

**FIRST DAY
GENESEE COUNTY LEGISLATURE
BATAVIA, NEW YORK
WEDNESDAY, JANUARY 26, 2022
ZOOM RECORDING WAS AVAILABLE**

The Genesee County Legislature met in Regular Session on Wednesday, January 26, 2022 at 5:30 PM in the Legislative Chambers of the Old Courthouse. Legislature Vice Chair Clattenburg will be conducting the meeting with Chair Stein's absence. Vice Chair Clattenburg stated, CDC recommendations and New York State Health Commissioners Determination on Indoor Masking, all persons over age two and able to medically tolerate a face covering/mask shall wear an appropriate face covering/mask while in any indoor public place. There is Zoom video conferencing available. Legislature Klotzbach offered to assist with the audit. The prayer will be offered by Legislator Yunker followed by the Pledge to the Flag. A Proclamation was read by Legislator Torrey for School Choice Week – January 23-29, 2022. Vice Chair recognized public, home-schooled and private schools in the area. Minutes of the December 8, 2021 Legislature meeting were approved upon motion of Legislator Maha seconded by Legislator Dibble, carried unanimously. Legislator Comments: Legislator Maha mentioned he had his first Inter-County Association of Western New York meeting on January 21st. He thanked the Clerk of the Legislator for taking on the roll of being Secretary to the association. County Manager, Matt Landers thanks Highway Superintendent, Tim Hens and Assist Engineer of Highway, Laura Wadhams for their hard work and complimenting them both for saving Genesee County a six figure number on the work they are doing for the Jail.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 8 OFFICIAL TOURISM AGENCY -DESIGNATION OF

Legislator Klotzbach offered the following resolution:

WHEREAS, The County of Genesee and the Genesee County Chamber of Commerce have determined that it is in their best interests to work together in their endeavors to promote tourism within Genesee County, and

WHEREAS, The Chamber of Commerce did present a Tourism Report for 2021 and plans for 2022 and did request the official designation as Tourism Agency for Genesee County, and

WHEREAS, The Committee on Ways and Means does recommend the official designation of the Chamber of Commerce as the County's Tourism Agency. Now, therefore, Be it

RESOLVED, That the Genesee County Chamber of Commerce be and hereby is designated as the Official Tourism Agency for the County of Genesee for the fiscal year January 1, 2022 through December 31, 2022.

Budget Impact Statement: No fiscal impact.

Legislator Torrey seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 9 CHAMBER OF COMMERCE/TOURISM
CONTRACT - APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The County of Genesee is desirous of continuing its support of a program to promote tourism within Genesee County, and

WHEREAS, The County of Genesee has implemented a hotel and motel tax to fund tourism promotion within Genesee County, and

WHEREAS, The Genesee County Chamber of Commerce has presented a tourism marketing plan and budget for 2022 inclusive of the Matching Funds Program called "I Love New York", the Non-Matching Funds Program and administrative and operating expenses, and

WHEREAS, The Committee on Ways and Means has reviewed the proposed marketing plan and budget and recommends approval at this time. Now, therefore, Be it **RESOLVED**, That the Chair be and hereby is authorized and directed to execute an agreement by and between the County of Genesee and the Genesee County Chamber of Commerce for the year 2022 to be funded from the County’s 2022 hotel and motel tax receipts up to an amount not to exceed \$420,000 for publicity and tourism services for the calendar year ending December 31, 2022.

Budget Impact Statement: Appropriation fully funded by Bed Tax revenue; County will only supply funding for Tourism activity to the extent actual revenues from bed tax are realized, not to exceed fiscal year appropriation of \$420,000.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 10 **CONTRACT FOR GRANTS WRITING
CONSULTANT SERVICES - AWARD OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue RFP 2021-110 for Grant Writer Services for Genesee County and three proposals were received and reviewed and interviewed by a Committee, and

WHEREAS, The Committee recommend the award of services to MRB group for a two year period commencing January 1, 2022, and ending December 31, 2023, with the option for three one year renewals, based on the company’s experience and expertise, 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 execute an agreement with the firm of MRB Group Engineering, Architecture & Surveying, The Culver Road Armory, 145 Culver Road, Suite 160, Rochester, New York 14620 for grants writer consultant services for Genesee County at the rate of \$135 per hour of service for grant preparation, facilitation and application services for the period January 1, 2022 through December 31, 2023. A total of \$5,000 has been allocated in the 2022 budget.

Budget Impact Statement: Annual appropriation allocation of \$5,000 has remained the same since fiscal year 2002.

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 11 **REAPPOINTMENT – STOP-DWI ADVISORY
BOARD – APPROVAL OF**

Legislator Dibble offered the following resolution:

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

WHEREAS, The Genesee County STOP DWI Advisory Board approved the recommendation to reappoint Shannon Ford to the Advisory Board, and

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

RESOLVED, That Shannon Ford of Alexander, New York be reappointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve another term effective January 1, 2022 through December 31, 2024

Budget Impact: None – these are volunteer Board Members

Legislator Maha seconded the resolution, which was adopted 283 votes Stein (43) absent

RESOLUTION NO. 12 **GRANT ACCEPTANCE/2022 BUDGET
AMENDMENT – COUNTY MANAGER’S**

**OFFICE/HAZARD ABATEMENT BOARD GRANT-
APPROVAL OF**

Legislator Torrey offered the following resolution

WHEREAS, The Assistant County Manager has received notification from the New York State Hazard Abatement Board, thru partnership with the New York State Department of Labor, that Genesee County has been awarded an Occupational Safety & Health Training and Education Program (OSH T&E) grant in the amount of \$10,123, and

WHEREAS, the Assistant County Manager has requested that the County accept this funding which stipulated that this revenue will be used in a collaborative effort with Lawley Risk Management for the provision of occupational safety & health training and education programs to county employees to promote safe and healthful conditions in the workplace, and

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute the agreement with the New York State Department of Labor for the period of August 1, 2021 through July 31, 2022 and, Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2022 Genesee County budget by increasing A 1230 4550.0040 Training Safety in the amount \$10,123 offset by an increase in A 1230 3089.6 State Aid, Safety Training & Education in a like amount.

Budget Impact Statement: A \$10,123 increase in revenue and expenses to be funded by the grant

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent

**RESOLUTION NO. 13 CONTRACT – GENESEE COUNTY/ SAFETY
TRAINING SERVICES – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Resolution 2022-xx did authorize the acceptance of the Hazard Abatement Board’s (HAB) 2021-22 Occupational Safety and Health Training & Education (OSH T&E) grant, and

WHEREAS, The Assistant County Manager did present a contract with Lawley Genesee, LLC for the provision of safety training and grant related services, 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 execute an agreement with Lawley Genesee, LLC, 20 Jefferson Square, Batavia, New York 14020 for the provision of Safety Training Services at a rate of \$125 per hour for the period January 1, 2022 through September 30, 2022, not to exceed \$10,123.

Budget Impact: Expenses under this agreement are eligible for reimbursement through the New York State Hazard Abatement Board.

