

Present: Committee Members - Legislator Maha, Yunker, Clattenburg and Klotzbach. Legislator Torrey, Dibble, Deleo, Stein and Hawley were also in attendance. County Attorney James Wujcik, Legislature Clerk Lisa Casey, Assistant County Manager Tammi Ferringer, Sheriff William Sheron, Justice for Children Program Coordinator Theresa Roth, Genesee Justice Program Coordinator Diana Prinzi, Human Resource Director Anita Cleveland, Deputy Human Resource Director Tracy Augello, Highway Superintendent Tim Hens, Highway Assistant County Engineer Laura Wadhams, Emergency Management Coordinator Timothy Yaeger, Public Defender Jerry Ader, District Attorney Kevin Finnell, 1st Assistant DA Joseph Robinson, Confidential Secretary Lacie Snell, Planning Director Felipe Oltramari, Carl York Project Manager with the Pike Company, The Batavian Joanne Beck.

The Public Service Committee Meeting was called to order on Wednesday, September 21, 2022 at 4:00 p.m. by Committee Chair/Legislator Maha prior to the Ways and Means Committee Meeting. The meeting was held in the Legislative Conference Room of the Old Court House located at 7 Main Street.

Chair Maha amended the agenda adding:

- 1.) Permission to Apply to the State & Municipal Facilities Capital Program (SAM) 100K
- 2.) Permission to apply – Second Upstate Family Defense (Child Welfare) Quality Improvement & Caseload Reduction Grant
- 3.) Justice for Children Program, Service Agreement for VidaNyx,
- 4.) Oak Orchard Small Watershed Protection District Administrative Board Amendment to the Board. Motioned by Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Minutes of the August 8, 2022 Public Service Committee meeting were approved upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Project Manager Carl York from Pike Company gave the following update on the Jail Project. Safety has been good this month. All contracts fully executed. FF&E with architect due in Feb. Storm Water solution – removing some silt from bottom of the pond. Schedule no significant changes. Little bit ahead. Sanitary is about 95% complete storm 80% complete fire and water line 100% complete. Electrician working with National Grid waiting on power and same with National fuel, under design but no updates from vendors yet. Foundation work in main building complete. 4 pods c 95% complete, pod a 95% complete, pod b and d 90 % complete. Masonry started in bldg. 1 and 2. (2% complete) Lost 5 days due to weather. Project cost, small change order approved, small line installed for animal shelter. Another order change – to add booster pump to jail. Fiber line break again. It was repaired. Structural steel to arrive in October. Working on underground.

Director of Planning Felipe Oltramari discussed a contract for the Farmland Protection Implementation Grant Services for Genesee Valley Conservancy. The Genesee County Agricultural and Farmland Protection Board has unanimous recommended to enter into agreements with land trusts to assist farmland owners in applying for and administering farmland protection grant programs. Requested authorization to execute a contract with Genesee Valley Conservancy, Inc. 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 to September 1, 2022 and extending through December 31, 2023. Expenses not to exceed \$15,000 will be included in the 2023 Planning Budget. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously

Director of Planning Felipe Oltramari also requested the same for Western New York Land Conservancy. Mr. Oltramari presented 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. Requested authorization to contract with Western New York Land Conservancy for implementation of grant (FPIG) applications, grant coordination and related services from September 2022 and extending through December 31, 2023. Expenses not to exceed \$15,000 will be included in the 2023 Planning Budget. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously

Emergency Management Services Coordinator Timothy Yaeger discussed a grant acceptance for the FY21 Hazardous Materials Emergency Preparedness (HMEP) Grant Program award in the amount of \$15,789.00 provided by the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration and administered by the New York Division of Homeland Security and Emergency Services. This regional allocation awarded to the Western HazMat consortium (Genesee, Monroe, Livingston, Orleans and Wyoming counties) to be administered by Genesee County, requires a local match of \$3,947.25 to be met in in-kind expenses. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously

Genesee Justice Program Coordinator Diana Prinzi received notification from the New York State Office of Victim Services that Genesee Justice has been awarded Comprehensive Victim Assistance Program Funding for the period of October 1, 2022 through September 30, 2025, for a total amount of \$392,451.51 (level funding of \$130,817.17 per year). This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously

