

**TWENTIETH DAY
GENESEE COUNTY LEGISLATURE
OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY
MONDAY, NOVEMBER 20, 2023**

The Genesee County Legislature met in Regular Session on Monday, November 20, 2023 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Chair Stein amended the agenda to take Setting of the public hearing resolution #12 from the original agenda and move to #36 on the non-consent.

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

Proclamations & Commendations: None.

Approval of Minutes: Legislator Clattenburg motioned to approve the November 8, 2023 minutes seconded by Legislator Hawley, carried.

Committee & Special Assignment Reports: Chair Stein announced that she was at the Finger Lake Regional Economic Development Council meeting was last week having been given the opportunity for the region to compete in a 10 million dollar pot of money for one specific activity. The FLREDC chose workforce. Application had to be in to the State last Friday. The committee will be looking for the selection of the workforce application for 10 million dollars to be awarded back to the Finger Lakes Region. We have the designation of a Tech Hub because of STAMP - the Tech Hub-Genesee High Tech Manufacturing in New York State, residing between Buffalo, Rochester and Syracuse. The application is being submitted on the premise of this Tech Hub and I-90 transportation availability to the tech hub.

Communications & Petitions: the Clerk announced correspondence was received in the office that Ethics Board member, Teressa Morasco is retiring at the end of December so that there will be a vacancy to the board. Chair Stein wished Teressa well.

Legislator Comments: Legislator Torrey announced Isaiah Jones the Student Trustee for GCC was in attendance. Legislator Torrey mentioned he is a great addition as the Student Trustee. Chair Stein mentioned several joined Senator Borrello to recognize Command Sgt. Major William R. Joyce receiving 2023 Veterans Hall of Fame Honoree for the 57th District. It was a very nice celebration with his family in attendance. Chair Stein thanked Mr. Joyce for his service, his contribution serving our community is noticed. Lastly, Governor Hochul vetoed the Class III Stream. This helps the County with Ditches and Waterways. This is the third veto.

County Manager Report: County Manager Matt Landers mentioned Shining Star Employee Recognition: Wendie Davis and Karen Hall – During the casual lunch gathering, they noticed a concerning situation unfolding as a fellow community member appeared unresponsive while waiting for the bus. Wendie took immediate action by securing assistance and having someone call 911 while she stayed with the individual. Simultaneously, Karen managed the situation by ensuring those on the nearby bus remained calm and supported. It's important to emphasize that their quick response, combined with the efforts of the bus driver, led to a positive outcome, and the unresponsive individual has now fully recovered. Also, CSEA is close to an agreement on contract. Lastly, spending is up a little bit on the budget. There is a slight increase in the levy showing 5.3% up over the last four years. With inflation over the past four years keeping the levy at 5.3 % is significant.

Resolutions: Consent Agenda Items - Ways And Means:

Ways and Means Chair Clattenburg motioned for adoption for resolutions 1 through 28, seconded by Legislator Deleo. Clerk read resolutions 1-28:

1. Appointment/STOP-DWI Advisory Board/Blevins
2. Health Benefit Plan 2024 Premiums Rates
3. Ratification of Civil Service Employees Association General Unit, Local 819 Union

4. Capital Project/Authorize to Close
5. Extension Of Temporary Waiver For Civil Service Examination Fee–Human Resources
6. Budget Amendment-Human Resources/The Healthcare And Mental Hygiene Worker Bonus Program
7. Renewal Of Contract–Human Resources/Flexible Spending Benefits Plan Management/Administrator
8. Renewal Of Contract–Human Resources/Self-Insured Health Benefits Plan Consultant
9. Award Contract-Human Resources/ Employee Assistance Program Contract
10. Distribution of Mortgage Tax Second Payment 2023
11. 2023 Budget Amendment-County Attorney/Westlaw
- ~~Set Public Hearing Introductory Local Law E Of 2023 – In Relation To The Salaries Of County Officers Of The County Of Genesee Elected Or Appointed For A Fixed Term~~
12. 2023 Salary Schedule Amendment- District Attorney’s Office
13. Budget Amendment-Sheriff/K9 Program
14. Grant Acceptance–Sheriff/New York State Public Safety Answering Point Operations Grant Program
15. Grant Acceptance–Sheriff/New York State 2023 Statewide Interoperable Communications Grant Program
16. 2023 Budget Amendment- Public Defense Case Management System
17. Contract Amendment-Public Defender/New York State Defenders Association, Inc.
18. Contract Renewal–Facilities Management/Elevator Maintenance
19. Contract Award–Facilities Management/HVAC Control System
20. 2023 Budget Amendment/Capital Project Amendment/Consultant Agreement – Facilities Management/ Holland Land Office Museum
21. Consultant Agreement– Highway/ Culvert Inspections
22. Supplemental Consultant Agreement – Facilities Management/Engine House Renovations
23. Intermunicipal Agreements-Highway/ Town Snow And Ice Control And Mowing
24. Memorandum of Understanding-County Parks/Batavia Business Improvement District
25. Change Order–Highway/South Street Over Drainage Ditch
26. Change Order–Highway/Countywide Water Phase 2/Well ‘C’– Contract B
27. Capital Project Amendment/Budget Transfer-Highway Department/South Street Over Drainage Ditch
28. Reappointment – Soil & Water Conservation District Director/Phelps

Clerk called the roll for resolutions 1 – 28 Approved with 8 ayes, 0 nays total of 174 votes. Yunker Absent (26).

