

**NINETEENTH DAY  
 GENESEE COUNTY LEGISLATURE  
 OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY  
 MONDAY, NOVEMBER 21, 2022 AT 5:30 PM**

The Genesee County Legislature met in Regular Session on Monday, November 21, 2022 at 5:30 p.m. in the Legislature Chamber of the Old Court House. Legislature Clattenburg offered to assist with the audit. The prayer was offered by Legislator Deleo followed by the Pledge to the Flag. In addition to our regular meeting, Legislature Chair Stein opened a public hearing in regards to 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 at 5:32 p.m.

Proclamations & Commendations: None.

Approval of Minutes: November 9, 2022 – Motioned by Legislator Hawley seconded by Legislator Torrey, carried.

Committee & Special Assignment Reports: None.

Communications & Petitions:

Travel Out-of-State: Travel Out-of-State: Health Department – Gabrielle Lanich and Deb Hill – Washington DC – for the HUD New Grantee Orientation - \$0.00 (HUD Grant Funded)

Travel OOS -	Y	N	simple	2/3
1. Klotzbach	X		16	16
2. Yunker	n/a		26	26
3. Dibble	2		25	25
4. Hawley	X		31	31
5. Stein	X		26	26
6. Torrey	X		23	23
7. Deleo	X		17	17
8. Clattenburg	1		18	18
9. Maha	X		18	18
<b>TOTALS</b>			<b>200</b>	<b>200</b>
Roll Call			174	
Approval			<b>101</b>	<b>134</b>

Legislator Comments: None.

County Manager Report: Acknowledgment to the staff that participated in the budget preparation. Executive Assistant Vicky Muckle, Assistant County Manager Tammi Ferringer, Treasurer Scott German, Deputy Treasurer Kevin Andrews and Human Resources Director Anita Cleveland. They put in a lot of time and hard work to assist with the final outcome.

Resolutions: Consent Agenda Items.

Legislator Clattenburg motioned for adoption for resolution 1-34, seconded by Legislator Deleo.

Ways and Means Committee:

1. 2022 RFP For Security Services at Department of Social Services/Mental Health/Motor Vehicles-Rejection of Proposals
2. Set Public Hearing – County Manager’s Office/Shared Services Plan
3. Amendments to the 2023 Tentative Budget
4. 2023 Genesee County Budget Adoption
5. Making Appropriations for the Conduct of County Government For Fiscal Year 2023
6. Health Benefit Plan 2023 Premiums Rates
7. Contract Amendment/2023 Budget Amendment-Community Development Block Grant Agreement For Genesee County
8. The Healthcare & Mental Hygiene Worker Bonus/Budget Amendment
9. Renewal of Contract-Flexible Spending Benefits Plan Management/Administrator
10. Renewal of Contract-Health Benefits/Third Party Administrator/Dental

11. Renewal of Contract-Self-Insured Health Benefits Plan Consultant
12. Extension of Temporary Waiver- Human Resources/Civil Service Examination Fee
13. Renewal of Contract-Human Resources/Employee Assistance Program
14. Renewal of Contract-Third Party Administrator of Self-Funded Health Plan/Independent Health/NOVA Healthcare Administrator
15. Renewal of Contract-Third Party Administration Of Self-Funded Pharmacy Benefit Plan
16. Schedule "A" 2023 Employee Salary Schedule
17. Schedule "B" 2023 Management Salary Schedule
18. Amend Resolution No. 458-2022/Distribution of Mortgage Tax-Second Payment 2022
19. Budget Amendment - Emergency Management Services/Transfer Funds To Genesee County Mutual Aid Fire Advisory Board
20. Grant Acceptance - Emergency Management Services/FY20 Hazardous Materials (HazMat) Grant
21. Grant Acceptance - Emergency Management Services/FY22 Emergency Management Performance Grant (EMPG) Program
22. Grant Acceptance– Emergency Management Services & Sheriff’s Office/ FY22 State Homeland Security Program (SHSP) Grant
23. Grant Acceptance of Office of Justice Bulletproof Vest Program Funding/Budget Amendment-Sheriff/Jail
24. Grant Acceptance Funds-Budget Amendment/Sheriff-Child Passenger Safety Program
25. Surplus Equipment–Sheriff /2003 Nissan Frontier Pick Up
26. Budget Amendment–Sheriff/EZ Child ID System
27. Award of Bid –Facility Maintenance/Sprinkler Inspections
28. Budget Amendment/Award of Bid–Highway/Road Machinery/Gradall
29. Change Orders–Facility Maintenance/Genesee Justice Stonework
30. Quit Claim Deed–Countywide Water Phase 2/Mumford Pump Station
31. Budget Transfer/Close Capital Projects–Highway/CR#51/CR#5
32. Change Order-Genesee County Jail
33. Town of Batavia Water Main Easement /Dedication - Genesee County Jail
34. Appointment - Genesee County Water Resources Agency

1-34	Y	N	simple	2/3
1. Klotzbach	x		16	16
2. Yunker	n/a		26	26
3. Dibble	x		25	25
4. Hawley	x		31	31
5. Stein	x		26	26
6. Torrey	x		23	23
7. Deleo	2		17	17
8. Clattenburg	1		18	18
9. Maha	x		18	18
<b>TOTALS</b>			<b>200</b>	<b>200</b>
Roll Call			174	
Approval			<b>101</b>	<b>134</b>

Public Service Committee:

Public Service Committee Chair Maha motioned for adoption of resolution 35-38 seconded by Legislator Klotzbach.

35. Lease Agreement Renewal–Justice For Children Advocacy Center
36. Lease Agreement Renewal/Warsaw Redevelopment, LLC- Justice For Children Advocacy Center
37. Lease Renewal–Sheriff/New Cingular Wireless PCS (AT&T)
38. Agreement Renewal–Sheriff/Jail/ Pharmacy Services

35-38	Y	N	simple	2/3
1. Klotzbach	2		16	16
2. Yunker	n/a		26	26
3. Dibble	x		25	25
4. Hawley	x		31	31
5. Stein	x		26	26
6. Torrey	x		23	23
7. Deleo	x		17	17
8. Clattenburg	x		18	18
9. Maha	1		18	18
<b>TOTALS</b>			<b>200</b>	<b>200</b>
Roll Call			174	
Approval			<b>101</b>	<b>134</b>

Closing of Public Hearing: Chair Stein asked one more time, if there was anyone interested in speaking in regards to the Local Law D of Year 2022. No response. Public Hearing was closed at 5:43 p.m.