Legislator Maha seconded the resolution, which was adopted 283 votes Stein (43) absent

**RESOLUTION NO. 14 RENEWAL CONTRACT-ELECTIONS/POLL BOOK,
TEAM REGISTRATION AND SIGNATURE
DIGITIZATION SERVICE-NTS DATA-APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, Our existing contract with NTS Data Services to provide poll book, team registration and full document imaging for the Genesee County Board of Elections expired December 31, 2021, and

WHEREAS, This contract to provide the services previously outlined did provide for two (2) one year renewals at the same terms if so desired by both parties, and

WHEREAS, Commissioners Lorie Longhany and Richard Siebert have stated their services are

very essential to the efficient operation of the Board of Elections and have been satisfied with the performance over the past 2 years with NTS, and

WHEREAS, The services provided by NTS are essential to the successful operation of the Board of Elections and the cost will continue at the same rate of \$34,809, and

WHEREAS, The Committee on Ways & Means does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Board of Elections is authorized to exercise its option to renew the existing contract for an additional one (1) year period of January 1, 2022 through December 31, 2022 for the sum of \$34,809.

Budget impact statement: This expenditure is in the 2022 Board of Elections budget.

Legislator Hawley seconded the resolution which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 15 **CONTRACT-ELECTIONS/VIRTUAL DATABASE
ADMINISTRATION-NTS DATA-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Board of Elections vDBA Agreement (back up services) with NTS Data Services did expire December 31, 2021, and

HEREAS, Newly enacted NYS Board of Elections requirements established in 6220 mandated a more sophisticated methodology in the protection and safeguarding of critical BOE data assets, voter data signature and image files to be the best tools and defense possible, and

WHEREAS, The Genesee County Board of Elections in working with IT Director Michael Burns reviewed a proposed contract by NTS to provide this vital service to safeguard the voter records which could be exposed by cyber-attack and feel it is in our best interest to provide this security, and

WHEREAS, This contract calls for an initial startup payment of \$11,509 and an annual payment of \$9,809 for software and support services with an option to extend this protection with our current maintenance and support agreement. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign the agreement with NTS Data Services, LLC, 2079 Sawyer Dr., Niagara Falls, NY 14304 for the period of January 1, 2022 through December 31, 2022.

Budget impact statement: This expenditure will be covered by a cybersecurity grant available to the Genesee County Board of Elections.

Legislator Deleo seconded the resolution which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 16 **2022 BUDGET AMENDMENT – BOARD OF
ELECTIONS– APPROVAL OF**

Legislator Hawley offered the following resolution:

WHEREAS, Newly enacted NYS Board of Election requirements made it necessary for the Genesee County Board of Elections to enter into a contract with NTS Data Services to provide cybersecurity to protect the voting records of the Board of Elections, and

WHEREAS, This contract required a start up installation fee of \$11,509 and an annual software fee of \$9,809 (total of \$21,318). Now, therefore, be it

RESOLVED, That the Genesee County Treasurer is hereby directed to amend the 2022 Genesee County Board of Elections budget as follows:

Increase expenditure account A.1450.4800.008 Cyber Security by \$21,318

Increase revenue account A.1000.999 Fund Balance by \$21,318

Budget Impact: This expenditure will not have a negative impact on the 2022 Board of Elections budget as cybersecurity grant funds are available to cover the expense.

Legislator Dibble seconded the resolution which was adopted 283 votes Stein (43) absent

RESOLUTION NO. 17**CHARGE BACKS-ELECTIONS/INSPECTOR PAY-
APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, It has been previously determined by the Ways & Means Committee that beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

WHEREAS, The Real Property Department will notify all municipalities of the charges in 2022 so that the Genesee County Treasurer can bill and collect these charges in 2023. Now, therefore, Be it

RESOLVED, That the following charges be levied to the 13 Towns and the City of Batavia as follows and the amounts to be paid to the County Treasurer are credited to revenue A1450 2215 Election Expense-Other Govts in the current budget year:

2021 Election Expenses per Town/City for Chargebacks

	Training	General Election 11/2/21	General Election 11/2/21	
	\$35.00	Inspectors - \$215	Coordinators - \$290	Total
City	\$1,785.00	\$5,805.00	\$3,480.00	\$11,070.00
Alabama	\$175.00	\$860.00	\$580.00	\$1,615.00
Alexander	\$350.00	\$860.00	\$580.00	\$1,790.00
Batavia	\$525.00	\$1,505.00	\$1,740.00	\$3,770.00
Bergen	\$420.00	\$860.00	\$580.00	\$1,860.00
Bethany	\$210.00	\$430.00	\$580.00	\$1,220.00
Byron	\$210.00	\$860.00	\$580.00	\$1,650.00
Darien	\$245.00	\$860.00	\$580.00	\$1,685.00
Elba	\$245.00	\$860.00	\$580.00	\$1,685.00
LeRoy	\$595.00	\$2,580.00	\$1,160.00	\$4,335.00
Oakfield	\$175.00	\$1,075.00	\$580.00	\$1,830.00
Pavilion	\$280.00	\$860.00	\$580.00	\$1,720.00
Pembroke	\$770.00	\$1,720.00	\$1,740.00	\$4,230.00
Stafford	\$175.00	\$1,290.00	\$580.00	\$2,045.00
				\$40,505.00

Legislator Klotzbach seconded the resolution which was adopted 283 votes Stein (43) absent

RESOLUTION NO. 18**CHARGE BACKS-ELECTIONS/INSPECTOR PAY
EARLY VOTING-APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, It has been previously determined by the Ways & Means Committee that beginning with the election cycle in 2007 all per diem fees for election inspectors will be charged back to the various Genesee County Towns and City of Batavia, and

WHEREAS, The Real Property Department will notify all municipalities of the charges in 2022 so that the

Genesee County Treasurer can bill and collect these charges in 2023. Now, therefore, Be it **RESOLVED**, That the following charges be levied to the 13 Towns and the City of Batavia as follows and the amounts to be paid to the County Treasurer are credited to revenue A1450 2215 Election Expense-Other Govts in the current budget year:

2021 Early Voting Election Expenses
per Town/City for Chargebacks

Early Voting

10/23/2021-10/31/2021

City	\$1,331.00
Alabama	\$173.00
Alexander	\$231.00
Batavia	\$636.00
Bergen	\$348.00
Bethany	\$173.00
Byron	\$231.00
Darien	\$347.00
Elba	\$231.00
LeRoy	\$809.00
Oakfield	\$289.00
Pavilion	\$231.00
Pembroke	\$462.00
Stafford	\$289.00
Grand Total	\$5,781.00

Legislator Torrey seconded the resolution which was adopted 283 votes Stein (43) absent

**RESOLUTION NO. 19 REAL PROPERTY TAX CORRECTIONS
AND REFUNDS 2022 – TREASURER –
APPROVAL OF**

Legislator Maha 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

**HEALTH/COORDINATED CARE SERVICES, INC. -
2022 - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Coordinated Care Services, Inc. as presented by the Director of the Community Mental Health Services. Now, therefore, be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Coordinated Care Services, Inc., 1099 Jay Street, Bldg. J, Rochester, NY 14611 for specialized fiscal, information management, and quality assurance services at a cost not to exceed \$53,040 for the period January 1, 2022 through December 31, 2022 unless amended, in accordance with the terms of said contract.

