

**ELEVENTH DAY  
GENESEE COUNTY LEGISLATURE  
Batavia, New York  
Wednesday, June 8, 2016**

The Genesee County Legislature met in Regular Session on Wednesday, June 8, 2016 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Stein offered to assist with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

In addition to our regular meeting Chairman Cianfrini opened a Public Hearing on Local Law Introductory No. Three Year 2016, A Local Law in relation to amending the Genesee County Mutual Self Insurance Plan. All interested parties had the opportunity to be heard. The minutes of the May 25, 2016 meeting were approved upon motion of Legislator Deleo seconded by Legislator Stein carried unanimously.

Legislator Bausch reported on attendance at the CJAC meeting; there are fewer male and female inmates and DSS Commissioner Kirkpatrick provided a comprehensive report that has been forwarded to Legislators. Legislator Stein thanked County Historian Michael Eula for hosting the Human Services Committee Meeting and providing a tour of the department offices. She also announced there is a gathering scheduled in honor of Health Department Deputy Director David Whitcroft's retirement. Legislature Chair Cianfrini announced that he sent a letter out announcing members of the Sales Tax Agreement Committee. The Committee will be meeting later this month.

County Manager Jay Gsell reported that NYSAC continues to advocate for a chapter amendment for the increase in DA salary, changes to the 911 surcharge so all cellular devices are charged the fee and changes to indigent defense financial requirements/criteria.

The Clerk proceeded with the resolutions as follow;

**RESOLUTION NO. 200     BUDGET AMENDMENT–HISTORY DEPARTMENT  
FUNDING FOR HISTORICAL MARKERS–APPROVAL  
OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The County Historian has received funding from the Pomeroy Foundation Historical Marker Fund Grant (Traditional Historic Roadside Marker Grant Category) to purchase one historical marker in the amount of \$1,000, and

**WHEREAS**, The County Historian did request the funds be incorporated into the current operating budget to provide for the purchase of one historical marker and a mounting pole, and

**WHEREAS**, The Committees on Human Services and Ways & 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 2016 Genesee County Budget for the History Department by increasing Appropriation A7510 4700.0000 Specialized Supplies in the amount of \$1,000; to be offset by an increase in Revenue A7510 2091 County Historian Charges in the amount of \$1,000.

**Budget Impact:** Increase of \$1,000 to the 2016 budget for the History Department. Funding was provided through the William G. Pomeroy Foundation Historical Marker Fund (Traditional Historic Roadside Marker Grant Category). Funding not used as outlined within the award will be returned to the William G. Pomeroy Foundation Historical Marker Fund (Traditional Historic Roadside Marker Grant Category).

Legislator Young seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 201 GRANT ACCEPTANCE AND BUDGET AMENDMENT --  
HEALTH DEPARTMENT/ LEAD POISONING  
PREVENTION PROGRAM - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Lead Poisoning Prevention Program contract has been awarded in the amount of \$39,383, and

**WHEREAS**, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Lead Poisoning Prevention activities, and

**WHEREAS**, The Lead Poisoning Prevention Program contract has increased by \$1,875 and the 2016 Health Department Budget does not reflect this increase and,

**WHEREAS**, The County Treasurer is authorized to amend the 2016 A 4010 budget by \$1875 to reflect this increase and,

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Lead Poisoning Prevention Program contract for the period October 1, 2015 through September 30, 2016 in the amount of \$39,383, and to execute any and all other documentation related to this funding and,

**RESOLVED**, That the County Treasurer is authorized to amend the 2016 Health Department budget by increasing A4010 4800.0000 Program Expense in the amount of \$1,875.00 to be offset by an increase in A4010 4401.20 Federal Aid- Lead in a like amount.

**Budget Impact:** Revenue and expenses, in the amount of \$1,875, are appropriated in the 2016 Dept. 4010 – Health Department budget. There is no county cost to this program.

Legislator Deleo seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 202 GRANT ACCEPTANCE AND BUDGET AMENDMENT --  
HEALTH DEPARTMENT/ RADON PROGRAM -  
APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Radon Program contract has been awarded in the amount of \$3,356, and

**WHEREAS**, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Radon activities, and

**WHEREAS**, The Radon Program contract is not reflected in the A 4010 2016 Budget and,

**WHEREAS**, The County Treasurer is authorized to amend the 2016 A 4010 budget by \$3,356 to reflect this award and,

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Radon Program contract for the period July 1, 2015 through June30, 2016 in

the amount of \$3,356, and to execute any and all other documentation related to this funding and, **RESOLVED**, That the County Treasurer is authorized and directed to amend the 2016 Health Department budget by increasing A4010 4800.0000 Program Expense in the amount of \$3,356.00 to be offset by an increase in A4010 4401.80 Federal Aid - Indoor Radon Grant in a like amount.

**Budget Impact:** Revenue and expenses, in the amount of \$3,356, will be appropriated in the 2016 Dept. 4010 Health Department budget. There is no county cost to this program.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 203      AMENDED CONTRACT RENEWAL – NURSING  
STAFFING SERVICES/MAXIM STAFFING SOLUTIONS –  
NURSING HOME – APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, Resolution No. 206 duly adopted on June 11, 2014 did award a contract with Maxim Healthcare Services, Inc., d/b/a Maxim Staffing Solutions, for the provision of supplemental healthcare staffing at the Genesee County Nursing Home on an as-needed basis, and

**WHEREAS**, Resolution No. 214, duly adopted on June 10, 2015, did renew this contract for the period of June 12, 2015 until such time that either party wishes to terminate the Agreement with thirty (30) days' notice to the other party, and

**WHEREAS**, The terms of the contract have been amended to include increases to the pay rates originally stated in the contract, and

**WHEREAS**, The Acting Administrator of the Nursing Home does recommend renewing this Amended Contract and the Committee on Human Services do concur. Now, therefore, Be it **RESOLVED**, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now therefore Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into an amended renewal agreement with Maxim Healthcare Services, Inc. d/b/a Maxim Staffing Solutions, 392 Pearl Street, Suite 400, Buffalo, New York, 14202, effective June 9, 2016 and continuing in effect until such time that either party wishes to terminate the Agreement with at least thirty (30) days written notice to the other party.

