

**FIRST DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, January 13, 2021**

The Genesee Legislature met in Regular Session on Wednesday, January 13, 2021 at 5:30 PM remotely using ZOOM. Because of the Novel Coronavirus (COVID-19) Pandemic and the State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order suspending the Open Meetings Law, the Genesee County Legislature meeting was held electronically via ZOOM video conference. Minutes of the meeting are posted on the Genesee County Website Legislature Page. Legislator Maha assisted with the audit. The prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

In addition to our regular meeting, Chair Stein opened a **public hearing** on Local Law Introductory No. 3 Year 2020; A Local Law To Allow Discretionary Compensation For Services Rendered During Catastrophic Events By Elected Or Appointed Coroners For A Fixed Term. All interested Parties were invited to be heard.

Legislator Yunker, legislative liaison to Soil & Water Conservation District presented a commendation to retiring District Director Tadeus "Ted" Konieczka. Ted served as a Soil & Water District Director since first being appointed May 28, 1997. He was the Division 1 representative on the NYS Board, regularly attended lobby days in Albany and was a member of the Oak Orchard Conservation District Municipal Board and NYS DEC Fish & Wildlife Management Board. Mr. Konieczka thanked legislators for the opportunity to serve on the Board.

Legislator Maha attended the Office for the Aging Advisory Committee meeting where it was reported that many Meals on Wheels volunteers have stepped back from deliveries due to the rising COVID positive rate and OFA staff are conducting the deliveries. Legislature Chair Stein thanked fellow legislators, department heads, employees and volunteers for their efforts in 2020 especially pertaining to the COVID pandemic. She expressed how we are feeling our way during these changing and challenging times and offered a special remembrance to those lost to COVID this past year. The Police Reform and Reinvention Committee have met regularly with robust and valuable discussions.

County Manager Matt Landers reported on the County's plan for COVID vaccination efforts. GCC offered use of the arena and county employees and volunteers will be on hand to get people through the process of getting vaccinated. Testing clinics will be scaled back to Tuesday for the last two weeks of January.

The Clerk proceeded with the Resolutions:

**RESOLUTION NO. 1 APPOINTMENT -GENESEE COUNTY LEGISLATOR-
DISTRICT NO. FOUR-TOWNS OF BATAVIA AND
STAFFORD- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, There is a vacancy in District No. Four, Towns of Batavia and Stafford, on the Genesee County Legislature, due to the resignation of Andrew Young, and

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

RESOLVED, Pursuant to the Genesee County Local Law No. One Year 1967, the Genesee County Legislature does hereby appoint Brooks Hawley of Town of Batavia, New York to the Genesee County Legislature, representing District No. Four – Towns of Batavia and Stafford,

effective January 13, 2021 through December 31, 2021.

Legislator Torrey seconded the resolution which was adopted by 279 votes, District #4 vacant (47).

Legislator Hawley was sworn in by County Attorney Kevin Earl. Several legislators commented on his experience and interest in local government and offered congratulations on his appointment.

**RESOLUTION NO. 2 2020 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES – LIVING
OPPORTUNITIES OF DEPAUL – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2020 Living Opportunities of DePaul contract and budget, and

WHEREAS, These funds are the result of additional State Aid in the amount of \$212 that was not known at the time of contract approval, with no additional county cost, and

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

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2020 contract and budget between the County of Genesee and Living Opportunities of DePaul, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Genesee County Budget by Increasing Revenue A.4312.4660.0000 Living Opportunities of DePaul in the amount of \$212, Increasing Appropriation A.4312.3490 State Aid, Mental Health in a like amount.

Budget Impact Statement: No County Budget Impact due to the offset of State Aid.

Action Requested: Approval of contract and budget amendment.

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

**RESOLUTION NO. 3 2021 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES – LIVING
OPPORTUNITIES OF DEPAUL – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

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

WHEREAS, These funds are the result of additional State Aid in the amount of \$255 that was not known at the time of contract approval, with no additional county cost, and

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

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by Increasing Revenue A.4312.4660.0000 Living Opportunities of DePaul in the amount of \$255, Increasing Appropriation A.4312.3490 State Aid, Mental Health in a like amount.

Budget Impact Statement: No County Budget Impact due to the offset of State Aid.

Action Requested: Approval of contract and budget amendment.

