

**SIXTEENTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Batavia, New York**  
**Wednesday, September 25, 2019**

The Genesee County Legislature met in Regular Session on Wednesday September 25, 2019, at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein assisted with the audit. Prayer was offered by Legislator Hilchey followed by the Pledge to the Flag.

A Proclamation was presented by Legislator Stein to Sheriff William Sheron and Under Sheriff Bradley Mazur extending the Genesee County Legislators heart felt gratitude for their service to the County and to hereby proclaim September 22-28, 2019, Sheriff's Week in Genesee County.

Minutes of the September 11, 2019, Legislature meeting were approved upon motion of Legislator Clattenburg, seconded by Legislator Maha, carried unanimously.

Legislator Clattenburg attended the Youth Board Meeting, where there was discussion of the Liberty Center's opening and she expressed her gratitude to Joselyn and the County Staff for their hard work. It will be an asset for the youth of Batavia when the Center is fully operational. Legislator Clattenburg attended the GLOW Work with Your Hands event at the Genesee County Fairgrounds along with Legislators Stein and Young sponsored by the Workforce Development Board. The event was a resounding success. The business and trades from Genesee County were well represented, and over one thousand (1,000) kids attended the event. Legislator Clattenburg, stated that is imperative we continue to expand this program in the upcoming years. Legislator Clattenburg announced that the Holland Land Office Museum will be sponsoring a Dinner Theater at the Red Osier on Friday, September 27, 2019, dealing with the mystery death of William Morgan. The Holland Land Museum are in the planning stages of the Wonderland of the Trees Event and also planning a fund raiser to restore the cannons in front of the museum. Chairman Bausch, added that the Holland Land Museum had one of the lead articles in the Buffalo newspaper today.

Legislator Stein announced that she along with Legislators Bausch, Maha and Torrey attended the NYSAC Conference. The resolutions presented at the conference from the Agricultural and Rural Affairs Committee and Public Safety Committee were passed and accepted into the Conference Bylaws. Participation by the County is key as this is our voice back to Albany. Legislator Stein announced that there was a Joint Intercounty meeting with the Adirondack Group and Western New York group. There was a presentation on the Massenet by the University of Albany, which is a weather station in each County and along the New York State Thruway. They spoke on the definite weather pattern changes and how they can relay the impact back to public safety as well as to the agricultural markets, which is a prime industry and economy in New York. GAM met last week and there was a presentation on the 2020 Census, as well as Assistant District Attorney Cianfrini spoke on the Criminal Justice Reforms that will be effective January 1, 2020, and its impact on the new work responsibilities for the local court justices and clerks.

Legislator Young wanted to add his accolades for the volunteers and trades involved in the GLOW Work with your Hands events. It was a major undertaking and hope to see it come back bigger and better next year.

Legislator Maha commented that he attended several seminars at the NYSAC conference and voiced his concerns as to what benefits, if any, are going to be seen for the County.

Legislator Dibble attended the County Park Dedication of the new shelter and wanted to commend the volunteers for the work they had done.

Chairman Bausch agreed and resonated Legislator Maha's concerns with NYSAC. He stated that they have completed their last jail tour (Sullivan County Jail) and will be moving forward on the Jail Project. Chairman Bausch wanted to add his gratitude to the County employees that built a substantial part of the shelter and commend what a great job was done by employees and volunteers. The shelter is able to accommodate approximately 184 people. County Parks are host and home to approximately 20 – 30 weddings per year.

County Manager, Jay Gsell, endorsed the outstanding turn out and success of the GLOW Work with your Hands event and stated that there were over 600 volunteers at the event. Opportunities were given to the kids to have a hands-on experience with the different trades represented. He agreed that the program should be expanded in future years; as well as, be open to middle school and early high school children to increase their awareness for possible career options. He also stated that the Legislators may have seen an announcement about Genesee County receiving \$1.3 million for the remediation of lead based paint from homes within Genesee County. No details have been given to the County regarding the regulations of this award.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 338      GRANT – EMERGENCY MANAGEMENT SERVICES &  
SHERIFF'S OFFICE - FY19 STATE HOMELAND  
SECURITY PROGRAM (SHSP) – APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS**, The Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to accept the FY19 State Homeland Security Program (SHSP) grant funding in the amount of \$114,967 from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA); administered by the NYS Division of Homeland Security and Emergency Services (DHSES), and

**WHEREAS**, Grant funding priorities have been identified as the advancement of regional partnerships to build on capabilities, development of citizen preparedness efforts, development of cyber security programs and policies; law enforcement information-sharing capabilities, emergency management planning efforts and sustainment of effective programs and existing capabilities, and

