

**NINTH DAY**  
**GENESEE COUNTY LEGISLATURE**  
**Batavia, New York**  
**Wednesday, May 12, 2021**

The Genesee County Legislature met in Regular Session on Wednesday, May 12, 2021 at 5:30 PM in the Legislative Chambers of the Old Courthouse and remotely using ZOOM. Legislator Maha assisted with the audit. The prayer was offered by Legislator Deleo followed by the Pledge to the Flag.

In addition to our regular meeting Legislature Chair Stein opened a public hearing on Local Law Introductory No. 1 Year 2021 The County Of Genesee, NY To Allow 12 And 13 Year Old Licensed Hunters To Hunt Deer With A Firearm Or Crossbow During Hunting Season With The Supervision Of A Licensed Adult. The following citizens spoke in support of the proposed local law: Mr. Louis Lang and Mr. Glen Adams. Mr. Lang urged Legislators to pass the local law and give these younger hunters a chance to hunt deer with the supervision of an adult licensed hunter. Both requested the legislature support the measure by voting in favor of adoption. Mr. Adams extended appreciation for the Genesee County Legislature taking up the matter so quickly. He is a Federation of Sportsmen officer and was speaking on behalf of the local organization with a membership of about 1200.

Legislator Maha presented National Police Week proclamation to members of the Genesee County Sheriff's Office and Batavia Police Department. Undersheriff Brad Mazur and Batavia Police Chief Shawn Heubusch accepted the proclamation and thanked members of their respective departments for putting their lives on the line each shift and for their continuous commitment to serve and protect the citizens of our County.

Legislators Dibble and Torrey presented National Mental Health Awareness Month Proclamation to Mental Health Director Lynda Battaglia and Mental Health Association Executive Director Tom Christianson. Ms. Battaglia commented on how much our mental health affects other aspects of health and well-being. More people are reporting mental health issues since the pandemic was declared and people were forced to work remotely or leave their jobs to care for children. There has been an increase in food instability, less opportunities to socialize and increased financial stress on individuals and families.

Minutes of the April 28, 2021 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

Legislator Yunker commented on the recent Rotary Club donation to the Youth Bureau and County Park and the work done by Rotarians and the Genesee County Highway employees lead by Deputy Superintendent Paul Osborn. Legislature Chair Stein stated the final Control Room call is scheduled for Friday, May 14<sup>th</sup>. The Treasury has opened a portal for counties to access the American Rescue Act funds. She reported activity from the Regional Economic Development Council and consolidated funding applications are being accepted. Congressional earmark funds are being requested by Senate Leader Schumer. Genesee County submitted requests to Congressman Jacobs for the new jail project and water. Another Genesee County emergency declaration was signed with the hope this will be the last.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 180      2021 AFFILIATION AGREEMENT-DEPARTMENT OF SOCIAL SERVICES/ UB SCHOOL OF SOCIAL WORK – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

**WHEREAS**, The Genesee County Commissioner of Social Services reviewed and approves of the affiliation agreement with the University at Buffalo for Jillian Reitz to participate in and complete an internship that will assist her in completing her Masters’ Degree in Social Work, 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 have reviewed the affiliation agreement and do 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 2021 Affiliation Agreement between the County of Genesee and University at Buffalo, effective August 1, 2021.

**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 by 326 votes.

**RESOLUTION NO. 181      AGREEMENT –PUBLIC HEALTH/NEW YORK STATE SEPTIC SYSTEM REPLACEMENT PROGRAM ROUND #2 FUNDING - APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, Genesee County has identified the repair and replacement of substandard septic systems as a critical community development need that will improve Genesee County’s housing stock and water quality; Genesee County agrees to accept the second round of funding (\$170,000) that will be added to the first round of funding (\$150,000) for a maximum aggregate amount of (\$320,000) from the New York State Septic System Replacement Fund Program, and

**WHEREAS**, the proposed county-wide program area is hereby defined as having many substandard on-site septic systems, located on the following waterbodies; Tonawanda Creek, Bowen Brook, Bigelow Creek and Oatka Creek; and

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an agreement with the New York State Environmental Facilities Corporation, having its principal place of business located at 625 Broadway #7, Albany, New York 12207, effective April 30<sup>th</sup>, 2021 thru December 31, 2026.