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

**RESOLUTION NO. 4 MOU RENEWAL – OFA/ ALZHEIMER’S ASSOCIATION-
WNY ALZHEIMER’S DISEASE CAREGIVER SUPPORT
INITIATIVE – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contractual Memorandum of Understanding in the amount of \$100,000 for the period of January 1, 2021 – December 31,2021; and

WHEREAS, A contractual Memorandum of Understanding (MOU) with the Alzheimer’s Disease and Related Disorders Association, Inc. d/b/a Alzheimer’s Association, Western New York Chapter (AAWNY) for the period of January 1, 2021 – December 31, 2021 outlines the relationship of Genesee County Office for the Aging (GCOFA) as the Community Based Organization in Genesee County to work with AAWNY and Erie, Niagara, Wyoming, Cattaraugus, Chautauqua, and Allegany County Offices for the Aging to implement the Western New York Alzheimer’s Disease Caregiver Support Initiative (WNYADSI); a seven county, multi-agency, initiative funded by NY State Dept. of Health (NYSDOH) through an Alzheimer’s Disease Caregiver Support Initiative grant awarded to the Alzheimer’s Association of WNY Chapter; and

WHEREAS, The purpose of WNYADCSI is to decrease the burden of Alzheimer’s Disease and other dementias on individuals, caregivers, and families by providing comprehensive and collaborative services to caregivers of persons with dementia in the form of in-home, overnight, and social/medical adult day care respite; education programs for caregivers and professionals; support groups, family and individual dementia consultation services; and technology; and

WHEREAS, AAWNY is the grant recipient and this MOU establishes the terms for which the GCOFA would receive funding to provide consultation, respite, and technology services; and

WHEREAS, The Committee on Human Services and Ways & Means Committee did review this request and does recommend approval of this MOU and adjusting Office for the Aging Appropriations and Revenues for incorporation of these funds. Now, Therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contractual MOU with Alzheimer’s Disease and Related Disorders Association, Inc. dba Alzheimer’s Association, Western New York Chapter 2805 Wehrle Drive, Suite 6, Williamsville, NY 14221, not to exceed \$100,000 for the period January 1, 2021 – December 31, 2021.

Budget Impact: Neutral. Expenses are fully funded and are being incorporated into the 2021 County Budget to support OFA Alzheimer’s Disease Caregiver Support Initiative services.

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

**RESOLUTION NO. 5 APPOINTMENT -OFFICE FOR THE AGING ADVISORY
COUNCIL-APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

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

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

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a three year term effective January 1, 2021 through December 31, 2023.

Provider Member:

Christi Waldron, Manager at RESTORE Sexual Assault Services- New Appointment

Budget Impact Statement: None

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

RESOLUTION NO. 6 REAPPOINTMENT-OFFICE FOR THE AGING ADVISORY COUNCIL

Legislator Yunker offered the following resolution:

WHEREAS, A Community Member's terms has expired on the Office for the Aging Advisory Council and he desires to be reappointed to this Committee; and

WHEREAS, The Committee on Human Services does recommend reappointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a third, three year term effective January 1, 2021 through December 31, 2023.

Community Member:

Francis Rowsick, Bergen, NY 14416

Budget Impact Statement: None

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

RESOLUTION NO. 7 AGREEMENT-OFFICE FOR THE AGING/CERTIFICATE OF INSURANCE/WESTERN NEW YORK INTEGRATED CARE COLLABORATIVE, INC. (WNYICC) -2021 APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Office for the Aging (OFA) did present the necessary documents for entering into a Master Service Agreement with Western New York Integrated Care Collaborative (WNYICC) Inc., a New York not-for-profit corporation with offices located at 742 Delaware Avenue, Buffalo, New York 14209, for the provision of OFA services to improve health outcomes for participants enrolled in a WNYICC Program; and

WHEREAS, WNYICC desires to have services provided by Genesee OFA and Genesee OFA desires to provide services to WNYICC patients/former patients/participants ("participants") in a sustainable manner under the terms and conditions set forth in this document; and

WHEREAS, Genesee OFA desires and has the capacity to provide services in support of WNYICC; and

WHEREAS, The agreement requires proof of insurance indicating general liability insurance in the amount of at least One (1) Million Dollars per occurrence with Three (3) Million Dollars in the aggregate naming Western New York Integrated Care Collaborative (WNYICC) Inc., 742 Delaware Avenue, Buffalo, New York 14209 as additional insured; and

WHEREAS, An addendum is attached to the Master Service Agreement for OFA to provide in-home, post-acute discharge meal delivery for eligible individuals for up to 28 meals for 14 calendar days; and

WHEREAS, The service agreement and addendum are automatically renewable on an annual basis; and

WHEREAS, the Committees on Human Services and Ways & Means does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents for Genesee County Office for the Aging to enter in to a Master Service Agreement with Western New York Integrated Care Collaborative, Inc., 742 Delaware Avenue, Buffalo, New York 14209 for an ongoing period until such time as either party gives written notice of termination to the other party at least ninety (90) calendar days in advance of such termination of contract for the period of January 1, 2021-December 31, 2021; and be it further

