

**FIFTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, March 8, 2017**

The Genesee County Legislature met in Regular Session on Wednesday, March 8, 2017 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Bausch assisted with the audit. Prayer was offered by Legislator Young followed by the Pledge to the Flag.

The Clerk reported that the Reality Check youth scheduled to receive a Kick Butts Day Proclamation were unable to attend the meeting due to adverse weather.

The minutes of the February 22, 2017 meeting were approved upon motion of Legislator Stein seconded by Legislator Young, carried unanimously.

Legislator DeJaneiro stated that he attended the Water Resources Agency meeting where survey results were reviewed by the consultant providing useful information to the board. Legislator Bausch reported on the Rochester Regional Transit Authority meeting where discussion regarding the difficulty with integrating bus service between Genesee and Orleans Counties. He went on to state that the Methadone Clinic discussion that began at the Human Services Committee meeting last week continued at the CJAC meeting he attended earlier in the day. Legislator Deleo explained that he met with a constituent who was having difficulty completing the Safe Act recertification so the OFA was contacted. NY Connect is a program that will assist seniors with completing forms. Chairman Cianfrini announced that he and County Manager Jay Gsell are scheduled to meet with Orleans County officials to begin the discussion about a combined jail.

The Clerk stated that correspondence was received from Assemblyman Hawley acknowledging the supporting resolution sent to his office. He is a sponsor of A3397 which increases the county share of DMV revenue providing a more equitable share for counties. NYSAC sent a letter acknowledging receipt of Resolution 48 which calls for an extension of the Mortgage Tax Increase and Resolution 49 calling for a continuation of the 1% sales tax.

An Out-of-state travel request for Tim Hens, Highway Superintendent to attend NACE Annual Conference & Expo 4/7-4/13/17 Cincinnati, OH cost to county \$746 was approved upon motion of Legislator Bausch seconded by Legislator Torrey, carried unanimously.

Legislator Stein commented that two county employees, Steve and Lisa Grice were honored as Geneseeans of the Year by the Chamber of Commerce. They have contributed their time and talents generously to local non-profits. Chairman Cianfrini noted that Stein Farms was selected as the Agricultural Business of the Year, a well-deserved honor for Legislator Stein and her family-run farm operation.

County Manager Jay Gsell explained there have been two rounds of funding by New York State for rural broadband and new partnerships between the public and private sector. They want to extend into underserved areas throughout the state. Genesee is looking into working with Livingston County as well as establishing a partnership with a private entity.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 84 BUDGET AMENDMENT – OFFICE FOR THE
AGING – APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request \$5,002 in deferred federal revenue from the 2016 Title V funds to be incorporated into the Office for the Aging 2017 County Budget to be paid to Genesee County Job Development in 2017; and

WHEREAS, these funds are requested to be incorporated into the county budget for a total of \$5,002 additional revenue and appropriations; and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 Budget by increasing Office for the Aging Appropriations and Revenues by the following amounts:

Appropriations:

A.6772.4660.0541 Contractual +\$5,002

Revenues:

A.6772.4772 Federal Aide +\$5,002

Budget Impact: None. Expenses are fully funded with the \$5,002 in deferred federal revenue already received in 2016 and being incorporated into the 2017 budget.

Legislator DeJaneiro seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 85 2017 BUDGET AND CONTRACT AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/WESTERN
REGION CONSORTIUM – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2017 Western Region Consortium budget, 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 2017 Genesee County Budget by

Increasing A. 4315. .4110.0000	Office Supplies	\$ 2,500.00
Increasing A.4315. .4550.0000	Training	\$ 2,500.00
Increasing A.4315. .4590.0000	Dues	\$ 5,000.00
Increasing A. 4315. .4640.0000	Contracted Legal	\$95,000.00
Increasing A.4315. .4660.0000	Personnel Admin.	\$25,000.00
Increasing A. 4315. .4800.0000	Board Expenses	\$ 5,000.00

AND

Increasing A. 4315. .1630.0000	Voluntary Contributions	\$110,000.00
Increasing A.4315. .3490	State Aid	\$ 15,000.00
Increasing A. 4315. .4490	Federal Aid	\$ 10,000.00

Budget Impact Statement: No County Budget Impact due to the offset of State and Federal Aid.