**Budget Impact Statement:** Funds for supplemental staffing have been budgeted for 2016

Legislator Clattenburg seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 204      CONTRACT RENEWAL – NURSING HOME/NURSING  
STAFFING SERVICES/MEDICAL STAFFING NETWORK  
HEALTHCARE, LLC – APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, Resolution No. 207, duly adopted on June 11, 2014, did award a contract to Medical Staffing Network Healthcare, LLC (MSN), for the provision of supplemental healthcare Staffing for the residents of the Genesee County Nursing Home on an as-needed basis, and

**WHEREAS**, Resolution No. 168 duly adopted on May 13, 2015, did renew a contract with MSN for the provision of supplemental healthcare staffing, and

**WHEREAS**, It is the mutual desire of both the Acting Nursing Home Administrator and MSN to renew an amended contract for another one year period with increased rates for nurses and CNA's retroactive to April 13, 2016, and

**WHEREAS**, The Committee on Human Services has reviewed this request and does concur.

Now, therefore, Be it

**RESOLVED**, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now therefore Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and Directed to renew the contract with Medical Staffing Network Healthcare, LLC for the provision Of supplemental healthcare staffing for the period of June 12, 2016 through June 11, 2017, or Until such time that either party wishes to terminate the Agreement with at least 30 days written notice. These increased rates will be paid retroactive to April 13, 2016.

**Budget Impact Statement:** Funds have been budgeted for supplemental staffing.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 205      CONTRACT EXTENSION – SERVICE AGREEMENT FOR PREVENTIVE MAINTENANCE SERVICES – NURSING HOME – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Energy Performance Contract with Siemens Industry, Inc. for preventive maintenance services at the Genesee County Nursing Home will expire on June 30, 2016, and

**WHEREAS**, After conferring with Siemens and County officials, the Acting Nursing Home Administrator wishes to extend the current contract with Siemens on a month-by-month basis through September 30, 2016 while the sale of the Nursing Home to Premier Healthcare is being finalized, and the Committee on Human Services does concur. Now, therefore, Be it

**RESOLVED**, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now therefore Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and Directed to execute the necessary documents to extend the current Energy Performance Contract With Siemens Industry, Inc., 422 East Henrietta Road, Rochester, New York, 14620, on a month-by-month basis to be billed at a rate of 1/12 the annual rate plus \$100 for a total of \$8,346.75 per month. The extended contract will become effective on July 1, 2016.

**Budget Impact Statement:** Funds have been budgeted for preventive maintenance service in 2016.

Legislator Bausch seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 206      CONTRACT AMENDMENT–STAFFING AGENCY– NURSING HOME – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, Resolution No. 111-2016 did authorize a contract with Supplemental Health Care for the provision of supplemental staffing of the Nursing Department at the Genesee County Nursing Home on an as-needed basis, and

**WHEREAS**, It has become necessary to amend this contract by increasing the rates for the nursing staff Supplemental Health Care provide in an effort to recruit sufficient staff, and to keep rates competitive in the market, and

**WHEREAS**, This Amendment has been reviewed by the Acting Administrator of the Nursing Home who does recommend approval of this Amendment, and

**WHEREAS**, The Committee on Human Services did review this recommendation and does concur. Now, therefore, Be it

**RESOLVED**, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now therefore Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to amend the contract with Supplemental Health Care, 2005 Sheridan Drive, Buffalo, New York, 14223, to include revised rates. These new rates will become effective on June 15, 2016.

**Budget Impact Statement:** Funds have been budgeted in 2016 for supplemental nursing staffing. Legislator Clattenburg seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 207      BUDGET TRANSFER/AMENDMENT–NURSING HOME–  
APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, Licensed Nursing Home Administrator management services has been obtained through a contracted service since 2010, and

**WHEREAS**, The Director of Finance at the Genesee County Nursing Home did request an amendment to the 2016 Budget to transfer funds to cover the hiring of a County-employed Administrator at the Nursing Home, and

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

**RESOLVED**, The contract is subject to approval of the Genesee County Attorney and shall include a thirty day termination clause without cause, Now therefore Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 County Budget by increasing Expense account E.8350.8351.1000.1010 by \$71,000; E8350.8351.1000.8010 by \$4,500; and E8350.8351.1000.8011 by \$1,500. These funds are coming from Expense account E8350.000.1000.3301 to be used for the hiring of a County-employed licensed Nursing Home Administrator.

