

**NINETEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, November 13, 2019**

The Genesee Legislature met in Regular Session on Wednesday November 13, 2019 at 5:30 PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Young assisted with the audit. Prayer was offered by Legislator Stein followed by the Pledge to the Flag.

Minutes of the October 23, 2019 Legislature meeting were approved upon motion of Legislator Dibble seconded by Legislator Torrey, carried unanimously.

Legislator Maha stated he attended the Criminal Justice Advisory Committee meeting where it was reported that there is a lull in jail population, at present there are only 7 females. Legislator Stein announced Soil & Water Conservation District is celebrating 75 years of conservation and 1.4 million has been invested in best practices in Genesee County. Legislator Young shared that the Chamber of Commerce annual luncheon is scheduled for November 14th.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 408 LETTER OF INTENT – DEPARTMENT OF
SOCIAL SERVICES/ NY OFFICE OF
INFORMATIONAL TECHNOLOGY
SERVICES – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, Genesee County Department of Social Services needs to upgrade their current computer network system, and

WHEREAS, the New York Office of Informational Technology Services (NYOITS) made sight visits and determined that the need for computer network upgrades exist in Genesee County, and

WHEREAS, The Genesee County DSS has the necessary funds to cover the estimated costs for the RITM3057415 computer network upgrade request, and

WHEREAS, The Committee on Human Services has reviewed the information provided regarding this request and recommendation and does concur at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to accept, approve and sign the Letter of Intent and enter into an agreement with the NYOITS for the upgrade of the computer network system at the Genesee County DSS at 5130 East Main Street, Suite #3, Batavia, NY 14020 with an estimated cost of \$29,755.91.

Budget Impact Statement: Expenditures related to this agreement are eligible for Federal reimbursement up to 50% Federal aid. A budget appropriation transfer for the 2019 budget was done to cover the estimated \$29,755.91 cost for this upgrade. An ongoing annual service fee of \$19,067.00 has been included in the 2020 proposed budget. The total cost of this project is an estimate only. The actual amounts invoiced may vary from estimates and will be calculated in accordance with approved State service rates and actual utilization and/or actual costs incurred by NYOITS. Genesee County DSS obligation will include any change affecting estimated or actual costs that may arise during the fulfillment of this request.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 409 AGREEMENT – COMMUNITY MENTAL HEALTH SERVICES/LOCUM TENENS- APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County Community Mental Health Services is required to provide psychiatric services by a licensed psychiatrist, and

WHEREAS, The Mental Health Department has only one psychiatrist on staff and is working on recruiting more, and

WHEREAS, the Locum Tenens Program, Consilium Staffing, provides psychiatric services for evaluation and treatment by licensed psychiatrists, and

WHEREAS, the Department of Mental Health will continue to pursue recruiting a psychiatrist, however, the immediate need for additional hours still exists, and

WHEREAS, the Mental Health Director is recommending an agreement with Consilium and the County Attorney has reviewed said agreement, and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and do concur. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with Consilium Staffing, 6225 North State Highway 161, Suite 400, Irving, TX 75038 for the provision of psychiatric mental health services for the period of one year, per contract, October 10, 2019 through October 9, 2020 in an amount not to exceed the current budgeted amount for psychiatric services for this term.

Budget Impact: Funds have been budgeted in the 2019 mental health budget for the provision of psychiatric services.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 410 AGREEMENT RENEWAL– YOUTH BUREAU/INTER-MUNICIPAL AGREEMENT WITH ORLEANS YOUTH BUREAU OPERATION- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Youth Bureau Director did present an agreement with Orleans County for the operation of the Youth Bureau for 2020, and

WHEREAS, The Committee of Human Services did review the agreement and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Orleans and the County of Genesee for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$7,369.50 per quarter from January 1, 2020 through December 31, 2020 for a total of \$29,478.

Budget Impact: Operation of the Orleans Youth Bureau is included in the 2020 Youth Bureau proposed budget. The expense is \$1,400 with the remaining \$28,078 of the revenue as an offset to county expense for personnel.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 411 AGREEMENT RENEWAL-YOUTH BUREAU/INTER-MUNICIPAL AGREEMENT WITH ORLEANS FOR STOP-DWI PUBLIC INFO AND EDUCATION -APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Youth Bureau Director did present an agreement with Orleans County for the operation of the STOP-DWI Public Information and Education Component for 2020 and

WHEREAS, The Committee of Human Services did review the agreement and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Orleans and the County of Genesee for the operation of the STOP-DWI Public Info and Education Program by Genesee County at a cost not to exceed \$10,375 to the Orleans County STOP-DWI Program for January 1, 2020 through December 31, 2020.

Budget Impact: Operation of the Orleans STOP-DWI Public Info and Education is included in the 2020 Youth Bureau proposed budget. The expenses and personnel time are offset by revenue. There is no county cost.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 412 2019 BUDGET AMENDMENT-YOUTH BUREAU –
APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Executive Director of the Genesee County Youth Bureau did request a budget amendment as program revenue and donations have been received to support two programs, and **WHEREAS,** The Committees of Human Services and Ways and Means reviewed the request and recommend approval at this time. Now, therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing Revenue Account A.7310.2705 – Gifts & Donations in the amount of \$1,200 to be offset by an increase in Expenditure Accounts as follows:

7310.4800.0019	Program Expense Youth Events	\$525
7310.SDPP.4800.0000	Program Expense	\$675

Budget Impact: All increased appropriations accompanied by matching increased revenue. No net county cost.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 413 APPOINTMENTS – GENESEE COUNTY YOUTH
BOARD -APPROVAL OF**

Legislator Young offered the following resolution:

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

RESOLVED, That the following individuals is hereby appointed to the Genesee County Youth Board with a term and representation as noted.

New Appointment

City of Batavia	Julie Wasilewski	12/1/19-11/30/22
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Reappointment

Town of Batavia	Tammi Ferringer	12/1/19-11/30/22
Bethany/Stafford	Jessica Torrey	12/1/19-11/30/22

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 414 REAPPOINTMENT- OFFICE FOR THE AGING
ADVISORY COUNCIL -APPROVAL OF**

Legislator Maha 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, Current member Anita Dziekan's term is set to expire December 31, 2019 and she is a member in good standing and is seeking a third term; and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and recommend reappointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint the following to the Genesee County Office for the Aging Advisory Council to serve another three year term effective January 1, 2020 through December 31, 2022.

Community Members:

Anita Dziekan, Batavia, New York

Budget Impact Statement: None

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 415 APPOINTMENT-OFFICE FOR THE AGING
ADVISORY COUNCIL-APPROVAL OF**

Legislator Young 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, There is a vacancy and we offered invitation to an individual to fill a vacancy based on NYSOFA regulations regarding OFA Aging Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and recommend appointment 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 three year term effective January 1, 2020 through December 31, 2022.

