

**NINETEENTH DAY
GENESEE COUNTY LEGISLATURE
BATAVIA, NEW YORK
WEDNESDAY, NOVEMBER 10, 2021
ZOOM RECORDING AVAILABLE**

The Genesee County Legislature met in Regular Session on Wednesday, November 10, 2021 at 5:30 PM in the Legislative Chambers of the Old Courthouse. Legislature Chair Stein stated, “all attending the Legislature meeting in person who are fully vaccinated more than two weeks past the date of their final shot are no longer required to wear face coverings or maintain 6-ft social distance”. Legislator Dibble offered to assist with the audit. The prayer was offered by Legislator Maha followed by the Pledge to the Flag.

Minutes of the October 27, 2021 Legislature meeting were approved upon motion of Legislator Yunker seconded by Legislator Hawley, Carried, unanimously.

Under Legislator comments, Legislator Maha reported that he received his booster and mentioned it was done with ease at the Public Health Department. The Public Health Department has made it very easy to obtain a booster. Also, Legislature Chair Stein wanted to thank all the men and women who serve in the military and those that are transitioning back home and in the career life. Chair Stein stated, “The Legislature stands by them.” Also, Chair Stein would like to draw attention to the communities that have responded to our Operation Greenlight Project”, Surrounding villages and town halls, museums and private residence are all showing and sharing their green lights this week in honor of these transitioning military men and women.

County Manager Matt Landers reported a great job done covering the Operation Greenlights display for a very worthwhile cause. We are shining the spotlight on and he is glad that Genesee County is participating in the Operation Greenlight. In addition, Mr. Landers stated, we are in the final stages of the budget. Everyone seems pleased we are getting through the budget process relatively well. Mr. Landers discussed the hundred-employee mandate out there for testing purposes. NYSAC said there will be a testing requirement for all County employees, we are developing procedures to gather that data. We have a good handle on the number because our own policy internally if you wanted to go without your mask off it was required to show proof of vaccination. Going through the process implementing a recommendation on the internal side. Recommendations from Public Health, Management and Human Resources will be brought forward to you at the Ways and Means Committee Meeting next week.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 435

**INTERMUNICIPAL AGREEMENT – JOINT
APPLICATION FOR WIIA FUNDING –
COUNTYWIDE WATER — APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Genesee County Attorney have prepared an Intermunicipal Agreement to allow for the joint application by the County and the City of Batavia to the Water Infrastructure Investment Act (WIIA), and

WHEREAS, The WIIA program provides up to 40% of capital project costs in grant funds, and

WHEREAS, The City Water Treatment Plant requires upgrades to maintain adequate production for City and County residents, and

WHEREAS, It is a County responsibility to fund and provide for capital improvements at the water treatment plant, and

WHEREAS, The Genesee County Highway Superintendent recommends approving this agreement as it is in the best interest of the water rate payers of the County, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore, Be it,

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Intermunicipal Agreement between the County and the City of Batavia relative to a joint application to the WIIA program.

Budget Impact Statement: The total anticipated costs related to the City Water Treatment Plant are expected to be \$3.4 million. The City will act as lead agent and lead applicant to the WIIA program, which provides up to 40% grants on water related capital improvements. The water plant improvements are needed to maintain production at the facility while the County plans for Phase 3 of the Countywide Water project.

Legislator Maha seconded the resolution, which was adopted by 326 votes.

RESOLUTION NO. 436

**PERMANENT EASEMENTS– SOUTH LYON
ST BRIDGE REPLACEMENT – APPROVAL
OF**

Legislator Maha offered the following resolution:

WHEREAS, the South Lyon St Bridge is a single lane truss bridge in the City of Batavia that is owned and maintained by Genesee County and is a major connector between South Main St and NYS Route 5 for the City of Batavia residents, and

WHEREAS, the bridge was originally constructed in 1910 and the superstructure replaced in 1986 with a Mabey truss on the original abutments where it remains today, and

WHEREAS, during annual inspections by the New York State Department of Transportation, deficiencies have been noted including heavy section loss to the steel deck stringers, bent truss members due to impacts, extreme loss of steel truss protective coating, cracking in the abutments, torn joint material, rusted bearings, worn away wearing surface, rusted sidewalk, and bent curbs from impacts, and

WHEREAS, during its most recent inspection in the summer of 2021, section loss of the stringers have deteriorated such that an independent load rating concluded that the safe load capacity for the bridge was less an 3 Tons, and the bridge should be closed to all traffic, which was completed by the Genesee County Highway Department on August 31, 2021, and

WHEREAS, as a consequence of the forgoing, Genesee County is proposing to remove the existing bridge and replace it with a new one hundred and thirty two (132) foot span, double lane truss bridge on new abutments and a new horizontal alignment, the “Project”, and

WHEREAS, permanent easement acquisitions will be required for the Project to provide for construction access, construction of the wingwalls, installation of the stone filling, future maintenance; and

WHEREAS, the primary objectives and purposes of the Project are to provide a crossing for South Lyon St over the Tonawanda Creek by restoring the bridge condition rating to 5 or greater for at least seventy-five (75) years using cost effective techniques to minimize the life cycle cost of maintenance and repair, while addressing geometric deficiencies to improve traffic flow and facilitate traffic operations; and

WHEREAS, in order to accomplish the Project, it is necessary that the County acquire, among other things, a permanent easement interest in, to, on, over and through a parcel of land (“Subject Parcel”) that contains approximately 2,717 Sq Ft of property within the creekbed between the top of banks on the west side of the existing bridge and current highway boundary, and

