

**EIGHTEENTH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
WEDNESDAY, OCTOBER 25, 2023**

The Genesee County Legislature met in Regular Session on Wednesday, October 25, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

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

Chair Stein requested to amend the agenda. Legislator Yunker motioned to amend the agenda to add an executive session...Pursuant to Public Officer's law section §105 Conduct of Executive Session...discussions regarding proposed, pending or current litigation seconded by Legislator Dibble, carried unanimously.

Proclamations & Commendations: Cybersecurity Month presented by Legislator Klotzbach, accepted by Information Technology Director Michael Burns.

Approval of Minutes: Legislator Hawley motioned to approve the October 11, 2023 meeting minutes seconded by Legislator Deleo carried.

Committee & Special Assignment Reports: Legislator Torrey stated there is a search at Genesee Community College for a President, would like to have someone employed by springtime 2024. Legislator Maha reported that Legislator Stein, Clerk Casey and he attended ICAWNY October 20. Legislator Stein spoke of the Birds and Bees Act, so the word is out there for those to send letters to the Governor opposing the act. Legislator Maha and Clerk Casey will be ending their term on ICAWNY at the end of the year. There was a tour of the Intergrow plant, which is over 25 acres of land in greenhouses that distribute tomatoes all across the United States. Discussed resolutions – urging Local Federal Government to advocate for Increased Funding area agencies on aging to provide critical services to older adults and repeal certain provisions of the law establishing a fee for background checks on certain firearm and ammunition purchase.

Communications & Petitions: None

Legislator Comments: None

County Manager Report: County Manager Landers filed the 2024 budget with the Legislature on October 20th and the Public hearing is on November 1st after the Ways and Means committee meeting at 5:30 p.m. There is a tentative agreement with DSA and CSEA there will be a vote next week, Mr. Landers anticipates no financial changes. Also, County Manager Landers and Chair Stein attended a Water call-in meeting. Officials still pointing us in the same direction to obtain additional water funds. Katie Hohman our NYS lobbyist is working diligently to stay on top of the water fund search. One of many more meetings to happen to gain as much water funding as possible.

Resolutions: Consent Agenda Items – Ways and Means

Legislator Torrey motioned for adoption for resolutions 1 through 26, seconded by Legislator Klotzbach.

Clerk read resolutions 1-26 of the Ways and Means Committee:

1. Supporting Operation Green Light For Active Military Service Members In Transition To Civilian Life (Veteran Status)
2. Lease Agreement–County Manager/ Glow Region Solid Waste Management Committee
3. Budget For 2024 - Setting Public Hearing
4. Budget Amendment-Sheriff's Office /Additional Police Services Overtime
5. Grant Acceptance/Budget Amendment–Sheriff's Office/Governor's Traffic Safety Committee/Police Traffic Services Program
6. Grant Acceptance/Budget Amendment – Sheriff's Office/Governor's Traffic Safety Committee/Child Passenger Safety Program
7. Budget Amendment–Sheriff's Office/STOP-DWI HVEC

8. Grant Acceptance–Emergency Management Services & Sheriff’s Office/FY23 State Homeland Security Program (SHSP) Grant
9. Budget Amendment/Budget Transfer– Sheriff/Genesee Justice
10. Budget Transfers-Justice for Children Advocacy Center/New York State Office of Children and Family Services/Office of Victim Services
11. Master Agreement/Establish Capital Project/Budget Amendment–Highway/BRIDGE NY Program/Rose Road Over Bowen Creek Bridge (Pin 4BNY.56)
12. Consultant Agreement–Highway/BRIDGE NY Program/Rose Road over Bowen Creek Bridge
13. Master Agreement/Establish Capital Project/Budget Amendment–Highway /BRIDGE NY Program/Silver Road over Little Tonawanda Creek Bridge (Pin 4BNY.57)
14. Consultant Agreement–Highway/BRIDGE NY Program/Silver Road over Little Tonawanda Creek Bridge
15. Master Agreement/Establish Capital Project/Budget Amendment–Highway/BRIDGE NY Program/Colby Road over Crooked Creek Culvert (Pin 4BNY.75)
16. Consultant Agreement–Highway/BRIDGE NY Program/Colby Road over Crooked Creek Culvert
17. Master Agreement/Establish Capital Project/Budget Amendment–Highway/BRIDGE NY Program/Dry Bridge Road over Drainage Ditch (Pin 4BNY.76)
18. Consultant Agreement–Highway/BRIDGE NY Program/Dry Bridge Road Culvert
19. Supplemental Consultant Agreement– Highway/Oak Orchard Rd Bridge/ Construction Inspection and Administration
20. Budget Transfer/Authorization to Close–Highway/Facilities Management /Capital Projects
21. Authorization to Close-Highway/ Capital Projects
22. Budget Transfer/Authorization to Close–Highway/County Park/Capital Project
23. Consultant Agreement–Highway/Countywide Water Program Phase 3/Program Management
24. 2023 Salary Schedule Amendment– Highway/Upgrade Position/HVAC Building Maintenance Mechanic from AFSCME Grade 12 to AFSCME Grade 13
25. 2023 Budget Amendment/Contract Approval-Planning/Genesee County Housing Needs Assessment And Market Analysis
26. Intermunicipal Contract-Genesee, Livingston and Wyoming Counties Regional Solid Waste Management /Cooperation

Clerk called the roll:

1-26	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	1		23	23
7. Deleo	X		17	17
8. Clattenburg	absent		18	18
9. Maha	X		18	18
TOTALS	182		200	200
Roll Call			182	
Approval			101	134

Public Service Committee under the Consent Agenda:

Legislator Maha motioned for adoption of resolutions 27-32 seconded by Legislator Yunker.

