

**TWENTY FIRST DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, December 12, 2012**

The Genesee County Legislature met in Regular Session on Wednesday, December 12, 2012 at 7PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Leadley followed by the Pledge to the Flag. Legislator Ferrando was absent.

Chair Hancock opened a Public Hearing on Local Law Introductory No. Five, Year 2012 in Relation to the Salaries of Genesee County Officers Elected or Appointed for a Fixed Term. There were no interested speakers at this time.

The minutes of the November 28, 2012 meeting were approved upon motion of Legislator Stein seconded by Legislator Lawrence.

Legislator DeJaneiro reported the Nursing Home Quality Assurance Committee viewed a Webinar on end of life rights and decisions. He attended the GLOW Solid Waste meeting and DEC conducted a seminar on hydrofracking. The County Health Board has earned a grant for the study of consolidated services. Legislator Leadley reported she attended the Business Education Alliance breakfast where a panel discussed the need for further education but also a focus on paths for those students not college bound.

Chair Hancock reported that the Job Development Bureau has placed 1439 workers with area employers this year. There are 261 job openings posted this week. October 2012 Unemployment rates increased .1% to 7.2%, the second lowest in the GLOW region.

Legislator Stein reported that Muller Quaker accepted 186 job applications at their recent community event. Soil & Water reported opportunities for water quality grants which will be of significant help to local farms. Alabama approved incentive bonuses for STAMP.

Chair Hancock urged everyone to take advantage of flu shot opportunities during this season. There have been alarming reports of illness.

Legislator Cianfrini commended the Town of Alabama Board for their unanimous approval of STAMP legislation. This was a great move in forward thinking and certainly a step in the right direction after listening to their citizens.

Legislator Lawrence noted the passing of Marlow Brown, a former Genesee County resident who served on the Youth Board years ago and helped implement Comprehensive Planning for Youth across the State.

County Manager Gsell reported NYSAC has sent a letter stating 2010-2011 IGT payments are forthcoming in early 2013. 2011-2012 payments are still under negotiation.

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

RESOLUTION NO. 464 RENEWAL CONTRACT – DSS/SECURITY SERVICES -APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Resolution No. 350 adopted November 12, 2009 did authorize a contract for the provision of security services for the Department of Social Services, and

WHEREAS, Pursuant to Genesee County Request For Bids #2009-12, it is the mutual

desire of the Genesee County Commissioner of Social Services and the Diamond Detective Agency, Inc. to renew said contract for the period of one additional year under negotiated pricing with the same terms and conditions, and

WHEREAS, the Committee on Human Services has reviewed this request and does concur. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson to enter into an agreement with Diamond Detective Agency, Inc., 1651 S. Halsted Street, Chicago Heights, IL 60411 for the provision of Security Services at offices occupied by the Genesee County Department of Social Services for the period January 1, 2013 through December 31, 2013 at the rate of \$17.98 per hour.

Budget Impact Statement: The annual cost of the program is \$41,426 with a local share of approximately \$9,868. The funds will be included in the 2013 Departmental budget.

Legislator DeJaneiro seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 465 APPOINTMENT – GENESEE COUNTY YOUTH BOARD APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Committees on Human Service and Ways and Means do recommend appointments to the Genesee County Youth Board at this time. Now, therefore, be it

RESOLVED, That the following individual is hereby appointed to the Genesee County Youth Board with a term and representation as noted.

Dept of Social Services Rep Becca Nigro 12/15/2012 - 12/31/2015

Legislator Leadley seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 466 2012 BUDGET TRANSFER-YOUTH BUREAU-APPROVAL OF

Legislator DeJaneiro offered the following resolution

WHEREAS, The Genesee County Youth Bureau Executive Director did request a budget transfer to cover the change in health care cost for a change in a personnel position from a medical buyback to medical plan for the remainder of 2012, and

WHEREAS, The Committees on Human Services and Ways and Means reviewed the request and recommend approval at this time. Now, therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer the following lines within the 2012 Genesee County Budget:

Increase Medical in A7310.8030.0000 of \$ 872

Decrease Program Expense in A7310.SDPP.4800.0000 of \$ 872

Budget Impact: All expenditures in this program are offset by revenue. There is no net county cost.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 467 INTERMUNICIPAL AGREEMENT – YOUTH/ORLEANS COUNTY-APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Youth Bureau Director did present an agreement with Orleans County that for the operation of the Youth Bureau for 2013 and

WHEREAS, The Committees of Human Services and Ways and Means did review the agreement 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 an agreement and all necessary documents between the County of Orleans and the County of Genesee for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$850 per month from January 1, 2013 through December 31, 2013 for a total of \$10,200.