Genesee Justice Program Coordinator Diana Prinzi discussed a salary schedule amendment with position reclassification for one full-time community service/victim service assistant and creation of a full-time community/victim service counselor position. Requested to amend the 2022 Genesee County Employees' Salary Schedule by creating a second full-time Community/Victim Services Counselor position, CSEA Grade 12; and eliminating one position of full-time Community Service/Victim Assistant, CSEA Grade 10, effective October 1, 2022. For 2022, the difference in cost associated with this reclassified position (\$2,901.60) is covered by multiple vacancies that exist and were accounted for in the 2022 budget. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Clattenburg, carried unanimously

Genesee Justice Program Coordinator Diana Prinzi requested to transfer funds within the 2022 Genesee County budget. This is due to the unspent funds in the medical category as the Program Coordinator did not utilize medical insurance as budgeted, that has led to being underspent in the budget for grant funds from the NYS Office of Victim Services out of A.3152 8030.0000. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

Justice for Children Program Coordinator Theresa Roth presented the following items:
Acceptance of Grant requested authorization to execute the necessary documents for acceptance of this grant funding for the period of October 1, 2022 through September 30, 2025 in the amount of \$577,795.65. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

A request to enter into a contractual renewal agreement with Cecilia Lyons, PNP to provide medical services to child-victims at the Justice for Children Advocacy Center, for the period of October 1, 2022 through September 30, 2023 at a rate of \$200.00 per forensic rape exam, \$150.00 per forensic child abuse exam, and \$50.00 per case review meeting. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Clattenburg, carried unanimously.

A request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center. The contractual agreement with Brenda McQuillan, PhD, LMSW to provide mental health services to child-victims and their families for the period of October 1, 2022 through September 30, 2023 at a cost of \$55.00 per hour. This was approved for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

A request to renew a contractual agreements for a Medical Director at the Justice for Children Advocacy Center. The contractual agreement with John F. Coyne, M.D., F.A.A.P., to provide medical services to child-victims and administer the medical program for the Justice for Children Advocacy Center, for the period of October 1, 2022 through September 30, 2023 at a cost of \$3,500.00 per month. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

A request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center. The contractual agreement with Julie A. Walsh, LCSW-R, for clinical supervision for the JFCAC Mental Health Clinical Therapists and to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, for the period of October 1, 2022 through September 30, 2023 at a cost of \$65.00 per hour. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

A request for renewal a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center. The contractual agreement with Kathy Colgan for forensic

interviewing, peer review, and training for the Justice for Children Advocacy Center/Team for the period of October 1, 2022 through September 30, 2023 at a cost of \$95.00 per hour. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

A request to renew a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center. The contractual agreement with Jessica Mitchell for forensic interviewing at the Justice for Children Advocacy Center for the period of October 1, 2022 through September 30, 2023 at a cost of \$46.00 per hour. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Clattenburg, carried unanimously.

A request to enter a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center. The contractual agreement with Richard Schauf with residence in Batavia, NY for forensic interviewing at the Justice for Children Advocacy Center for the period of September 1, 2022 through September 31, 2023 at a cost of \$40.00 per hour. This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

A discussion to enter into a service agreement with VidaNyx for encrypted cloud-based storage and sharing of child forensic interviews at a total cost of \$3,669.38 paid at initiation of the contract. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Yunker, carried unanimously.

A requests to transfer funds within the 2022 Genesee County budget due to the protracted vacancy in the Supervising clinical Social Worker position that has led to being underspent in budgets for grants from the NYS Office of Child and Family Services and NYS Office of Victim Services. Transfer a total \$90,530.00 to expense accounts to cover A/V, Copier Cost, Facility Electric, Gas cell phone, mileage, training, contract and program expenses. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