Clerk read resolutions 27-32 of the Human Services Committee:

27. Contractual Agreement Renewal-Justice for Children Advocacy Center/Lyons
28. Contractual Agreement Renewal-Justice for Children Advocacy Center/Coyne

- 29. Contractual Agreement Renewal-Justice for Children Advocacy Center/Walsh
- 30. Contractual Agreement Renewal-Justice for Children Advocacy Center/McQuillan
- 31. Contractual Agreement Renewal-Justice for Children Advocacy Center/Mitchell
- 32. Contractual Agreement Renewal-Justice for Children Advocacy Center/Colgan

Clerk called the roll for resolutions 27-32

27-32	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	absent		18	18
9. Maha	1		18	18
TOTALS	182		200	200
Roll Call			200	
Approval			101	134

NON-CONSENT ITEMS

Legislator Torrey offered the following Resolution, seconded by Legislator Maha. Chair Stein assisted with the audit and commented on all the capital projects that the County is doing and have completed. The jail dollars on the audit were at 2.1 million showing that it’s coming to completion. Clerk please read Resolution 33.

33. County Audit – October 25, 2023

Please take the roll call:

33	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	X		17	17
8. Clattenburg	absent		18	18
9. Maha	2		18	18
TOTALS	182		200	200
Roll Call			182	
Approval			101	134

Unfinished Business: None

Adjournment: Chair Stein announced there will be an executive session Pursuant to Public Officer’s law section §105 Conduct of Executive Session...discussions regarding proposed, pending or current litigation; Legislator Hawley motioned to open the executive session at 5:51 p.m. seconded by Legislator Deleo. Legislator Deleo motioned to exit executive session at 6:10 p.m. seconded by Legislator Dibble.

Chair Stein asked for adjournment to the meeting, Legislator Maha motioned to adjourn seconded by Legislator Klotzbach. TIME: 6:10 p.m.

RESOLUTION NO. 410 SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE (VETERAN STATUS)

Legislator Torrey offered the following resolution:

WHEREAS, the residents of Genesee County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces, and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens, and

WHEREAS, Genesee County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all, and

WHEREAS, New York States Veteran Population has decreased by 44% over the last 20 years, and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, civil service, and

WHEREAS, approximately 200,000 service members transition to civilian communities annually, and

WHEREAS, an estimated 20% increase of service members will transition to civilian life in the near future, and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life, and

WHEREAS, active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service, and

WHEREAS, the Genesee County appreciates the sacrifices our United State Military Personnel made while defending freedom and believes accord them specific recognition in appreciation of their service and to demonstrate the honor and support they have earned. Now, therefore, be it

RESOLVED, with designation as a Green Light for Military Service County, Genesee County hereby declares from October through Veterans Day, November 11th 2023 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service, and be it further

RESOLVED, that in observance of Operation Green Light, the Genesee County Legislature encourages its citizens in patriotic tradition to recognize the importance of honoring all those who the immeasurable sacrifices helped to preserve freedom by displaying a green light in a window of their place of business or residence.

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

**RESOLUTION NO. 411 LEASE AGREEMENT–COUNTY MANAGER/ GLOW
REGION SOLID WASTE MANAGEMENT
COMMITTEE–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Manager did present an agreement with GLOW Region Solid Waste Management Committee for the lease of 560 sq. ft. of space at County Building #2, 3837 West Main Street Road in the Town of Batavia, for administrative purposes for the period of January 1, 2024 – December 31, 2025, at a rate of \$6.06/per sq. ft. for calendar year 2024 and \$6.18/per sq. ft. for calendar year 2024, and

WHEREAS, the Committee on Ways and Means did review said agreement 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 an agreement between GLOW Region Solid Waste Management Committee and the County of Genesee for the lease of 560 sq. ft. of space at County Building #2, 3837 West Main Street Road, Batavia effective January 1, 2024 through December 31, 2025; at a cost of \$6.06/per sq. ft. for 2024 and \$6.18/per sq. ft. for 2025.

Budget Impact: Revenue to the County of \$3,393.60 and \$3,460.80 for the above referenced fiscal years.

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

RESOLUTION NO. 412 BUDGET FOR 2024 - SETTING PUBLIC HEARING

Legislator Torrey offered the following resolution:

WHEREAS, the Tentative Budget for 2024 is being prepared by the Genesee County Budget Director and will be duly filed with the Clerk of the County Legislature, and

WHEREAS, the Committee on Ways and Means does recommend setting a public hearing for the 2024 Budget. Now, therefore, be it

RESOLVED, that a Public Hearing on the 2024 Genesee County Budget will be held on Wednesday, November 1, 2023 at 5:30 p.m. at the Old County Courthouse, 7 Main Street, in the City of Batavia, New York.