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Western New York Integrated Care Collaborative (WNYICC) Inc., 742 Delaware Avenue, Buffalo, New York 14209 as additional insured in the amount of at least one million dollars; and be in further

RESOLVED, that the Chair of the Legislature is hereby authorized and directed to execute the necessary addendum document to provide in-home, post-acute discharge meal delivery for up to 28 meals for 14 calendar days; as follows:

- **“Standard”:** delivery of (2) fresh meals for \$23.50
- **“Alternate Standard”:** delivery of frozen, blast chilled, or shelf-stable meal \$18.50 for (2) meals

Budget Impact: None. The anticipated revenue for this is currently within the Medicaid Managed Care budget line and the anticipated expense for this is currently within the Cont. Svc-Food budget line in the 2021 County Budget.

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

RESOLUTION NO. 8

CONTRACT & BUDGET AMENDMENT/ OFFICE FOR THE AGING/GENESEE SENIOR FOUNDATION, INC. GOT GROCERIES SUPPORT - APPROVAL OF

Legislator Klotzbach offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement with the Genesee Senior Foundation, Inc., to accept \$12,512 in funding to provide clerical, program and administrative salary, general and maintenance support for activities of the Genesee Senior Foundation, Inc., a not-for-profit foundation serving seniors in Genesee County for a pilot program called, “Got Groceries;” and

WHEREAS, the Genesee Senior Foundation, Inc. is the grant recipient and this agreement establishes the terms for which the Genesee County Office for the Aging would receive funding to carry out the “Got Groceries” program and purchase two laptop computers; and

WHEREAS, a budget amendment is necessary for the purchase of the laptops in the amount of \$3,400 to be incorporated into the 2021 County Budget; and

WHEREAS, the Committee on Human Services and Ways & Means did review this request and does recommend approval of this agreement and amending the Office for the Aging Budget for incorporation of these funds. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an agreement with the Genesee Senior Foundation,

Inc. to accept funding for clerical, program, and administrative support services and including support for services rendered from January 1, 2021 – December 31, 2021; and be it **FURTHER RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Budget by amending Office for the Aging Budget by the following amounts:

Revenues:

A. 1000.6772.1972	Chgs-Programs for Aging	\$	1,800.00
A. 1000.6772.4772	Federal Aid	\$	1,600.00

Appropriations:

A. 6722.2022.0001	Micro Computer(Laptop)	\$	3,400.00
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Budget Impact: This contract will provide \$10,712, which will supplant county funds for the 2021 adopted budget. Revenue will go towards decreasing county share dollars to offset salary expenses for the Senior Financial Typist, Meal Site Manager, Aging Specialist, Clerk Typist positions and other programmatic costs. The cost of laptops is fully covered by grant funds.

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

RESOLUTION NO. 9 CONTRACT – HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator Deleo offered the following resolution:

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with **Happiness House** at 731 Pre-Emption Road, Geneva NY 14456, for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program retroactively dated to the period of July 1, 2020 through June 30, 2022 at the rates established by State of New York.

Budget Implications: Revenue and expenses are included in the 2020 & 2021 A 2960 3-5 Preschool Program Budgets. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

RESOLUTION NO. 10 GRANT ACCEPTANCE/BUDGET AMENDMENT – HEALTH DEPARTMENT/COVID – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS The National Association of County and City Health Officials has awarded the Genesee County Public Health Department \$35,000 in funding for COVID-19 contact tracing, overtime and testing expenses and

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

RESOLVED that the Chair of the Genesee County Legislature is hereby authorized and directed to sign any necessary paperwork to accept this award for \$35,000 as specified and, Be it further

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to Amend the 2021 Health Department budget to reflect an increase in Appropriations A.4010.1020.0000 Over-time Salaries in the amount of \$20,035, A4010.8010.0000 Social Security Tax in the amount of \$1,200, A.4010.8011.0000 Medicare Tax in the amount of \$300, A.4010.4650.0003 Contracted

Services in the amount of \$13,465 and to be offset by an increase in Revenue A.4010.4489 Fed Aid, Other Health in the amount of \$35,000.

Budget Implications: Funding will be used to offset costs of COVID-19 response activities.