**Budget Impact:** \$64,000 is allocated in the 2021 4010 budget for Septic System Replacement Fund Program reimbursements. No budget amendment is necessary to the 2021 4010 budget.

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

**RESOLUTION NO. 182                      2021 SALARY SCHEDULE AMENDMENT- OFFICE FOR THE AGING - APPROVAL OF**

Legislator Hawley offered the following resolution:

**WHEREAS**, one Senior Client Services Outreach Assistant’s in the Office for the Aging did request a classification review of their position, and

**WHEREAS**, A reclassification review was conducted by the Genesee County Human Resources Department, resulting in a recommendation by the Human Resources Director that the Senior Client Services Outreach Assistant positions be reclassified to Aging Services Caseworker positions, and

**WHEREAS**, The Committees on Human Services and Ways and Means did review this recommendation and recommends 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 Employees' Salary Schedule by creating a position of Aging Services Caseworker, CSEA Grade 13; and deleting one position of Senior Client Services Outreach Assistant, CSEA Grade 9 effective immediately.

**Budget Impact Statement:** Neutral. The increase in salary, FICA and retirement totals \$1,319.28 and is covered by existing personnel and fringe lines, in part due to a previously vacant position and is not expected to impact the adopted 2021 county budget or change county share.

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

**RESOLUTION NO. 183      RENEWAL OF CONTRACT – OFFICE FOR THE AGING/  
CONSUMER DIRECTED IN-HOME SERVICES FISCAL  
INTERMEDIARY- RFP 2018-103 WILLCARE, INC. –  
APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Director of the Office for the Aging did present a renewal of contract established through RFP 2018-103 with Willcare, Inc., c/o parent company, LHC Group, Inc. 901 Hugh Wallis Rd South Lafayette, LA 70508 to serve as Fiscal Intermediary for Consumer Directed In-home Services operated by Genesee County Office for the Aging; and

**WHEREAS**, Homecare services are in great demand with the rising number of frail and/or chronically ill elders in our county needing in-home and community support services with homecare agencies unable to fill homecare cases due to lack of in-home workers; and

**WHEREAS**, Under Consumer Directed In-home Services, control is shifted to the consumer (or eligible consumer representative) for budgeting, care planning, decision making, arranging for services and staffing; and

**WHEREAS**, This is the third renewal of five (5) total contract renewals with potential for two (2) additional one (1) year renewals for provision of Fiscal Intermediary services with regard to Consumer Directed In-home Services and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

**RESOLVED**, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to award the contract to Willcare, Inc. to serve as Fiscal Intermediary for Genesee County Office for the Aging Consumer Directed In-home Services under Expanded In-home Services for the Elderly, Title III E, and other in-home services funds at a cost of \$20.51/hour for CDIS-Basic Worker and \$23.11/hour for CDIS-Enhanced Worker, not to exceed \$21,632 for the period of June 1, 2021-May 31, 2022.

**Budget Impact:** Neutral. All in-home services are already incorporated into our 2021 County budget. No additional County funds will be required. Rate is \$20.51 for CDIS-Basic Worker and \$23.11/hour for CDIS-Enhanced Worker. A total of \$21,632 is designated for CDIS for the period of 6/1/2021-5/31/2022.

