

**FIFTEENTH DAY
 GENESEE COUNTY LEGISLATURE
 OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
 WEDNESDAY, SEPTEMBER 28, 2022 AT 5:30 PM**

The Genesee County Legislature met in Regular Session on Wednesday, September 28, 2022 at 5:30 p.m. in the Legislature Chamber of the Old Court House.

Legislator Yunker offered to assist with the audit. The prayer was offered by Legislator Klotzbach followed by the Pledge to the Flag. In addition to the regular meeting, Legislature Chair Stein opened two public hearings at 5:31 PM: 1.) A Public Hearing on Restore NY Round 6 grant application and properties designated for funding. 2.) Local Law Introductory C, Year 2022 of the County of Genesee, New York, To Expand The Residency Territorial Area To Employ Genesee County Sheriff’s Office Correction Officers.

Proclamations & Commendations:

Cybersecurity Month – October 2022 - Presented By Legislator Klotzbach and Accepted by IT Director Michael Burns.

Approval of Minutes: September 14, 2022 - Motioned by Legislator Maha and seconded by Legislator Yunker, carried unanimously.

Committee & Special Assignment Reports: Chair Stein spoke of the NYSAC conference and discussed Clean Water Environmental Bond Act – Will be on the ballot in November. Our County will continue to be motivated and aggressive with our approach for water in our County. Chair Stein discussed the invite to speak at Leadership Genesee for “Ag Day”, GLOW impact with a 30 percent hike between Batavia and Mt Morris schools. It is a great program and will continue with an extension of Health Care next spring.

Communications & Petitions: Legislator Clerk Casey announced two individuals that spoke on the resolution no. 29 a resolution opposing the recently passed concealed carry improvement act (CCIA). Glen Adams spoke first thanking Legislature for knowing the importance of this harmful act. James Tuttle from S.C.O.P.E. spoke on the same and thanked the Legislature for the support. Clerk Casey announced Genesee County Legislature is officially working with new weighted vote numbers. Effective September 15, 2022, the Local Law was filed with the State of New York. A simple vote totals 101 and 2/3 Majority Vote Is 134 out of 200. Also, Cayuga County submitted a correspondence regarding their adopted resolution supporting Senate Bill S9509 to eliminate the Farm Workers Fair Labor Practices Act.

1. Travel Out-of-State: David Bell-Health Department, Boston, MA - Cost \$1,052

David Bell	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	X		26	26
6. Torrey	2		23	23
7. Deleo	1		17	17
8. Clattenburg	A		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			182	
Approval			101	134

2. Travel Out-of-State: Paul Osborn, Laura Wadhams-Highway Department - Roaring Spring, PA - \$640.00

Osborn and L. Wadhams	Y	N	simple	2/3

1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	2		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	A		18	18
9. Maha	1		18	18
TOTALS			200	200
Roll Call			182	
Approval			101	134

Legislator Comments: Both Legislator Maha and Deleo spoke on opposing the Concealed Carry Improvement Act.

County Manager Report: Received feedback from the summer hour survey, all positive. Presented a milestone award to Barbara Matarazzo and Kathy Jasinski, very happy. Discussed Opioid Task Force Committee meeting this week, Correction Officer Campaign.

Resolutions

CONSENT AGENDA ITEMS:

Ways and Means Committee: Legislator Torrey motioned for adoption, seconded by Legislator Yunker.

1. Amend Resolution 279-2022-Job Development Bureau/Revise Livingston County Contract Appendix A of the Glow Workforce Innovation Opportunity Act (WIOA) Program
2. 2022 Management Salary Schedule Amendment/Budget Amendment/Employee Salary Schedule Amendment/Budget Amendment-Central Services/Purchasing Agent
3. Authorization-Central Services/Purchasing Establishing Purchasing Directors Authority-Natural Gas
4. Authorization-Central Services/Purchasing Establish Purchasing Directors Authority - Electricity
5. Agreement and Budget Amendment-ARPA Vendor Agreement/Job Development Bureau and County of Genesee
6. Agreement-Genesee Finger Lakes Regional Planning Council/Grant Administration
7. Budget Transfer-County Manager/Facilities Management-Public Communications and Web Design Specialist Equipment, Software and Supplies/Travel for Jail Review of Operation and Mechanicals
8. Contract- Planning Department/ Farmland Protection Implementation Grant Services/Western New York Land Conservancy
9. Grant Acceptance-Emergency Management Services/FY21 Hazardous Materials Emergency Preparedness (HMEP) Grant
10. Grant Acceptance – Genesee Justice/New York State Office of Victim Service Grant
11. 2022 Salary Schedule Amendment/Position Reclassification–Sheriff/Genesee Justice/ Elimination of One Full-Time Community Service/Victim Assistant Position And Creation of a Full-Time Community/Victim Services Counselor Position
12. 2022 Budget Transfers-Sheriff/Genesee Justice
13. Grant Award Acceptance - Justice For Children Advocacy Center New York State Office Of Victim Services
14. Service Agreement-JFCAC/VidaNyx
15. Budget Transfer-JFCAC
16. MOU Agreement-Sheriff/School Resource Officer for Elba Central School District
17. Budget Transfer-Sheriff/Vehicle Fuel

18. Acceptance of Grant Funds-Sheriff/Public Safety Answering Point Operations Grant
19. 2022 Budget Amendment-Public Defender/Office Space
20. Grant Application Acceptance/Budget Amendment–District Attorney/Criminal Justice Discovery Reform Grant
21. Oak Orchard Small Watershed Protection District Administrative Board Amendment to Board
22. Close Capital Project/Budget Amendment/Budget Transfer–Airport/T-Hangar Construction (AIR-99)
23. Surplus Equipment–Highway/Road Machinery Fund
24. Consultant Agreement – Holland Land Office Museum/Wendel/Building Conditions Study
25. Establish Capital Project–Airport/AIP 48-22 Runway Lighting & Signage Replacement (Design)
26. Consultant Agreement-Airport/ C&S Engineers/Runway Lighting & Signage Replacement (Design)
27. Amend Capital Project/Budget Amendment–Highway/Recycling
28. Special Event Request–DeWitt Recreation Area/Batavia Rotary/Genesee Cancer Assistance 5K
29. A Resolution Opposing The Recently Passed Concealed Carry Improvement Act (CCIA)

	1-29	Y	N	simple	2/3
1. Klotzbach	X			16	16
2. Yunker	2			26	26
3. Dibble	X			25	25
4. Hawley	X			31	31
5. Stein	X			26	26
6. Torrey	1			23	23
7. Deleo	X			17	17
8. Clattenburg	A			18	18
9. Maha	X			18	18
TOTALS				200	200
Roll Call				182	
Approval				101	134

Public Service Committee Chair Maha motioned for adoption seconded by Legislator Klotzbach.