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

RESOLUTION NO. 11 AGREEMENT – HEALTH DEPARTMENT/LIVINGSTON COUNTY HEALTH DEPARTMENT/ EBL INSPECTIONS– APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present an agreement with The Livingston County Health Department, which allows the Genesee County Health Department to provide (at a per inspection cost of \$600) Elevated Blood Lead (EBL) inspections, not to exceed 10 cases, and

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

RESOLVED, The agreement is subject to approval of the Genesee County Attorney, and be it Further

RESOLVED, That subject to final approval by the county attorney, the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with The Livingston County Health Department, located at 2 Murray Hill Dr., Mt. Morris, NY 14510 which allows the Genesee to provide (at a per inspection cost of \$600) EBL inspections, from January 1, 2021 thru December 31,2021.

Budget Implications: No County Cost. All revenue is included in the 2021 4010 budget.

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

RESOLUTION NO. 12 MEMORANDUM OF UNDERSTANDING-HEALTH DEPARTMENT/ NYS COVID-19 VACCINATION PROGRAM – APPROVAL AND RATIFICATION OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Public Health Director did present a Memorandum of Understanding (MOU) with the NYS Dept. of Health to ensure distribution and administration of a COVID-19 vaccine by the Genesee County Health Department, and

WHEREAS, This Memorandum of Understanding was presented to the County of Genesee Health Department with a requested response time that would not allow for the matter to go through the legislative process, and

WHEREAS, The County Attorney rendered an opinion that under these exigent circumstances to obtain vaccine that is crucial to the health and welfare of Genesee County residents, the Chair could sign the MOU, subject to ratification and approval of the terms and conditions by the full Legislature, and

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

RESOLVED, That the execution by the Chair of the Genesee County Legislature of this MOU with the NYS Dept. of Health, located at Empire State Plaza, Albany NY 12237, is hereby ratified and the terms and condition therein, are hereby approved.

Budget Implications: No county expense

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

RESOLUTION NO. 13 2021 EMPLOYEE SALARY SCHEDULE AMENDMENT/ BUDGET TRANSFER AND BUDGET AMENDMENT – HEALTH DEPARTMENT/COVID SPECIALISTS– APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS The Public Health Director has requested the creation of two temporary full time COVID-19 Response Specialist positions, and

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

RESOLVED that the Chair of the Genesee County Legislature is hereby authorized and directed to approve the creation of two temporary COVID-19 Response Specialist positions, and be it further

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to transfer \$23,929 to A.4010.1010.0000 Personal Services, \$2,318 to A.4010.8010.0000 Social Security tax and \$682 to A.4010.8011.0000 Medicare Tax from A.6100.4800.0000 Program Expense in the amount of \$26,929 and be it further

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Health Department budget by increasing A.4010.1010.0000 Personal Services in the amount of \$13,459 and by increasing A.4010.3401 State Aid in a like amount, and be it further

RESOLVED that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to Amend the 2021 Genesee County Employee Salary Schedule by creating two temporary full time COVID-19 Response Specialist positions (CSEA Grade 13) effective 1/18/2021 – 7/16/2021.

Budget Implications: The creation of two temporary full time Positions of COVID-19 Response Specialist will take effect 1/18/2021-7/16/2021. The COVID-19 Response Specialist's salary and fringe of \$40,388 will be offset in 2021, using \$13,459 in state aid reimbursement and \$26,929 in Medicaid to State funds.

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

**RESOLUTION NO. 14 2021 MANAGEMENT SALARY SCHEDULE
AMENDMENT-YOUTH BUREAU/TEMPORARY DEPUTY
EXECUTIVE DIRECTOR-YOUTH BUREAU – APPROVAL
OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, The Executive Director-Youth Bureau has submitted her resignation, and

WHEREAS, The County Manager is requesting an amendment to the 2021 Management Salary Schedule to create a temporary, full time, 70 hours biweekly, Deputy Executive Director-Youth Bureau, grade 111 for no longer than six (6) month, to provide program administration on an interim basis, and

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

RESOLVED, That Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2021 Management Salary Schedule by creating one temporary, full time Deputy Executive Director-Youth Bureau, Grade 111 effective January 14, 2021 for no longer than six (6) months.

Budget Impact Statement: Funds are included in the 2021 budget.

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

**RESOLUTION NO. 15 MEMORANDUM OF AGREEMENT WITH
COOPERATIVE EXTENSION - APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, A Memorandum of Agreement has been prepared between the County of Genesee and the Cornell Cooperative Extension Association of Genesee County for the expenditure of funds appropriated in the 2021 Genesee County Budget in the amount of \$338,548. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute said Memorandum of Agreement between the County of Genesee and Cornell Cooperative Extension Association of Genesee County for the year 2021 in the amount of \$338,548.