Sheriff Sheron requested to enter into an Agreement with Justice Benefits, Inc., pursuant to Resolution 245, dated June 26, 2019, for the provision of professional assistance with revenue enhancement services, with the option to extend this agreement for four (4) additional one-year periods, approved each year, at the same terms and conditions, upon written mutual agreement of both parties). Discussion to enter into the third extension period commencing, retroactively, on July 1, 2022, and will continue through June 30, 2023 for professional assistance with revenue enhancement services. This was approved for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Sheriff Sheron requested to amend resolution #271-2022 and revise MOU renewal for school resource officer for Genesee Valley BOCES. For a 24-month time period of September 1, 2022, through August 31, 2024, pursuant to Resolution #271-2022. Reimbursement from the District includes the hourly rate along with fringe benefits and insurances specific to the

Deputy assigned. Due to a change in the Deputy assigned, an amendment (as illustrated below) to Resolution #271-2022 along with a revision to the MOU Renewal are required

Time Period	Reimbursement
9/1/2022 – 12/31/22	\$38,935.02
1/1/2023 – 8/31/23	\$79,986.60
9/1/2023 – 12/31/2023	\$39,631.40
1/1/2024 – 8/31/2024	\$81,314.59 *

This was approved for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

Sheriff Sharon discussed Elba Central School District desires to enter into a Memorandum of Understanding (MOU) with the County of Genesee and the Genesee County Sheriff for a School Resource Officer (SRO) for its District for the 12-month time period of September 1, 2022, through August 31, 2023. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Sheriff Sharon requested an increase in the price of vehicle fuel in the amount of \$50,000, the Sheriff's vehicle fuel expenses have almost exceeded the amount budgeted for 2022. The budget transfer request would be from personal services into vehicle fuel. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Sheriff Sharon requested an acceptance of grant funds for Public Safety Answering Point Operations Grant. It is a grant award in the amount of \$185,949, which will be used to offset operational expenses associated with the County 911 Center. The grant funds were included in the 2022 Communications budget submission. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Sheriff Sharon asked for permission to apply to the State & Municipal Facilities Capital Program (SAM) for 100K – Improvement to 911. Motioned by Legislator Klotzbach and seconded by Legislator Yunker, carried unanimously.

Public Defender Jerry Ader requested an amendment to the 2022 Public Defender Budget in the amount of \$3,000 for materials and \$6,300 for labor for an expense total of \$9,300 offset by revenue from Indigent Legal Services Grants in like amount for the purpose of converting two (2) offices into three (3) offices at the "Engine House. Increase in expenses of \$9,300 offset by grant revenue from Indigent Legal Services Statewide Expansion of Hurrell-Harring Grant. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

Public Defender Jerry Ader asked for permission to apply for grant funds under Second Upstate Family Defense (Child Welfare) Quality Improvement & Caseload Reduction Grant (\$74,000 for three years). Motioned by Legislator Yunker and seconded by Legislator Klotzbach, carried unanimously.

District Attorney Kevin Finnell requested approval to apply and accept the Criminal Justice Discovery Reform Grant award in the amount of \$247,176 from the New York State Division of Criminal Justice Services to support local law enforcement agencies with expenses related to the implementation of discovery and bail reforms that took effect January 1, 2020. The grant period runs April 1, 2022 through March 31, 2023. District Attorney, Program Expense to cover the Genesee County Sheriff's Office, Batavia Police Department and LeRoy Police Department allocations. The increase expense of \$78,758 to reimburse outside agencies offset by increase in grant revenue. Balance of grant funds will flow into general fund balance to off set existing expenses in the DA budget. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Clattenburg, carried unanimously.

County Attorney James Wujcik discussed the amendment to the Oak Orchard Small Watershed Protection District Administrative Board. It has become increasingly difficult to attract and retain board membership due to increased work and family obligations leaving less discretionary time for volunteering. The Oak Orchard Water District Administrative Board shall consist of eight persons, six of whom shall be the owner in fee, either alone or jointly with one or more persons, of not less than forty (40) acres of land which is assessed to Zone A Muckland or benefitted land located within the District. A minimum of two of such members shall be owners of Genesee County property and shall be appointed by resolution of the Genesee County Legislature. A minimum of two of such members shall be owners of Orleans County property and shall be appointed by resolution of the Orleans County Legislature. Each member shall have one vote. In addition there shall be two voting ex-officio members of the Oak Orchard Administrative Board, one of whom shall be a representative of the Genesee County Soil and Water Conservation District and the other shall be a representative of the Orleans County Soil and Water Conservation District. Members shall be appointed from each County for a term of two years. Any qualified members may succeed themselves. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Yunker, carried unanimously.