**Budget Impact Statement:** None.

Legislator Bausch seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 208                      2016 BUDGET AMENDMENT PERTAINING TO  
RESOLUTION NO. 79– OFFICE FOR THE AGING –  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Director of the Office for the Aging did request a budget amendment to the 2016 OFA County Budget due to funding increases in new revenue source relevant to RESOLUTION NO. 79 for a total of \$6,000 in additional funds to support the growing need for aging services and programs for older adults; and

**WHEREAS**, This new contractual revenue source is available which results in a net increase of \$6,000 in the 2016 County Budget; and

**WHEREAS**, Grant – New York State Department of Health Delivery System Reform Incentive Payment through Finger Lakes Performing Provider System (DSRIP-FLPPS) results in an increase of \$6,000 in the 2016 County Budget; and

**WHEREAS**, the Committees on Human Services and Ways and Means did review this request and do recommend approval of this budget amendment. Now, Therefore, Be it

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Revenues:

A.6772.1973.5	DSRIP-FLPPS	+ \$ 6,000
---------------	-------------	------------

Appropriations:

A.	6772.1	Personnel Svcs	+ \$ 4,251
A.	6772.8	Fringe Benefits	+ \$ 1,749

**Budget Impact:** Revenue increase for 2016 includes and Delivery System Reform Incentive Payment-Finger Lakes Performing Provider System (DSRIP-FLPPS) for a total Revenue increase of + \$6,000. 2016 County Budget Allocations are adjusted in a like amount.

Legislator Deleo seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 209 APPROVAL OF CONTRACT AND 2016 BUDGET  
AMENDMENT – OFA/CATHOLIC CHARITIES – WNY  
ALZHEIMER’S CAREGIVER COLLABORATIVE**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Director of the Office for the Aging did request acceptance of grant funds in the amount of \$114,448 for the period of January 1, 2016 – December 31,2016 in grant revenue in the 2016 county budget; and

**WHEREAS**, a Memorandum of Understanding (MOU) with the Catholic Charities of Buffalo (CCB) for the period of January 1, 2016 – December 31, 2016 outlines the relationship of Genesee County Office for the Aging (GCOFA) as the Community Based Organization in Genesee County to work with CCB, the Alzheimer’s Association-Western New York Chapter, and Erie, Niagara, Wyoming, Cattaraugus, Chautauqua, and Allegany County Offices for the Aging to implement the Western New York Alzheimer’s Caregiver Collaborative (WNYACC); a seven county, multi-agency, five year (renewable annually), initiative funded by NY State Dept. of Health (NYSDOH) through an Alzheimer’s Disease Caregiver Support Initiative grant awarded to the Catholic Charities of Buffalo; and

**WHEREAS**, The purpose of WNYACC is to decrease the burden of Alzheimer’s Disease and other dementias on individuals, caregivers, and families by providing comprehensive and collaborative services to caregivers of persons with dementia in the form of caregiver education, in home and social adult day care respite, transportation access, a volunteer component, education programs for caregivers, family and individual dementia consultation services, and potential technology to offer video support group capability for caregivers to access support groups from home; and,

**WHEREAS**, CCB is the grant recipient and this MOU establishes the terms for which the GCOFA would receive funding to provide services; and

**WHEREAS**, in order to receive revenue for provision of such services a 2016 County Budget Amendment is necessary; and

**WHEREAS**, the Committees on Human Services and Ways and Means did review this request and do recommend approval of this MOU and budget amendment. Now, Therefore, Be it

**RESOLVED**, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a MOU with Catholic Charities of Buffalo, 741 Delaware Avenue, Buffalo, NY 14209; and Now, Therefore, Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Revenues:

A.6772.1973.4	WNYACC	+ \$114,448
---------------	--------	-------------

Appropriations:

A.	6772.1	Personnel Svcs	+ \$ 56,079
----	--------	----------------	-------------

A.	6772.8	Fringe Benefits	+ \$ 14,770
A.	4660.0535	Home Care	+\$ 4,500
A.	4560.0000	Personnel Travel	+\$ 1,256
A.	4540.0000	Personnel Mileage	+\$ 2,543
A.	4660.0309	Contd Svc-Respite	+ \$ 25,500
A.	4660.0298	Contd Svc-Transport	+ \$ 9,800

**Budget Impact:** Revenue increase of \$114,448. 2016 County Budget Allocations are adjusted in a like amount. Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 210 CONTRACT FOR SOCIAL ADULT DAY CARE – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS,** The Director of the Office for the Aging did present a contract for the provision of social adult day care for older adults to provide respite service under the Western New York Alzheimer’s Caregiver Collaborative (WNYACC), the federally funded New York State Family Elder Caregiver Support Program Title III-E, and to provide the ancillary service of Social Adult Day Service for older adults enrolled in the Expanded In-Home Services for the Elderly Program; and

**WHEREAS,** The Committee on Human Service 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 agreement with the Tender Loving Family Care, Inc., 97 West Avenue, Brockport, NY 14420 for social adult day care services at the rate of \$72.50 for a 5 Hour Block during the day; \$80 per day for a full day, 9 a.m. – 4 p.m.; and \$112 for an Extended Day, 7 a.m. – 6 p.m. not to exceed \$40,000 for the period July 1, 2016 through June 30, 2017.

**Budget Impact:** The \$14,500 budgeted for this contract is already included in the 2016 budget with \$7,500 under Title III-E Respite grant and \$7,000 from Expanded In-Home Services for the Elderly grant. \$25,500 from WNYACC is appropriated under Resolution No. to accept WNYACC grant funds.

Legislator Deleo seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 211 CONTRACT RENEWAL–OFA/JOB DEVELOPMENT BUREAU, TITLE V PROGRAM – APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS,** The Director of the Office for the Aging did present a contract with Genesee County Job Development Bureau for the provision of providing employment training, placement and support services for senior citizens in Genesee County under the federally funded Older Americans Act Title V Senior Community Services Employment Program for the period of July 1, 2016 – June 30, 2017; 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 the necessary documents to award a contact with Genesee County Job Development Bureau, 587 East Main Street, not to exceed \$36,822 for the period July 1, 2016 – June 30, 2017.

**Budget Impact:** Neutral. Federal Title V grant of \$36,822 will offset costs of this contract to continue this senior employment program in our county and is already included in the 2016 county budget.



