

**SECOND DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, January 27, 2021**

The Genesee Legislature met in Regular Session on Wednesday, January 27, 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 will be held electronically via ZOOM video conference. Minutes of the meeting are posted on the Genesee County Website Legislature Page. Legislator Klotzbach assisted with the audit. The prayer was offered by Legislator Clattenburg followed by the Pledge to the Flag.

Minutes of the January 13, 2021 Legislature Meeting were approved upon motion of Legislator Dibble seconded by Legislator Clattenburg, carried unanimously.

Legislature Chair Rochelle Stein commented on the work of the Public Health Department pertaining to the COVID rapid test clinics and vaccination clinics. Health Department employees along with other county employees, legislators and volunteers have manned the COVID rapid test clinics and many have stepped up to work at the vaccination clinics. Thanks and gratitude was extended to all who have worked to make the clinics a smooth operation. Chair Stein extended special thanks to Executive Assistant Vicky Muckle for her work with coordinating the staffing of the test clinics and vaccination clinics. The Police Reform and reinvention Committee is compiling a report of their work and when finalized it will be shared with the legislature during a Committee of the Whole meeting.

County Manager Matt Landers stated he continues to pour over the Governor’s proposed budget. He noted there are aspects that are harmful to our county such as the proposed cut of \$160,000 in Video Lottery Terminal (VLT) but also noted the inclusion of a proposal from Genesee County pertaining to investment earnings.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 30 SET PUBLIC HEARING – AGRICULTURAL DISTRICT
NO. 4 REVIEW**

Legislator Yunker offered the following resolution:

WHEREAS, The creation of Agricultural District No. 4 was approved by the Genesee County Legislature by Resolution No. 240 adopted September 24, 1980 and certified by the State of New York on December 26, 1980, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications and recommendations proposed as a result of this review. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held as part of the eight-year review of Agricultural District No. 4 on Wednesday, April 28, 2021 at 5:30 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

Budget Impact: The only direct budget impact will be the cost for printing the legal ad itself.

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

**RESOLUTION NO. 31 2020 BUDGET AMENDMENT - SHERIFF/K-9 PROGRAM-
APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, K9 Rayzor required surgery at a cost of approximately \$4,102, and there were related costs for his handler's lodging, vehicle fuel and food to transport Rayzor to the hospital where the surgery was performed, as well as a recovery bed for Rayzor, for a total cost of approximately \$4,535, and

WHEREAS, K9 Frankie had dental issues, which required surgery, and the total cost of Frankie's vet visits and surgery is \$2,317, and

WHEREAS, There are funds available in the K-9 Donations Reserve Account, from gifts and donations that have been made to the K9 Program to cover these costs, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 budget as follows:

\$6,852 to A3110.4800.3317 (Program Exp-Canine Program)

To be offset by increasing the following revenue account:

\$6,852 to A3110.2705 (Gifts and Donations), with funds to come from A915.6 (K-9 Assigned Unappropriated Funds)

Budget Impact Statement: Increase in Sheriff's 2020 appropriations in the amount of \$6,852; offset by an increase in revenue in a like amount, with funds to come from the K9 Donations Reserve Account.

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

**RESOLUTION NO. 32 ACCEPTANCE OF GRANT FUNDS & BUDGET
AMENDMENT-SHERIFF/JAIL-DCJS GRANT FUNDING-
LIVESCAN – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Sheriff requested authorization to accept grant funding from the NYS Division of Criminal Justice Services, in the amount of \$11,250, in response to the 2020 Livescan Equipment Program, with funds to be used to purchase Livescan fingerprint processing equipment to be used at the Jail, and

WHEREAS, The grant does require 25% matching funds, in the amount of \$3,750, and these funds have been appropriated in the Jail 2021 budget, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 budget by increasing Jail account A3150.2030,0030 (Sheriff Equipment) in the amount of \$11,250, to be offset by an increase in revenue account A3150.4320 (Fed Aid-Crime Control) in a like amount.

