

**SEVENTEENTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, OCTOBER 11, 2023**

The Genesee County Legislature met in Regular Session on Wednesday, October 11, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Legislator Hawley offered to assist with the audit. The prayer will be offered by Legislator Dibble followed by the Pledge to the Flag.

In addition to our regular meeting, Chair Stein will called public hearing on the Proposed Local Law Introductory D of the Year 2023, An Amendment To Local Law No. 3 Of The Year 2021 Of The County Of Genesee, With Regard To 12 And 13 Year Old Licensed Hunters To Hunt Deer With A Firearm Or Crossbow During Hunting Season With The Supervision Of A Licensed Adult

Opened at 5:32

Those in attendance for the public hearing were Glen Adam a Member of Genesee Scope and Depew Rod & Gun Club, Dave Kaufman, Alvin Shaw, and Nancy Genslacher from Genesee Scope. Jason Crator a Landowner, Austin Crator a future hunter, and Michael Cioeiola a Genesee City Sportsmen Rep and on the New York State Fish & Wildlife Board. Doni Rophling, Wyatt Frys, Matthew Frys, Alivia Miechowicz, and Jason Miechowicz from Depew Rod & Gun Club and Donald Pionessa Sr. Vice President for the Genesee County Federation of Sportsmen and a member of Depew Rod & Gun Club. Mr. Glen Adam spoke first and thanked Legislature for enacting this law and giving continued support for this safe program for future hunters. Second, 11 year old Austin Crators spoke stating he will be turning 12 next year and explained the importance of passing this Local Law which will allow him to hunt. Lastly, Corky Shaw from Byron had been hunting since 9 years old without issues and always hunted with a responsible person when he was young.

Proclamations & Commendations:

Breast Cancer Awareness Month Proclamation presented by Legislator Clattenburg, accepted by Chair Stein. Chair Stein thanked everyone stating, one of the realities of life is that we don't get to choose what happens to our health all the time." Chair Stein having breast cancer, she found an incredible support system built into Genesee County called Genesee Cancer Assistance Group. A group that is incredible in their support which includes doctors and researchers, the kind of caring individuals and neighbors that you need.

Fire Prevention Week (October 8-14th) Proclamation presented by Legislator Maha accepted by Tim Yaeger and Gary Patnode on behalf of the 17 volunteers and 1 career fire department in Genesee County. Mr. Yaeger provided statistics and spoke on the importance of a smoke alarm in each home. He extended his appreciation to Legislature for their continuous support.

Approval of Minutes: Chair Stein asked for a motion to approve the September 27, 2023 minutes. Motion to approve by Legislator Hawley seconded by Legislator Dibble, carried unanimously.

Committee & Special Assignment Reports: Legislator Maha and Legislator Yunker attended the jail construction meeting and it is on time to be ready in March of 2024 and move in ready by June 2024, the budget is in great shape and next week they will start the black top. Legislator Deleo thanked Genesee Scope for all their support for the second amendment. Legislator Klotzbach announced the first release of a Genesee Eclipse illustrated book. The book can be purchased at geneseeclipse.com for \$14.99 and all proceeds will go to the animal shelter. Lastly, Chair Stein announced that Kelly Rapone from the Chamber of Commerce will be attending the NYS Chamber of Commerce Conference.

Communications & Petitions: None

Legislator Comments: Legislator Yunker commented on the importance of the hunting law and the impact it has on family making traditions. Legislator Yunker mentioned the law that was enacted and up for renewal has been proven to be safe and is an economic driver in our community. Statistically there are less hunters and there is a deer problem here, we need hunters and this law will allow for new generations to support the importance of hunting. Legislator Yunker thanked everyone for all

the support. Chair Stein thanked the Legislature for serving our community through committees and as liaisons for a committee. Chair Stein gave appreciation to the Legislature for the continued involvement with the County and praised the members of Legislature for their dedication and extraordinary work for our community.