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

**RESOLUTION NO. 184      RESOLUTION AMENDMENT NO. 62 YEAR 2021 -  
MENTAL HEALTH/QUARTERLY PAYMENTS-  
APPROVAL OF**

Legislator Klotzbach offered the following resolution:

**WHEREAS**, Resolution No. 62 Year 2021 authorized the Treasurer to amend the 2021 contract payments to quarterly, payments not to exceed the following amounts:

The Mental Health Association of Genesee & Orleans Counties	\$ 95,142.75 / Quarter
Restoration Society	\$71,113.50 / Quarter
Living Opportunities of DePaul	\$11,201.25 / Quarter
Genesee County Alcohol and Substance Abuse	\$387,668.25 / Quarter
Arc of Genesee Orleans	\$10,436.25 / Quarter

and

**WHEREAS**, State aid amounts fluctuate, even marginally, which require legislature approval multiple times throughout the year, and

**WHEREAS**, The Committee on Human Services has reviewed this resolution amendment and does concur at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to distribute the above listed contracts on a quarterly amount not to exceed that of the annual contract.

**Budget Impact:** There is no budget impact.

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

**RESOLUTION NO. 185      2021 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES – WNY  
HEROES INC. – APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2021 WNY Heroes contract and budget, and

**WHEREAS**, These additional funds are the result of the restoration and increase of 2020 withheld funds, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and WNY Heroes, Inc., and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4316.4660.0000	Contracted Other by	\$ 40,000.00
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AND

Increasing A.4316.3490	State Aid Mental Health by	\$ 40,000.00
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**Budget Impact Statement:** Increasing the budget by \$40,000, offset by an increase in State Aid in the amount of \$40,000.00

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

**RESOLUTION NO. 186      2021 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES – GENESEE  
COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE  
– APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2021 GCASA contract and budget, and

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

**WHEREAS**, These additional funds are the result of the restoration and increase of 2020 withheld funds, as well as an increase in 2021 funding Now, therefore, Be it

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A4323.4660.00 Contracted Other by \$ 161,232.00

AND

Increasing A.4323.3494 State Aid – OASAS by \$ 161,232.00

**Budget Impact Statement:** Increasing the budget by \$161,232.00 offset by an increase in State Aid in the amount of \$161,232.00. Please note that the difference in revenue and expense is to bring the county back to mandated levy.

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

**RESOLUTION NO. 187 2021 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES – LIVING  
OPPORTUNITIES OF DEPAUL – APPROVAL OF**

Legislator Klotzbach offered the following resolution:

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

**WHEREAS**, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time, and

**WHEREAS**, These additional funds are the result of the increase in 2021 State Aid funding, Now, therefore, Be it

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4312.4660.0000 Contracted Other by \$ 57.00

AND

Increasing A.4312.3490 State Aid – Mental Health by \$ 57.00

**Budget Impact Statement:** Increasing the budget by \$57.00, offset by an increase in State Aid in the amount of \$57.00.

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

**RESOLUTION NO. 188 2021 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES – MENTAL  
HEALTH ASSOCIATION OF GENESEE AND ORLEANS  
COUNTY – APPROVAL OF**

Legislator Hawley offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2021 Mental Health Association of Genesee and Orleans County contract and budget, and **WHEREAS**, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time, and

**WHEREAS**, These additional funds are the result of the restoration and increase of 2020 withheld funds, as well as an increase in 2021 funding, Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and Mental Health Association of Genesee and Orleans County, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4321.4660.0000 Contracted Other by \$ 48,308.00

AND

Increasing A.4321.3490 State Aid Mental Health by \$ 48,308.00

**Budget Impact Statement:** Increasing the budget by \$48,308.00, offset by an increase in State Aid in the amount of \$48,308.00

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

**RESOLUTION NO. 189 2021 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES -  
RESTORATION SOCIETY, INC. - APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2021 Restoration Society contract and budget, and

**WHEREAS**, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time, and

**WHEREAS**, These additional funds are the result of the restoration and increase of 2020 withheld funds, as well as an increase in 2021 funding, Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2021 contract between the County of Genesee and the Restoration Society, and be it further,

**RESOLVED**, That , the Genesee County Treasurer is hereby authorized and directed to amend the 2021 Genesee County Budget by

Increasing A.4323.4660.0000 Contracted Other by \$ 34,231.00

AND

Increasing A.4323.3490 State Aid Mental Health by \$ 34,231.00

**Budget Impact Statement:** Increasing the budget by \$34,231.00, offset by an increase in State Aid in the amount of \$34,231.00