### NON-CONSENT ITEMS

Legislator Clattenburg offered resolution 39:

39. To Adopt Local Law D, Year 2022-In Relation to the Salaries of County Officers of the County of Genesee Elected or Appointed for Fixed Term

Seconded by Legislator Klotzbach.

39	Y	N	simple	2/3
1. Klotzbach	2		16	16
2. Yunker	n/a		26	26
3. Dibble	x		25	25
4. Hawley	x		31	31
5. Stein	x		26	26
6. Torrey	x		23	23
7. Deleo	x		17	17
8. Clattenburg	1		18	18
9. Maha	x		18	18
<b>TOTALS</b>			<b>200</b>	<b>200</b>
Roll Call			174	
Approval			<b>101</b>	<b>134</b>

Legislator Clattenburg offered the Following Resolution:

40. County Audit – November 21, 2022

Seconded by Legislator Torrey.

40	Y	N	simple	2/3
1. Klotzbach	x		16	16
2. Yunker	n/a		26	26
3. Dibble	x		25	25
4. Hawley	x		31	31
5. Stein	x		26	26
6. Torrey	2		23	23
7. Deleo	x		17	17
8. Clattenburg	1		18	18
9. Maha	x		18	18
<b>TOTALS</b>			<b>200</b>	<b>200</b>
Roll Call			174	
Approval			<b>101</b>	<b>134</b>

Unfinished Business Chair Stein thanked all involved with the 2023 Budget preparation.

**RESOLUTION NO. 477**

**2022 RFP FOR SECURITY SERVICES AT -  
DEPARTMENTS OF SOCIAL SERVICES/MENTAL  
HEALTH/MOTOR VEHICLES – REJECTION OF  
PROPOSALS – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the county issued a Request for Proposal (RFP) 2022-111 September 9, 2022 seeking to obtain a vendor that can meet the current security needs of the DSS and MH building located at 5130 East Main Street, Batavia, NY 14020 and DMV located at 15 Main St. and

**WHEREAS**, the full-time presence of professional security staff during work hours enhances the safety of our employees and the public, and helps to maintain order in the facility and

**WHEREAS**, the selection committee does not wish to move forward at this time with any of the three companies that submitted proposals in response to the RFP and

**WHEREAS**, the Ways and Means did review this request and does recommend approval at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Purchasing Department is hereby authorized and directed to reject all submitted proposals and issue a new RFP for security services at the Departments of Social Services, Mental Health, and Motor Vehicles, effective immediately upon legislative approval.

Budget Impact: TBD upon award of contract

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

**RESOLUTION NO. 478**

**SET PUBLIC HEARING – COUNTY MANAGER’S  
OFFICE/SHARED SERVICES PLAN – APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Shared Services panel has agreed to file a 2022 Shared Services Plan with the New York State Department of State by December 31, 2022, and

**WHEREAS**, part of the process for discussing and developing the 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 2022 Shared Services Plan will be held on Monday, November 30, 2022 at 9:00am, 11:00am, and 4:00pm at the Old Courthouse, 7 Main Street, Batavia, NY

Budget Impact: None

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

**RESOLUTION NO. 479**

**AMENDMENTS TO THE 2023 TENTATIVE  
BUDGET - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the 2023 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 2023 Budget:

**INCREASE IN GENERAL FUND REVENUES**

A.1000.1110.1	Sales & Use Tax 1%	\$ 53,612
A.1000.9999	Balancing Appropriated	\$ 4,705

A.1000.2401	Interest and Earnings	\$ 50,000
<b>INCREASE IN GENERAL FUND APPROPRIATIONS</b>		
A.1010.4550.0000	Legislative Board, Personnel Training	\$ 2,500
A.1420.4550.0000	County Attorney, Personnel Training	\$ 2,205
A.1989.2008.0006	Asset Acquisition, IT-Computer/Network Replac.	\$ 41,112
A.1989.2008.0010	Asset Acquisition, Mowers/Tractors/Motorized Equ.	\$ 12,500
A.8989.4660.0047	Home & Community, Municipal Shared Svc.	\$ 50,000

Budget Impact: General Fund net appropriation and revenue changes offset to \$108,317 to the Budget Officers Tentative Budget

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

**RESOLUTION NO. 480 2023 GENESEE COUNTY BUDGET - ADOPTION OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, a public hearing was held on the Tentative Budget for the year 2023 on Wednesday, November 2, 2022, at which time all interested persons were heard, and **WHEREAS**, amendments to the 2023 Tentative Budget have been presented and duly adopted by Resolution No. 479 on November 21, 2022, and

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

**RESOLVED**, that the 2023 Tentative Budget presented by the Budget Officer, as amended, be and hereby is adopted as the Budget for the County of Genesee for 2023 with a total amount to be raised by property tax of \$32,080,762 and a tax rate equivalent to \$8.45.

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

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

**RESOLUTION NO. 481 MAKING APPROPRIATIONS FOR THE CONDUCT OF COUNTY GOVERNMENT FOR FISCAL YEAR 2023 – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Legislature adopted a Budget for fiscal year 2023 by Resolution No. 480 dated November 21, 2022. Now, therefore, be it

**RESOLVED**, That the adopted amounts in the 2023 Budget be and hereby are appropriated for the objects and purposes specified, effective January 1, 2023, and Be it further

**RESOLVED**, That the sum of \$32,080,762 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: 2023 property tax levy increase of 2% over 2022 tax levy. The 2023 budget is within the NYS mandated tax levy limit.

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

**RESOLUTION NO. 482 HEALTH BENEFITS PLAN 2023 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 2023, 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, 2023:

<b><u>Partnership Plus and Traditional Plans Classification</u></b>	<b><u>Rate per Month</u></b>
Single	\$876
2 Members (1 Adult/1 Child or 2 Adults)	\$1,752
Family, 3 or more	\$2,844
Retired, single	\$876
Retired, 2 Members	\$1,752
Retired, Family 3 or more	\$2,844
<b><u>Health and Wellness Plan Classification</u></b>	<b><u>Rate per Month</u></b>
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
<b><u>GCC \$5/\$20 Drug Card Classification</u></b>	<b><u>Rate per Month</u></b>
Single	\$154
2 Members (1 Adult/1 Child or 2 Adults)	\$308

Family \$508

<b><u>Dental Classification</u></b>	<b><u>Rate per Month</u></b>
Dental, single	\$ 15
Dental, family	\$ 35
<b><u>Vision Classification</u></b>	<b><u>Rate per Month</u></b>
Vision, single	\$ 4
Vision, family	\$ 6

Budget Impact: medical/Rx premium rates to remain flat for 2023.