County Manager Report: On behalf of County Manager Matt Landers, Assistant County Manager Tammi Ferringer announced there would be a partial eclipse on Saturday October 14th. Lastly, the Youth Bureau moved successfully to 5130 East Main Street, Suite 3 with Department of Social Services.

Resolutions: Consent Agenda Items-Ways and Means:

Legislator Clattenburg motioned for adoption for resolutions 1 through 14, seconded by Legislator Dibble seconded.

Clerk read resolutions 1-14 of the Ways and Means Committee:

1. Salary Schedule Amendment/Budget Amendment–Sheriff’s Office/Opioid Abatement Settlement Funded Narcotic Intelligence Analyst Position
2. Appointment/STOP-DWI Advisory Board- Gsell
3. Appointment/STOP-DWI Advisory Board-Graber
4. Revised Fair Housing Plan-County Manager
5. Genesee County Policy GC-048-Budget Modifications
6. Authorization to Procure Supplies of Electricity and Natural Gas On Behalf Of the Municipal Electric and Gas Alliance
7. Contract-Health Department/ Preschool Supportive Health Services Program
8. Acceptance of Request for Proposal–Health Department/Media Distribution for Opioid Use Disorder Campaign
9. Worker Retention Payment–Health Department/Public Health Infrastructure, Workforce & Data Systems Grant
10. Grant Acceptance-Health Department/ Children and Youth with Special Health Care Needs Program
11. Budget Amendment/Award of RFA-Mental Health/LGU OASAS Opioid Abatement Settlement Funds/Genesee County Health Department
12. 2023 Contract Amendment-Mental Health/Coordinated Care Services, Inc.
13. Board Appointments – Youth Bureau
14. Reappointment-Office for the Aging/Advisory Council

Clerk called the roll

| 1-14 | 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 | 1 | | 18 | 18 |
| 9. Maha | X | | 18 | 18 |
| TOTALS | 200 | | 200 | 200 |
| Roll Call | | | 200 | |
| Approval | | | 101 | 134 |

Human Services Committee under the Consent Agenda:

Legislator Torrey motioned for adoption of resolutions 15 through 17 seconded by Legislator Deleo seconded

Clerk read resolutions 15-17 of the Human Services Committee:

15. Contract Renewal–Health Department/ Tuberculosis Consultative and Educational Services Program
16. 2023 Child and Family Services Plan (CFSP) Update-Department of Social Services
17. Renewal of Contract–Office for the Aging/Tender Loving Familycare, Inc.

Clerk called the roll for resolutions 15-17

| 15-17 | 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 | 1 | | 23 | 23 |
| 7. Deleo | 2 | | 17 | 17 |
| 8. Clattenburg | X | | 18 | 18 |
| 9. Maha | X | | 18 | 18 |
| TOTALS | 200 | | 200 | 200 |
| Roll Call | | | 200 | |
| Approval | | | 101 | 134 |

Chair Stein asked if there were any more speakers regarding the public hearing. None spoke up.
Chair Stein closed the public hearing at 5:59 pm

Non-Consent Items:

Legislator Clattenburg offered the following Resolution, seconded by Legislator Yunker. The Clerk read Resolution 18.

18. To Adopt A Local Law Introductory D Of The Year 2023, An Amendment To Local Law No. 3 Of The Year 2021 Of The County Of Genesee, With Regard To 12 And 13 Year Old Licensed Hunters To Hunt Deer With A Firearm Or Crossbow During Hunting Season With The Supervision Of A Licensed Adult

Please take the roll call:

| 18 | 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 | X | | 23 | 23 |
| 7. Deleo | X | | 17 | 17 |
| 8. Clattenburg | 1 | | 18 | 18 |
| 9. Maha | X | | 18 | 18 |
| TOTALS | 200 | | 200 | 200 |
| Roll Call | | | 200 | |
| Approval | | | 101 | 134 |

Legislator Clattenburg offered the following Resolution, seconded by Legislator Hawley. Clerk please read Resolution 19

19. County Audit – October 11, 2023

Clerk called the roll call:

| 19 | 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 | 1 | | 18 | 18 |
| 9. Maha | X | | 18 | 18 |
| TOTALS | 200 | | 200 | 200 |
| Roll Call | | | 200 | |
| Approval | | | 101 | 134 |

Unfinished Business: None

Adjournment: Chair Stein moved to close the meeting, Legislator Maha motioned to adjourn seconded by Legislator Dibble. TIME: 6:03 pm.