Budget Impact: Operation of the Orleans Youth Bureau is included in the 2013 Youth Bureau proposed budget. The expense is \$950 with the remaining \$9,250 of the revenue as an offset to county expense.

Legislator Cianfrini seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 468 CONTRACTS - HEALTH DEPARTMENT / EARLY INTERVENTION PROGRAM PROVIDER SERVICE- APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Public Health Director did present contracts for the provision of Provider Services in the Early Intervention 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 for the provision of provider services for the Early Intervention Program for the period January 1, 2013 through December 31, 2013 at the specific rates as set by the New York State Department of Health. Those individuals/agencies approved to provide Assistive Technology Devices will be reimbursed based on the most current Medicaid durable goods rate.

Those individuals/agencies approved to provide Ongoing Service Coordination will be reimbursed for training time at the rate of \$56.00/hour.

ARC Inc. of Livingston-Wyoming Counties Kidstart

ARC Inc. of Orleans County Rainbow Preschool

Blackburn's Dove Medical

Buffalo Hearing and Speech Center

Building Blocks Comprehensive Services, Inc.

CP Rochester

Creative Therapies of WNY, SLP, PT, OT, PLLC

Devoe, Sandra

Diversified Children's Services

Erie County Medical Center

Hanger Creative Prosthetics

Hearing and Speech Center of WNY

House, April

Integrated Therapy Services

Kedron, Lisa

Maskell, Karen

Nelson, Karen

Nelson Prosthetics/Orthopedics Lab

Olmsted Center for the Visually Impaired

Rochester Hearing and Speech Center

SKIP of New York, Inc.

Stepping Stones Learning Center

Stepping Stones Therapeutics

WNY Speech-Language Pathology, OT, PT & Psychology Consultants

Wolter, Amy

Budget Impact Statement: Expenses are offset, up to 100%, by revenue generated from 3rd Party Insurance companies and Medicaid. New York State is liable for 49% of any non-reimbursed expenditure. Legislator DeJaneiro seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 469 REAPPOINTMENT TO GENESEE COUNTY
BOARD OF HEALTH – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, a vacancy does exist on the Genesee County Board of Health due to a term expiration December 31, 2012 and

WHEREAS, The Committee on Human Service and Ways and Means do recommend an appointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby make the following reappointment to the Genesee County Board of Health:

Deanna Page effective January 1, 2013 through December 31, 2018

Budget Impact: Board Members are reimbursed at a rate of \$40 per board meeting attended. The expense is in the 2013 Dept. 4010 – Public Health Budget

Legislator Leadley seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 470 APPOINTMENT & REAPPOINTMENTS -OFFICE
FOR THE AGING ADVISORY COUNCIL**

Legislator Leadley offered the following resolution:

WHEREAS, Two (2) Community Members' and two (2) Provider Members' terms have expired on the Office for the Aging Advisory Council and they desire to be reappointed to this Committee; and

WHEREAS, A Provider/Caregiver/General Public Member position is vacant on the Office for the Aging Advisory Council and there is a well qualified candidate who desires appointment to this Committee; and

WHEREAS, The Committee on Human Services does recommend appointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve a three year term effective January 1, 2013 through December 31, 2015.