30. Contract Renewal Agreement-JFCAC/PNP
31. Contract Renewal Agreement-JFCAC/PhD, LMSW
32. Contract Renewal Agreement-JFCAC/M.D., FAAP
33. Contract Renewal Agreement-JFCAC/LCSW-R
34. Contract Renewal Agreement-JFCAC/Colgan- Forensic
35. Contract Renewal Agreement-JFCAC/Mitchell-Forensic
36. Contract Renewal Agreement-JFCAC/Schauf-Forensic
37. Agreement Extension-Sheriff/Justice Benefits, Inc.
38. Amend Resolution 271-2022 To Revise MOU Renewal-Sheriff/School Resource Officer for Genesee Valley BOCES

	30-38	Y	N	simple	2/3
1. Klotzbach	2			16	16
2. Yunker	X			26	26
3. Dibble	X			25	25
4. Hawley	X			31	31
5. Stein	X			26	26
6. Torrey	X			23	23
7. Deleo	X			17	17
8. Clattenburg	A			18	18
9. Maha	1			18	18
TOTALS				200	200
Roll Call				182	
Approval				101	134

Non-Consent Items:

39. Contract-Planning Department/Farmland Protection/Implementation Grant Services/Genesee Valley Conservancy. Motioned by Legislator Maha seconded by Legislator Klotzbach, carried unanimously.

39	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker			26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein – Abstain	n/a	n/a	26	26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	A		18	18
9. Maha	1		18	18
TOTALS			200	200
Roll Call			156	
Approval			101	134

Chair Stein asked again if anyone would like to speak regarding this public hearing before closing – no speakers. Close Public Hearing Authorization to Submit Restore NY Communities Initiative Municipal Grant Program Round 6/County Manager (Restore NY Round 6 grant application and properties designated for funding) - CLOSED TIME 6:01 p.m.

40. Authorization to Submit Restore NY Communities Initiative Municipal Grant Program Round 6/County Manager. Motioned by Legislator Hawley seconded by Legislator Deleo, carried unanimously.

40	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	X		25	25
4. Hawley	1		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	2		17	17
8. Clattenburg	A		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			182	
Approval			101	134

Chair Stein asked again if anyone would like to speak regarding this public hearing before closing – no speakers. Close Public Hearing: Local Law Introductory C, Year 2022 of the County of Genesee, New York, To Expand The Residency Territorial Area To Employ Genesee County Sheriff’s Office Correction Officers – CLOSED TIME 6:02 p.m.

41. Local Law Introductory C, Year 2022 of the County of Genesee, New York, To Expand The Residency Territorial Area To Employ Genesee County Sheriff’s Office Correction Officers. Motioned by Legislator Maha seconded by Legislator Dibble, carried unanimously.

41	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	X		26	26
3. Dibble	2		25	25
4. Hawley	X		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	A		18	18
9. Maha	1		18	18
TOTALS			200	200
Roll Call			182	
Approval			101	134

42. County Audit – September 28, 2022 Motioned by Legislator Torrey seconded by Legislator Yunker, carried unanimously.

42	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	2		26	26
3. Dibble	X		25	25
4. Hawley	X		31	31
5. Stein	X		26	26
6. Torrey	1		23	23
7. Deleo	X		17	17
8. Clattenburg	A		18	18
9. Maha	X		18	18
TOTALS			200	200
Roll Call			182	
Approval			101	134

RESOLUTION NO. 367

AMEND RESOLUTION 279-2022- JOB DEVELOPMENT BUREAU/REVISE LIVINGSTON COUNTY CONTRACT APPENDIX A OF THE GLOW WORKFORCE INOVATION OPPORTUNITY ACT (WIOA) PROGRAM – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Job Development Bureau has been approved by the GLOW Workforce Development Board as the Contractor to provide WIOA Adult, Dislocated Worker, and Youth Services for Genesee County. The grant is a one-year agreement with a budget of \$285,560.00, and

WHEREAS, a request to amend resolution 279-2022 to include changes to the appendix A of the contract with Livingston County on behalf of the GLOW Workforce Development Board. Section III. Non-Discrimination Requirements and Section XI. Sexual Harassment Compliance Certification was updated within the appendix, and

WHEREAS, the Genesee County Job Development Bureau has entered into contracts with Livingston County on behalf of the GLOW Workforce Development Board in order to receive these funds. Now, therefore be it

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 Genesee County Legislature hereby authorizes the Chairperson of the Genesee County Legislature to sign the revised Appendix A of said contract with Livingston County on behalf of the GLOW Workforce Development Board in order for the Job Development Bureau to provide WIOA Services.

Budget Impact: The grant is a one-year agreement with a budget of \$285,560.00.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 368

2022 MANAGEMENT SALARY SCHEDULE AMENDMENT/BUDGET AMENDMENT - 2022 EMPLOYEE SALARY SCHEDULE AMENDMENT /BUDGET AMENDMENT CENTRAL SERVICES /PURCHASING – PURCHASING AGENT APPROVAL OF

Legislator Torrey offers the following resolution:

WHEREAS, the Genesee County Central Services/Purchasing has requested the establishment of one (1) Purchasing Agent for 37.5 hours per week due to the vacancy of a Principal Financial Clerk position.

WHEREAS, the County Managers Office has reviewed and approved the concept of a succession plan with the establishment of a Purchasing Agent position.

WHEREAS, the Committee on Ways and Means does concur with this concept and recommends deletion of one (1) full time Principal Financial Clerk , CSEA , Grade 14 position and the addition of one (1) full time Management Purchasing Agent position.

RESOLVED, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2022 Management Salary Schedule by creating one (1) full time Purchasing Agent, in Management Grade 113 and to amend the Employee Salary Schedule by eliminating one (1) full time Principal Financial Clerk, Grade 14 effective September 29, 2022. Budget Impact: None expected at this time as there are funds available in 1610.1010.0000 Personnel Services from the Principal Financial Clerks vacancy.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 369

**AUTHORIZATION – CENTRAL SERVICES
/PURCHASING ESTABLISH PURCHASING DIRECTORS
AUTHORITY – NATURAL GAS APPROVAL OF**

Legislator Torrey offers the following resolution:

WHEREAS, since 1998 the Municipal Electric and Gas Alliance (MEGA), along with more than 300 New York State County governments, dozens of towns, villages, cities and school districts across all utility territories, gives MEGA the market power to bring down energy supply cost and customer overhead. Through the public bid process natural gas saving and controlling energy cost for participating municipalities have been achieved, and

WHEREAS, the Purchasing Office did sponsor a bid through MEGA in 2018, and

WHEREAS, as a result of this bid Direct Energy Business was awarded the contract to supply natural gas to Genesee County until October 2026, and

WHEREAS, Genesee County executed a natural gas supply contract with Direct Energy Business at a fixed rate until April 30, 2023, and

WHEREAS, Direct Energy Business and MEGA determined it is in the best interest of the County to react to favorable market conditions during the additional three years of the existing contract in order to capture opportunities as they occur, as it will insulate the County from the volatile energy market price spikes and provide the County with budget certainty, and

WHEREAS, the Legislature does agree with the concept to react to favorable market rates as they occur and hereby approves and directs the Purchasing Director to acquire and approve the best value price by locking in a favorable rate with the natural gas supplier Direct Energy Business on behalf of the County for term specified in the agreement, and

WHEREAS, the Legislature is determined to react to favorable prices and to grant authority to the Purchasing Director, and an Ad Hoc group, hereunder to make those direct recommendations. Now, therefore be it

RESOLVED, the Purchasing Director be and is hereby authorized to do all such acts and deeds as necessary to give effect to the foregoing Resolution. The Purchasing Director is authorized to act only until favorable rates for natural gas are in place through October 2026. Therefore, be it further

RESOLVED, that the County Legislature is hereby authorizes the Purchasing Director to make recommendation(s) directly to the Chairperson of the Legislature to execute, endorse and deliver on behalf of the County, all agreements and contracts associated with the commitment of favorable rate Agreements for a specified term.

