

Present: Committee Legislator Yunker. Also, present Legislators Clattenburg, Stein, Dibble, Hawley and Deleo. County Manager Matt Landers, Assistant County Tammi Feringer, County Attorney Jim Wujcik, Clerk of the Legislature Lisa Casey, Undersheriff Brad Mazur, Director of Emergency Communications Frank Riccobono, Deputy Highway Superintendent: Buildings, Grounds and Parks Paul Osborn, Emergency Management Coordinator Tim Yaeger, Highway Superintendent Tim Hens, District Attorney Kevin Finnell and Public Defender Jerry Ader. Also in attendance Carl York with the Pike Company, Brian Quinn with the Batavia Daily News and Joanne Beck with the Batavian.

The meeting was opened on November 13, 2023 at 4:30 p.m. Meeting location was at 7 Main Street, Old Court House in Batavia, New York. In the Legislative Conference Room.

Committee Chair Maha previously requested Legislator Clattenburg to Chair the meeting in his absence. Legislator Stein was appointed to fill in for Legislator Clattenburg and Legislator Dibble was appointed to sit in for Legislator Klotzbach. All appointments were agreed upon.

Legislator Clattenburg amended the agenda to add Capital Projects Amendment/Budget Transfer-Highway Department/South Street over Drainage Ditch under Highway Superintendent Tim Hens. Also amended the agenda to remove Water Hookups FAQ and Web Application Discussion under the Chair Report. Legislator Stein motioned to approve the amended agenda seconded by Legislator Yunker, carried unanimously.

Minutes of the October 16, 2023 Public Service Committee meeting were approved upon motion of Legislator Dibble seconded by Legislator Yunker.

Carl York with the Pike Company provided an update on the Jail construction.

County Manger Matt Landers reported the Public Defender and Assistant Public Defenders have been appearing at night in the Genesee County Centralized Arraignment Part (CAP) Court and appearances having been funded by grants obtained by the Public Defender. County Manager Landers requested authorization to amend the 2023 Management Salary Schedule to include an annual \$15,000 stipend for each of the six Assistant District Attorney positions effective November 20, 2023. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Yunker, carried unanimously.

County Manager Matt Landers recommend a three-year renewal of services between Genesee County and the City of Batavia for the County to provide for the prosecution of vehicle, traffic and penal law violations by the District Attorney in City Court related to the ADA prosecutorial services. County Manager Landers recommended that Legislator approve the contract with the City of Batavia for the provision of prosecution services in the Batavia City Court for the period January 1, 2024 through December 31, 2026 at a rate of \$68,917 for calendar year 2024, \$70,985 for calendar year 2025, and \$73,115 for calendar year 2026. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Dibble, carried unanimously.

Emergency Management Coordinator requested authorization to accept grant funding in the amount of \$25,554 from the U.S. Department of Homeland Security and Emergency Services (DHSES), Federal Emergency Management Agency (FEMA) to be administered by New York State Division of Homeland Security and Emergency Services (DHSES) on behalf of FEMA. Mr. Yaeger recommended that Legislature execute the Agreement with New York State Office of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY23 Emergency Management Performance Grant (EMPG) in the amount of \$25,554, and to execute any and all other documentation related to this funding. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Stein, carried unanimously.

Undersheriff Brad Mazur would like to purchase a bite suit to be used for training purposes by the department K9 Officer. There are funds available from gifts and donations made to the K9 Program this year to cover the cost of the suit and requested a budget amendment to allow for the use of the donated funds to purchase the bite suit. Undersheriff Mazur requested authorization to amend the 2023 budget as follows: \$2,000 to Prog Exp-Canine Program and Offset by revenue received in Sheriff's Revenue Account A3110.2705 (Gifts and Donations). This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Undersheriff Brad Mazur requested authorization to accept grant funding from the NYS 2023 Statewide Interoperable Communications Grant Program (SICG). \$339,743 was included in the 2023 Communications budget submission in anticipation of the SICG Program award, and the remaining \$342,828 will be budgeted in the future as a funding source for a capital project to be established. Undersheriff Mazur recommended that Legislature accept the NYS 2023 Statewide Interoperable Communications Grant award in the amount of \$682,571. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Dibble seconded by Legislator Yunker, carried unanimously.