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

**RESOLUTION NO. 483                      CONTRACT AMENDMENT/2023 BUDGET  
AMENDMENT – COMMUNITY DEVELOPMENT  
BLOCK GRANT AGREEMENT FOR GENESEE  
COUNTY – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Legislature did authorize the submission of a Community Development Block Grant Application and was awarded \$1,000,000 from the New York State Housing Trust Fund Corporation Office of Community Renewal per resolution 337 duly adopted on August 25, 2021, with funding to be used by the Genesee Gateway Local Development Corporation for the purpose of providing grants to eligible small business affected by the COVID 19 pandemic, and

**WHEREAS**, The Office of Community Renewal has indicated there are additional funds available, and

**WHEREAS**, The County Manager is requesting an amendment to the agreement to allow for an additional allocation of \$587,000, to benefit businesses that submitted eligible projects to Genesee CARES Business Recovery Fund but were not funded in the first round, and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2023 Genesee County Budget by increasing A.6421.4800.0050 CDBG-GGLDC in the amount of

\$587,000 to be offset by an increase in A.6421.4997.3 CDBG-GG LDC (CARES Act funding) in a like amount, and Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an amendment to the Coronavirus Aid, Relief, and Economic Security Act (CARES) Agreement 444CVSB28-21, between the County and the OCR to allow for a total grant award of \$1,587,000 and recipient performance completion date of July 31, 2023.

Budget Impact: No impact on Genesee County budget. Additional grant funds will be passed on to the GGLDC to administer the Genesee CARES Business Recovery program.

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

**RESOLUTION NO. 484 THE HEALTHCARE AND MENTAL HYGIENE  
WORKER BONUS PROGRAM/BUDGET  
AMENDMENT – 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 second of five vesting periods started April 1, 2022 – September 30, 2022, 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 2022 budget as follows:

Increase Revenue	A.4010.3401	Health Department, State Aid	\$9,688
Increase Appropriation	A.4010.1060.0600	Health Department, Special Pay	\$9,000
	A.4010.8010.0000	Health Department, Social Security Tax	\$ 558
	A.4010.8011.0000	Health Department, Medicare Tax	\$130
Increase Revenue	A.4310.3490	Mental Health Services, State Aid	\$50,557
Increase Appropriation	A.4310.1060.0600	Mental Health Services, Special Pay	\$46,500
	A.4310.8010.0000	Mental Health Services, Social Security Tax	\$2,883
	A.4010.8011.0000	Mental Health Services, Medicare Tax	\$674
	A.4310.4650.0001	Mental Health Psychiatrist	\$500

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 votes, Yunker –absent (26).

**RESOLUTION NO. 485 RENEWAL OF CONTRACT – 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 2023, 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 second of three 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, 2023 through December 31, 2023 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 votes, Yunker –absent (26).

**RESOLUTION NO. 486**

**RENEWAL OF CONTRACT – HEALTH  
BENEFITS/THIRD PARTY ADMINISTRATOR  
/DENTAL – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 482 duly adopted on November 26, 2019 did award a contract to Health Economics Group, Inc. for third party administration services for the County's self-funded dental benefits plan, and

**WHEREAS**, the RFP issued in 2019 and 2019 Resolution No. 482 did allow for four one year renewals under the same terms and conditions, and the Genesee County Human Resources Director has recommended the renewal of this contract for 2023, 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 of four one-year renewal contracts with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of third party administration services for the County's self-funded dental benefits plan at the following rates effective

January 1, 2023 through December 31, 2023:

Dental Administration Fee per Member per Month: \$2.40

COBRA Administration per COBRA Participant per Month: \$2.40 + 2% of premium

Budget Impact: No increase in the Administration Fee. Annual cost estimated to be \$21,000.

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

**RESOLUTION NO. 487**

**RENEWAL OF CONTRACT – 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 first 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, 2023 through January 31, 2024.

Medical and Prescription Drug Plan Consulting \$50,000/Annual Fee

Claims Data Integration, Reporting and Analytics

through PremierLinx

\$1.30 per employee per month



Budget Impact: Funds are budgeted in the 2023 Health Plan budget for Consulting annual fee and PremierLinx.

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

**RESOLUTION NO. 488                      EXTENSION OF TEMPORARY WAIVER FOR  
CIVIL SERVICE EXAMINATION FEE – HUMAN  
RESOURCES - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 170 in the year 2011 established an examination fee of \$25.00 per application for each separately numbered Competitive examination for all titles related to Police, Sheriff, Fire, Probation and Dispatch, and a \$20.00 fee for all other separately numbered competitive examinations, and

**WHEREAS**, Resolution No. 242 in the year 2022 temporarily waived the collection of an examination fee for all Civil Service examinations announced after June 1, 2022 through December 31, 2022, and

**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 by temporarily waiving the examination fee for all candidates from January 1 through December 31, 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, 2023 through December 31, 2023.

Budget Impact: An estimated \$18,000 decrease in revenue.

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

**RESOLUTION NO. 489                      RENEWAL OF CONTRACT – EMPLOYEE  
ASSISTANCE PROGRAM – HUMAN RESOURCES  
DEPARTMENT-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 466 duly adopted on November 24, 2020 did award a contract to Royal Employer Services to provide Employee Assistance Program (EAP) services for Genesee County employees, and

**WHEREAS**, The RFP issued in 2020 and 2020 Resolution No. 466 did allow for four (4) one-year renewals under the same terms and conditions, and the Genesee County Human Resources Director has recommended the renewal of this contract for 2023, 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 the second of four one-year renewal contracts with Royal Employer Services, 430 East Main Street, Batavia, New York to provide Employee Assistance Program services to the employees of Genesee County for the period January 1, 2023 through December 31, 2023 at a cost of \$8,175.

Budget Impact: Funds are included in the Human Resources 2023 budget.