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

**RESOLUTION NO. 190 2021 SALARY SCHEDULE AMENDMENT - COMMUNITY  
MENTAL HEALTH SERVICES/TEMPORARY PT MH  
FINANCIAL PROGRAM SPECIALIST-APPROVAL OF**

Legislator Klotzbach offered the following resolution:

**WHEREAS**, The full-time MH Financial Program Specialist at Community Mental Health Services has retired after thirty-three years of service to the Department. There is a temporary part-time position created to assist in the transition of duties; this position is set to expire in June,

2021. The Director of Community Mental Health Services would like to request this position be extended through the end of the year. Bev Walthew has been working very closely with the Treasurer's Department to complete pas reconciliation, and

**WHEREAS**, The Director of the Community Mental Health Services is requesting an amendment to the 2021 Employee Salary Schedule to extend one (1) Temporary Part-time MH Financial Program Specialist, in the Management Salary Schedule, Grade 108, through December 31, 2021 to assist with the reconciliation of past years and the transition of duties to the new Administrative Officer, 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 Genesee County Treasurer is hereby authorized and directed to amend the 2021 Management Employee Salary Schedule by extending the one (1) Temporary Part-time MH Financial Program Specialist, in the management Salary Schedule, to December 31, 2021.

**Budget Impact Statement:** This salary schedule amendment will be funded through savings incurred when the current Administrative Officer was hired at a rate lower than originally budgeted.

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

**RESOLUTION NO. 191                    2021 SALARY SCHEDULE AMENDMENT - COMMUNITY  
MENTAL HEALTH SERVICES/RESTRUCTURING OF TITLES-  
APPROVAL OF**

Legislator Dibble offered the following resolution:

**WHEREAS**, The department of Mental Health in Genesee County is in the process of restructuring titles for a more efficient workflow; these titles have become obsolete and are no longer necessary, and

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2021 Employee Salary Schedule by eliminating two (2) Full-time, Senior Financial Clerk positions, CSEA-General, Grade 10-5, and eliminating one (1) Full-Time Financial Clerk-Typist, in CSEA-General, Grade 8 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 Genesee County Treasurer is hereby authorized and directed to amend the 2021 Employee Salary Schedule by eliminating two (2) Full-time, Senior Financial Clerk positions, CSEA-General, Grade 10-5, and eliminating one (1) Full-Time, Financial Clerk-Typist, in CSEA-General, Grade 8 effective May 28, 2021.

**Budget Impact Statement:** There will be a cost savings of \$48,745.89.

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

**RESOLUTION NO. 192                    CONTRACT WITH MERCY FLIGHT, INC. -  
APPROVAL OF**

Legislator Hawley offered the following resolution:

**WHEREAS**, Mercy Flight, Inc., is a community based, not-for-profit corporation offering regional air medical services, and

**WHEREAS**, Funds were incorporated into the 2021 Genesee County Budget in the amount of \$12,825 to support the continued provision of air medical transfer service on behalf of Genesee County, and

**WHEREAS,** The Genesee County Manager did present a contract outlining the terms and conditions of this funding and the Committee on Human Services 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 a contract between the County of Genesee and Mercy Flight, Inc., 100 Amherst Villa Road, Buffalo, NY for the provision of air medical transfer service in Genesee County for the period January 1, 2021 through December 31, 2021 for a contribution from Genesee County in the amount of \$12,825.

