

**THIRTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, July 11, 2012**

The Genesee County Legislature met in Regular session on Wednesday, July 11, 2012 at 7PM at the Old Courthouse, 7 Main Street, Batavia, New York. The Prayer was offered by Legislator Ferrando followed by the Pledge to the Flag. All members were present.

Chair Hancock opened a Public Hearing on the proposed budget for the Genesee Community College for fiscal year beginning September 1, 2012. The Budget for Genesee Community College for the year September 1, 2012 through August 31, 2013 is \$37,065,000 with Genesee County's share as Sponsor in the amount of \$1,936,374. There were no speakers present.

Legislator Bausch presented a Genesee County Flag to College President Sunser to fly on the Genesee County Campus of the College.

The minutes of the June 27, 2012 meeting were approved upon motion of Legislator Lawrence seconded by Legislator DeJaneiro.

Legislator Stein reported discussion on their strategic planning process including high tech industries and green power. The Alpina ceremony will be scheduled for early August. Legislator Leadley will be attending the NYSAC Blue Ribbon Task Force meeting to be held August 9, 2012 as part of Empire Farm Days in Seneca Falls.

County Manager Gsell presented a draft 2013 budget schedule and asked Legislators to review and respond with any necessary changes. Mr. Gsell reported that the Nursing Home Administrator has brought forward a proposal for the Adult Home to transition the DOM to an Assisted Living Program beds. The DOM is currently at 60% occupancy and is limited to County Residents. The assisted living unit is an opportunity to revisit this setup which was part of the original organization of the facility. 6000 new beds will be approved under the ALP Program. The ALP Program is funded differently than the Public Home beds. County funding for the beds would decrease to about \$7 per day versus \$118. Application for the beds is due July 18, 2012. Eligible applicants must be a non-profit corporation, a non-publicly traded business corporation, a limited liability company, an individual or group of individuals acting as partners. GCEDC's LDC might be a possibility, or Genesee County could form its own group with assistance from Harris Beach. A Special Meeting of the Legislature will be called for Tuesday, July 17, 2012 at 7:30 PM to further discuss the opportunity and take action as appropriate. The stand alone LDC will need a name.

The Clerk proceeded with the reading of the resolutions as follows:

**RESOLUTION NO. 254 CSEA GENERAL UNIT UNION CONTRACT FOR
2010 THROUGH 2015 -- RATIFICATION OF AND
2012 BUDGET AMENDMENTS AND TRANSFERS --
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, An agreement has been reached between representatives of the Civil Service Employees Association General Unit, Local 819 Union and representatives of the Genesee County Legislature on the terms of a three year contract for the period January 1, 2010 through December 31, 2015, and

WHEREAS, The implementation of this agreement for fiscal year 2012 will increase various revenues for some departments with respect to corresponding appropriations and it is necessary to amend the budget to account for these additional revenues and expenses, and

WHEREAS, The funds for the implementation of the remainder of this agreement for fiscal year 2012 have been included in the 2012 County Budget Contingency account and it is necessary to distribute these funds to the respective County department budgets, and

WHEREAS, The Committee on Ways and Means did review the Agreement and does recommend that said agreement be ratified at this time and that the associated budget amendments and transfers be approved. 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 CSEA General Unit, Genesee County Local 819 and the County of Genesee for the period January 1, 2010 through December 31, 2015, and be it Further

RESOLVED, That the Genesee County Legislature does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2012 County Budget:

INCREASE GENERAL FUND APPROPRIATIONS

A6010.1010.0000	Social Services Adm, Personal Services	\$21,039
A6772.1010.0000	Office for the Aging, Personal Services	\$3,812
A6772.8010.0000	Office for the Aging, Social Security	\$236
A6772.8011.0000	Office for the Aging, Medicare	\$55
A6772.8020.0000	Office for the Aging, Retirement	\$623
A8020.1010.0000	Planning, Personal Services	\$109

INCREASE GENERAL FUND REVENUES

A6010.4610	Social Services Adm, Federal Aid	\$10,348
A6010.3610	Social Services Adm, State Aid	\$11,210
A6010.4615	Social Services Adm, Federal Aid	\$86
A6010.3619	Social Services Adm, State Aid	\$1,031
A6109.3609	Social Services, FA/TANF, State Aid	\$53
A6772.3772	Office for the Aging, State Aid, Program for Aging	\$4,726
A8020.1270	Planning, Shared Services Charges	\$109

DECREASE GENERAL FUND REVENUES

A6010.4670	Social Services, Adm, Federal Aid	\$573
A6109.4615	Social Services, EAF CC POS, Federal Aid	\$86
A3116.3619	Social Services, Child Care, State Aid	\$1,030

and, Be it Further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfers in the 2012 County Budget:

\$66,149	from A1990.4800.0000 Contingency
\$529	to A1165.1010.0000 District Attorney, Personal Services
\$33	to A1165.8010.0000 District Attorney, Social Security
\$8	to A1165.8011.0000 District Attorney, Medicare
\$73	to A1165.8020.0000 District Attorney, Retirement
\$524	to A1170.1010.0000 Public Defender, Personal Services

