in the 2025 Self-Insurance budget and apportioned to the participants.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 382 CONTRACT RENEWAL–SELF-INSURANCE/ SAFETY
CONSULTANT SERVICES–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, resolution no. 521 adopted December 8, 2021 did authorize a contract for the provision of Safety Consultant Services, and

WHEREAS, pursuant to Genesee County Request for Proposal #2021-111 it is the mutual desire of the Deputy County Manager, the Health & Safety Coordinator and Occupational Safety and Environmental Associates, Inc. (OSEA), to renew said contract under the second of three additional one-year period under the same terms and conditions, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documentation to renew the contract with Occupational Safety and Environmental Assoc., Inc. (OSEA), 3730 A California Road, Orchard Park, New York 14127 for the provision of Safety Consultant Services at a rate of \$125 per hour for the period January 1, 2025 through December 31, 2025.

Budget Impact: \$20,000 has been included in the 2025 Self-Insurance budget and apportioned to the participants.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 383 CONTRACT RENEWAL–SELF-INSURANCE/ THIRD
PARTY ADMINISTRATION SERVICES–APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, resolution no. 445 adopted November 12, 2020 did authorize a contract for the provision of Third Party Administration Services, and

WHEREAS, pursuant to Genesee County Request for Proposal #2020-113 it is the mutual desire of the Deputy County Manager, Executive Secretary of the Genesee County Mutual Self-Insurance Plan and NCA Comp, Inc. to renew said contract under the second of two additional one-year periods under the same terms and conditions, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documentation to renew the contract with NCA Comp, Inc., Rand Building Suite 700, 14 Lafayette Square, Buffalo, NY 14203 for the provision of Third Party Administration Services for the period January 1, 2025 through December 31, 2025.

	2025
Annual Administration Fee	\$75,972
Medical Bill Review	\$9.60 per bill
Nurse Case Management	\$100 per hour

Budget Impact: \$79,000 has been included in the 2024 Self-Insurance budget and apportioned to the participants.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 384 2025 STOP-DWI PLAN/COUNTY MANAGER/STOP-DWI-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County STOP-DWI Coordinator did present a plan for 2025 for continued efforts to reduce the number of drinking and drug impaired drivers in the community through education, enforcement and rehabilitation, and

WHEREAS, the Genesee County STOP-DWI Advisory Board did review and vote to approve the recommended 2025 STOP-DWI Plan at their August meeting, and

WHEREAS, the Committee on Ways and Means did review the 2025 STOP-DWI Plan and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve the 2025 STOP-DWI Plan as presented, and Be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute all necessary documents related to the 2025 Genesee County STOP-DWI Plan.

Budget Impact: Revenue and expenses, in the amount of \$132,170, shall be appropriated in the 2025 Dept. 3315 STOP-DWI budget proposal. These activities are funded 100% from fine collections. Additionally, High Visibility Engagement Campaign funds in the amount \$24,000 issued by the state will be incorporated into this budget.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 385 DESIGNATION OF OFFICIAL TOURISM AGENCY /GENESEE COUNTY CHAMBER OF COMMERCE- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The County of Genesee and the Genesee County Chamber of Commerce have determined that it is in their best interests to work together in their endeavors to promote tourism within Genesee County, and

WHEREAS, The Chamber of Commerce will present a Tourism Report for 2024 and plans for 2025 and have requested the official designation as Tourism Agency for Genesee County per the contract agreement, and

WHEREAS, The Committee on Ways and Means does recommend the official designation of the Chamber of Commerce as the County's Tourism Agency. Now, therefore, be it **RESOLVED**, That the Genesee County Chamber of Commerce be and hereby is designated as the Official Tourism Agency for the County of Genesee for the fiscal year January 1, 2025 through December 31, 2025.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 386 **2024 BUDGET AMENDMENT-MENTAL HEALTH-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of the Community Services did request an amendment to the 2024 budget to increase State Aid due to unallocated funds received in 2024, and

WHEREAS, these additional funds are unallocated State Aid to be used for the purpose of purchasing materials for Suicide Prevention, raising awareness for mental health and the community, and