**WHEREAS**, 25% of the total grant award or \$28,742 must be utilized for law enforcement terrorism prevention activities, and

**WHEREAS**, The Committee on Public Service did review this request and does concur. 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 Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY19 State Homeland Security Program (SHSP) funds in the amount of \$114,967 and to execute any and all other documentation related to this funding, and

**Budget Impact Statement:** No County cost. Grant funds in the amount of \$28,742 will be appropriated in the 2020 Genesee County Sheriff budget. SHSP funds in the amount of \$86,225 will be appropriated in 2020 EMO operating budget.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 339 GRANT AGREEMENT-DISTRICT ATTORNEY/AID TO PROSECUTION GRANT - APPROVAL OF**

Legislator Torrey 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 \$30,200.00, and

**WHEREAS**, The Committee on 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 \$30,200.00 for Aid to Prosecution in Genesee County, and Be it further

**RESOLVED**, That funds for said grant have been appropriated in the 2019/2020 Genesee County Budget.

**Budget Impact:** None - funds have been appropriated.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 340 CONTRACT AGREEMENT-GENESEE COUNTY PROBATION/NYS DIVISION OF CRIMINAL JUSTICE SERVICES-APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Genesee County Probation Director did receive notification of the approval of a grant contract from the New York State Division of Criminal Justice Services (DCJS) for reimbursement of Raise the Age (RTA) expenses relating to the Genesee County Probation Department, and

**WHEREAS**, The Public Service Committee did review and does recommend acceptance of the grant contract at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby accept a grant contract from the New York State Division of Criminal Justice Services (DCJS) for reimbursement of Raise the Age (RTA) expenses relating to the Genesee County Probation Department, and Be it further,

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the grant contract so the Genesee County Probation Department can submit requests for reimbursement of Raise the Age (RTA) expenses incurred.

**Budget Impact:** None. Anticipated expenses and revenues were included in the 2019 budget.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 341     CONTRACT – LEXISNEXIS/PUBLIC DEFENDER –  
APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Genesee County Public Defender’s Office does recommend the three-year contract between LexisNexis and the Genesee County Public Defender, and the Committee on Public Service does concur. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to approve the contract between LexisNexis and the Genesee County Public Defender at a monthly fee of \$140.00 starting on October 1, 2019 for the use of “Accurint for Government” services.

**Budget Impact:** Funds for this contract are budgeted in the 2019 budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 342     AWARD OF BID – FACILITY MAINTENANCE – FIRE  
SUPPRESSION INSPECTIONS – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Highway Superintendent and the Purchasing Officer did research New York State Office of General Services Contracts relating to inspection and maintenance of fire suppression systems, and

**WHEREAS,** The Highway Superintendent does recommend awarding a contract to Johnson Controls Fire Protection LP, and

**WHEREAS,** The Committee on Public Service 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 to enter into an agreement with Johnson Controls Fire Protection LP, 90 Goodway Dr, Rochester, NY 14623 as per the terms of NYSOGS Contract PT63104 effective October 1, 2019 through September 30, 2022.

**Budget Impact Statement:** Estimated annual cost of this contract is \$16,113.29. This amount is factored into the Facility Maintenance budget (A1620) in the Contracted - Other line item. This is a recurring annual cost.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 343     AWARD OF CONTRACT – HIGHWAY/ GENERATOR  
MAINTENANCE**

Legislator Hilchey offered the following resolution:

**WHEREAS,** The Genesee County Highway Superintendent reviewed three written quotes for the purpose of maintaining and inspecting the facility backup generators at the various county facilities, and

**WHEREAS,** The Highway Superintendent does recommend awarding a contract to Milton CAT, and

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

**RESOLVED,** The Genesee County Highway Superintendent is hereby authorized and directed to enter into a service contract with Milton CAT, East Saile Dr, Batavia, NY 14020 as per the terms of contract service content guide effective October 1, 2019 through September 30, 2021.

**Budget Impact:** Estimated annual cost of this contract is \$4,250. This amount is factored into the Facility Maintenance budget (A1620) in the Contracted - Other line item. This is a recurring annual cost.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 344     AGREEMENT – AIRPORT/DESIGN OF APRON  
RECONSTRUCTION AND OBSTRUCTION REMOVAL (T-  
HANGAR DEMO) – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, Genesee County has been awarded a federal aid grant to design the Apron Reconstruction and Obstruction Removal (T-Hangar Demo) at the Genesee County Airport, and

**WHEREAS**, Superintendent of Highways has reviewed and evaluated engineering proposals submitted for this work, and

**WHEREAS**, The Superintendent of Highways has negotiated a contract with C&S Engineers and recommends approval of consultant agreements with them at this time, and

**WHEREAS**, The Committees on Public Service AND Ways & Means have reviewed this request and do concur at this time. Now, therefore, Be it

**RESOLVED**, That the Chairperson of the Genesee County Legislature is hereby authorized to approve consultant agreements with C&S Engineers, 499 Col. Eileen Collins Blvd. Syracuse, NY 13212 for the design of the Apron Reconstruction and Obstruction Removal (T-Hangar Demo) in an amount not to exceed \$135,000.