**Budget Impact Statement:** 2021 annual funding = \$12,825  
2020 annual funding = \$12,825  
2019 annual funding = \$12,825  
2018 annual funding = \$12,825  
2017 annual funding = \$12,825  
2016 annual funding = \$14,250  
2015 annual funding = \$14,250  
2014 annual funding = \$14,250  
2013 annual funding = \$14,250  
2012 annual funding = \$14,250  
2011 annual funding = \$14,250  
2006-2010 annual funding = \$15,000  
1998 – 2005 annual funding = \$10,000  
1997 annual funding = \$7,500  
1996 annual funding = \$5,000

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

**RESOLUTION NO. 193    GENESSEE COUNTY AGRICULTURAL SOCIETY  
CONTRACT - APPROVAL OF**

Legislator Yunker offered the following resolution:

**WHEREAS,** The Genesee County Manager did present a contract to provide funding towards the 2021 Genesee County Fair, and

**WHEREAS,** The Committee on Human Services did review the contract 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 by and between the County of Genesee and the Genesee County Agricultural society in the amount of \$11,000.00 to be used for 4-H Judging expense and 4-H Premiums associated with the 2021 Genesee County Fair.

**Budget Impact Statement:** 2021= \$11,000 Annual 4-H Premium funding  
2020= Due to COVID the Ag Society did not seek funding  
2019=\$11,000 Annual 4-H Premium funding  
2018=\$9,900 annual 4-H Premium funding  
2017=\$9,900 annual 4-H Premium funding (10% reduction)  
2016= \$11,000 annual 4-H Premium funding  
2015= \$11,000 annual 4-H Premium funding  
2014=\$11,000 annual 4-H Premium funding  
2013= \$6,214 annual 4-H Premium funding  
2012 = \$6,214 annual 4-H Premium funding  
2011= \$6,541 annual 4-H Premium funding



2010 = \$7,695 annual 4-H Premium funding  
 2005 - 2009 = \$8,100 annual 4-H Premium funding  
 2002 = \$15,000 to Cooperative Ext to fund fair enhancements  
 2000 - 2001 = \$25,000 to Coop. Ext to fund fair enhancements  
 1999 = \$25,000 additional funding for fair enhancements  
 1998 - 2004 = \$9,000 annual 4-H Premium funding  
 1995 - 1997 = \$8,500 annual 4-H Premium funding  
 1993 - 1994 = \$7,500 annual 4-H Premium funding  
 1992 = \$9,000 annual 4-H Premium funding  
 1989 - 1991 = \$10,000 annual 4-H Premium funding

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

**RESOLUTION NO. 194 2021 SALARY SCHEDULE AMENDMENT/BUDGET  
 TRANSFER/AMENDMENT- VETERANS SERVICES –  
 APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Director of Veterans Services Agency did request the creation of one part time Veterans Services Officer position, and

**WHEREAS**, funding for the position was budgeted in the 2021 contingency account, and

**WHEREAS**, partial State/Federal Aid funding through the Safety Net program is available for this position through the Department of Social Services, 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**, The Genesee County Treasurer is hereby authorized and directed to make the following 2021 Budget Transfer:

\$10,502	From	A.1990.4800.0000	Contingency, Program Expense
\$ 1,260	To	A.6010.4660.0064	Social Services, Con Svc – Info Referral
\$ 8,495		A.6510.1010.0000	Veterans Services, Personal Services
605		A.6510.8010.0000	Veterans Services, Social Security Tax
142		A.6510.8011.0000	Veterans Services. Medicare Tax

and, Be it further

**RESOLVED**, The Genesee County Treasurer is hereby authorized and directed to amend the 2021 Budget by increasing A.6510.1010.0000 in the amount of \$1,260, offset by an increase in A.6510.2818 Veterans Services – Shared Services-Veterans in a like amount. Be it further

**RESOLVED**, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2021 CSEA Employee Salary Schedule by creating one (1) part-time Veterans Services Officer position, Grade 13, effective July 1, 2021.

