

SIXTH DAY

GENESEE COUNTY LEGISLATURE

OLD COURT HOUSE – 7 MAIN STREET, BATAVIA, NY

WEDNESDAY, MARCH 26, 2025

The Genesee County Legislature met in Regular Session on Wednesday, March 26, 2025 at 5:30 PM in the Legislative Chambers of the Old Courthouse.

Legislator Yunker offered to assist with the audit and Legislator Maha offered the prayer and the Pledge to the Flag.

Roll Call was taken to establish a quorum with 8 in attendance: Legislators Stein, Hawley, Dibble, Torrey, Maha, Yunker, Clattenburg and Deleo with 1 absence (Klotzbach).

Proclamations & Commendations: Public Health Week (April 7-13) was presented by Legislator Torrey and accepted by Public Health Director Paul Pettit

Women's History Month was presented by Legislator Clattenburg and accepted by Genesee County Department Heads and Representing Staff.

Approval of Minutes: the March 12, 2025 Legislature Meeting minutes were approved by Chair Stein as presented.

Committee & Special Assignment Reports: Chair Stein stated that they had a very successful and highly attended Inter-County meeting on Friday at Batavia Downs. State Senator along with State Assemblyman and the new President and CEO of Batavia Downs joined. Having the President and CEO of Batavia Downs attendance showed their commitment in making sure Batavia Downs is well represented and understanding how important it is to those people who work at Batavia Downs. Also the ability to provide a venue for the county, which also generates sales tax. An update from NYSAC by Alex Regan was well received. An acknowledgement to Legislative Clerk, Lisa Casey for the terrific work organizing the meeting. Legislator Maha also thanked Lisa Casey for doing a great job. Legislator Torrey stated there was a recent study being done at GCC, the results of the study was in a press release. The study indicated that the college has an 86.4 million dollar impact on the GLOW region with some of the highlights being: having an impact on local economy, representing a .9% of the regions total gross, regional products supporting 1,163 jobs. In addition, for every taxpayer dollar spent in public funds our community gains \$7.70 in added income and social savings, students serving the economy, alumni and net impact. GCC alumni currently employed in the region workforce accounting to 57.5 million added annual income. Operations spending income, GCC added 14.4 million operational expenses, construction spending impact, GCC capital project generated 855 thousand dollars additional. Lastly, he stated the GCC transition of new leadership is seemingly going smoothly.

Communications & Petitions: *Travel Out-of-State Request:* Wadhams, DPW to Chicago, IL for 2025 NACE Annual Conference: Total Cost \$2,065. Legislator Hawley motioned to approve the travel request, seconded by Legislator Dibble followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Travel Out-of-State Request: Rachel Diehl, Sheriff's Office to Washington, DC for National Police Week: Total Cost \$1,992. Legislator Dibble motioned to approve the travel request, seconded by Legislator Yunker followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Travel Out-of-State Request: Ian Sanfratello, Sheriff's Office to Washington, DC for National Police Week: Total Cost \$1,992. Legislator Yunker motioned to approve the travel request, seconded by Legislator Maha followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Travel Out-of-State Request: M. Lute, A. Hale, K. Krzemien and H. Carlson, Sheriff's Office to Washington, DC for National Police Week: Total Cost \$2,260.61. Legislator Maha motioned to approve the travel request, seconded by Legislator Clattenburg followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Travel Out-of-State Request: J. Diehl, R. Schildwaster and J. McClellan from the Sheriff's Office to travel to Washington, DC for National Police Week: Total Cost \$100. Legislator Clattenburg motioned to approve the travel request, seconded by Legislator Deleo followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Travel Out-of-State Request: Sheriff Graff and Chief Deputy Frieday with the Sheriff's Office heading to Washington, DC for National Police Week: Total Cost \$100. Legislator Deleo motioned to approve the travel request, seconded by Legislator Torrey followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Legislator Comments: Chair Stein stated the Chairs from the counties of New York State have been asked by NYSAC to sign a letter that urges the slow down of the rapid act and the office of renewable energies siting permitting process. The letter asked for a more measured approach to provide a necessary time to address new technologies that are more reliable and cost effective for energy sources. She also noted that State Senator Jeremy Cooney put forth a bill to pause the rapid act from being implemented in 2027 and asked that it be pushed out.