Public Service Committee under the Consent Agenda: Public Service Chair Maha motioned for adoption of resolutions 29 and 30, seconded by Legislator Klotzbach. Clerk read resolutions 29 and 30 of the Public Service Committee:

29. Contract with City of Batavia for District Attorney Court Services
30. Grant Acceptance - Emergency Management Services / FY23 Emergency Management Performance Grant (EMPG) Program

Clerk called the roll for resolutions 29 and 30, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

Non-Consent Items:

31. Amendments to the 2024 Tentative Budget

Legislator Clattenburg motioned to adopt seconded by Legislator Hawley. Clerk called roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

32. 2024 Genesee County Budget Adoption

Legislator Clattenburg motioned to adopt seconded by Legislator Dibble. Clerk called roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

33. Making Appropriations for the Conduct of County Government For Fiscal Year 2024
Legislator Clattenburg motioned to adopt seconded by Legislator Maha. Clerk took roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

34. Schedule “A” 2024 Employee Salary Schedule: Legislator Clattenburg motioned to adopt seconded by Legislator Torrey. Clerk called roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

35. Schedule “B” 2024 Management Salary Schedule: Legislator Clattenburg motioned to adopt seconded by Legislator Deleo. Clerk called roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

36. Set Public Hearing-Introductory Local Law E Of 2023 – In Relation To The Salaries Of County Officers Of The County Of Genesee Elected Or Appointed For A Fixed Term
Legislator Maha motioned for an amendment to the resolution to change the time of the public hearing from 5:30 p.m. to 4:30 p.m. seconded by Legislator Hawley. Clerk amended the time on the resolution to state 4:30 p.m. Clerk called roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26). Legislator Clattenburg motioned to approve the resolution as amended seconded by Legislator Deleo. Clerk took roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26).

37. Introduce Local Law E of the Year 2023 in Relation to the Salaries of County Officers of the County of Genesee, Elected or Appointed for Fixed Term
Legislator Klotzbach motioned for an amendment to the resolution to change the 4th Whereas to read the public hearing will be held at 4:30 p.m. instead of 5:30 p.m. to seconded by Legislator Hawley. Clerk took roll call on the amendment to the resolution, approved with 8 ayes and 0 nays total of 174 votes. Yunker absent (26). Legislator Clattenburg motioned to approved the amended resolution seconded by Legislator Dibble. Clerk took roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker Absent (26).

38. County Audit – November 20, 2023
Legislator Clattenburg motioned to adopt seconded by Legislator Torrey. Clerk took roll call, approved with 8 ayes and 0 nays total of 174 votes. Yunker Absent (26).

Unfinished Business: None.

Adjournment:

Chair Stein moved to close the meeting, Legislator Clattenburg motioned to adjourn seconded by Legislator Maha. TIME: 5:53 PM

**RESOLUTION NO. 468 APPOINTMENT/ STOP-DWI ADVISORY
BOARD/BLEVINS–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County STOP-DWI Coordinator has identified a qualified individual who has expressed interest in serving on the STOP-DWI Advisory Board as a citizen member, and **WHEREAS**, the Genesee County STOP-DWI Advisory Board has reviewed the application and does recommend the appointment, and **WHEREAS**, the Committee on Ways and Means does recommend the appointment to fill a vacancy of citizen member. Now, therefore, be it **RESOLVED**, that Mary A. Blevins of Batavia, New York be appointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve a term effective January 1, 2024 through December 31, 2026.

Budget Impact: None – these are volunteer Board Members

Legislator Deleo seconded the resolution, which was adopt by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 469

HEALTH BENEFITS PLAN 2024 PREMIUM RATES - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Manager and Self-Funded Health Benefits Plan Consultant did review the self-insured health plan and monthly participation fee and recommends the monthly premium rates remain flat for 2024, and

WHEREAS, the Committee on Ways and Means did review the rates proposed and does recommend adoption at this time. Now, therefore, be it

RESOLVED, that the following rates for the Genesee County Self-Insured Health Benefits Plan be adopted, effective January 1, 2024:

<u>Health and Wellness Plan Classification</u>	<u>Rate per Month</u>
Single	\$727
2 Members (1 Adult/1 Child or 2 Adults)	\$1,454
Family, 3 or more	\$2,363
Retired, single,	\$727
Retired, 2 Members	\$1,454
Retired, Family 3 or more	\$2,363
<u>GCC \$5/\$20 Drug Card Classification</u>	<u>Rate per Month</u>
Single	\$154
2 Members (1 Adult/1 Child or 2 Adults)	\$308
Family	\$508
<u>Dental Classification</u>	<u>Rate per Month</u>
Dental, single base plan	\$ 18.01
Dental, family base plan	\$ 52.34
Dental, single buy-up plan	\$ 22.92
Dental, family buy-up plan	\$ 77.67
<u>Vision Classification</u>	<u>Rate per Month</u>
Vision, single	\$ 4
Vision, family	\$ 6

Budget Impact: medical/Rx premium rates to remain flat for 2024. New dental plan introduced in 2023 with option for buy-up coverage.