Budget Impact: Locking in a favorable rate natural gas contract during the current volatile energy market will insulate the County from escalating natural gas rates, and is expected to achieve a saving compared to waiting until the County's current natural gas contract expires.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

**RESOLUTION NO. 370 AUTHORIZATION – CENTRAL SERVICES
/PURCHASING ESTABLISH PURCHASING
DIRECTORS AUTHORITY – ELECTRICITY
APPROVAL OF**

Legislator Torrey offers the following resolution:

WHEREAS, since 1998 the Municipal Electric and Gas Alliance (MEGA), along with more than 300 New York State County governments, dozens of towns, villages, cities and school districts across all utility territories, gives MEGA the market power to bring down energy supply cost and customer overhead. Through the public bid process electricity saving and controlling energy cost for participating municipalities have been achieved, and

WHEREAS, the Purchasing Office did sponsor a bid through MEGA in 2018, and

WHEREAS, as a result of this bid Constellation Energy was awarded the contract to supply electricity to Genesee County until October 2026, and

WHEREAS, Genesee County executed an electricity supply contract with Constellation Energy at a fixed rate until October 2023, and

WHEREAS, Constellation Energy and MEGA determined it is in the best interest of the County to react to favorable market conditions during the additional three years of the existing contract in order to capture opportunities as they occur, as it will insulate the County from the volatile energy market price spikes and provide the County with budget certainty, and

WHEREAS, the Legislature does agree with the concept to react to favorable market rates as they occur and hereby approves and directs the Purchasing Director to acquire and approve the best value price by locking in a favorable rate with the electric supplier Constellation Energy on behalf of the County for term specified in the agreement, and

WHEREAS, the Legislature is determined to react to favorable prices and to grant authority to the Purchasing Director, and an Ad Hoc group, hereunder to make those direct recommendations. Now, therefore, be it

RESOLVED, the Purchasing Director be and is hereby authorized to do all such acts and deeds as necessary to give effect to the foregoing Resolution. The Purchasing Director is authorized to act only until favorable rates for electricity are in place through October 2026. Therefore, be it further

RESOLVED, that the County Legislature hereby authorizes the Purchasing Director to make recommendation(s) directly to the Chairperson of the Legislature to execute, endorse and deliver on behalf of the County, all agreements and contracts associated with the commitment of favorable rate Agreements for a specified term.

Budget Impact: Locking in a favorable rate electrical contract during the current volatile energy market will insulate the County from escalating electric rates, and is expected to achieve a saving compared to waiting until the County's current electric contract expires.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

**RESOLUTION NO. 371 AGREEMENT & BUDGET AMENDMENT-ARPA
VENDOR AGREEMENT/ JOB DEVELOPMENT
BUREAU AND COUNTY OF GENESEE-APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, The American Rescue Plan Act (ARPA) was signed into law March 11, 2021 with Genesee County scheduled to receive a total of \$11,125,969 Million in Coronavirus State and Local Fiscal Recovery Funds, and

WHEREAS, Treasury issued a Final Rule for ARPA Fiscal Recovery Funds effective April 1, 2022 and ARPA provides that Coronavirus State and Local Fiscal Recovery Funds may be used to respond to the public health emergency or its negative economic impacts including assistance to non-profits, and

WHEREAS, Genesee County Job Development Bureau and GLOW Workforce Development Board have an increased demand from Genesee County residents for job training and related services, and

WHEREAS, The County of Genesee desires to enter into an Agreement with Job Development Bureau for the purpose of assisting the County in meeting goals of the ARPA, and

WHEREAS, the County Manager, County Attorney and County Treasurer have reviewed and approved of the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund 21.027 Vendor Agreement between the County of Genesee and Job Development Bureau, and

WHEREAS, the Ways & Means Committee did review the Agreement 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 American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund 21.027 Vendor Agreement between the County of Genesee and Job Development Bureau. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 budget by increasing A.1231.4800.0700 ARPA Contractual Expense in the amount of \$100,000 to be offset by an increase in revenue A.1231.4089.3 Federal Aid ARPA in a like amount. Be it further

RESOLVED, that the Genesee County Treasurer be and hereby is authorized and directed to amend the 2022 Job Development Bureau Budget by increasing Appropriations Accounts CD6290 1010.011 Work Experience \$9,240, CD6290 8010.0000 Social Security Tax \$575, CD6290 8011.0000 Medicare Tax \$135, CD6290 8060.0000 Self-insurance \$25, CD6290 4835.000 OJT \$5,000, and CD 6290 4845.0000 Stipends \$2,000, CD 6290 4865.0000 Tuitions – Participants \$66,425, CD 6290 4855.000 Supplies – Participants \$16,600; to be offset by an increase in Revenue CD.6290.2389 Miscellaneous Other Government in the amount of \$100,000.

Budget Impact: 2022 Budget will be amended by increasing A.1231.4800.0700 ARPA Contractual Expense in the amount of \$100,000 to be offset by an increase in revenue A.1231.4089.3 Federal Aid ARPA in a like amount.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 372

**AGREEMENT – GENESEE FINGER LAKES
REGIONAL PLANNING COUNCIL / GRANT
ADMINISTRATION – APPROVAL OF**

Legislator Torrey offered the following resolution

WHEREAS, the County is desirous of obtaining a grant administration consultant to provide technical assistance in the administration, management and implementation of grants awarded to the County, and

WHEREAS, the County Manager has reviewed the proposal submitted by Genesee Finger Lakes Regional Planning Council for grant administration services and requests approval, and

WHEREAS, the Ways and Means Committee has reviewed the request and recommends 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 documents to enter into an agreement with Genesee Finger Lakes Regional Planning Council, 50 West Main Street, Suite 8107 Rochester New York 14614 to provide grant administration, management and implementation of grants awarded to Genesee County from October 1, 2022 – September 30, 2024 at an hourly rate of \$85 per hour on an as needed basis.