County Manager Report: County Manager Matt Landers stated that he signed off on an invoice for the first 25% of the broadband project, which has been verified with people being offered access and the hookups are in place, this is through Genesee Finger Lakes Regional Planning Council who go through and double check. The invoice will be included with the next audit. Lastly, he welcomed the new Property Director Sarah Lippincott.

Resolutions-Consent Agenda Items - Ways And Means:

Resolutions 1-16 of the Ways and Means Committee:

1. Disposition Of Surplus Property–Treasurer
2. Purchase Of New Election Machines & Budget Amendment–Board Of Elections
3. Disposition Of Surplus Property–Board Of Elections
4. 2025 Management Salary Schedule Amendment-Board Of Elections
5. 2025 Management Salary Schedule Amendment-Board Of Elections
6. Amendment To Sick Leave Credit For Medical Policy–Human Resources
7. Contract Amendment–Third Party Administration Of Self-Funded Pharmacy Benefit Plan
8. Contract Amendment–Central Services/ Unified Court System
9. Contract Amendment-Public Defender/NYS Office Of Indigent Legal Services/1-Year Extension
10. Budget Transfer–Sheriff/NYS DHSES Domestic Terrorism Prevention Grant Funds
11. Authorization-Sheriff/800 MHZ Radio System Access
12. Salary Schedule Amendment-JFCAC/Elimination of Supervising Clinical Social Worker Position/Creation of Clinical Therapist Position
13. Change Order/Capital Project Amendment/Budget Amendment-DPW/ Energy Performance Contract
14. Award of Bid-DPW/Engine House Furniture, Fixtures, and Equipment
15. Consultant Agreement–DPW/SMRT Facility Utilization and Capital Plan Study
16. Consultant Agreement –DPW/Countywide Water Program/Arcadis Mumford Pump Station Pump Replacement Evaluation and Recommendation

Legislator Clattenburg motioned to approve resolutions 1-16 of the Ways and Means Committee meeting, seconded by Legislator Dibble followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Consent Agenda Items - Public Service Committee:

Resolutions 17 through 20 of the Public Service Committee:

17. Property Access Request–USDA/NY European Cherry Fruit Fly Program
18. Contract Renewal-Airport/Line Service Products
19. Contract–Genesee County Soil And Water Conservation District
20. A Resolution Opposing Governor Kathy Hochul's Executive Order Barring Correctional Officers From Future State And Local Government Employment

Legislator Maha motioned to approve resolutions 17-20 of the Public Service Committee meeting, seconded by Legislator Yunker followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Non-Consent Items:

Resolution 21

21. County Audit – March 26, 2025

Legislator Clattenburg motioned to approve resolution 21, seconded by Legislator Yunker followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Rule 19:

Legislator Clattenburg motioned to suspend the rules of the Genesee County Legislature to add one timely resolution: Appointment – Director of Real Property Tax Services /Lippincott seconded by Legislature Maha followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total weighted vote of 184.

Resolution 22

22. Appointment – Director of Real Property Tax Services /Lippincott

Legislator Clattenburg motioned to approve resolution 22, seconded by Legislator Maha followed by a roll call of 8 ayes, 0 opposed and 1 absence (Klotzbach-16) for a total vote of 184.

Unfinished Business: None.

Adjournment: Chair Stein adjourned the meeting at 6:07 p.m.