Budget Impact Statement: 2022 Gross Budget – \$53,040 – No increase in Contract from 2021

Legislator Torrey seconded the resolution which was adopted 283 votes Stein (43) absent

RESOLUTION NO. 23 **INTERMUNICIPAL AGREEMENT EXTENDING
HEALTH DEPARTMENT/ SHARED PUBLIC
HEALTH ADMINISTRATIVE STAFF – APPROVAL
OF**

Legislator Maha offered the following resolution:

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

WHEREAS, the Genesee and Orleans County Health Departments have been successfully collaborating through shared services with an integrated public health approach since October of 2012 that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

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

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

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the County of Orleans with offices at 3 South Main Street, Suite 2, Courthouse Square, Albion, NY 14411, for the provision of sharing the following administrative positions between Genesee and Orleans County: Director of Public Health, Director of Community Health Services, Director of Environmental Health, Emergency Preparedness Coordinator, Director for Children with Special Needs, Director of Weights and Measures, Lead Program Coordinator and Deputy Public Health Director for the period January 1, 2022 through December 31, 2026.

Budget Impact Statement: Expenses related to this contract are included in the 2022 Health Budgets and will be included in the 2022-2026 Program Budgets. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work.

Legislator Deleo seconded the resolution which was adopted 283 votes Stein (43) absent

RESOLUTION NO. 24 **CONTRACT NAME CHANGE – AMEND ARC OF
LIVINGSTON-WYOMING COUNTIES (KIDSTART)**

**FROM RESOLUTION 237-2021 AND 238-2021 AND
APPROVE CONTRACT AS ARC GLOW**

Legislator Hawley offered the following resolution:

WHEREAS, the Genesee County Legislature duly adopted Resolution No. 237 and 238 on June 9, 2021, to enter into a contract with ARC of Livingston-Wyoming Counties (Kidstart), and

WHEREAS, the Company has requested that the contract be with Arc GLOW, and

WHEREAS, the Human Services Committee did review the contract with ARC GLOW), and does recommend approval at this time. Now, therefore be it

RESOLVED, that the Genesee County Legislature amends the contract name ARC of Livingston-Wyoming Counties (Kidstart), 18 Main St, Mt. Morris, NY 14510 from Resolution 237 and 238 of 2021, and be it further

RESOLVED, that the Chair of the Genesee Legislature be hereby authorized to enter into a contract with dba Arc GLOW, having an address at 18 Main Street, Mount Morris, NY 14510.

Legislator Yunker seconded the resolution, which was 283 votes Stein (43) absent –

**RESOLUTION NO. 25 AMEND HERITAGE CENTERS (ERIE CHAPTER
NYSRC) FROM RESOLUTION 238-2021 AND
APPROVE CONTRACT WITH THE ARC ERIE
COUNTY NEW YORK**

Legislator Deleo offered the following resolution:

WHEREAS, the Genesee County Legislature duly adopted Resolution No. 238 on June 9, 2021, to enter into a contract with Heritage Centers (Erie Chapter NYSARC), and

WHEREAS, the Company has requested that the contract be with The ARC Erie County New York, and

WHEREAS, the Human Services Committee did review the contract with Heritage Centers (Erie Chapter NYSARC), and does recommend approval at this time. Now, therefore be it

RESOLVED, that the Genesee County Legislature amends the contract named Heritage Centers (Erie Chapter NYSARC) from resolution 238 of 2021, and be it further

RESOLVED, that the Chair of the Genesee Legislature be hereby authorized to enter into a contract with The ARC Erie County New York, having an address at 30 Wilson Road, Williamsville, NY 14221.

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent

**RESOLUTION NO. 26 GRANT ACCEPTANCE & BUDGET AMENDMENT/
COMMUNITY MENTAL HEALTH SERVICES –
APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, New York State Office of Mental Health is distributing over \$20M in Federal Supplemental Community Mental Health Services Block Grant funding to eligible providers. Genesee County is being approved for a Mental Health Block Grant System of Care award of one-time funding in the amount of \$25,000, and

WHEREAS, The Director of the Community Mental Health Services does request approval for the receipt of a \$25,000.00 Mental Health Block Grant System of Care award from the New York State Office of Mental Health, 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, is hereby authorized and directed to execute the Agreement; with New York State Office of Mental Health for the acceptance of the

Mental Health Block Grant System of Care Program (CFDA 93.958), contract for the period September 15, 2021 through December 31, 2022; in the amount of 25,000.00 and to execute any and all other documentation related to this funding, and be it further

RESOLVED, the Genesee County Treasurer is hereby authorized and directed to amend the budget by Increasing Appropriation A.4310.4660.0000 Contracted – Other in the amount of \$25,000.00 and Increasing Revenue A.4310.4090 Federal Aid – Block Grant in a like amount. Budget Impact Statement: \$25,000 added to the 2022 Mental Health budget.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 27 2021 BUDGET TRANSFER – HEALTH DEPARTMENT – APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The Genesee County Public Health Department has requested a transfer of funds between categorical 2021 department budget lines as outlined, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfer:

\$55,000 to A4010 1010.0000 Personal Services

\$3,600 to A4010 1020.0000 Overtime Salaries

\$58,600 from A4010 4650.0003 Contracted Service

Budget Implications: 2021 budget transfer, no county cost.

Legislator Torrey seconded the resolution which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 28 2021 BUDGET TRANSFER – CORONERS/ HEALTH DEPARTMENT – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Public Health Department has requested a transfer of funds between categorical 2021 department budget lines as outlined, and

WHEREAS, The Committees on Human Services and Ways and Means has reviewed the request and does recommend approval at this time. Now therefore, be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfer:

\$8,000 to A1185 1010.0000 Personal Services

\$100 to A1185 8010.0000 Social Security Tax

\$50 to A1185 8011.0000 Medicare tax

\$8,150 from A1185 4650.0000 Contract Medical

Budget Implications: 2021 budget transfer, no county cost.

Legislator Dibble seconded the resolution which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 29 REAPPOINTMENT TO GENESEE-ORLEANS COUNTY BOARD OF HEALTH – HEALTH DEPARTMENT – APPROVAL OF

Legislator Deleo offered the following resolution:

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

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

RESOLVED That the Genesee County Legislature does hereby reappoint Deanna Page of 8427 Gully Road, Leroy, NY 14482 to the Genesee-Orleans County Board of Health effective January

1, 2022 through December 31, 2027.

Budget Implications: A \$20 stipend is available for each Board member per meeting attended. This expense is included in the 2022 Dept. 4010 – Public Health Budge and is eligible for full reimbursement under Article 6 – State Aid.

Legislator Torrey seconded the resolution which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 30 REAPPOINTMENT TO GENESEE-ORLEANS COUNTY BOARD OF HEALTH – HEALTH DEPARTMENT – APPROVAL OF

Legislator Dibble offered the following resolution:

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

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

RESOLVED That the Genesee County Legislature does hereby reappoint Kelly Rose Nichols, DO of Oatka Trail, Leroy, NY 14482 to the Genesee-Orleans County Board of Health effective January 1, 2022 through December 31, 2027.