\$32	to A1170.8010.0000 Public Defender, Social Security
\$8	to A1170.8011.0000 Public Defender, Medicare
\$98	to A1170.8020.0000 Public Defender, Retirement
\$5,803	to A1325.1010.0000 Treasurer, Personal Services
\$38	to A1325.8010.0000 Treasurer, Social Security
\$1,682	to A1410.1010.0000 County Clerk, Personal Services
\$104	to A1410.8010.0000 County Clerk, Social Security
\$24	to A1410.8011.0000 County Clerk, Medicare
\$329	to A1410.8020.0000 County Clerk, Retirement
\$2,124	to A1411.1010.0000 Auto Bureau, Personal Services
\$132	to A1411.8010.0000 Auto Bureau, Social Security
\$31	to A1411.8011.0000 Auto Bureau, Medicare
\$408	to A1411.8020.0000 Auto Bureau, Retirement
\$234	to A1430.1010.0000 Human Resources, Personal Services
\$15	to A1430.8010.0000 Human Resources, Social Security
\$3	to A1430.8011.0000 Human Resources, Medicare
\$44	to A1430.8020.0000 Human Resources, Retirement
\$450	to A1450.1010.0000 Elections, Personal Services
\$28	to A1450.8010.0000 Elections, Social Security
\$7	to A1450.8011.0000 Elections, Medicare
\$383	to A1610.1010.0000 Central Services, Personal Services
\$24	to A1610.8010.0000 Central Services, Social Security
\$6	to A1610.8011.0000 Central Services, Medicare
\$71	to A1610.8020.0000 Central Services, Retirement
\$2,340	to A1620.1010.0000 Fac Management, Personal Services
\$145	to A1620.8010.0000 Facilities Management, Social Security
\$34	to A1620.8011.0000 Facilities Management, Medicare
\$435	to A1620.8020.0000 Facilities Management, Retirement
\$526	to A1680.1010.0000 Info Technology, Personal Services
\$33	to A1680.8010.0000 Info Technology, Social Security
\$8	to A1680.8011.0000 Information Technology, Medicare
\$98	to A1680.8020.0000 Information Technology, Retirement
\$330	to A3020.1010.0000 Communications, Personal Services
\$20	to A3020.8010.0000 Communications, Social Security
\$5	to A3020.8011.0000 Communications, Medicare
\$61	to A3020.8020.0000 Communications, Retirement
\$745	to A3110.1010.0000 Sheriff, Personal Services
\$46	to A3110.8010.0000 Sheriff, Social Security
\$11	to A3110.8011.0000 Sheriff, Medicare
\$139	to A3110.8020.0000 Sheriff, Retirement
\$4,804	to A3140.1010.0000 Probation, Personal Services
\$298	to A3140.8010.0000 Probation, Social Security
\$70	to A3140.8011.0000 Probation, Medicare
\$872	to A3140.8020.0000 Probation, Retirement
\$658	to A3150.1010.0000 Jail, Personal Services
\$42	to A3150.8010.0000 Jail, Social Security

\$8	to A3150.8011.0000 Jail, Medicare
\$122	to A3150.8020.0000 Jail, Retirement
\$1,555	to A3151.1010.0000 Genesee Justice, Personal Services
\$96	to A3151.8010.0000 Genesee Justice, Social Security
\$24	to A3151.8011.0000 Genesee Justice, Medicare
\$260	to A3151.8020.0000 Genesee Justice, Retirement
\$246	to A3640.1010.0000 Emer Management, Personal Services
\$15	to A3640.8010.0000 Emer Management, Social Security
\$4	to A3640.8011.0000 Emergency Management, Medicare
\$46	to A3640.8020.0000 Emergency Management, Retirement
\$3,579	to A4010.1010.0000 Public Health, Personal Services
\$222	to A4010.8010.0000 Public Health, Social Security
\$52	to A4010.8011.0000 Public Health, Medicare
\$589	to A4059.1010.0000 Early Intervention, Personal Services
\$37	to A4059.8010.0000 Early Intervention, Social Security
\$9	to A4059.8011.0000 Early Intervention, Medicare
\$110	to A4059.8020.0000 Early Intervention, Retirement
\$14,750	to A4310.1010.0000 Mental Health, Personal Services
\$915	to A4310.8010.0000 Mental Health, Social Security
\$214	to A4310.8011.0000 Mental Health, Medicare
\$2,295	to A4310.8020.0000 Mental Health, Retirement
\$6,285	to A6010.1010.0000 Social Services Adm., Personal Services
\$1,694	to A6010.8010.0000 Social Services Adm., Social Security
\$396	to A6010.8011.0000 Social Services Adm., Medicare
\$5,004	to A6010.8020.0000 Social Services Adm., Retirement
\$534	to A7110.1010.0000 Parks, Personal Services
\$33	to A7110.8010.0000 Parks, Social Security
\$8	to A7110.8011.0000 Parks, Medicare
\$99	to A7110.8020.0000 Parks, Retirement
\$403	to A7310.1010.0000 Youth Bureau, Personal Services
\$24	to A7310.8010.0000 Youth Bureau, Social Security
\$6	to A7310.8011.0000 Youth Bureau, Medicare
\$75	to A7310.8020.0000 Youth Bureau, Retirement
\$322	to A7510.1010.0000 History, Personal Services
\$20	to A7510.8010.0000 History, Social Security
\$5	to A7510.8011.0000 History, Medicare
\$60	to A7510.8020.0000 History, Retirement
\$823	to A8020.1010.0000 Planning, Personal Services
\$58	to A8020.8010.0000 Planning, Social Security
\$14	to A8020.8011.0000 Planning, Medicare
\$173	to A8020.8020.0000 Planning, Retirement

Budget Impact Statement: Additional General A Fund costs associated with contract settlement were included in the 2012 Adopted Budget; additional salary = \$70,450; Social Security = \$4,340; Medicare=\$1,010; Retirement \$11,495. Increases offset by additional department revenue of \$25,874 and budgeted contingency of \$66,149. Balance in contingency after this transfer = \$784,822. Note 1: Additional salary of \$4,728 included to cover shortage in one departments salary line item. Note 2: Nursing Home and Job Development Bureau included funds for contract settlement in their adopted 2012 budgets.