RESOLUTION NO. 115

**DISPOSITION OF SURPLUS PROPERTY–
TREASURER–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Treasurer's Office possesses four (4) roller desk chairs and four (4) desk chairs, two (2) corkboards, one (1) metal desk, one (1) secretary desk, one (1) desk with overhead shelves, one (1) portion of an L shaped desk, two (2) 4 drawer filing cabinets, one (1) table, one (1) gather-ease collator, one (1) microseal microfilm inserter, one (1) check audit system, one (1) metal tall paper/mail organizer, and

WHEREAS, the above items are no longer needed in the Treasurer's Office, and

WHEREAS, the County Treasurer is requesting to dispose of the above items, 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 Purchasing Director is hereby authorized to dispose of the four (4) roller desk chairs and four (4) desk chairs, two (2) corkboards, one (1) metal desk, one (1) secretary desk, one (1) desk with overhead shelves, one (1) portion of an L shaped desk, two (2) 4 drawer filing cabinets, one (1) table, one (1) gather-ease collator, one (1) microseal microfilm inserter, one (1)

check audit system, one (1) metal tall paper/mail organizer by the method deemed most appropriate by that department.

Budget Impact: Should any of the items sell at auction, the proceeds shall go to the General Fund. Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 116 PURCHASE OF NEW ELECTION MACHINES/
BUDGET AMENDMENT–BOARD OF ELECTIONS–
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Commissioners of the Board of Elections are in need of new election machines because the current 28 scanners are no longer supported and some have failed on Election Day and are not handicap accessible, and

WHEREAS, the Commissioners have received pricing to buy vs. leasing 24 new Dominion voting machines. The cost to lease over the next eight years would cost the county \$417,024, whereas the cost to purchase the equipment is \$254,700 plus \$11,040 annually for maintenance after year 5. The break-even point occurs in year five of ownership vs. leasing, so instead of paying in excess of \$55,000 after year five of leasing, the county would only pay \$11,040 for licensing and hardware warranty, and

WHEREAS, Commissioner German reviewed the lease vs. buy with the County Manager, and the manager agreed buying the equipment is in the best interest financially for the county and the manager agreed using 1% sales tax to pay for the equipment, and

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

RESOLVED, that the Genesee County Treasurer is hereby authorized and directed to amend the 2025 budget by increasing Appropriation A.1450 2070.0065 Voting Machines in the amount of \$254,700.00 and by increasing Revenue A.1000 1110.1 1% Sales Tax in a like amount, and be it further

RESOLVED, that the Genesee County Legislature authorizes the Election Commissioners to purchase 24 Dominion Voting Machines per NYS Contract Number PC69385 from Dominion Voting System Corporation, 1201 18th Street, Denver CO 80202 in an amount not to exceed \$254,700.00

Budget Impact: This will use \$254,700.00 of 1% Sales Tax to purchase 24 Dominion Voting Machines.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 117 DISPOSITION OF SURPLUS PROPERTY–BOARD
OF ELECTIONS–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Board of Elections does possess election equipment that is no longer needed, and

WHEREAS, no other department has shown any interest in this equipment, and

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

RESOLVED, that the Purchasing Director is hereby authorized to dispose following election equipment by the method deemed most appropriate by that department:

17 - Metal Voting Machine Base

20 - Privacy Screens

70 – Plastic Table Top Bottoms

42 – Lights with cases

Budget Impact: Any proceeds from a sale would go to the general fund's sale of scrap account.
Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 118 2025 MANAGEMENT SALARY SCHEDULE
AMENDMENT-BOARD OF ELECTIONS-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Board of Elections is required to have Election Day workers as employees of the county per IRS regulations, and

WHEREAS, the Board of Elections wishes to comply with this regulation and will need to add 100 positions of Coordinators and 200 positions of Election Inspectors to include alternates, and

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

RESOLVED, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2025 Management Salary Schedule by establishing the position of Coordinator at a rate of \$360.00 for a 16 hour Election Day and \$171 for an Early Voting Day and establish the position of Election Inspector at a rate of \$320.00 for a 16 hour Election Day and \$152.00 for an Early Voting Day and establish a rate of \$60.00 for training.