RESOLUTION NO. 391

SALARY SCHEDULE AMENDMENT/BUDGET

**AMENDMENT–SHERIFF’S OFFICE/OPIOID
ABATEMENT SETTLEMENT FUNDED NARCOTIC
INTELLIGENCE ANALYST POSITION–APPROVAL
OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Opioid Task Force received a request from the Genesee County Sheriff’s Office to fund the creation of a part-time Narcotic Intelligence Analyst position in the Sheriff’s Office that will assist law enforcement agencies in the county, and

WHEREAS, the Opioid Task Force has reviewed the request and recommends allocating \$6,138 for 2023 and \$24,797 annually thereafter while grant revenues are available for the part-time Narcotic Intelligence Analyst, and

WHEREAS, the Ways and Means Committee did review this request and does 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 2023 Employee Salary Schedule by creating one (1) part-time Narcotic Intelligence Analyst, CSEA Grade 18/Step 1, in the Employee Salary Schedule effective October 13, 2023. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by increasing A.3110.1010.0000 – Sheriff, Personal Services by \$5,701, increasing A.3110.8010.0000 – Sheriff, Social Security Tax by \$354, increasing A.3110.8011.0000 – Sheriff, Medicare Tax by \$83, offset by an increase in A.3110.2735 Opioid Settlement in the amount of \$6,138 with monies coming from A688.1 Other Liabilities – Opioid Settlement

Budget Impact: Annual expense of the part-time position will be funded by opioid abatement settlement funds. Anticipated annual opioid funds are approximately \$138,000/yr.

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

**RESOLUTION NO. 392 APPOINTMENT/ STOP-DWI ADVISORY
BOARD/GSELL – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County STOP-DWI Coordinator has identified a qualified individual who has expressed interest in serving on the STOP-DWI Advisory Board as a citizen member, and

WHEREAS, the Genesee County STOP-DWI Advisory Board has reviewed the application and does recommend the appointment, and

WHEREAS, the Committee on Ways and Means does recommend the appointment to fill a vacancy of citizen member. Now, therefore, be it

RESOLVED, that Jay Gsell of Batavia, New York be appointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve a term effective immediately through December 31, 2025.

Budget Impact: None – these are volunteer Board Members

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

**RESOLUTION NO. 393 APPOINTMENT/ STOP-DWI ADVISORY
BOARD/GRABER - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County STOP-DWI Coordinator has identified a qualified individual who has expressed interest in serving on the STOP-DWI Advisory Board as a citizen member, and

WHEREAS, the Genesee County STOP-DWI Advisory Board has reviewed the application and does recommend the appointment, and

WHEREAS, the Committee on Ways and Means does recommend the appointment to fill a vacancy of citizen member. Now, therefore, be it

RESOLVED, that Gary Graber of Darien, New York be appointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve a term effective immediately through December 31, 2025.

Budget Impact: None – these are volunteer Board Members

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

RESOLUTION NO. 394 **REVISED FAIR HOUSING PLAN-COUNTY
MANAGER - ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County recognizes the importance of taking action to further fair housing throughout the County and is fully invested and committed to meeting responsibilities as a recipient of Federal Community Development Block Grant (CDBG) funds, and

WHEREAS, the County adopted a Fair Housing Plan in January 2018 and adopted a revised Plan in March 2019, and

WHEREAS, the County's Fair Housing Plan has been further updated to identify availability of information by including the designation of the Compliance Officer as the Fair Housing Officer, providing information as it relates to applicable laws, promoting Fair Housing activities and resources and how assistance will be provided to individuals who feel they have been discriminated against relative to housing, and

WHEREAS, the Ways & Means Committee did review the revised Fair Housing Plan and does recommend adoption of said Plan, Now, therefore be it

RESOLVED, the Genesee County Legislature hereby adopts the Genesee County Fair Housing Plan as presented as the official Plan for compliance with Community Development Block Grant (CDBG) funds

Budget Impact: No budget impact.