Legislator Deleo seconded the resolution, which was adopt by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 470

RATIFICATION OF–CIVIL SERVICE EMPLOYEES ASSOCIATION GENERAL UNIT, LOCAL 819 UNION– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, an agreement has been reached between representatives of the Civil Service Employees Association General Unit, Local 819 Union and representatives of Genesee County on the terms of a three year contract for the period of January 1, 2024 through December 31, 2026, and

WHEREAS, the funds for the implementation of this agreement for fiscal year 2024 have been included in the 2024 Budget, contingency account, and

WHEREAS, the Committee on Ways and Means did review the Agreement and does recommend that said agreement be ratified at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby ratify and approve the terms and conditions of said Agreement by and between the CSEA General Unit, Genesee County Local 819 Union and the County of Genesee for the period of January 1, 2024 through December 31, 2026

Budget Impact: salary increases of approximately \$1.23 million, FICA \$99,000, Retirement \$203,000. Total approximate cost increase of \$1.56 million for 2024.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 471 CAPITAL PROJECT/AUTHORIZATION TO CLOSE
– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Manager and County Treasurer have identified certain Capital Projects that have been completed and recommend said Capital Projects be closed at this time, and

WHEREAS, the Committee on Ways and Means did review this request and recommends that said capital projects be closed. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to close the following completed Capital Projects and return balance of \$3,980.88 to the Sales Tax Reserve:

Genesee Community College, GCC Technology Parking Lot Replacement

Genesee Community College, GCC HVAC System

Genesee Community College, Cooling Tower Replacement

Highway/Sheriff, Firing Range Upgrade

Budget Impact: The balance of funds equaling \$3,980.88 in the Firing Range Upgrade project will be returned to the Sales Tax Reserve.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 472 EXTENSION OF TEMPORARY WAIVER FOR CIVIL
SERVICE EXAMINATION FEE–HUMAN
RESOURCES-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the number of Civil Service exam participants has been decreasing over the last several years and the County is desirous of attracting more exam candidates and eliminate any financial barrier to entry for civil service jobs, and

WHEREAS, resolution No. 488 in the year 2022 temporarily waived the collection of an examination fee for all Civil Service examinations announced January 1, 2023 through December 31, 2023, and

WHEREAS, the County experience a thirty-one (31) percent increase in exam candidates in 2023, and

WHEREAS, the County Manager and the Human Resources Director recommend temporarily extending the waiver of Civil Service examination fees for all candidates and the Committee on Ways and Means did review this request and does concur. Now, therefore, be it

RESOLVED, that the Genesee County Human Resources Office is authorized and directed to temporarily waive the collection of an examination fee for all candidates for Civil Service examinations held January 1, 2024 through December 31, 2025.

Budget Impact: An estimated 24,000 decrease in revenue for the 2024 and 2025 budget.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 473 BUDGET AMENDMENT-HUMAN RESOURCES/ THE
HEALTHCARE AND MENTAL HYGIENE WORKER
BONUS PROGRAM–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, New York State allocated funding to the NYS Health Care Worker Bonus program for the purpose of recruitment and retention which mandates the payment of bonuses for certain frontline health care workers in the Health Department and the Mental Health Department, and

WHEREAS, Human Resources submitted claims for eligible titles based on criteria designed by New York State. The fourth of five vesting periods started April 1, 2023 – September 30, 2023, and

WHEREAS, the Committee of Ways & Means concurs. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget as follows:

Increase Revenue	A.4310.3490	Mental Health Services, State Aid	\$12,918
Increase Appropriation	A.4310.1060.0600	Mental Health Services, Special Pay	\$12,000
	A.4310.8010.0000	Mental Health Services, Social Security Tax	\$744
	A.4010.8011.0000	Mental Health Services, Medicare Tax	\$174

and, be it further

RESOLVED, the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to make such payments.

Budget Impact: No impact, State aid to cover bonus cost.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 474 **RENEWAL OF CONTRACT–HUMAN RESOURCES/
FLEXIBLE SPENDING BENEFITS PLAN
MANAGEMENT/ADMINISTRATOR–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 356 duly adopted on November 23, 2020 did award a contract to P & A Group, Inc. for administration services for the County’s Flexible Spending Benefits Plan, and

WHEREAS, the RFP issued in 2020 and 2020 Resolution No. 356 did allow for three one-year renewals under the same terms and conditions, and the Genesee County Human Resources Director has recommended the renewal of this contract for 2024, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the third and final one-year renewal contracts with P & A Group, 17 Court Street, Buffalo, NY 14202 for the provision of administration services for the County’s Flexible Spending Benefits Program effective January 1, 2024 through December 31, 2024 under the same terms and conditions upon mutual consent between the parties.

Flexible Benefits Program Administration Fee Per Member Per Month: \$3.25

Budget Impact: Flex Plan Administration costs are paid utilizing the County’s FICA savings generated by employee participation in the flexible benefits program.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 475 **RENEWAL OF CONTRACT–HUMAN RESOURCES/
SELF-INSURED HEALTH BENEFITS PLAN
CONSULTANT–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 488 duly adopted on November 23, 2021 did award a contract to AP Benefits Advisors for the provision of Health Benefits Plan Consultant, and

WHEREAS, the RFP issued in 2021 and the Resolution No. 488 did allow for four additional one-year renewals and the Genesee County Human Resources Director has recommended the renewal of this contract for 2023, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the second of four one-year renewal contracts with AP Benefits Advisors, dba Premier Consulting Associates, 90A John Muir Drive, Suite 100, Amherst, New York to provide Health Benefits Plan Consulting services effective February 1, 2024 through January 31, 2025.

Medical and Prescription Drug Plan Consulting \$52,000/Annual Fee

Claims Data Integration, Reporting and Analytics
through PremierLinx \$1.30 per employee per month

Budget Impact: Funds are budgeted in the 2024 Health Plan budget for Consulting annual fee and PremierLinx.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 476

**AWARD CONTRACT-HUMAN RESOURCES/
EMPLOYEE ASSISTANCE PROGRAM CONTRACT –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Purchasing Director did issue a Request for Proposals, 2023-113 seeking proposals from providers of Employee Assistance Program (EAP) services for Genesee County employees, and

WHEREAS, members of the Genesee County Labor and Management Group, in conjunction with the County’s Health Plan Consultants, reviewed and analyzed the proposals and has made a recommendation regarding a provider of Employee Assistance Program services, and

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

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Child and Family Services of Erie County, 330 Delaware Avenue, Buffalo NY 14202, to provide Employee Assistance Program services to the employees of Genesee County effective January 1, 2024 through December 31, 2024 with a provision of three (3) additional one-year periods of renewal.