Budget Impact: Funds were budgeted for 152 total positions, we may need to do a budget amendment to cover training for those that get trained beyond the budgeted 152 positions.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 119 2025 MANAGEMENT SALARY SCHEDULE
AMENDMENT-BOARD OF ELECTIONS-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Commissioners of the Board of Elections desire to create 2 Senior Clerk/Machine Technicians in order to provide proper supervision to the other Clerk/Machine Technicians, and

WHEREAS, the Commissioners feel this new arrangement will provide a more orderly structure at the warehouse and a better line of communication between the office staff and the Clerk/Machine Technician staff, and

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

RESOLVED, that the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2025 Management Salary Schedule by establishing two positions of Senior Clerk/Machine Technician for 22 hours per week at \$23.00 per hour and deleting 2 positions of Clerk/Machine Technician effective March 31, 2025.

Budget Impact: This will result in an additional \$2.00 per hour for each position plus medical benefits. For the remainder of 2025, the approximate increase in the personnel costs would be \$1,760.00 plus benefits. The increased costs will be covered because fewer hours have been worked by Clerk/Machine Technicians than what was budgeted.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 120 AMENDMENT TO SICK LEAVE CREDIT FOR
MEDICAL POLICY-HUMAN RESOURCES-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 21 in the year of 2025 amended the Genesee County Policy Handbook for Managerial Personnel's existing policy for Sick Leave Credit for Medical, and

WHEREAS, the Genesee County Manager and Human Resources Director do recommend changes to the Genesee County Policy Handbook for Managerial Personnel's existing policy for Sick Leave Credit for Medical at retirement, with respect to Genesee County retirees at age 65 or of any age receiving Medicare due to disability, who enroll in any insurance in addition to Medicare, and

WHEREAS, The Committee on Ways and Means has reviewed the changes as presented by the Human Resources Director and does recommended the approval at this time.

Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby adopt the amendments to the Genesee County Policy Handbook for Managerial Personnel's Sick Leave Credit for Medical policy for Genesee County, as presented by the County Manager and the Human Resources Director, effective March 27, 2025.

Budget Impact: Variable depending on the annual employee retirements per department with a cost of approximately \$2,220 per occurrence.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 121

**CONTRACT AMENDMENT—THIRD PARTY
ADMINISTRATION OF SELF-FUNDED
PHARMACY BENEFIT PLAN—APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 358 in the year 2020 awarded a contract to provide Third-Party Administration for the Genesee County's Self-Funded Prescription Drug Plan to Keenan Pharmacy Purchasing Coalition (KPPC), and

WHEREAS, the Inflation Reduction Act (IRA) made significant modifications to the Medicare Part D prescription drug program affecting whether a group health plan's prescription drug coverage is considered creditable coverage, and

WHEREAS, to assist in the creditability determination of the County's prescription drug coverage a review of the existing pharmacy benefits plans must be done by a qualified actuary, using generally accepted actuarial principles in accordance with the Centers for Medicare and Medicaid 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 amend the contract with Keenan Pharmacy Purchasing Coalition (KPPC), 2355 Crenshaw Blvd, Suite 200, Torrance, CA 90501, to provide an actuary review of the County's group health plan's prescription drug coverage at a cost of \$1,800.

Budget Impact: \$1,800 is included in the 2025 Health Plan Fund.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 122

**CONTRACT AMENDMENT—CENTRAL SERVICES/
UNIFIED COURT SYSTEM— APPROVAL OF**

Legislator Clattenburg offered the following resolution

WHEREAS, 2023 Resolution No. 284 authorized Genesee County to enter into an agreement with the New York State Unified Court System for the Court Facilities Incentive Aid Program for the period of April 1, 2023 through March 31, 2024, and

WHEREAS, This Aid Program allows for the State reimbursement for Genesee County expenses

associated with the cleaning and minor repairs of the courts facilities, and

WHEREAS, The New York State Unified Court System has presented the Genesee County Manager with a revised Appendix B Court Cleaning and Minor Repairs Proposed Budget Form for the period of April 1, 2024 through March 31, 2025. Now, therefore, be it

RESOLVED, That the Genesee County Legislature Chairperson is hereby authorized and directed to execute the Contract Amendment letter which amends the County's agreement with the New York State Unified court System for expense reimbursement to include Appendix B, Unified Court System Cleaning and Minor Repairs Proposed Budget Form, for the period April 1, 2024 through March 31, 2025.