Budget Impact: Increase in Jail 2021 appropriations in the amount of \$11,250, with funds to come from a NYS DCJS Livescan Equipment Program Grant; offset by an increase in revenue in a like amount.

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

**RESOLUTION NO. 33 INDEMNIFICATION – SHERIFF / DEFENSE AGREEMENT
– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Sheriff did present an agreement for indemnification and defense of the Sheriff for services rendered to the residents of the County of Genesee, as a component of the Sheriff's compensation for his term of office, and

WHEREAS, the Committee on Public Service did review said agreement 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 the Indemnification – Defense Agreement by and between the County of Genesee and the Sheriff of Genesee County for the period retroactive to January 1, 2021, through December 31, 2024.

BUDGET IMPACT: None.

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

**RESOLUTION NO. 34 CONTRACT AMENDMENT-PUBLIC DEFENDER/NYS
OFFICE OF INDIGENT LEGAL SERVICES-APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, The Public Defender does recommend the acceptance of the amendment to the contract between Genesee County and the New York State Office of Indigent Legal Services, Contract Number:C800018, Distribution # 8, to amend the contract by providing a one (1) year extension of the term to December 31, 2021. This contract funds our full-time Assistant Public Defender, part-time Assistant Public Defender, Investigator and Paralegal's salary and fringe benefits, a parity stipend for an Assistant Public Defender, cell phone service for one, landline telephone service for two, the investigator's mileage and CLEAR Investigation online service.

WHEREAS, the Public Service Committee did review the contract and recommends acceptance at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute this Amendment for Contract Number: C800018, Distribution # 8, with the New York State Office of Indigent Legal Services, A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210.

BUDGET IMPACT STATEMENT: Total contract revenue for 2021 in the amount of \$170,672 is contained within the 2021 Department Head Requested Budget in line A.1170.3025 Indigent Legal Services offset by like amounts in expenses.

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

**RESOLUTION NO. 35 RENTAL AGREEMENT AMENDMENT– JUSTICE FOR
CHILDREN ADVOCACY CENTER/ALBION – APPROVAL
OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Legislature did approve the acceptance of funding from the New York State Office of Children and Family Services in the amount of \$120,000.00 for the grant years running from 10/1/20 to 9/30/22; and

WHEREAS, Included in the acceptance of the 2020-22 NYS Office of Children and Family Services are the funds necessary to rent additional space to accommodate a medical examination room at our satellite office in Albion; and

WHEREAS, The Justice for Children Program Coordinator has made a request to rent vacant office space located adjacent to the existing suite occupied by the Justice for Children Advocacy Center in the Arnold Gregory Complex at 243 South Main Street, Albion, New York, 14411 and is managed by the DeGeorge Property Group; and

WHEREAS, The agreed upon rate per month for the additional office space is \$140.00, including heat, water, and electric utilities; and

WHEREAS, The landlord has offered a 3% discount if the lease is paid in full; and

WHEREAS, This modification to the existing lease will be in effect from February 1, 2021 through October 14, 2021 for a total of \$1,222.20; and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to modify the existing lease agreement, with the modified expense to be paid in full at the beginning of the lease, with DeGeorge Acquisition Group, LLC, 1067 Gateway Drive, Farmington, New York 14425 for the rental of the office located at 243 South Main Street, Suite 156, Albion, New York 14411 effective February 1, 2021 through October 14, 2021.

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

RESOLUTION NO. 36 CONTRACTUAL AGREEMENT- JUSTICE FOR CHILDREN ADVOCACY CENTER/MEDICAL DIRECTOR -APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, Included the acceptance of the 2020-22 NYS Office of Children and Family Services grant are contractual agreements for a Medical Director at the Justice for Children Advocacy Center; and

WHEREAS, The Justice for Children Program Coordinator did request enter a contractual agreement for a Medical Director for the Justice for Children Advocacy Center; and

WHEREAS, This contract will allow the JFCAC to enhance forensic medical services for children impacted by abuse and will allow the JFCAC to meet Standards of Accreditation by the National Children's Alliance; and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with John F. Coyne, M.D., F.A.A.P., with residence at 1215 Backus Road, Derby, NY 14047 to provide medical services to child-victims and administer the medical program for the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY for the period of January 1, 2021 through September 30, 2021 at a cost of \$3,500.00 per month.