2024 Employee Assistance Program Annual Premium - \$10,956

2025 – 2027 Employee Assistance Program Annual Premium \$11,484

Budget Impact: Funds are included in the Human Resources 2024 budget.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 477

**DISTRIBUTION OF MORTGAGE TAX-SECOND
PAYMENT 2023-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, villages, and the City of Batavia, mortgage tax money amounting to \$562,507.30, 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. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer be and hereby is authorized and directed to pay the towns, villages, and the City of Batavia the following amounts of mortgage tax:

City of Batavia	\$150,219.03	Town of Pavilion	\$18,216.49
Town of Alabama	\$7,161.71	Town of Pembroke	\$34,226.15
Town of Alexander	\$13,364.05	Town of Stafford	\$15,911.30
Town of Batavia	\$34,563.76	Village of Alexander	\$1,222.70
Town of Bergen	\$55,431.18	Village of Attica	\$424.17
Town of Bethany	\$8,819.50	Village of Bergen	\$7,257.27
Town of Byron	\$18,413.30	Village of Corfu	\$2,032.72
Town of Darien	\$33,382.04	Village of Elba	\$1,207.04
Town of Elba	\$9,845.83	Village of LeRoy	\$11,855.01
Town of LeRoy	\$40,387.12	Village of Oakfield	\$13,409.16
Town of Oakfield	\$85,157.77	Total Distribution	<u>\$562,507.30</u>

Budget Impact:

2022 2nd Payment \$636,882.14

2021 2nd Payment \$546,430.58
2020 2nd Payment \$418,882.58
2019 2nd Payment \$392,051.45
2018 2nd Payment \$408,348.50
2017 2nd payment \$411,573.27
2016 2nd Payment \$379,929.40
2015 2nd Payment \$340,055.66
2014 2nd Payment \$272,880.58
2013 2nd Payment \$326,302.91
2012 2nd Payment \$313,581.21
2011 2nd Payment \$264,130.74

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 478 **2023 BUDGET AMENDMENT – COUNTY
ATTORNEY/WESTLAW- APPROVAL OF**

Legislator Clattenburg offered the following resolution;

WHEREAS, Library Plan charges have increased for the Westlaw contract (Thomson Reuters-West) in 2023, which increased the cost of the contract, and

WHEREAS, the County Attorney’s Office does pay one centralized bill, which is then billed back to the specific departments, and

WHEREAS, the County Attorney does request an amendment to the 2023 County Attorney Budget to accommodate the increase in cost, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Budget as follows:

Increase Revenue	A.1420.2801.2815	Shared Svcs. County Attorney	\$10,766.00
Increase Expense	A.1420.4160.0000	Publications, County Attorney	\$10,766.00

Budget Impact: Cost increase will be allocated to specific departments that receive the books. Some departments have offsetting grant revenue to cover the cost.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 479 **2023 SALARY SCHEDULE AMENDMENT- DISTRICT
ATTORNEY’S OFFICE – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender and Assistant Public Defenders have been appearing at night in the Genesee County Centralized Arraignment Part (CAP) Court, said appearances having been funded by grants obtained by the Public Defender, and

WHEREAS, the presence of an Assistant District Attorney appearing at night in the CAP Court opposite of the Defense Attorney is necessary to effectively advance the position of the People resulting in a more balanced and just result, and

WHEREAS, the Genesee County District Attorney and County Manager recommend providing the six Assistant District Attorneys additional compensation for night appearances at CAP Court in the amount of \$15,000 annually per attorney prorated for the remainder of 2023 at \$576.92 per pay period, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed 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. Budget Impact: Total 2023 cost equal to \$11,180 can be covered by the current District Attorney's Budget.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 480 BUDGET AMENDMENT-SHERIFF/K9 PROGRAM -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Sheriff's would like to purchase a bite suit to be used for training purposes by the department K9 Officer, and

WHEREAS, there are funds available from gifts and donations made to the K9 Program this year to cover the cost of the suit, and

WHEREAS, the Sheriff is requesting a budget amendment to allow for the use of the donated funds to purchase the bite suit, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2023 budget as follows:

\$2,000 to A3110.4800.3317 (Prog Exp-Canine Program)

Offset by revenue received in Sheriff's Revenue Account A3110.2705 (Gifts and Donations)

Budget Impact: Increase in Sheriff's appropriations of \$2,000 to cover the cost of a bite suit for the K9 Program, offset by revenue from gifts and donations made to the K9 Program in a like amount.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 481 GRANT ACCEPTANCE-SHERIFF/NEW YORK STATE
PUBLIC SAFETY ANSWERING POINT OPERATIONS
GRANT PROGRAM-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Sheriff requested authorization to accept grant funding from the NYS 2023 Public Safety Answering Point Operations Grant Program (PSAP), in the amount of \$211,687, with funds to be used to offset Communications Personal Services costs, and

WHEREAS, \$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, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to accept the NYS 2023 PSAP Grant award in the amount of \$211,687.