Budget Implications: \$20 stipend is available for each Board member per meeting attended. This expense is included in the 2022 Dept. 4010 – Public Health Budge and is eligible for full reimbursement under Article 6 – State Aid.

Legislator Hawley seconded the resolution which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 31 2022 AFFILIATION AGREEMENT WITH SUNY COLLEGE AT BROCKPORT - DEPARTMENT OF SOCIAL SERVICES – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services reviewed and approves of the affiliation agreement with the SUNY College at Brockport for Kennedy O’Neill to participate in and complete an internship that will assist her in completing her bachelor’s degree in Psychology, and

WHEREAS, The Genesee County Attorney, did review the affiliation agreement and does recommend approval at this time, and

WHEREAS, The Committee on Human Services and Ways and Means Committees has reviewed the affiliation agreement and does concur at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to approve and signoff on the 2022 Affiliation Agreement with SUNY College of Brockport, effective immediately.

Budget Impact: There is no financial impact associated with this affiliation agreement Plan Update - No budgetary impact.

Legislator Dibble seconded the resolution which was adopted 283 votes Stein (43) absent..

RESOLUTION NO. 32 ADDENDUM: POST ACUTE MEAL DELIVERY PROGRAM OF SERVICE AGREEMENT/ CERTIFICATE OF INSURANCE-OFA/WESTERN NEW YORK INTEGRATED CARE COLLABORATIVE, INC. (WNYICC) -2022 APPROVAL OF

Legislator Hawley offered the following resolution:

WHEREAS, The Director of the Office for the Aging (OFA) presented 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, which was fully executed on March 20, 2020 and a subsequent Amendment 1 on February 01, 2021; 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, the parties wish to amend some of the terms of the Addendum: and

WHEREAS, the ADDENDUM, AMENDMENT 1, and this AMENDMENT 2 contain the terms and conditions for Participating Meal Vendor to provide meal delivery for up to 28 meals for 14 calendar days; and

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

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, 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, 2022-December 31, 2022; as follows:

- **“Standard”**: delivery of (2) fresh meals for \$24.00.
- **“Alternate Standard”**: delivery of frozen, blast chilled, or shelf-stable meal \$19.00 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 2022 County Budget.

Legislator Yunker seconded the resolution which was adopted 283 votes Stein (43) absent..

RESOLUTION NO. 33 2021 BUDGET AMENDMENT -DISTRICT
ATTORNEY – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Resolution No. 154 year 2021 was duly adopted on April 28, 2021 which allowed the County to apply and accept the Criminal Justice Discovery Reform Grant award in the amount of \$228,720 from the New York State Division of Criminal Justice Services, and

WHEREAS, A portion of the grant funds are allocated to the Genesee County Sheriff’s Office, Batavia Police Department and LeRoy Police Department, and

WHEREAS, The District Attorney recommends a budget amendment to allow for the distribution of the grant funds, and

WHEREAS, The Committees on Public Services and Ways & Means do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is authorized and directed to amend the 2021 Genesee County Budget by increasing A.1165.3322 – District Attorney, St. Aid – Dept of Criminal Justice by \$94,677 offset by an increase in A1165.4800.0000 District Attorney -Program Expense in a like amount

Budget Impact: No impact on the 2021 budget. Grant fund allocation.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent..

RESOLUTION NO. 34 CONTRACT – GENESEE COUNTY SOIL AND WATER CONSERVATION DISTRICT - APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The Public Service Committee has reviewed the proposed contract for 2022 between the County of Genesee and the Genesee County Soil and Water Conservation District and does 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 a contract with the Genesee County Soil and Water Conservation District for a period beginning January 1, 2022 through December 31, 2022 and Be it further

RESOLVED, That the sum of \$151,891 in regular funding and \$21,960 in additional funding to support an additional staff position for a total of \$173,851, shall be paid in regular installments, pursuant to the Agreement.

Budget Impact Statement: Funding of \$173,851 has been included in the 2022 Budget.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 35 RIGHT OF WAY PURCHASE AGREEMENTS – HIGHWAY – SOUTH LYONS STREET BRIDGE REPLACEMENT – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent has prepared maps and delineated right of way that needs to be acquired in order to replace the South Lyons Street Bridge according to state and federal guidelines, and

WHEREAS, The Genesee County Highway Superintendent has had appraisals performed and has made offers to affected landowners, and

WHEREAS, The Genesee County Highway Superintendent recommends the approval of purchase agreements for these parcels, and

WHEREAS, The Committee on Public Service 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 Purchase Agreements for the following parcels in the amount approved for compensation as listed:

Map	Tax Parcel ID	Property Owner/Payee	Approved Compensation
01	84.039-1-37	Aaron M. Howland	\$4,000
02 & 03	84.039-1-6	BGW Properties LLC	\$1,900

Budget Impact Statement: A capital project has been established for this project and right of way acquisition costs have been accounted for in the project. The amended project total is \$659,933, funded with 80% federal aid and a 20% match from local 1% sales tax.

Legislator Deleo seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 36 CAPITAL PROJECTS - AUTHORIZATION TO CLOSE -HIGHWAY-APPROVAL OF

Legislator Hawley offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reported that a Capital Project has been completed and recommended that said Capital Project be closed at this time, and

WHEREAS, The Committees on Public Service and Ways and Means reviewed this request and recommend that said Capital Project be closed at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to close the

following Capital Project:

<u>Capital Project</u>	<u>Balance</u>	<u>Income Source</u>
Highway Chipseal	0	CHIPS

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 37 **CAPITAL PROJECT AMENDMENT/2021 BUDGET AMENDMENT – APRON RECONSTRUCTION (AIP #46-21) – AIRPORT – APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The County Superintendent of Highways was notified by the FAA that they were increasing their funding for the Apron Reconstruction Project (AIP #46-21) and it would no longer require State and Local Aid, and

WHEREAS, The County Superintendent of Highways recommends adjusting the Capital Project, 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 Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2021 Budget:

Decrease H.5997 5031 Interfund Revenue	\$75,866
Increase H.5997 4592 Federal Aid	\$151,733
Decrease H.5997 3897 State Aid	\$75,867
Decrease A1000 1110.1 Sales Tax	\$75,866
Decrease A9950 9000.0000 Trans to Capital	\$75,866

Budget Impact: 100% federal aid of \$1,517,320; returns to \$75,866 Interfund Revenue.