- 4) PERS Monthly Service Charge for:
- a. Traditional Landline Device \$ 25 per month
  - b. Cellular Device \$ 35 per month
  - c. Automatic Fall Detection Device \$ 30 per month

**Budget Impact:** Overall contract of \$4,450 remains the same. Title III-E Caregiver Support Program and Expended In-home Services for the Elderly (EISEP) funds 75% of the cost, with county funds providing required 25% match.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 214**

**OFFICE FOR THE AGING-BY-LAWS REVISION-  
ESTABLISH TERM LENGTH/QUORUM  
REVISIONS**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Federal Older Americans Act and the New York State Elder Law concerning aging network activities require each Office for the Aging (OFA) to establish an Advisory Council to represent the interests of older adults and review and comment on community policies, programs, and responsiveness to older adults, and

**WHEREAS**, The Genesee County Office for the Aging Advisory Council was established by Resolution of the Genesee County Legislature July 12, 1972, to address the concerns and needs of the County's senior citizen population, and

**WHEREAS**, The OFA Advisory Council by-laws proposes by-laws revisions as follows:

**Article II Organization**

(4) **Membership Terms**-Terms of office for both Community members and Service Provider/Caregiver/Public members shall be **as follows**:

- a. Members in good standing, (outlined in Section 6) and may serve **a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years.**
  - i. **In the event a position is not filled within a year of vacancy, any former member can be reappointed to a new term.**
- b. A Legislative representative serves an appointed two (2) year term **and is exempt from term limits.**
- c. A permanent position shall be allocated to the DSS Adult Services Supervisor. The DSS Adult Services Supervisor is exempt from **terms and** term limits. **Unless the individual in that position changes, an application and legislative approval are not required.**
- d. **Members shall have one (1) vote within the Advisory Council. Emeritus members do not have voting privileges.**

(5) **Council** members with nine (9) years of service or more may elect to become an emeritus member of the Committee whose membership is defined by the following responsibilities and limitations. Emeritus members may participate through attending scheduled meetings; and attending social events (no minimum requirement). Emeritus members are limited in their participation to providing input in discussion and participation in OFA activities and are not eligible to vote or hold office.

(7) **Fifty percent of active membership** shall constitute a quorum.

(8) By-law revisions will be reviewed by the Council in the first three (3) months of the calendar year every two (2) years. **A subcommittee may or may not be necessary for proposed revisions unless members feel more close review/revision is required.**

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

**RESOLVED**, That the Genesee County Legislature does amend OFA by-laws as proposed by OFA Advisory Council.

**Budget Impact Statement:** none.

Legislator Bausch seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 215      2016 BUDGET AMENDMENT/COMMUNITY MENTAL HEALTH SERVICES/EQUIPMENT—APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request a Budget Amendment to the 2016 Mental Health budget to acquire Computer Software and other program equipment, and

**WHEREAS**, The Committees 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 2016 Genesee County Budget by

Increasing A4310.2022.0001	Micro Computers, by	\$ 44,850
Increasing A4310.2010.0022	Office Equipment	\$ 5,000

AND,

Increasing A4310.3490.0000	State Aid Mental Health by	\$ 49,850
----------------------------	----------------------------	-----------

**Budget Impact Statement:** Gross Budget increased by \$49,850; No Increase to County cost due to being offset by Health Information Technology (HIT) Funds.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 216      2016 BUDGET TRANSFER/COMMUNITY MENTAL HEALTH SERVICES/COURT COMMITMENT – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Director of Community Mental Health Services did request a budget transfer to the 2016 Genesee County Budget to accommodate the transfer of funds from Contingency to the Court Commitments Department to pay for additional Court Commitments ordered by Genesee County Court, 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 transfer the 2016 Genesee County Budget by

TO	A4311.4600.0000	Contracted Other	\$40,000
----	-----------------	------------------	----------

AND

FROM	A.1990.4800.0000	Contingency	\$40,000
------	------------------	-------------	----------

**Budget Impact Statement:** \$40,000.00 County expense.

Legislator Torrey seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 217      CONTRACT AMENDMENT -- COMMUNITY MENTAL HEALTH SERVICES – PROFESSIONAL PSYCHIATRIC SERVICES, P.C. – APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, 2016 Resolution No. 463 duly adopted on December 10, 2015 did authorize a contract with Professional Psychiatric Services, P.C. (Anthony Racaniello, M.D.) for calendar year 2016, and

**WHEREAS**, The 2016 Genesee County Budget did include appropriations for increased psychiatric services and the department has been unable to recruit the services of another psychiatrist and the Community Mental Health Services Director did request an amendment to the Professional Psychiatric Services, P.C. contract to increase the hours of service per week from 23 to 32, and

**WHEREAS**, The Committee on Human Services did review this request and does concur with this recommendation. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is directed and authorized to execute the necessary documents to amend the contract between the County of Genesee and Professional Psychiatric Services, P.C. to increase to 32 hours the number of hours of service per week to be effective June 8, 2016 through December 31, 2016 with all other terms and conditions of said contract to remain unchanged and in full force and effect.