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

Prior to roll call on the above resolution Chair Hancock noted that the ratification is a hard fought victory for both sides.

**RESOLUTION NO. 255 GRANT ACCEPTANCE/BUDGET AMENDMENT-
YOUTH BUREAU/USTA GRANT-APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Executive Director of the Genesee County Youth Bureau did receive notice of the award of grant funding in the amount of \$2,370 from the United States Tennis Association to provide tennis programming for municipal recreation programs in Genesee and Orleans Counties and

WHEREAS, The Executive Director of the Youth Bureau did request an amendment to the 2012 Youth Bureau Budget to accept said funding, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Genesee County Budget by increasing Revenue Account A.1000.7310.2070 – Private Agency in the amount of \$1,370 to be offset by an increase in Contractual Accounts as follows

A 7310 4660 0000	Contracted Services	\$1,370
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Budget Impact: All increased appropriations accompanied by matching increased revenue. No net county cost.

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

Prior to roll call on the above resolution Legislator Leadley noted that she heard a compliment about the fine summer programs sponsored by the Youth Bureau.

**RESOLUTION NO. 256 RESCIND BUDGET AMENDMENT/APPROVE
BUDGET TRANSFER – YOUTH BUREAU/REALITY
CHECK – APPROVAL OF**

Legislator Lawrence offered the following resolution;

WHEREAS, The Genesee County Legislature duly adopted Resolution No. 222 on June 13, 2012, authorizing a budget amendment to incorporate a cost of living adjustment into the Youth Bureau-Reality Check Program in the amount of \$14,035 from the NY State Department of Health, and

WHEREAS, The cost of living adjustment revenue was received and accounted for in the 2011 Genesee County Budget but was not expended in 2011 and was not carried over to the 2012 budget and the County must demonstrate specific, approved utilization of these funds, and

WHEREAS, Resolution No. 222 approved a budget amendment moving both revenue and expense into the 2012 County budget which is not the correct fiscal method as this revenue has already been accounted for in the 2011 budget, and

WHEREAS, The correct fiscal method to allow for expenditure of the cost of living adjustment is a transfer of appropriation (expense) funds from contingency to Youth Bureau, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to rescind the 2012 budget amendment in the amount of \$14,035. And, Be it further

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

make the following 2012 budget transfer:

\$14,035 from A1990.4800.0000 Contingency

\$ 500.00 to A7310.EMPR.4110.0000 Supplies

\$ 1,000.00 to A7310.EMPR.4340.0000 Vehicle Main/Repair

\$ 500.00 to A7310.EMPR.4560.0000 Personal Travel

\$12,035.00 to A7310.EMPR.4800.0000 Program Expense

Budget Impact: \$14,035 will be taken from the Contingency Fund to offset expenses

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

**RESOLUTION NO. 257 SERVICE AGREEMENT/NURSING HOME –
ARCHITECTURAL STUDY - APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Nursing Home is seeking to relocate its Adult Day Care Program to a more desirable location within the Nursing Home, and to accommodate the possibility of the expansion of the Program, and

WHEREAS, Because the code requirements for the Adult Day Care Program have recently changed, the services of a professional architect are needed to ensure accuracy and compliancy with the required New York State Department of Health Administrative Review and Approval that must be obtained before this relocation can take place, and

WHEREAS, The Administrator did seek and receive quotes from three reputable and knowledgeable area architectural firms, and

WHEREAS, The three bids were reviewed and the Nursing Home Administrator, along with the County Manager, does recommend awarding the bid to the lowest bidder, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a service agreement with LaBella Associates, P.C., 300 State Street, Suite 201, Rochester, New York, 14614, in the person of David C. Nichols, for the purpose of providing a study for relocation of the Adult Day Care Program within the Nursing Home at a cost of \$4,300.

Budget Impact Statement: Amount is budgeted for in the 2012 budget

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

**RESOLUTION NO. 258 SALARY SCHEDULE AMENDMENT-NURSING
HOME/PART TIME CONTROLLER – APPROVAL
OF**

Legislator Leadley offered the following resolution:

WHEREAS, Ms. Christine Kuehl will retire from her position as Nursing Home Controller effective July 21, 2012, and

WHEREAS, The Nursing Home Administrator has requested that Ms. Kuehl continue to work on a part-time basis to oversee the completion of an audit, a cost report, and a budget for a temporary time period until a replacement is appointed on a full time basis, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2012 Management Salary Schedule by creating one position of part-time Controller at a rate of \$31.30 per hour, effective July 22, 2012 through October 1, 2012.