Budget Impact: Acceptance of NYS PSAP Operations Program grant funding in the amount of \$211,687. \$185,000 in PSAP grant funds was included in the 2023 Communications budget submission. The additional \$26,687 will further offset the Communications 2023 Personal Services costs.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 482 GRANT ACCEPTANCE-SHERIFF/NEW YORK STATE
2023 STATEWIDE INTEROPERABLE
COMMUNICATIONS GRANT PROGRAM -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Sheriff requested authorization to accept grant funding from the NYS 2023 Statewide Interoperable Communications Grant Program (SICG) in the amount of \$682,571, and

WHEREAS, \$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, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to accept the NYS 2023 Statewide Interoperable Communications Grant award in the amount of \$682,571

Budget Impact: Acceptance of NYS SICG Program funding in the amount of \$682,571. \$339,743 in SICG funds was included in the 2023 Communications budget submission. The remaining \$342,828 will be budgeted in the future for a capital project to be established.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 483 2023 BUDGET AMENDMENT–PUBLIC DEFENDER/
PUBLIC DEFENSE CASE MANAGEMENT SYSTEM -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender is requesting 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, and

WHEREAS, the Public Defender is additionally requesting 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, and

WHEREAS, both the purchase of the cloud-based version of the NYS Defender’s Association Public Defense Case Management System and the advertising expenses will be entirely funded by the Public Defender’s Statewide Expansion of Hurrell-Harring Grant (Project No.: 10000-2200), and

WHEREAS, the Committees on Public Services and Ways and Means 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 2023 Genesee County Public Defender budget as follows:

Increase Appropriations A.1170.4880 Program Expense:	\$28,240
Increase Appropriations A 1170.4660 Contracted Other:	\$ 8,149
Increase Revenue A.1170.3025 Indigent Legal Services:	\$36,389

Budget Impact: Increase in expenses of \$36,389 offset by grant revenue.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 484 CONTRACT AMENDMENT-PUBLIC DEFENDER/
NEW YORK STATE DEFENDERS ASSOCIATION,
INC.-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender is recommending 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 at an initial cost of \$28,240 for the first year and then \$17,540 annually thereafter, and

WHEREAS, the Committees of Public Service and Ways and Means 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 necessary documents to 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.

Budget Impact: This contract will be entirely funded by Indigent Legal Services' Statewide Expansion of Hurrell-Harring Contract. A Budget Amendment is being sought contemporaneously with this contract amendment.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 485 CONTRACT RENEWAL–FACILITIES
MANAGEMENT/ELEVATOR MAINTENANCE–
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the County of Genesee does contract with TK Elevator Corporation for the maintenance and repair of elevators located in various county facilities, and

WHEREAS, said contract does provide for four additional one year renewal options, and

WHEREAS, the Highway Superintendent does recommend the contract be renewed and the Committees on Public Service and Ways and Means do concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to 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.

Budget Impact: Facilities Management budgets for this contract in its operating budget. The annual cost of monthly inspections at all locations is \$14,760.00. Repairs are billed at \$325.00 per hour for mechanic helper teams and parts are marked up 20% over cost from the manufacturer.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 486 CONTRACT AWARD–FACILITIES
MANAGEMENT/HVAC CONTROL SYSTEM -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, U&S Services currently services the County's control and software of HVAC units, and the current contract expires December 31, 2023, and

WHEREAS, the Highway Superintendent has reviewed the NYS Contract pricing, Contract PT69752, and does recommend U&S Services to provide this service, and

WHEREAS, the Committees on Public Service and Ways and Means did review this request and does recommend an award 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 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.

Budget Impact: The funds are in A1620, 4660.0000 Contractual account.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 487 2023 BUDGET AMENDMENT/CAPITAL PROJECT
AMENDMENT/CONSULTANT AGREEMENT –
FACILITIES MANAGEMENT/ HOLLAND LAND
OFFICE MUSEUM–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, 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, and

WHEREAS, Genesee County staff reviewed proposals from consultants for design services related to this project and did make a recommendation to approve a consultant agreement at this time, and **WHEREAS**, the Committees on Public Service and Ways and Means have reviewed this request and do concur with the recommendation at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby direct the County Treasurer to make the following transfer: Transfer \$15,000 from Holland Land Office Museum Exterior Paint Capital Project to Holland Land Office Museum Restoration Study, and be it further

RESOLVED, that the Genesee County Legislature does hereby direct the County Treasurer to make an amendment to Capital Project Holland Land Office Museum Restoration Study by increasing the project \$133,324.00 from 1% Sales Tax,

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2023 Budget by increasing A.1000.1110.1 1% Sales Tax in the amount of \$133,324.00, increasing A9950.9 Transfer to Capital and H.1997.5031 Inter Fund Transfer in the amount of \$133,324.00 and increase capital project expense H.1997.2080.0000 in the amount of \$133,324.00.

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to 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.

Budget Impact: The balance of the HLOM Restoration study capital project will be combined with the funds from the HLOM Exterior paint project and 1% sales tax to allow for the \$150,000 to design the restoration project.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 488 CONSULTANT AGREEMENT– HIGHWAY/ CULVERT INSPECTIONS-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, though visual inspections have been done, a full condition state rating of the Large Span Culvert inventory has not been completed since 2015, and

WHEREAS, the Highway Superintendent reviewed proposals from consultants for design services related to this project and did make a recommendation to approve a consultant agreement at this time, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a consultant agreement with LaBella Associates, 300 State Street, Rochester NY 14614 in an amount not to exceed \$76,300.

Budget Impact: The contract will be funded from the Large Span Culverts Capital Project. The capital project has an available balance of \$2,786,326.69.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 489 SUPPLEMENTAL CONSULTANT AGREEMENT – FACILITIES MANAGEMENT/ENGINE HOUSE RENOVATIONS - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has been progressing Construction Documents with SWBR for the renovation of the Engine House facility, and

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

WHEREAS, a proposal for ground penetrating radar was requested as an addition to their existing contract to determine the location of under slab piping, and

WHEREAS, the Genesee County Highway Superintendent reviewed this work and does recommend approval at this time, and

WHEREAS, the Committees on Public Service and Ways and Means have reviewed this request and do concur at this time. Now, therefore, be it

RESOLVED, that the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with 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.