Budget Impact: None

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

RESOLUTION NO. 413

**BUDGET AMENDMENT-SHERIFF’S OFFICE
/ADDITIONAL POLICE SERVICES OVERTIME-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Sheriff’s Additional Police Services Overtime account is in need of funds to cover the current shortage, and projected cost through year end, and

WHEREAS, this account covers the cost of overtime pay associated with the provision of police services for outside agencies who contract for such services, and all overtime pay and fringe expenses related to these overtime details are reimbursed by the agencies being provided services, 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 amend the 2023 budget as follows:

\$95,000 to A3110.1020.0800 (OT Additional Polices Services)

\$5,890 to A3110.8010.0000 (Social Security Tax)

\$1,378 to A3110.8011.0000 (Medicare Tax)

\$18,525 to A3110.8020.0000 (Retirement)

Offset by an increase in Sheriff’s Revenue Account A3110.2804.1 (Shared Services-Additional Police Services) of \$120,793.

Budget Impact: Increase in Sheriff’s appropriations of \$120,793 to cover the cost of overtime pay and related fringe for police services provided to outside agencies; offset by an increase in revenue in a like amount from reimbursement from those outside agencies.

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

RESOLUTION NO. 414

**GRANT ACCEPTANCE/BUDGET AMENDMENT-
SHERIFF’S OFFICE/GOVERNOR’S TRAFFIC
SAFETY COMMITTEE/POLICE TRAFFIC SERVICES
PROGRAM-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Sheriff requested authorization to accept grant funding from the NYS Governor’s Traffic Safety Committee (GTSC), in the amount of \$18,200, to participate in the statewide Police Traffic Services (PTS) Program, for the time period of October 1, 2023 through September 30, 2024, 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 GTSC PTS Grant award in the amount of \$18,200. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by increasing Sheriff’s account A3110.1020.0700 (Overtime – STEP) in the amount of

\$18,200, to be offset by an increase in revenue account A3110.4511 (Federal Aid Traffic Safety) in a like amount.

Budget Impact: Increase in Sheriff's 2023 appropriations in the amount of \$18,200, offset by an increase in revenue in a like amount with funds coming from the NYS GTSC Police Traffic Services Grant Award.

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

RESOLUTION NO. 415 **GRANT ACCEPTANCE/BUDGET AMENDMENT –
SHERIFF'S OFFICE/GOVERNOR'S TRAFFIC
SAFETY COMMITTEE/CHILD PASSENGER SAFETY
PROGRAM–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Sheriff requested authorization to accept grant funding from the NYS Governor's Traffic Safety Committee in the amount of \$900, to participate in the statewide Child Passenger Safety Program, for the time period of October 1, 2023 through September 30, 2024, 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 GTSC CPS Grant award in the amount of \$900. Be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by increasing Sheriff's account A3110.4800.3318 (Child Passenger Safety) in the amount of \$900, to be offset by an increase in revenue account A3110.4511 (Federal Aid Traffic Safety) in a like amount.

Budget Impact: Increase in Sheriff's 2023 appropriations in the amount of \$900, offset by an increase in revenue in a like amount with funds coming from the NYS GTSC Child Passenger Safety Program.

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

RESOLUTION NO. 416 **BUDGET AMENDMENT–SHERIFF'S OFFICE/STOP-
DWI HVEC– APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, STOP-DWI grant funds were allocated to the Sheriff's Office, in the amount of \$12,607, to cover the cost of the High Visibility Enforcement Campaign details worked in 2023, and

WHEREAS, the Sheriff is requesting a budget amendment to add these funds and increase the STOP-DWI Overtime account, 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 amend the 2023 budget by increasing Sheriff's account A3110.1020.0150 (OT DWI Grant) in the amount of \$12,607, to be offset by an increase in revenue account A3110.2804 (Shared Svcs-Sheriff) in a like amount.

Budget Impact: Increase in Sheriff's appropriations in the amount of \$12,607, offset by an increase in revenue in a like amount, with funds coming from STOP-DWI HVEC grant funding.

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

RESOLUTION NO. 417 **GRANT ACCEPTANCE–EMERGENCY
MANAGEMENT SERVICES & SHERIFF'S OFFICE/
FY23 STATE HOMELAND SECURITY PROGRAM
(SHSP) GRANT–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to accept the FY23 State Homeland Security Program (SHSP) grant funding in the amount of \$98,160 from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA); administered by the NYS Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, grant funding priorities focus on the State's homeland security and emergency management efforts through the advancement of regional partnerships, development of citizen preparedness efforts, development of cyber security programs and policies; law enforcement information sharing capabilities, emergency management planning efforts and sustainment of effective programs and existing capabilities, and

WHEREAS, 35% of the total grant award or \$34,356 must be utilized for law enforcement terrorism prevention activities, and

WHEREAS, the Committee on Public Service did review this request and does concur. Now therefore be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY23 State Homeland Security Program (SHSP) funds in the amount of \$98,160 and to execute any and all other documentation related to this funding, and

Budget Impact: No County cost. Grant funds in the amount of \$34,356 will be appropriated in the 2024 Genesee County Sheriff budget. SHSP funds in the amount of \$63,804 will be appropriated in the 2024-2026 EMO operating budgets.