Community Member:

Arthur W. Mruczek Sr. MD Batavia, New York

Budget Impact Statement: None

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 416 CONTRACT- OFFICE FOR THE AGING/CENTER
FOR ELDER LAW & JUSTICE, INC. LEGAL
SERVICES 2020- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract award to Center for Elder Law & Justice, Inc., 438 Main Street, Suite 1200, Buffalo, New York, 14202 for the provision of Legal Services for the Elderly in Genesee County and the Committee on Human Service 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 document to award the contract to Center for Elder Law & Justice, Inc. for the provision of Title III- B legal services through the Office for the Aging at a cost not to exceed \$8,400.00 per year with legal service rate of \$75 per hour for the period January 1, 2020 through December 31, 2020; and mileage reimbursement at the IRS rate for home visits to GCOFA legal service clients or program site locations, other than the Office for the Aging, within Genesee County.

Budget Impact Statement: None. \$8,400 for this contract is already included in the 2020 budget. The contract amount is the same as 2019, plus continuation of approximately \$150 in mileage reimbursement for legal service/para-legal contractor staff for home visits or other site locations within Genesee County. 2020 hourly rates change from 2019 para-legal service \$40/ hour and attorney rate of \$55/hour to straight \$75/ hour. Federal Title III-B grant funds pay for this service.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 417 ADDITIONAL INSURED AND CONTRACT
RENEWAL- OFA/NUTRITION PROGRAM MEAL
SITE AGREEMENT - CORFU PRESBYTERIAN
CHURCH 2020-APPROVAL OF**

Legislator Deleo 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 annual stipend rate of \$600 per year, 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 \$600 for the period January 1, 2020 through December 31, 2020; 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 January 1, 2020 – December 31, 2020.

Budget Impact: None. This stipend rate remains the same at \$600 per year; is covered by Federal NSIP Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2020 proposed budget.

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 418 ADDITIONAL INSURED AND CONTRACT
RENEWAL- OFA/NUTRITION PROGRAM MEAL
SITE AGREEMENT EAST BETHANY
PRESBYTERIAN CHURCH 2020 APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Office for the Aging desires to continue the congregate mealsite program at the East Bethany Presbyterian Church location at an annual stipend rate of \$600 per year, 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 East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 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 East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 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 \$600 for the period January 1, 2020 through December 31, 2020, and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 as additional insured from January 1, 2020 – December 31, 2020.

Budget Impact: None. This stipend rate remains the same at \$600 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title III-C-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2020 proposed budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 419 ADDITIONAL INSURED AND CONTRACT
RENEWAL-OFA/ NUTRITION PROGRAM MEAL
SITE AGREEMENT AT LEISURETIMERS
APARTMENTS 2020-APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal for the provision of a two (2) day per week meal site for senior citizens at Leisuretimers Apartments 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 Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 as additional insured. 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 a contract with Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 to host a

meal site meal twice per week for Genesee County Office for the Aging congregate meal program for the period of January 1, 2020 through December 31, 2020 at a stipend rate of \$450.00 per year; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Leisuretimmers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 as additional insured from January 1, 2020 – December 31, 2020.

Budget Impact Statement: None. This stipend rate remains the same at \$450 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2020 proposed budget.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 420 CONTRACT RENEWAL- OFA/NUTRITION
PROGRAM MEAL SITE -GENESEE VALLEY
RURAL PRESERVATION COUNCIL, INC. AT
HAVENWOOD CONGREGATE APARTMENTS
2020-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract for the provision of meal site operation, and the Committee on Human Services does recommend approval at this time; and

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to enter into any and all agreements with the Genesee Valley Rural Preservation Council, Inc. 5861 Groveland Station Road, Mount Morris, NY 14510, for a senior meal site operation at Havenwood Congregate Apartments under the terms and conditions of the agreement for the period of January 1, 2020 – December 31, 2020, with no payment to Genesee Valley Rural Preservation Council, Inc. for services rendered or received. Participant contributions will be forwarded to the Office for the Aging for meals provided.

Budget Impact Statement: None. Contributions received from participants, Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act grant funds, and contributions received from participants will pay for the costs of providing meals at this meal site.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 421 CONTRACT RENEWAL-OFA/ ARC OF GENESEE
ORLEANS COUNTIES NYSARC CHAPTER, INC.
ROOM SET UP- APPROVAL OF**

Legislator Deleo 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 \$30 per day for a morning and/or mid-day set up depending on the needs of the Office for the Aging activity schedule; and the

Committee on Human Services does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew a contract with Arc of Genesee Orleans Counties NYSARC Chapter, Inc., 64 Walnut Street, Batavia, NY 14020, at a rate of \$30 per day, not to exceed \$5,040 for the period of January 1, 2020 – December 31, 2020.

Budget Impact: None. \$5,040 expense is included in the proposed 2020 Office for the Aging Recreation Program budget. This is an increase from the 2019 budget by \$840, as minimum wage increased.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 422 **CONTRACT- OFFICE FOR THE AGING/
GENESEE SENIOR FOUNDATION, INC.
SALARY, GENERAL AND MAINTENANCE,
AND MEALS ON WHEELS SUPPORT-
APPROVAL OF**

Legislator Maha 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 meals on wheels support, 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 enter into an agreement with the Genesee Senior Foundation, Inc., to accept revenue of up to \$5,450 for clerical and administrative support services rendered from January 1, 2020 – December 31, 2020.

Budget Impact: None. This \$5,450 in revenue is included in 2020 county budget. No change from 2019 revenue. Revenue will go towards offsetting existing salary expenses for the Senior Financial Clerk Typist, Services Administrator, and Director positions, office expenses, and support for the Meals on Wheels program.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 423 **CONTRACT –OFA/ RFP-2019-106
TENDER LOVING FAMILY CARE, INC.–
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract to Tender Loving Family Care Inc, resulting from RFP 2019-106 to take effect January 1, 2020 with option of four (4) one-year renewal periods for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Western New York Alzheimer's Disease Caregiver Support Initiative; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract 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 award a contract with Tender Loving Family Care, Inc. 1270 Creek Street, Suite 3, Webster, MY 14580 for the provision of in-

home health care at the rate of \$35.00 per hour for Housekeeping/Chore (PC Level 1); \$38.00 per hour for Personal Care/Homecare (PC Level 2); and \$195.00 per visit for Nursing Supervision, not to exceed \$130,233 for the period January 1, 2020 – December 31, 2020.