Budget Impact: Proposed maximum State reimbursement of \$232,784 has been budgeted as revenue in the Central Services, Information Technologies and Facilities Management operating budget.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 123

**CONTRACT AMENDMENT-PUBLIC DEFENDER
/NYS OFFICE OF INDIGENT LEGAL SERVICES/1-
YEAR EXTENSION - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Public Defender does recommend the acceptance of the amended contract between Genesee County and the New York State Office of Indigent Legal Services (ILS), Contract Number: C120018, Distribution # 12, providing for a one-year extension of the contract from January 1, 2025 to December 31, 2025, and

WHEREAS, the contract funds a part-time Assistant Public Defender and a salary supplement for a full-time Assistant Public Defender, a portion of the Investigator's and Paralegal's salary and fringe benefits, stipend for a legal clerk-typist and 1/2 of the retirement and full medical cost of another legal clerk-typist, and

WHEREAS, the Committees of Public Service and Ways and Means does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to execute Contract Amendment for 1-year extension January 1, 2025-December 31, 2025 to Contract No.: C120018, Distribution # 12, between Genesee County Public Defender and the New York State Office of Indigent Legal Services, located at the A. E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210.

Budget Impact: Public Defender contract revenue for 2025 in the amount of \$36,055 is contained within the 2025 adopted budget in line A.1170.3025 Indigent Legal Services offset by like amounts in expenses.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 124

**BUDGET TRANSFER-SHERIFF/NYS DHSES
DOMESTIC TERRORISM PREVENTION GRANT
FUNDS-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, per Resolution #27 dated 1/30/25, NYS DHSES Domestic Terrorism Grant funds were accepted in the amount of \$172,413, as well as a budget amendment adding the funds to a contractual line item in the Sheriff's 2025 budget, and

WHEREAS, a portion of the funds was to be used to cover personnel costs for organizational activities, and overtime and backfill costs for exercises, and

WHEREAS, the Sheriff is requesting a budget transfer to move the funds to the appropriate personal services line items, 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 make the following budget transfer:

\$164,413 from A3110.4800.0503 (Program Expense Homeland Security)

\$155,000 to A3110.1010.0000 (Personal Services)

\$9,413 to A3110.1020.0000 (Over-Time Salaries)

Budget Impact: There is no budget impact as the Domestic Terrorism Prevention Grant Funds previously added to the Sheriff's 2025 budget will be transferred to line items within the Sheriff's budget.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 125 AUTHORIZATION-SHERIFF/800 MHZ RADIO
SYSTEM ACCESS-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County established an 800 MHz radio system policy on October 23, 1996, for public safety and public service agencies utilizing the Genesee County 800 MHz radio system, and

WHEREAS, the Genesee County Legislature designated the Office of the Genesee County Sheriff to administer the Genesee County 800 MHz radio system, and

WHEREAS, after discussions between the Sheriff, County Attorney, County Manager, Director of Emergency Management, E911 Operations Board, and the Director of Emergency Communications, it is recommended the County Legislature empower the Genesee County Sheriff, to issue written authorization to public safety and public service user agencies that have a documented need to access and operate on the Genesee County 800 MHz radio system, and

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

RESOLVED, that the Sheriff of Genesee County is hereby authorized and directed to enter into Authorizations for Radio System Access with public safety and public service agencies to operate on the Genesee County 800 MHz radio system.

Budget Impact: There is no budget impact associated with these authorizations.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 126 SALARY SCHEDULE AMENDMENT-JFCAC/
ELIMINATION OF SUPERVISING CLINICAL
SOCIAL WORKER POSITION/ CREATION OF
CLINICAL THERAPIST POSITION-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Supervising Clinical Social Worker- JFCAC at the Justice for Children Advocacy Center has resigned, resulting in a vacancy as of February 24, 2025; and

WHEREAS, after discussions with the Sheriff and Human Resources, it has been determined that deleting this one Supervising Clinical Social Worker- JFCAC position and creating a Clinical Therapist-JFCAC position would be in the best interest of the Justice for Children Advocacy Center and the County; and