WHEREAS, after causing a diligent search of the land records of the Genesee County Clerk to be conducted, the County has been unable to identify or locate the record owner or owners of the Subject Parcel; and

WHEREAS, in accordance with the provisions of Article 3 of the New York State Eminent Domain Procedure Law (“EDPL”), the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (“Uniform Act”), and their implementing regulations, the County caused to be appraised the aforementioned real property interests sought to be acquired in and to portions of the Subject Parcel and thereafter established an amount which the County believes represents just compensation for such real property interests; however, due to its inability to identify or locate the record owner of the Subject Parcel, the County is not able to convey to the record title owner a written offer to purchase such real property interests; and

WHEREAS, because the County is not able to acquire by purchase the real property interests in and to the Subject Parcel that are necessary to accomplish the Project, the County must acquire such real property interests by means of its exercise of the right of eminent domain; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the County; and

WHEREAS, as a Locally Administered Federal Aid Transportation Project, the Project is subject to compliance with the Uniform Act, the EDPL and Environmental Conservation Law; and

WHEREAS, EDPL Article 2 requires, as a condition precedent to acquiring title by means of eminent domain, that the County conduct a public hearing to inform the public and to review the public use to be served by the proposed project and the impact on the environment and residents of the locality where the proposed project will be constructed unless such project is exempt from the EDPL Article 2 hearing requirements in accordance with EDPL Section 206; and

WHEREAS, EDPL §206 (A) provides that the County is exempt from compliance with the provisions of the EDPL Article 2 hearing requirements when, pursuant to other state, federal, or local law or regulation, it considers and submits factors similar to those enumerated in Article 2, subdivision (B) of section 204, to a state, federal, or local government agency, board, or commission before proceeding with the acquisition and obtains a license, a permit, a certificate of public convenience or necessity, or other similar approval from such agency, board, or commission; and

WHEREAS, the factors enumerated in EDPL Section 204 (B) are as follows:

- (1) the public use, benefit or purpose to be served by the proposed public project;
- (2) the approximate location for the proposed public project and the reasons for the selection of that location;
- (3) the general effect of the proposed project on the environment and residents of the locality;
- (4) such other factors as it considers relevant; and

WHEREAS, as a Federally funded project, the Project is subject to the provisions of 23 U.S.C.A. §128, which requires, among other things, that prior to an acquisition, a public hearing must be held, or the opportunity for such be afforded, at which public hearing there is considered factors similar to those enumerated in EDPL Section 204 (B); and

WHEREAS, the Project is being progressed by the County, with oversight by the New York State Department of Transportation (“NYSDOT”) and in close coordination with the Federal Highway Administration (“FHWA”), in accordance with the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual and other applicable NYSDOT documents; and

WHEREAS, in order to progress the Project through the project design phase, it was necessary for the County to obtain from NYSDOT and FHWA approval that the County has satisfied the

requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual and other applicable NYSDOT documents, as well as Federal laws and regulations; and

WHEREAS, the County, in conjunction with its consultant, completed an Initial Project Proposal/ Final Design Report (“Final Design Report”) for the Project which clearly sets forth the public use, benefit or purpose to be served by the Project, the approximate location for the Project, the reasons for the selection of that location and other information relative to the Project; and

WHEREAS, the County submitted the Final Design Report to NYSDOT for its approval, NYSDOT completed a review of the Initial Final Design Report, and NYSDOT has approved the preferred alternative, which involves the replacement of the existing Bridge; and

WHEREAS, as a consequence of NYSDOT approving the Final Design Report, NYSDOT has issued Design Approval and an Authorization to Proceed With ROW Acquisition; and

WHEREAS, Federal and State requirements for projects such as the Project include a mandate that the County undertake the action and satisfy the requirements of the National Environmental Policy Act (“NEPA”); and

WHEREAS, the Federal Highway Administration is the Lead Agency for NEPA for the Project; and

WHEREAS, in satisfaction of its obligations under NEPA and FHWA regulations, the Project is being progressed in conjunction with NYSDOT and FHWA as a NEPA Class II action (Categorical Exclusion); and

WHEREAS, NYSDOT has concurred that the Project will not induce significant environmental impacts, and it meets the conditions and criteria for a NEPA Class II (Categorical Exclusion) in accordance with 23 CFR 771.117; and

WHEREAS, the County has satisfied the requirements of 23 CFR 771.129 in regard to the evaluation of the Project under NEPA; and

WHEREAS, New York State law requires the examination and consideration of land-air-water environmental, social, economic, historic and cultural factors when progressing a project such as the Project; and

WHEREAS, as is more fully set forth in the Final Design Report, the County has examined and considered land-air-water environmental, social, economic, historic and cultural factors when progressing a project such as the Project; and

WHEREAS, the County has completed its environmental review as required by the New York State Environmental Quality Review Act (“SEQRA”) and has determined that the Project is a SEQRA Type II Action under 6 NYCRR Part 617.5(c)(2); and

WHEREAS, In light of the several written approvals of NYSDOT following the County consideration and submission to that agency of factors similar to those set forth in EDPL §204 (B), as required by Federal statute, FHWA regulations and State statutes, and NYSDOT regulations and policies, the County has satisfied the criteria set forth in EDPL §206 (A) and, therefore, is exempt from the requirement to hold an EDPL Article 2 hearing; and