Community Members:

John Demske of Batavia

Mary Ann Silvernail of Corfu

Provider/Caregiver/General Public Member:

Thomas Baines, Executive Director, Batavia Housing Authority

Cherish Meier, Service Coordinator, Havenwood Congregate Apartments

Beverly Mancuso, Executive Director, Cornell Cooperative Extension, Genesee

County

Budget Impact Statement: None

Legislator Lawrence seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 471 CONTRACT RENEWAL – OFFICE FOR THE
AGING/LEGAL SERVICES – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal for Catholic Charities of Diocese of Rochester, Inc., d/b/a Catholic Family Center for the provision of Legal Services for the Elderly and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to renew the contract with Catholic Family Center, 30 N. Clinton Avenue, Rochester, NY 14604 for the provision of Title III- B legal services through the Office for the Aging at a cost not to exceed \$8,300.00 per year for the period January 1, 2013 through December 31, 2013; which includes \$8,200 for 21 total on-site service days (**5.5 hours per day for a total of 115.5 hours @ \$70.99**); telephone appointments by Catholic Charities staff at agreed upon dates (in-kind service); and mileage reimbursement at the IRS rate for home visits to GCOFA legal service clients.

Budget Impact Statement: \$8,300 allocated for this contract is a \$100 increase from the 2012 amount. Federal Title III-B grant funds these services.

Legislator Bausch seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 472 RENEWAL OF CONTRACT – OFA/SIBLEY NURSING PERSONNEL SERVICES, INC. – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract resulting from RFP 2010-108 for the provision of in-home health care needs to senior citizens 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 renew a contact with Sibley Nursing Personnel Services, Inc., 1655 Elmwood Avenue, Suite 100, Rochester NY 14620 for the provision of in-home health care at the rate of \$19.00 per hour for Housekeeping/Chore (Level 1), \$20.00 per hour for Personal Care Aide (Level II) and \$125.00 per visit for Nursing Supervision; or the 2013 Medicaid approved base rate for Sibley Nursing Personnel Services, Inc. or any other licensed home care agencies' approved Medicaid base rates established for Genesee County by the New York State Health Department; whichever is less not to exceed \$130,000 for the period January 1, 2013 – December 31, 2013.

Budget Impact: A decrease of \$5,000 in the 2013 contract is due to closing of social day care programs and transferring \$5,000 of those funds to in-home care; and no change in federal III-E Caregiver Support in-home respite. Total contract for 2013 not to exceed \$135,000.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 473 RENEWAL OF CONTRACT – OFA/TENDER LOVING FAMILY CARE, INC. – APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract resulting from RFP 2010-108 for the provision of in-home health care needs to senior citizens 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 renew a contact with Tender Loving Family Care, Inc., 97 West Avenue, Brockport, NY 14420 for the provision of in-home health care at the rate of \$19.00 per hour for Housekeeping/Chore (Level 1) and \$70.00 per visit for Nursing Supervision; or the 2013 Medicaid approved base rate for any licensed home care agencies' approved Medicaid base rates established for Genesee County by the New York State Health Department; whichever is less not to exceed \$135,000 for the period January 1, 2013 – December 31, 2013.

Budget Impact: A decrease of \$5,000 in the 2013 contract is due to closing of social day care programs and transferring \$5,000 of those funds to in-home care; and no change in federal III-E Caregiver Support in-home respite. Total contract for 2013 not to exceed \$135,000.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 474 RENEWAL OF CONTRACT – OFA/COMMUNITY CARE OF WESTERN NEW YORK – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract resulting from RFP 2010-108 for the provision of in-home health care needs to senior citizens, 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 Community Care of Western New York, Inc. dba Home Care & Hospice, 1225 W. State Street, Olean, NY 14760 for the provision of in-home health care at the 2013 Medicaid approved base rate approved by the New York State Department of Health for Community Care of Western New York, Inc. for the specified services of Personal Care Aide (Level II) and Nursing Supervision, not to exceed \$135,000 for the period of January 1, 2013 – December 31, 2013. The actual 2013 Medicaid rates are not known at this time and would be the highest amount payable for the services covered under this contract. Therefore, the most currently approved Medicaid rates, (currently 2012 rates, set at \$22.83 per hour for Personal Care Aide (Level II) and \$78.29 per visit for Nursing Supervision, but subject to change based on NYS DOH rate setting adjustments); will be extended into 2013 until new Medicaid rates are established. The newly approved Medicaid rates will then be applied retroactively back to January 1, 2013.