Budget Impact Statement: 2021 funding = \$338,548
2020 funding = \$338,548
2019 funding = \$338,548
2018 funding = \$338,548
2017 funding = \$338,548; 10% reduction
2016 funding = \$376,164; same level as 2015
2015 funding = \$376,164; same level as 2014
2014 funding = \$376,164; same level as 2013
2013 funding = \$376,164; same level as 2012
approx. 5% reduction; \$17,454 less than 2011's funding
2011 funding = \$393,618; 15% reduction in funding; \$69,462 less
2010 funding = \$463,080; 5% reduction in funding or \$24,373 less
2009 and 2008 funding = \$487,453; 2007 to 2002 = \$478,320

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

RESOLUTION NO. 16 REAPPOINTMENT – STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The term of office has expired for James Sunser, citizen member of the STOP-DWI Advisory Board and she has indicated a desire and ability to continue service, and

WHEREAS, The Committee on Ways and Means does recommend the reappointment of citizen James Sunser. Now, therefore, Be it

RESOLVED, That James Sunser of Pembroke, New York be reappointed as citizen members of the Genesee County STOP-DWI Advisory Board to serve another term effective January 1, 2021 through December 31, 2023.

Budget Impact: None – these are volunteer Board Members

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

RESOLUTION NO. 17 APPOINTMENT– STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Vacancies do exist on the STOP-DWI Advisory Board for Citizen Member representation, and

WHEREAS, The Genesee County STOP DWI Coordinator has identified an individual Stefano Napolitano, who has expressed interest in serving on the Advisory Board as a citizen member, and

WHEREAS, The Genesee County STOP DWI Advisory Board approved the recommendation to appoint Stefano Napolitano to the Advisory Board, and

WHEREAS, The Committee on Ways and Means does recommend the appointment of citizen, Stefano Napolitano. Now, therefore, Be it

RESOLVED, That Stefano Napolitano of Batavia New York be appointed as citizen members of the Genesee County STOP-DWI Advisory Board to serve a term effective immediately through December 31, 2023.

Budget Impact: None – these are volunteer Board Members

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

Legislator Maha made a motion to amend the following resolution to correct a clerical error and change the address from NY to NJ seconded by Legislator Torrey, carried unanimously.

RESOLUTION NO. 18 AWARD OF CONTRACT – GENESEE COUNTY SELF-INSURANCE WORKERS COMPENSATION/ACTUARIAL SERVICES – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Genesee County Self-Insurance Plan did request proposals RFP 2020-112 for the provision of Actuarial Services, and

WHEREAS, The proposals received were reviewed by a committee consisting of the Assistant County Manager, Executive Secretary of the Genesee County Self-Insurance, Deputy Treasurer and Purchasing Director, and

WHEREAS, The Review committee did recommend contracting with S.G. Risk, LLC, our current provider, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract by and between the Genesee County Self-Insurance Plan and S.G. Risk, LLC, 1050 Wall Street, West, Suite 610, Lyndhurst, NJ 07071 for the provision of actuarial services for the Genesee County Self-insurance plan for the period January 1, 2021 through December 31, 2023 at a cost of \$6,000.00 per year with the option of two one-year renewals at the same rate.

Budget Impact: All costs are in the 2021 budget and apportioned to the participants.

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

RESOLUTION NO. 19 2021 SALARY SCHEDULE AMENDMENT – JOB DEVELOPMENT BUREAU – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The GLOW WDB Finance Committee did approve a performance based raise for the GLOW WDB Manager and funding for the rate increase is provided through the GLOW WDB, and,

WHEREAS, The County Manager did request an amendment to the 2021 Management Salary Schedule to include the performance based rate increase for the GLOW WDB Manger, and,

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

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby directed to amend the 2021 Management Salary Schedule Grade 114 by increasing the Employment & Training Manager (WIB) base salary to \$67,814 plus \$800 longevity, effective January 1, 2021.

Budget Impact Statement: Increase of \$1,543 will be covered by the GLOW WDB and is incorporated in the 2021 budget.

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

RESOLUTION NO. 20 AMENDMENT - 2020-2021 DELINQUENT WATER AND SEWER ACCOUNTS – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Resolution No. 497 of the year 2020 adopted by the Genesee County Legislature approved the relevy of the 2020-2021 Delinquent Water and Sewer amounts for the various Towns within Genesee County, and

WHEREAS, After the adoption of said resolution it was discovered that delinquent water amounts for two parcels within the Town of Pavilion had been missed and were not included in the amounts adopted by said resolution. Now, therefore, Be it

RESOLVED, That Resolution No. 497-20 be amended as follows:

<u>Town</u>	<u>Unpaid Sewer/Water</u>
Alabama	\$6,351.53
Alexander	
	\$1,138.64
Batavia	\$142,941.72
Bergen	\$1,187.11
Byron	\$36,829.40
Darien	\$13,504.56
Elba	
	\$2,027.66
Oakfield	\$995.45
Pavilion	\$11,018.48
Pembroke	\$309.31
Stafford	
	\$128.45
Total	\$216,432.31

Budget Impact: The total amount is increased by \$1,165.92. The County’s portion of the increase is \$76.28.