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

RESOLUTION NO. 418

**BUDGET AMENDMENT/BUDGET TRANSFER–
SHERIFF/GENESEE JUSTICE-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, a one-time Pretrial Services Grant was received in October 2022 to assist with the costs of the Pretrial Services Program, and monies from that grant are currently being held in Other Liabilities Account A.688 Misc., and

WHEREAS, Genesee Justice received donations from local sponsors in support of National Crime Victims' Rights Week observances and those monies are currently being held in General Department Income A.3151 1289 and Gifts and Donations A.3151 2705, and

WHEREAS, after careful review and discussion with the Undersheriff, the Genesee Justice Program Coordinator respectfully requests a budget amendment and budget transfer of funds within the 2023 Genesee County budget, and

WHEREAS, the Committees on Public Service and Ways & Means did review this request and do recommend acceptance of the budget amendment and budget transfer 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 expense account A.3151.4540.0000 Personnel Mileage in the amount of \$500.00 and expense account A3151.4700.0200 Spec Supplies-Testing in the amount of \$2,500.00 offset by an increase in revenue account A.3151.3310.31 State Aid-ATI in the amount of \$3,000.00 with funds coming from the A.688 account. Be it Further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget by increasing expense account A.3151.4800.0000 Program Expense in the amount of \$2,950.00 offset by an increase in revenue account A.3151.1289 General Department Income in the amount of \$1,204.00 and an increase in revenue account A.3151.2705 Gifts and Donations in the amount of \$1,746.00. Be it Further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to make the

following budget transfer for the 2023 budget as follows:

Transfer from expense accounts:

A.3151 8030.0000	Medical	\$1,505.00
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Transfer to expense accounts:

A.3151 4800.0000	Program Expense	\$1,505.00
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Budget Impact: Funds requested are available in revenue accounts and the budget amendment will make those monies available for listed expense accounts. The budget transfer will reallocate Medical expense funds to Program Expenses.

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

RESOLUTION NO. 419

**BUDGET TRANSFERS-JUSTICE FOR CHILDREN
ADVOCACY CENTER/NEW YORK STATE OFFICE
OF CHILDREN AND FAMILY SERVICES/OFFICE OF
VICTIM SERVICES—APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Justice for Children Program Coordinator respectfully requests to transfer funds within the 2023 Genesee County budget, and

WHEREAS, this budget transfer is being requested due to staff vacancies that have 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 amendments 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 transfers within the 2023 budget as follows:

Transfer from expense accounts:

A.3152 1010 0000	Personal Services	\$7,000
A.3152 4280.0000	Facility Rent	\$6,100
A.3152 4290.0035	Cell Phone/Air Card	\$295
A.3152 4290.0035	NY Phone-Basic Svc.	\$75
A.3152 4290.0600	Internet/TV/Bridge/BW	\$275
A.3152 8010.0000	Social Security Tax	\$430
A.3152 8011.0000	Medicare Tax	\$100
A.3152 8020.0000	Retirement	\$675
A.3152 8030.0000	Medical	\$15,000
A.3152 8040.0001	Medical Buy Back	\$400
A.3152 8040.0001	Dental Buy Back	\$100
	Total	\$30,450

Transfer to expense accounts:

A.3152 4110.0000	General Office Supplies	\$600
A.3152 4150.0000	Printing	\$600
A.3152 4540.0000	Personnel Mileage	\$2700
A.3152 4550.0000	Personnel Training	\$7000
A.3152 4800.0000	Program Expense	\$19,169
A.3152 8040.0000	Dental	\$360
A.3152 8070.0000	Vision	\$21
	Total	\$30,450

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

RESOLUTION NO. 420

MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT–HIGHWAY/ BRIDGE NY PROGRAM/ROSE ROAD OVER BOWEN CREEK BRIDGE (PIN 4BNY.56)-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, a Project for the Rose Rd over Bowen Creek, PIN 4BNY.56 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, the County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, the County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Rose Rd over Bowen Creek in the amount of \$211,300 with federal aid of \$200,735 and a local match from 1% sales tax in the amount of \$10,565 for the design phase of the project; and be it further

RESOLVED, that Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2023 Budget:

Increase A.1000.1110.1	Sales Tax	\$ 10,565
Increase A.9950.9	Transfers to Capital	\$ 10,565
Increase H.5197.5031	Interfund Revenue	\$ 10,565
Increase H.5197.4592	Federal Aid	\$200,735
Increase H5197.2080.0000	Capital Expense	\$211,300

And be it further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within THREE years of commencing construction; and be it further

RESOLVED, that the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project

and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further **RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this resolution shall take effect immediately

Budget Impact: A capital project for the Rose Rd over Bowen Creek be established for the design portion of the project at \$211,300 with federal aid of \$200,735 and a 5% local match from 1% sales tax of \$10,565. Phase authorization provided under supplemental agreement.