**Budget Impact:** The total of the consultant agreements are \$135,000. The capital project established for this project has \$138,360 available.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 345      LEASE AGREEMENT-HIGHWAY/WHEELLOADER  
ADDENDUM TO RESO. NO. 200-2019-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Resolution 200-2019 authorized the Highway Superintendent to lease-purchase a 2018 Hyundai HL970XT Wheel Loader from George and Sweede Sales & Service, Inc. in 5 annual amounts not to exceed \$41,500 with the first payment made in advance, and

**WHEREAS**, The lender requires additional language and the County Attorney has reviewed, and

**WHEREAS**, A resolution authorizing the negotiation, execution, and delivery of Lease No. 001-0772249-100 dated August 23, 2019 (the "Lease"), in principal amount not to exceed \$255,000.00, between Genesee County, 15 Main Street, Batavia, NY 14020 and ROC Leasing LLC dba Real Lease, 1387 Fairport Road, Ste 1000B-1, Fairport, NY 14450; and prescribing other details in connection therewith.

**WHEREAS**, Genesee County, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of New York; and

**WHEREAS**, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

**WHEREAS**, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in the Lease is appropriate and necessary to the function and operations of the Lessee; and

**WHEREAS**, ROC Leasing LLC dba Real Lease, (the "Lessor") shall act as Lessor under said Lease; and

**WHEREAS**, The Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State. Now, therefore, Be It

**RESOLVED** BY THE GOVERNING BODY OF Genesee County:

Section 1. The Lease, in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver the Lease and related documents in substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and which Lease will be available for public inspection at the offices of Lessee.

Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.

Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of New York.

Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.

Section 5. This resolution shall take effect immediately upon its adoption and approval.

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 346 LEASE AGREEMENT RENEWAL– JUSTICE FOR CHILDREN ADVOCACY CENTER/ALBION SATELLITE OFFICE – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/19 to 9/30/20; and

**WHEREAS**, Included in the acceptance of the 2019-20 NYS Office of Children and Family Services is funding for a lease agreement for a satellite office in Albion; and

**WHEREAS,** The office space in Albion is located in the Arnold Gregory Complex at 243 South Main Street, Albion, New York, 14411 and is managed by the DeGeorge Property Group; and

**WHEREAS,** The agreed upon rate per month is \$1016.00, including heat, water, and electric utilities; and

**WHEREAS,** The landlord has offered a discount of \$366.00 if payment for the year is provided at the time of lease renewal; and

**WHEREAS,** The lease with the DeGeorge Acquisition Group, LLC will be for a period of one year, to commence on October 15, 2019; and

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

**RESOLVED,** That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement, to be paid in full at the beginning of the lease, with DeGeorge Acquisition Group, LLC, 1067 Gateway Drive, Farmington, New York 14425 for the rental of the office located at 243 South Main Street, Suite 156, Albion, New York 14411 effective October 15, 2019 through October 15, 2020.

**Budget Impact:** Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services and are included in the 2019 and 2020 Justice for Children Advocacy Center budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 347      LEASE AGREEMENT RENEWAL – JUSTICE FOR  
CHILDREN ADVOCACY CENTER/WARSAW SATELLITE  
OFFICE – APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS,** The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/19 to 9/30/20, and

**WHEREAS,** Included in the acceptance of the 2019-20 NYS Office of Children and Family Services is funding for a lease agreement for a satellite office in Warsaw, and

**WHEREAS,** The office space in Warsaw is located at 31 Duncan Street, Warsaw, New York, 14569 and is managed by Warsaw Redevelopment, LLC, and

**WHEREAS,** The agreed upon rate per month is \$1015.00, and includes gas, electric, water/sewer, and garbage utilities, and



**WHEREAS,** The lease with Warsaw Redevelopment, LLC will be for a period of one year, to commence on October 15, 2019, and

**WHEREAS,** The Committees on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

**RESOLVED,** That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement with Warsaw Redevelopment, LLC, 2071 Crittenden Road, Alden, New York, 14004 for the rental of the office located at 31 Duncan Street, Warsaw, New York, 14569 effective October 15, 2019 through October 15, 2020