Legislator Maha seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 38 **SPECIAL EVENT – MUSIC IN THE PARK – GENESEE COUNTY PARK AND FOREST – APPROVAL OF**

Legislator Hawley offered the following resolution:

WHEREAS, A Special Events application was received from the ACORNS, the County Parks volunteer organization to use the County Park and Forest for a music in the park event on Saturday, August 6, 2022, and

WHEREAS, The Highway Superintendent did review and recommend approval of, and

WHEREAS, The Committees on Public Service and Ways and Means do concur with this request. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby grant permission to the ACORNS to use the Genesee County Park and Forest for a music in the park event on August 6, 2022, as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None

Legislator Deleo seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 39 **SPECIAL EVENT – 5K/10K TRAIL RUN AND WALK FUNDRAISER - GENESEE COUNTY PARK & FOREST - APPROVAL OF**

Legislator Hawley offered the following resolution:

WHEREAS, A Special Events application was received from the Association for Conservation Of Recreational and Natural Spaces (ACORNS) to use the Genesee County Park and Forest for a

5K/10K trail run and walk fundraiser on October 2, 2022, and

WHEREAS, The Highway Superintendent did review and recommends approval of, and

WHEREAS, The Committees on Public Service and Ways and Means do concur with these requests. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby grant permission to the Association for Conservation of Recreational and Natural Spaces (ACORNS) to use the Genesee County Park and Forest for a 5K/10K trail run and walk fundraiser on October 2, 2022 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None.

Legislator Yunker seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 40 ESTABLISH CAPITAL PROJECTS/2022 BUDGET AMENDMENT – FACILITIES – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Legislature did budget for and approve the County's Capital Budget Plan for 2022, and

WHEREAS, the Genesee County Superintendent of Highways is recommending establishing several capital projects to construct or repair several county-owned facilities, and

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

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to establish the following capital projects as required:

Establish Capital Projects:

Title	Total	Revenue Source
Facilities – Holland Land Office Museum Restoration Study	\$45,000	1% Sales Tax
Facilities – Courts Facility Boiler	\$39,000	1% Sales Tax
Facilities – Highway Fuel Farm Upgrade	\$35,264	1% Sales Tax
Facilities – Countywide HVAC Controls Upgrade	\$225,000	1% Sales Tax

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to fund the projects by increasing A.1000.1110.1 1% sales tax in the amount of \$344,264, increasing to A.9950.9000 Transfer to Capital in the amount of \$344,264, increase H.1997.5031 Interfund Transfers in the amount of \$344,264 and increase in H.1997.2080.0000 Capital Project Expense in a like amount.

Budget Impact Statement: Capital projects were accounted for in the 2022 Proposed Capital Budget. Total capital projects established by this resolution are \$344,264.

Legislator Dibble seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 41 INTERMUNICIPAL AGREEMENT – COUNTYWIDE WATER PHASE 2 – TOWN OF ALEXANDER WATER DISTRICT #6

Legislator Yunker offered the following resolution:

WHEREAS, Genesee County desires to advance certain portions of water improvements being made by the Town of Alexander which benefits the County and are planned for Phase 3 of the Countywide Water Project, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have prepared an agreement that provides a reimbursement to the Town of Alexander under terms acceptable to the County and recommend its approval at this time, and

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

RESOLVED, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to approve the Intermunicipal Agreement between Genesee County

and the Town of Alexander related to the installation of water transmission mains and a water storage tank as part of the formation of Water District #6.

Budget Impact Statement: Per the agreement, the County Water Fund will reimburse the Town of Alexander an estimated \$231,863 per year for 38 years for completing water main installation and construction of a water storage tank that benefits the countywide system. Reimbursements will be made within 45 days after the Town of Alexander completes construction of the mains and they are certified complete by their Engineer. Actual payment will be dependent on final contract amounts, USDA financing and interest rates.

Legislator Maha seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 42 AMEND INTERMUNICIPAL AGREEMENT –
COUNTYWIDE WATER PHASE 2 – TOWN OF
BERGEN**

Legislator Yunker offered the following resolution:

WHEREAS, Genesee County desires to advance certain portions of water improvements being made by the Town of Bergen which benefits the County and are described in the Master Plan and Engineering Report for Phase 2 of the Countywide Water Project, and

WHEREAS, the Genesee County Legislature and the Town of Bergen have adopted an Intermunicipal Agreement for the construction of these improvements, and

WHEREAS, the Town of Bergen has opened bids for construction and found that there are significant material price increases related to this work, and

WHEREAS, the Town of Bergen has asked Genesee County to amend the Intermunicipal Agreement related this to work in order to cover cost increases, and

WHEREAS, the Genesee County Highway Superintendent and the County Attorney have the proposal to the County and recommend its approval at this time, and

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

RESOLVED, that Genesee County Legislature does hereby authorize the Chairperson of the Genesee County Legislature to amend the Intermunicipal Agreement between Genesee County and the Town of Bergen related to the upgrades of certain water mains constructed by the Town related to Water Improvement Benefit Area #1 by increasing the total authorized amount reimbursed to the Town of Bergen by \$38,121.56 for a total of \$85,242.56.

Budget Impact Statement: Per the agreement, the County Water Fund will reimburse the Town of Bergen up to \$85,242.56 for completing water main upgrades that benefit the countywide system. The amendment increases the original amount by \$38,121.56. Reimbursements will be made within 45 days after the Town of Bergen completes construction of the mains and they are certified complete by their Engineer.

Legislator Deleo seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 43 SURPLUS EQUIPMENT— PARK AND FACILITIES
MANAGEMENT — GENERAL FUND — APPROVAL
OF**

Legislator Hawley offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request the following equipment be declared surplus property, and

WHEREAS, The Committees on Public Service and Ways and Means did review this list and do recommend this equipment be declared surplus property at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction, public bid or through inter-municipal purchase:

Park

PK6159, 1993 Highway Made Hyd Dump Trailer

PK6191, 2000 Zimmerman Trailer

Facilities Management

#6162, Genie Man Lift 3020HD

Budget Impact: Revenue for the General Fund.

Legislator Dibble seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 44 AMEND CAPITAL PROJECT/2022 BUDGET AMENDMENT/SUPPLEMENTAL AGREEMENT – SOUTH LYON ST BRIDGE

Legislator Maha offered the following resolution:

WHEREAS, Genesee County has received Federal Aid funding for the design and right-of-way portions of the South Lyon St Bridge over the Tonawanda Creek bridge project within the City of Batavia and the County has received a Supplemental Grant Agreement for the remainder of the ROW phase of this project, and

WHEREAS, Genesee County has an existing consultant agreement with Fisher Associates for the ROW coordination portion of the project through their subconsultant RK Hite, and

WHEREAS, Additional ROW subconsultant time was required to complete the eminent domain procedure law process that was discovered as needed to conform with the rules and regulations of the Federal Highway Administration, and

WHEREAS, The Genesee County Highway Superintendent recommends amending the capital project and the 2022 County Budget in order to move forward with remainder of the ROW phase of this project, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed this recommendation and do concur at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby direct and authorize the Genesee County Treasurer to amend capital project South Lyon St Bridge in the amount of \$22,708 with federal aid of \$18,166 and a local match from 1% Sales Tax of \$4,542, and be it further

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with Fisher Associates, 180 Charlotte St, Rochester NY 14607 for additional ROW consultant services related to the replacement of the South Lyon St Bridge over Tonawanda Creek in a cost not to exceed \$23,000.

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the County Treasurer to make the following amendments to the 2022 County Budget:

Increase A.1000.1101.1	1% Sales Tax	\$ 4,542
Increase A.9950.9000	Transfers to Capital	\$ 4,542
Increase H.5197.5031	Interfund Revenue	\$ 4,452
Increase H.5197.4592	Federal Aid	\$18,166
Increase H.5197.2080.0000	Capital Expense	\$22,708

Budget Impact: The total cost of the design and ROW phases of this project is \$659,933, funded with 80% federal aid and a 20% match from local 1% sales tax.