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

**RESOLUTION NO. 421 CONSULTANT AGREEMENT–HIGHWAY/BRIDGE
NY PROGRAM/ROSE ROAD OVER BOWEN CREEK
BRIDGE-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to replace the Rose Rd over Bowen Creek Bridge in the Town of Batavia (BR#3315650), and

WHEREAS, County Highway Superintendent has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, the County Highway Superintendent has negotiated a contract with LaBella Associates and recommends approval of a consultant agreement with them at this time, and

WHEREAS, the Committees on Public Service and Ways and Means has reviewed this request and does 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 LaBella Associates, 300 State St, Rochester, NY 14614 for the design of the Rose Rd Bridge in an amount not to exceed \$211,300.

Budget Impact: The agreement is for a maximum amount payable of \$211,300. The capital project established for this project has \$211,300. The capital project is funded with 95% federal aid 5% local match from 1% sales tax.

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

**RESOLUTION NO. 422 MASTER AGREEMENT/ESTABLISH CAPITAL
PROJECT/BUDGET AMENDMENT–HIGHWAY /
BRIDGE NY PROGRAM/SILVER ROAD OVER
LITTLE TONAWANDA CREEK BRIDGE (PIN
4BNY.57)–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, a Project for the Silver Rd over Little Tonawanda Creek, PIN 4BNY.57 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% federal funds and 5% non-federal funds; and

WHEREAS, the County of Genesee desires to advance the Project by making a commitment of 100% of the non-federal share for the design and construction of the bridge; and

WHEREAS, the County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the bridge, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Silver Rd over Little Tonawanda Creek in the amount of \$282,000 with federal aid of \$267,900 and a local match from 1% sales tax in the amount of \$14,100 for the design and of the project; and be it further

RESOLVED, that Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2023 Budget:

Increase A.1000.1110.1	1% Sales Tax	\$ 14,100
Increase A.9950.9	Transfers to Capital	\$ 14,100
Increase H.5197.5031	Interfund Revenue	\$ 14,100
Increase H.5197.4592	Federal Aid	\$267,900
Increase H.5197.2080.0000	Capital Expense	\$282,000

and be it further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within THREE years of commencing construction; and be it further

RESOLVED, that the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the federal aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this resolution shall take effect immediately

Budget Impact: A capital project for the Silver Rd over Little Tonawanda Creek be established for the design portion of the project at \$282,000 with federal aid of \$267,900 and a 5% local match from 1% sales tax of \$14,100. Phase authorization provided under supplemental agreement.

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

RESOLUTION NO. 423

**CONSULTANT AGREEMENT–HIGHWAY/ BRIDGE
NY PROGRAM/SILVER ROAD OVER LITTLE
TONAWANDA CREEK BRIDGE-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to replace the Silver Rd over Little Tonawanda Creek in the Town of Bethany (BR#3315880), and

WHEREAS, County Highway Superintendent has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, the County Highway Superintendent has negotiated a contract with Barton and

Loguidice DPC and recommends approval of a consultant agreement with them at this time, and **WHEREAS**, the Committees on Public Service and Ways and Means has reviewed this request and does 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 Barton and Loguidice, DPC, 11 Centre Park, Suite 203, Rochester NY 14614 for the design of the Silver Rd Bridge in an amount not to exceed \$271,000.

Budget Impact: The agreement is for a maximum amount payable of \$271,000. The capital project established for this project has \$282,000. The capital project is funded with 95% federal aid 5% local match from 1% sales tax

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

RESOLUTION NO. 424 MASTER AGREEMENT/ESTABLISH CAPITAL PROJECT/BUDGET AMENDMENT–HIGHWAY/ BRIDGE NY PROGRAM/COLBY ROAD OVER CROOKED CREEK CULVERT (PIN 4BNY.75)– APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, a Project for the Colby Rd over Crooked Creek Culvert in the Town of Darien (PIN 4BNY.75), (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% state funds; and

WHEREAS, the County of Genesee desires to advance the Project by making a commitment of 100% of the non-state share for the design and construction of the culvert; and

WHEREAS, the County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the culvert, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the state share of the cost of the Project or portions thereof; and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Colby Rd Over Crooked Creek Culvert (PIN 4BNY.75) in the amount of \$1,095,703 with state aid of \$1,095,703; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2023 Budget:

Increase H.5197.3597	State Aid	\$1,095,703
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Increase H.5197.2080.0000	Capital Expense	\$1,095,703
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and be it further

RESOLVED, that in the event the full state and non-state share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within THREE years of commencing construction; and be it further

RESOLVED, that the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this resolution shall take effect immediately

Budget Impact: A capital project for the Colby Rd over Crooked Creek Culvert be established with a total cost of the project at \$1,095,703 with 100% state aid of \$1,095,703.