**Budget Impact:** \$12,000 was budgeted in the 2021 Contingency account for this position. 2021 cost = \$10,502. There is a potential for State/Federal Aid through the Safety Net program through the Department of Social Services for a portion of the cost of this position = \$1,260

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

**RESOLUTION NO. 195 INSURANCE RENEWALS FOR 2021-2022 - COUNTY  
 ATTORNEY– APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The insurance policies for Pollution Liability, Cyber Liability, Crime, and Airport Liability all expired on May 1, 2021; and

**WHEREAS**, The Lawley Insurance Agency was able to obtain competitive quotes and was able to bind these four coverages, subject to approval by the County of Genesee Legislature, and **WHEREAS**, the premiums for these four policy coverages total \$65,526, as follows:

1. Pollution Liability – Berkley Insurance Company - \$7,999
2. Cyber Liability – North River Insurance Company - \$49,500
3. Crime – Hanover Insurance Company - \$3,560
4. Airport Liability – Global Aerospace, Inc./McCredie Agency - \$4,467

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

**RESOLVED**, that the County of Genesee Legislature does hereby approve retroactively from May 1, 2021 until May 1, 2022, insurance policy coverages to be placed with the four insurance companies set forth above for the individual amounts listed for each, totaling \$65,526, and be it further

**RESOLVED**, that the County of Genesee Legislature does hereby authorize and direct execution by the necessary individuals of all applications or other documents necessary to obtain these insurance coverages.

**Budget Impact Statement:** Cost of the policies are included in the 2021 budgets for the respective departments. Highway for Pollution and Airport and the County Attorney for Crime and Cyber.

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

**RESOLUTION NO. 196      RATIFICATION OF/BUDGET TRANSFER - DEPUTY  
SHERIFFS' ASSOCIATION UNION CONTRACT FOR 2020  
THROUGH 2023– APPROVAL OF**

Legislator Maha offered the following resolution:

**WHEREAS**, The Genesee County Manager and Human Resource Director did present a successfully completed Collective Bargaining Agreement with the Deputy Sheriffs' Association which was ratified by a vote of the Union Membership, and

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

**RESOLVED**, That the Genesee County Legislature does hereby ratify and approve the terms and conditions of said Agreement by and between the Genesee County Deputy Sheriffs' Association, the Genesee County Sheriff and the County of Genesee for the period January 1, 2020 through December 31, 2023, and, Be it further

**RESOLVED**, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following 2021 budget transfers:

\$ 116,199.00	from	A.1990.4800.0000	Contingency, Program Expense
\$ 21,648.00	from	A.3110.8030.0000	Sheriff, Medical Expense
\$ 107,942.00	to	A.3110.1010.0000	Sheriff, Personal Services
\$ 6,375.00	to	A.3110.1020.0000	Sheriff, OT Salaries
\$ 450.00	to	A.3110.1020.0250	Sheriff, OT Drug
\$ 5,908.00	to	A.3110.1060.0100	Sheriff, Holiday Pay
\$ 507.00	to	A.3110.1060.0200	Sheriff, Training
\$ 2,496.00	to	A.3110.1060.0500	Sheriff, Briefing
\$ 5,912.00	to	A.3110.4580.0000	Sheriff, Pers Uniforms
\$ 6,692.00	to	A.3110.8010.0000	Social Security Tax
\$ 1,565.00	to	A.3110.8011.0000	Medicare

**Budget Impact Statement:** Funds to cover contract costs were budgeted in the A.1990 Contingency Account. Due to vacant positions in the Sheriff's Office, funds are available to cover a portion of the increase. Total transfer from contingency is \$116,199.

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

**RESOLUTION NO. 197 STANDARD WORK DAY AND REPORTING  
RESOLUTION FOR ELECTED AND APPOINTED  
OFFICIALS-NEW YORK STATE RETIREMENT SYSTEM-  
APPROVAL OF**

Legislator Torrey offered the following resolution:

**RESOLVED**, That the County of Genesee hereby establishes the following as standard work day for this title and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

Title	Standard Work Day	Name	Tier 1	Current Term	ROA	ROA
not submitted	(hrs/day)			begin & end	results	

Legislator	6 hrs	Chad Klotzbach	No	1/1/21-12/31/21	17.72	
Legislator	6 hrs	Brooks Hawley	No	1/13/21-12/31/21	13.08	
Treasurer	7.5 hrs	Scott German	No	1/1/21-12/31/24	23.16	