Legislator Dibble seconded the resolution, which was adopted by 400 votes.

RESOLUTION NO. 395 **GENESEE COUNTY POLICY GC-048-BUDGET
MODIFICATIONS-ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Policy & Procedure Committee drafted and edited a policy that establishes a method to make needed amendments and transfers to the adopted budget, and

WHEREAS, policy GC-048 *Budget Modifications* identifies the following policy statement; It is the policy of Genesee County to provide a mechanism to make required amendments and/or transfers to the adopted County budget, and

WHEREAS, the associated forms (notice of amendment to adopted budget & notice of appropriate transfer) have been appropriately updated, and

WHEREAS, the Policy & Procedure Committee did review GC-048 *Budget Modifications* Policy and the associated forms and recommends adoption, and

WHEREAS, the Ways & Means Committee did review GC-048 *Budget Modifications* Policy and does recommend approval at this time. Now therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve and adopt GC-048 *Budget Modifications* Policy.

Budget Impact: None

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

RESOLUTION NO. 396 **AUTHORIZATION TO PROCURE SUPPLIES OF
ELECTRICITY AND NATURAL GAS ON BEHALF OF
THE MUNICIPAL ELECTRIC AND GAS ALLIANCE-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, since 1998 the Municipal Electric and Gas Alliance (MEGA), along with more than 35 New York State county governments, has collectively procured through a public bid process

electricity and natural gas supplies, securing savings and controlling energy costs for participating municipalities, and

WHEREAS, Genesee County has played an active and pivotal role in assisting MEGA's growth, and **WHEREAS**, by resolution of a county government, and use of the "piggybacking" provisions of both New York State General Municipal Law Section 103, and County Law Section 408-a, such procurements for energy supplies allow other participating municipalities to receive offers pursuant to the terms of the procurement, and

WHEREAS, the potential outcomes of this procurement include MEGA recommending to the County the lowest qualified bid(s) from energy supply companies duly licensed in New York State and capable of serving customers at favorable prices, and

WHEREAS, MEGA, by resolution of its Board of Directors, has requested the County's cooperation in issuing an invitation to bid for electricity supplies, and an invitation to bid for natural gas supplies, and

WHEREAS, MEGA has asked Genesee County, as a partner and in recognition of the County's commitment to competitive markets in energy supplies, to serve in the role of the Procuring Municipality, a designation that allows other municipalities to enjoy the same terms and conditions as are provided to the Procuring Municipality, but that does not obligate Genesee County to enter into any energy purchase agreement unless authorized by the County Legislature, and

WHEREAS, the Genesee County Legislature strongly supports the efforts of MEGA to foster the development of renewable energy and recognizes the widespread benefits of the plan that has been put forward by MEGA, and

WHEREAS, this Legislature wishes to reflect this support by serving as the Procuring Municipality, including directing the release of all relevant bid documents for the procurements, and authorizing the County Manager to execute any agreements necessary to fulfill the responsibilities of the Procuring Municipality, recognizing that specific authority must be provided by this Legislature to enter into a specific power purchase agreement between the County and an energy supplier, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established by MEGA and will be reflected in a Program Agreement between the companies and MEGA, now therefore be it

RESOLVED, that Genesee County agrees to issue invitations to bid, on behalf of MEGA for supplies of electricity and natural gas, and

RESOLVED, further, that all political subdivisions and districts within the State are authorized to participate in the contracts awarded as result of these invitations to bid. Be it further,

RESOLVED, that the County Manager and/or Chairman of the Legislature, upon recommendation of the MEGA Board of Directors, is authorized to award the contract to one or more bidder(s) and to execute Program Agreements, along with MEGA and the successful bidder(s), outlining the programs (but not requiring the purchase of any energy supplies by the County).