Budget Impact: A decrease of \$5,000 in the 2013 contract is due to closing of social day care programs and transferring \$5,000 of those funds to in-home care; and no change in federal III-E Caregiver Support in-home respite. Total contract for 2013 not to exceed \$135,000.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 475 CONTRACT FOR ACTUARIAL SERVICES FOR WORKERS COMPENSATION –GENESEEE COUNTY SELF-INSURANCE PLAN - APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Self –Insurance Plan did request proposals for the provision of actuarial services for the plan for 2013 through 2015, and

WHEREAS, The four proposals received were reviewed by a committee consisting of

the Purchasing Director, County Manager, Deputy Treasurer and Executive Secretary for the Self-Insurance Plan, and

WHEREAS, The Review Committee did recommend contracting with Glicksman Consulting, LLC for Actuarial Services and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Glicksman Consulting, LLC, 3124 NW 59 Street, Boca Raton, Florida 33496 for the provision of Actuarial Services for the Genesee County Self-Insurance Plan effective January 1, 2013 through December 31, 2015 at a cost of \$2,500 per year, and Be it further

RESOLVED, This contract may be extended for two one-year periods upon mutual agreement at the same terms and conditions.

Budget Impact Statement: Funds for this report have been provided in the 2013 Self-Insurance budget and apportioned to the participants. The cost has not increased since 2010.

Legislator Lawrence seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 476 CONTRACT -THIRD PARTY ADMINISTRATION SERVICES FOR-GENESEE COUNTY SELF-INSURANCE PLAN - APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Self –Insurance Plan did request proposals for the provision of Third Party Administration services for the plan for 2013 through 2015, and

WHEREAS, The proposals received were reviewed by a committee consisting of the Purchasing Director, County Manager, Deputy Treasurer, County Attorney and Executive Secretary for the Self-Insurance Plan, and

WHEREAS, The Review Committee did recommend contracting with First Niagara Risk Management for Third Party Administration Services and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract between the Genesee County Self-Insurance Plan and First Niagara Risk Management, Inc. for third party administration services for the period January 1, 2013 through December 31, 2015 at the rate of \$45,600 for 2013 and 2014, \$46,500 for 2015, and Be it further

RESOLVED, This contract may be extended for two one-year periods upon mutual agreement at the same terms and conditions.

Budget Impact Statement: Funds for this service have been provided in the 2013 Self-Insurance budget and apportioned to the participants .

Legislator DeJaneiro seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

Prior to roll call on the above resolution Legislator Clattenburg asked what the price was last year. It was \$34,600.

RESOLUTION NO. 477 AGREEMENT RENEWAL WITH HOLLAND PURCHASE HISTORICAL SOCIETY FOR OPERATION OF HOLLAND LAND OFFICE MUSEUM - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Holland Land Office Museum is a registered National Historic

Landmark and serves as a history museum housing the collections of the Holland Purchase Historical Society for the purpose of preserving, displaying and interpreting the history and culture of the County of Genesee, and

WHEREAS, The Genesee County Legislature in 1999 divested the County from the day-to-day operation of a County History Museum by allowing the Holland Purchase Historical Society to assume this responsibility, and

WHEREAS, The Genesee County Manager did present a proposed agreement with the Holland Purchase Historical Society for the continuation of their services, and

WHEREAS, The Committee on Human Services has reviewed this agreement and does recommend approval of said agreement at this time. Now, therefore Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Holland Purchase Historical Society, Inc. for the purpose of presenting programs of historical events and concern and for maintaining and operating a public museum for the period January 1, 2013, through December 31, 2013 at an annual cost of \$37,282.

Budget Impact Statement: 2013 funding = \$37,282; same funding as 2012
5% reduction in funding; \$1,962 less than 2011's funding
2011 funding = \$39,245 ; 15% reduction in funding; \$6,925 less than 2010's funding
2010 funding = \$46,170; 5% reduction in funding or \$2,430 less
2009 to 2005 funding = \$48,600 each year
2002 through 2004 = \$54,000; 2001 = \$60,000

Legislator Lawrence seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 478 MEMORANDUM OF AGREEMENT WITH COOPERATIVE EXTENSION - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, A Memorandum of Agreement has been prepared between the County of Genesee and the Cornell Cooperative Extension Association of Genesee County for the expenditure of funds appropriated in the 2013 Genesee County Budget in the amount of \$376,164. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute said Memorandum of Agreement between the County of Genesee and Cornell Cooperative Extension Association of Genesee County for the year 2013 in the amount of \$376,164.