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

**RESOLUTION NO. 425 CONSULTANT AGREEMENT–HIGHWAY/BRIDGE NY
PROGRAM/COLBY ROAD OVER CROOKED CREEK
CULVERT-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been awarded a state aid grant to replace the Colby Rd over Crooked Creek Culvert (BR#1020), and

WHEREAS, County Highway Superintendent has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, the County Highway Superintendent has negotiated a contract with Barton and Loguidice DPC and recommends approval of a consultant agreement with them at this time, and

WHEREAS, the Committees on Public Service and Ways and Means has reviewed this request and does 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 Barton and Loguidice, DPC , 11 Centre Park, Suite 203, Rochester NY 14614 for the design of the Colby Rd over Crooked Creek Culvert in an amount not to exceed \$179,000.

Budget Impact: The agreement is for a maximum amount payable of \$179,000. The capital project established for this project has \$1,095,703 with 100% state aid of \$1,095,703.

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

**RESOLUTION NO. 426 MASTER AGREEMENT/ESTABLISH CAPITAL
PROJECT/BUDGET AMENDMENT–HIGHWAY/
BRIDGE NY PROGRAM/DRY BRIDGE ROAD OVER
DRAINAGE DITCH (PIN 4BNY.76)–APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS Genesee County will design, let and construct the subject project; and

WHEREAS, a Project for the Dry Bridge Rd over Drainage Ditch in the Town of Alexander (PIN 4BNY.76), (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% state funds; and

WHEREAS, the County of Genesee desires to advance the Project by making a commitment of 100% of the non-state share for the design and construction of the culvert; and

WHEREAS, the County Highway Superintendent does recommend executing the supplemental agreement and amending the capital project for the replacement of the culvert, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and do concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that Genesee County Legislature does hereby authorize the County Treasurer to pay in the first instance 100% of the state share of the cost of the Project or portions thereof; and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that the County of Genesee shall be responsible for all costs of the Project which exceed the amount of the BRIDGE-NY Funding awarded to the County of Genesee; and be it further

RESOLVED, that the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to establish a capital project Dry Bridge Rd over Drainage Ditch (PIN 4BNY.76) in the amount of \$1,113,800 with state aid of \$1,113,800; and be it further

RESOLVED, That Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2023 Budget:

Increase H.5197.3597	State Aid	\$1,113,800
Increase H.5197.2080.0000	Capital Expense	\$1,113,800

and be it further

RESOLVED, that in the event the full state and non-state share costs of the Project exceeds the amount appropriated above, the Genesee County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Superintendent of County Highways thereof, and be it further

RESOLVED, that the Genesee County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within THREE years of commencing construction; and be it further

RESOLVED, that the Chairperson of the Genesee County Legislature be and is hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Genesee with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of the state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this resolution shall take effect immediately

Budget Impact: A capital project for the Dry Bridge Rd over Drainage Ditch Culvert be established with a total cost of the project at \$1,113,800 with 100% state aid of \$1,113,800.

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

RESOLUTION NO. 427 **CONSULTANT AGREEMENT–HIGHWAY/BRIDGE
NY PROGRAM/DRY BRIDGE ROAD CULVERT-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been awarded a state aid grant to replace the Dry Bridge Rd over Drainage Ditch Culvert (BR#1136), and

WHEREAS, County Highway Superintendent has reviewed and evaluated engineering proposals submitted for this work under a qualification based selection, and

WHEREAS, the County Highway Superintendent has negotiated a contract with TY Lin International and recommends approval of a consultant agreement with them at this time, and

WHEREAS, the Committees on Public Service and Ways and Means has reviewed this request and does 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 TY Lin International , 255 East Ave, Rochester NY 14804 for the design of the Dry Bridge Road Culvert in an amount not to exceed \$195,000.

Budget Impact: The agreement is for a maximum amount payable of \$195,000. The capital project established for this project has \$1,113,800 with 100% state aid of \$1,113,800.

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

RESOLUTION NO. 428 **SUPPLEMENTAL CONSULTANT AGREEMENT–
HIGHWAY/OAK ORCHARD ROAD BRIDGE/
CONSTRUCTION INSPECTION AND
ADMINISTRATION-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County has been progressing the replacement of the Oak Orchard Rd Bridge over Oak Orchard Creek in the Town of Elba, and

WHEREAS, Genesee County has an existing consultant agreement with Barton and Loguidice DPC for the design of the project, and

WHEREAS, a proposal for part time Construction inspection and construction administration services was requested as an addition to their existing contract, and

WHEREAS, the Genesee County Highway Superintendent reviewed this work and does recommend approval 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 Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with Barton and Loguidice, DPC , 11 Centre Park, Suite 203, Rochester NY 14614 for part time construction inspection and administration services related to the replacement of the Oak Orchard Rd Bridge in a cost not to exceed \$34,953.00.

Budget Impact: The supplemental agreement is for \$34,953.00. This project is funded from the large span culvert project which has a balance of \$2,827,661.31

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

RESOLUTION NO. 429 **BUDGET TRANSFER/AUTHORIZATION TO CLOSE–
HIGHWAY/FACILITIES MANAGEMENT /CAPITAL
PROJECTS-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommends that said Capital Projects be closed at this time, and

WHEREAS, the Committees on Public Service and Ways and Means did review these recommendations and do concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize the Genesee County Treasurer to close the following capital projects and transfer existing balances as required:

\$1,528.39 from Capital Project, Facilities Management – Animal Shelter Improvements to 1% Sales Tax

\$2,246.42 from Capital Project, Facilities Management – Highway Fuel Farm Upgrade to 1% Sales Tax

Budge Impact: Return of \$3,774.81 to 1% Sales Tax.