WHEREAS, implementing this change will result in the Justice for Children Advocacy Center being staffed with one Program Coordinator, one Lead Family Advocate, two Family Advocates,

one Clinical Therapist, and one part-time Financial Management Assistant, and one part-time Clerk/Typist; and

WHEREAS, the Justice for Children Program Coordinator is respectfully requesting an amendment to the 2025 Employee Salary Schedule that will eliminate one 30 hour per week, competitive CSEA Grade 20M Supervising Clinical Social Worker- JFCAC position and add a 37.5 hour per week, competitive CSEA Grade 20J Clinical Therapist- JFCAC position. Now, therefore, be it

WHEREAS, the Committees on Public Service and Ways and Means did review the request and do recommend the changes be implemented 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 2025 Employee Salary Schedule by eliminating a 30 hour per week, competitive CSEA Grade 20M Supervising Clinical Social Worker- JFCAC position and adding a 37.5 hour per week, competitive CSEA Grade 20J Clinical Therapist- JFCAC position, effective March 27, 2025.

Budget Impact: Grants from the New York State Office of Victim Service and New York State Office of Children and Family Service fully fund this position.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 127

CHANGE ORDER/CAPITAL PROJECT

AMENDMENT /2025 BUDGET AMENDMENT-DPW/

ENERGY PERFORMANCE CONTRACT -

APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County executed an Energy Performance Contract with Johnson Controls, Inc. under the authority of Resolution 179-2018,

WHEREAS, work programmed at certain County-owned buildings were left off this Energy Performance Contract due to planned facility disposals or remaining useful life of fixtures, and

WHEREAS, the County now intends to replace outdated and unserviceable lighting at the Genesee County Airport, and

WHEREAS, the Genesee County Commissioner of Public Works recommend issuing a change order to the existing Energy Performance Contract with Johnson Control, Inc. to perform needed lighting upgrades at the Genesee County Airport, and

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

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the Chairperson of the Legislature to execute Change Order #005 with Johnson Controls, Inc., 90 Goodway Drive, Rochester, NY 14623, increasing the contract by \$97,860 for a total Performance Contract amount of \$5,966,850.

RESOLVED, that the Genesee County Legislature does hereby direct the County Treasurer to make an amendment to Capital Project Energy Performance Contract by increasing the project \$97,860 from the Infrastructure Reserve, and be it further

RESOLVED, that the Genesee County Legislature does hereby authorize and direct the County Treasurer to amend the 2025 Budget by increasing A.1000 9999 Balancing-Appropriated in the amount of \$97,860 utilizing the A915.4 Assigned Unappropriated - Infrastructure reserve offset by increasing A.9950 9000.0000 Transfer to Capital in a like amount and to also amend H.1997 5031 Interfund Transfer in the amount of \$97,860 offset by an increase to H.1997 2080.0000 Capital Project Expense in a like amount.

Budget Impact: Airport lighting was not covered by the initial phases of the Energy Performance Contract with Johnson Controls. The lighting at the County Airport has exceeded its useful life and can be replaced under this contract. The return on investment for the lighting is 8.2 years with expected useful life of the new lights between 13 and 22 years depending on actual usage. The cost of the change order is \$97,860 to be funded from the Infrastructure Reserve.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 128 AWARD OF BID-DPW/ENGINE HOUSE
FURNITURE-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Commissioner of Public Works and Purchasing Officer did advertise local specifications developed for furniture needed for the Engine House Renovations, and

WHEREAS, bids were reviewed by the Deputy Commissioner of Public Works and the Purchasing Director for accuracy, and

WHEREAS, the Genesee County Commissioner of Public Works recommends awarding a bid at this time, and

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

RESOLVED, that the Genesee County Legislature does hereby award bids for the purchase of furniture for use in the Engine House Renovations to Eaton Office Supply Company, Inc., 180 John Glenn Drive, Amherst, NY 14228 at a price not to exceed \$72,977.23.