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

**RESOLUTION NO. 490                      RENEWAL OF CONTRACT – THIRD PARTY  
ADMINISTRATOR OF SELF-FUNDED HEALTH  
PLAN/INDEPENDENT HEALTH/NOVA  
HEALTHCARE ADMINISTRATOR – APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 359 duly adopted on September 23, 2020, did award a contract to Independent Health/Nova Healthcare as the Third Party Administrators for Genesee County’s Self-Funded Health Plan, and

**WHEREAS**, the RFP issued in 2020 and the 2020 Resolution No. 359 did allow for two additional one-year period renewals and the Genesee County Human Resources Director has recommended the renewal of this contract for 2023, and

**WHEREAS**, the Genesee County Health Benefits Review Committee does recommend that Independent Health/Nova Healthcare be awarded the contract to provide third party administration for the Genesee County Self-Funded Medical Benefits Plan, 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 second and final one-year renewal contract with Independent Health/Nova Healthcare Administrators, 511 Farber Lakes Drive, Buffalo, New York for the provision of third-party administration services for the County’s Self-Funded Health Plan; and to execute any and all other documentation related to this contract. Effective January 1, 2023 through December 31, 2023.

	<u>Per Member Per Month</u>
2023 Medical/Vision and COBRA Administration Fee:	\$44.55
Prescription Drug Coordination with Outside Vendor	<u>2.00</u>
	\$46.55

Budget Impact: \$395,500 is included in the 2023 budget for the administration of the Self-Funded Health Plan

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

**RESOLUTION NO. 491                      RENEWAL OF CONTRACT – THIRD PARTY  
ADMINISTRATION OF SELF-FUNDED  
PHARMACY BENEFIT PLAN – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Resolution No. 358 awarded a contract to provide Third-Party Administration for the Genesee County’s Self-Funded Prescription Drug Plan to Keenan Pharmacy Purchasing Coalition (KPPC), and

**WHEREAS**, Keenan Pharmacy Purchasing Coalition continues to partner with Capital Region BOCES in its shared service initiative for prescriptions to maximize the County’s pharmacy benefit saving, and

**WHEREAS**, in addition Keenan Pharmacy Purchasing Coalition partners with Express Scripts Inc., to provide a plan with leverage for large group pricing discounts and rebates, 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 a contract with Keenan Pharmacy Purchasing Coalition (KPPC), 2355 Crenshaw Blvd, Suite 200, Torrance, CA 90501; Capital Region BOCES, 900 Watervliet Shaker Road, Albany, NY 12205 and Express Scripts Inc., 1 Express Way, St. Louis, MO 63121, for the provision of Third Party Administration of the Genesee County’s Self-Funded Pharmacy Benefit Plan; and to execute any and all other documentation related to this contract. Effective January 1, 2023 through December 31, 2024.

Administrative Service Fee:	\$1.35 Per Member Per Month
Capital BOCES Consortium Fee:	\$1.13 Per Member Per Month

Account Management, Pharmacist Overview,  
Reconciliation and Shared Services filing:

\$1.10 Per Member Per Month

Pharmacy Clinical Management

\$3.00 Per Member Per Month

Budget Impact: \$150,000 is included in the 2023 budget for the administration of the Self-Funded Pharmacy Benefit. The per member per month pricing has remained flat.

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

**RESOLUTION NO. 492**

**SCHEDULE “A” 2023 EMPLOYEE SALARY**

**SCHEDULE – ADOPTION OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, it is necessary to establish a schedule for payment of wages in 2023 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, 2023 based upon the recommended Genesee County Employee Salary Schedule.

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

**RESOLUTION NO. 493**

**SCHEDULE “B” 2023 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 2023 and does recommend adoption at this time. Now, therefore, Be it

**RESOLVED**, that the County Supervisory and Non-Union Salary Schedule for 2023 be and hereby is adopted, and 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” 2023 Management Salary Schedule, effective January 1, 2023.

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

**RESOLUTION NO. 494**

**AMEND RESOLUTION NO. 458-2022/**

**DISTRIBUTION OF MORTGAGE TAX-**

**SECOND PAYMENT 2022-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, a request to amend resolution number 458-2022 to correct an error found in the distribution for the Village of Corfu, and

**WHEREAS**, The Village of Corfu has parcels in the Town of Darien (\$20.35) and Town of Pembroke (\$2,376.65). The amount owed to the Village of Corfu is \$2,397, 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	\$183,662.49
Town of Alabama	\$10,477.36
Town of Alexander	\$20,705.64
Town of Batavia	\$117,149.35
Town of Bergen	\$30,192.46
Town of Bethany	\$14,751.70
Town of Byron	\$17,824.98
Town of Darien	\$36,721.62
Town of Elba	\$16,802.60

Town of LeRoy	\$64,149.63
Town of Oakfield	\$15,503.88
Town of Pavilion	\$16,321.60
Town of Pembroke	\$40,296.97
Town of Stafford	\$20,065.22
Village of Alexander	\$1,912.94
Village of Attica	\$662.68
Village of Bergen	\$4,090.70
Village of Corfu	\$2,397.00
Village of Elba	\$2,094.85
Village of LeRoy	\$18,649.07
Village of Oakfield	<u>\$2,449.40</u>
Total Distribution	<u>\$636,882.14</u>

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 operating account once Genesee County receives New York State approval.

**Budget Impact Statement:** 2021 2<sup>nd</sup> Payment \$546,430.58

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

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

**RESOLUTION NO. 495 BUDGET AMENDMENT - EMERGENCY MANAGEMENT SERVICES / TRANSFER FUNDS TO GENESEE COUNTY MUTUAL AID FIRE ADVISORY BOARD – APPROVAL OF**

Legislator Clattenburg offered the following resolution

**WHEREAS**, the Genesee County Volunteer Fire Police Association having dissolved and the bank account in their name was closed, all remaining funds in the amount of \$2,960 have been turned over to the County of Genesee because the association used Genesee County’s tax ID number when the association opened the account back in the 1970s, and

**WHEREAS**, the Genesee County Emergency Management Service Coordinator does recommend gifting \$2,960 to the Genesee County Mutual Aid Fire Advisory Board whose purpose is to promote the efficiency and coordination of the work of all stations of the volunteer fire/EMS services in Genesee County, including that of the Volunteer Fire Police, and

**WHEREAS**, the Committees on Public Service and Ways & 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 increase Genesee County Appropriation Account Gifts & Appropriations A.1000.2705 in the amount of \$2,960 to be offset by increasing the Expense Account Contracted–Other A.3640.4660.0000 in the amount of \$2,960 and pay it to the Genesee County Mutual Aid Fire Advisory Board.

Budget Impact: Increase in Genesee County Appropriation Account A.1000.2705.0000 in the amount of \$2,960 to be offset by increasing the Expense Account Contracted–Other A.3640.4660.0000 in the amount of \$2,960.