Budget Impact: Funds for medical services are fully covered by a grant from the NYS Office of Children and Family Services and are already included in the 2021 Justice for Children Advocacy Center Budget.

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

RESOLUTION NO. 37 CONTRACTUAL AGREEMENT-JUSTICE FOR CHILDREN ADVOCACY CENTER/FORENSIC MEDICAL SERVICES -APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Included the acceptance of the 2020-22 NYS Office of Children and Family Services grant are contractual agreements for medical providers at the Justice for Children Advocacy Center; and

WHEREAS, The Justice for Children Program Coordinator did request enter a contractual agreement for a medical provider for the Justice for Children Advocacy Center; and

WHEREAS, This contract will allow the JFCAC to enhance forensic medical services for children impacted by abuse and will allow the JFCAC to meet Standards of Accreditation by the National Children’s Alliance; and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to enter into a contractual agreement with Cecilia Lyons, PNP with residence at 311 Ortner Road, Darien Center, NY 14040 to provide medical services to child-victims at the Justice for Children Advocacy Center, 304 East Main Street, Batavia, NY for the period of January 1, 2021 through September 30, 2021 at a rate of \$200.00 per forensic rape exam, \$150.00 per forensic child abuse exam, and \$50.00 per case review meeting .

Budget Impact: Funds for medical services are fully covered by a grant from the NYS Office of Children and Family Services and are already included in the 2021 Justice for Children Advocacy Center Budget.

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

**RESOLUTION NO. 38 AWARD OF BID – HIGHWAY/AVIATION LINE
SERVICE PRODUCTS - APPROVAL OF**

Legislator Yunker offered the following resolution:

WHEREAS, Genesee County requires a contract for the supply of aviation fuel products at the Genesee County Airport, and

WHEREAS, Genesee County has advertised bid specification for these products, and

WHEREAS, The Genesee County Highway Superintendent has reviewed these bids and does recommend an award at this time, and

WHEREAS, The Committees on Public Service has reviewed this recommendation and do concur, and Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby award the contract for the supply of aviation line service products with Ascent Aviation Group, One Mill Street, Parish, NY for the period of March 1, 2021 through February 28, 2023.

Budget Impact Statement: Airport Fund includes a budgeted expense for aviation fuel with offsetting revenue.

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

**RESOLUTION NO. 39 AWARD OF BID – HIGHWAY/AIRPORT GROUND
SERVICE EQUIPMENT- APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County has received a state aviation grant to aid in the purchase of ground service equipment, and

WHEREAS, Genesee County has advertised bid specification for these products and received three (3) bids, and

WHEREAS, The Genesee County Highway Superintendent has reviewed these bids and does recommend an award at this time, and

WHEREAS, The Committee on Public Service did review these recommendations and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby award Contracts #1 and #2 to SkyMark Refuelers LLC 610 Adams St, Kansas City, KS 66105 for a total amount of \$324,590. Contract #1 includes a Jet- A Refueler (Diesel Option) for \$189,600, and Contract #2 includes an AvGas Refueler (Diesel Option) for \$134,990.00.

RESOLVED, That the Genesee County Legislature does hereby reject bids for Contract # 4 – Ground Power Unit due to budget constraints. There were no bidders for Contract #3 – Aircraft Towing Vehicle (Tug) and that contract will be re-bid at a later date.

Budget Impact Statement: The total cost for these awards is \$324,590.00, which is partially covered by a state grant. The capital project established for this project has a balance of \$463,900.00, which is 75% state aid, and 25% local match from 1% sales tax

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

RESOLUTION NO. 40

**CONSULTANT AGREEMENT – HIGHWAY –
UPTON RD OVER BOWEN CREEK-- APPROVAL
OF**

Legislator Hawley offered the following resolution:

WHEREAS, The Genesee County has received federal aid to replace the Upton Rd over Bowen Creek bridge within the Town of Batavia, and

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

WHEREAS, The Committee on Public Service did review these recommendations and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a consultant agreement with C&S Companies, 150 State Street Suite 120, Rochester, NY 14614 in an amount not to exceed \$109,000.