WHEREAS, EDPL §206 (D) provides that the County is exempt from compliance with the hearing and determination and findings requirements of EDPL Article 2 “when in the opinion of the condemnor the acquisition is de Minimis in nature so that the public interest will not be prejudiced by the construction of the project or because of an emergency situation the public interest will be endangered by any delay caused by the public hearing requirement in this article”; and

WHEREAS, the portion of the Subject Parcel in which the County seeks to acquire a permanent easement interest is an approximately 2,714 square feet area, 1,022 square feet of which is under water within the bed of the Tonawanda Creek; and

WHEREAS, the Project and the nature and extent of the County's acquisition of the aforementioned real property interests in, on, over and through portions of the Subject Parcel is di Minimis in nature such that the public interest will not be prejudiced by the construction of the Project. Now, therefore, Be it,

RESOLVED, that the Genesee County Legislature has considered all relevant information pertaining to the proposed South Lyon St Bridge over the Tonawanda Creek Replacement Project and has determined the project development process implemented by the County, as well as the approvals necessarily obtained from FHWA and NYSDOT, the public information distribution as required by statute, and the di Minimis nature of the proposed acquisition of real property interests in, on, over and through portions of the Subject Parcel, qualify the County for exemptions from the hearing requirements of EDPL Article 2, pursuant to EDPL Section 206 (A), and (D); and be it further

RESOLVED, that the Genesee County Legislature hereby authorizes and directs the Genesee County Highway Superintendent, the County Attorney, and/or their designee to take such steps and perform such acts as are necessary for the County to acquire the permanent easement interests in, to, on, over and through portions of the parcel of land that is situated adjacent to the western highway boundary of South Lyon St, and to acquire all other real property interests that may be necessary to accomplish the Project, including acquisition by exercise of the power of eminent domain in accordance with the provisions of the EDPL; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Budget Impact Statement: There is no direct fee associated with acquiring interests in this parcel. The overall costs for administering right of way transactions necessary for the project are included in the capital project budget and by agreement are funded by federal and state aid at 95%.

Legislator Klotzbach seconded the resolution, which was adopted by 326 votes.

RESOLUTION NO. 437

**SET PUBLIC HEARING – LOCAL LAW
INTRODUCTORY NO. 6, YEAR 2021, TO
REPLACE THE COUNTY OF GENESEE
HOTEL AND MOTEL OCCUPANCY TAX
LAW– APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, there is hereby introduced to the Genesee County Legislature a proposed **LOCAL LAW INTRODUCTORY NO. 6, YEAR 2021, TO REPLACE THE COUNTY OF GENESEE HOTEL AND MOTEL OCCUPANCY TAX LAW** and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, that a public hearing shall be held on proposed Local Law Introductory No. 6, Year 2021, by the Genesee County Legislature on the twenty-second of November at 5:30 p.m. at the Old Courthouse, Batavia, New York

Legislator Torrey seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 438

**2021 BUDGET AMENDMENT AND
AUTHORIZATION TO SIGN – BED TAX
AUDIT - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Chamber of Commerce did request the use of bed tax reserve to conduct an audit on the bed tax submissions by local hotels and

WHEREAS, The County Treasurer did solicit a proposal from the county's auditors of Freed Maxick to conduct a spot audit for an amount not to exceed \$2,250 and

WHEREAS, The Committee on Ways and Means did review this request and does recommend approval at this time, Now, therefore Be it

RESOLVED, The Genesee County Treasurer is authorized to sign a Letter of Engagement with Freed Maxick to conduct the audit for an amount not to exceed \$2,250 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Budget by increasing Revenue A.1000.1113 Tax-Hotel in the amount of \$2,250 to be offset by an increase in A.6410.4610.0000 Contract Accounting in a like amount with funds coming from the bed tax reserve.

Budget Impact: No impact as this a reserve account.

Legislator Hawley seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 439 **CONTRACT AMENDMENT – SECURITY SERVICES - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Resolution 393 duly adopted on October 13, 2021, did approve a contract with Securemedy Incorporated for security services at 5130 East Main Street, Batavia and County Building I, 15 Main Street, Batavia, and

WHEREAS, The County Manager and Assistant County Manager recommend extending services to other County locations as needed, such as County Building II, to provide security to the Health Department at vaccination clinics, and

WHEREAS, The Ways and Means Committee has reviewed the recommendation and does concur at this time. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to execute the necessary documents to amend the contract with Securemedy, Incorporated, 8507 Oxen Hill road, #101, Fort Washington, MD 20744, to include the flexibility to provide additional security services at alternative County owned and/or operated facilities as mutually agreed upon by both parties at a premium rate of \$32.00 per hour, under the terms and conditions as stated in the original contract between the parties

Budget Impact: Hourly rate of \$32.00 per hour will be funded by the Department that requests the security services.

Legislator Yunker seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 440 **CONTRACT ADDENDUM – SMRT ARCHITECTS AND ENGINEERS – GENESEE COUNTY JAIL PROJECT – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Resolution 71 duly adopted February 27, 2019, did award SMRT Architects and Engineers a contract for architectural and engineering planning, design and construction administration services as outlined in RFP 2018-106 for the Genesee County Jail Project, and

WHEREAS, An addendum to the contract is needed to include Tele/Data and low voltage wiring design services for the Genesee County Jail Project, and

WHEREAS, The Ways and Means Committee has reviewed the addendum and does recommend approval at this time. Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to execute a contract addendum with SMRT Architects and Engineers, PC, 11 Century Hill Drive, Suite 207, Latham, New York 12110 in the amount not to exceed \$27,270 for telecommunication design and associated construction administration services as outlined in the addendum and will be executed subject to the terms and conditional described in the existing AIA B132 contract between Genesee County and SMRT PC dated February 27, 2019

Budget Impact: Funding for these services will come from the existing Jail Capital Project.