Budget Impact Statement: 2013 funding = \$376,164; same level as 2012
approx. 5% reduction; \$17,454 less than 2011's funding
2011 funding = \$393,618; 15% reduction in funding; \$69,462 less
2010 funding = \$463,080; 5% reduction in funding or \$24,373 less
2009 and 2008 funding = \$487,453; 2007 to 2002 = \$478,320

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 479 AWARD OF SERVICES/HOUSING PROGRAM CONSULTANT SERVICES AND CONTRACT/PATHSTONES, INC. – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Genesee County retains the services of a consultant on behalf of the Genesee Region Housing Initiatives Committee to provide grant writing services for and administration of affordable housing programs for very low, low and moderate income households within the County, and

WHEREAS, A Request for Proposals #2010-110 was issued in 2010 for said services

and PathStone Corporation (formerly called Rural Opportunities, Inc.) was the sole respondent, and

WHEREAS, The Genesee County Assistant County Manager is recommending that PathStone Corporation be retained as the County's housing grant writing and administration consultant, and

WHEREAS, The Committee on Human Services 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 a contract by and between the County of Genesee and PathStone Corporation, 400 East Avenue, Rochester, New York for the provision of consultant housing grant writing services and housing program administration services for the amount not to exceed of \$13,775 for the period January 1, 2013 through December 31, 2013.

Budget Impact Statement: County has been providing funding for this service since 1999.

2013 funding = \$13,775; 5% reduction was submitted

2012 funding = \$14,499; 5% reduction

2011 funding = \$15,262; 15% reduction + United Way funding

2010 funding = \$17,955; 5% reduction + United Way funding

2005-2009 funding = \$18,900/year; 10% reduction in 2005 + United Way funding

1999-2004 funding = \$21,000/year + United Way funding

1995-1998 funding = 100% United Way

Legislator Leadley seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 480 GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (GCEDC) CONTRACT RENEWAL - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Committee on Ways and Means has reviewed the proposed contract for 2013 between the County of Genesee and the Genesee County Economic Development Center (GCEDC) and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract with the Genesee County Economic Development Center (GCEDC) for a period beginning January 1, 2013 through December 31, 2013 and Be it further

RESOLVED, That the sum of \$215,014 shall be paid in regular installments, pursuant to the Agreement, upon submission by the Agency of vouchers in proper form.

Budget Impact Statement: 2013= \$215,014

2012 = \$215,014; 5% reduction in funding or \$11,317 less

2011 = \$226,330; 15% reduction in funding or \$29,942 less

2010 = \$266,271; 5% reduction in funding or \$14,014 less

2009 to 2006 funding = \$280,285

2005 to 2003 = \$275,285

2002 = \$245,000

Legislator Bausch seconded the resolution which was adopted by 244 votes, Legislators Cianfrini (28) and Clattenburg (28) no, Legislator Ferrando (26) absent.

RESOLUTION NO. 481 AWARD OF CONTRACT - REHABILITATION SERVICES – NURSING HOME – APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Genesee County Nursing Home requires a contract Rehabilitation Services provider to supply licensed physical, occupational, and speech therapists and
WHEREAS, A Request for Proposals for such services was issued in August, 2012 and
WHEREAS, Two proposals were received and evaluated and the Nursing Home Administrator recommends that a contract be awarded to Freedom Therapy, 384 East Avenue, Suite B, Rochester, NY 14607 for professional rehabilitation services. 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 Freedom Therapy, 384 East Avenue, Rochester, NY 14607 for professional rehabilitation services at hourly prices specified in the RFP of August 21, 2012 and a total annual price not to exceed \$868,926 for the period March 1, 2013 through February 28, 2015 with provisions for four (4) additional one-year renewals upon written mutual agreement of both parties.

Budget Impact: No budget impact for 2013. (\$868,926 has been budgeted for Therapy Services in 2013).

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

Prior to roll call on the above resolution Legislator Clattenburg asked if the change had been made to the contract calling for a 90 day review. Nursing Home Administrator stated the change would be made prior to submitting it for Chair Hancock's signature.