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

Prior to roll call on the above resolution Legislator Leadley made a motion to amend the ending date to December 31, 2012. This was seconded by Legislator Bausch.

The motion and second were then withdrawn with the recommendation that an extension could take place, if necessary, at a later date.

RESOLUTION NO. 259 SALARY SCHEDULE AMENDMENT – NURSING HOME/DIRECTOR OF FINANCE – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2012 Salary Schedule to more adequately describe the duties of the department, and to provide a more efficient operation of the department, 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 2012 Genesee County Employee Salary Schedule by creating a position of Director of Finance at Grade 7 of the Genesee County Management Scale, effective July 22, 2012.

Budget Impact: No impact to the current Nursing Home budget

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

RESOLUTION NO. 260 CONTRACT RENEWALS– HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Interim Public Health Director did present contract renewals for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services 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 contract renewals with the following agencies/individuals, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSHSP) for the period July 1, 2012 through June 30, 2013 per the 2012-2013 PSHSP rate schedule. The contract may be renewed for two (2) additional one year periods upon mutual agreement between both parties, and must be in the best interest of Genesee County.

Buffalo Hearing and Speech
Building Blocks Comprehensive Services, Inc.
Byron-Bergen Central School
CP Rochester
Sandra DeVoe
Jessen Donlon
Elba Central School
Erie County Medical Center
Integrated Therapy Services (ITS)
Lisa Kedron
Kidstart – ARC of Livingston-Wyoming Counties
LeRoy Central School
Monroe BOCES II
Music Therapy Pathways – Creative Arts Therapy
Music Therapy of Rochester
Karen Nelson
Oakfield-Alabama Central School
Olmsted Center for the Visually Impaired
Pembroke Central School
Rainbow Preschool – ARC of Orleans County
Rochester Hearing & Speech Center
Stepping Stones Learning Center

Stepping Stones Therapeutics
Elizabeth Tuites
Jody Von Sanden
WNY Speech-Language Pathology, OT, PT & Psychology
Consultants d/b/a Clinical Associates of the Finger Lakes

Budget Impact: Revenue and expenses are included in the 2012-2013 A2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 261 CONTRACT– HEALTH
DEPARTMENT/PRESCHOOL SUPPORTIVE
HEALTH SERVICES PROGRAM – APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The Interim Public Health Director did present a contract for the provision of services to eligible children in the Preschool Supportive Health Services Program, and

WHEREAS, The Committee on Human Services 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 contracts with the following agencies/individuals, for the provision of **Special Education Itinerant Teacher (SEIT) Services, Classroom Services (CB), and Evaluator Services** in the Preschool Supportive Health Services Program for the period July 1, 2012 through June 30, 2013 at the rates established by State of New York. The contract may be renewed for two (2) additional one year periods upon mutual agreement between both parties, and must be in the best interest of Genesee County.

Buffalo Hearing & Speech

Building Blocks Comprehensive Services

CP Rochester

Erie County Medical Center

Kidstart Livingston/Wyoming NYSARC

Mary Cariola Children's Center

Monroe BOCES I

Monroe BOCES II

Olmsted Center for the Visually Impaired

Rainbow Preschool ARC of Orleans County

Rochester Hearing & Speech Center

Stepping Stones Learning Center

WNY Speech-Language Pathology, OT, PT & Psychology

Consultants d/b/a Clinical Associates of the Finger Lakes

Budget Impact: Revenue and expenses are included in the 2012 A 2960 3-5 Preschool Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 262 CONTRACT – MEDICARE PART B PROGRAM –
NURSING HOME – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Nursing Home Administrator did authorize the Purchasing Department to send out an RFP for the provision of prosthetic devices and all applicable medical supplies covered under the Medicare Part B Program, and

WHEREAS, The Nursing Home Administrator does recommend awarding the bid to

the sole bidder, who is also the current provider, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to contract with Health Systems Services, Ltd., 6867 Williams Road, Niagara Falls, New York, 14304 for the provision of prosthetic devices and all applicable medical supplies covered under the Medicare Part B Program for the period of August 9, 2012 through August 31, 2013 and may be renewed under the same terms and conditions upon mutual, written agreement between both parties for four (4), one-year periods.

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

RESOLUTION NO. 263 SURPLUS EQUIPMENT/OFFICE FOR THE AGING/ALUMINUM RAMP –APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Office for the Aging Director did request that the following equipment that is no longer needed or used at the Office for the Aging due to discontinuation of federal grant funds to support this program; be declared surplus and sent to auction: 2 Section Aluminum Ramp; and

WHEREAS, The Human Services and Ways and Means Committee did review and do concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby declare the above list of equipment from the Office for the Aging to be disposed of through auction; and

RESOLVED, That the proceeds from the auction be returned to the Office for the Aging to be used towards providing programs and services for Genesee County seniors; as required by Office for the Aging State and Federal requirements .

Budget Impact: Item listed can no longer be used by OFA due to discontinuation of federal grant funds to support this program; and monies gained by items being sold at auction would be added to the Office for the Aging funds to provide additional funds for senior programs and services.