Legislator Dibble seconded the resolution, which was adopted by 326 votes.

**RESOLUTION NO. 441 2021 BUDGET TRANSFER – CLERK TO THE
LEGISLATURE - APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, the Clerk to the Genesee County Legislature was invoiced for a physical for employment; and

WHEREAS, the funds to cover this expense is not available and a budget transfer is recommended; and

WHEREAS, the funds to cover the expense are available in the medical expense under the Clerk to the Genesee County Legislature budget which will allow for payment; and

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

RESOLVED, the Genesee County Treasurer is hereby authorized and directed to make the following 2021 transfer:

\$65.00 from A.1040.8030 Clerk to the Legislature, Medical

\$65.00 to A.1040.4530 Clerk to the Legislature, Personnel Medical (Physicals)

Legislator Hawley seconded the resolution, which was adopted by 326 votes.

RESOLUTION NO. 442 APPOINTMENT - COUNTY CORONER

Legislator Maha offered the following resolution:

WHEREAS, the resignation of Genesee County Coroner Thomas Douglas has resulted in a vacancy for one of the four positions of County Coroner; and

WHEREAS, pursuant to Section 400 (7) of the County Law, a vacancy in the Office of Coroner shall be filled by the County of Genesee Legislature, and such appointee shall hold office until the thirty-first day of December following the first annual election at which the vacancy can be filled by election; and

WHEREAS, The committee of Human Services and Ways and Means recommend approval at this time. Now, therefore, be it

RESOLVED, That Chad T. Brade residing at 2177 Judge Road, Oakfield, New York, is hereby appointed as the County of Genesee Coroner in an unexpired term filling this vacancy to serve until December 31, 2022.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 443 APPOINTMENT-GENESEE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
D/B/A GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER (“GCEDC”)-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Industrial Development Agency (GCIDA) was created by an Act of the Legislature of the State of New York on May 8, 1970 by Chapter 565 of the laws of 1970 and set forth in section 895-e of the General Municipal Law of the State of New York, and

WHEREAS, The GCIDA was created by Resolution No. 177 of the Genesee County Legislature on September 23, 1970 to consist of 5 members “who shall serve at the pleasure of the Genesee County Legislature”, and

WHEREAS, The membership of the GCIDA was increased by Resolution No. 225 of the Genesee County Legislature on September 19, 1979 from 5 to 7 members with “said term of office expiring at the pleasure of the Genesee County Legislature.”, and

WHEREAS, member, Amy Vanderhoof resigned on September 28, 2021, and
WHEREAS, to fill this vacancy through June 30, 2024, Chandy Kemp has completed an application requesting appointment to a seat on the seven member board of the Genesee County Industrial Development Agency, d/b/a the Genesee County Economic Development Center (“GCEDC”) as a full term is six years, and

WHEREAS, The Committee on Ways and Means does recommend Ms. Chandy Kemp to be appointed and request to move it to the Legislature meeting. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby appoint Ms. Chandy Kemp of LeRoy, New York to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center effective November 10, 2021 to June 30, 2024.

Budget Impact Statement: none.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 444

**AGREEMENT COMMUNITY MENTAL
HEALTH SERVICES/JOINT LEGAL
FEASIBILITY AGREEMENT WITH SCHUYLER
COUNTY – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services does request approval of a Joint Legal Feasibility Agreement between Genesee County and Schuyler County, and

WHEREAS, The Counties deem it appropriate and efficient to fund a preliminary legal feasibility analysis of setting up a behavioral health inter-municipal consortium (Behavioral Health Care Collaborative or BHCC) for the oversight, administration and delivery of mental health services currently administered and delivered separately by each County, 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 proposed Agreement between the County of Genesee and Schuyler County, is hereby approved by the County of Genesee. The Chair of the Legislature is hereby authorized and directed to execute this agreement on behalf of the County.

Budget Impact Statement: No budget impact.

Legislator Klotzbach seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 445

**2021 BUDGET AND CONTRACT
AMENDMENT - COMMUNITY MENTAL
HEALTH SERVICES – LIVING
OPPORTUNITIES OF DEPAUL
– APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2021 Living Opportunities of DePaul contract and budget, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time, and

WHEREAS, These additional funds are the result of the increase in 2021 State Aid funding, Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and the Living Opportunities of DePaul, and be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4312.4660.0000	Contracted Other by	\$ 212.00
Increasing A.4312.3490	State Aid – Mental Health by	\$ 212.00

Budget Impact Statement: Increasing the budget by \$212.00, offset by an increase in State Aid in the amount of \$212.00.

Legislator Dibble seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 446

**2021 BUDGET AND CONTRACT
AMENDMENT - COMMUNITY MENTAL
HEALTH SERVICES – MENTAL HEALTH
ASSOCIATION OF GENESEE AND
ORLEANS COUNTY – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2021 Mental Health Association of Genesee and Orleans County contract and budget, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time, and

WHEREAS, These additional funds are the result of the restoration and increase in 2021 funding, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and Mental Health Association of Genesee and Orleans County, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4321.4660.0000 Contracted Other by \$ 49.00

AND

Increasing A.4321.3490 State Aid Mental Health by \$ 49.00

Budget Impact Statement: Increasing the budget by \$49.00, offset by an increase in State Aid in the amount of \$ 49.00