Legislator Stein seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 86 2017 BUDGET/SALARY SCHEDULE AMENDMENT -
COMMUNITY MENTAL HEALTH SERVICES/MENTAL
HEALTH CLINICAL THERAPIST-APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2017 Employee Salary Schedule to create one (1) Mental Health Clinical Therapist, F.T.,

in CSEA-General, Grade 19, 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 2017 Employee Salary Schedule by **creating** one (1) Mental Health Clinical Therapist F.T., in CSEA-General, Grade 19, effective March 20, 2017 and be it further,

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 Genesee County Budget by:

Increasing A4310. .3490.0000	State Aid M.H. by	\$30,000.00
Increasing A4310. .1620.1000	Medicaid Managed Care	\$31,700.00

AND

Increasing A4310. .1010.0000	Personnel Services by	\$50,000.00
Increasing A4310. .8010.0000	Social Security Tax by	\$ 2,600.00
Increasing A4310. .8011.0000	Medicare Tax by	\$ 600.00
Increasing A4310. .8020.0000	Retirement by	\$ 3,500.00
Increasing A4310. .8030.0000	Medical by	\$ 5,000.00

Budget Impact Statement: Budget amendment required: Increase by \$61,000.00 with a net County cost of \$0, offset by revenues and state aid.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

RESOLUTION NO. 87 2017 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/REGISTERED PROFESSIONAL NURSE-APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2017 Employee Salary Schedule to eliminate one (1) Full-time, Licensed Practical Nurse in CSEA-General, Grade 10N-5, and creating (1) Full-time, Registered Professional Nurse, in CSEA-General, Grade 16N-3 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 2017 Employee Salary Schedule by eliminating one (1) Full-time, Licensed Practical Nurse in CSEA-General, Grade 18N-5, and creating one (1) Full-time, Registered Professional Nurse, in CSEA-General, Grade 16N-3 effective March 13, 2017.

Budget Impact Statement: Net County budget impact due to previous budgeted position for 2017.

Legislator Torrey seconded the resolution which was adopted by 283 votes, Davis (43) absent.

RESOLUTION NO. 88 CONTRACT- HEALTH DEPARTMENT/PRESCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM - APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Public Health Director did present a contract 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 a contract with Mary Katherine Fisher, 3723 South Main St. Rd., Batavia, NY 14020, for the provision of **Related Services** in the Preschool Supportive Health Services

Program (PSSHSP) for the period March 1, 2017 through June 30, 2017 per the 2015-2017 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2017 Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 89 GRANT AMENDMENT 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 2015-216 Lead Poisoning Prevention Program funds have been approved, to be used during the 2017 year, in the amount of \$10,436, 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 Committees on Human Services and Ways & Means did review this award 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 unused Lead Poisoning Prevention Program funds from contract period October 1, 2015 through September 30, 2016 in the amount of \$10,436, and to execute any and all other documentation related to this funding, and Be it Further

RESOLVED, That the County Treasurer is authorized to amend the 2017 A 4010 budget to reflect the increase in the amount of \$10,436 in A 4010.4401.20.

Budget Impact: Revenue and expenses, in the amount of \$10,436 will be appropriated to the 2017 4010 Health Dept. budget. There is no county cost to this program.

Legislator Stein seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 90 GRANT AMENDMENT – HEALTH
DEPARTMENT/IMMUNIZATION ACTION PLAN –
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that the Genesee County’s Lead Immunization Action Plan contract has been approved in the amount of \$30,039, 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 Immunization Action Plan Activities, and

WHEREAS, The Committee on Human Services did review this award 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 the New York State Department of Health for the acceptance of the Immunization Action Plan contract for the period April 1, 2017 through March 31, 2018 in the amount of \$30,039, and to execute any and all other documentation related to this funding

Budget Impact: \$30,039 is included in the 2017 Dept. 4010 – Health Department Budget.

Legislator Clattenburg seconded the resolution which was adopted by 283 votes, Davis (43) absent.

NO. 91

**GENESEEE-ORLEANS REGIONAL ARTS COUNCIL
FUNDING AGREEMENT - APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Manager did present an agreement for the funding of the Genesee-Orleans Regional Arts Council for 2017 for the promotion of music and art appreciation in Genesee County, and

WHEREAS, The Committee on Human Service did review and does recommend approval of said contract at this time. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement by and between the County of Genesee and the Genesee-Orleans Regional Arts Council, 201 East Main Street, Batavia, NY for a program which promotes music and art appreciation during the contract term of January 1, 2017 through December 31, 2017 at a cost not to exceed six thousand three hundred dollars (\$6,300.00).

Budget Impact Statement: First funded in 1993.