Budget Impact Statement: This work is anticipated to start immediately. The total cost for this award is \$109,000, which is covered by a federal aid and a local match. The capital project established for this project has a balance of \$996,548.05, which is 95% federal aid, and 5% local match from 1% sales tax.

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

RESOLUTION NO. 41

**AWARD OF BIDS & CONSULTANT AGREEMENT –
HIGHWAY – 3 FEDERAL BRIDGE PROJECTS--
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County has received federal aid to replace the following three bridges: Meadville Rd over Canal Feeder in the Town of Alabama, Sharrick Rd over Murder Creek within the Town of Darien, and Tower Hill Rd over Spring Creek in the Town of Byron, and

WHEREAS, The County advertised the specifications for this work as a single project and did receive (9) nine bids from contractors, and

WHEREAS, The Genesee County Highway Superintendent did review these bids and make a recommendation for award at this time, and

WHEREAS, The Highway Superintendent also reviewed proposals from consultants for construction administration and inspection services related to this project and did make a recommendation to approve a consultant agreement at this time, and

WHEREAS, The Committee on Public Service did review these recommendations 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 construction contract with Union Concrete and Construction Corp, 435 Meyer Rd, West Seneca NY 14224 in the amount of \$1,767,387.00.

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a consultant agreement with CHA Consulting Inc., 2200 Main Place Tower,

Buffalo NY 14202 in an amount not to exceed \$340,000.

Budget Impact Statement: This work is anticipated to start immediately. The total cost for these awards are \$2,107,387.00, which is covered by established capital projects, which are funded by 95% federal aid, and a 5% local match from 1% sales tax. The total balance in the three capital projects is \$2,519,674.69. The cost broken down by project is as follows:

- 4BNY24 Meadville Rd – Contractor: \$458,529.19 Inspection Consultant: \$110,000.00
- 4BNY25 Sharrick Rd – Contractor:\$727,508.45 Inspection Consultant: \$123,000.00
- 4BNY27 Tower Hill Rd – Contractor: \$581,349.36 Inspection Consultant: \$108,000.00

The low bidder was approximately \$400,000.00 below the engineer’s estimate of probable construction costs for the entire project.

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

RESOLUTION NO. 42 GRANT AMENDMENT – COMPANION ANIMAL GRANT – ANIMAL SHELTER IMPROVEMENTS – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County has received state aid make improvements to the Genesee County Animal Shelter, and

WHEREAS, The Highway Superintendent has awarded a construction contract for these improvements to be completed, and

WHEREAS, The contractor is experiencing delays in the deliveries of manufactured materials required for the performance of work, and

WHEREAS, The Highway Superintendent recommends extending the grant execution period with the New York State Department of Agriculture and Markets to April 15, 2021 to accommodate this delay, 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 execute a grant agreement with the NYS Department of Agriculture and Markets for the Genesee County Companion Animal Grant at the Genesee County Animal Shelter.

Budget Impact Statement: The grant amendment only affects the contract period and does not affect the grant amount or the cost of the project. The grant agreement is for \$200,000 and a capital project has been established to cover the cost of improvements.

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

RESOLUTION NO. 43 AWARD OF BID – HIGHWAY/ASSET ACQUISITION – 6 x 4 DUMP TRUCK

Legislator Yunker offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed available county bids on dump trucks for use at the County Highway Department

WHEREAS, Onondaga County Contract #8996 provides for the piggyback purchase of dump trucks,

WHEREAS, The Genesee County Highway Superintendent does recommend awarding the bid to the lowest responsible bidder, and

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

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused 2022 Mack Granite 64FR Dump Truck from Beam Mack Sales and Service, Inc. 6260 East mollor Rd, East Syracuse, NY 13057 in an amount not to exceed \$242,370.86 per Onondaga County Contract #8996-2020 bid specifications.