Budget Impact: When possible the grant administration will be incorporated into the grant award. \$5,000 is included in the 2022 for grant writing/administration.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 373

**BUDGET TRANSFER – COUNTY MANAGER
/FACILITIES MANAGEMENT – PUBLIC
COMMUNICATIONS AND WEB DESIGN
SPECIALIST EQUIPMENT, SOFTWARE AND
SUPPLIES/TRAVEL FOR JAIL REVIEW OF
OPERATIONS AND MECHANICALS – APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Public Communications and Web Design Specialist is in need of specialty equipment and software to produce professional video and audio material for the County, and

WHEREAS, the Deputy Highway Superintendent will be traveling to Coxsackie, New York to review the operations and mechanicals of the Greene County Jail,

WHEREAS, the County Manager is requesting the use of contingency funds budgeted in the 2022 Budget to cover the cost in the County Manager and Facilities Management Budgets, and

WHEREAS, the Ways and Means Committee did review this request and recommends approval at this time. Now, therefore Be it

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

\$3,927	From	A.1990.4800.0000	Contingency
\$1,500	To	A.1230.2008.0001	County Manager – Dept Equipment
\$ 200		A.1230.4110.0000	County Manager – General Office Supplies
\$ 800		A.1230.4160.0001	County Manager – Software Licensing
\$ 500		A.1230.4170.0000	County Manager – Advertising
\$ 927		A.1620.4560.0000	Facilities Management – Personnel Travel

Budget Impact: Utilize \$3,927 of available contingency fund.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 374

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

Legislator Torrey offered the following resolution:

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

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

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

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Western New York Land Conservancy of 11663 Old Strykersville Road, East Aurora for the provision of New York State Department of Agriculture and Markets' (NYSDAM) Farmland Protection Implementation Grant (FPIG) applications, grant coordination and related services from September 2022 and extending through December 31, 2023.

Budget Impact: Expenses not to exceed \$15,000 will be included in the 2023 Planning Budget line A8020.4600.0000 Contracted Services.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 375

**GRANT ACCEPTANCE - EMERGENCY
MANAGEMENT SERVICES – FY21 HAZARDOUS
MATERIALS EMERGENCY PREPAREDNESS
(HMEP) GRANT – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Emergency Management Services Coordinator requests authorization to accept 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 (PHMSA) and administered by the New York Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, 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, and

WHEREAS, the HMEP grant program prioritizes efforts that lead to the prevention of serious hazmat transportation related incidents, principally those of high consequences to people and the environment, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with New York State Division of Homeland Security and Emergency Services (DHSES), 1220 Washington Avenue, Building 7A, Albany, NY 12242 for the acceptance of FY 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant - (September 1, 2022 through September 29, 2023) and to execute any and all other documentation related to this funding.

Budget Impact Statement No County cost. Grant funds in the amount of \$15,789.00 are to be appropriated in the 2023 Emergency Management Services (EMS) budget. (Appropriation Account A.3640.4800.0503 offset by Revenue Account. A.3640.4305.1000)

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 376

**GRANT ACCEPTANCE – GENESEE JUSTICE/NEW
YORK STATE OFFICE OF VICTIM SERVICES
GRANT – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee Justice Program Coordinator has 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), and

WHEREAS, the Program Coordinator has requested that the County accept this funding which stipulates that this revenue will be used to support the Genesee Justice Comprehensive Victim Assistance Program, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Office of Victim Services for the acceptance of the Victim Assistance Program Funding for the period of October 1, 2022 through September 30, 2025 in the amount of \$392,451.51, and to execute any and all other documentation related to this funding.

Budget Impact: \$130,817.17 will be included in the 2023 Dept. 3151-Genesee Justice Budget. Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 377

**2022 SALARY SCHEDULE AMENDMENT/
POSITION RECLASSIFICATION-SHERIFF-
GENESEE JUSTICE/ELIMINATION OF ONE FULL-
TIME COMMUNITY SERVICE/VICTIM ASSISTANT
POSITION AND CREATION OF A FULL-
TIME COMMUNITY/VICTIM SERVICES
COUNSELOR POSITION-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, after a review of the full-time Community Service/Victim Assistant position within Genesee Justice, it was decided that this position required re-evaluation based upon the duties and responsibilities that have been allotted to this position, and

WHEREAS, a reclassification review was conducted by the Genesee County Human Resources Department, with the concurrence of the Genesee County Sheriff, resulting in a recommendation by the Human Resources Director that the full-time Community Service/Victim Assistant position be reclassified to a full-time Community/Victim Services Counselor position, and

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

RESOLVED, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 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.

Budget Impact Statement: 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. Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 378

**2022 BUDGET TRANSFERS-SHERIFF/ GENESEE
JUSTICE - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee Justice Program Coordinator respectfully requests to transfer funds within the 2022 Genesee County budget, and

WHEREAS, this budget transfer is being requested 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, and

WHEREAS, the Office of Victim Services has approved an amendment to the grant budget that will allow unspent funds to support and enhance services to victims, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and does recommend acceptance of the budget transfer at this time. Now, therefore, Be it

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to make the following budget transfer for the 2022 budget as follows:

Transfer from expense accounts:

A.3152 8030.0000 Medical \$6,000.00

Transfer to expense accounts:

A.3152 4110 0000 General Office Supplies \$200.00
A.3152 4110 0011 Copier Cost/Copy \$300.00
A.3152 4140 0000 Postage \$200.00
A.3152 4140 0000 Printing \$2,100.00
A.3152 4540 0000 Personnel Mileage \$400.00
A.3152 4800 0000 Program Expense \$2,800.00

Budget Impact: Appropriations to the Genesee Justice budget are offset by revenue from the NYS Office of Victim Services.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 379 GRANT AWARD ACCEPTANCE - JUSTICE FOR CHILDREN ADVOCACY CENTER NEW YORK STATE OFFICE OF VICTIM SERVICES- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Justice for Children Program Coordinator has been notified that the New York State Office of Victim Service intends to award a grant to support direct victim services provided at the Justice for Children Advocacy Center in Genesee, Orleans, and Wyoming Counties; and

WHEREAS, this new grant will continue funding Justice for Children Advocacy Center direct victim services after the existing grant for this project expires on September 30, 2022; and

WHEREAS, the contract term runs from October 1, 2022 through September 30, 2025, and the total award amount is \$577,795.65; and

WHEREAS, the annual award amount is \$192,598.55; and

WHEREAS, we respectfully request permission to accept this award from the New York State Office of Victim Services; and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and does approve this request 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 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.

Budget Impact: Grant funding from the New York State Office of Victim Services will fund direct victim services at the Justice for Children Advocacy Center, including victim advocacy, mental health treatment, forensic interviewing, and medical care.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 380 SERVICE AGREEMENT – JUSTICE FOR CHILDREN ADVOCACY CENTER /VIDANYX - APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Justice for Children Advocacy Center wishes to enter into a service agreement with VidaNyx for encrypted cloud-based storage and sharing of child forensic interviews, and;

WHEREAS, the Justice for Children Advocacy is currently utilizing DVD-Rs to transmit copies of child forensic interviews to multidisciplinary team members in the fields of law enforcement, child protection, and prosecution, and;

WHEREAS, the DVD-Rs are subpar in terms of reliable burning and viewing of videos, and pose a security risk should they be lost during transport, and;

WHEREAS, the VidaNyx system will allow for encrypted cloud-based sharing that enables administrative tracking of all viewers, drastically enhancing confidentiality, security, and productivity, and;

WHEREAS, VidaNyx offers a 5% discount on the annual service if paid in full at the start of the contract, bringing the annual cost of service from \$5,150.00 to \$4,893, and;

WHEREAS, VidaNyx has applied for a grant to defray the cost to the County for the first year of service, and;

WHEREAS, the County will receive a check for \$1,223.13 from the Omaha Community Foundation, which will bring the County share of the first year of service from \$4,893.00 to \$3,669.38, and;

WHEREAS, the Committees on Public Service and Ways and Means did review the 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 a contract with VidaNyx for encrypted cloud-based storage and sharing of forensic interviews at the Justice for Children Advocacy Center at a total cost of \$3,669.38 paid at initiation of the contract.