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

RESOLUTION NO. 264 ACCEPTANCE OF GRANT AWARDS/BUDGET AMENDMENT – OFFICE FOR THE AGING – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request acceptance of three grant awards: \$54,000 Transportation Coordination, \$9,570 Handyman Intake and \$17,000 Marketing Coordination from the Rochester Area Community Foundation's Muriel H. Marshall Fund for the Aging each for the period of July 1, 2012 – June 30, 2013 and these grants include an additional \$7,000 in Marshall Fund grant revenue in the 2012 county budget; and

WHEREAS, the \$75,000 Care Transitions Intervention contract with the P2 Collaborative for the period of July 12, 2012 – June 30, 2014; is anticipated to generate \$17,500 in revenue in 2012 and also has corresponding allocations to provide Care Transitions Intervention coaching both directly and with contract agencies; and

WHEREAS, Federal grants have had reduction in Title III C1 and discontinuation of Weatherization Referral and Assistance Program, effective 3/31/12, while being offset by increased carry-over from unspent funds in 2011, in Title III B, Title III C2 and Title III E for a net increase of \$4,461 in Federal grant funding; and State grants have increased funds in 2012 due to under-expending and reduced home care rates in 2011 for an overall

increase of \$12,918 in State Aid; and an additional donation of \$241 was received from the Meals on Wheels Foundation of WNY to support the home delivered meal program; and

WHEREAS, A consulting agreement with Community Health Foundation of Western and Central New York (CHFWCNY) for the “Investing in and Elder-‘Competent Workforce: Strengthening Nursing and Social Work Education” will provide up to a \$10,000 for the full consulting period of May 15, 2012 – December 31, 2014, with \$3,000 in revenue designated for the 2012 budget and the CHFWCNY Falls Prevention Program, administered in our county through the University of Buffalo, allocating and additional \$1,100 in revenue to OFA for the Home Safety project; and

WHEREAS, Genesee County Senior Center/Office for the Aging has received two disbursement of funds from the estate of Frank Spiotta and those funds have been received but not yet incorporated in the 2012 County budget; and therefore, I am requesting to accept and incorporate the \$16,940 from the first disbursement and \$4,800 for the second distribution for a total of \$21,740. The funds will be used to provide additional in-home care/case management for older adults (\$16,940); replacing sound system at the OFA/Senior Center (\$2,600); purchase of a digital camera (\$200) printing Reaching Out Directories and Health Files (\$2,000)

WHEREAS; the Committees on Human Services and Ways and Means did review this request and do recommend acceptance of these grants. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Appropriations:

A.6772.1	Personnel Services	+ \$ 20,674
A.6772.2	Equipment	+ \$ 3,100
A.6772.4	Contractual	+ \$ 33,672
A.6772.8	Fringe	+ \$ 10,814

Revenues:

A. 1000.6772.1972.2	OFA GenAreaFound – RACF	+ \$ 7,000
A. 1000.6772.1972.6	Community Health Foundation	+ \$ 4,100
A. 1000.6772.2705	Gifts and Donations	+ \$21,981
A. 1000.6772.3772	State Aid	+ \$12,918
A. 1000.6772.4772	Federal Aid	+ \$ 4,761
A. 1000.6772.4772.1	Federal Aid/P2/Medicare	+ \$17,500

RESOLVED, That the Chairperson of the Genesee County Legislature is authorized to enter into any and all agreements under the grants awarded to contract for goods and services to meet the requirements under each of the grants awarded.

Budget Impact: Additional revenue in the 2012 County budget includes: \$7,000 additional Rochester Area Community Foundation/Marshall Fund; \$4,100 additional Community Health Foundation of WCNY; additional \$21,981 due to Spiotta estate funds of \$21,740 and Meals on Wheels Foundation of WNY additional donation of \$241; Additional State Aid of \$12,918; Additional Federal Aid of \$4,761; and new Care Transitions Intervention funds of \$17,500 which is Medicare reimbursement that flows through the P2 Collaborative.

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

**RESOLUTION NO. 265 APPROVAL OF CONTRACT & INSURANCE
CERTIFICATE – OFA/P2 COLLABORATIVE -
CARE TRANSITIONS– APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement with the P2 Collaborative for the period of July 12, 2012 – June 30, 2014 that outlines the relationship of Genesee County Office for the Aging (GCOFA) as the Community Based Organization in Genesee County to work with P2 Collaborative on the Care Transitions Intervention Program, an initiative funded by to Center for Medicare and Medicaid Services (CMS) through a grant awarded to the P2 Collaborative; and

WHEREAS, The P2 Collaborative is the grant recipient and this contract establishes the terms for which GCOFA, United Memorial Medical Center, Independent Living of Genesee Region and Alzheimer’s Association, WNY Chapter who all have trained Care Transitions Coaches would receive funding for providing coaching intervention; and

WHEREAS, The purpose of Care Transitions Intervention is to provide a coaching system that would assist qualified Medicare patients with a diagnosis of CHF or COPD being discharged from UMMC to transition from hospital to home by supporting discharge plans and get the care they need to continue on the road of recovery and remain stable following their hospitalization; and

WHEREAS, Rate has been set at \$223.52 per Eligible Patient as determined by CMS, the P2 Collaborative and Genesee County OFA (GCOFA) based on the actual cost of providing CTI service; and

WHEREAS, The contract does require a certificate of insurance naming P2 Collaborative as additional insured for the services provided under this contract; Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to sign a contract with P2 Collaborative, 6225 Sheridan Drive, Suites 206 & 208, Williamsville, NY 14221.