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

**RESOLUTION NO. 198 DISTRIBUTION OF MORTGAGE TAX-FIRST  
PAYMENT 2021-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Clerk and Treasurer have reported to this Legislature that there is now available for distribution to the several towns and villages and the City of Batavia, mortgage tax money amounting to \$465,345.03, and

**WHEREAS**, The Committee on Ways & Means did review the mortgage tax money available and recommends distribution of said sum among the several towns, villages, and the City of Batavia, according to the provisions of Section 261 of the tax laws as follows:

<b>City Of</b>	Batavia	\$ 81,520.65
<b>Towns Of</b>	Alabama	\$ 12,378.68
	Alexander	19,562.53
	Batavia	80,877.17
	Bergen	24,236.58
	Bethany	14,662.19
	Byron	21,697.85
	Darien	37,676.58
	Elba	11,478.03
	LeRoy	43,476.29
	Oakfield	13,307.92
	Pavilion	13,335.52
	Pembroke	44,538.34
	Stafford	21,776.79
<b>Villages Of</b>	Alexander	2,014.82
	Attica	708.96
	Bergen	3,348.50
	Elba	1,418.78

LeRoy	12,577.40
Oakfield	2,055.15
Corfu	2,696.30

**Total** **\$465,345.03**

Now, therefore, Be it

**RESOLVED**, That the Genesee County Treasurer be and hereby is authorized and directed to pay the Town Supervisors, Village Treasurers, and the Treasurer of the City of Batavia the amounts aforesaid from the Mortgage Tax refund.

**Budget Impact Statement:**

2020 1 <sup>st</sup> payment	\$388,967.72
2019 1 <sup>st</sup> payment	\$262,518.89
2018 1 <sup>st</sup> payment	\$383,585.91
2017 1 <sup>st</sup> payment	\$384,918.90
2016 1 <sup>st</sup> payment	\$278,153.64
2015 1 <sup>st</sup> Payment	\$292,934.98

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

**RESOLUTION NO. 199 REAPPOINTMENT-GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (“GCEDC”)-APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Genesee County Industrial Development Agency (GCIDA) was created by an Act of the Legislature of the State of New York on May 8, 1970 by Chapter 565 of the laws of 1970 and set forth in section 895-e of the General Municipal Law of the State of New York, and **WHEREAS**, The GCIDA was created by Resolution No. 177 of the Genesee County Legislature on September 23, 1970 to consist of 5 members “who shall serve at the pleasure of the Genesee County Legislature”, and

**WHEREAS**, The membership of the GCIDA was increased by Resolution No. 225 of the Genesee County Legislature on September 19, 1979 from 5 to 7 members with “said term of office expiring at the pleasure of the Genesee County Legislature.”, and

**WHEREAS**, Matthew Gray submitted an application requesting reappointment to remain in the seat for the seven member board of the Genesee County Industrial Development Agency, d/b/a the Genesee County Economic Development Center (“GCEDC”), and

**WHEREAS**, The Committee on Ways and Means does recommend Mr. Matthew Gray be reappointed at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby reappoint Mr. Matthew Gray of Clinton Street, Batavia, New York to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center effective July 1, 2021 to June 30, 2027.

**Budget Impact Statement:** none.

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

**At 6:04 PM Legislature Chair Stein closed the Public Hearing on Local Law Introductory No. 1 Year 2021 upon hearing no further comments.**

**RESOLUTION NO. 200 LOCAL LAW INTRODUCTORY NO. 1, YEAR 2021 OF THE COUNTY OF GENESEE, NY TO ALLOW 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT**

Legislator Yunker offered the following resolution:

**WHEREAS**, Pursuant to Environmental Conservation Law, Sec. 11-0935, (hereinafter ECL 11-0935), the County of Genesee (hereinafter “County”) elects to participate in the temporary NYS program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a crossbow, rifle, shotgun, or muzzle loaded firearm through December 31, 2023.