Legislator Yunker seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 447

**2021 BUDGET AND CONTRACT
AMENDMENT - COMMUNITY MENTAL
HEALTH SERVICES – WNY HEROES INC.
– APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2021 WNY Heroes contract and budget, and

WHEREAS, These additional funds are the result of the restoration and increase of 2021 funds, 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 Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and WNY Heroes, Inc., and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4316.4660.0000 Contracted Other by \$ 20,000.00

AND

Increasing A.4316.3490 State Aid Mental Health by \$ 20,000.00

Budget Impact Statement: Increasing the budget by \$20,000, offset by an increase in State Aid in the amount of \$20,000.00. A total payout to not exceed \$100,000.00

Legislator Deleo seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 448

**CONTRACT RENEWAL/MENTAL HEALTH
WILLIAM E. MITCHELL, PSY.D. – 2022 -
APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with William E. Mitchell, Psy.D., located at 1595 Elmwood Ave., Bldg. A, Suite 2, Rochester, NY 14620, as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and William E. Mitchell, Psy.D. for the provision of consulting psychological services at a rate of \$175 per hour for a maximum of 275 hrs. for the period January 1, 2022 through December 31, 2022 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$175 – increased by \$15.00/hr.; Hours – increased by 50 hours.

Legislator Dibble seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 449

**CONTRACT RENEWAL/MENTAL
HEALTH/TRICA L. PETERSON, PH.D.,
ABPP. – 2022 - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Trica L. Peterson, Ph.D., ABPP. Located at 2349 Monroe Avenue, Rochester, NY 14618, as presented by the Director of the Community Mental Health Services. Now, therefore, be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Trica L. Peterson, Ph.D., ABPP for the provision of consulting psychological services at a rate of \$200 per hour for a maximum of 100 hrs. for the period January 1, 2022 through December 31, 2022 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$200 – increased by \$10.00 per hour; Hours – no change in hours.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 450

**CONTRACT RENEWAL/ MENTAL HEALTH
AJL RN NPP IN PSYCHIATRY, PLLC
(AMANDA J. LEWIS) – 2022 - APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with AJL NP in Psychiatry, PLLC (Amanda J. Lewis, RN, NPP) 6 Stoneledge Way, Penfield, NY 14526, as presented by the Director of the Community Mental Health Services. Now, therefore, be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and AJL NP in Psychiatry, PLLC (Amanda J. Lewis, RN, NPP) for the provision of consulting psychiatric nurse practitioner services at a rate of \$115.00 per hour for a maximum of 1,300 hours for the period of January 1, 2022 through December 31, 2022 in accordance with the terms of said contract.

Budget Impact Statement: Rate - \$115 – increase by \$8.00/hr; Hours – hours stayed the same from last year.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 451

**CONTRACT RENEWAL/MENTAL
HEALTH/VIRGINIA WOHLTMANN, M.D. –
2022 - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Virginia Wohltmann, M.D., located at 490 Cross Keys Office Park, Fairport, NY 14450, as presented by the Director of the Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Virginia Wohltmann, M.D. for the provision of consulting psychiatric services at a rate of \$185 per hour for a maximum of 1,500 hrs., for the period January 1, 2022 through December 31, 2022 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$185 – hourly rate increased by \$5.00 per hour; Total number of hours the same as last year.

Legislator Yunker seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 452

**2021 SALARY SCHEDULE AMENDMENT -
DEPARTMENT OF SOCIAL SERVICES –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, one IT Operations Technician I in the Department of Social Services did request a classification review of his position, and

WHEREAS, A reclassification review was conducted by the Genesee County Human Resources Department, resulting in a recommendation by the Human Resources Director that the one IT Operations Technician I position be reclassified to an IT Operations Technician II position, and

WHEREAS, The Committees on Human Services and Ways and Means did review this recommendation and recommends 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 2021 Genesee County Employees' Salary Schedule by creating one position of IT Operations Technician II, CSEA Grade 12 and deleting one position of IT Operations Technician I, CSEA Grade 9 effective November 15, 2021.

Budget Impact Statement: The difference in hourly pay for 2021 between an IT Operations Technician I and an IT Operations Technician II is \$.74/hour. With the start date of 11/15/2021, there is 7 weeks left in 2021 at 37.5/hours per week, this totals \$194.25 for 2021. The fringe impact will be minimal. This will be covered through savings from open positions throughout 2021.

For 2022 we budgeted for an IT Operations Technician I (Grade 9-Step 5) at \$20.19/hour. The new position of IT Operations Technician II (Grade 12-Step 3) carries a rate of \$20.95. The total budget impact for 2022 is \$1,716.90, which includes fringe. State and Federal reimbursement ranges between 75% and 79%.

Legislator Dibble seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 453

**GRANT ACCEPTANCE/BUDGET
AMENDMENT – HEALTH DEPARTMENT –
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The New York State Department of Health has awarded the Genesee County Public Health Department \$176,662.14 in funding to promote and increase COVID-19 and other vaccine uptake and funding for COVID-19 vaccination clinic operation costs and

WHEREAS, The Committees on Human Services and Ways and Means did review this grant proposal and does recommend acceptance and a budget amendment at this time, Now therefore, Be it

RESOLVED, The Chair of the Genesee County Legislature is hereby authorized to accept this grant award for \$176,662.14 as specified, and be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to Amend the 2021 Health Department budget to reflect an increase of:

\$10,000 in Appropriations A.4010.4650.0003 Contractual Services

\$12,197 in Appropriations A.4010.4800.0000 Program Expense

to be offset by an increase of \$22,197 in A.4010.4401.30 Fed Aid-IAP

The remaining funds (\$154,465.14) will be allocated in the 2022, 2023 & 2024 budget.