Highway Superintendent discussed closure of capital project and budget amendment with transfer for the T-Hanger Construction (Air-99) at the Airport. The project is complete and it is necessary to close the project, the Highway Superintendent needs to replace \$637.50 of State Aide funding with 1% Sales Tax funding due to expenses not being covered by State Aid. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Tim Hens requested equipment to be declared surplus property. Property to be disposed of at auction, public bid or through inter-municipal purchase:#6029, Shovel 6 – 2001 Kobelco Tracked Excavator. This was referred to Ways & Means Committee

with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Tim Hens discussed a consultant agreement with Holland Land Office Museum for study of Building Conditions. The requested consultant agreement is with Wendel, for a building conditions study of the Holland Land Office Museum in an amount not to exceed \$43,324. The capital project established for this expense has a balance of \$45,000. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Tim Hens discussed established capital project – AIP 48-22 runway lighting and signage replacement design. Requested to execute an Airport Improvement Program (AIP) grant agreement for a total of \$74,400 as per the following: Federal Funds \$66,960, State Funds \$3,720, County Funds \$3,720 (1% Sales Tax). This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Tim Hens requested approval of a consultant agreement with C&S Companies, to design the Runway Lighting and Signage Replacements at the Genesee County Airport in an amount not to exceed \$73,000. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Klotzbach seconded by Legislator Clattenburg, carried unanimously.

Highway Superintendent Tim Hens requested to amend a capital project and do a budget amendment for the Highway recycling. The Town of Bethany proposes to fund \$60,000 in County Highway Department provided shoulder recycling and restoration along Creek Rd (CR#1) as part of their Water District No. 4. Highway Superintendent reviewed the proposal and recommend accepting the funds at this time. Town of Bethany is funding \$60,000 in shoulder improvements to be made by the County Highway on their behalf. The \$60,000 would be additional funding into the Highway Recycling capital project and allow for the reimbursement of this work. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Tim Hens requested a special event for Wings over Batavia Air Show. Motioned by Legislator Clattenburg and seconded by Legislator Klotzbach. After further discussion of the plans for the Air Show it was asked by the committee to know more about the ancillary costs (Traffic Control, Sheriff, EMS, Fire - Public Safety). Mr. Hens will need to obtain this information for the Committee to make a decision if they want to move it forward to Legislature. Further discussion needed. A request to table the resolution until information is available from Mr. Hens. Motioned by Legislator Klotzbach and seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Tim Hens requested a special event at DeWitt Recreation Area for the Batavia Rotary/Trick or Trot 5K Cemetery Run. Requested permission to move forward with the event on October 29, 2022. This was referred to Ways & Means Committee with a

recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.

Highway Superintendent Tim Hens reviewed the following items in his department report: County Road Fund, Road Machinery Fund, Airport, Facility Maintenance, Parks, Recreation, Forestry, Environmental Health Review and Countywide Water.

County Manager Matt Landers nothing to report.

Legislature Clerk Lisa Casey stated the next Public Service Committee Meeting will be on a Monday, October 17, 2022 at 4:30 p.m. in the Legislative Conference Room in the Old Court House.

Chair Report – Legislator Maha discussed the resolution opposed to the recently passed Concealed Carry Improvement Act (CCIA). Governor and the legislature rushed bills S.51001 and A.41001 through to passage under a message of necessity and during an ‘extraordinary session’ bypassing the traditional rules and procedures of the legislature. Many of the provisions of the new law that went into effect on September 1st, 2022 place unprecedented and overtly restrictive conditions on applying for, obtaining, utilizing, maintaining and recertifying a conceal carry permit for personal protection and other legal uses as clearly provided for in the Constitution of the United States. This resolution demands full repeal of the Concealed Carry Improvement Act as being unjust, ineffective, vague and unconstitutional. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Clattenburg seconded by Legislator Klotzbach, carried unanimously.

The meeting adjourned at 5:18 pm upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously

Gary Maha
Chair to Public Service Committee