RESOLVED, That the Chairperson of the Genesee County Legislature is authorized to enter into any and all agreements under the grants awarded to contract for goods and services to meet the requirements under each of the grants awarded.

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name P2 Collaborative, 6225 Sheridan Drive, Suites 206 & 208, Williamsville, NY 14221 as additional insured, effective July 12, 2012 - June 30, 2014.

Budget Impact: Rate is set at \$223.52 per Eligible Patient for an estimated 168 patients per year. Total revenue in the two year period is projected to be \$75,000, with revenue estimated at \$17,500 in 2012, \$57,500 in 2013 – 2014.

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

**RESOLUTION NO. 266 CONTRACT APPROVAL– OFA/UMMC CARE
TRANSITIONS – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract with United Memorial Medical Center that outlines the working relationship between Genesee County Office for the Aging as the Community Based Organization responsible for Care Transitions Intervention (CTI) for eligible patients initiated during the period of hospitalization at United Memorial Medical Center, and the P2 Collaborative the agency

contracted by Center for Medicare and Medicaid Services to coordinate and oversee this initiative in an 8 county region of WNY; and

WHEREAS, This contract is a key partner agency authorized in the P2 Collaborative's funding application to Center for Medicare and Medicaid Services (CMS) initiative since identification of patients and the first CTI coaching visit will initially take place in the hospital setting; and

WHEREAS, Genesee County Office for the Aging will reimburse United Memorial Medical Center a rate of \$41.06 for the initial visit within the hospital setting for eligible patients who accept Care Transitions Intervention services, with all fees covered by the Medicare rate paid to GCOFA by P2 Collaborative and then reimbursed on a per client basis to UMMC. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to sign a contract with United Memorial Medical Center, 127 North Street, Batavia, NY, 14020.

Budget Impact: UMMC would receive a rate of \$41.06 for the initial visit within the hospital setting for eligible patients who accept Care Transitions Intervention services, with all fees covered by the Medicare rate paid to GCOFA by P2 Collaborative and then reimbursed on a per client basis to UMMC.

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

**RESOLUTION NO. 267 CONTRACT APPROVAL– OFA/WNY
INDEPENDENT LIVING- CARE TRANSITIONS –
APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract with Western New York Independent Living, Inc. dba Independent Living of Genesee Region that outlines the working relationship between Genesee County Office for the Aging as the Community Based Organization responsible for Care Transitions Intervention (CTI) for eligible patients following a hospitalization at United Memorial Medical Center, and the P2 Collaborative the agency contracted by Center for Medicare and Medicaid Services to coordinate and oversee this initiative in an 8 county region of WNY; and

WHEREAS, This contract is a key partner agency authorized in the P2 Collaborative's funding application to Center for Medicare and Medicaid Services (CMS) initiative to serve individuals under the age of 60 and disabled individuals of any age who reside in Orleans and Wyoming Counties; and

WHEREAS, Genesee County Office for the Aging will reimburse Independent Living of Genesee Region a rate of \$160.11 for the in-home visit and follow up phone calls for eligible patients who accept Care Transitions Intervention services and are referred to Independent Living by GCOFA, with all fees covered by the Medicare rate paid to GCOFA by P2 Collaborative and then reimbursed on a per client basis to Independent Living of Genesee Region. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to sign a contract with, Western New York Independent Living, Inc. dba Independent Living of Genesee Region, 113 Main Street, Batavia, NY, 14020.

Budget Impact: Independent Living of Genesee Region would receive a rate of \$160.11 for the in-home visit and follow up phone calls for eligible Care Transitions Intervention patients referred to their agency by GCOFA, with all fees covered by the Medicare rate paid to GCOFA by P2 Collaborative; and then reimbursed on a per client basis to Independent Living.

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

**RESOLUTION NO. 268 CONSULTING AGREEMENT – OFA/COMMUNITY
HEALTH FOUNDATION OF WESTERN &
CENTRAL NY– APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a consulting agreement with Community Health Foundation of Western & Central New York, Larkin at Exchange, 726 Exchange Street, Suite 518, Buffalo, NY 14210, for the provision of Genesee County Office for the Aging providing technical support for the Community Health Foundation’s *Investing in an Elder Competent Workforce* initiative; and

WHEREAS, The Genesee County Office for the Aging and the Genesee Community College Nursing Program previously developed a model program that Community Health Foundation is seeking to replicate within collegiate Nursing and Social Work curriculums and across the Western and Central New York region; and Genesee County Office for the Aging has staff able to provide such consulting service in collaboration with Genesee Community College’s Nursing Program; and

WHEREAS, Consulting funds of \$10,000 are being offered for the period of May 15, 2012 – December 31, 2014 and would cover expenses for Office for the Aging staff to provide this service. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents enter into an agreement with Community Health Foundation of Western & Central New York, Larkin at Exchange, 726 Exchange Street, Suite 518, Buffalo, NY 14210 with anticipated total revenue of \$10,000 paid in installments each of the three years of the agreement covering the period May 15, 2012 – December 31, 2014.

Budget Impact: Over the grant period, the \$10,000 in revenue from the Community Health Foundation of WCNY will be received; \$3,000 in 2012; \$4,000 in 2013; and \$3,000 in 2014.