Budget Impact: None. Total contract for 2020 not to exceed \$130,233 and is included in the 2020 county budget.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 424 CONTRACT – OFA/ RFP-2019-106 COMMUNITY CARE OF WESTERN NEW YORK/HOMECARE & HOSPICE -APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract to Community Care of Western New York, Inc. dba Home Care & Hospice, resulting from RFP 2019-106 to take effect January 1, 2020 with option of four (4) one-year renewal periods for the provision of in-home health care services to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Alzheimer’s Disease Caregiver Support Initiative; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract 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 award a contract with Community Care of Western New York, Inc. dba Home Care & Hospice, 1225 W. State Street, Olean, NY 14760 for the provision of in-home health care at the rate of \$28.00 per hour for Housekeeping/Chore (PC Level 1); \$28.90 per hour for Personal Care/Homecare (PC Level 2); and \$95.00 per visit for Nursing Supervision, not to exceed \$130,233 for the period January 1, 2020 – December 31, 2020.

Budget Impact: None. Total contract for 2020 not to exceed \$130,233 and is included in the 2020 county budget.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 425 CONTRACT – OFA/ RFP 2019-106 WILLCARE, INC.– APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of contract to Willcare. Inc./dba Willcare, resulting from RFP 2019-106 to take effect January 1, 2020 with option of four (4) one-year renewal periods for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, Unmet Needs, and the New York State Department of Health Western New York Alzheimer’s Disease Caregiver Support Initiative; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract 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 award a contract 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 \$130,233 for the period January 1, 2020 – December 31, 2020.

Budget Impact: None. Total contract for 2020 not to exceed \$130,233 and is included in the 2020 county budget.

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 426 AWARD OF CONTRACT RFP #2019-110 OFFICE
FOR THE AGING/ DMJ SAFE CLEANING –
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an award of RFP #2019-110 to DMJ Safe Cleaning, Dawn Judd 7762 Black Street Rd. Leroy, NY 14482 to provide in-home cleaning services; and

WHEREAS, Due to the lack of personal aide services for those eligible for such services, in-home cleaning service has been identified as a need in Genesee County and is in greater demand with the increasing number of frail and/or chronically ill elders in our county needing in-home and community support services in order to remain in the home of their choice; and

WHEREAS, a cleaning service has been identified by the Office for the Aging to help address home cleanliness needs for eligible older adults; and

WHEREAS, This initial contract is effective November 14, 2019-October 31, 2021 with a renewal option for five additional one year periods. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award the contract to DMJ Safe Cleaning, Dawn Judd, 7762 Black Street Rd. Leroy, NY 14482, to serve as an in-home cleaner at a cost of \$30 per hour, not to exceed \$21,200, for basic home cleaning such as: sweeping, vacuuming, mopping, cleaning tubs, showers, sinks, toilets, kitchen counters and appliances, and dusting, for the period of November 14, 2019 through October 31, 2021.

Budget Impact: None. Contract total not to exceed \$21,200. Service costs are already incorporated into 2019 and 2020 county budgets.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 427 CONTRACT RENEWAL – HEALTH DEPARTMENT
/COURIER SERVICES – APPROVAL OF**

Legislator Clattenburg 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 Committee on Human Services did review the 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 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, 2020 through December 31, 2020.

Budget Impact Statement: Anticipated expense for this contract is \$3,300. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Funding for General Public Health Works.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 428 CONTRACT RENEWAL HEALTH/
ENVIRONMENTAL HEARING OFFICER –
THOMAS GRAHAM - APPROVAL OF**

Legislator Hilchey 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 Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract 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, 2020 through December 31, 2020, in accordance with the terms of the contract.

Budget Impact: Anticipated expense for this contract is \$400. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 429 CONTRACT RENEWAL – HEALTH
DEPARTMENT/ LABORATORY SERVICES –
APPROVAL OF**

Legislator Deleo 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 Committee on Human Services did review the 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 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, 2020 through December 31, 2020 at the rates as outlined in the agreement.

Budget Impact Statement - Revenue and expenses are included in the 2020 A 4010 Public Health Program Budget. Anticipated expenses are reimbursed through State Aid and Private Pay Fees.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 430 2019 SALARY SCHEDULE AMENDMENT –
HEALTH DEPARTMENT – APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director has requested the creation of one full time management position of Epidemiologist, and

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

RESOLVED, That the Genesee County Treasurer and Personnel Officer are hereby authorized and directed to amend the 2019 Genesee County Management Salary Schedule by creating one full time position of Epidemiologist, Management Grade 112 effective 11/13/2019.

Budget Impact: The creation of one full time Position of Epidemiologist will take effect 11/13/2019 and will start in the position after 1/1/2020 The Epidemiologist's salary and fringe are allocated for in the 2020 Health Department budget. The position is fully funded by the Healing Communities grant until 2023.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 431 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
HEALING COMMUNITIES – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Department has been chosen to receive \$191,300 annually in funding to address the opioid crisis in their communities and

WHEREAS, The Trustees of Columbia University has awarded the Genesee County Public Health Department \$191,300 annually, to use this funding to support costs associated with the opioid crisis and,

WHEREAS, The Committees on Human Services And Ways & Means did review this grant award and do recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the Trustees of Columbia University for the acceptance of the Healing Communities Grant contract for the period October 1,2019 through March 31,2023 in the amount of \$191,300 annually, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses of \$191,300 are appropriated in the 2020 Budget

Legislator Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 432 CORONER LAPTOP ACCEPTANCE-/ HEALTH
DEPARTMENT/NYSDOH & CDC- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Health Department has been awarded 4 laptops equipped with software through a New York State Department of Health lead program in conjunction with the Centers for Disease Control and Prevention (CDC) at no cost to our county; and

WHEREAS, The software included in the Laptops will ease the burden of required Coroner reports for programs such as the NYS Department of Motor Vehicles Fatal Accident Reporting System (FARS), the NYSDOH National Violent Death Reporting System along with assisting in easily creating counts of specific types of deaths when requested;

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

RESOLVED, that the County Administrator is hereby authorized to accept the 4 laptops for The Genesee County Health Department and provide them to the County Coroners in order to assist their vital work.