Budget Impact: The supplemental agreement will bring SWBR's total approved contract to \$151,000, the balance in the capital project is \$908,437.50

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 490 **INTERMUNICIPAL AGREEMENTS-HIGHWAY/
TOWN SNOW AND ICE CONTROL AND MOWING-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Highway Superintendent and the Genesee County Attorney have prepared an Intermunicipal Agreement for the control of snow and ice and mowing on county highways, and

WHEREAS, the Genesee County Highway Superintendent has presented this agreement to the several Town Highway Superintendents within Genesee County, and

WHEREAS, the Intermunicipal Agreements have been approved by Town Boards wishing to provide such services to the County under the terms of the Agreement, and

WHEREAS, the Genesee County Highway Superintendent recommends approving this agreement as it is in the best interest of the taxpayers of the County, and

WHEREAS, the Committees on Public Service and Ways & Means have reviewed this recommendation and do concur. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to 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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to 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

Town of Le Roy

Budget Impact: The cost per mile for the 2024 snow and ice season is \$7,848 and the cost per mile for mowing is \$572. This represents a 17.9% increase in the rate for snow and ice over the 2023 season and a 5.6% increase in the cost for mowing. The County Road Fund budgets \$1,833,881.40 for contractual snow and ice control and \$128,230.96 for contractual roadside mowing. These contracts cover approximately 224 miles of the 260 miles of county roads.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 491 **MEMORANDUM OF UNDERSTANDING – COUNTY
PARKS/ BATAVIA BUSINESS IMPROVEMENT
DISTRICT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the BID has prepared a Memorandum of Understanding outlining the use of the outdoor ice skating rink equipment, location, safety precautions and indemnification, and

WHEREAS, the Genesee County Attorney has reviewed this Memorandum of Understanding and does concur to the form of the agreement, and

WHEREAS, the Genesee County Highway Superintendent recommends approval of the Memorandum of Understanding at this time, and

WHEREAS, the Public Service and Ways and Means Committees does concur with this recommendation at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to 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.

Budget Impact: None.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 492 CHANGE ORDER–HIGHWAY/SOUTH STREET OVER DRAINAGE DITCH-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, South Street Culvert construction in the Village of LeRoy has been completed, and

WHEREAS, LC Whitford Co. Inc. completed additional services for Genesee County to relocate a sanitary sewer line at the site, and

WHEREAS, 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, and

WHEREAS, the Genesee County Highway Superintendent has reviewed this change request for need and accuracy of pricing, and

WHEREAS, the Genesee County Highway Superintendent recommends approval of the change order at this time, and

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

RESOLVED, that the Chair of the Genesee County Legislature does hereby 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.

Budget Impact: The total amount for the change order is \$88,828.40. The change to this contract brings the total contract amount to \$746,373.90. This contract is funded from the South Street Over Drainage Ditch Federal Aid allocation in the amount of \$757,410.00. The overages to this project will be drawn from the Large Span Culverts Capital Project Fund with an available balance of \$2,786,326.69.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 493 CHANGE ORDER–HIGHWAY/COUNTYWIDE WATER PHASE 2/WELL ‘C’– CONTRACT B- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, the Wellfield Expansion and Site Improvements at Well A and Well C have been

completed in the City of Batavia, and

WHEREAS, the wellfield became fully operational on July 28, 2023, and

WHEREAS, Genesee County is eligible to receive a change order deduct to the contract for final quantity adjustments, and

WHEREAS, the Genesee County Highway Superintendent has reviewed this change request for need and accuracy of pricing, and

WHEREAS, the Genesee County Highway Superintendent recommends approval of the change order at this time, and

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

RESOLVED, that the Chair of the Genesee County Legislature does hereby 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.

Budget Impact: The total amount for the change order deduct is (\$7,171.82). The change to this contract brings the total contract amount to \$426,417.23. The funding is provided from the Genesee County Phase 2 Water Bonds which are expensed via the Water Fund (EW105.2).

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 494 **CAPITAL PROJECT AMENDMENT/BUDGET
TRANSFER–HIGHWAY DEPARTMENT/SOUTH
STREET OVER DRAINAGE DITCH–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Superintendent of Highways is recommending 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, and

WHEREAS, 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, and

WHEREAS, 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, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following transfer to the South Street Culvert Over Drainage Ditch and the Large Span Culverts Capital Projects:

Increase H5197.2080.0000 South St Culvert over Drainage Ditch	\$257,255
Decrease H5197.2080.0000 Large Span Culverts	\$257,255

Budget Impact: The South Street Culvert BRIDGE-NY state allocation in the amount of \$757,410.00 has been exhausted for design and construction activities and will now be utilizing tax dollars via Large Span Culverts to close out the project. This capital project amendment will decrease the Large Span Culverts Capital Project balance in the amount of \$257,255, with an available remaining balance of \$2,563,283.19.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 495 **REAPPOINTMENT - SOIL & WATER
CONSERVATION DISTRICT DIRECTOR-PHELPS-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Soil & Water Conservation District was established according to State Law known as the Soil Conservation Districts Law (1940) on October 16, 1944 and the first Directors were

appointed by Resolution No. 63-1945, and

WHEREAS, the Board of Directors sets policy and guides District employees with types of conservation problems in the county, and

WHEREAS, a \$40 stipend per meeting will be paid to members excepting Legislature Liaisons, the stipend is in lieu of mileage reimbursement, and

WHEREAS, the Committees on Public Service and Ways & Means do recommend Dennis Phelps be re-appointed as a Director. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby re-appoint Dennis Phelps of Basom, New York to the Genesee County Soil & Water Conservation District Directors January 1, 2024 through December 31, 2026.