Budget Impact Statement: Funds for VidaNyx are fully covered by grants from the NYS Office of Children and Family Services and the NYS Office of Victim Services.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 381

**BUDGET TRANSFERS-JUSTICE FOR CHILDREN
ADVOCACY CENTER –APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Justice for Children Program Coordinator respectfully requests to transfer funds within the 2022 Genesee County budget, and

WHEREAS, this budget transfer is being requested 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., and

WHEREAS, the NYS Office of Children and Family Services and the Office of Victim Services have approved an amendment to the grant budgets that will allow unspent funds to support and enhance services to children and families, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and does recommend acceptance of the budget amendment at this time. Now, therefore, be it

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to make the following budget transfer for the 2022 budget as follows:

Transfer from expense accounts:

A.3152 1010 0000	Personal Services	\$45,000.00
A.3152 8010.0000	Social Security Tax	\$2,500.00
A.3152 8011.0000	Medicare Tax	\$650.00
A.3152 8020.0000	Retirement	\$700.00
A.3152 8030.0000	Medical	\$41,000.00
A.3152 8040.0000	Dental	\$500.00
A.3152 8070.0000	Vision	\$180.00
	Total	\$90,530.00

Transfer to expense accounts:

A.3152 2060 0065	Audio/Visual Equip.	\$21,820.00
A.3152 4110 0011	Copier Cost/Copy	\$200.00
A.3152 4230 0000	Facility Electric	\$300.00
A.3152 4240 0000	Facility Gas	\$200.00
A.3152 4290 0035	Cell Phone/Air Card	\$750.00
A.3152 4540 0000	Personnel Mileage	\$1,500.00
A.3152 4550 0000	Personnel Training	\$3,000.00
A.3152 4660 0000	Contracted – Other	\$25,000.00
A.3152 4800 0000	Program Expense	\$37,760.00
	Total	\$90,530.00

Budget Impact: Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services and NYS Office of Victim Services.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

**RESOLUTION NO. 382 MOU AGREEMENT – SHERIFF / SCHOOL
RESOURCE OFFICER FOR ELBA CENTRAL
SCHOOL DISTRICT - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the 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, and

WHEREAS, reimbursement from the District includes the hourly rate, fringe benefits and insurances specific to the Deputy assigned at a cost of \$119,568.41, and

WHEREAS, after careful review by the Sheriff and County Attorney, and

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

RESOLVED, that the Chair of the Genesee County Legislature and Genesee County Sheriff are authorized to sign the MOU.

Budget Impact: Cost for the School Resource Officer is offset by revenue in the same amount.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 383 BUDGET TRANSFER-SHERIFF/VEHICLE FUEL

Legislator Torrey offered the following resolution:

WHEREAS, Due to the increases in the price of vehicle fuel, the Sheriff’s vehicle fuel expenses have almost exceeded the amount budgeted for 2022, and

WHEREAS, There are funds available in the Sheriff’s Personal Services line item due to vacancies in the department during the year, and

WHEREAS, The Sheriff is requesting to transfer \$50,000 from Personal Services to Vehicle Fuel, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following budget transfer:

\$50,000 from A3110.1010.0000 (Personal Services);

\$50,000 to A3110.4310.0000 (Vehicle Fuel)

Budget Impact: Transfer of \$50,000 from the Sheriff’s Personal Services line item to Sheriff’s Vehicle Fuel line item. No budget impact.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 384

ACCEPTANCE OF GRANT FUNDS/SHERIFF – PUBLIC SAFETY ANSWERING POINT OPERATIONS GRANT– APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The New York State Division of Homeland Security and Emergency Services Public Safety Answering Point (PSAP) Operations Grant Program has awarded Genesee County grant funding in the amount of \$185,949, which will be used to offset operational expenses associated with the County 911 Center, and

WHEREAS, The PSAP Operations Grant award was included in our 2022 Communications budget submission in the amount of \$190,000, and

WHEREAS, The Sheriff is requesting acceptance of the grant funding, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to accept the NYS DHSES PSAP Operations Grant award in the amount of \$185,949.

Budget Impact: Acceptance of NYS DHSES PSAP Operations Grant award in the amount of \$185,949. The grant funds were included in the 2022 Communications budget submission.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 385

2022 BUDGET AMENDMENT – PUBLIC DEFENDER/OFFICE SPACE-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Public Defender is requesting 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”, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget as follows:

Increase Appropriations A.1170.4660 Contracted Other:	\$9,300
Increase Revenue A.1170.3025 Indigent Legal Services	\$9,300

Budget Impact Statement: Increase in expenses of \$9,300 offset by grant revenue from Indigent Legal Services Statewide Expansion of Hurrell-Harring Grant.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 386

GRANT APPLICATION ACCEPTANCE /BUDGET AMENDMENT– DISTRICT ATTORNEY/CRIMINAL JUSTICE DISCOVERY REFORM GRANT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the District Attorney requests 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, and

WHEREAS, the grant period runs April 1, 2022 through March 31, 2023, and

WHEREAS, a portion of the grant funds are allocated to the Genesee County Sheriff’s Office, Batavia Police Department and LeRoy Police Department, and

WHEREAS, the Committees on Public Service and Ways & Means do concur with this request

and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute all documents with the New York State Division of Criminal Justice Services necessary to accept and obtain grant funds in the amount of \$247,176 for Criminal Justice Discovery Reform in Genesee County, and Be it further

RESOLVED, the Genesee County Treasurer is authorized and directed to amend the 2022 Genesee County Budget by increasing A.1165.3322 – District Attorney, St. Aid – Dept. of Criminal Justice by \$78,758 offset by an increase in A1165.4800.0000 – District Attorney, Program Expense in a like amount to cover the Genesee County Sheriff’s Office, Batavia Police Department and LeRoy Police Department allocations.

Budget Impact: 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.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 387

**OAK ORCHARD SMALL WATERSHED
PROTECTION DISTRICT ADMINISTRATIVE
BOARD AMENDMENT TO BOARD– APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, Resolution No. 27, duly adopted on January 24, 1979, did establish The Oak Orchard Small Watershed Protection District Administrative Board also known as the Oak Orchard Administrative Board with four members from Genesee County and four members from Orleans County and 2 voting ex-officio members one of whom shall be Chair of Genesee County Soil & Water Conservation District and one of whom shall be Chair of Orleans County Soil & Water Conservation District, and

WHEREAS, Resolution No. 52, duly adopted on January 24, 2001 amended the composition of the Board to include one alternate member from each county, and

WHEREAS, it has become increasingly difficult to attract and retain board membership due to increased work and family obligations leaving less discretionary time for volunteering, and

WHEREAS, the Committees on Public Service and Ways & Means do concur with reducing membership to a total of eight members, with a minimum of two members from Genesee County and a minimum of two members from Orleans County with two alternate members from Soil and Water Conservation District, Now therefore Be it

RESOLVED, that 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 Conversation District. Members shall be appointed from each County for a term of two years. Any qualified members may succeed themselves.