Budget Impact: The purchase of furniture was budgeted as part of the Engine House Renovation project. The capital project allotted \$94,000 for this purchase.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 129 CONSULTANT AGREEMENT-DPW/SMRT
FACILITY UTILIZATION AND CAPITAL PLAN
STUDY-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County desires to develop a strategic roadmap for the efficient future use and improvement of all of its facilities, and

WHEREAS, the Genesee County Commissioner of Public Works and Purchasing Officer did advertise a Request For Proposals from professionals to develop a Facility Utilization and Capital Plan, and

WHEREAS, a committee comprised of the Assistant County Engineer, Deputy Commissioner of Public Works, and the Assistant County Manager reviewed these proposals and selected the most qualified firm for this work, and

WHEREAS, the County Commissioner of Public Works does recommend entering into a consultant agreement to develop this plan, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a consultant agreement with SMRT, Inc., 433 State Street, 5th Floor, Schenectady, NY 12305 in the amount of \$167,056, for the development of a Facility Utilization and Capital Plan for Genesee County facilities.

Budget Impact: This consultant agreement is funded from the Capital Project for the Facility Utilization and Capital Plan Study Capital Project which has an available balance of \$250,000.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 130 CONSULTANT AGREEMENT–DPW/COUNTYWIDE
WATER PROGRAM/ARCADIS MUMFORD PUMP
STATION PUMP REPLACEMENT EVALUATION
AND RECOMMENDATION–APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County constructed pump stations as part of the Countywide Water Project – Phase 2, and

WHEREAS, pump impellers at the Mumford Pump Station have experienced premature corrosion due to material incompatibility issues as a result of regulatory changes within the water industry, and

WHEREAS, Genesee County and the Monroe County Water Authority have agreed to rectify these issues to provide water system resiliency within Genesee County, and

WHEREAS, the County Commissioner of Public Works does recommend entering into a consultant agreement to move forward with these repairs, and

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

RESOLVED, that the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a consultant agreement with Arcadis of New York, Inc., 100 Chestnut Street, Suite 1020, Rochester, NY 14604 in the amount of \$17,419, for the evaluation and recommendation for the replacement of pumps at the Mumford Pump Station.

Budget Impact: There are funds available in the 2025 Water Fund budget to cover this consultant agreement.

Legislator Dibble seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

**RESOLUTION NO. 131 PROPERTY ACCESS REQUEST – UNITED STATES
DEPARTMENT OF AGRICULTURE/NY
EUROPEAN CHERRY FRUIT FLY PROGRAM –
APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the United States Department of Agriculture (USDA) has requested access to all County-owned properties in order to place bait and traps under the New York European Cherry Fruit Fly Program, and

WHEREAS, the County has an established history in working with the USDA in monitoring invasive pests, and

WHEREAS, the Genesee County Commissioner of Public Works and County Attorney have reviewed this request and do recommend that the County grant permission at this time, and

WHEREAS, the Committee on Public Service does concur with this recommendation at this time. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby authorize the Chairperson of the County Legislature to grant authority to the USDA to access all County-owned properties through September 30, 2025 for the placement of bait and traps under the New York European Cherry Fruit Fly Program.

Budget Impact: None

Legislator Yunker seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 132**CONTRACT RENEWAL–AIRPORT/LINE SERVICE
PRODUCTS – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, the County of Genesee does contract with Ascent Aviation Group for Genesee County Airport line service products, and

WHEREAS, Genesee County awarded an existing contract for this product that expired on February 28, 2025, and

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

WHEREAS, the County Commissioner of Public Works does recommend the contract be renewed and the Committee of Public Service 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 for the first one year renewal with Ascent Aviation Group, One Mill Street, Parish, NY 13131 for line service products for the Genesee County Airport for the period of March 1, 2025 through February 28, 2026.

Budget Impact: Airport fund includes a budgeted expense for aviation fuel with offsetting revenue. Legislator Yunker seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 133**CONTRACT–GENESEE COUNTY SOIL AND
WATER CONSERVATION DISTRICT-APPROVAL
OF**

Legislator Maha offered the following resolution:

WHEREAS, the Public Service Committee has reviewed the proposed contract for 2025 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, 2025 through December 31, 2025 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: Funding of \$173,851 has been included in the 2025 Budget.