Budget Impact: The equipment will be purchase using Asset Acquisition funds. Budgeted amount for this purchase is \$250,000 and the actual cost of the truck is \$242,370.86.

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

RESOLUTION NO. 44 **AWARD OF BID – HIGHWAY/ASSET ACQUISITION – ½ TON PICKUP TRUCK**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed available county bids on pickup trucks for use at the County Highway Department

WHEREAS, Onondaga County Contract #8771 provides for the piggyback purchase of pickup trucks,

WHEREAS, The Genesee County Highway Superintendent does recommend awarding the bid to the lowest responsible bidder, and

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

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused 2021 F-150XL Super Cab 4 x 4 pickup truck from Van Bortel Ford, 71 Marsh Rd, East Rochester, NY 14445 in an amount not to exceed \$31,734.52 per Onondaga County Contract #8771-2021 bid specifications.

Budget Impact: The equipment will be purchase using Asset Acquisition funds. Budgeted amount for this purchase is \$40,000 and the actual cost of the truck is \$31,374.52.

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

RESOLUTION NO. 45 **AWARD OF BID – HIGHWAY/ASSET ACQUISITION SKID STEER LOADER**

Legislator Maha offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed available county bids on loaders for use at the County Highway Department

WHEREAS, New York State OGS Contract #PC67141 provides for the purchase of loaders,

WHEREAS, The Genesee County Highway Superintendent does recommend awarding the bid to the lowest responsible bidder, and

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

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase a new and unused T76 T\$ Bobcat Compact Track Loader from Alexander Equipment, 3266 Buffalo Street, PO Box 215, Alexander, NY 14005 in an amount not to exceed \$56,353.50 as per the requirements of NYS Contract #PC67141 Award #PGB22792.

Budget Impact: The equipment will be purchase using Asset Acquisition funds. Budgeted amount for this purchase is \$85,000 and the actual cost of the equipment is \$56,353.50.

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

RESOLUTION NO. 46 **CHANGE ORDER – PHASE 2 WATER SUPPLY – CONTRACT 3B – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County has commenced work on several projects needed to expand water supply capacity under Phase 2 of the Countywide Water Supply Program, and

WHEREAS, Pump stations are being constructed in Churchville and Mumford as part of this program, and

WHEREAS, These projects have encountered changes in requirements, which have increased costs required to complete the projects, and

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

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

WHEREAS, The Committees on Public Service and Ways and Means 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 and directed to approve a change order to Contract 3B with Suburban Electric of Albion Inc, 225 E Bank St, Albion, NY 14411 in the amount of \$65,302 for the installation of a different Programmable Logic Controller (PLC) within the Motor Control Center (MCC); eliminating the power management system; modifying the MCC; increasing the height of the telemetry tower from 50 feet to 70 feet, adding an additional telemetry tower at the Riga Pump Station and adding a backup power system for the MCC.

Budget Impact: The total amount for the change order is \$65,302 The change order was necessary so that MCWA can remotely monitor and control the operation of the pump stations. This is the second change order on this contract and brings the total contract cost to \$832,984.50. The original award of the contract was for \$759,000.

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

RESOLUTION NO. 47 REAPPOINTMENT –FISH & WILDLIFE MANAGEMENT ACT BOARD - APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The Landowner member of the Fish & Wildlife Management Board has been held by Timothy J. Woodward, and

WHEREAS, a minimum 3-member board, appointed by the Legislature includes a sportsman, landowner and legislator and also the Soil & Water Chair or their designee is an automatic member, and

WHEREAS, Timothy J. Woodward is desirous of reappointment and the Committees on Public Service and Ways and Means do recommend reappointment at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint the following to serve on the Fish & Wildlife Management Board;

Timothy J. Woodward Landowner Representative 1/1/21-12/31/22

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

RESOLUTION NO. 48 APPOINTMENT-SOIL & WATER CONSERVATION DISTRICT DIRECTOR/KINGSTON-APPROVAL OF

Legislator Yunker offered the following resolution:

WHEREAS, The Soil & Water Conservation District was established according to State Law known as the Soil Conservation Districts Law (1940) on October 16, 1944 and the first Directors were appointed by Resolution No. 63-1945, and

WHEREAS, The Board of Directors sets policy and guides District employees with types of conservation problems in the county and one director is appointed upon recommendation of Genesee County Farm Bureau, and

WHEREAS, Tadeus Konieczka, who served as the Farm Bureau appointee, has submitted his resignation and Farm Bureau now recommends James Kingston of Elba, New York be appointed, and

WHEREAS, The Committees on Public Service and Ways & Means do recommend James Kingston be appointed as a Director. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint James Kingston of Elba, New York to the Genesee County Soil & Water Conservation District Directors to complete the term of the Farm Bureau representative through December 31, 2021.

Budget Impact Statement: none.

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

**RESOLUTION NO. 49 CONTRACT –ACCEPTANCE OF SMALL
SUV/CROSSOVER VEHICLE BID FOR USE BY
RICHMOND PUBLIC LIBRARY – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, The Richmond Public Library contacted the Genesee County Purchasing Department to request assistance with purchasing a new vehicle, and

WHEREAS, The Purchasing Office did request bids for a Small SUV/Crossover Vehicle to be purchased by the Richmond Public Library, and

WHEREAS, One bid was received from Genesee Valley Chrysler Dodge Jeep Ram, and

WHEREAS, The Richmond Public Library Director reviewed the bid and approved the purchase of the vehicle using this bid, and

WHEREAS, The Committee on Ways and Means did review the bid 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 enter into a contract with Genesee Valley Chrysler Dodge Jeep Ram to accept the bid that was submitted to provide The Richmond Public Library, and any other municipalities that wish to use the bid via the Piggyback Clause, access to the vehicle pricing that was submitted as part of this bid. This contract will be in place for a period of 90 days beginning on December 10, 2020.

Budget Impact: None. This contract is for use by the Richmond Public Library. Genesee County does not anticipate using this contract to purchase vehicles.

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

Legislator Torrey made a motion to amend the following resolution to add language pertaining to a budget amendment and transfer as well as account numbers and amounts seconded by

Legislator Klotzbach, carried unanimously.

**RESOLUTION NO. 50 2021 SALARY SCHEDULE AMENDMENT – HEALTH
DEPARTMENT/CLERK TYPIST-COVID – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director has requested the creation of two temporary full time positions of a Clerk Typist, and

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

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2021 Genesee County Employee Salary Schedule by creating two temporary full time positions of Clerk Typist (CSEA Grade 6) effective from 1/25/2021 until 7/23/2021 and be it, further

RESOLVED that the Genesee County Treasurer is hereby authorized and directed to transfer \$21,622 to A4010 1010.000 Personal Services, \$2500 to A4010 8010.0000 Social Security tax and \$650 to A4010 8011.0000 Medicare Tax from A6100 4800.0000 Program Expense in the amount of \$24,772, and be it, further

RESOLVED that the Genesee County Treasure is hereby authorized and directed to amend the 2021 A4010 budget by increasing A4010 1010.0000 Personal Services \$13,935 which will offset by increasing A4010 3401 State Aid in a like amount.

Budget Impact: The creation of two full time Positions of Clerk Typist will take effect from 1/25/2021 until 7/23/2021 The Clerk Typist's salary and fringe (\$38,707) are allocated in the 2021 Health Department budget. The position's salary is partially funded by state aid/performance funds. The cost to the county will be approx. \$22,158. Legislator Klotzbach seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 51 OFFICIAL TOURISM AGENCY -DESIGNATION OF

Legislator Torrey 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 2020 and plans for 2021 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, 2021 through December 31, 2021.

Budget Impact Statement: No fiscal impact.

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

RESOLUTION NO. 52 CHAMBER OF COMMERCE/TOURISM CONTRACT - APPROVAL OF

Legislator Torrey 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 2021 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 2021 to be funded from the County's 2021 hotel and motel tax receipts up to an amount not to exceed \$300,000 for publicity and tourism services for the calendar year ending December 31, 2021.