Budget Impact: No cost to the county for (4) coroner laptops.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 433 CONTRACT– HEALTH DEPARTMENT/
PRESCHOOL SUPPORTIVE HEALTH SERVICES
PROGRAM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

WHEREAS, The Committees on Human Services and Ways & Means did review the request and do recommend approval at this time. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with the Batavia City School District for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program for the period of October 15, 2019 through June 30, 2021 at the rates established by State of New York. **Budget Impact:** Revenue and expenses are included in the 2019 A 2960 3-5 Preschool Program Budget and will be included in the 2020 and 2021 Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 434 CONTRACT - HEALTH DEPARTMENT/ NEWBIRD INC. OPIOID TREATMENT APP – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with Newbird Inc. to design and develop an app. to provide linkage to care outlined in the Opioid Crisis Grant work plan, and

WHEREAS, The Committees on Human Services and Ways & Means did review the contract and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Newbird Inc. at 2495 Main St #348, Buffalo, NY 14214 to provide services not to exceed \$6,418 for the period October 1, 2019 through August 31, 2020.

Budget Impact Statement: Expenses of \$6,418 and offsetting revenues for this contract are included in the 2019 & 2020 4010 budget. All expenses associated with this contract will be paid for by the Opioid Crisis Funding Grant. The cost to the county is \$0.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 435 CONTRACT RENEWAL– HEALTH DEPARTMENT/ SEXUALLY TRANSMITTED DISEASE (STD) DIAGNOSIS AND TREATMENT SERVICES – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Sexually Transmitted Disease (STD) diagnosis and treatment services, and

WHEREAS, The Committee on Human Services did review the 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 a contract with Workfit Medical, LLC, 178 Washington Avenue, Batavia, New York 14020 to provide Sexually Transmitted Disease (STD) Diagnosis and Treatment Services for the term January 1, 2020 through December 31, 2020.

Budget Impact: \$1,200 is allocated for Workfit STD services in the 2020 A 4010 Public Health Department Budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 436 CONTRACT RENEWAL– HEALTH DEPARTMENT/SEXUALLY TRANSMITTED DISEASE (STD) DIAGNOSIS AND TREATMENT SERVICES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for provision of Sexually Transmitted Disease (STD) diagnosis and treatment services, and

WHEREAS, The Committee on Human Services did review the 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 establish a contract with Batavia Primary Care, 16 Bank Street, Batavia, New York 14020, to provide Sexually Transmitted Disease (STD) Diagnosis and Treatment Services for the period of January 1, 2020 through December 31, 2020.

Budget Impact: \$1,200 is allocated for Batavia Primary Care STD services in the 2020 A 4010 Public Health Department Budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 437 CONTRACT RENEWAL– HEALTH DEPARTMENT/ CLINICAL LABORATORY AND MEDICAL TREATMENT SERVICES UMMC– APPROVAL OF

Legislator Clattenburg 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 Committee on Human Services did review the 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 a 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, 2020 through December 31, 2020.

Budget Impact: Anticipated expenses in the amount of \$5,500 have been built into the 2020 A 4010 Public Health Department Budget

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 438 CONTRACT RENEWAL– HEALTH DEPARTMENT/ MEDICAL CONSULTANT SERVICES BARCOMB – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Medical Consultant Services, and

WHEREAS, based upon the current organizational structure of the Health Department medical consultation services must be available as outlined in the New York State Codes, Rules, and Regulations, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Alan Barcomb, M.D., 1 Dennis Drive, Batavia , NY 14020 for the provision of Medical Consultant services for the Genesee County Health Department at the all- inclusive rate of \$2,500/annually, paid in quarterly installments of \$625.00 for the period January 1, 2020 through December 31, 2020.

Budget Impact Statement: Anticipated expense for this contract is \$2,500/year. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 439 CONTRACT RENEWAL– HEALTH DEPARTMENT/
3-5 PRESCHOOL SPECIAL EDUCATION
PROGRAM- COMMITTEE ON PRESCHOOL
SPECIAL EDUCATION (CPSE) MUNICIPALITY
REPRESENTATIVE – APPROVAL OF**

Legislator Clattenburg 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 Committee on Human Services did review the contract 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, 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, 2020 through December 31, 2020.

Budget Impact Statement: Expenses for this service are included in the 2020 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 Dibble seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 440 INTERMUNICIPAL AGREEMENT RENEWAL -
HEALTH DEPARTMENT/ SHARED PUBLIC HEALTH
SERVICES – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful collaboration pursuant to an agreement dated January 1, 2015, which will expire on December 31, 2019, that has provided both programmatic and fiscal improvements to public health in both counties. and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service, and

WHEREAS, the Genesee County Public Health Director did present an intermunicipal agreement renewal with Orleans County to provide Shared Public Health Services, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the County of Orleans with offices at 3 South Main Street,

Suite 2, Courthouse Square, Albion, NY 14411, for the provision of providing Shared Public Health Services for the period January 1, 2020 through December 31, 2024.

Budget Impact Statement: Expenses related to this contract are included in the 2020 Health Budgets and will be included in the 2021-2024 Program Budgets. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work.

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 441 INTERMUNICIPAL AGREEMENT RENEWAL–
HEALTH DEPARTMENT/ SHARED PUBLIC HEALTH
ADMINISTRATIVE STAFF – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful collaboration pursuant to an agreement dated January 1, 2015, which will expire on December 31, 2019 that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service, and

WHEREAS, the Genesee County Public Health Director did present an intermunicipal agreement with Orleans County to share Public Health Administrative Staff, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the County of Orleans with offices at 3 South Main Street, Suite 2, Courthouse Square, Albion, NY 14411, for the provision of sharing the following administrative positions between Genesee and Orleans County: Director of Public Health, Director of Community Health Services, Director of Environmental Health, Emergency Preparedness Coordinator, Director for Children with Special Needs, and Deputy Public Health Director for the period January 1, 2020 through December 31, 2024.

Budget Impact Statement: Expenses related to this contract are included in the 2020 Health Budgets and will be included in the 2021-2024 Program Budgets. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 442 CONTRACT RENEWAL–HEALTH DEPARTMENT /
LEAD INVESTIGATION SERVICES –APPROVAL
OF**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County does contract with Monroe County for the provision of elevated blood lead investigation services, and

WHEREAS, The Director of Public Health did recommend renewal of the existing contract and the Committee on Human Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Monroe County for Elevated Blood Lead Investigation services backdated to August 1, 2019 through July 31, 2020 at the following rates:

Administrative Fee	\$40.00/case
Public Health Sanitarian (LP Investigator)	\$40.00/hour
Water	\$39.00/sample

Dust Wipe \$ 5.25/sample
Soil Sample \$ 5.25/sample
Mileage based on most current IRS mileage rate

Budget Impact: Anticipated expense for this contract is \$2,800 which is reimbursed up to 100% through Article 6, State Aide for General Public Health Works.

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 443 SERVICE AGREEMENT RENEWAL – HEALTH DEPARTMENT/MEDICAL WASTE SERVICES – APPROVAL OF

Legislator Deleo 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 Committee on Human Services did review the 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 a service agreement with Biosan Disposal, 155 Great Arrow Avenue, Buffalo, NY 14207, to provide Medical Waste Services for the term 11/01/19 – 11/01/2021 at the cost of \$58 per box.