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

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

Increasing A4310.3490 State Aide, Mental Health by \$20,000.00

AND

Increasing A4310.4550.0000 Personnel Training by \$10,000.00

AND

Increasing A4310.4700.0050 Program Supplies-MH \$10,000.00

Budget Impact: Increasing the budget by \$20,000.00, offset by an increase in State Aid in the amount of \$20,000.00. Net County cost, \$0.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 387 **2024 BUDGET AMENDMENT-SOCIAL SERVICES
/ROLLOVER OF UNSPENT FUNDS-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Commissioner of Social Services did request a change in Revenue and Appropriation in the categorical department budget line as outlined, due to an additional allocation of funds from the state, 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 amendments:

Increase Revenue: \$1,300,000 A 6055.3655 State Aid - Day Care

Increase Appropriation: \$1,300,000 A 6055.4800.0000 Day Care

Budget Impact: Additional allocation of Rollover of Unspent Funds from FFY 2023 were received and we are on track to spend these funds by the end of 2024.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 388 **CONTRACT FOR PERSONAL SAFETY DEVICES-
DEPARTMENT OF SOCIAL SERVICES-APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Department of Social Services does employ workers who must go out in the field to various community locations including personal residences where there is a risk to personal safety, and

WHEREAS, it is the desire of the Genesee County Commissioner of Social Services to provide personal safety devices that will allow workers to request assistance be dispatched to their exact location, and

WHEREAS, the department will receive 30 fob devices, along with a phone application and 24/7 monitoring at a cost of \$30.00/month per device, and

WHEREAS, the Human Service and Ways and Means Committees having reviewed the 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 Blue Chip Technologies – US, Inc., DBA Guardian MPS, 13 Strawberry Cove, Gloucester, MA 01930 to provide personal safety devices, phone application, and 24/7 monitoring for Social Services field workers for the period October 1, 2024, through September 30, 2025, at the rate of \$30.00/month per device.

Budget Impact: The cost for the remainder of 2024, October-December, will be \$2,700 to be paid out of 6010.4660.0006, Security Contracted. Approximately \$1,026 will be local share with the remaining \$1,674 reimbursed by federal/state aid. Due to variances in weekly billing for other services in this line, we will have enough to cover this cost within the current budget. In 2025, we will budget the full 12 months, totaling \$10,800. Approximately \$4,140 will be local share with the remaining \$6,696 reimbursed by federal/state aid.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 389 DISPOSITION OF SURPLUS PROPERTY–SOCIAL SERVICES-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Department of Social Services does possess seventy-eight (78) chairs for employee use, and

WHEREAS, the chairs in question are no longer needed in this department and have been deemed inappropriate for use in other departments, and

WHEREAS, the Committees of Human 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 seventy-eight (78) surplus chairs by the method deemed most appropriate by that department.

Budget Impact: Should the chairs sell at auction, the proceeds would either go to the county’s fund or would be attributed as revenue in the DSS budget under A.6010.1810.1.

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 390 APPOINTMENT–GENESEE COUNTY YOUTH BOARD/KORZELIUS-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Youth Advisory Board received an application for a board vacancy. An application was received from Corinne Korzelius, an Alexander High School student and resident of Batavia, with an interest and desire to be appointed to the vacant Youth seat, and

WHEREAS, the Committees on Human Service and Ways and Means do recommend this appointment to the Genesee County Youth Advisory Board at this time. Now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the Genesee County Youth Advisory Board with a term of 3 years and representation as noted below.

<u>Representing</u>	<u>Name</u>	<u>Term</u>
Youth	Corinne Korzelius	9/1/2024 – 8/31/2027

Legislator Klotzbach seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 391 CONTRACT RENEWAL–PUBLIC HEALTH/JAMES MCGUINNESS & ASSOCIATES–APPROVAL OF

Legislator Torrey offered the following resolution:

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

WHEREAS, the Public Health Director did present a contract renewal with James McGuinness & Associates for our current software package that we purchase from James McGuinness & Associates, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to renew a contract with James McGuinness & Associates, located at, 1482 Erie Boulevard, Schenectady, NY 12305, for the addition of the CPSE Portal software for the Preschool Supportive Health Services Program for the period of September 1, 2024 through August 31, 2025.

Budget Impact: Estimated computer expenses for the 2024-2025 budget year will be \$15,997.

Legislator Dibble seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 392 CONTRACT RENEWAL–PUBLIC HEALTH/
WESTERN NEW YORK INDEPENDENT LIVING–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Public Health Director did present a contract renewal with Western New York Independent Living to provide .5 of a FTE Independent Living staff member to the Children with Special Health Care Needs program to perform grant work plan activities, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to renew a contract with Western New York Independent Living, located at 319 West Main Street Batavia, NY 14020, for the period of October 1, 2024 through September 30, 2025.