Budget Impact: Funding will be used to offset costs of COVID-19 vaccination clinics and promoting COVID-19 vaccine uptake. No county cost.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 454

**GRANT ACCEPTANCE - HEALTH
DEPARTMENT/CHILDREN AND YOUTH
WITH SPECIAL HEALTH CARE NEEDS
PROGRAM - APPROVAL OF**

Legislator Maha 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 will be awarded in the total amount of \$23,130, 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 Committee on Human Service and 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 to sign any necessary paperwork to accept this award for \$23,130 as specified, for the period October 1, 2021 through September 30, 2022.

Budget Impact: Revenue and expenses, in the amount of \$10,000, has been appropriated in the 2021 & \$7,000 in the 2022 Dept. 4010 – Health Department Program budget. No County cost.

Legislator Hawley seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 455

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/DIAGNOSTIC &
TREATMENT CENTER – AHCF COST
REPORT – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of professional accounting and auditing services, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with Venesky & Company, 6114 Route 31, Cicero, New York 13039 for the provision of professional accounting and auditing services of the Genesee County Health Department's Diagnostic & Treatment Center - AHCF Cost Report at the maximum fee of \$7,500 per reporting period, in accordance with the terms of the contract. This agreement covers the reporting years 2021, 2022, and 2023 for the term January 1, 2021 –

December 31, 2024.

Expenses for this contract are a maximum fee of \$7,500/reporting years: 2021, 2022, & 2023 for the term 1/1/21 – 12/31/24. Expenses related to this contract are reimbursable up to 100% through Article 6 State Aid for Public Health Works.

Legislator Torrey seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 456

**AFFILIATION AGREEMENT HEALTH
DEPARTMENT /UNIVERSITY OF
BUFFALO - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with the University of Buffalo, and

WHEREAS, The Committees on Human Services 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 necessary documents to renew the affiliation agreement with the State University of New York at Buffalo, having its principal place of business located at University Plaza, Albany, New York 12246.

Budget Impact: There is no direct cost associated with this agreement.

Legislator Yunker seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 457

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/CHITTADAPHONE
PHOUTHAVONG, RN – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Public Health Director did present a contract renewal with Chittadaphone Phouthavong, RN to provide nursing services for the Genesee County Health Department, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Chittadaphone Phouthavong at 37 Maple Valley Crescent, Rochester, New York 14623, to provide nursing services for the period January 1, 2022 through December 31, 2022.

Budget Impact: Expenses will be offset with the \$342,558 in Emergency Preparedness Supplemental Funding approved for use by the GCHD. All costs that exceed \$342,558 will be offset with state aid funds.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 458

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/MARY YOUNGE –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director did present a contract renewal with Mary Younge to provide nursing services for the Genesee County Health Department, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Mary Younge at 116 Winstead Rd Rochester, NY 14069, to provide nursing services for the period January 1, 2022 through December 31, 2022.

Budget Impact: Expenses will be offset with the \$342,558 in COVID-19 Funding approved for use by the GCHD. All costs that exceed \$342,558 will be offset with state aid funds.

Legislator Klotzbach seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 459

**LETTER OF AGREEMENT RENEWAL -
HEALTH DEPARTMENT/CORFU-DARIEN
VETERINARY CLINIC - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present a Letter of Agreement with Corfu-Darien Veterinary Clinic to deliver services related to the Rabies Program for the mutual benefit of both parties, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Letter of Agreement with Corfu-Darien Veterinary Clinic, 9770 Snipery Road, Corfu, NY 14036 for the provision of mutual Rabies Program related services valued up to the amount of five hundred dollars (\$500.00) per year. This one-year agreement is effective January 1, 2022 through December 31, 2022.

Budget Impact: Expenditures related to this agreement are offset by services rendered.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 460

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/COURIER SERVICES –
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal with 3D Delivery Inc. for the provision of courier services, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to renew a contract with Genesee 3D Delivery Inc., 58 Kingsbury Avenue, Batavia, New York, 14020, for the provision of courier services at the rate of \$1.80 per mile, for the period January 1, 2022 through December 31, 2022.

Anticipated expense for this contract is \$2,500 and is included in the 2022 4010 budget. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Funding for General Public Health Works.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 461

**HEALTH DEPARTMENT/GCC VET TECH
DEPARTMENT - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present a Letter of Agreement with Genesee Community College Vet Tech Department to deliver services related to the Rabies Program for the mutual benefit of both parties, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a Letter of Agreement with Genesee Community College Vet Tech Department, 1 College Road, Batavia, NY 14020 for the provision of mutual Rabies Program related services for the mutual benefit of both parties. This agreement is effective January 1, 2022 through December 31, 2022

Budget Impact: Expenditures related to this agreement are offset by services rendered.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 462

CONTRACT RENEWAL – HEALTH

**DEPARTMENT/ENVIRONMENTAL
HEARING OFFICER – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Environmental Hearing Officer services, and

WHEREAS, New York State Public Health Law does allow the Genesee County Board of Health to appoint one or more health officers to hold and conduct hearings for fact finding and recommendations to the board, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Thomas Graham, 32 Farnsworth Avenue, Oakfield, NY 14125 for the provision of hearing officer services for the Public Health Department at the all-inclusive rate of \$25.00 per hour for the period January 1, 2022 through December 31, 2022, in accordance with the terms of the contract.