Legislator Dibble seconded the resolution which passed by 200 votes.

RESOLUTION NO. 397

**CONTRACT-HEALTH DEPARTMENT/ PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with R. Mark Hilton, having its principal location of business at PO Box 615 Newark, NY 14513, for the provision of Related Services (speech) in the Preschool Supportive Health Services Program (PSSHSP), retroactively to September 1, 2023 through June 30, 2025 per the 2023-2025 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2023-2025 A 2960 3-5 Preschool Budget and will be included in the 2023-2025 Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 398 ACCEPTANCE OF REQUEST FOR PROPOSAL–
HEALTH DEPARTMENT/MEDIA DISTRIBUTION
FOR OPIOID USE DISORDER CAMPAIGN–
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Purchasing Director advertised request for proposals for the Media distribution for Opioid Use Disorder campaign that is directly connected with the Genesee County’s HEALing Communities Study and received six proposals, and

WHEREAS, the Purchasing Director and Public Health Director have reviewed and scored the proposals and recommend accepting the media distribution campaign proposal of \$107,595 from IDEA KRAFT, and

WHEREAS, the Committees on Human Services & Ways and have reviewed this request and do recommend acceptance at this time. Now, therefore, be it

RESOLVED, that the Genesee County Chair of the Legislature hereby accepts the proposal of \$107,595 for the media distribution campaign proposal from IDEA KRAFT, having its principal location of business at 45 Lewis St. Binghamton, NY 13965.

Budget Impact: The proposal submitted by IDEA KRAFT is within budgetary requirements. The media distribution campaign is fully funded by The HEALing Communities grant #GG015428. No county cost.

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

**RESOLUTION NO. 399 WORKER RETENTION PAYMENT–HEALTH
DEPARTMENT/PUBLIC HEALTH
INFRASTRUCTURE, WORKFORCE & DATA
SYSTEMS GRANT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Health Department accepted funding (resolution #289) from the Center for Disease Control & Prevention. The purpose of the PH Infrastructure, Workforce & Data Systems Grant is to address long-standing weaknesses due to chronic underinvestment in New York’s public health system and strengthen preparedness to address new challenges and better meet the ongoing and future public health needs of New Yorkers, and

WHEREAS, the Health Department continues to experience high rates of turnover and vacancies due to employees leaving for alternative employment, and

WHEREAS, to entice employees to remain in their employment with the County, the Health Department is using funds from the PH Infrastructure, Workforce & Data Systems grant to provide a worker retention payment in the amount of \$3,000 for hourly employees and \$4,000 for management employees, employed as of October 31st, 2023, and

WHEREAS, the Committees on Human Services and Ways & Means are in agreement and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer and Human Resource Director are hereby authorized and directed to provide worker retention payments to eligible employees using the following criteria; hourly employees who work 30 hours or more per week shall receive a retention payment of \$3,000 and management employees who work 30 hours or more per week shall receive a retention payment of \$4,000, Be it further

RESOLVED, that to be eligible for the retention payment, an employee shall be employed as of October 31st, 2023.

Budget Impact: All expenses for the retention payments are included in the 2023 4010 budget and are offset by the PH Infrastructure, Workforce & Data Systems Grant funds, with no cost to the

county.

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

RESOLUTION NO. 400 **GRANT ACCEPTANCE-HEALTH DEPARTMENT/
CHILDREN AND YOUTH WITH SPECIAL HEALTH
CARE NEEDS PROGRAM-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Children and Youth with Special Health Care Needs Program contract has been awarded in the total amount of \$56,616, and

WHEREAS, the Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Children and Youth with Special Health Care Needs Program, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Department of Health for the acceptance of the Children and Youth with Special Health Care Needs Program contract for the period October 1, 2023 through September 30, 2024, in the amount of \$56,616, and to execute any and all other documentation related to this funding.