Budget Impact: None.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 388

**CLOSE CAPITAL PROJECT/BUDGET
AMENDMENT/BUDGET TRANSFER–AIRPORT/T-
HANGAR CONSTRUCTION (AIR-99) – APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent did review established capital projects at the Genesee County Airport and does recommend closing one project, and

WHEREAS, 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, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following budget amendment: increase A 1000 1110.1, 1% Sales Tax, in the amount of \$637.50 to be offset by an increase in A 9950 9000.0000 Transfer to Capital in a like amount, and a budget transfer to increase H 5997 5031 Interfund Transfer in the amount of \$637.50 and decrease H.5997.3897 State Aid in a like amount, and

RESOLVED, that the Genesee County Legislature does here by authorize the Genesee County Treasurer to close the following capital project:

Airport - T-Hangar Construction (AIR-99)

Budget Impact: \$637.50 to the 1% Sales Tax fund.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 389

**SURPLUS EQUIPMENT–HIGHWAY/ROAD
MACHINERY FUND – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, the Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it,

RESOLVED, that the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

#6029, Shovel 6 – 2001 Kobelco Tracked Excavator

Budget Impact: Revenue for the Road Machinery Fund

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 390

**CONSULTANT AGREEMENT–HOLLAND LAND
OFFICE MUSEUM/BUILDING CONDITIONS
STUDY - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has established a capital project Facility Management – Holland Land Office Museum Restoration Study, and

WHEREAS, Genesee County reviewed submittals from consultants for a building conditions survey, and

WHEREAS, the Genesee County Highway Superintendent, the Assistant County Engineer and Deputy Highway Superintendent reviewed these submittals and do recommend entering into a consultant agreement this time, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time, Now, therefore, Be it

RESOLVED, that the Chairperson of the Genesee County Legislature be hereby authorized to approve a consultant agreement with Wendel, 375 Essjay Rd, Suite 200, Williamsville, NY 14221 for a building conditions study of the Holland Land Office Museum in an amount not to exceed \$43,324.00

Budget Impact: The consultant agreement is for \$43,324. The capital project established for this expense has a balance of \$45,000.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 391 **ESTABLISH CAPITAL PROJECT–AIRPORT/AIP 48-22
RUNWAY LIGHTING & SIGNAGE REPLACEMENT
(DESIGN)**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has executed an Airport Improvement Program (AIP) grant agreement from the Federal Aviation Administration for the design of the runway lighting and signage replacement at the Genesee County Airport, and

WHEREAS, the County Superintendent of Highways recommends establishing a capital project for the execution of this design, and

WHEREAS, the Committees on Public Service and Ways and Means did review these requests and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to establish a capital project AIP 48-22, Runway Lighting and Signage Replacement (Design) 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)

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2022 Budget:

Increase H.5997 5031 Interfund Revenue	\$3,720	
Increase H.5997 4592 Federal Aid		\$66,960
Increase H.5997 3897 State Aid		\$3,720
Increase H.5997 2080.0000 Runway Lighting & Signage Design		\$74,400

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2022 Budget:

Increase A.1000 1110.1 Sales Tax 1%	\$3,720	
Increase A.9950 9000.0000 Transfer to Capital		\$3,720

Budget Impact: 90% federal aid of \$66,960, 5% state aid of \$3,720 and a local match from the 1% sales tax of \$3,720.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 392 **CONSULTANT AGREEMENT– AIRPORT–C&S
ENGINEERS/RUNWAY LIGHTING & SIGNAGE
REPLACEMENT (DESIGN) – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has established a capital project Airport – Runway Lighting and Signage Replacement (Design), and

WHEREAS, the Highway Superintendent and Assistant County Engineer reviewed a proposal from C&S Engineers to progress this project, and

WHEREAS, the Committees on Public Service and Ways and 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 a consultant agreement with C&S Companies, 499 Eileen Collins Blvd, Syracuse, NY 13212 to design the Runway Lighting and Signage Replacements at the Genesee County Airport in an amount not to exceed \$73,000.

Budget Impact: The consultant agreement is for \$73,000. The capital project established for this expense has a balance of \$74,400.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 393 **AMEND CAPITAL PROJECT/BUDGET
AMENDMENT–HIGHWAY/HIGHWAY
RECYCLING – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has established a Capital Project – Highway Recycling, and

WHEREAS, 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, and

WHEREAS, the Highway Superintendent has reviewed this proposal and does recommend accepting the funds at this time, and

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

RESOLVED, that the Genesee County Legislature does here by authorize the Genesee County Treasurer to amend the following capital project:

Increase Highway – Highway Recycling \$60,000

RESOLVED, that the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following amendment to the 2022 Budget:

Increase H 5197.2797 Other Local Govts \$60,000

Increase H 5197.2080.0000 Highway Recycling \$60,000

Budget Impact: 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.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 394 **SPECIAL EVENT–DEWITT RECREATION AREA/
BATAVIA ROTARY/TRICK OR TROT 5K
CEMETERY RUN – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, A Special Events application was received from Batavia Rotary to use the DeWitt Recreation Area to host the Trick or Trot 5K Cemetery Run on October 29, 2022, and

WHEREAS, The Highway Superintendent did review and recommend approval of this event, and

WHEREAS, The Committees on Public Service and Ways and Means do concur with this request. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does herby grant permission to Batavia Rotary to use the DeWitt Recreation Area to host the Trick or Trot 5K Cemetery Run on October

29, 2022, as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 395

**A RESOLUTION OPPOSING THE RECENTLY
PASSED CONCEALED CARRY IMPROVEMENT
ACT (CCIA)**

Legislator Torrey offered the following resolution:

WHEREAS, on July 1st, 2022 Kathy Hochul, the Governor of New York State signed into law the Concealed Carry Improvement Act (CCIA) that was drafted in close collaboration with the New York State legislature; and

WHEREAS, the Governor and the legislature surreptitiously 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; and

WHEREAS, 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; and

WHEREAS, the Governor and the legislature left the county level courts, law enforcement, Board of Supervisors and clerk’s office completely in the dark regarding the changes that would be forced upon the local licensing authorities; and

WHEREAS, Genesee County has a strong history of supporting lawful citizens in their individual realization of ‘Life, Liberty and the Pursuit of Happiness’ and that Genesee County recognizes that these are essential elements of this uniquely free nation; and

WHEREAS, the Genesee County Legislature also recognizes and respects the inherent right of our private citizens to ‘keep and bear arms’ as a means of personal protection; and

WHEREAS, Genesee County also recognizes the self-evident truth that individuals who seek to apply for a pistol permit are not the problem with regard to New York’s gun violence; and