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 \$300,000.

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

RESOLUTION NO. 53 2020 BUDGET AMENDMENT – COUNTY MANAGER-APPROVAL OF

Legislator Maha offered the following resolution;

WHEREAS, Several attorneys were added to the Westlaw contract (Thomson Reuters-West) throughout 2020, which increased the cost of the contract, and

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

WHEREAS, The County Manager does request an amendment to the 2020 County Manager Budget to accommodate the increase in cost, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2020 Budget as follows:

Increase Revenue	A.1230.2811	Shared Svcs. County Manager	\$1,183
Increase Expense	A.1230.4160.0000	Publications, County Manager	\$1,183

Budget Impact: Cost increase will be allocated to specific departments who added additional attorneys. Some departments have offsetting grant revenue to cover the cost.

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

RESOLUTION NO. 54 COUNTY AUDIT –JANUARY 27- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Klotzbach, did review the following claims:

General Fund 2020	\$	389,119.21
General Fund 2021		701,784.49
Voluntary Distribution 2021		833,335.00
Sales Tax 2020		1,719,351.16
Highway 2020		42,026.45
Highway 2021		16,249.99
Self Insurance 2020		59,897.32
Water Fund 2020		591,492.15
Water Fund 2021		74.10
DSS Abstracts		553,011.27
Capital Projects 2020		
Highway- Chipseal		160,964.21
Highway-Sharrick Road Bridge Over Murder Creek		885.38
Highway-Tower Hill Road Bridge Over Spring Creek		2,239.92
Highway-Meadville Road Bridge Over Canal Creek		2,756.45
Airport-Apron Reconstruction & Obstruction Removal		15,000.00
Airport-Hangar Demolition (Construction		143,571.43
Airport-Airport T-Hangar Construction (AIR-99)		23,275.00
Payroll – General		
January 15, 2021		1,186,059.45
Medicaid		
January 19, 2021		132,890.00
January 26, 2021		<u>132,890.00</u>
Total Audit	\$	6,706,872.98

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 Maha seconded the resolution which was adopted by 326 votes.

Legislator Clattenburg made a motion to suspend the rules of the legislature to add a resolution ratifying and approving two agreements executed by the Legislature Chair regarding COVID -19 vaccination services by volunteers and paid workers seconded by Legislator Torrey, carried unanimously.

**RESOLUTION NO. 55 TO RATIFY AND APPROVE TWO AGREEMENTS
EXECUTED BY THE CHAIR REGARDING COVID-19
SERVICES**

Legislator Torrey offered the following resolution:

WHEREAS, on January 14, 2021, the County of Genesee Legislature adopted Resolution No. 28-2021 entitled “To Grant Emergency Powers for the Chair to Execute Necessary COVID-19 Documents” and

WHEREAS, on January 20, 2021, the County conducted its first clinic to administer COVID-19 vaccinations, and

WHEREAS, before the start of this first clinic, it was necessary for the Chair to sign on an emergency basis two Agreements that were necessary to financially protect workers at the clinics who are not County employees in the event that they suffer illness or injuries, and/or are named as defendants in a lawsuit, in the same manner as County insurance protections apply to employees, and

WHEREAS, one of the Agreements refers to workers who are unpaid volunteers, and the second Agreement applies to professionals who are administering vaccination shots, and

WHEREAS, prior to the execution of these two Agreements, the Chair was advised by the County Attorney that according to information received by him from a representative of Lawley Services, the current insurance policies with NYMIR will protect the County regarding any claims by or against non-employees that are directly related to Covid-19 services provided at the direction of the County. Now, therefore, Be it

RESOLVED, that the County of Genesee Legislature does hereby ratify the prior emergency executions by the Chair of the Legislature of an “Agreement for Services for COVID-19 Volunteers” and an “Agreement for Paid Services for COVID-19”, and be it further

RESOLVED, that the terms and conditions of both Agreements are hereby approved.

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

The meeting adjourned at 6:01 PM upon motion of Legislator Hawley seconded by Legislator Maha, carried unanimously.