Budget Impact: \$0 cost to the county as revenue and expenses will offset.

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

RESOLUTION NO. 401 **BUDGET AMENDMENT/AWARD OF RFA-MENTAL
HEALTH/LGU OASAS OPIOID ABATEMENT
SETTLEMENT FUNDS/GENESEE COUNTY HEALTH
DEPARTMENT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Director of Community Services within the Mental Health department is bringing forward the RFA for OASAS Opioid allocated LGU funding. Genesee County Health Department has requested a total of \$8,075.00 for prevention, and

WHEREAS, the Director of the Community Mental Health Services does approve this request and would like to award Genesee County Health Department the requested amount of \$8,075.00, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by increasing appropriation A.4314.4660.0000 Contractual in the amount of \$8,075.00 and increasing revenue A.4314.2735 Opioid Settlement in a like amount with monies coming from A.688.2 Other Liabilities.

Budget Impact: There is no County cost; NYS OASAS funding will cover total amount of \$8,075.00.

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

RESOLUTION NO. 402 **2023 CONTRACT AMENDMENT-MENTAL
HEALTH/COORDINATED CARE SERVICES, INC. –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, 2022 Resolution No. 463 duly adopted on November 9, 2022 did authorize a contract with Coordinated Care Services, Inc. (CCSI) for calendar year 2023, and

WHEREAS, the Director of Community Services did request an amendment to the County's contract with CCSI and to the County's 2023 budget to allow for additional services needed in the year 2023. The additional services would start immediately and go through 12/31/2023 with the total amount not to exceed an additional \$17,500, and

WHEREAS, the Committees on Human Services and Ways and Means did review these requests and do concur with these recommendations. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature be and hereby is directed and authorized to execute the necessary documents to amend the contract between the County of Genesee and Coordinated Care Services, Inc. which is located at 1099 Jay Street, Building J, Rochester, New York 14611 for an increase in the contract by \$17,500 to start immediately through December 31, 2023 with additional scope of work of said contract to be changed and in full force and effect, and Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Contractual payment with CCSI.

Budget Impact: \$17,500 for additional services; no change in direct County Budget, funding in current line 4310 4610.0000 Contracted Accounting.

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

**RESOLUTION NO. 403 BOARD APPOINTMENTS – YOUTH BUREAU -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Youth Advisory Board received two applications for vacancies. One application received from Fernando Cacho from LeRoy with an interest and desire to be appointed as a youth representative and a second application received by Shannon Whitcombe of Alexander, with an interest and desire to be appointed as the youth representative for Alexander, and

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

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

| <u>Representing</u> | <u>Name</u> | <u>Term</u> |
|---------------------|-------------------|------------------------|
| Alexander Youth Rep | Shannon Whitcombe | 11/1/2023 – 10/31/2026 |
| Youth Seat | Fernando Cacho | 11/1/2023 – 10/31/2026 |

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

**RESOLUTION NO. 404 REAPPOINTMENT-OFFICE FOR THE
AGING/ADVISORY COUNCIL-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, one (1) Provider Member's terms has expired, and is a member in good standing eligible for reappointment; and

WHEREAS, the Committees of Human Services and Ways and Means do recommend reappointment at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a second, three year term effective January 1, 2024 through December 31, 2026.

Provider Member:

Karen Gayton of RTS
Perry NY, 14530

Budget Impact: None

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

**RESOLUTION NO. 405 CONTRACT RENEWAL–HEALTH DEPARTMENT/
TUBERCULOSIS CONSULTATIVE AND
EDUCATIONAL SERVICES PROGRAM-APPROVAL
OF**

Legislator Torrey offered the following resolution:

WHEREAS, New York State Public Health Law does specify the responsibility of Genesee County to ensure direct clinical services for Tuberculosis, and

WHEREAS, Monroe County operates a Tuberculosis Control Program with consulting pulmonary and critical care physicians and Certified Infection Control Practitioners for providing comprehensive medical and nursing / case management consultative service under the statutory jurisdiction of the Department of Public Health, and