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

RESOLUTION NO. 430 **AUTHORIZATION TO CLOSE-HIGHWAY/ CAPITAL
PROJECTS-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommended that said Capital Projects be closed at this time, and **WHEREAS**, the Committees on Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to close the following Capital Projects:

<u>Capital Project</u>	<u>Balance</u>	<u>Income Source</u>
Park - Pavilion A & B Roof Repairs/Fireplace	0	1% Sales Tax
Facilities Management - Courts Facility Boiler	0	1% Sales Tax

Budget Impact: None.

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

RESOLUTION NO. 431 BUDGET TRANSFER/AUTHORIZATION TO CLOSE-HIGHWAY/COUNTY PARK/CAPITAL PROJECT- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent reported that certain Capital Projects have been completed and recommended that said Capital Project be closed at this time, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to transfer \$200.00 from Capital Project, Parks – DeWitt Waterfront Enhancement Project – Design & Engineering Phase I to Capital Project, Parks – DeWitt Improvement Phase IV; and be it further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to close the following capital project:

Parks – DeWitt Waterfront Enhancement Project – Design & Engineering Phase I

Budget Impact: None.

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

RESOLUTION NO. 432 CONSULTANT AGREEMENT/BUDGET AMENDMENT – COUNTYWIDE WATER PROGRAM PHASE 3/PROGRAM MANAGEMENT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Clark Patterson Lee has worked with the Genesee County Water Resources Agency, the Monroe County Water Authority, Genesee County and its municipalities for over 20 years regarding the development of the Countywide Water System, and

WHEREAS, the Genesee County Highway Superintendent did provide a scope of work to Clark Patterson Lee for the on-going Program Management work related to the design, planning and implementation of the Phase 3 project, and

WHEREAS, the Genesee County Highway Superintendent did negotiate a contract price based on the scope provided and does recommend entering into a consultant agreement for this work, and

WHEREAS, the Committees on Public Service and Ways and Means did review this recommendation and do concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 County Budget by increasing EW.8320 4660.0000 Contracted Other in the amount of \$20,000 offset by an increase in EW.8320 2401 Interest Earnings in a like amount, and Be it Further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to enter into a consultant agreement with Clark Patterson Lee, 250 St Paul Street, suite 500, Rochester, NY 14623 in an amount not to exceed \$250,000 for providing overall program management during the Phase 3 project through December 31, 2026.

Budget Impact: The consultant agreement is for \$250,000 and is funded from the Water Fund. The 2023 anticipated cost is \$20,000 to be funded by interest earnings. The remaining expense will be incorporated into future budgets.

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

RESOLUTION NO. 433

**2023 SALARY SCHEDULE AMENDMENT–
HIGHWAY/UPGRADE POSITION/HVAC BUILDING
MAINTENANCE MECHANIC FROM AFSCME
GRADE 12 TO AFSCME GRADE 13– APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent has reviewed staffing levels and open positions within the Highway Department, and

WHEREAS, the 2023 Employee Salary Schedule was adopted with a HVAC Building Maintenance Mechanic position as AFSCME Grade 12, and

WHEREAS, the Genesee County Highway Superintendent does recommend upgrading the HVAC Building Maintenance Mechanic from AFSCME Grade 12 to AFSCME Grade 13, and

WHEREAS, the Genesee County Highway Superintendent does recommend eliminating a current vacant AFSCME Grade 12 Automotive Mechanic and replacing it with a newly created position of Heavy Automotive Mechanic in AFSCME Grade 13, and

WHEREAS, the Committees of Public Service and Ways and Means did review these recommendations and does concur. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer and the Human Resources Director hereby authorized and directed to amend the 2023 Employee Salary Schedule by upgrading the position of HVAC Building Maintenance Mechanic from AFSCME Grade 12 to AFSCME Grade 13, and be it further

RESOLVED, that the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2023 Employee Salary Schedule by eliminating one AFSCME Grade Automotive Mechanic position and replacing it with a newly titled position of Heavy Automotive Mechanic in AFSCME Grade 13.

Budget Impact: The upgrade from AFSCME Grade 12 to Grade for each position is an increase of \$540.80. The total annual cost for the two position changes is \$1,081.60.