**WHEREAS**, the Following Proposed Local Law Introductory No.1, Year 2021 was duly introduced to the Genesee County Legislature in accordance with the Law: **LOCAL LAW INTRODUCTORY NO. 1 YEAR 2021 OF THE COUNTY OF GENESEE, NY TO ALLOW 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT**

**BE IT ENACTED** by the Genesee County Legislature as follows:

**Section 1. Legislative Intent**

The intent of this Local Law is to authorize the County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law ECL 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program, allowing the opportunity for youth hunters, ages 12 and 13, to hunt deer with certain firearms and crossbow through December 31, 2023, if a County authorizes such action within their municipality. The County is passing this Local Law because hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

**Section 2. Definitions for the purposes of this Local Law:**

- a. “physical control” shall mean that the physical proximity of such minor to the parent, guardian or person is such that the parent, guardian or person is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision to the minor.
- b. “eligible area” shall mean within the boundaries of the County.

**Section 3. State Requirements**

A hunting license holder who is twelve or thirteen years of age may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm as provided in this title in an eligible area provided that;

- a. Such minor is accompanied by their parent or legal guardian, or by a person designated in writing by such parent or legal guardian on a form prescribed by the Environmental Conservation Department who is twenty-one years of age or older; and
- b. Such parent, guardian or person has had at least three years’ experience in hunting deer; and
- c. Such parent, guardian or person holds a hunting license; and
- d. Such parent, guardian or person maintains physical control over the minor at all times while hunting; and
- e. Such parent, guardian or person and the minor remain at ground level at all times while hunting; and
- f. Such parent, guardian or person and the minor shall each display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned

fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

**Section 4. Local Law Filing Requirements**

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

**Section 5. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

**Section 6. Effective Date**

This Local Law shall take effect upon proper filing with the Office of the Secretary of State, and shall expire and be deemed repealed on December 31, 2023.

**WHEREAS**, The Clerk of the Genesee County Legislature did post a certified notice of Public Hearing on said proposed Local Law on the bulletin board in the Old Courthouse, and

**WHEREAS**, The Clerk of the Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory Number 1, Year 2021, and

**WHEREAS**, a Public Hearing was held at 5:30 on May 12, 2021 in the Legislature Chambers of the Old Courthouse, Batavia, New York and via Zoom videoconference at which time all interested persons who wished to speak were heard, Now therefore Be it

**RESOLVED**, that “**LOCAL LAW INTRODUCTORY 1, YEAR 2021 OF THE COUNTY OF GENESEE, NY, TO ALLOW 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT**” be known as Local Law No. 3

Year 2021, for the County of Genesee as introduced April 28, 2021, be and hereby is adopted. Prior to the vote Legislator Yunker further stated his support of this local law and was pleased to see the opportunity to opt-in included in the Governor’s Budget. He further stated how this will be beneficial for deer management and provide youth in our rural community the opportunity to hunt alongside a licensed adult.

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

**RESOLUTION NO. 201 COUNTY AUDIT –MAY 12- APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

General Fund	\$	605,544.78
Highway		10,539.51
Self Insurance		39,701.29
Mortgage Tax		465,345.03
Water Fund		745,020.50
DSS Abstracts		375,278.83

**Capital Projects**

Highway-Upton Road Bridge over Bowen Road	9,245.00
Highway-Darien-Alexander Tnl Road Bridge/Tunnery Creek	13,371.40
Highway-Hundredmark Road Bridge over drainage ditch	6,851.62
Highway-S. Lyons Street Bridge over Tonawanda Creek	12,833.08
County Manager- Building Security Upgrade-Phase II	9,990.14
Airport-Airport T-Hangar Construction (AIR99)	14,392.50
Facilities Management-Animal Shelter Improvements	71,799.08
County Park-County Park Comprehensive Recreation Plan	3,000.00
Sheriff/Jail-Public Safety Communication Tower	148,595.56
GCC-GCC Backup Power Improvements	142,317.00

**Payroll – General**

May 7, 2021	1,156,666.82
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**Medicaid**

May 4, 2021	132,890.00
May 11, 2021	<u>132,890.00</u>

<b>Total Audit</b>	\$ 4,096,272.14
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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.

At 6:08 PM the meeting adjourned upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.