WHEREAS, Genesee County is desirous of obtaining the services of the Monroe County Department of Public Health's Tuberculosis Control Program, and

WHEREAS, the Director of Public Health did present a contract renewal for said services and the Committee on Human Services does concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Monroe County for Tuberculosis Consultative and Educational Services for the Genesee County Health Department retroactively for the term January 1, 2023 to December 31, 2023 at the following rates and not to exceed \$22,000 for the term of the contract:

- Flat fee of \$4,714.76 for Electronic Health Record Access, VPN Services, IT consultations and continuing education, Telemedicine access and for ongoing clinical support including policies and procedures, QA/QI and clinical education and staff development.

- Direct, patient consultative services:

- o Physician & RN Consults (latent TB) \$250/hour
- o Physician & RN Consults (non latent TB) \$1,800 per case

Budget Impact: Expenses related to this contract are allocated in the 2023 4010 budget and are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Works

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

**RESOLUTION NO. 406 2023 CHILD AND FAMILY SERVICES PLAN (CFSP)
UPDATE-DEPARTMENT OF SOCIAL SERVICES–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Commissioner of Social Services reviewed and approved the 2023 CFSP Update, and

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

WHEREAS, the Committee on Human Services have reviewed the CFSP update and do concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson to approve and signoff on the 2023 CFSP update, effective immediately.

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

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

**RESOLUTION NO. 407 RENEWAL OF CONTRACT–OFFICE FOR THE
AGING/TENDER LOVING FAMILYCARE, INC.–
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Director of the Office for the Aging did present an renewal of contract established through RFP 2019-106 with Tender Loving Family Care Inc, which took effect January 1, 2019, renewable for four (4) one-year renewal periods for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Western New York Alzheimer's Disease Caregiver Support Initiative; and

WHEREAS, this is the final renewal of four (4) total contract one (1) year renewals upon mutual, written consent of both parties and in the best interest of Genesee County and the Committee on Human Services does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Tender Loving Family Care, Inc. 1270 Creek Street, Suite 3, Webster, NY 14580 for the provision of in-home health care at the rate of \$35.00 per hour for Housekeeping/Chore (PC Level 1); \$38.00 per hour for Personal Care/Homecare (PC Level 2); and \$195.00 per visit for Nursing Supervision, not to exceed \$138,730 for the period January 1, 2024 – December 31, 2024.

Budget Impact: None. Total contract for 2024 not to exceed \$138,730 and is included in the 2024 proposed county budget. Funding for Homecare comes through Unmet Needs, Title III, WNY ADCSI, and EISEP.

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

RESOLUTION NO. 408

TO ADOPT A LOCAL LAW INTRODUCTORY D OF THE YEAR 2023, AN AMENDMENT TO LOCAL LAW NO. 3 OF THE YEAR 2021 OF THE COUNTY OF GENESEE, WITH REGARD TO 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT—APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, pursuant to Environmental Conservation Law, Sec. 11-0935, (hereinafter ECL 11-0935), the County of Genesee (hereinafter “County”) elects to participate in the temporary NYS program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a crossbow, rifle, shotgun, or muzzle loaded firearm, and

WHEREAS, this temporary NYS program expires on December 31, 2023, and

WHEREAS, the State has extended ECL 11-0935 through December 31, 2025, and

WHEREAS, the County desires to participate in the temporary NYS program to allow young hunters, ages twelve (12) and thirteen (13), to hunt deer with a crossbow, rifle, shotgun, or muzzle loaded firearm, and

WHEREAS, the following proposed Local Law Introductory D of the Year 2023 was duly introduced to the Genesee County Legislature in accordance with the Law: **LOCAL LAW 3 OF YEAR 2021 OF THE COUNTY OF GENESEE, WITH REGARD TO 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT**

BE IT ENACTED by the Genesee County Legislature as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize the County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law ECL 11-0935. The enacted 2023-2024 New York State Budget, includes a pilot program, allowing the opportunity for youth hunters, ages 12 and 13, to hunt deer with certain firearms and crossbow through December 31, 2025, if a County authorizes such action within their municipality. The County is amending this Local Law because hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Definitions for the purposes of this Local Law:

- a. “physical control” shall mean that the physical proximity of such minor to the parent, guardian or person is such that the parent, guardian or person is reasonably able to issue verbal

directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision to the minor.