Budget Impact Statement – The anticipated cost of \$348 for 6 pickups is included in the 2020 4010 Public Health Budget and will be included in the 2021 budget.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 444 APPOINTMENT- GENESEE COUNTY BOARD OF HEALTH – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, a vacancy does exist on the Genesee-Orleans County Board of Health due to a resignation, and

WHEREAS, The Committee on Human Service and Ways and Means do recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Dr. Thomas Madejski of 100 Ohio Street, Medina, NY 14411 to fill an unexpired term on the Genesee-Orleans County Board of Health effective immediately through December 31, 2020.

Budget Impact: A \$20 stipend is available for each Board member per meeting attended. This expense is included in the 2019 and 2020 Dept. 4010 – Public Health Budgets.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 445 CANCELLATION OF TAX LIEN - APPROVAL OF

Legislator Clattenburg offered the resolution:

WHEREAS, Article 11 of the Real Property Tax Law substantially revised the enforcement of the collection of delinquent real property taxes as well as established a procedure for the withdrawal of and/or cancellation of tax liens, and

WHEREAS, There are two parcels in the Town of Byron that no longer have any real property remaining for the County to foreclose on due to the fact that mobile homes were removed from the parcels, and

WHEREAS, It is the recommendation of the County Treasurer and Real Property Tax Director and the Ways and Means Committee concurs that the tax liens canceled. Now, therefore, Be it

RESOLVED, That the tax liens for Tax Map # 5.-1-24./L and 5.-1-24./46 in the Town of

Byron are hereby cancelled, and, Be it further

RESOLVED, That the cancelled taxes attributable to the Town of Byron in the amount of \$80.30 and to the Byron-Bergen Central School District in the amount of \$370.83 be charged back to each respective taxing jurisdiction.

Budget Impact: \$699.73 will be written off of which \$451.13 will be charged back leaving a net County impact of \$248.60.

Legislator Maha seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 446 CONTRACT RENEWAL–SELF-INSURANCE
WORKERS COMPENSATION/ACTUARIAL
SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County Self-Insurance did contract with S.G. Risk, LLC for actuarial services for the period January 1, 2016 through December 31, 2018 with two one-year extensions upon mutual agreement, at a cost of \$5,250 for 2019 and \$6,000 for 2020 and

WHEREAS, Said contract allowed for two additional one-year extensions and the Assistant County Manager has recommended that the contract be renewed for the second one-year extension at this time, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a second one-year extension to the contract by and between the Genesee County Self-Insurance Plan and S.G. Risk, LLC, 1050 Wall Street, West, Suite 610, Lyndhurst, NY 07071 for the provision of actuarial services for the Genesee County Self-insurance plan through December 31, 2020 at a cost of \$6,000.00.

Budget Impact: All costs are in the 2020 budget and apportioned to the participants.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 447 CONTRACT RENEWAL –SELF-INSURANCE
WORKERS COMPENSATION/COST ALLOCATION
SERVICES – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Self-Insurance Plan did receive proposals for the provision of cost allocation services used for allocating participant premiums for the plan for a three-year period 2017-2019 with two one-year options for renewal, and

WHEREAS, Said contract allowed for two additional one-year extensions and the Assistant County Manager has recommended that the contract be renewed for the first one-year extension at this time, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the first one-year extension to the contract by and between the Genesee County Self-Insurance Plan and OneGroup NY, Inc., 706 North Clinton Street, Syracuse, NY 13204 for the provision of cost allocation services for the period March 1, 2020 through February 27, 2021 at the same annual cost of the original contract, \$5,500 per year with the option of an additional \$2,000 to gather necessary data from participants and \$1,000 additional for auditing the data collected.

Budget Impact: All costs are in the 2020 budget and apportioned to the participants. Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 448 ADOPTION OF GENESEE COUNTY CORPORATE COMPLIANCE PLAN – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Departments of Mental Health, Public Health and County Nursing Home did develop and implement a Corporate Compliance Plan in 2007, and

WHEREAS, The Genesee County Compliance Officer did present amendments to said Plan, setting forth updated guidelines for compliance functions of the County of Genesee, and

WHEREAS, The Genesee County Corporate Compliance Committee, which is comprised of the Public Health Director, Mental Health Director, IT Director, Human Resources Director, Assistant County Manager, Human Services Committee Chair, and additional County support staff, did review the plan and does recommend the County adopting said plan, and

WHEREAS, The Committee on Ways and Means did review the Genesee County Corporate Compliance Plan and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the Genesee County Corporate Compliance Plan, as presented by the Genesee County Compliance Officer.

Budget Impact: zero budget impact

Legislator Stein seconded the resolution which passed by 326 votes.

RESOLUTION NO. 449 AGREEMENT AMENDMENT – SHERIFF’S OFFICE /HARRIS CORPORATION PUBLIC SAFETY RADIO TOWER AND SYSTEM UPGRADES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Genesee County contracted with Harris Corporation RF Communications Division, located at 1680 University Avenue, Rochester, NY 14610, to provide a public safety radio system pursuant to Resolution No. 157, dated April 25, 2013, and

WHEREAS, Genesee County has significant radio coverage gaps in the south central portion of the county that would be remediated by an additional public safety communications tower, and

WHEREAS, Genesee County received NYS Statewide Interoperable Communications Grants (SICG) which included funds to build an additional tower to improve coverage in selected areas and upgrade our public safety radio system, and

WHEREAS, Harris and the County have negotiated a price of the additional work specified in Change Order 9 of the original purchase Agreement for a total cost not to exceed \$1,425,000.00 pursuant to NYS OGS Contract pricing, and

WHEREAS, Genesee County currently has \$883,105.00 in NYS SICG funding allocated to the Public Safety Communications Tower capital project, and, and

WHEREAS, Genesee County anticipates receiving additional SICG funding in 2020 and 2021 to cover the remaining \$541,895.00 for the Harris additional work, and

WHEREAS, After careful discussion, the E911 Operations Board, Sheriff, County Attorney, and Director of Emergency Communications recommend the County Legislature approve the contract amendment with Harris to be offset by revenue from the NYS Statewide Interoperable Communications Grants, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to approve the amendment to the Harris Corporation agreement, Change Order 9, at a cost not to exceed \$1,425,000.00 to be offset by revenues from the NYS Statewide Interoperable Communications Grant program.