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

**RESOLUTION NO. 269 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, 2012 – June 30, 2013; 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, Batavia, New York not to exceed \$36,839 for the period July 1, 2012 – June 30, 2013.

Budget Impact: Neutral. Federal Title V grant of \$36,839 will offset costs of this contract to continue this senior employment program in our county and is already included in the 2012 county budget.

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

**RESOLUTION NO. 270 CONTRACT EXTENSION – OFA/LAKE PLAINS
COMMUNITY CARE NETWORK- CDSMP ARRA
PROGRAM – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present the extension of a contract with Lake Plains Community Care Network for the provision of continuing to being the Western New York regional lead agency to coordinate the expansion of Chronic Disease Self Management Program with P2 Collaborative partner agencies and other counties in the WNY region not served by the P2 Collaborative; and

WHEREAS, The New York State Office for the Aging ARRA grant specified that CDSMP ARRA funds must be contracted to Lake Plains Community Care Network – P2 Collaborative as Genesee County’s P2 Collaborative agency; and

WHEREAS, Grant funds of \$3,800 are remaining in this grant and these funds are being extended by the NYS Office for the Aging until September 30, 2012 and would allow for continued effort by the contractor to carry out the development and implementation of CDSMP ARRA grant activities for the period of April 1, 2012 –September 30, 2012. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to extend the contact with Lakes Plains Community Care Network, 56 Harvester Avenue, Batavia, NY, 14020 not to exceed \$3,800 for the period April 1, 2012 –September 30, 2012.

Budget Impact: Neutral. Chronic Disease Self-Management Grant ARRA funds will fully cover the cost of this contract at \$3,800 for the period of April 1, 2012 –September 30, 2012.

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

**RESOLUTION NO. 271 2012 SALARY SCHEDULE AMENDMENT –
OFFICE FOR THE AGING/CASE SUPERVISOR
GRADE B - APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Director of the Office for the Aging did request an amendment to the 2012 Salary Schedule to create one position of Case Supervisor Grade B, CSEA Grade 18S to rebalance workloads resulting from previous budget cuts, to keep up with current demand for service, as well as to allow OFA to meet grant requirements for current and additional grant funded programs, including Care Transitions Intervention and Community Health Foundation of Western & Central New York “Investing in Elder-Competent Workforce”; and

WHEREAS, With new grant funds from the P2 Collaborative for the Care Transitions Intervention Initiative and Community Health Foundation of Western & Central New York for consulting work on “Investing in Elder-Competent Workforce” project, combined with carry-over funds from existing state and federal grant programs; the \$23,289 in funds needed to support this position is available within the Office for the Aging budget; and

WHEREAS, the Committees on Human Service and Ways and Means did review the request and does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2012 Salary Schedule by creating one full-time permanent position of Case Supervisor Grade B, CSEA Grade 18S effective July 16, 2012.

Budget Impact: For the remainder of the 2012 there is an additional cost of \$23,289, with \$15,685 in salary and \$7,604 in fringe which is fully covered by additional grant funds being incorporated in the 2012 county budget.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator

Cianfrini (28) no.

Prior to roll call on the above resolution Legislator Cianfrini noted that while he has the utmost respect for the work and services of the Office for the Aging he believes the additional position should be part of the upcoming budget process and he is reluctant to approve a full-time permanent position without any guarantee of funding for 2013 and he will be voting against the resolution.

RESOLUTION NO. 272 INSURANCE CERTIFICATE – LEROY FARMERS’ MARKET & VILLAGE OF LEROY– APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars, and naming LeRoy Farmers’ Market and Village of LeRoy as additional insureds, for the purpose of manning an information table at the LeRoy Farmer’s Market on Saturday August 11, 2012; and

WHEREAS, The Office for the Aging desires to distribute information on senior services to residents in the LeRoy area; Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name LeRoy Farmer’s Market and Village of LeRoy, 3 West Main Street, LeRoy, NY 14482 as additional insured on Saturday, August 11, 2012, from the hours of 7:30 a.m. – 2:00 p.m.

Budget Impact: None

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

RESOLUTION NO. 273 CONTRACT APPROVAL– OFA/ALZHEIMERS ASSOCIATION, WNY CHPT- CARE TRANSITIONS – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract with Alzheimer’s Association, Western New York Chapter that outlines the working relationship between Genesee County Office for the Aging as the Community Based Organization responsible for Care Transitions Intervention (CTI) for eligible patients following a hospitalization at United Memorial Medical Center, and the P2 Collaborative the agency contracted by Center for Medicare and Medicaid Services to coordinate and oversee this initiative in an 8 county region of WNY; and

WHEREAS, This contract is a key partner agency authorized in the P2 Collaborative’s funding application to Center for Medicare and Medicaid Services (CMS) initiative to serve the specialized needs of individuals with dementia who reside in Genesee and the surrounding WNY counties; and

WHEREAS, Genesee County Office for the Aging will reimburse Alzheimer’s Association, Western New York Chapter a rate of \$160.11 for the in-home visit and follow up phone calls for eligible patients who accept Care Transitions Intervention services and are referred to Alzheimer’s Association, Western New York Chapter by GCOFA, with all fees covered by the Medicare rate paid to GCOFA by P2 Collaborative and then reimbursed on a per client basis to Alzheimer’s Association, Western New York Chapter. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to sign a contract with, Alzheimer’s

Association, Western New York Chapter, 2805 Wehrle Drive, Suite 6, Williamsville, New York 14221.