Budget Impact: None.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 496 **CONTRACT WITH CITY OF BATAVIA FOR
DISTRICT ATTORNEY COURT SERVICES –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Genesee County Manager did 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, and

WHEREAS, the Committee on Public Service does recommend this contract be renewed and continued for January 1, 2024 through December 31, 2026. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a 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.

Budget Impact: 3.0% rate increase each year for prosecutorial services.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 497 **GRANT ACCEPTANCE-EMERGENCY
MANAGEMENT SERVICES/FY23 EMERGENCY
MANAGEMENT PERFORMANCE GRANT (EMPG)
PROGRAM – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Emergency Management Services Coordinator requests 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, and

WHEREAS, the purpose of the Emergency Management Performance Grant (EMPG) is to provide funds in support of efforts to build and sustain a comprehensive, all-hazard emergency preparedness system, and

WHEREAS, the Committee on Public Service did review this request and does concur with the Emergency Management Services Coordinator’s recommendation. Now therefore be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to 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.

Budget Impact: None. Grant funds have been allocated into the 2024 OEM department budget.

Legislator Klotzbach seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 498 AMENDMENTS TO THE 2024 TENTATIVE BUDGET -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the 2024 Tentative Budget was reviewed by the Legislature and certain amendments to the Tentative Budget were recommended. Now, therefore be it

RESOLVED, that the Genesee County Legislature does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2024 Budget:

INCREASE IN GENERAL FUND REVENUES

A.1165.3322	District Attorney- St. Aid – Dept of Criminal Justice	\$ 262,302
A.3315.4389	STOP DWI – Fed Aid – Other Pub Safety	\$ 5,500
A.4010.2280	Health Department – Health Services, Other Govt	\$ 8,075

DECREASE IN GENERAL FUND REVENUE

A.1000.1081	Other Pyt In Lieu of Tax	\$ 7,500
A.1000.1081.1	PILOT Increment Financing	\$ 7,400
A.1000.9999	Balancing – Appropriated	\$ 40,826
A.6010.3610	Social Services Admin – St. Aid, Social Svcs Admin	\$ 10,600
A.6010.4610	Social Services Admin – Fed Aid, Social Svcs Admin	\$ 14,800

INCREASE IN GENERAL FUND APPROPRIATIONS

A.1165.1010.0000	District Attorney -Personal Services	\$ 168,644
A.1165.8010.0000	District Attorney – Social Security Tax	\$ 10,456
A.1165.8011.0000	District Attorney – Medicare Tax	\$ 2,445
A.1165.8020.0000	District Attorney - Retirement	\$ 19,202
A.1165.8030.0000	District Attorney – Medical	\$ 45,370
A.1165.8040.0000	District Attorney – Dental	\$ 1,258
A.1165.8070.0000	District Attorney – Vision	\$ 144
A.3315.4660.0511	STOP DWI – High Visibility Engagement	\$ 5,500
A.4010.4800.0000	Health Department – Program Expense	\$ 8,075

DECREASE IN GENERAL FUND APPROPRIATIONS

A.6010.1010.0000	Social Services Admin- Personal Services	\$ 19,450
A.6010.8010.0000	Social Services Admin – Social Security Tax	\$ 1,200
A.6010.8011.0000	Social Services Admin – Medicare Tax	\$ 290
A.6010.8020.0000	Social Services Admin – Retirement	\$ 7,160
A.6010.8030.0000	Social Services Admin – Medical	\$ 24,100
A.6010.8040.0000	Social Services Admin – Dental	\$ 670
A.6010.8070.0000	Social Services Admin – Vision	\$ 70
A.6421.4660.1000	GCEDC – CONT EXP-PILOT/PIF	\$ 7,400
A.7415.4660.0000	Joint Public Libraries – Contracted-Other	\$ 180
A.8020.1010.0000	Planning – Personal Services	\$ 4,496
A.8020.1020.0000	Planning – Overtime Salaries	\$ 400
A.8020.8010.0000	Planning – Social Security Tax	\$ 302
A.8020.8011.0000	Planning – Medicare Tax	\$ 72
A.8020.8020.0000	Planning – Retirement	\$ 553

Budget Impact: General Fund net appropriation and revenue changes offset to \$194,751 to the Budget Officers Tentative Budget.

Legislator Hawley seconded the resolution, which was adopt by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 499 2024 GENESEE COUNTY BUDGET - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, a public hearing was held on the Tentative Budget for the year 2024 on Wednesday,

November 1, 2023, at which time all interested persons were heard, and

WHEREAS, amendments to the 2024 Tentative Budget have been presented and duly adopted by Resolution No. on November 20, 2023, and

WHEREAS, the Committee on Ways and Means does recommend adoption at this time. Now, therefore, be it

RESOLVED, that the 2024 Tentative Budget presented by the Budget Officer, as amended, be and hereby is adopted as the Budget for the County of Genesee for 2024 with a total amount to be raised by property tax of \$32,722,377 and a tax rate equivalent to \$8.08.

Budget Impact: 2024 property tax levy increase of 2%. The 2024 budget is within the NYS mandated tax levy limit.

Legislator Dibble seconded the resolution, which was adopt by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 500 MAKING APPROPRIATIONS FOR THE CONDUCT
OF COUNTY GOVERNMENT FOR FISCAL YEAR
2024 – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Legislature adopted a Budget for fiscal year 2024 by Resolution No. dated November 20, 2023. Now, therefore, be it

RESOLVED, that the adopted amounts in the 2024 Budget be and hereby are appropriated for the objects and purposes specified, effective January 1, 2024, and be it further

RESOLVED, that the sum of \$32,722,377 is hereby levied against the taxable property in the County and the Director of Real Property Tax Services is hereby authorized and directed to apportion and spread the said sum against the properties within the county which are subject to taxation.