Budget Impact: Anticipated expense for this contract is \$400. Expenses related to this contract are included in the 2022 4010 budget and are eligible for full reimbursement under Article 6 – State Aid.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 463

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/LABORATORY SERVICES –
APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Clinical and Environmental Laboratory Services, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time. Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign the necessary documents to renew a contract with Erie County Public Health Laboratory, 503 Kensington Avenue, Buffalo, New York 14214 to provide Clinical and Environmental Laboratory Services for the period of January 1, 2022 through December 31, 2022 at the rates as outlined in the agreement.

Revenue and expenses are included in the 2022 A 4010 Public Health Program Budget.

Anticipated expenses is reimbursed through State Aid and Private Pay Fees.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 464

**INTERMUNICIPAL AGREEMENT - HEALTH
DEPARTMENT/ LIVINGSTON COUNTY
HEALTH DEPARTMENT- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present an intermunicipal agreement with Livingston County Health Department to provide lead XRF inspection services, and

WHEREAS, The Committees on Human Services 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 necessary documents to renew the intermunicipal agreement with the Livingston County Health Department, for the period January 1, 2022 to December 31, 2022 having its principal place of business located at 2 Murray Hill Drive, Mt. Morris, New York 14510. Livingston County will be billed on per-case basis, not to exceed \$8,000 or 10 cases based on the following fee schedule:

- \$600 per case investigation
- \$200 per clearance

Budget Impact: Livingston will be billed for services rendered on a per-case basis. Revenue and expenses are allocated in the 2022 4010 budget. No cost to the county.

Legislator Deleo seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 465

CONTRACT RENEWAL – HEALTH DEPARTMENT/TUBERCULOSIS CONSULTATIVE AND EDUCATIONAL SERVICES – APPROVAL OF

Legislator Klotzbach 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 for the term January 1, 2022 to December 31, 2022 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:
 - Physician Consults \$200/hour
 - RN Consults \$ 50/hour

Budget Impact: Expenses related to this contract are allocated in the 2022 4010 budget and are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Works.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 466

CONTRACT RENEWAL – HEALTH DEPARTMENT/LABORATORY SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for provision of Clinical Laboratory and Medical Treatment Services, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign the necessary documents to renew the contract with United Memorial Medical Center, 127 North Street, Batavia, New York 14020 to provide Clinical Laboratory and Medical Treatment Services for the period of January 1, 2022 through December 31, 2022.

Budget Impact: Anticipated expenses in the amount of \$5,000 have been included in the 2022 A 4010 Public Health Department Budget

Legislator Yunker seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 467

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/3-5 PRESCHOOL SPECIAL
EDUCATION PROGRAM/COMMITTEE
ON PRESCHOOL EDUCATION
MUNICIPALITY REPRESENTATIVE –
APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Public Health Director did present a contract renewal for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) of the Genesee County School Districts, and

WHEREAS, The Committees on Human Services did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Laura Calla-Reeves, 1550 Genesee Street, Corfu, NY 14036 at the rate of \$42.00 per hour plus mileage, at the current IRS rate, for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) in the 3-5 Preschool Special Education Program for the period January 1, 2022 through December 31, 2022.

Budget Impact: Expenses for this service are included in the 2022 A 2960 3-5 Preschool Program budget. Genesee County receives annual state aid reimbursement of \$75 per child for the administrative costs of the program.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 468

**CONTRACT RENEWAL – HEALTH
DEPARTMENT/MONROE COUNTY
FORENSIC PATHOLOGY SERVICES –
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The County of Monroe did present a contract renewal for the provision of forensic pathology and medicolegal death investigation services, and

WHEREAS, The Genesee County Public Health Director does recommend entering into the contract with the County of Monroe, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the County of Monroe for the term of January 1, 2022 and extending through December 31, 2022, and to execute any and all other documentation related to this Agreement.

Budget Impact: Expenses for \$80,700 have been appropriated in the 2022 Dept. 1185 – Coroner budget.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 469

**SERVICE AGREEMENT - HEALTH
DEPARTMENT/MEDICAL WASTE
SERVICES- APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Director of Public Health did present a service agreement renewal for the provision of Medical Waste Services, and

WHEREAS, The Committees on Human Services did review this request and does recommend

Legislator Klotzbach offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal with Arc of Genesee Orleans Counties NYSARC Chapter, Inc. for the provision of labor and supervision to set up rooms at the Office for the Aging for various meeting and activities for recreation, education and health promotion programs and services held in the 2 Bank Street facility; with the rate of \$60 per day set up depending on the needs of the Office for the Aging activity schedule, and

WHEREAS, The Committees on Human Services 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 contact with Arc of Genesee Orleans Counties NYSARC Chapter, Inc., 64 Walnut Street, Batavia, NY 14020, at a rate of \$60 per day, not to exceed \$3,500 for the period of January 1, 2022 – December 31, 2022.

Budget Impact: \$3,500 expense is included in the proposed 2022 Office for the Aging Wellness and Recreation budget. This is a \$500 increase from the 2021 budget, although there were no expenses due to COVID. It is a decrease from previous budget years.