WHEREAS, the newly enacted Concealed Carry Improvement Act presents procedural roadblocks in the form of privacy violations, subjective standards, financial burdens and overt restrictions on individuals seeking to exercise a fundamental right, and

WHEREAS, the Committees on Public Service and Ways and Means do concur with this request. Now, therefore, be it

BE IT RESOLVED, that the Genesee County Legislature vehemently, adamantly and with full resolve opposes the ill-advised provisions of the Concealed Carry Improvement Act and we consider many portions of the new law to be a gross violation of the US Constitution and contrary to the recent Supreme Court decision, New York State Rifle and Pistol Association, Inc. v. Bruen. Be it

FURTHER RESOLVED, that Genesee County will work with other counties through our various county associations to demand full repeal of the Concealed Carry Improvement Act as being unjust, ineffective, vague and unconstitutional. Be it

FURTHER RESOLVED, that Genesee County Legislature calls upon all other municipalities within the State of New York and any and all advocates for freedom and liberty to challenge this law by any means possible as unconstitutional and an unsubstantiated attack on lawful citizens. Be it

FURTHER RESOLVED, that the Clerk to the Genesee County Legislature shall forward copies of this resolution to New York State Governor Kathy Hochul, New York State Assemblyman Stephen Hawley, New York State Senator George Borrello, New York State Senator Edward Rath

III, New York State Senator Ortt, Senate Minority Leader, New York State Assembly Speaker Carl Heastie, New York State Senate Majority Leader Andrea Stewart-Cousins and all others deemed necessary and proper.

Legislator Yunker seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 396

**CONTRACTUAL RENEWAL AGREEMENT-
JUSTICE FOR CHILDREN ADVOCACY CENTER-
PNP - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Included the acceptance of the 2022-27 NYS Office of Children and Family Services grant are contractual agreements for medical providers at the Justice for Children Advocacy Center; and

WHEREAS, The Justice for Children Program Coordinator did request to renew a contractual agreement for a medical provider for the Justice for Children Advocacy Center; and

WHEREAS, This contract will allow the JFCAC to enhance forensic medical services for children impacted by abuse and will allow the JFCAC to meet Standards of Accreditation by the National Children's Alliance; and

WHEREAS, The Committees on Public Service did review this request and do 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 Cecilia Lyons, PNP with residence at 311 Ortner Road, Darien Center, NY 14040 to provide medical services to child-victims at the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY 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 .

Budget Impact: Funds for medical services are fully covered by a grant from the NYS Office of Children and Family Services and are already included in the 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 397

**CONTRACTUAL RENEWAL AGREEMENT-
JUSTICE FOR CHILDREN ADVOCACY
CENTER/PHD, LMSW- APPROVAL OF**

Legislator Maha 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, This contract will allow the JFCAC to continue to meet the mental health needs of children and families impacted by abuse and will allow us to meet our Standards of Accreditation by the National Children's Alliance; and

WHEREAS, The Committee on Public Service did review this request and do 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 Brenda McQuillan, PhD, LMSW, 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 for the period of October 1, 2022 through September 30, 2023 at a cost of \$55.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and NYS Office of Victim Services and are already included in the 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 398

**CONTRACTUAL RENEWAL AGREEMENT-
JUSTICE FOR CHILDREN ADVOCACY
CENTER/MD, FAAP - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Included the acceptance of the 2022-27 NYS Office of Children and Family Services grant are contractual agreements for a Medical Director at the Justice for Children Advocacy Center; and

WHEREAS, The Justice for Children Program Coordinator did request enter a contractual agreement for a Medical Director for the Justice for Children Advocacy Center; and

WHEREAS, This contract will allow the JFCAC to enhance forensic medical services for children impacted by abuse and will allow the JFCAC to meet Standards of Accreditation by the National Children's Alliance; and

WHEREAS, The Committees on Public Service did review this request and do 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 John F. Coyne, M.D., F.A.A.P., with residence at 1215 Backus Road, Derby, NY 14047 to provide medical services to child-victims and administer the medical program for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY for the period of October 1, 2022 through September 30, 2023 at a cost of \$3,500.00 per month.

Budget Impact: Funds for medical services are fully covered by a grant from the NYS Office of Children and Family Services and are already included in the 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent

RESOLUTION NO. 399

**CONTRACTUAL RENEWAL AGREEMENT-
JUSTICE FOR CHILDREN ADVOCACY
CENTER/LCSW-R - APPROVAL OF**

Legislator Maha 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, This contract will allow the JFCAC to continue to meet the mental health needs of children and families impacted by abuse and will allow us to meet our Standards of Accreditation by the National Children's Alliance; and

WHEREAS, The Committees on Public Service did review this request and do 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 and to provide mental health services to child-victims and their families for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY for the period of October 1, 2022 through September 30, 2023 at a cost of \$65.00 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 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 400

**CONTRACTUAL RENEWAL AGREEMENT -
JUSTICE FOR CHILDREN ADVOCACY
CENTER/FORENSIC - 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, This contract will allow the JFCAC to continue to conduct high-quality; evidence-based forensic interviews of children impacted by abuse and will allow us to meet our Standards of Accreditation by the National Children's Alliance; and

WHEREAS, The Committee on Public Service did review this request and do 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, 2022 through September 30, 2023 at a cost of \$95.00 per hour.

Budget Impact: Funds for contractual agreements are fully covered by grants from the NYS Office of Children and Family Services and NYS Office of Victim Services and are already included in the 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 401

**CONTRACTUAL RENEWAL AGREEMENT -
JUSTICE FOR CHILDREN ADVOCACY
CENTER/FORENSIC - APPROVAL OF**

Legislator Maha 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, This contract will allow the JFCAC to continue to conduct high-quality; evidence-based forensic interviews of children impacted by abuse and will allow us to meet our Standards of Accreditation by the National Children's Alliance; and

WHEREAS, The Committee on Public Service and did review this request and do 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, 2022 through September 30, 2023 at a cost of \$46.00 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 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 402

**CONTRACTUAL RENEWAL AGREEMENT
JUSTICE FOR CHILDREN ADVOCACY
CENTER/FORENSIC - APPROVAL OF**

Legislator Maha offered the following resolution:

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

WHEREAS, This contract will allow the JFCAC to continue to conduct high-quality; evidence-based forensic interviews of children impacted by abuse and will allow us to meet our Standards of Accreditation by the National Children’s Alliance; and

WHEREAS, The Committees on Public Service did review this request and do 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 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.

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 2022 and 2023 Justice for Children Advocacy Center Budget.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 403

**AGREEMENT EXTENSION - SHERIFF’S OFFICE /
JUSTICE BENEFITS, INC. - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the County of Genesee entered 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), and

WHEREAS, the second extension period expired on June 30, 2022, and

WHEREAS, it is mutually agreed that both parties wish to enter into the third extension period commencing, retroactively, on July 1, 2022, and will continue through June 30, 2023, and

WHEREAS, after careful review by the County Attorney, the Sheriff does recommend extending this contract for the second period, 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 extend this agreement as described above with Justice Benefits, Inc., 1711 East Beltline Road, Coppell, Texas 75019, for professional assistance with revenue enhancement services.