Budget Impact: The cost of \$1,425,000.00 for Harris Change Order 9 will be offset using existing (\$883,105.00) and anticipated (\$541,895.00) Statewide Interoperable Communications Grant revenues.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 450 AWARD OF BID-COUNTYWIDE WATER
PH2 CONTRACTS 3A AND 3B PUMP
SATATIONS**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County advertised plans and specifications for the construction of new pump stations in Mumford and Churchville in order to advance Phase 2 of the Countywide Water Project; and

WHEREAS, the Genesee County Highway Superintendent reviewed the accuracy of these bids and does recommend an award at this time, and

WHEREAS, the Ways & Means Committee has reviewed this recommendation and does concur at this time, now, therefore, be it

RESOLVED, the Genesee County Legislature does hereby award General Contract 3A in the amount of \$1,488,000 and Alternate Bid 1G in the amount of \$35,000 to C.P.Ward Inc. 100 West River Road, PO Box 900, Scottsville, NY 14546 for a total amount not to exceed \$1,523,000.00.

The Genesee County Legislature also does hereby award Electrical Contract 3B in the amount of \$729,000 and Alternate Bid 1E in the amount of \$30,000 to Suburban Electric Inc. 225 East Bank Street, Albion, NY 14411 for a total amount not to exceed \$759,000.

Budget Impact: The total cost of both contracts is \$2,282,000. The contracts will be funded from the capital project established for Phase 2 Water until such time that the County can be reimbursed from the Monroe County Water Authority bonding which is anticipated in early 2020. The contractor expects to start work in December 2019 so there will be a few pay requests that will need to be covered from the capital project.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 451 AUTHORIZATION TO ADD USER –COUNTY
ATTORNEY/NEW YORK STATE DEPARTMENT
OF MOTOR VEHICLES LICENSE EVENT
NOTIFICATION SERVICES —APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Genesee County's risk management program includes a review of employee drivers' license and driving history on a regular basis, and

WHEREAS, New York State, through its Department of Motor Vehicles, offers a License Event Notification Service (LENS) which provides automatic notifications of driver license events as they occur and this would greatly enhance the County's employee driver risk management program, and

WHEREAS, The Genesee County Attorney is seeking authorization for the Confidential Secretary to the County Attorney as the County's authorized user, and

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

RESOLVED, That the Genesee County Legislature does hereby designate Cindy Palmer, Confidential Secretary to the County Attorney, to act as the County's authorized user of the New York State Department of Motor Vehicles' License Event Notification Services (LENS) and hereby directs her to execute the State required Certification verifying her adherence to the Federal Driver's Privacy Protection Act and other State regulations.

Budget Impact Statement: None

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 452 SETTLEMENT-COUNTY ATTORNEY/
MCKEIRNAN V. GENESEE COUNTY, ET AL.**

Legislator Clattenburg offered the following resolution:

WHEREAS, on September 24, 2015, a lawsuit was commenced by McKeirnan (Plaintiff) against Genesee County, *et al.* (Defendants); and

WHEREAS, the parties have entered into a tentative agreement to settle this lawsuit; and

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

RESOLVED, that the County of Genesee Legislature does hereby approve of settling the lawsuit for McKeirnan v. Genesee County, *et al.* and be it further

RESOLVED, that the County of Genesee Treasurer is hereby authorized and directed to make a payment, which will be payable as directed by the County Attorney to Plaintiff pursuant to the terms of a General Release in favor of the Defendants, executed by the Plaintiff on September 24, 2019, and be it further

RESOLVED, that the Chair of the County of Genesee Legislature and/or the County of Genesee Attorney are hereby authorized and directed to execute any documents needed to settle the above-named civil action and all claims by the Plaintiff against the Defendants. Legislator Stein made a motion to amend the resolution to remove "and her attorneys" seconded by Legislator Clattenburg, carried unanimously.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 453 2019 BUDGET AMENDMENT – COUNTY
ATTORNEY/PERSONAL INJURY LAWSUIT
SETTLEMENT-APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, the County Attorney does request an amendment to the 2019 County Budget due to personal injury lawsuit settlement; and

WHEREAS, there is sufficient money in the Casualty Liability Insurance Reserve to cover this settlement; and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2019 budget at follows:

Increase in Revenue MS.1000.9999 Balancing-Appropriated	\$400,000
To be offset by an	
Increase in MS.1930.4800.0100 – Claims	\$400,000

Budget Impact: There is \$1,359,484.00 in the reserve.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 454 SECOND AMENDED AND RESTATED COUNTY OF
GENESEE AND CITY OF BATAVIA OPERATION
FACILITIES LEASE AGREEMENT – APPROVAL OF**

Legislator Stein offered the following Resolution:

WHEREAS, the County of Genesee (hereinafter “County”) and the City of Batavia (hereinafter “City”) have entered into an “Amended and Restated County of Genesee and City of Batavia Operation and Facilities Lease Agreement”, dated December 13, 2018; and

WHEREAS, said Amended and Restated Operation and Facilities Lease Agreement was for a one year period starting January 1, 2019 and ending December 31, 2019; and

WHEREAS, a proposed “Second Amended and Restated County of Genesee and City of Batavia Operation and Facilities Lease Agreement” would run for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029; and

WHEREAS, the parties intend to simultaneously enter into forty (40) year Agreements for the distribution of sales tax and for water supply; as well as ten (10) year Agreements for the lease by the County of the City of Batavia water facilities, and for the operation and maintenance of said Batavia water facilities. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County, a proposed “Amended and Restated County of Genesee and City of Batavia Operation and Facilities Lease Agreement” for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029, and be it further;

RESOLVED, that this approval and execution of the Second Restated Agreement is subject to approval and execution by the City of all three Agreements for Water Supply, Lease of the Batavia Water Facilities, and Operation and Maintenance of Batavia Water Supply Facilities.