**Budget Impact Statement:** No change in 2016 County budget; no change in contract rate.

Legislator Clattenburg seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 218      2016 BUDGET/SALARY SCHEDULE AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES/FILE  
ROOM ATTENDANT/MENTAL HEALTH CLINICAL  
THERAPIST-APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2016 Employee Salary Schedule to create one (1) Mental Health Clinical Therapist, F.T., in CSEA-General, Grade 19, and **creating** one (1) File Room Attendant P.T., in CSEA-General, Grade 7 and **eliminating** one (1) File Room Attendant F.T., in CSEA-General, Grade 7 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 2016 Employee Salary Schedule by **creating** one (1) Mental Health Clinical Therapist F.T., in CSEA-General, Grade 19, and **creating** one (1) File Room Attendant P.T., in CSEA-General, Grade 7 and **eliminating** one (1) File Room Attendant F.T., in CSEA-General, Grade 7 in Employee Salary Schedule effective June 13, 2016 and be it further,

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Genesee County Budget by:

Increasing A4310. .4490.0000	Federal Aid M.H. by	\$25,450.00
------------------------------	---------------------	-------------

AND

Increasing A4310. .1010.0000	Personnel Services by	\$23,320.00
------------------------------	-----------------------	-------------

Increasing A4310. .8010.0000	Social Security Tax by	\$ 1,400.00
------------------------------	------------------------	-------------

Increasing A4310. .8011.0000	Medicare Tax by	\$ 300.00
------------------------------	-----------------	-----------

Increasing A4310. .8020.0000	Retirement by	\$ 230.00
------------------------------	---------------	-----------

Increasing A4310. .8030.0000	Medical by	\$ 200.00
------------------------------	------------	-----------

**Budget Impact Statement:** Budget amendment required: Increase by \$25,450 with a net County cost of \$0, offset by Federal Aid.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 219 APPOINTMENT-COMMUNITY MENTAL HEALTH SERVICES BOARD-APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, An application has been received from Vernon Saile of Byron, New York indicating an interest and desire for appointment to the Mental Health Community Services Board, and

**WHEREAS**, The Committees on Human Services and Ways and Means do recommend that the appointment be made at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby appoint Mr. Vernon Saile of 6944 Lyman Road, Byron, New York to assume a vacant term on the Mental Health Community Services Board effective immediately through December 31, 2017.

**Budget Impact Statement:** None

Legislator Clattenburg seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 220 CONTRACT FOR COLLECTION OF DELINQUENT REAL PROPERTY TAXES - COUNTY TREASURER -APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Treasurer did present a three year contract for legal counsel to assist with the In Rem tax foreclosure proceedings for the collection of delinquent 2014 - 2016 Town and County Taxes, and

**WHEREAS**, The Committee on Ways and Means did review this contract and 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 enter into contract with Phillips, Lytle, Hitchcock, Blain and Huber, 1400 First Federal Plaza, Rochester, NY 14614 for the representation, counsel and assistance in duly conducting the tax enforcement proceedings for the County of Genesee at a cost of \$400.00 per redeemed parcel plus expenses as outlined in the contract for years 2011 - 2013 Town and County Real Property Taxes.

**Budget Impact:** Expenses are paid by the delinquent tax payers, only cost to the county are for the properties actually foreclosed on @ \$400.00 + expenses each.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 221 SALE OF COUNTY-OWNED PROPERTY – AUTHORITY TO ENGAGE REALTOR - APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The Genesee County Treasurer did recommend the designation of a Realtor to supervise the sale of county-owned property and the Committee on Ways and Means does concur. Now, therefore be it

**RESOLVED**, That the firm of Bontrager Auction Center, Batavia NY, be and hereby is authorized to supervise the auction and sale of county-owned property for 2017 - 2019, and Be it further

**RESOLVED**, That at the proposal of the Realtor, a 10% Buyers Premium will be charged this year to cover all the sale expenses.

**Budget Impact:** There is no cost to the county for the auction. Revenue will be generated from the sale of county-owned property.

Legislator Bausch seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro

28 absent)

Legislator Stein commented that LeRoy Supervisor Barbeau hoped to attend and express his support of the updates to the local law in relation to the Genesee County Mutual Self Insurance Plan. Upon hearing no other comments, Chairman Cianfrini closed the public hearing at 5:55pm.

**RESOLUTION NO. 222 LOCAL LAW INTRODUCTORY NO. THREE, YEAR 2016, AMENDING LOCAL LAW NO. FOUR, YEAR 2012, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NO. FOUR OF THE YEAR 1999, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NO. ONE OF THE YEAR 1956, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NO. TWO OF THE YEAR 1962, LOCAL LAW NO ONE OF THE YEAR 1966, LOCAL LAW NO. ONE OF THE YEAR 1972, LOCAL LAW NO. TWO OF THE YEAR 1974, LOCAL LAW NO. TWO OF THE YEAR 1977, LOCAL LAW NO. TWO OF THE YEAR 1981, LOCAL LAW NO. FOUR OF THE YEAR 1981 AND LOCAL LAW NO. THREE OF THE YEAR 1998 IN RELATION TO THE GENESEE COUNTY MUTUAL SELF INSURANCE PLAN-APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The following Local Law was duly introduced to the Genesee County Legislature in accordance with the Law

**A LOCAL LAW** amending Local Law number One of the Year 1956 as subsequently amended by Local Law No. 2 of the Year 1962, Local Law No. 1 of the year 1966, Local Law No. 1 of the Year 1972, Local Law No. 2 of the Year 1974, , Local Law No. 3 of the Year 1975 Local Law No. 2 of the year 1977, Local Law No. 2 of the Year 1981, Local Law No. 4 of the year 1981, Local Law No. 3 of the Year 1998, Local Law No. 4 of the year 1999, and Local Law No. 4 of the year 2012 in relation to the Genesee County Mutual Self Insurance Plan.

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

Section 1. Section 1 of Local Law No. 1 of the year 1956 as subsequently amended, is hereby amended to read as follows:

1. A Self Insurance Plan as provided for in Article 5 of the Workers Compensation Law is hereby established for the County of Genesee and shall be known as the "Genesee County Mutual Self Insurance Plan," hereafter referred to as the "Plan."