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

RESOLUTION NO. 434

**2023 BUDGET AMENDMENT/CONTRACT
APPROVAL-PLANNING/GENESEE COUNTY
HOUSING NEEDS ASSESSMENT AND MARKET
ANALYSIS-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County acknowledges than an update to the Genesee County Housing Needs Assessment and Market Analysis is needed due to the rapidly changing nature of the market, and

WHEREAS, Genesee County solicited proposals from vendors to undertake the Study through a Request for Proposals (RFP 2023-114) issued July 28, 2023, and

WHEREAS, a vendor selection committee made up of representatives from the County Manager's Office, Planning Department, Genesee County Economic Development Center, and the Genesee

Region Housing Initiatives Committee, reviewed four separate proposals and does recommend that Urban Partners be retained as the consultant for the Study, and

WHEREAS, the Committee on Public Service and the Ways & Means Committee do concur with the recommendation of the vendor selection committee. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with UP Development Planning LLC (dba Urban Partners), 123 South Broad Street, Suite 2042, Philadelphia, PA 19109 at a cost not to exceed \$50,000, effective November 1, 2023, and be it further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to amend the 2023 Budget by increasing A.8020.4600.0000 (Contracted Services) in the amount of \$50,000.00 to be offset by an increase in A.1000.1110 (Sales & Use Tax-County) in the same amount.

Budget Impact: The \$50,000 contract is to be funded by sales tax proceeds. A \$50,000 grant funding request was made to Senator Borrello's office, if any grant funds are awarded and received those funds will be utilized to cover the cost of this contract instead.

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

RESOLUTION NO. 435

**INTERMUNICIPAL CONTRACT-GENESEE,
LIVINGSTON AND WYOMING COUNTIES
REGIONAL SOLID WASTE MANAGEMENT
/COOPERATION-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee, Livingston and Wyoming Counties (GLOW) Region Solid Waste Management Program Intermunicipal Cooperation Contract is scheduled to expire on December 31, 2023, and

WHEREAS, the GLOW Region Solid Waste Management Committee does recommend the continuation of the contract, and

WHEREAS, the Committees on Public Safety and Ways and Means did review said recommendation and do recommend approval at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve the Intermunicipal Cooperation Contract through December 31, 2025, and Be it further

RESOLVED, that the Chairperson of the Genesee County Legislature be and is hereby authorized and directed to execute the Intermunicipal Cooperation Contract on behalf of the County of Genesee.

Budget Impact: \$26,151.52 is the projected annual Genesee County contribution for 2024 and 2025.

The contribution is an increase of 4.4% from previous year as adjusted per the latest Census numbers.

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

RESOLUTION NO. 436

**CONTRACTUAL AGREEMENT RENEWAL-JUSTICE
FOR CHILDREN ADVOCACY CENTER/LYONS-
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, 2023 through September 30, 2024 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 2023 and 2024 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 437 CONTRACTUAL AGREEMENT RENEWAL-JUSTICE
FOR CHILDREN ADVOCACY CENTER/COYNE-
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, 2023 through September 30, 2024 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 2023 and 2024 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 438 CONTRACTUAL AGREEMENT RENEWAL-JUSTICE
FOR CHILDREN ADVOCACY CENTER/WALSH-
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, 2023 through September 30, 2024 at a cost of \$68.00 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 2023 and 2024 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 439 CONTRACTUAL AGREEMENT RENEWAL-JUSTICE
FOR CHILDREN ADVOCACY
CENTER/MCQUILLAN-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, 2023 through September 30, 2024 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 2023 and 2024 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 440 CONTRACTUAL AGREEMENT RENEWAL-JUSTICE
FOR CHILDREN ADVOCACY CENTER/ MITCHELL-
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, 2023 through September 30, 2024 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 2023 and 2024 Justice for Children Advocacy Center Budget.

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

RESOLUTION NO. 441

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

Legislator Maha offered the following resolution:

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

WHEREAS, 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, 2023 through September 30, 2024 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 2023 and 2024 Justice for Children Advocacy Center Budget.

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

RESOLUTION NO. 442 COUNTY AUDIT–OCTOBER 25, 2023-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Legislator Stein did review the following claims:

General Fund	\$	1,323,314.55
Sales Tax Distribution		4,698,142.00
Highway		56,523.74
Self Insurance		633.94
Water Fund		641,477.83
DSS Abstracts		721,945.07
Capital Projects		
Sheriff/Jail – Jail Construction		2,109,550.48
County Manager – Building Security Upgrades Phase III		624.50
County Park – Area D Shelter Improvements		199.98
County Park – Dewitt Improvement Phase IV		3,290.00
County Park – Interpretive Center Moisture Protection & Siding		63,490.50
Facilities Management – Genesee Justice Stone Work		80,635.90
Facilities Management – Engine House Renovations		9,649.50
Facilities Management – Remove Underground Waste Tank		360.00
Highway – Large Span Culverts		7,120.53
Highway – Highway Recycling		301,343.38
Highway – S. Lyons Street Bridge over Tonawanda Creek		190.10
Highway – County Road 50 – Perry Road		1,956.80
GCC – Arts Center Connector Replacement		24,832.00
Payroll – General		
October 20, 2023		1,909,080.20
Medicaid		
October 17, 2023		184,875.00
October 24, 2023		184,875.00
Total Audit	\$	12,324,111.00

Now, therefore, be it

RESOLVED, that the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, that the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Maha seconded the resolution, which was adopted by 182 (Clattenburg absent – 18) votes. Chair Stein moved to close the meeting, Legislator Maha motioned to adjourn seconded by Legislator Klotzbach. TIME: 6:10 p.m.