Legislator Deleo seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 45 GRANT ACCEPTANCE AND AUTHORIZATION /CAPITAL PROJECT AMENDMENT/2022 BUDGET AMENDMENT – STATE AND MUNICIPAL (SAM) GRANT – 14 W MAIN STONERWORK RESTORATION – APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request grant funds to aid in the restoration of stonework at 14 West Main Street in the City of Batavia, and

WHEREAS, Assemblyman Hawley, acting through the Dormitory Authority of the State of New York (DASNY), has secured a State and Municipal (SAM) grant in the amount of \$50,000 to aid in the restoration of the stonework located at 14 West Main Street in the City of Batavia, and

WHEREAS, Genesee County is the owner of the facility located where the project is located and where the grant funds will be expended, and

WHEREAS, the Genesee County Legislature has determined that maintenance or repair involving no substantial changes in an existing structure or facility are classified as a Type 2 Action as defined by the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Genesee County Legislature has established a capital project for the execution of these repairs, and

WHEREAS, the Genesee County Highway Superintendent recommends accepting the SAM Grant and amending the capital project established for the project, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute a State and Municipal (SAM) Grant with the Dormitory Authority of the State of New York (DASNY) for repairs to the stonework at 14 West Main Street in the City of Batavia in the amount of \$50,000, and be it further

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the capital project established for Facilities – Genesee Justice Stonework, increasing the project total by \$50,000, and be it further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Genesee County Treasurer to make the following amendments to the 2022 Budget:

Increase H.1997.3897	State Aid	\$50,000
Increase H.1997.2080.0000	Capital Expense	\$50,000

Budget Impact Statement: The capital project for this work will be increased with \$50,000 in state aid. Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 46 CONTRACT AWARD – HIGHWAY – FUEL FARM UPGRADE – APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed available cooperative purchasing contracts as allowed by NYS General Municipal Law for the purposes of performing upgrades to the Highway Department Fuel Farm, and,

WHEREAS, The Genesee County Highway Superintendent has reviewed the bids and the qualifications of bidders and does recommend awarding contracts at this time, and

WHEREAS, The Committee of Public Service and Ways and Means did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with The Pump Doctor Inc., 2706 Hemlock Rd, Eden, NY 14057 for the installation of a new Gasboy Prime Fuel Management System, as per specifications of the Gasboy/Gilbarco Sourcewell Contract #092920-GVR, in an amount not to exceed \$35,263.30.

Budget Impact Statement: A capital project has been established for this project in the amount of \$35,264.

Legislator Deleo seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 47 AWARD OF BID – 4 X 2 DUMP TRUCK – HIGHWAY – ASSET ACQUISITION – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, funds were incorporated into the 2022 Asset Acquisition Project to purchase a 4 x 4 Dump Truck for use by the Genesee County Highway Department, and

WHEREAS, the Onondaga County Contract #8996-2021 allows for the piggyback purchasing of trucks, truck bodies and plow equipment by other municipal entities within the State of New York, and

WHEREAS, the Genesee County Highway Superintendent recommends purchasing a dump truck as specified by this contract, and

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

RESOLVED, that the Genesee County Highway Superintendent is hereby authorized and directed to purchase a 2024 HV607 SBA Dump Truck, Body, Wing, Plow & Spreader at a cost of \$190,050 from Regional International Corp, 1007 Lehigh Station Rd, Henrietta, NY 14467 to be paid from the 2022 Asset Acquisition Project.

Budget Impact: 2022 Asset Acquisition Project budgeted \$190,050 for the purchase of a 4 x 2 Dump Truck.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 48

**SUPPLEMENTAL CONSULTANT AGREEMENT #2 –
UPTON RD BRIDGE – CONSTRUCTION
INSPECTION AND ADMINISTRATION - APPROVAL
OF**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County has been awarded a BRIDGE-NY grant to replace the Upton Rd bridge over Bowen Creek, and

WHEREAS, Genesee County has an existing consultant agreement with C&S Engineers for the design and construction administration and inspection of the project, and

WHEREAS, Additional construction inspection and construction administration services were required to complete the project and conform with the rules and regulations of the Federal Highway Administration, and

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

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

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a supplemental consultant agreement with C&S Engineers, 150 State Street, Suite 120, Rochester NY 14614 for construction inspection and administration services related to the replacement of the Upton Road Bridge over Bowen Creek in a cost not to exceed \$10,000.

Budget Impact: The supplemental agreement is for \$10,000. The project has been completed. The resolution is required to memorialize the additional work. The capital project established for this project has a balance of \$296,612.98, which is 95% federal aid and 5% local match.

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 49

**GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL BUDGET - FINANCIAL SUPPORT FOR
2022 - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, Section 239c of Article 12b of the General Municipal Law authorizes that governing bodies of participating municipalities in a regional or metropolitan planning agency may collaborate with other local governments to appropriate and raise by taxation money for the expenses of such regional Planning Boards, and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has formally notified this Legislature that, under its proportional funding formula, Genesee County's 2022 share will be \$10,967 and

WHEREAS, The Committee on Public Service does recommend approval of payment of Genesee County's share at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize continued participation in the Genesee/Finger Lakes Regional Planning Council and does hereby authorize and direct the County Treasurer to effect payment in the sum of \$10,967 as appropriated in the 2022 Budget, Account A8025.4660.0000.

Budget Impact: The 2021 Genesee County Budget appropriated \$10,967 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other).

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 50 OFFICIAL UNDERTAKING OF PUBLIC
EMPLOYEES FIDELITY (BLANKET) BOND FOR
GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL - APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, Genesee County, herein named as "the County", has appropriated the sum of \$10,967.00 as its share of the Year 2022 operating funds of the Genesee/Finger Lakes Regional Planning Council, herein named "the agency"; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer of the executed official undertaking is approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Paul Gavin, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blank bond coverage for officers and employees of the Council in the amount of \$500,000.00. Therefore, be it

RESOLVED, that the Genesee County Legislature hereby approves such a bond as the official undertaking required pursuant the Section 119-00 of the General Municipal Law; and be it further

RESOLVED, that a copy of this resolution shall be forwarded to the G/FLRPC offices and the County Director of Planning.

Budget Impact: The 2022 Genesee County Budget appropriated \$ 10,967.00 for Contractual Services with the Genesee/Finger Lakes Regional Planning Council (Account A8025.4660.0000 Contracted-Other).The Annual Report from G/FLRPC has historically shown a significant "return" for this investment.