Section 2. Section 2 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

2. The Plan heretofore established under the provisions of subdivision 3-a of section 50 of the Workers Compensation Law of the State of New York is here continued and shall be governed by the Ways and Means Committee of the Genesee County Legislature, as provided in Article 5 of the Workers Compensation Law.

Section 3. Section 3 of Local Law No 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

3. The Ways and Means Committee shall appoint an Executive Secretary of the Plan whose salary and expenses shall be payable from funds of the plan, who shall keep the necessary records of the Plan, attend hearings and transact such other business as shall be delegated to such officer by the Ways and Means Committee. The Ways and Means Committee may also employ such persons or organizations as may be deemed

necessary for the operation of the Plan and may contract for the necessary actuarial or other expert or professional services.

Section 4. Section 4 of Local Law No 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

4. Participation. In addition to the County, participation in the Plan shall be available to the following municipal entities located within or partially within the County of Genesee.

Cities

Towns

Villages

Soil Conservation Districts

School Districts

Genesee Community College

Batavia Housing Authority

Volunteer Fire Departments

Richmond Memorial Library

Section 5. Section 5 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

5. Any municipal entity eligible to become a member of the Plan may become a member by filing with the Executive Secretary of the Plan, on or before the 15<sup>th</sup> day of July in any year, a certified copy of the resolution of its governing body, indicating its intention to become a participant in the Plan for the next calendar year of operation of the Plan. The Ways and Means Committee may impose fair and equitable terms and conditions to be fulfilled by such new participant as a condition precedent to acceptance as a participant in the Plan. All Plan members must sign a Plan Participant Agreement within 180 days of the adoption of Local Law No. 3 of the Year 2016 or within 30 days of first year joining the plan, whichever comes later. Future changes to the Plan Participant Agreement can be made by the Ways and Means Committee and must be resigned by the Plan members within 30 days of the adopted changes. Failure to sign the Plan Participant Agreement will be treated as the member effectively electing to withdraw from the plan per Section 6 below. A certified copy of the resolution of the governing body electing withdrawal shall not be required.

Section 6. Section 6 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

6. Withdrawal from the Plan may be effected on or before the 15<sup>th</sup> day of July in any year by filing with the Executive Secretary of the Plan a certified copy of the resolution of its governing body electing to withdraw from the Plan at the end of the current operating year. A condition of withdrawal is the agreement of the participant to pay its proportionate share of the estimated outstanding liabilities of the Plan as determined by an actuary within ninety (90) days after the date of withdrawal. Payment of such liabilities shall be made in lump sum or the Executive Secretary may, upon approval of the Ways and Means Committee, permit said payment to be made in installments. The actuary shall determine at this time the exiting participant's share of any fund balance and a credit equal to 75% of that value will be applied against the amount due.

Section 7. Section 7 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

7. For any violation of the provisions of Section 7 above or for a violation of any requirements of the Worker's Compensation Law or its underlying Rules and Regulations, by any participant, the Ways and Means Committee of the Genesee County Legislature may assess a penalty not to exceed Five Hundred Dollars (\$500.00). Upon the recommendation of the Ways and Means Committee the Genesee County Legislature may assess a penalty in excess of Five Hundred Dollars (\$500.00) for said violation or in the alternative, expel the participant from the Plan. Any participant expelled from the Plan shall receive written notification of such expulsion at least thirty (30) days prior to the effective date of such expulsion. Expulsion from the Plan shall not relieve the participant from paying its proportionate share of the outstanding liabilities of the Plan as determined by an actuary.

Section 8. Section 8 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

8. All participants in the Plan shall cooperate fully with the Executive Secretary in the administration of the Plan, reporting all accidents within 48 hours, rendering such reports as may be requested and promptly furnish all pertinent information relative to any claim. Accidents reported after 48 hours and resulting in the Plan receiving a fine will be the responsibility of the late reporting participant. In addition, participant will be subject to additional penalties as addressed in Section 7 above.

Section 9. Section 9 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 10. Section 10 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

10. In the event that any Participant incurs double penalties for the illegal hiring of minors pursuant to sect 14-a of the Workers Compensation Law, said double penalties shall be the sole responsibility of the hiring participant.

Section 11. Section 11 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

11. The Executive Secretary shall present to the Ways and Means Committee and the Ways and Means Committee shall approve and present to the Legislature, not later than the fifteenth day of September in each year an estimate of several amounts necessary for the ensuing calendar year a) to meet the payments with respect to the liability of participants required to be made by the county pursuant to section sixty three of the Workers Compensation Law, b) to pay the administrative expenses of the Plan, c) to repay any amounts advanced to the Plan and d) to provide for contributions to the reserve, if any.

Section 12. Section 12 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended to read as follows:

12. The Plan's expenses will be apportioned among the Plan participants on the New York State Insurance Fund calculation of a Workers' Compensation and Employers Liability total policy cost using factors and rules promulgated by the New York Compensation Insurance Rating Board and approved by the New York

State Department of Financial Services, in effect on the first day of the fiscal year for which the apportionment is being made. Participants will be notified of their apportionment amounts on or before September 15th. The share of each participant in the Plan shall be billed by the Executive Secretary with payment due by January 30th.

Section 13. Section 13 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 14. Section 14 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 15. Section 15 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby repealed.

Section 16. Section 16 of Local Law No. 1 of the Year 1956 as subsequently amended, is hereby amended, to read as follows:

16. A reserve not to exceed the present value of the Plan's outstanding liabilities as calculated by an actuary is hereby established for the Plan.