- b. “eligible area” shall mean within the boundaries of the County.

Section 3. State Requirements

A hunting license holder who is twelve or thirteen years of age may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm as provided in this title in an eligible area provided that;

- a. Such minor is accompanied by their parent or legal guardian, or by a person designated in writing by such parent or legal guardian on a form prescribed by the Environmental Conservation Department who is twenty-one years of age or older; and
- b. Such parent, guardian or person has had at least three years’ experience in hunting deer; and
- c. Such parent, guardian or person holds a hunting license; and
- d. Such parent, guardian or person maintains physical control over the minor at all times while hunting; and
- e. Such parent, guardian or person and the minor remain at ground level at all times while hunting; and
- f. Such parent, guardian or person and the minor shall each display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

Section 4. Local Law Filing Requirements

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

Section 6. Effective Date

This Local Law shall take effect upon proper filing with the Office of the Secretary of State, and shall expire and be deemed repealed on December 31, 2025.

WHEREAS, the Clerk of the Genesee County Legislature has posted a certified notice of public hearing on said Local Law Introductory D of the Year 2023 on the bulletin board in the Old Courthouse and on the website, and

WHEREAS, the Clerk of the Genesee County Legislature did publish in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of public hearing on Local Law Introductory D of the Year 2023, and

WHEREAS, a public hearing was held at 5:30 on October 11th in the Legislature Chambers of the Old Courthouse, 7 Main Street, Batavia, New York, at which time all interested persons were heard. Now, therefore be it

RESOLVED, that “**LOCAL LAW INTRODUCTORY D OF THE YEAR 2023, AN AMENDMENT TO LOCAL LAW NO. 3 OF 2021, WITH REGARD TO 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT**” be

known as Local Law No. 4 Year 2023, for the County of Genesee as introduced September 27, 2023, be and hereby is adopted.

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

RESOLUTION NO. 409 COUNTY AUDIT–OCTOBER 11, 2023-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Hawley did review the following claims:

| | | |
|--|----|-------------------|
| General Fund | \$ | 2,107,360.10 |
| Highway | | 102,575.82 |
| Self Insurance | | 526.59 |
| Water Fund | | 290,180.25 |
| DSS Abstracts | | 145,070.26 |
| Capital Projects | | |
| Sheriff/Jail – Jail Construction | | 1,277.91 |
| Airport – Pavement Management System | | 495.40 |
| County Park – Area D Shelter Improvements | | 78.09 |
| County Park – Reconstruct Area B Parking | | 310.78 |
| County Park – Interpretive Center Moisture Protection & Siding | | 71,550.00 |
| Facilities Management – Genesee Justice Stone Work | | 450.43 |
| Highway – South St. Culvert over Drainage Ditch | | 180,855.69 |
| Highway – Large Span Culverts | | 15,608.83 |
| Highway – Highway Overlay | | 70,803.82 |
| Highway – S. Lyons Street Bridge over Tonawanda Creek | | 18,409.38 |
| Highway – Fisher Road over Orchard Creek | | 4,495.06 |
| Highway – Highway Surface Treatment | | 813,084.04 |
| Sheriff – Dispatch Center Console Furniture | | 20,340.00 |
| Payroll – General | | |
| October 6, 2023 | | 1,353,402.34 |
| Medicaid | | |
| October 3, 2023 | | 184,875.00 |
| October 10, 2023 | | <u>184,875.00</u> |
| Total Audit | \$ | 5,566,624.79 |

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

Chair Stein moved to close the meeting, Legislator Maha motioned to adjourn seconded by Legislator Dibble. TIME: 6:03 pm.