Budget Impact: Alzheimer's Association, Western New York Chapter would receive a rate of \$160.11 for the in-home visit and follow up phone calls for eligible Care Transitions Intervention patients referred to their agency by GCOFA, with all fees covered by the Medicare rate paid to GCOFA by P2 Collaborative; and then reimbursed on a per client basis to Alzheimer's Association, Western New York Chapter.

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

**RESOLUTION NO. 274 2012 SALARY SCHEDULE AMENDMENT -
COMMUNITY MENTAL HEALTH
SERVICES/COMMUNITY MENTAL HEALTH
NURSE, LICENSED PRACTICAL NURSE &
THERAPEUTIC ACTIVITIES AIDE P.T.
-APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2012 Employee Salary Schedule to eliminate (1) F.T. Community Mental Health Nurse, in CSEA-General, Grade 18N and create one (1) F.T. Licensed Practical Nurse, in CSEA-General, Grade 10N and create (1) P.T. Therapeutic Activities Aide, in CSEA-General, Grade 9 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 2012 Employee Salary Schedule by eliminating (1) F.T. Community Mental Health Nurse, in CSEA-General, Grade 18N in the Employee Salary Schedule and creating one (1) F.T. Licensed Practical Nurse, in CSEA-General, Grade 10N and create (1) P.T. Therapeutic Activities Aide, in CSEA-General, Grade 9 effective July 12, 2012.

Budget Impact Statement: Annualized savings of \$4,500.

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

At this time Chair Hancock closed the Public Hearing on the 2012-2013 Operating Budget for Genesee Community College. There were no speakers.

**RESOLUTION NO. 275 2012-2013 OPERATION BUDGET-GENESEEE
COMMUNITY COLLEGE/SPONSOR'S SHARE-
ADOPTION OF**

Legislator Bausch offered the following resolution:

WHEREAS, The President and Trustees of Genesee Community College have presented to the Genesee County Legislature the proposed operating budget of Genesee Community College for the academic year 2012-2013 in the amount of \$37,065,000, and

WHEREAS, The Board of Trustees and the Genesee County Legislature have approved the amount of \$1,936,374 as the sponsor's share of the proposed current operating budget for Genesee Community College. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve of the proposed 2012/2013 operating budget of the Genesee Community College in the amount of \$37,065,000 for academic year 2012-2013, and Be it further

RESOLVED, That the Genesee County Legislature does hereby approve of the sponsor's share of the operating budget of the Genesee Community College for the fiscal year September 1, 2012 through August 31, 2013 in the amount of \$1,936,374 and cause the same to be included in the County Tax levy for the year 2013.

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

Prior to roll call on the above resolution Chair Hancock stated a note is indebtedness to the College Board and Administration for working so closely with the Legislature and not asking for an increase in Sponsor Contribution at this time. The Legislature's support of the College cannot be questioned, their finances are not their own to determine at this time. This is a local area everyone would like to support, but the lack of Medicaid Reform and the Tax Cap leave the County with little local options. She thanked them for their very sharp pencils.

RESOLUTION NO. 276 SALARY SCHEDULE AMENDMENT - SHERIFF'S OFFICE / GENESEE JUSTICE COORDINATOR POSITION – APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, the Genesee Justice Coordinator New Position Duties Statement has been reviewed by the Human Resources Director and the Management Salary Review Committee, and

WHEREAS, the committee reviewed the Management Position Questionnaire and determined that this position should be placed in Grade 6 of the Management Salary Schedule for Supervisory/Support Personnel. The 2012 hiring range for this grade is \$48,389 - \$54,404, and

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

RESOLVED, that the Genesee County Legislature is authorized and directed to amend the 2012 Employee Salary Schedule by placing the Genesee Justice Coordinator position in Grade 6 of the Management Salary Schedule for Supervisory/Support Personnel.

Budget Impact: Cost associated with this position is contained within the 2012 Genesee Justice budget. Legislator Ferrando seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 277 COUNTY AUDIT – JULY 11 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Ferrando, did review the following claims:

General Fund	\$	1,763,618.75
Highway		36,154.78
Self Insurance		184.93
Nursing Home		279,457.55
DSS Abstracts		426,147.28
Capital Projects:		
Highway 2012 Bridge Construction		819.49
Payroll – General & Nursing Home		
July 11, 2012		1,246,195.62
Medicaid		
July 3, 2012		185,572.00
July 10, 2012		185,572.00
Total Audit	\$	4,123,722.40

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 Lawrence seconded the resolution which was adopted by 326 votes.

Prior to roll call on the above resolution Legislator Bausch noted that the Highway payment paled in comparison to Medicaid expenses for the same period. County Manager Gsell noted that two days of Medicaid expenses equaled year long fund for CHIPS. Chair Hancock noted she would be attending a Medicaid Conference in Albany on Thursday, July 12th. She will keep the Legislature updated.

Chair Hancock gave the Jobs Report stating there is a good variety of positions open at this time, 381 openings. Unemployment for Genesee County was at 7.5%, lowest in GLOW and 9th lowest in the State.

The meeting was adjourned at 8:10PM upon motion of Legislator Cianfrini seconded by Legislator Bausch.