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

**RESOLUTION NO. 496 GRANT ACCEPTANCE - EMERGENCY MANAGEMENT SERVICES /FY20 HAZARDOUS MATERIALS (HAZMAT) GRANT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Emergency Management Services Coordinator did request authorization to accept the FY20 HazMat grant funds in the amount of \$184,250 from the U.S. Department of Homeland Security Program, Federal Emergency Management Agency (FEMA), administered by The New York State Division of Homeland Security and Emergency Services (DHSES); in conjunction with Monroe, Livingston, Orleans, and Wyoming Counties, and the City of Rochester, and

**WHEREAS**, grant funds have been allocated for spill and mitigation response; personal protection equipment; detection, mitigation and decon equipment; the maintenance, repair and calibration of hazmat equipment in addition to the training of response personnel from the regional partnership, and

**WHEREAS**, the Committee on Public Service does concur with the Emergency Management Service 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 Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY20 HazMat Grant Program (October 1, 2022 through August 31, 2023) in the amount of \$184,250, and to execute any and all other documentation related to this funding.

Budget Impact: None. FY20 HazMat grant funds has been appropriated in the 2023 Emergency Management Services (EMS) budget, offset by revenue in like amount.

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

**RESOLUTION NO. 497**

**GRANT ACCEPTANCE - EMERGENCY  
MANAGEMENT SERVICES / FY22 EMERGENCY  
MANAGEMENT PERFORMANCE GRANT (EMPG)  
PROGRAM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Emergency Management Services Coordinator requests authorization to accept grant funding in the amount of \$27,654 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 FY22 Emergency Management Performance Grant (EMPG) in the amount of \$27,654, and to execute any and all other documentation related to this funding.

Budget Impact: None. Grant Funds help to offset a part of the 2023/2024 OEM operating expenses.

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

**RESOLUTION NO. 498**

**GRANT ACCEPTANCE– EMERGENCY  
MANAGEMENT SERVICES & SHERIFF'S OFFICE /  
FY22 STATE HOMELAND SECURITY PROGRAM  
(SHSP) GRANT – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Emergency Management Services Coordinator and the Genesee County Sheriff request authorization to accept the FY22 State Homeland Security Program (SHSP) grant funding in the amount of \$98,160 from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA); administered by the NYS Division of Homeland Security and Emergency Services (DHSES), and

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

**WHEREAS**, 30% of the total grant award or \$29,448 must be utilized for law enforcement terrorism prevention activities, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY22 State Homeland Security Program (SHSP) funds in the amount of \$98,160 and to execute any and all other documentation related to this funding, and

Budget Impact: No County cost. Grant funds in the amount of \$29,448 will be appropriated in the 2023 Genesee County Sheriff budget. SHSP funds in the amount of \$68,712 will be appropriated in the 2023/2024 EMO operating budgets.

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

**RESOLUTION NO. 499                      GRANT ACCEPTANCE OF OFFICE OF JUSTICE  
BULLETPROOF VEST PROGRAM  
FUNDING/BUDGET AMENDMENT-  
SHERIFF/JAIL/BODY ARMOR - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Sheriff's Office is requesting to accept funding in the amount of \$5,486 from the Office of Justice Bulletproof Vest Program, for the purchase of body armor for Sheriff's Deputies and Correction Officers, and

**WHEREAS**, There are also funds available in the Restricted Account-Uniform Vests, as well as individual uniform allowances, for the purchase of body armor, 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 2022 budget as follows:

Increase Sheriff's Account A3110.4580.0000 (Personal Uniforms) in the amount of \$6,753;

To be offset by an increase of \$3,200 to Sheriff's Revenue Account A3110.4515 (Federal Aid Bulletproof Vests), and an increase of \$3,553 to Sheriff's Revenue Account A3110.2833 (Transfer from Restricted/Reserve) to be transferred from the Restricted Account-Uniform Vests A899.6, and Increase Jail Account A3150.4580.0000 (Personal Uniforms) in the amount of \$5,831;

To be offset by an increase of \$2,286 to Jail Revenue Account A3150.4515 (Federal Aid Bulletproof Vests), and an increase of \$3,545 to Jail Revenue Account A3150.2833 (Transfer from Restricted/Reserve) to be transferred from the Restricted Account-Uniform Vests A899.6.

**Budget Impact:** : Increase in Sheriff's appropriations in the amount of \$6,753, offset by an increase in Sheriff's revenue in a like amount, with funds to come from the Office of Justice BVP in the amount of \$3,200, and funds transferred from the Restricted Account-Uniform Vests in the amount of \$3,553.

Increase in Jail appropriations in the amount of \$5,831, offset by an increase in Jail revenue in a like amount, with funds to come from the Office of Justice BVP in the amount of \$2,286, and funds transferred from the Restricted Account Uniform Vests in the amount of \$3,545.

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

**RESOLUTION NO. 500**                      **GRANT ACCEPTANCE/BUDGET AMENDMENT-  
SHERIFF/CHILD PASSENGER SAFETY PROGRAM  
– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**HEREAS**, The Sheriff requested authorization to accept grant funding from the NYS Governor’s Traffic Safety Committee in the amount of \$2,000, to participate in the statewide Child Passenger Safety Program, for the time period of October 1, 2022 through September 30, 2023, 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 2022 budget by increasing Sheriff’s account A3110.4800.3318 (Child Passenger Safety) in the amount of \$2,000, to be offset by an increase in revenue account A3110.4511 (Federal Aid Traffic Safety) in a like amount.

Budget Impact: Increase in Sheriff’s 2022 appropriations in the amount of \$2,000, offset by an increase in revenue in a like amount, with funds to come from NYS GTSC Child Passenger Safety Program grant funding.

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

**RESOLUTION NO. 501**                      **SURPLUS EQUIPMENT–SHERIFF/  
2003 NISSAN FRONTIER PICK UP  
- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Sheriff’s Office has taken ownership of a 2003 Nissan Frontier pick-up truck (Vehicle Identification Number 1N6ED29X33C420969), pursuant to a court order as the result of a criminal investigation, requiring the vehicle to be used for law enforcement purposes, and

**WHEREAS**, with the Defendant still residing in the local area, it was determined that the vehicle would not be used for law enforcement purposes, and

**WHEREAS**, the Genesee County Sheriff did request this 2003 Nissan Frontier pick-up truck be declared surplus property, and

**WHEREAS**, the Committees on Public Service and Ways & Means did review this request and do recommend this vehicle be declared surplus property at this time. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby declare the 2003 Nissan Frontier pick-up truck (Vehicle Identification Number 1N6ED29X33C420969) surplus property to be disposed of through auction process, and be it further,

**RESOLVED**, that the proceeds from the sale of this vehicle be appropriated to Sheriff’s Revenue Account A3110.2626 (Forfeiture of Crime Proceeds).