Legislator Hilchey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 455 SECOND AMENDED AND RESTATED COUNTY OF
GENESEE AND CITY OF BATAVIA OPERATION
AND MAINTENANCE AGREEMENT – APPROVAL OF**

Legislator Young offered the following Resolution:

WHEREAS, the County of Genesee (hereinafter “County”) and the City of Batavia (hereinafter “City”) have entered into an “Amended and Restated County of Genesee and City of Batavia Operation and Maintenance Agreement”, dated December 13, 2018; and

WHEREAS, said Amended and Restated Operation and Maintenance Agreement was for a one year period starting January 1, 2019 and ending December 31, 2019; and

WHEREAS, a proposed “Second Amended and Restated County of Genesee and City of Batavia Operation and Maintenance Agreement” would run for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029; and

WHEREAS, the parties intend to simultaneously enter into forty (40) year Agreements

for the distribution of sales tax and water supply; as well as ten (10) year Agreements for the lease by the County of the City of Batavia water facilities, and for the operation and maintenance of said Batavia water facilities. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County, a proposed “Second Amended and Restated County of Genesee and City of Batavia Operation and Maintenance Agreement” for a period of ten (10) years, commencing January 1, 2020, and ending December 31, 2029, and be it further;

RESOLVED, that this approval and execution of the Second Restated Agreement is subject to approval and execution by the City of all three Agreements for Water Supply, Lease of the Batavia Water Facilities, and Operation and Maintenance of Batavia Water Supply Facilities.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 456 SECOND AMENDED AND RESTATED WATER SUPPLY AGREEMENT BETWEEN COUNTY OF GENESEE AND CITY OF BATAVIA – APPROVAL OF

Legislator Clattenburg offered the following Resolution:

WHEREAS, the County of Genesee (hereinafter “County”) and the City of Batavia (hereinafter “City”) have entered into an “Amended and Restated Water Supply Agreement between County of Genesee and City of Batavia”, dated December 13, 2018; and

WHEREAS, said Amended and Restated Water Supply Agreement was for a one year period starting January 1, 2019, and ending December 31, 2019; and

WHEREAS, part of the plan to provide supply of water to the residents to the City of Batavia would require an Agreement for forty (40) year in length; and

WHEREAS, the County and the City have requested that the New York State Senate and New York State Assembly adopts special legislation, which would allow the parties to enter into such a forty (40) year Sales Tax Allocation Agreement; and

WHEREAS, this Legislation has been enacted; and

WHEREAS, a proposed “Second Amended and Restated Water Supply Agreement Between County of Genesee and City of Batavia” would run for a period of forty (40) years commencing January 1, 2020, and ending December 31, 2059; and

WHEREAS, the parties intend to simultaneously enter into forty (40) year Agreements for the distribution of sales tax and for water supply; as well as ten (10) year Agreements for the lease by the County of the City of Batavia water facilities, and for the operation and maintenance of said Batavia water facilities. Now, therefore, Be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute on behalf of the County of Genesee, a proposed “Second Amended and Restated Water Supply Agreement Between County of Genesee and City of Batavia” for a period of forty (40) years, commencing January 1, 2020, and ending December 31, 2059, and be it further;

RESOLVED, that this approval and execution of the Second Restated Agreement is subject to approval and execution by the City of all three Agreements for Water Supply, Lease of the Batavia Water Facilities, and Operation and Maintenance of Batavia Water Supply Facilities.

Legislator Young seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 457 AWARD OF CONTRACT – CENTRAL
SERVICES/UTILITY BILL AUDIT – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee County has not contracted with an external auditing service to ensure the accuracy of the Genesee County utility bills within the past 3 years, and

WHEREAS, The opportunity exists for external auditors to identify billing errors on Genesee County utility bills and collect refunds for up to 3 years of previous service, as well as prevent future costs associated with utility bill errors, and

WHEREAS, Rockland County did award a contract for a Utility Bill Auditing Service, and

WHEREAS, Rockland County included the Piggyback Clause in their RFP-RC-2012-024, advertised the RFP, and awarded it based on Best Value, and

WHEREAS, The vendor under contract for this service, Troy & Banks, Inc. , did agree to extend this contract to Genesee County and submitted an agreement for said services, and

WHEREAS, The Committee on Ways and Means did review the Genesee County agreement 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 enter into a contract with Troy & Banks, Inc, 2216 Kensington Avenue, Buffalo, NY 14226 to provide Genesee County with a Utility Bill Auditing Service for the period December 1, 2019 through November 30, 2020. This contract contains the option for an additional three (3) one-year renewal periods upon written agreement of both parties.

Budget Impact: Genesee County will pay a percentage of any savings or refunds that are identified by Troy and Banks. If they don't identify any savings then Genesee County will have no payment due. While we have no way of estimating what the savings or refunds may be until the audit is complete, as it varies for each municipality, it will not cost the County anything to complete this audit. There will be a small amount of time spent by County employees collecting the information for Troy and Banks to use in their audit, but they only need 1 bill for each account, so the time invested will be minimal. The only potential impact to our budget is positive.

Legislator Torrey seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 458 CONTRACT AMENDMENT – CENTRAL
SERVICES/UNIFIED COURT SYSTEM –
APPROVAL OF**

Legislator Stein offered the following resolution

WHEREAS, 2018 Resolution No. 483 authorized Genesee County to enter into an agreement with the New York State Unified Court System for the Court Facilities Incentive Aid Program for the period of April 1, 2018 through March 31, 2023, and

WHEREAS, This Aid Program allows for the State reimbursement for Genesee County expenses associated with the cleaning and minor repairs of the courts facilities, and

WHEREAS, The New York State Unified Court System has presented the Genesee County Manager with a revised Appendix B Court Cleaning and Minor Repairs Proposed Budget Form for the period of April 1, 2019 through March 31, 2020, Now therefore, Be it

RESOLVED, That the Genesee County Legislature Chairperson is hereby authorized and directed to execute the Contract Amendment letter which amends the County's agreement with the New York State Unified court System for expense reimbursement to

include Appendix B, Unified Court System Cleaning and Minor Repairs Proposed Budget Form, for the period April 1, 2019 through March 31, 2020.

Budget Impact: Proposed maximum State reimbursement of \$156,188 has been budgeted as revenue in the 2019 Central Services and Facilities Management operating budget.

Legislator Deleo seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 459 DISTRIBUTION OF MORTGAGE TAX-SECOND
PAYMENT 2019-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$392,051.45, and

WHEREAS, The Committee on Ways & Means did review the mortgage tax money available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

City Of	Batavia	\$ 74,094.93
Towns Of	Alabama	13,206.30
	Alexander	12,763.98
	Batavia	47,948.05
	Bergen	22,014.81
	Bethany	10,283.05
	Byron	11,079.97
	Darien	20,781.53
	Elba	13,108.37
	LeRoy	62,329.43
	Oakfield	13,893.54
	Pavilion	10,565.42
	Pembroke	28,629.94
	Stafford	23,258.90
Villages Of	Alexander	1,324.09
	Attica	454.13
	Bergen	2,941.08
	Elba	1,611.84
	LeRoy	17,898.67
	Oakfield	2,141.28
	Corfu	1,722.14
Total		\$392,051.45

Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax account.