Undersheriff Brad Mazur requested authorization to accept grant funding from the NYS 2023 Public Safety Answering Point Operations Grant Program (PSAP). \$185,000 was included in the 2023 Communications budget submission in anticipation of the PSAP grant award, and the total grant award of \$211,687 will be used to offset Communications Personal Services costs. Undersheriff Mazur recommended that Legislature accept the NYS 2023 PSAP Grant award in the amount of \$211,687. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Public Defender Jerry Ader requested an amendment to the 2023 Public Defender budget in the amount of \$28,240 offset by revenue from an Indigent Legal Services grant in like amount for the purchase of a cloud-based version of the NYS Defenders Association Public Defense Case Management System. Also requested an amendment to the 2023 Public Defender budget in the amount of \$8,149 offset by revenue from an Indigent Legal Services grant in like amount incurred for employment advertising expenses. Mr. Ader requested authorization to amend the 2023 Genesee County Public Defender budget as follows: Increase Appropriations Program Expense by \$28,240, Increase Appropriations Contracted Other by \$ 8,149 and Increase Revenue

Indigent Legal Services by \$36,389. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Dibble seconded by Legislator Yunker, carried unanimously.

Public Defender Jerry Ader recommended amending its annual Public Defense Case Management System (PDCMS) contract with the New York State Defenders Association (NYSDA) to upgrade and install their legacy PDCMS computer program, receive their software and support maintenance services and have the legacy PDCMS database moved from its on-premises site to the cloud (PDCMSCloud) to be hosted by NYSDA. Mr. Ader recommended that Legislature amend the PDCMS Agreement between the Genesee County Public Defender and New York State Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210-2314 for a one-year period at an initial cost of \$28,240. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Tim Hens reported the County of Genesee does contract with TK Elevator Corporation for the maintenance and repair of elevators located in various county facilities. Mr. Hens recommended that Legislature enter into a contract for the second one year renewal with TK Elevator Corporation, 2745 Broadway, Suite 25, Cheektowaga, NY 14227 for the maintenance and repair of elevators located at various county facilities for the period of January 1, 2024 through December 31, 2024. This was approved for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Dibble, carried unanimously.

Highway Superintendent Tim Hens reported U&S Services currently services the County's control and software of HVAC units, and the current contract expires December 31, 2023. He has reviewed the NYS Contract pricing, Contract PT69752, and does recommend U&S Services to provide this service. Mr. Hens recommended that Legislature enter into a contract with U&S Services, 95 Stark Street, Tonawanda, NY 14150, per NYS Contract PT69752, in an amount not to exceed \$13,500 for the period of January 1, 2024 through December 31, 2024. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Highway Superintendent Tim Hens reported a Holland Land Office Museum Restoration Study was completed in early 2023 indicating a need for a renovation project focusing on building envelope, accessibility, and life safety upgrades. Mr. Hens requested authorization to transfer \$15,000 from Holland Land Office Museum Exterior Paint Capital Project to Holland Land Office Museum Restoration Study and make an amendment to Capital Project Holland Land Office Museum Restoration Study by increasing the project \$133,324.00 from 1% Sales Tax. Mr. Hens also requested authorization to amend the 2023 Budget by increasing 1% Sales Tax in the amount of \$133,324.00, increasing Transfer to Capital and Inter Fund Transfer in the amount of \$133,324.00 and increase capital project expense in the amount of \$133,324.00. Mr. Hens recommended that Legislature enter into a contract with Barton and Loguidice, 443 Electronics Parkway, Liverpool NY 13088 in an amount not to exceed \$150,000 for the design of the Holland Land Office Restoration project. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Dibble, carried unanimously.

Highway Superintendent Tim Hens reported though visual inspections have been done, a full condition state rating of the Large Span Culvert inventory has not been completed since 2015. Mr. Hens recommended that Legislature enter into a consultant agreement with LaBella Associates, 300 State Street, Rochester NY 14614 in an amount not to exceed \$76,300. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Highway Superintendent Tim Hens reported Genesee County has been progressing Construction Documents with SWBR for the renovation of the Engine House facility and has an existing consultant agreement with SWBR for the design of the project. A proposal for ground penetrating radar was requested as an addition to their existing contract to determine the location of under slab piping. Mr. Hens recommended that Legislature approve a supplemental consultant agreement with SWBR, 387 West Main St, Rochester NY 14604 for ground penetrating radar services related to the Engine House Renovation project in a cost not to exceed \$1,000. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Dibble seconded by Legislator Stein, carried unanimously.