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 51 GENESEE 2050 - COUNTY RECREATION PLAN –
ADOPTION OF**

Legislator Deleo offered the following resolution:

WHEREAS, Genesee County saw a need for a recreation plan to guide development of recreational facilities throughout Genesee County; and

WHEREAS, Genesee County has was awarded \$40,000 from New York State Empire State Development (ESD) for the update of the Genesee County Comprehensive Plan and the creation of a County Recreation Plan, a project hereto referred as Genesee 2050, and

WHEREAS, Genesee County invited proposals for an update to guide decision-making to 2050

with a public engagement program, renewed vision, goals and objectives and recommendations; and

WHEREAS, the Legislature engaged a team led by Prospect Hill Consulting of Buffalo, NY to complete the Genesee 2050 project, issuing a notice to proceed on June 22, 2020; and

WHEREAS, the completed study was presented to the legislature, department heads, steering committee, and public on December 16, 2021; and

WHEREAS, the County is obligated under the New York State Environmental Quality Review Act (SEQRA) and corresponding regulations to undertake a review of the potential environmental impacts associated with the recreation plan; and

WHEREAS, the County, as the only involved agency, declared itself lead agency to undertake the project review under SEQRA; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the County classified the creation of the plan as a Type I Action and determined it to have no significant effect on the environment after preparing and evaluating a Full Environmental Assessment Form (EAF), now therefore Be it

RESOLVED, that the Genesee County Legislature adopts the Genesee 2050 County Recreation Plan; and Be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute all necessary documents related to the Genesee 2050 County Recreation Plan.

Budget Impact: Genesee County was awarded \$40,000 through the 2019 CFA process for Genesee 2050 Project. The total project funding will be \$100,000 including a \$45,000 cash match from a previously established capital project to create the County Recreation Plan and a \$15,000 in-kind contribution.

Legislator Torrey seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 52 GENESEE 2050 - COUNTY COMPREHENSIVE PLAN
UPDATE – ADOPTION OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County saw a need to update its 1997 Comprehensive Plan; and

WHEREAS, Genesee County has been awarded \$40,000 from New York State Empire State Development (ESD) for the update of the Genesee County Comprehensive Plan and the creation of a County Recreation Plan, a project hereto referred as Genesee 2050, and

WHEREAS, Genesee County invited proposals for an update to guide decision-making to 2050 with a public engagement program, renewed vision, goals and objectives and recommendations; and

WHEREAS, the Legislature engaged a team led by Prospect Hill Consulting of Buffalo, NY to complete the Genesee 2050 project, issuing a notice to proceed on June 22, 2020; and

WHEREAS, the completed study was presented to the legislature, department heads, steering committee, and public on December 16, 2021; and

WHEREAS, the County is obligated under the New York State Environmental Quality Review Act (SEQRA) and corresponding regulations to undertake a review of the potential environmental impacts associated with the comprehensive plan update; and

WHEREAS, the County, as the only involved agency, declared itself lead agency to undertake the project review under SEQRA; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the County classified the comprehensive plan update as a Type I Action and determined it to have no significant effect on the environment after preparing and evaluating a Full Environmental Assessment Form (EAF), now therefore Be it

RESOLVED, that the Genesee County Legislature adopts the Genesee 2050 County Comprehensive Plan Update; and Be it further

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute all necessary documents related to the Genesee 2050 County Comprehensive Plan Update.

Budget Impact: Genesee County was awarded \$40,000 through the 2019 CFA process for Genesee 2050 Project. The total project funding will be \$100,000 including a \$45,000 cash match from a previously established capital project to create the County Recreation Plan and a \$15,000 in-kind contribution.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 53 **DONATION ACCEPTANCE – SHERIFF / K-9
OBSTACLE COURSE - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the County has a policy for accepting donations of value over \$1,000, and

WHEREAS, The Home Depot's Batavia location has agreed to donate building materials supplied through a grant by The Home Depot Foundation (estimated value of \$3,232) and CountryMax Stores has agreed to provide the labor required to construct a new K-9 obstacle course at the Genesee County Fire Training Center, and

WHEREAS, the course will be utilized by law enforcement K-9 units for training purposes to simulate obstacles most likely to encounter in the field during deployments, and

WHEREAS, the Sheriff and Undersheriff do request the approval to accept the above-mentioned donations, and

WHEREAS, the Public Service & Ways and Means Committees do concur with this request, Now, therefore, Be it

RESOLVED, that the Genesee County Legislature accept the donations of materials and labor to construct a new K-9 obstacle course.

Budget Impact: None

Legislator Dibble seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 54 **AWARD OF BID – SHERIFF'S OFFICE / JAIL
PHARMACY SERVICES – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the current agreement with Omnicare of New York, LLC (dba Omnicare of Rochester), 175 Humboldt Street, Suite 225, Rochester, NY 14610, for the pharmacy services provided to the Genesee County Jail expired December 31, 2021, and

WHEREAS Genesee County issued BID 2021-112 for pharmacy services at the Jail, and three proposals were received, and

WHEREAS, after careful review by the Genesee County Sheriff, Treasurer, Manager, Purchasing Director, and Jail Superintendent, it was determined that MAO Pharmacy, Inc., dba Westwood Pharmacy, provided the best combination of competitive pricing and services, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award the bid for Jail pharmacy services to MAO Pharmacy, Inc., dba Westwood Pharmacy, 5823 Patterson Avenue, Richmond, VA 23226, and for the period retroactive January 1, 2022, through December 31, 2022, with the option to renew for four (4) additional one-year periods upon written agreement between both parties under the same terms and conditions as the original Agreement.

Budget Impact: Pharmacy costs have been budgeted for in the 2022 budget.

Legislator Dibble seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 55 2022 SALARY SCHEDULE AMENDMENT-
ELIMINATION OF THE COMMUNICATIONS
COORDINATOR POSITION AND CREATION OF A
PUBLIC SAFETY SYSTEMS MANAGER POSITION -
SHERIFF - APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the Communications Coordinator retired after 33 years in this position which prompted a review of the job description and a determination that it required updating, and

WHEREAS, after careful review by the Human Resources Director, former Assistant Human Resources Director, Director of Emergency Communications, and Assistant Director of Emergency Communications/Operations, along with a review and recommendation by the E911 Board, it was determined that the appropriate title for this position is Public Safety Systems Manager, and

WHEREAS, the Sheriff does request the approval to eliminate and create the positions listed above, and

WHEREAS, the Public Service & Ways and Means Committees do concur with this request, Now, therefore, Be it

RESOLVED, that the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2022 Employee Salary Schedule by eliminating the full-time Communications Coordinator position, SEA Grade 13, and creating a Public Safety Systems Manager position, Management Grade 114.

Budget Impact: None. The cost associated with this new position is covered by the previous Communications Coordinator salary accounted for in the 2022 budget.

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 56 REAPPOINTMENTS – SHERIFF / TRAFFIC SAFETY
BOARD – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

WHEREAS, reappointments do exist on the Genesee County Traffic Safety Board and the Committees on Public Service and Ways & Means do recommend reappointing the following three-year terms:

Timothy Hens	retroactive 10/1/21 – 9/30/24	Genesee County Highway
Timothy Yaeger	retroactive 10/1/21 – 9/30/24	Genesee County Office of Emergency Mgt
Donna Hackett	retroactive 12/1/21 – 11/30/24	Pembroke School District Transportation

Now, therefore, be it

RESOLVED, that the above three-year reappointments for the Genesee County Traffic Safety Board are approved at this time.

Budget Impact: None.