Section 17. This local Law shall take effect January 1, 2017 and,

**WHEREAS**, The Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing of 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 No. Three Year 2016, and

**WHEREAS**, A Public Hearing was held at 5:30 PM on the 8th day of June 2016 at the Genesee County Legislature Chambers, Old Courthouse, 7 Main Street, Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, Be it

**RESOLVED**, That a LOCAL LAW amending Local Law No. One of the Year 1956 as subsequently amended by Local Law No. 2 of the Year 1962, Local Law No. 1 of the year 1966, Local Law No. 1 of the Year 1972, Local Law No. 2 of the Year 1974, Local Law No. 3 of the Year 1975, Local Law No. 2 of the Year 1977, Local Law No. 2 of the Year 1981, Local Law No. 4 of the Year 1981 local Law No. 3 of the Year 1998, Local Law No. 4 of the Year 1999, and Local Law No. 4 of the year 2012 in relation to the Genesee County Mutual Self Insurance Plan to be known as Local Law No. four, Year 2016 be and hereby is adopted.

Legislator Torrey seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 223**

**INSTALLATION OF ADMONITOR SYSTEM IN  
DMV-APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The Genesee County currently retains 12.7% of the revenue generated from the transactions completed in the County Clerk's Motor Vehicle Office, and

**WHEREAS**, Genesee County regularly receives over \$400,000 in revenue sharing from the Motor Vehicle Office, and

**WHEREAS**, The New York State Office of the DMV has made substantial efforts to redirect customers to utilize online DMV services through the NY State website, for which Genesee County receives almost no revenue, and

**WHEREAS,** It has been brought to the attention of the County Clerk that many Genesee County residents are not aware of the fact that by renewing their driver's licenses and registrations locally, as opposed to online, they are keeping their money local, and

**WHEREAS,** Every effort must be made to inform and educate the public of the benefits of doing motor vehicle transactions at our local Motor Vehicle Office, and

**WHEREAS,** AdMonitor is a system whereby Genesee County is allowed to place up to 5 advertisements of their choosing on a rolling list of ads for local businesses, at no cost to the County, in exchange for allowing AdMonitor to place a television screen in the DMV, and

**WHEREAS,** Genesee County can also place ads for any other County project, program or undertaking, which will be viewed at dozens of locations across the County

**WHEREAS,** There are AdMonitor screens in dozens of businesses and locations throughout Genesee County, all of which would run the Genesee County ads, and

**WHEREAS,** The placement of the television screen in the DMV will provide the benefit of entertaining the customers through viewing ads interspersed with trivia questions, while simultaneously advertising the benefits of renewing licenses and registrations locally. Now, therefore, Be it

**RESOLVED,** That the Genesee County Clerk be permitted to contract with AdMonitor for the placement of a television screen in the Motor Vehicle Office, in exchange for the ability to place up to five (5) advertisements on the AdMonitor system, all at no cost to the County.

**Budget Impact:** There is no out-of-pocket cost to Genesee County for the installation of the television monitor, nor for the creation of our advertisement, as both are provided free of cost. There is the potential for increased DMV revenue generated through the education of the public of the benefits of renewing locally, resulting in increased office traffic, although the actual amount is purely speculative.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 224**

**PISTOL PERMIT EQUIPMENT CHANGE ORDER-  
COUNTY CLERK/COMPUTER SERVICES-  
APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS,** The Genesee County Clerk issued a request for proposals for an Integrated County Clerk's Records Management System which included the necessary hardware and software for the functioning of, among many other things, the processing, issuance and amendments of Pistol Permits, and

**WHEREAS,** It was initially believed that the County Clerk's existing pistol permit equipment would be compatible with the new IQS records management software system, and therefore was not included in the specifications included in our Request for Proposals; and

**WHEREAS,** It was subsequently determined that the County Clerk's existing pistol permitting hardware was not compatible with the new system, and

**WHEREAS,** The existing pistol permitting hardware is outdated and has broken multiple times in the past resulting in lost productivity, so the need to upgrade is warranted, and

**WHEREAS,** IQS has proposed a change order to the document management contract that was recently signed between the Genesee County Clerk's Office and IQS (the "Contract"), whereby IQS would provide the necessary pistol permit equipment at the price of Five Thousand Dollars (\$5,000), which price includes both the hardware and a full warranty/service contract for the 5 year term of the Contract, and

**WHEREAS**, the Purchasing Department has reviewed the terms of the proposed contract addendum, and has determined that the price quoted provides the Best Value for this purchase, and has recommended review and approval by the County Legislature. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature and the County Clerk are hereby authorized to execute a change order to the Contract with IQS to provide for the purchase of the following equipment, at quoted price of \$5,000;

Zebra ZXP Series 3 - plastic card printer - Part # Z32-OMOC200US00 (Networked)

Futronic FS88 Fingerprint scanner

Topaz T-LBK460-HSB-R Signature pad

Valcam 9000-628 Camera.