**Budget Impact:** Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 348      CONTRACTUAL AGREEMENT RENEWAL- JUSTICE  
FOR CHILDREN ADVOCACY CENTER/ FORENSIC  
INTERVIEWER COLGAN-APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS,** The Coordinator of the Justice for Children Advocacy Center did submit for renewal a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

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

**RESOLVED,** That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to renew a contractual agreement with Kathy Colgan with residence at 16 Country Meadow Drive, Honeoye Falls, NY 14472 for forensic interviewing, peer review, and training for the Justice for Children Advocacy Center/Team for the period of October 1, 2019 through September 30, 2020 at a cost of \$80.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 349      CONTRACTUAL AGREEMENT RENEWAL-JUSTICE FOR  
CHILDREN ADVOCACY CENTER/ FORENSIC  
INTERVIEWER MITCHELL -APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS,** The Coordinator of the Justice for Children Advocacy Center did request to renew a contractual agreement for a forensic interviewer for the Justice for Children Advocacy Center; and

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

**RESOLVED,** That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Jessica Mitchell with residence at 971 Redman Road, Hamlin, NY for forensic interviewing at the Justice for Children Advocacy Center for the period of October 1, 2019 through September 30, 2020 at a cost of \$43.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 350      CONTRACTUAL AGREEMENT RENEWAL- JUSTICE OR CHILDREN ADVOCACY CENTER/ MENTAL HEALTH CLINICAL THERAPIST CZWORKA - APPROVAL OF**

Legislator Hilchey offered the following resolution:

**WHEREAS,** The Justice for Children Program Coordinator did request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center; and

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

**RESOLVED,** That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contractual agreement with Amanda Czworka with residence at 7810 East Main Road, Leroy, NY to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY and 31 Duncan Street, Warsaw, NY for the period of October 1, 2019 through September 30, 2020 at a cost of \$35.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from NYS Office of Victim Services and NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 351      CONTRACTUAL AGREEMENT RENEWAL- JUSTICE FOR CHILDREN ADVOCACY CENTER/ MENNTAL HEALTH CLINICAL THERAPIST WALSH -APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Justice for Children Program Coordinator did submit a contractual agreement for clinical supervision for the JFCAC Mental Health Clinical Therapists who provide services to children alleged to be abused and/or neglected; and

**WHEREAS**, The Committees on Public Service did review this request and does recommend approval at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Julie A. Walsh, LCSW-R, with residence at 43 Sarah Circle, Spencerport, New York 14559, for clinical supervision for the JFCAC Mental Health Clinical Therapists, 304 East Main Street, Batavia, NY for the period of October 1, 2019 through September 30, 2020 at a cost of \$60.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 352      CONTRACTUAL AGREEMENT RENEWAL-JUSTICE FOR CHILDREN ADVOCACY CENTER/ MENTAL HEALTH CLINICAL THERAPIST MCQUILLEN -APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Justice for Children Program Coordinator did request to renew a contractual agreement for a Mental Health Clinical Therapist for the Justice for Children Advocacy Center; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contractual agreement with Brenda McQuillan with residence at 5283 Oak Orchard Road, Albion, NY to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY and 243 South Main Street, Albion, NY for the period of October 1, 2019 through September 30, 2020 at a cost of \$38.00 per hour.

**Budget Impact:** Funds for contractual agreements are fully covered by grants from NYS Office of Victim Services and NYS Office of Children and Family Services and are already included in the 2019 and 2020 Justice for Children Advocacy Center Budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 353    2019 FUND EQUITY TRANSFER  
TREASURER’S OFFICE - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Treasurer and County Manager have previously discussed an error from the Mental Health Department for not notifying the Treasurer’s Office of monies to be deferred in prior years, and

**WHEREAS**, The 2018 year end Fund Balance contains \$853,778 of funds that should have been deferred, and

**WHEREAS**, The Genesee County Treasurer recommends a fund equity shift to correct the situation, and

**WHEREAS**, The Committee on Ways & Means has reviewed this request and does concur. Now, therefore Be it

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to do a 2019 Fund Equity Transfer from A.917 Unappropriated Fund Balance in the amount of \$853,778 to A.915.3 Assigned Unappropriated Fund Balance in a like amount.