Budget Impact: Increase in Jail revenue.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 404

**AMEND RESOLUTION #271-2022 AND REVISE
MOU RENEWAL – SHERIFF/ SCHOOL RESOURCE
OFFICER FOR GENESEE VALLEY BOCES -
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Genesee Valley BOCES renewed its 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 24-month time period of September 1, 2022, through August 31, 2024, pursuant to Resolution #271-2022, and

WHEREAS, reimbursement from the District includes the hourly rate along with fringe benefits and insurances specific to the Deputy assigned, and

WHEREAS, 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, and

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 *

**The Genesee County Deputy Sheriffs' Association 2020-2023 contract expires on December 31, 2023. The hourly rate for 2024 will not be known until a new Collective Bargaining Agreement is ratified; therefore, the 2023 hourly rate was used for 2024. The yearly retirement rate is not available until late fall; therefore, the 2023 rate was used for 2024. Once the rates have been confirmed, it will be modified; and, if applicable, the difference will be billed under a separate invoice or a credit will be applied.*

WHEREAS, after careful review by the Sheriff and County Attorney, 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 Genesee County Sheriff are authorized to sign the revised MOU.

Budget Impact: Cost for the School Resource Officer is offset by revenue in the same amount.

Legislator Klotzbach seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 405

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

Legislator Maha offered the following resolution:

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

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

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

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

RESOLVED, the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Genesee Valley Conservancy, Inc., One Main Street, Genesee 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.

Budget Impact: Expenses not to exceed \$15,000 will be included in the 2023 Planning Budget line A8020.4600.0000 Contracted Services.

Legislator Yunker seconded the resolution which was adopted by 156 votes, Clattenburg (18) absent, Stein (26) abstain.

RESOLUTION NO. 406

**AUTHORIZATION TO SUBMIT RESTORE NY
COMMUNITIES INITIATIVE MUNICIPAL GRANT
PROGRAM ROUND 6/ COUNTY MANAGER-
APPROVAL OF**

Legislator Hawley offered the following resolution:

WHEREAS, the Empire State Development Corporation is requesting funding proposals for the sixth round of the Restore NY Municipal Grant program and grant funds are available for projects to demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings; and

WHEREAS, an important goal of Restore NY is to revitalize urban centers, rural areas, and disadvantaged communities. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, and industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base, lessening its dependence on state aid; and

WHEREAS, Counties submitting applications for communities with populations less than 40,000 can apply for up to \$2,000,000 in grant funding, and

WHEREAS, a Public Hearing was held on September 28, 2022 at 5:30 pm and all interested persons who wished to speak were heard or written comments were submitted and the Property Assessment List and Public Hearing Notice was published in the Batavia Daily News for 3 consecutive days; and

WHEREAS, the Ways & Means Committee does concur, Now therefore Be it

RESOLVED the Genesee County Legislature hereby authorizes submission of a Restore NY grant application not to exceed \$2,000,000 for the Healthy Living Campus project proposed by a partnership between the United Memorial Medical Center – Rochester Regional Health and the Genesee Livingston Orleans YMCA to demolish multiple properties; and Be it further

RESOLVED, that said project meets the following objectives:

- (1) The project is consistent with the City of Batavia Comprehensive Plan, Downtown Revitalization Initiative (DRI) Strategic Investment Plan, and Brownfield Opportunity Area (BOA) Plan.
- (2) The proposed financing for the project is appropriate and committed.
- (3) The project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources.
- (4) The project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable.

Legislator Deleo seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 407

**LOCAL LAW INTRODUCTORY C, YEAR 2022 OF
THE COUNTY OF GENESEE, NEW YORK, TO
EXPAND THE RESIDENCY TERRITORIAL AREA
TO EMPLOY GENESEE COUNTY SHERIFF'S
OFFICE CORRECTION OFFICERS – ADOPTION OF**

Legislator Maha offered the following Resolution:

**LOCAL LAW INTRODUCTORY C, YEAR 2022
COUNTY OF GENESEE, NEW YORK**

**ADOPT LOCAL LAW C OF THE YEAR 2022: A LOCAL LAW CREATING AN
EXPANSION TO THE RESIDENCY REQUIREMENT FOR THE CORRECTION
OFFICERS FOR THE COUNTY OF GENESEE**

BE IT ENACTED, by the County Legislature of the County of Genesee, State of New York as follows:

Section 1. Legislative Intent and Preface.

The County of Genesee Legislature hereby finds that in order to ensure an adequate pool of qualified applicants as Correction Officer, it is necessary and advisable that such Correction Officer may be permitted to reside within the County of Genesee or any county contiguous to the County of Genesee: namely, Erie, Niagara, Orleans, Monroe, Livingston, or Wyoming Counties.

Section 2. Purpose.

In the County of Genesee, the provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the State for which such person shall be chosen or within which such person's official functions are required to be exercised, shall not prevent a person from holding the office of Correction Officer in Genesee County, provided, however, that such person performing the duties and functions of Correction Officer resided in Genesee County or any county contiguous to the County of Genesee, unless otherwise provided by an act of the State Legislature.

Section 3. Severability.

If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgement shall have been rendered.

Section 4: Effective Date.

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

WHEREAS, the Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin boards in the Old County Courthouse and the County Building in the County of Genesee, and

WHEREAS, the Clerk of Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory C, Year 2022, and

WHEREAS, a Public Hearing was held at 5:30 p.m. on September 28, 2022 at the Old County Courthouse, Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, be it

RESOLVED, that a **“A LOCAL LAW CREATING EXPANSION TO THE RESIDENCY REQUIREMENT FOR THE CORRECTION OFFICERS FOR THE COUNTY OF GENESE”** to be known as Local Law Number 4, Year 2022, for the County of Genesee be and hereby is adopted.

Legislator Dibble seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.

RESOLUTION NO. 408 COUNTY AUDIT – SEPTEMBER 28, 2022

Legislator Torrey offered the following Resolution:

WHEREAS, Legislator Yunker, did review the following claims:

General Fund	\$	942,983.52
Highway		366,294.68
Self Insurance		24,634.75
Water Fund		17,397.77
DSS Abstracts		346,582.69

Capital Projects

Airport – Apron Reconstruction Construction	28,569.50
Sheriff/Jail – Jail Construction	3,471,727.57
Highway – S Lyons Street Bridge	10,644.95
OFA – Property Improvements	1,066.88

County Park – Pavilion A/B Roof & Fireplace	2,477.85
Highway – Overlay	14,912.08
Facilities Management – Genesee Justice Stonework	166,496.90
Payroll – General	
September 23, 2022	1,832,417.09
Medicaid	
September 20, 2022	152,875.00
September 27, 2022	<u>152,875.00</u>
Total Audit	\$ 7,531,956.23

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 182 votes, Clattenburg (18) absent.

Unfinished Business -None

Adjournment: Motioned by Legislator Deleo seconded by Legislator Klotzbach, carried unanimously. TIME: 6:03 p.m.