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

RESOLUTION NO. 21 AMENDMENT - 2021 TAX WARRANTS – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Resolution No. 500 of the year 2020 adopted by the Genesee County Legislature established the 2021 Tax Warrants for the various Towns within Genesee County, and

WHEREAS, After the adoption of said resolution it was discovered that delinquent water amounts for two parcels within the Town of Pavilion had been missed and were not included in the amounts adopted by said resolution. Now, therefore, Be it

RESOLVED, That Resolution No. 500-20 be amended as follows:

Town	Warrant Amount
Alabama	\$1,726,593.76
Alexander	\$2,134,938.83
Batavia	\$7,460,274.92
Bergen	\$2,821,306.39
Bethany	\$1,664,249.96
Byron	\$2,443,824.80
Darien	\$3,257,061.47

Elba	\$2,536,131.54
LeRoy	\$5,788,202.93
Oakfield	\$2,398,440.44
Pavilion	\$2,041,982.93
Pembroke	\$3,999,315.92
Stafford	\$2,416,914.48

Total **\$40,689,238.37**

and Be it further

RESOLVED, That an amended tax warrant for the Town of Pavilion be issued under the seal of the County of Genesee, signed by the Chair and the Clerk of the Legislature, and delivered to the Town of Pavilion Tax Collector for collection of taxes for the year 2021.

Budget Impact: The Town of Pavilion warrant is increased by \$1,165.92. The County’s share of the warrant is increased by \$76.28.

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

**RESOLUTION NO. 22 REAL PROPERTY TAX CORRECTIONS AND REFUNDS
2021 – TREASURER – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The New York State Real Property Tax Law §554 and §556, provide an administrative correction of errors process to assist the property owner in obtaining real property tax corrections and refunds caused by certain clerical errors, unlawful entries, and errors in essential fact, and

WHEREAS, The tax levying body can delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law §554 and Real Property Tax Law §556, and

WHEREAS, The Committee on Ways and Means does recommend that the Treasurer be delegated to perform said duties. Now, therefore Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to carry out the requirements of §554 and §556 of the Real Property Tax Law, effective immediately, where the Real Property Tax Director’s recommended correction or refund is two thousand five hundred dollars or less, and Be it further

RESOLVED, That on the fifteenth day of each month, the Genesee County Treasurer shall submit a report to the Genesee County Legislature of the corrections and refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the correction or refund, and the amount of the correction or refund.

Budget Impact: No immediate impact, correction and refund amounts will vary from year to year. Refunds are charged to allowance for uncollectible which currently has a balance of approximately \$96,543.

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

**RESOLUTION NO. 23 CONTRACT EXTENSION –COUNTY MANAGER/ E3
COMMUNICATIONS – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Resolution No.448 duly adopted November 13, 2020, did retain the services of e3 communications for public relations and social media services to assist in promoting COVID related services and disseminating information, and

WHEREAS, Due to the rising COVID numbers in Genesee County there is a continued need for this COVID related service, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with e3communications, 551 Franklin Street, Buffalo, NY 14202, for the provision of public relations and social media services related to COVID, for the period of January 1, 2021 through February 28, 2021 at an amount not to exceed \$8,000.

Budget Impact: Funding for PIO services was budgeted in the 2021 County Manager Budget

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

RESOLUTION NO. 24 OFFICIAL NEWSPAPER FOR THE COUNTY OF GENESEE – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Republican Committee and the Genesee County Democratic Committee did recommend the Daily News, 438 East Main Street, Batavia, New York as the Official Newspaper for the Year 2021, pursuant to Chapter 214 of the County Law. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby designate the Daily News as the Official Newspaper for the Year 2021.

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

RESOLUTION NO. 25 GENESEE COUNTY ETHICS AND DISCLOSURE LAW DESIGNATION OF POLICY MAKING POSITIONS AND BOARDS-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Local Law No. One Year 1992 did create the Genesee County Ethics and Disclosure Law which requires the Legislature to determine annually additional County Officers and Employees holding policy-making positions, and

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

RESOLVED, that the Genesee County Legislature does hereby designate the following boards and additional positions as policy-making, thereby obligated to complete and file an annual statement of financial disclosure on or before May 31 of each year.