**Budget Impact:** No quantifiable cost savings, however the ability to network the card printer will result in increased efficiency in the processing of pistol permit transactions.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 225      SET PUBLIC HEARING-GENESEE COMMUNITY  
COLLEGE/2016-2017 BUDGET-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The President and Trustees of the Genesee Community College have prepared a proposed operating budget for academic year 2016-2017 in the amount of \$40,537,000 with a sponsors share of \$2,536,374, and

**WHEREAS**, The Committee on Ways & Means has reviewed said budget and does recommend presentation to the Genesee County Legislature, and

**WHEREAS**, Pursuant to law, it is necessary to hold a public hearing on said budget prior to adoption. Now, therefore, Be it

**RESOLVED**, That a Public Hearing shall be held on the proposed operating budget for the Genesee Community College for academic year 2016-2017 at 5:30PM on Wednesday, June 22, 2016 at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislator Bausch seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 226      CONTRACT RENEWAL FOR SOFTWARE  
SUPPORT SERVICES –NEW WORLD SYSTEMS  
FINANCE AND HUMAN RESOURCE APPLICATIONS  
APPROVAL OF**

Legislator Deleo offered the following resolution:

**WHEREAS**, The County Treasurer and the Director of Information Technology did present a contract agreement with New World Systems for software upgrades and support services for the Finance and Human Resource applications and,

**WHEREAS** The support contract is for a 5-year period but may be cancelled in the event the County Legislature does not appropriate funds to complete payments for subsequent years and,

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

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the agreement with New World Systems, 888 West Big Beaver Road, Suite 600, Troy, Michigan 48084 for the provision of customer software support services for a one-year period effective June 1, 2016 through May 31, 2016 at a cost of \$56,135.

**BUDGET IMPACT STATEMENT:** SUFFICIENT FUNDS WERE BUDGETED IN ACCOUNT A.1680 4410.0095 SOFTWARE MAINTENANCE.

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 227 RFP REJECTION 2016-106 FAX SERVER-APPROVAL OF**

Legislator Young offered the following resolution:

**WHEREAS**, The County Purchasing Director issued RFP 2016-106 Fax Server, and

**WHEREAS** The proposed solutions were deemed not cost effective by Information Technology,

**WHEREAS**, The County Purchasing Director and Information Technology Director recommend all proposals are rejected at this time. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to reject all proposals received through RFP 2016-106 Fax Server.

**BUDGET IMPACT STATEMENT:** NO FINANCIAL IMPACT.

Legislator Deleo seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 228 CONTRACT WITH U.S. BANKRUPTCY COURT - WESTERN DISTRICT OF NEW YORK - RENEWAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The United States Bankruptcy Court for the Western District of New York has contracted with Genesee County since 1997 for use of space within the Old County Courthouse in Batavia, NY to conduct proceedings of the Court, and

**WHEREAS**, The United States Bankruptcy Court has presented the County with an amendment to their Revocable License for Federal Use of Real Property space in the Old County Courthouse to extend the term of this Agreement to September 30, 2017 and

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

**RESOLVED**, That Genesee County will maintain with New York Municipal Insurance Reciprocal General Liability Insurance coverage in the amount of \$1 million for only the Old Courthouse, 7 Main Street, Batavia, NY, and Be it Further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Amendment of License Agreement for the extension of the Revocable License for Federal Use of Real Property with the United States Bankruptcy Court, Western District of New York, 300 Pearl Street, Suite 250, Buffalo, NY for the use of the Courtroom in the Old Genesee County Courthouse, Batavia, NY for the period October 1, 2016 through September 30, 2017 at \$850 per month for utilities, general liability insurance and maintenance of space.

**Budget Impact Statement:** Extends current agreement at current monthly rate; revenue for period \$10,200.

Legislator Clattenburg seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 229 DISTRIBUTION OF MORTGAGE TAX-FIRST PAYMENT 2016-APPROVAL OF**

Legislator Bausch 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 \$278,153.64, 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	\$ 52,179.89
<b>Towns Of</b>	Alabama	4,719.68
	Alexander	12,704.76
	Batavia	42,494.91
	Bergen	13,246.78
	Bethany	9,428.43
	Byron	13,757.94
	Darien	16,464.13
	Elba	9,199.30
	LeRoy	19,155.36
	Oakfield	13,185.22
	Pavilion	8,876.99
	Pembroke	28,536.69
	Stafford	19,182.46
<b>Villages Of</b>	Alexander	1,601.60
	Attica	552.30
	Bergen	1,942.63
	Elba	1,235.57
	LeRoy	5,756.44
	Oakfield	2,149.07
	Corfu	1,783.49
<b>Total</b>		<b>\$278,153.64</b>

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:**

2015 1 <sup>st</sup> Payment	\$292,934.98
2014 1 <sup>st</sup> Payment	\$244,843.58
2013 1 <sup>st</sup> Payment	\$303,549.03
2012 1 <sup>st</sup> Payment	\$276,484.73
2011 1 <sup>st</sup> Payment	\$274,955.43
2010 1 <sup>st</sup> Payment	\$225,648.79
2009 1 <sup>st</sup> Payment	\$216,081.50

Legislator Stein seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

**RESOLUTION NO. 230 COUNTY AUDIT – JUNE 8 - APPROVAL OF**

Legislator Bausch offered the following resolution:

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

General Fund	\$	513,578.72
Highway		159,637.54
Self Insurance		75.02
Nursing Home		97,344.02
DSS Abstracts		543,708.60

**Capital Projects:**

County Manager 2 Bank St Security Updates	\$	3,475.00
Highway – 2016 Bridge Construction		10,919.28
Highway – River Street Bridge		6,663.93
Airport – Airport Terminal & Maint Hangar Demo Site		34,500.00

Airport – Construct New Terminal & Maint Hangar	73,193.05
County Park – Pavilion A/B Roof, Struct Repair & Fireplaces	1,863.63
<b>Payroll – General &amp; Nursing Home</b>	
May 27, 2016	1,764,501.29
<b>Medicaid</b>	
May 31, 2016	180,837.00
June 7, 2016	<u>180,837.00</u>
<b>Total Audit</b>	\$ 3,571,134.08

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 Deleo seconded the resolution which was adopted by 255 votes (Davis 43, DeJaneiro 28 absent)

The meeting was adjourned at 6:02 PM upon motion of Legislator Stein seconded by Legislator Young, carried unanimously.