Legislator Dibble seconded the resolution, which was adopted 283 votes Stein (43) absent.

**RESOLUTION NO. 57 REAPPOINTMENTS FOR MULTIPLE BOARDS –
WATER RESOURCE AGENCY, AGRICULTURAL
FARMLAND PROTECTION, COUNTY PLANNING
AND FISH AND WILDLIFE MANAGEMENT -
APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, the following Boards are requesting reappointments:

WHEREAS, the Water Resource Agency established under resolution No. 495-98 created for planning and implementation of future water improvements for Genesee County. Danielle Cummins and Diane Fowler is recommended for reappointment:

Water Resource Agency – Danielle Cummins Term: 1/1/2022- 12/31/2024
 Water Resource Agency – Diane Fowler Term: 1/1/2022 – 12/31/2024

WHEREAS, Agricultural and Farmland Protection Board was established on January 13, 1993 in accordance with Section 302 of New York State Agriculture and Markets Law. Donn Branton is recommended for reappointment:

Agricultural Farmland Protection Board – Donn Branton Term: 1/1/2022-12/31/2025

WHEREAS, Planning Board was established under resolution no. 1965-66 and amended 1967. Richard Richmond II is recommended for reappointment:

County Planning Board – Richard Richmond II Term: 6/1/2021-5/31/2024

WHEREAS, Fish and Wildlife Management Board is responsible to review and discuss mutual problems, recommend policy and suggest new legislation for the lawmakers and DEC on a state-wide basis, Michael Ciociola is recommended for reappointment:

Fish and Wildlife Management Board – Michael Ciociola Term: 1/1/2022 – 12/31/2024

WHEREAS, The Committees on Public Service and Ways and Means do recommend reappointment. Now, therefore, be it

RESOLVED, that the above mentioned board reappointments for the Genesee County are approved at this time.

Budget Impact: None.

Legislator Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 58 APPOINTMENT - GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, A Genesee County vacancy does exist on the GLOW Region Solid Waste Management Committee due to Jay Gsell, Genesee County Manager, retiring on August 14, 2020, and

WHEREAS, The Committees on Public Service and Ways and Means do recommend that Edward DeJaneiro Jr. of 104 River Street, Batavia be appointed at this time. Now, therefore, Be it

RESOLVED, That Edward DeJaneiro Jr. is hereby appointed to the GLOW Region Solid Waste Management Committee, and any related subcommittees, as the alternate member representing Genesee County.

Budget Impact: None

Legislator Hawley seconded the resolution, which was adopted 283 votes Stein (43) absent.

RESOLUTION NO. 59 COUNTY AUDIT –JANUARY 26- APPROVAL OF

Legislator Torrey offered the following resolution:

HEREAS, Legislator Klotzbach, did review the following claims:

General Fund-2021	\$	1,423,513.26
General Fund-2022		607,222.22
Highway-2021		100,729.60
Highway-2022		859.11
Self Insurance-2021		46,183.28
Self Insurance-2022		54,747.50
Water Fund-2021		770,897.01

Water Fund-2022	375.64
Sales Tax-2021	3,486,449.20
DSS Abstracts	488,722.13
Capital Projects-2021	
Highway-Sharrick Road Bridge over Murder Creek	27,492.25
Highway-Large Span Culverts	117,885.52
Highway-Darien-Alexander Tnl Road Bridge over Tunnery Creek	5,207.93
Highway-Tower Hill Road Bridge over Spring Creek	3,160.26
Highway-S. Lyon Street Bridge over Tonawanda Creek	5,900.00
Highway-Highway Recycling	290,281.09
Highway-Upton Road Bridge over Bowen Creek	156,168.80
Highway-CR #5	47,286.92
Highway-Highway Surface Treatments	36,654.75
County Park-DeWitt Recreation Area Waterfront Enhancement	3,679.00
County Park-Area "D" Improvements	565.56
County Park-County Park Comprehensive Recreational Plan	9,896.87
Sheriff's/Jail-Jail Construction	150,376.25
Office for Aging-OFA Improvements	213.73
Payroll – General	
January 14, 2022	1,211,383.54
Medicaid	
January 4, 2022	146,087.00
January 11, 2022	146,087.00
January 18, 2022	146,087.00
January 25, 2022	<u>146,087.00</u>
Total Audit	\$ 9,785,196.96

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 Klotzbach seconded the resolution, which was adopted 283 votes Stein (43) absent.

Legislator Torrey motioned for a rule 19 to suspend the rules to add two important resolutions Resolution 60 and 61. Seconded by Legislator Dibble, carried unanimously 283 votes to suspend the rules under rule 19.

RULE 19:

**RESOLUTION NO. 60 2022 BUDGET AMENDMENT – COUNTY
MANAGER- ARPA – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, On March 11, 2021, the American Rescue Plan Act (ARPA) of 2021 was signed into law, and included direct aid to counties to combat the COVID-19 pandemic, including its public health and economic impacts, and

WHEREAS, The Genesee County Manager and Public Health Director recommend using a portion of the ARPA funding to purchase COVID 19 Antigen Home Tests, and

WHEREAS, The Ways and Means Committee has reviewed this recommendation and does concur 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 A.1231. 4800. 0700 – County Manager ARPA, Contractual Expenses by \$ 150,750 offset by an increase in A.1231.4089.3 – County Manager ARPA, Federal Aid in a like amount.

Budget Impact: ARPA funds will cover the expense.

Legislator Yunker seconded the resolution, which was adopted 283 votes Stein (43) absent.

RULE 19:

RESOLUTION NO. 61

REVISED PURCHASING POLICY AND PROCEDURES SPECIFIC TO AND EXCLUSIVELY FOR - GENESEE COUNTY JAIL CAPITAL PROJECT – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Due to the significant nature of the Genesee County Jail Capital Project, the County Manager and the County Purchasing Director, in consultation with the County Attorney and the County’s Construction Manager firm, the Pike Company, recommends revising the Genesee County Purchasing Policy and Procedure Manual specific to the County Jail Capital Project, and **WHEREAS**, to allow for continuous progression of the project, it is recommended to modify the “Capital Project Change Orders” policy within the Genesee County Purchasing Policy and Procedure Manual to increase the change order threshold amount requiring legislative approval from the lesser of a total of more than 10% of the initial contract cost or \$20,000 to the lesser of a total of more than 10% of the initial contract or \$35,000. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve revision of the Genesee County Purchasing Policy and Procedures Manual, “Capital Project Change Orders” policy, specific to and exclusively for the Genesee County Jail Capital Project, by increasing the change order total threshold for not needing Legislative approval to \$35,000. It is understood that said revision will only be in effect for the life of the current Jail Capital Project and that all change orders with a total of more than \$35,000 will require approval by the County Treasurer and County Legislature per the Genesee County Purchasing Policy and Procedure Manual. All other terms of the Genesee County Purchasing Policy and Procedure Manual remain in full effect.

Legislator Torrey seconded the resolution, which was adopted 283 votes Stein (43) absent.

At 6:15 PM the meeting adjourned upon motion of Legislator Klotzbach seconded by Legislator Deleo, carried unanimously.