Highway Superintendent Tim Hens prepared an Intermunicipal Agreement for the control of snow and ice and mowing on county highways. Mr. Hens recommended that Legislature execute Intermunicipal Agreements for Snow & Ice Control and Mowing for 5-year terms through December 31, 2028 with the following Towns as approved by their Town Board: Town of Oakfield. Mr. Hens also recommended that Legislature execute Intermunicipal Agreements for Snow & Ice Control and Mowing for 1-year terms through December 31, 2024 with the following Towns as approved by their Town Board: Town of Alexander, Town of Bergen and Town of Le Roy. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Dibble seconded by Legislator Stein, carried unanimously.

Highway Superintendent Tim Hens reported the Batavia Business Improvement District (BID) seeks permission to use the outdoor ice-skating rink kit in Alva/Bank Parking lot for the Christmas in the City event on December 2, 2023. The BID requests access to the ice-skating rink kit for set up and take down from November 1, 2023 through the early winter season 2024. The BID has prepared a Memorandum of Understanding outlining the use of the outdoor ice-skating rink equipment, location, safety precautions and indemnification. Mr. Hens recommended that Legislature execute the Memorandum of Understanding between the County of Genesee and the Business Improvement District (BID) relative to the use of the Genesee County Parks outdoor ice-skating rink equipment outlined in the MOU. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Dibble, carried unanimously.

Highway Superintendent Tim Hens reported South Street Culvert construction in the Village of LeRoy has been completed. LC Whitford Co. Inc. completed additional services for Genesee County to relocate a sanitary sewer line at the site and LC Whitford Co. Inc. required additional overtime hours to complete the project in time for the 2023 school year at LeRoy Jr./Sr. High as a result of the sanitary sewer line delays. Mr. Hens recommended that Legislature authorize Change

Order #2 in the amount of \$88,828.40 for LC Whitford Co. Inc., 164 N. Main Street, Wellsville, NY 14895 for the sanitary sewer relocation, including labor, materials, bypass pumping, asbestos abatement, and surveying in addition to overtime hours required to remain on schedule with the upcoming school year at LeRoy Jr./Sr. High. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Yunker, carried unanimously.

Highway Superintendent Tim Hens reported the Wellfield Expansion and Site Improvements at Well A and Well C have been completed in the City of Batavia. The wellfield became operational on July 28, 2023. Mr. Hens recommended that Legislature authorize Change Order #3 deduct in the amount of (\$7,171.82) for Contract B, Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450 for final quantity adjustments including deductions in the Telemetry and Controls Allowance, as well as the Field Change Allowance. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Stein, carried unanimously.

Highway Superintendent Tim Hens recommended an amendment to the South Street over Drainage Ditch Capital Project to cover overages incurred on the LC Whitford Co. Inc. and Lu Engineers contracts. Genesee County received \$757,410.00 in BRIDGE-NY Funding for the design and construction of the South Street Culvert in the Town of LeRoy. Genesee County is currently under contract with Lu Engineers and LC Whitford Co. for the design and construction of the South Street Culvert for a total contract amount of \$1,014,473.90. Mr. Hens requested authorization to make the following transfer to the South Street Culvert over Drainage Ditch and the Large Span Culverts Capital Projects: Increase South St Culvert over Drainage Ditch by \$257,255 and Decrease Large Span Culverts by \$257,255. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Stein seconded by Legislator Dibble, carried unanimously.

Clerk of the Legislature Lisa Casey announced the Public Service Committee Meeting for Monday, December 4 at 5:30 p.m. which is schedule to follow the Human Services Committee Meeting.

Under the Chair Report, a resolution for the reappointment of Dennis Phelps to the Soil & Water Conservation district was presented. It was recommended that the Legislature re-appoint Dennis Phelps of Basom, New York to the Genesee County Soil & Water Conservation District Directors January 1, 2024 through December 31, 2026. This was referred to Ways & Means Committee with a recommendation for placement on the next Legislature Agenda upon motion of Legislator Yunker seconded by Legislator Stein, carried unanimously.

A motion to adjourn Public Service meeting at 5:15 p.m. by Legislator Stein seconded by Legislator Dibble, carried.