GCC Board of Trustees

GCEDC Board

GGLDC Board

Genesee County Funding Corporation Board

GCEDC President/CEO, Sr. VP of Operations, VP Business Dev., CFO, Dir. Of Marketing

Genesee County Board of Health

Genesee County Community Services Board

Genesee County Planning Board

Genesee County Soil & Water Directors

Genesee County Ethics Board

Genesee County Water Resources Agency Board

Assistant District Attorney-1st

Assistant County Manager

Senior Assistant Public Defender

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

At 6:14 PM Chair Stein closed the Public Hearing. No one spoke on the proposed local law.

RESOLUTION NO. 26 LOCAL LAW INTRODUCTORY NO. 3, YEAR 2020 OF

**THE COUNTY OF GENESEE, NY, TO ALLOW
DISCRETIONARY COMPENSATION FOR SERVICES
RENDERED DURING CATASTROPHIC EVENTS BY
ELECTED OR APPOINTED CORONERS FOR A FIXED
TERM**

Legislator Clattenburg offered the following resolution:

WHEREAS, compensation for elected Genesee County Coroners was established by Local Law No. 6, year 2018, adopted on October 24, 2018 and

WHEREAS, on October 2, 2020, there was plane crash in the Town of Pembroke within Genesee County resulting in two deaths, and

WHEREAS, one of the Coroners spent an extraordinary amount of time as compared to other cases where deaths have occurred, and

WHEREAS, the Legislature does not believe that a fee of \$100 per case or \$150 per case upon an observed holiday is fair and reasonable for services provided in circumstances such as a plane crash, and

WHEREAS, the Genesee County Legislature wants to allow discretion to provide additional compensation to Coroners for services rendered in such situations, and

WHEREAS, the Following Proposed Local Law Introductory No. 3, Year 2020 was duly introduced to the Genesee County Legislature in accordance with the Law:

LOCAL LAW INTRODUCTORY NO. 3, YEAR 2020 OF THE COUNTY OF GENESEE, NY, TO ALLOW DISCRETIONARY COMPENSATION FOR SERVICES RENDERED DURING CATASTROPHIC EVENTS BY ELECTED OR APPOINTED CORONERS FOR A FIXED TERM

BE IT ENACTED by the Genesee County Legislature as follows:

Section 1. In addition to the existing compensation for Genesee County Coroners that are elected or appointed for a fixed term, the Genesee County Legislature is hereby authorized to provide additional compensation when Coroners provide extraordinary services above and beyond their normal duties after a catastrophic event leading to the death of one or more individuals within Genesee County.

Section 2: The determination as to whether or not an event qualifies as catastrophic; as well as the determination as to the amount to be paid to Coroners for extraordinary services, shall be made in the sole discretion of the Genesee County Legislature.

Section 3. Any Coroner may submit a claim retroactively to October 2, 2020, by a submittal in writing, which details the services rendered and the times and dates of the same.

Section 4. This Local Law is subject to referendum on petition pursuant to the provisions of Section 24 of the Municipal Home Rule Law.

Section 5. 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 did post a certified notice of Public Hearing on said proposed Local Law on the bulletin board in the Old Courthouse, and

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in the Batavia in the Batavia Daily News, the official newspaper of the County of

Genesee, the notice of Public Hearing on Local Law Introductory Number 3, Year 2020, and

WHEREAS, a Public Hearing was held at 5:30 On January 13, 2021 in the Legislature Chambers of the Old Courthouse, Batavia, New York, at which time all interested persons who wished to speak were heard, Now therefore Be it

RESOLVED, that “**LOCAL LAW INTRODUCTORY NO. 3, YEAR 2020 OF THE COUNTY OF GENESEE, NY, TO ALLOW DISCRETIONARY COMPENSATION FOR SERVICES RENDERED DURING CATASTROPHIC EVENTS BY ELECTED OR APPOINTED CORONERS FOR A FIXED TERM**” be known as Local Law No. two , Year 2021, for the County of Genesee as introduced December 9, 2020, be and hereby is adopted. Legislator Torrey seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 27 COUNTY AUDIT –JANUARY 13- APPROVAL OF
Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund 2020	\$	1,241,283.10
General Fund 2021		311,313.74
Highway 2020		207,457.24
Highway 2021		9,852.51
Self Insurance 2020		37,382.39
Self Insurance 2021		54,241.25
Water Fund 2020		406,933.02
Water Fund 2021		396.20
DSS Abstracts		194,523.60
Capital Projects 2020		
Highway- Judge Road Bridge Over Whitney Creek		110,600.69
Highway-South Lyons Street Bridge Over Tonawanda Creek		60,999.72
Highway-Darien-Alexander Townline Rd Bridge		3,975.86
Highway-Sharrick Road Bridge Over Murder Creek		3,236.04
Highway-Tower Hill Road Bridge Over Spring Creek		1,231.01
Highway-Meadville Road Bridge Over Canal Creek		4,669.08
Highway-Upton Road Bridge Over Bowen Creek		9,400.00
Highway-Hundredmark Road Bridge		12,405.06
Sheriff/Jail-Public Safety Communication Tower		10,000.00
County Park-Comprehensive Recreation Plan		4,277.00
Airport-Airport T-Hangar Construction (AIR-99)		915.25
Facilities Management-Highway Fire Alarm System		97,083.39
Payroll – General		
December 18, 2020		1,666,074.40
December 31, 2020		1,215,769.92
Medicaid		
December 15, 2020		153,807.00
December 22, 2020		153,807.00
December 29, 2020		153,807.00
January 5, 2021		153,807.00
January 12, 2021		<u>153,807.00</u>
Total Audit	\$	6,433,055.47