Legislator Hawley seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 473

**SERVICE AGREEMENT-
OFA/COORDINATED CARE SOLUTIONS,
INC. (CCSI)-2021 APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Office for the Aging (OFA) did present the necessary documents for entering into a Service Agreement with Coordinated Care Solutions, Inc. (CCSI) a not –for- profit management services organization with an office located at 1099 Jay Street Bldg. J. Rochester, NY 14416 for the provision of providing OFA services to improve internal financial management and grant reporting through the development of management tools; and

WHEREAS, CCSI will customize automated Excel files for managing expenditures and revenues maximizing efficiency and effectiveness, provide automated current reports for managing against both county and grant funding budgets, track and reconcile all expenditures to the department Treasurer Reports, provide support, training and maintenance as needed to staff; and

WHEREAS, 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 for Genesee County Office for the Aging to enter in to a Service Agreement with Coordinated Care services, Inc., 1099 Jay Street Bldg. J. Rochester, NY 14611 for development, implementation, maintenance and support for specialized financial management services, for the period of November 11, 2021-December 31, 2022 with anticipated cost not to exceed \$5,985.

Budget Impact: Neutral. Development and Implementation will begin in the 2021 budget year and will be maintained and supported throughout 2022. Maintenance and support costs are in the proposed 2022 budget. Costs will be covered through IIIB, IIIE, C1 and C2 funds.

Legislator Klotzbach seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 474

**CONTRACT FOR OFFICE FOR THE AGING-
GENESEE SENIOR FOUNDATION, INC.
SALARY, GENERAL AND MAINTENANCE,
AND HOME DELIVERED MEALS SUPPORT-
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement with the Genesee Senior Foundation, Inc., to accept revenue to provide clerical and administrative salary, general and maintenance support for activities of the Genesee Senior Foundation, Inc., a not-for-profit foundation serving seniors in Genesee County and home delivered meals support, and

WHEREAS, The Committees on Human Services and Ways and Means did review this award and does recommend approval at this time. Now therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an agreement with the Genesee Senior Foundation, Inc., to accept revenue of up to \$4,475 for clerical and administrative support services and including support for the Meals on Wheels services rendered from January 1, 2022 – December 31, 2022.

Budget Impact: This \$4,475 has been included in 2022 proposed budget. Revenue will go towards offsetting existing salary expenses for the Senior Financial Typist position and support for the Home Delivered Meals program.

Legislator Maha seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 475

**ADDITIONAL INSURED AND CONTRACT
RENEWAL- NUTRITION PROGRAM MEAL
SITE AGREEMENT - OFA/ CORFU
PRESBYTERIAN CHURCH 2021-2022
APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Genesee County Office for the Aging desires to continue the congregate meal site program at the Corfu Presbyterian Church location at an stipend rate of \$50 per month, and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured, and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 for the provision of using designated space within the church facility to hold a once weekly congregate meal site operated by the Genesee County Office for the Aging, at the stipend rate of \$650 for the period December 1, 2021 through December 31, 2022; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured from December 1, 2021 – December 31, 2022.

Budget Impact: None. This stipend rate remains the same at \$50 per month; is covered by Federal NSIP Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2022 proposed budget.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 476

**OFFICE FOR THE AGING ADVISORY
COUNCIL –REAPPOINTMENTS TO**

Legislator Dibble 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 Committee on Human Services does 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 third, three year term effective January 1, 2022 through December 31, 2024.

Provider Member:

Nate Varland, Batavia Housing Authority, Batavia 14020

Budget Impact Statement: None

Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 477

**RENEWAL OF CONTRACT – RFP-2019-106
OFA/WILLCARE-APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an renewal of contract with LHC Group, Inc./dba Willcare, established through RFP 2019-106 with which took effect January 1, 2019, renewable for four (4) one-year (1) periods for the provision of in-home health care needs to older adults for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, and the New York State Department of Health Western New York Alzheimer's Caregiver Collaborative Grant; and

WHEREAS, This is the second renewal of four (4) total contract renewals with potential for two (2) additional one (1) year renewals upon mutual, written consent of both parties and in the best interest of Genesee County and the Committees 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 with LHC Group, Inc/dba Willcare Inc, 346 Delaware Ave. Buffalo, NY 14202 for the provision of in-home health care at the rate of \$23.67 per hour for Housekeeping/Chore (PC Level 1); \$24.27 per hour for Personal Care/Homecare (PC Level 2); and \$120.00 per visit for Nursing Supervision, not to exceed \$143,427 for the period January 1, 2022 – December 31, 2022.

Budget Impact: None. Total contract for 2022 not to exceed \$144,136 and is included in the 2022 county budget. Funding for Homecare comes through Unmet Needs, Title III, WNY ADCSI, and EISEP.

Legislator Yunker seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 478

**COUNTY AUDIT –NOVEMBER 10-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Dibble, did review the following claims:

General Fund	\$	922,712.03
Highway		19,350.64
Water Fund		727,794.15
Worker's Comp		1,635.46
DSS Abstracts		273,893.06

Capital Projects

Highway-Highway Overlay		11,504.37
Highway-Sharrick Road Bridge over Murder Creek		365,431.51
Highway – Hundredmark Road Bridge over Drainage Ditch		250,903.55

Highway – South Lyon Street Bridge over Tonawanda Creek	104.57
Highway-Highway Large Span Culvert	8,501.14
County Park – Area “D” Shelter Improvement	150.00
County Park-Dewitt Recreation Area Waterfront Enhancement	2,095.00
Airport-T-hangar Construction (Phase IV)	60,657.50
Facilities Management-Genesee Justice Stone Work	3,937.50
Payroll – General	
November 5, 2021	1,309,411.37
Medicaid	
November 2, 2021	165,091.00
November 9, 2021	<u>146,087.00</u>
Total Audit	\$ 4,269,259.85

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 Dibble seconded the resolution which was adopted by 326 votes.

At 6:04 PM the meeting adjourned upon motion of Legislator Maha seconded by Legislator Deleo, carried unanimously.