Budget Impact:        Revenue from the sale of this vehicle to be appropriated to Sheriff’s Revenue Account A3110.2626 (Forfeiture of Crime Proceeds)

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

**RESOLUTION NO. 502**                      **BUDGET AMENDMENT– SHERIFF/EZ CHILD ID  
SYSTEM - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Sheriff’s Office’s Safe Child ID System is outdated and no longer compatible with software upgrades, needing to be replaced, and

**WHEREAS**, the Sheriff has received a quote from a sole source supplier in the amount of \$8,128.00 to purchase EZ Child ID System, and

**WHEREAS**, funds are available in the Restricted State Asset Forfeiture Account, and

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

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 budget as follows:

\$8,128.00 to A3110.2080.1300 (Program Expense – Operation Safe Child)

To be offset by increasing the following revenue account:

\$8,128.00 to A3110.2626 (Forfeiture of Crime Proceeds), with funds to come from A899.3 (Restricted State Asset Forfeiture Account).

Budget Impact: Increase in Sheriff's 2022 appropriations in the amount of \$8,128.00; offset by an increase in Sheriff's State Forfeiture of Crime Proceeds revenue (A3110 2626) in a like amount, with funds to come from the Restricted State Asset Forfeiture Account (899.3).

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

**RESOLUTION NO. 503                      AWARD OF BID – FACILITY MAINTENANCE –  
SPRINKLER INSPECTIONS - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Highway Superintendent did review available state bid specifications of the NYSOGS Group 77201, Intelligent Facility & Security Systems and Solutions Contract #PT68816, and

**WHEREAS**, the Genesee County Highway Superintendent recommends awarding a bid for inspection of fire sprinkler systems of the various sprinkler and fire suppression systems located within county-owned and maintained facilities at this time per NYSOGS specifications, and

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

**RESOLVED**, that the Genesee County Legislature does hereby award a contract for inspection of fire sprinklers and fire suppression systems throughout county-owned and maintained facilities to Johnson Controls Fire Protection LP, 90 Goodway Drive, Rochester, NY 14623 in an amount not to exceed \$16,474.09.

**Budget Impact:** The A1620 Facilities budget accounts for these expenses under Contracted – Other expense line item. Total cost for all facilities is \$16,474.09.

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

**RESOLUTION NO. 504                      BUDGET AMENDMENT/AWARD OF BID –  
HIGHWAY - ROAD MACHINERY/GRADALL-  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Genesee County Highway Superintendent did review available state bid specifications of NYSOGS Group 40625, Heavy Duty Equipment Contract #PC69150, and

**WHEREAS**, the Genesee County Highway Superintendent recommends purchasing a Gradall 4100XL V, 6x4 Hydraulic Excavator, and

**WHEREAS**, the Genesee County Highway Superintendent and Genesee County Treasurer did review options for funding this purchase, and

**WHEREAS**, the Genesee County Highway Superintendent recommends amending the 2022 Road Machinery budget and awarding a bid at this time per NYSOGS specifications, and

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



**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget by increasing A9950 9000.0000 – Transfer to Capital in the amount of \$527,773.00 offset by an increase in A1000 1110.1 1% Sales Tax in a like amount, and be it further

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County Budget by increasing DM5130 2030.0000 – Highway Equipment in the amount of \$527,773.00 offset by an increase in DM5130 5031 – Interfund Transfer in a like amount

**RESOLVED**, that the Genesee County Legislature does hereby award a Gradall 4100XL V 6x4 Hydraulic Excavator to Alta Construction Equipment new York LLC, 5985 Court Street Rd, Syracuse, NY 13206 in the amount of \$527,772.46.

**Budget Impact:** The Road Machinery Fund is amended by the award amount of \$527,772.46 by from the Equipment Reserve.

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

**RESOLUTION NO. 505**                            **CHANGE ORDER–FACILITY MANAGEMENT/  
GENESEE JUSTICE STONEWORK -- APPROVAL  
OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County has commenced work for the restoration of the Genesee Justice Facility located at 14 West Main Street in the City of Batavia, and

**WHEREAS**, Genesee County desires to make further improvements to the Genesee Justice Facility to address deficiencies in the roof, gutters, and brick condition at various locations, and

**WHEREAS**, Genesee County is able to receive credit for work not required after further examination, and

**WHEREAS**, the Genesee County Highway Superintendent has reviewed these change requests for need and accuracy of pricing, and

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

**WHEREAS**, the Committees on Public Service and Ways and Means did review this recommendation and does concur. Be it further

**RESOLVED**, that the Chair of the Genesee County Legislature does hereby authorize Change Order #1 in the amount of \$79,685.00 for Montante Construction, 2760 Kenmore Avenue, Buffalo, NY 14150 to remove and replace the South porch roof and the Porter Avenue Northwest exit roof, reconstruct wood framing of the Northeast gutter, install new snow guards at the North roof, and reconstruct wood framing of the Northwest gutter. Be it further

**RESOLVED**, that the Chair of the Genesee County Legislature does hereby authorize a deductive Change Order #2 in the amount of (\$14,176.00) for Montante Construction, 2760 Kenmore Avenue, Buffalo, NY 14150 to receive a credit for the perimeter excavation not required at the South porch, a credit to remove four new louvers from the scope of work, a credit for the project air monitoring not utilized, and to repoint the brick façade behind the Northwest corner Yankee gutter.

**Budget Impact:** The total amount for the change order is \$65,509.00. The change to this contract brings the total contract amount to \$1,533,609.00. The change order of \$65,509 will be funded by the Genesee Justice Stonework Capital Project. The available balance in this project is \$235,901.

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

**RESOLUTION NO. 506**

**QUIT CLAIM DEED – COUNTYWIDE WATER  
PHASE 2/MUMFORD PUMP STATION -  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County acquired property within the Hamlet of Mumford/Town of Wheatland for the purposes of constructing a pump station as part of the Phase 2 Countywide Water Improvement Project, and

**WHEREAS**, the Superintendent of Highways recommends transferring the title to this parcel to the Monroe County Water Authority, and

**WHEREAS**, the Committees on Public Service and Ways and Means has reviewed this recommendation and does concur at this time. Now, therefore, Be it

**RESOLVED**, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the County Legislature to execute the Quit Claim Deed prepared by the Genesee County Attorney for Monroe County Tax Parcel 208.16-1-37 located at 1114 Main Street, Hamlet of Mumford, New York in the Town of Wheatland, and be it further

**RESOLVED**, the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute and file all necessary documents and instruments as required by the Monroe County Clerk to record the aforementioned Quit Claim Deed.