Legislator Yunker seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 134**A RESOLUTION OPPOSING GOVERNOR KATHY
HOCHUL'S EXECUTIVE ORDER BARRING
CORRECTIONAL OFFICERS FROM FUTURE
STATE AND LOCAL GOVERNMENT
EMPLOYMENT – APPROVAL OF**

Legislator Maha offered the following resolution:

WHEREAS, on February 19, 2025, Governor Kathy Hochul issued Executive Order 47 declaring a State Disaster Emergency in the State of New York and ordering into active service the New York National Guard to assist authorities in guaranteeing public property at various correctional facilities; and

WHEREAS, on March 10, 2025, Governor Hochul issued Executive Order 47.3 which, in part, prohibits Department of Corrections and Community Services employees from being hired by other state, county, or local government agencies; and

WHEREAS, this executive order suspends various laws, preventing local authorities from hiring or promoting correctional officers involved in the strike, despite local discretion in such matters; and

WHEREAS, this order has raised concerns about state overreach and undermines local control over hiring decisions, as well as disregards the unique circumstances of the officers involved; and

WHEREAS, the Executive Order has been met with significant opposition from local officials, including members of the Genesee County Legislature, who believe it unfairly penalizes officers and their families without proper consideration of individual cases.

NOW, THEREFORE, BE IT RESOLVED, that the Genesee County Legislature hereby opposes Governor Hochul's Executive Order 47.3 which prevents correctional officers involved in the strike from future state or local government employment; and

BE IT FURTHER RESOLVED, that the Genesee County Legislature urges Governor Hochul to reconsider the impact of this order on local control and fairness in employment decisions; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Hochul, members of the New York State Legislature, Inter-County Association of Western New York and relevant state agencies.

Legislator Yunker seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.

RESOLUTION NO. 135 COUNTY AUDIT–MARCH 26, 2025 -APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Yunker, did review the following claims:

2025 General Fund	3,306,505.11
2025 Highway	62,522.64
2025 Self Insurance	5.45
2025 Water Fund	249,825.64
DSS Abstracts	544,232.76
Capital Projects	
Sheriff's – Jail Construction	2,395.01
Airport – Replace Runway PAPI System	900.00
County Manager – Building Security Upgrades	4,726.50
Facilities Management – Engine House Renovations	116,900.12
Facilities Management – Holland Office Restoration & Life Safety Improvements (Design)	13,500.00
Payroll – General	
March 21, 2025	2,228,708.54
Medicaid	
March 18, 2025	181,406.00
March 25, 2025	<u>181,406.00</u>
Total Audit	\$ 6,893,033.77

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 Yunker seconded the resolution, which was adopted by 184 (Klotzbach-16 absent)

votes.

RESOLUTION NO. 136

**APPOINTMENT –DIRECTOR OF REAL
PROPERTY TAX SERVICES/LIPPINCOTT –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Deputy Director of Real Property Tax Services, Stephenie Davis-Reiss, has served as the Acting Director of Real Property Tax Services until the Genesee County Legislature appoints a Director of Real Property Tax Services, and

WHEREAS, a decision has been made after a thorough interview process to appoint a candidate to the Director of Real Property Tax Services position. The selected individual brings valuable experience and skills to the role, is actively involved with the NYS Association of County Directors of Real Property Tax Services, and has previous experience as an assessor, and

WHEREAS, the Legislature has selected Sarah Lippincott to serve as the Director of Real Property Tax Services, and

WHEREAS, the Committee of Ways and Means has met with Sarah Lippincott and recommends making this appointment. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby appoint Sarah Lippincott to a six year term as Director of Real Property Tax Services at an annual salary of \$91,134 effective April 28, 2025.

Budget Impact: The cost of this position has been included in the 2025 budget.

Legislator Maha seconded the resolution, which was adopted by 184 (Klotzbach-16 absent) votes.