Budget Impact: All expenses associated with this contract will be offset by funds from the CYSHCN Grant. \$0 County cost.

Legislator Dibble seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 393 DONATION ACCEPTANCE–PUBLIC HEALTH /WNY
CHILDREN’S ENVIRONMENTAL HEALTH CENTER–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Public Health Director has requested to accept a donation from the WNY Children’s Environmental Health Center for \$1,000 worth of supplies to support the Health Departments Healthy Neighborhoods Program, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to accept a donation of supplies totaling \$1,000 from the WNY Children’s Environmental Health Center, located at 1050 Niagara Street, Buffalo, NY 14213.

Budget Impact: \$0 County cost.

Legislator Dibble seconded the resolution, which was adopted by 200 votes.

**RESOLUTION NO. 394 2024 AFFILIATION AGREEMENT WITH GENESEE
COMMUNITY COLLEGE-SOCIAL SERVICES–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Commissioner of Social Services reviewed and approves of the affiliation agreement with Genesee Community College for Megan Currier to participate in and

complete an internship that will assist her in completing her associate's degree in Human Services, and

WHEREAS, the Genesee County Attorney, did review the affiliation agreement and does recommend approval at this time, and

WHEREAS, the Committee on Human Service has reviewed the affiliation agreement and 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 signoff on the 2024 Affiliation Agreement with Genesee Community College, 1 College Road, Batavia, New York, 14020, effective immediately through the end of the first semester. Budget Impact: There is no financial impact associated with this affiliation agreement. No budgetary impact.

Legislator Dibble seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 395 COUNTY AUDIT–SEPTEMBER 11, 2024-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Yunker, did review the following claims:

2024 General Fund	1,567,208.48
2024 Highway	244,676.79
2024 Self Insurance	7,420.00
2024 Water Fund	7,000.00
DSS Abstracts	409,757.25
Capital Projects	
Sheriff/Jail – Jail Construction	250,201.75
Airport – Replace Runway PAPI System	4,500.00
County Manager – Countywide Broadband Expansion	1,500.00
County Park – Area D Shelter Improvements	61.92
County Park – Reconstruct Area B Parking	27,415.65
County Park – Interpretive Center Moisture Protection & Siding	66,033.67
Facilities Management – Animal Shelter Upgrades	23,062.50
Facilities Management – Engine House Renovations	32,804.00
GCC – Arts Center Connector Replacement	5,478.00
Highway – Large Span Culverts	36,713.26
Highway – Dry Bridge Road over Drainage Ditch	12,803.31
Highway – Highway Recycling	84,125.61
Highway – Colby Road over Crooked Creek	6,661.12
Highway – Richley Road over Murder Creek	4,851.00
Highway – Silver Road over Little Tonawanda	28,929.32
Highway – Road Machinery	97,901.46
Payroll – General	
August 23, 2024	2,242,330.30
September 6, 2024	1,583,593.35
Medicaid	
September 3, 2024	181,406.00
September 10, 2024	<u>181,406.00</u>
Total Audit	\$ 7,107,840.74

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 Yunker seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 396

**TO ADOPT 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 Clattenburg 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 3 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 15th 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. 3 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 15th 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 In relation to the Genesee County Mutual Self Insurance Plan, and

WHEREAS, a Public Hearing was 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 Local Law Introductory B of 2024, 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.3 of the year 2024 for the County of Genesee be and hereby is adopted.

Legislator Hawley seconded the resolution, which was adopted by 200 votes.

RESOLUTION NO. 397

2025 BUDGET AND APPORTIONMENT–SELF-INSURANCE–APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the budget and apportionment of expenses for the fiscal year 2025 for the Genesee County Mutual Self-Insurance Plan has been prepared and submitted for approval, and

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

RESOLVED, that the Budget and Apportionment of the Genesee County Mutual Self-Insurance Plan, as submitted, is hereby adopted for the year 2025, and be it further

RESOLVED, that a certified copy of the budget and resolution be forwarded to all participants of the Genesee County Self-Insurance Plan.

Budget Impact: As proposed, \$485,854 shall be apportioned to plan participants.

Legislator Deleo seconded the resolution, which was adopted by 200 votes.