Budget Impact: The resolution formally transfers ownership of the parcel to the Monroe County Water Authority as required by the Amended and Restated Water Development and Supply Agreement with Genesee County. There is no budget impact associated with this action.

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

**RESOLUTION NO. 507**

**BUDGET TRANSFER/CLOSE CAPITAL PROJECTS  
- HIGHWAY/CR #51 COLBY ROAD/CR #5 -  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Superintendent of Highways has established capital projects for the repairs of highways and bridges, and

**WHEREAS**, the Superintendent of Highways recommends moving the PAVE-NY and EWR funding sources in Capital Project CR #5 to Capital Project Highway Overlay in order to streamline future state reimbursements, and

**WHEREAS**, the Superintendent of Highways recommends moving the Roads & Bridges Reserve funding source in Capital Project CR #51 Colby Road to Capital Project Highway Recycling in order to streamline future state reimbursements, and

**WHEREAS**, the Committees on Public Service and Ways and Means have reviewed these recommendations and does concur at this time. Now, therefore, Be it

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to transfer the funds for the following projects:

Increase Highway Overlay \$28,981.67 to be offset by a decrease in CR #5 in a like amount

Increase Highway Recycling \$66,695.50 to be offset by a decrease in CR #51 Colby Road in a like amount

**RESOLVED**, that the Genesee County Treasurer is hereby authorized and directed to close the CR #5 and CR #51 Colby Road Capital Projects

Budget Impact: The resolution closes two capital projects and transfers balances to existing capital projects. There is no budget impact from this action.

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

**RESOLUTION NO. 508**

**CHANGE ORDER–GENESEE COUNTY JAIL -  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The new County Jail has been designed and is being constructed to accommodate future expansion if necessary, and

**WHEREAS**, It was recently discovered that water flow in the new County Jail will not be adequate for future expansion, and

**WHEREAS**, It will be more be more cost effective to address the water flow by installing a domestic booster pump now during the construction of the County Jail, and

**WHEREAS**, The County Manager is recommending the installation of the domestic booster pump and related additional construction work with LeChase Construction, Thurston Dudek, and Kaplan Schmidt as part of the Genesee County Jail project, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature does hereby authorize change orders in the amount of \$2,919.00 for LeChase Construction Services, LLC, 205 Indigo Creek Drive, Rochester, NY, \$60,340.52 for Thurston Dudek LLC, 291 David Parkway, Ontario, NY and \$2,630.33 for Kaplan Schmidt, Inc., 50 Saginaw Drive, Rochester, NY for costs related to SI-003 –upgrades to install a domestic booster pump to allow for future expansion of the County Jail.

Budget Impact: The total amount for the change order is \$65,889.95

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

**RESOLUTION NO. 509                      TOWN OF BATAVIA WATER MAIN EASEMENT  
/DEDICATION - GENESEE COUNTY JAIL -  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Genesee County has installed a public water main on the new County Jail property located at 3839 West Main St Rd, and

**WHEREAS**, The Town of Batavia will take dedication of the public water main and all of its appurtenances, and

**WHEREAS**, The Town of Batavia has requested a 10 ft wide permanent utility easement from Genesee County consists of the water facilities highlighted on Schedules A and B annexed hereto (hereinafter “water facilities”); together with the understanding said easement is given together with the right of the Town to enter upon the permanent easement area and a reasonable amount of the adjacent premises; provided further the Town shall not be upon that portion of the premises designated as the secure area as outlined on attached Schedule C, annexed hereto; and to utilize the same, whenever necessary for the exercise of rights granted hereunder including gaining access from any adjoining road or highway across the premises to the permanent easement area as well as for the purpose of constructing, laying, reconstructing, operating, servicing and maintaining, repairing, altering relocating, replacing, removing, and/or changing the size of said water lines and appurtenances; together with the right to connect to the water line as necessary in the future to provide water services to parcels located adjacent to the premises, and

**WHEREAS**, The public water main to be dedicated consists of the water facilities highlighted on Schedules A and B of the Permanent Easement, and excludes the valves for the services for the County Jail. The approximate value of the dedicated facilities is \$168,600, and

**WHEREAS**, the County Manager and the County Attorney have reviewed this easement request and do recommend its approval at this time, and

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

**RESOLVED**, That the Genesee County Legislature does hereby request that the Town of Batavia Board accept dedication of the public water main and its appurtenances, and be it further

**RESOLVED**, That the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to execute the Permanent Easement (Water Line) agreement for the Town of Batavia and all documents necessary to record the easement, for the purpose of providing access for future repair and maintenance of the public water main and its appurtenances.

Budget Impact: There is no cost for the easement.

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

**RESOLUTION NO. 510                      APPOINTMENT - GENESEE COUNTY WATER  
RESOURCES AGENCY –APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, the Water Resources Agency received notification from Earl LaGrou of his immediate resignation to the Board. With this opening, an application from Ms. Hiedi Librock of Darien Center was submitted with the recommendation from Legislator Stein, Maha and Yunker, and

**WHEREAS**, Ms. Hiedi Librock has 25 plus years working in municipalities of which 16 years have involved water district formation and implementation, and

**WHEREAS**, the Committees of Public Service and Ways and Means do recommend Hiedi Librock for the appointment. Now, therefore, be it

**RESOLVED**, that the Genesee County Legislature does hereby appoint Ms. Hiedi Librock of Darien Center, New York, as a representative to the Genesee County Water Resources Agency, to serve a term carried out to December 31, 2022 with a renewal of a three year term: January 1, 2023 to December 31, 2025.

Budget Impact: None, these are unpaid positions.