Now, therefore, Be it

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

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

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

Rule 19

Legislator Clattenburg made a motion to suspend the rules of the Genesee County Legislature to add two resolutions, the first authorizes the Legislature Chair to act on timely matters related to the COVID-19 Pandemic and the second is a budget amendment that will allow for necessary staff to be hired to operate a COVID Vaccination Clinic. Legislator Maha second the motion, carried unanimously.

RESOLUTION NO. 28 TO GRANT EMERGENCY POWER FOR THE CHAIR TO EXECUTE NECESSARY COVID-19 DOCUMENTS

Legislator Clattenburg offered the following resolution:

WHEREAS, On January 30, 2020, the World Health Organization designated the Novel Coronavirus, COVID-19, outbreak as a Public Health Emergency of international concern ; and

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary, Alex M. Azar II, declared a Public Health Emergency for the entire United States to aid the Nation's Health Care Community in responding to COVID-19, and

WHEREAS, on March 7, 2020, the Governor of the State of New York issued Executive Order No. 202 declaring a disaster emergency in the State of New York, which was effective through April 6, 2020, and

WHEREAS, the Governor of the State of New York has issued numerous subsequent Executive Orders extending the disaster emergency that remains in full force and effect to date, and

WHEREAS, on March 14, 2020, the Chair of the County of Genesee Legislature, issued a State of Emergency Declaration for Genesee County which initially remained in effect for 30 days, and

WHEREAS, the Chair has issued nine subsequent State of Emergency Declarations, with the last one remaining in effect until January 12, 2021 and

WHEREAS, it is anticipated that both the State of New York and the County of Genesee COVID-19 disaster emergencies will remain in effect for a substantial period hereinafter. Now, therefore be it

RESOLVED, that whenever exigent circumstances create time constraints that make it impossible to complete in advance the required legislative process, and documents relating to COVID-19 need to be quickly executed on behalf of the County of Genesee for the health, protection and welfare of County of Genesee residents, the Chair of the Legislature is hereby authorized and directed to sign such agreements, contracts, forms or other documents, without prior Legislative approval, and be it further

RESOLVED, that at the next regularly scheduled meeting of the Ways and Means Committee, the Chair shall submit any documents executed upon an emergency basis, to begin the process for review and ratification by the full Legislature, and be it further

RESOLVED, that this emergency execution power shall end upon the termination of the last County of Genesee's State of Emergency Declaration relating to COVID-19.

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

RESOLUTION NO. 29 BUDGET AMENDMENT – HEALTH DEPARTMENT/ COVID VACCINATION CLINIC STAFFING-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County is committed to holding clinics for the COVID 19 vaccine, and

WHEREAS, Additional staffing, including medical professionals authorized to administer vaccinations and ancillary staff for data entry, traffic flow, runners and screeners will be needed to run such a large scale clinic, and

WHEREAS, Most of the incurred costs will be reimbursable by FEMA and additional State and Federal reimbursements, and

WHEREAS, The County Treasurer has advised funding should be available in Sales and Use Tax-County for amounts not covered by Federal and State sources, Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 County Budget by increasing A.4010.4650.0003 – Contracted Services in the amount of \$300,000 offset by an increase in A.1000.1110 – Sales and Use Tax-County in the amount of \$75,000 and an increase in A.4010.4489- Fed Aid by \$225,000.

Budget Impact: After state and federal reimbursement, County cost of \$75,000 to be covered by Sales and Use Tax - County
Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

At 6:21 pm the meeting adjourned upon motion of Legislator Hawley, seconded by Legislator Clattenburg, carried unanimously.