Budget Impact Statement:

	2018 2 nd payment	\$408,348.50
	2017 2 nd payment	\$411,573.27
	2016 2 nd payment	\$379,929.40
	2015 2 nd Payment	\$340,055.66
	2014 2 nd Payment	\$272,880.58
	2013 2 ND Payment	\$326,302.91
	2012 2nd Payment	\$313,581.21

2011 2nd payment \$264,130.74

Legislator Stein seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 460 APPOINTMENT-GENESEE TOBACCO
SECURITIZATION CORPORATION/
INDEPENDENT DIRECTOR-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, A vacancy does exist on the Genesee Tobacco Asset Securitization Corporation (TASC) due to the death of Independent Director Travis Minor, and **WHEREAS**, Mr. Charles W. Hoover of Ford Road, Elba, New York has indicated an interest in appointment to the TASC, and

WHEREAS, the Member of the Corporation, Legislature Chairman Robert Bausch, is recommending appointment at this time and the Committee on Ways & Means does concur. Now, therefore, Be it

RESOLVED, That Charles W. Hoover is appointed to the Genesee Tobacco Asset Securitization Corporation as the independent director effective November 13, 2019.

Budget Impact: None.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

**RESOLUTION NO. 461 2019 BUDGET AMENDMENT- GENESEE
COMMUNITY COLLEGE-VETERINARY
TECHNOLOGY AND CRIMINAL JUSTICE
PROGRAMS- ONE TIME CAPITAL ALLOCATION-
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee Community College requests a one-time capital allocation of \$100,000 to support academic program renovation projects for the Veterinary Technology and Criminal Justice Programs, and

WHEREAS, The enhancements will meet new areas of demand in the criminal justice career field and provide clinical lab experience in surgical procedures that are part of the Vet Tech program, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize the County Treasurer to make a one-time capital allocation to the Genesee Community College in the amount of \$100,000 to be paid in the County's 2019 fiscal year, and Be it further

RESOLVED, The County Treasurer is hereby authorized and directed to amend the 2019 Genesee County Budget by increasing A.1000 1110 Sales and Use Tax-Co 3% by \$100,000 and increasing A.2495 4800.0000 County Share of GCC by \$100,000.

Budget Impact: Additional \$100,000 expense covered by the County's 3% share of sales tax revenue.

Prior to the vote Legislator Stein stated she was pleased the Legislature is able to support two capital projects that will impact programs that are in high demand at GCC. Legislator Maha agreed that both the Vet Tech and Criminal Justice Programs are in high demand and the capital projects will be well utilized.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 462 COUNTY AUDIT -NOVEMBER 13 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Young, did review the following claims:

General Fund	\$	1,431,508.06
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Highway		213,238.39
Self Insurance		50,769.40
Water		85,557.62
DSS Abstracts		476,357.55
Capital Projects		
Highway-Large Span Culverts	\$	50,593.66
Highway-Pratt Road Bridge Over Tonawanda Creek		38,851.34
Highway-Highway Overlay		14,700.00
Highway-Highway CR #5		30,641.25
Highway-Highway CR #51, Colby Road		14,474.25
Highway-Preventive Maintenance Bridge Painting		2,184.71
Highway-Highway Chip Seal		82,145.65
Park-Dewitt Park Improvements Phase IV		177.52
Facilities Management-EMS Training Ground		2,700.00
Sheriff/Jail-Jail Construction		153,400.00
Sheriff-800 Megahertz Radio System Upgrade		7,049.19
Airport-Airport Taxiway "C" Construction		20,173.51
Water-County Wide Water System Upgrade Phase II		1,320,862.96
Payroll – General		
October 25, 2019		1,599,144.09
November 8, 2019		1,259,960.54
Medicaid		
October 29, 2019		177,332.00
November 5, 2019		177,332.00
November 12, 2019		<u>177,332.00</u>
Total Audit	\$	7,386,485.69

Now, therefore, Be it

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

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

Legislator Maha seconded the resolution which passed by 326 votes.

Legislator Clattenburg made a motion to suspend the rules of the Legislature to add two resolutions to the agenda. The first matter needs immediate action because an Exclusion Request Form needs to be signed on behalf of Genesee County and submitted to its litigation counsel on or before November 22, 2019. The second matter is setting three required public hearings on the Shared Services Plan that will be submitted to the Department of State by December 31, 2019 seconded by Legislator Young, carried unanimously.

RESOLUTION NO. 463 OPT OUT OF A NATIONAL NEGOTIATING CLASS REGARDING OPIOID LITIGATION

Legislator Clattenburg offered the following resolution:

WHEREAS, the County of Genesee has hired the Napoli Shkolnik, PLLC law firm to represent the County of Genesee in litigation involving damages sustained by the County as a result of the opioid epidemic, and

WHEREAS, the County’s law firm has commenced a lawsuit in the Supreme Court for Genesee County, and is also representing numerous other counties and municipalities throughout New York State, and

WHEREAS, all of the litigation involving New York State counties has been coordinated in Suffolk County, and

WHEREAS, Federal Judge Polster of the United States District Court, Northern District of Ohio, has preliminarily approved a request to certify a negotiating class setting forth the framework to assist this Court to negotiate and potentially obtain a resolution of all of the opioid litigation throughout the United States, and

WHEREAS, the Napoli Shkolnik, law firm has recommended that the County of Genesee opt out of this negotiation class to continue litigation in Suffolk County, and

WHEREAS, the County Attorney concurs with this recommendation, and

WHEREAS, to opt out of the class, a document entitled “Exclusion Request Form” needs to be signed on behalf of the County of Genesee and submitted to its litigation attorneys on or before November 22, 2019. Now, therefore, Be it

RESOLVED, that the Chair of the County of Genesee Legislature is hereby authorized and directed to execute the “Exclusion Request Form” to opt out of the negotiating class as has been recommended by the County’s legal counsel in this matter.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 464 SETTING PUBLIC HEARING-SHARED SERVICES PLAN

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State continues another mandate on all local governments to discuss, develop and update shared services ideas and plans for submittal to the County Legislature in November/December 2019 and submittal to New York State Department of State by December 31, 2019, and

WHEREAS, Part of the process for discussing and developing said shared services plan is to have public meetings/opportunities for citizen input and to take suggestions on possible public sector shared services opportunities that have not already occurred and are in place, and

WHEREAS, The Committee on Ways and Means does recommend setting public hearings for shared services discussion. Now, therefore, Be it

RESOLVED, That Public Hearings on the 2020 Shared Services Plan will be held on Wednesday, November 20, 2019 at 4:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, NY, Thursday November 21, 2019 at 7:00 p.m. at 3837 West Main Street Road, Batavia, New York and on Monday, November 25, 2019 at 5:30 p.m. at the Old Courthouse, 7 Main Street, in the City of Batavia, New York.

Budget Impact Statement: None

Legislator Young seconded the resolution which passed by 326 votes.

The meeting adjourned at 6:01 PM upon motion of Legislator Torrey seconded by Legislator Deleo, carried unanimously.