**Budget Impact:** None, Fund Equity Shift. Reduces Unappropriated Fund Balance from \$16,264,156 to \$15,410,378

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 354    CONTRACT AMENDMENT-PREMIER CONSULTING  
ASSOCIATES, LLC NAME CHANGE-APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Resolution No. 92-2017 duly adopted on March 8, 2017 did award a contract with Premier Consulting Associates, LLC to be the County’s health benefit plan consultant, and

**WHEREAS**, Premier Consulting Associates, LLC has created a new business entity as the result of an asset purchase agreement with AP Benefit Advisors, LLC where the health benefit plan consultant’s current contract with Genesee County will fall, and

**WHEREAS**, The Ways and Means Committee does recommend that Genesee County agree to the assignment of the contract with AP Benefit Advisor, LLC. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an agreement assigning a contract with AP Benefit Advisor, LLC, 1416 Sweet Home Road, Suite 5 & 6, Amherst, NY 14228.

**Budget Impact:** No budget impact as funds are available in the County Health Plan 2019 budget.

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 355    AMENDED LEASE RENEWAL-GENESEE COMMUNITY COLLEGE/VET TECH PROGRAM – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Per Resolution No. 321 duly adopted on August 28, 2019, Genesee County did enter into an agreement with Genesee Community College for lease of storage space at County Building No. Two for the Veterinary Technology Program through Genesee Community College, and

**WHEREAS**, Genesee County has reduced the amount of storage space from 212 sq. ft. to 75 sq. ft. the current agreement must be amended to reflect this change, and

**WHEREAS**, The Committee on Ways and Means does approve the amended agreement. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between Genesee Community College and the County of Genesee for the lease of space in County Building No. Two effective August 1, 2019 through July 31, 2020; at a cost of \$772.50

**Budget Impact:** Rent for 75sq. ft. at \$10.30/sq. ft. = \$772.50.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 356    APPOINTMENT TO BOARD OF ETHICS-APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, A vacancy does exist on the Genesee County Board of Ethics due to the resignation of Ms. Elaine Hensel who was appointed May 13, 1992, and

**WHEREAS**, Ms. Michelle Dills is desirous of serving on the Ethics Board and the Committee on Ways & Means does recommend an appointment be made at this time. Now, therefore, Be it

**RESOLVED**, That Michelle Dills of East Bethany, NY is hereby appointed to the Genesee County Board of Ethics effective September 25, 2019.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 357    COUNTY AUDIT –SEPTEMBER 25 - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

General Fund	\$	992,453.35
Water Fund		44,000.00

Highway	370,393.64
Self Insurance	5,142.47
DSS Abstracts	122,368.21

**Capital Projects**

Airport-Airport Taxiway "C" Reconstruction	\$ 297,806.91
Airport-Design Apron Reconstruction & Obstruction Removal	1,500.00
Highway-Judge Road over Whitney Creek	9,303.62
Highway-Highway Recycling	8,700.00
Highway-Highway Large Span Culverts	22,688.95
Highway-Highway Surface Treatment	149,696.82
Highway-Preventive Maintenance Bridge Painting	12,184.97
Park-Area "D" Shelter Improvements	2,354.50
Sheriff's-Sheriff's 800 Mghtz Radio System Upgrade	2,499.00

**Payroll – General**

September 25, 2019	1,182,825.37
--------------------	--------------

**Medicaid**

September 17, 2019	177,332.00
September 24, 2019	<u>177,332.00</u>
<b>Total Audit</b>	\$ 3,578,581.81

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 Maha seconded the resolution which passed by 326 votes.

## **MOTION TO SUSPEND THE RULES / LEGISLATURE RULE 19**

A motion was made by Legislator Dibble to suspend the Rules/Legislature Rule 19 to take up the matter of appointing Lynda Battaglia to the position of Mental Health Director. The Community Services Board and the Legislature agree that the appointment of Ms. Battaglia is appropriate at this time.

Upon motion of Legislator Dibble, seconded by Legislator Hilchey, carried unanimously.

### **RESOLUTION NO. 358      APPOINTMENT – COMMUNITY MENTAL HEALTH SERVICES/DIRECTOR – APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, Genesee County has been using the services of Mark O'Brien as Interim Director of Community Mental Health Services until a qualified replacement could be found, and

**WHEREAS**, Members of the Genesee County Mental Health Community Services Board and Genesee County Administration vetted and interviewed qualified candidates, and

**WHEREAS**, The Genesee County Mental Health Community Services Board has recommended that Ms. Lynda M. Battaglia, Hamburg NY be considered for appointment of Genesee County Director of Community Mental Health Services, and

**WHEREAS**, The Committees on Human Services and Ways and Means do agree with this recommendation at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby appoint Lynda M. Battaglia as Genesee County Director of Community Mental Health Services effective October 7, 2019 at Grade 121 on the Genesee County Management Salary Schedule.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

At 6:10 PM the meeting adjourned upon motion of Legislator Stein seconded by Legislator Clattenburg, carried unanimously.