Budget Impact: 2024 property tax levy increase of 2% over 2023 tax levy. The 2024 budget is within the NYS mandated tax levy limit.

Legislator Maha seconded the resolution, which was adopt by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 501 SCHEDULE “A” 2024 EMPLOYEE SALARY
SCHEDULE – ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, it is necessary to establish a schedule for payment of wages in 2024 for positions covered in negotiated agreements and for other positions not included in the Genesee County Schedule A Employee Salary Schedule, and

WHEREAS, the Committee on Ways and Means did review the schedule as presented by the Human Resources Director and does recommend adoption at this time. Now, therefore, be it

RESOLVED, that the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to implement payroll certifications, effective January 1, 2024 based upon the recommended Genesee County Employee Salary Schedule.

Legislator Torrey seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

**RESOLUTION NO. 502 SCHEDULE “B” 2024 MANAGEMENT SALARY
SCHEDULE – ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Committee on Ways and Means did review the Management Salary Schedule “B” for 2024 and does recommend adoption at this time. Now, therefore, be it

RESOLVED, that the County Supervisory and Non-Union Salary Schedule for 2024 be and hereby is adopted. Be it further

RESOLVED, that the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to implement payroll certifications and payments based on the titles and salaries contained in Schedule “B” 2024 Management Salary Schedule, effective January 1, 2024.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 503 **SET PUBLIC HEARING-INTRODUCTORY LOCAL LAW E OF 2023 – IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE ELECTED OR APPOINTED FOR A FIXED TERM-APPROVAL OF**

Legislator Clattenburg offered the following resolutions:

WHEREAS, there is hereby introduced to the Genesee County Legislature a proposed Local Law entitled: **A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE ELECTED OR APPOINTED FOR A FIXED TERM,**” and

WHEREAS, subdivision 5 of Section 20 of the Municipal Home Rule Law requires a Public Hearing to be held on such Local Law. Now, therefore, be it

RESOLVED, that a Public Hearing shall be held on the Proposed Local Law Introductory E, Year 2023 on Wednesday, December 13, 2023 at 4:30 p.m. at the Genesee County Courthouse, 7 Main Street, Batavia, New York.

Legislator Deleo seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 504 **A LOCAL LAW INTRODUCTORY E OF THE YEAR 2023-IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED TERM - ADOPTION OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the following proposed Local Law Introductory E, Year 2023 is duly introduced to the Genesee County Legislature in accordance with the Law: **LOCAL LAW INTRODUCTORY E, YEAR 2023 FOR COUNTY OF GENESEE, NEW YORK A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED TERM BE IT ENACTED** by the Genesee County Legislature as follows: Section 1. The salary of County Officers set forth below shall be as follows:

- | | |
|------------------------------------|-----------|
| a. Commissioner of Elections (2) | \$ 55,741 |
| b. Human Resources Director | \$113,980 |
| c. Commissioner of Social Services | \$108,624 |
| d. Treasurer | \$114,780 |
| e. Sheriff | \$120,399 |
| f. Highway Superintendent | \$132,495 |

Section 2. The above salary shall take effect January 1, 2024.

Section 3. This Local Law is subject to referendum on petition pursuant to the provisions of Section 24 of the Municipal Home Rule Law.

Section 4. This Local Law shall take effect upon proper filing with the Office of the Secretary of State, and

WHEREAS, the Clerk of the Genesee County Legislature will post a certified notice of the Public Hearing on said proposed Local Law on the bulletin boards in the Old Courthouse and on the County website, and

WHEREAS, the Clerk of the Genesee County Legislature will publish in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory E, Year 2023, and

WHEREAS, a public hearing will be held at 4:30 p.m. on the 13th day of December 2023 in the Old Courthouse 7 Main Street, Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, be it

RESOLVED, that **“A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED**

TERM” to be known as Local Law Number __, Year 2024, for the County of Genesee as introduced on November 20th and adopted on December 13, 2023.

Legislator Dibble seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

RESOLUTION NO. 505 COUNTY AUDIT–NOVEMBER 20, 2023-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Torrey did review the following claims:

General Fund	\$	2,106,143.39
Highway		64,936.82
Self Insurance		875.00
Water Fund		214,145.22
DSS Abstracts		319,970.62
Capital Projects		
Sheriff/Jail – Jail Construction		1,758,418.69
Airport – Runway, Lighting, & Signage Replacement		5,000.00
County Manager – Security Upgrades Phase 3		261.74
County Park – Water System Upgrade		2,806.01
Facilities Management – Engine House Renovations		24,014.95
Facilities Management – Remove Underground Waste Tank		3,829.03
Highway – Large Span Culverts		5,136.19
Highway – Highway Recycling		123,032.17
Highway – S. Lyons Street Bridge over Tonawanda Creek		28,880.77
Highway – County Road 50 – Perry Road		5,585.96
Highway – Surface Treatment		107,813.76
Highway – Fisher Road over Orchard Creek		2,389.82
Highway – Silver Road over Little Tonawanda		938.00
Sheriff – Dispatch Center NG-911 Upgrade		348,239.24
Payroll – General		
November 17, 2023		2,002,570.62
Medicaid		
November 14, 2023		<u>184,875.00</u>
Total Audit	\$	7,309,864.00

Now, therefore, be it

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

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

Legislator Torrey seconded the resolution, which was adopted by 174 (Yunker absent – 26) votes.

Chair Stein moved to close the meeting, Legislator Clattenburg motioned to adjourn seconded by

Legislator Maha. TIME: 5:53 PM