2017= \$6,300; 10% reduction in funding

2016 = \$7,000

2015 = \$6,905

2014 = \$6,905

2013 = \$6,905

2012 = \$6,905; 5% reduction in funding

2011 = \$7,268; 15% reduction in funding

2010 = \$8,550; 5% reduction in funding

2005 – 2009 funding = \$9,000/year

1997 – 2004 funding = \$10,000/year (in 2001 received \$4,000 extra as matching funds for state grant)

1994 -1996 funding = \$3,000/year

1993 funding = \$2,500/year

Legislator DeJaneiro seconded the resolution which was adopted by 283 votes, Davis (43) absent.

RESOLUTION NO. 92

**SELF-INSURED HEALTH BENEFITS PLAN
CONSULTANT/AWARD OF CONTRACT – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The County of Genesee has retained the services of a health benefits plan consultant since mid-2003 to initiate and facilitate on-going efforts by the County and its joint Labor/Management Health Benefits group to effectuate cost savings in the self-funded health benefits plans and to provide assistance with general administration of the plans, and

WHEREAS, The current consultant's agreement expires in February 2017 and the Genesee County Purchasing Director did issue RFP 2016-113 for a Health Benefits Plan Consultant with six proposals received in December 2016, and

WHEREAS, The Genesee County Manager, Human Resources Director, Executive Assistant to the County Manager and Purchasing Director did review proposals received and have recommended that the services of Premier Consulting be retained as the County's health benefits plan consultant, and

WHEREAS, The Committee on Ways and Means has reviewed this recommendation and does concur. Now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute an agreement with Premier Consulting, 1416 Sweet Home Road, Amherst, New York to provide Health Benefits Plan Consulting services at a cost of \$45,000 per year with said contract to commence February 1, 2017 through January 31, 2018 with the option for four additional one year renewals upon written mutual agreement of the parties.

Budget Impact Statement: Funds are budgeted in the 2017 Health Plan budget for this cost.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 93 AIRPORT/TERMINAL AND MAINTENANCE
HANGAR CONSTRUCTION – CHANGE ORDERS –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature previously approved several contracts for the construction of the Genesee County Airport Terminal and Maintenance Hangar, and

WHEREAS, The project has progressed a contractor has requested a change order to their original contract amount to cover additional construction services required to complete the project, and

WHEREAS, The construction manager and the County Superintendent of Highways have reviewed these request and recommends approval of the change requests at this time, and

WHEREAS, The Committees on Public Service has reviewed this request and does concur with the recommendation at this time. Now, therefore, Be it

RESOLVED, That the Superintendent of Highways is authorized and directed to approve a change order to the following contracts in the amounts indicated below:

General Construction	Building Innovation Group Inc.	\$42,512.24
----------------------	--------------------------------	-------------

Budget Impact: The cost of the change orders will be covered by the contingency fund authorized under the capital project established for the construction of this facility. Total change orders to date are \$231,105 and a balance of \$19,877.30 remains in contingency for the project.

Legislator Deleo seconded the resolution which was adopted by 283 votes, Davis (43) absent.

**RESOLUTION NO. 94 AGREEMENT – GENESEE COUNTY BAR
ASSOCIATION/MOCK TRIAL PROGRAM- APPROVAL
OF**

Legislator Young offered the following resolution:

WHEREAS, The Ways and Means Committee did receive a request from the Genesee County Bar Association to hold a Mock Trial at the Genesee County Courts Facility on March 15, March 20, and March 27, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Genesee County Bar Association for access to and use of the Genesee County Courts Facility on March 15, 20 and March 27, 2017 subject to the rules and regulations of the Genesee County Use of Facilities Agreement.

Legislator Torrey seconded the resolution which was adopted by 283 votes, Davis (43) absent.

RESOLUTION NO. 95 COUNTY AUDIT – MARCH 8 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Bausch did review the following claims:

2017 General Fund	\$	527,873.27
2016 General Fund		28,884.34
2017 Highway		68,735.52
2017 Nursing Home		2,794.50
2016 Nursing Home		8,430.00
2017 Self Insurance		21.32
DSS Abstracts		579,245.10
2017 Capital Projects:		
Highway Comprehensive Bridge Culverts		10,742.78
Highway River Street Bridge		10,276.49
Airport Obstruction Removal & Airport Perimeter Fence		1,102.51
Airport Demolish Terminal Bldg & Maint. Hangar & Site Conv.		22,974.62
Payroll – General & Nursing Home		
March 3, 2017		1,028,801.34
Medicaid		
February 28, 2017		178,282.00
March 7, 2017		<u>178,282.00</u>
Total Audit	\$	2,646,445.79

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 Stein seconded the resolution which was adopted by 283 votes, Davis (43) absent.

The meeting adjourned upon motion of Legislator Deleo seconded by Legislator Stein, carried unanimously.