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

**RESOLUTION NO. 511                      LEASE AGREEMENT RENEWAL– JUSTICE FOR  
CHILDREN ADVOCACY CENTER – APPROVAL  
OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/22 to 9/30/23; and

**WHEREAS**, Included in the acceptance of the 2022-23 NYS Office of Children and Family Services is funding to renew a lease agreement for a satellite office in Albion; and

**WHEREAS**, The office space in Albion is located in the Arnold Gregory Complex at 243 South Main Street, Albion, New York, 14411 and is managed by the DeGeorge Property Group; and

**WHEREAS**, The landlord has offered a 3% discount if payment for the year is provided at the time of lease renewal; and

**WHEREAS**, With the discount, the total amount due is \$13,266.00; and

**WHEREAS**, The lease with the DeGeorge Acquisition Group, LLC will be for a period of one year, to commence on October 15, 2022; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement, to be paid in full at the beginning of the lease, with DeGeorge Acquisition Group, LLC, 1067 Gateway Drive, Farmington, New York 14425 for the rental of the office located at 243 South Main Street, Suite 156, Albion, New York 14411 effective October 15, 2022 through October 15, 2023.

Budget Impact: Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services and are included in the 2023 Justice for Children Advocacy Center budget.

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

**RESOLUTION NO. 512**

**LEASE AGREEMENT RENEWAL–WARSAW REDEVELOPMENT, LLC - JUSTICE FOR CHILDREN ADVOCACY CENTER – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$100,000.00 for the grant year running from 10/1/22 to 9/30/23; and

**WHEREAS**, Included in the acceptance of the 2022-23 NYS Office of Children and Family Services is funding to renew a lease agreement for a satellite office in Warsaw; and

**WHEREAS**, The office space in Warsaw is located at 31 Duncan St., Warsaw, NY 14569 and is managed by Warsaw Redevelopment, LLC; and

**WHEREAS**, The landlord has offered a 5% discount if payment for the year is provided at the time of lease renewal; and

**WHEREAS**, With the discount, the total amount due is \$10,922.45; and

**WHEREAS**, The lease with the Warsaw Redevelopment, LLC will be for a period of one year, to commence on November 1, 2022; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to enter into a lease agreement, to be paid in full at the beginning of the lease, with Warsaw Redevelopment, LLC, 2071 Crittenden Road, Alden, NY 14004 for the rental of the office located at 31 Duncan Street, Warsaw, New York, 14569 effective November 1, 2022 through November 1, 2023.

Budget Impact: Appropriations to the Justice for Children Advocacy Center budget are offset by revenue from the NYS Office of Children and Family Services. Funds for this lease agreement are fully covered by grants from the NYS Office of Children and Family Services and are included in the 2023 Justice for Children Advocacy Center budget.

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

**RESOLUTION NO. 513**

**LEASE RENEWAL– SHERIFF/NEW CINGULAR WIRELESS PCS (AT&T) – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, Genesee County entered into a lease agreement extension for five years with New Cingular Wireless PCS/AT&T, pursuant to Resolution No. 265, dated July 20, 2017, and

**WHEREAS**, this extension expires November 30, 2022, and

**WHEREAS**, AT&T wishes to extend the lease for an additional five-year term as permitted by the last agreement amendment, dated May 23, 2013, and

**WHEREAS**, After careful review by the Genesee County Sheriff, County Attorney, and Director of Emergency Communications, we recommend the County renew the lease with AT&T for a period beginning December 1, 2022, and ending November 30, 2027, and

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

**RESOLVED**, The Chair of the Genesee County Legislature is authorized and directed to renew the lease agreement with New Cingular Wireless PCS, LLC, 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004, for a period beginning December 1, 2022, and ending November 30, 2027.

Budget Impact: None.

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

**RESOLUTION NO. 514**

**AGREEMENT RENEWAL – SHERIFF/JAIL/  
PHARMACY SERVICES – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, MAO Pharmacy, Inc. (d/b/a Westwood Pharmacy) and Genesee County entered into an Agreement, pursuant to Resolution #54 / BID 2021-112, for the provision of pharmacy services for the Genesee County Jail for an initial term of one year (January 1, 2022, through December 31, 2022), and

**WHEREAS**, there is an option to renew this agreement for four (4) additional one-year periods, approved each year, at the same terms and conditions, upon mutual, written agreement of both parties, and

**WHEREAS**, the parties hereto do wish to renew this contract for the first renewal period, which continues the contract for the period January 1, 2023, through December 31, 2023, and

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

**RESOLVED**, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew the agreement with MAO Pharmacy, Inc. (d/b/a Westwood Pharmacy), 5823 Patterson Avenue, Richmond, VA 23226, under the same terms and conditions as set forth by the initial agreement. The renewal is for the period of January 1, 2023, through December 31, 2023, for the Genesee County Jail.

Budget Impact: Pharmacy costs have been budgeted for in the 2023 budget.

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

**RESOLUTION NO. 515**

**TO ADOPT LOCAL LAW D, YEAR 2022 - 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 D, Year 2022 which was duly introduced to the Genesee County Legislature on November 9, 2022 in accordance with the Law: **LOCAL LAW D, YEAR 2022 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)   | \$53,966  |
| b. Director of Human Resources     | \$102,565 |
| c. Commissioner of Social Services | \$95,325  |
| d. County Clerk                    | \$105,819 |
| e. Treasurer                       | \$111,639 |
| f. Sheriff                         | \$117,121 |
| g. Highway Superintendent          | \$128,922 |

- h. County Attorney \$137,519
- i. Public Defender \$111,239

Section 2. The above salary shall take effect January 1, 2023.

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

**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 D, Year 2022, and

**WHEREAS**, a Public Hearing will be held at 5:30 p.m. on the 21<sup>st</sup> day of November 2022 in 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 1, Year 2023, for the County of Genesee as introduced on November 9<sup>th</sup> and adopted on November 21, 2022.

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

**RESOLUTION NO. 516 COUNTY AUDIT – NOVEMBER 21, 2022**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, Legislator Stein, did review the following claims:

General Fund	\$4,177,306.84
Highway	261,933.02
Self Insurance	1,000.00
DSS Abstracts	230,445.44
<b>Capital Projects</b>	
Sheriff/Jail – Jail Construction	4,754,402.68
Highway – S Lyons Street Bridge	201,174.20
County Manager – Building Security Upgrades-Phase III	2,194.59
Highway – Large Span Culverts	22,438.44
County Park – Pavilion A/B Roof and Fireplace	24.84
Airport – Apron Reconstruction Construction	26,151.23
<b>Payroll – General</b>	
November 18, 2022	1,814,854.22
<b>Medicaid</b>	
November 15, 2022	<u>152,875.00</u>
<b>Total Audit</b>	<b>\$ 11,644,800.50</b>

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 votes, Yunker –absent (26).

Adjournment : Chair Stein motioned to close the meeting Legislator Klotzbach, seconded by Legislator Deleo. TIME: 5:45 p.m.