RESOLUTION NO. 482 SALARY SCHEDULE AMENDMENT – NURSING HOME/ACTIVITIES COORDINATOR - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2013 Salary Schedule to provide a more efficient operation of her Department, and to create a necessary position for the Activities Department, and

WHEREAS, The Committees 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 and Human Resources Director are hereby authorized and directed to amend the 2013 Genesee County Employee Salary Schedule by deleting an Activities Aide, FT, 37.5 hrs/wk in CSEA-NH Grade 4, Step 5, and creating an Activities Coordinator, FT, 37.5 hrs/wk in CSEA-NH Grade 7, Step 1 to be filled by a qualified candidate on or after January 1, 2013.

Budget Impact: No impact on total expenses. The additional salary of \$3,764 for the Activities Coordinator position will be paid for out of a reduction in budgeted capital expenses for 2013.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

At this time the Clerk read a resolution for a salary schedule amendment for the Nursing Home calling for the deletion of two assistant physical therapy positions and one Certified Occupational Therapy Assistant position. Human Resource Director Marchese requested this be returned to Committee for reconsideration. A motion was made by Legislator Leadley seconded by Legislator Bausch and approved by all present.

RESOLUTION NO. 483 EMPLOYEE ASSISTANCE PROGRAM CONTRACT – HUMAN RESOURCES DEPARTMENT- APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, A Request for Proposals was issued in 2009 seeking proposals from providers of Employee Assistance Program (EAP) services for Genesee County employees, and

WHEREAS, A committee of interested employees reviewed these proposals and made a recommendation regarding a provider of Employee Assistance Program Services, and

WHEREAS, the contract was awarded to Educational Resource Associates for an initial one year period, with an option for an additional two year period. Now, therefore, Be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized and directed to execute an agreement with Educational Resource Associates of Pittsford New York to provide Employee Assistance Program services to the employees of Genesee County for the period January 1, 2013 through December 31, 2013 at a cost of \$9,000 per year.

Budget Impact Statement: Funds are included in the 2012 budget. The cost of EAP services remains the same as in 2011 & 2012.

Legislator Cianfrini seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 484 APPOINTMENT - TRAFFIC SAFETY BOARD -
APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, Donna Hackett, Transportation Supervisor for the Pembroke Central School District, has expressed a desire to be appointed to the Genesee County Traffic Safety Board, and

WHEREAS, Annie Lawrence, Legislator, has recommended Ms. Hackett's placement, and

WHEREAS, the Committee on Ways and Means does concur. Now, therefore be it

RESOLVED, that Ms. Donna Hackett be and hereby is appointed to the Genesee County Traffic Safety Board for the term December 1, 2012 through November 30, 2015..

Budget Impact: None.

Legislator Leadley seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 485 2013 SALARY SCHEDULE AMENDMENT -
SHERIFF'S OFFICE / ELIMINATION OF TITLE OF DEPUTY SHERIFF AND
CREATION OF SENIOR CORRECTION OFFICER POSITION IN THE JAIL -
APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Deputy Sheriff at the Genesee County Jail has retired, resulting in a vacancy as of November 16, 2012, and

WHEREAS, After discussions between the Sheriff, Jail Superintendent and Human Resources Director, it has been determined that deleting this Deputy Sheriff (Jail) position and creating a Senior Correction Officer position instead of filling this vacancy with a Deputy Sheriff would be in the best interest of the Jail and County, and

WHEREAS, A New Position Duties Statement has been reviewed by the Human Resources Director and approved, and

WHEREAS, The cost associated with filling the vacancy with a Deputy Sheriff – Grade 1/Step 1 would be \$92,633.94, and the cost for creating a Senior Correction Officer position – Grade 13/Step 3 would be \$79,425.45, resulting in a savings of \$13,208.49, and

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

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2013 Salary Schedule by eliminating the title Deputy

Sheriff in the Jail and creating the title of Senior Correction Officer.

Budget Impact Statement: A decrease of \$13,208.49 in Jail budget appropriations for 2013.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 486 CONTRACT – THIRD PARTY ADMINISTRATOR OF SELF-FUNDED HEALTH PLAN/NOVA HEALTHCARE ADMINISTRATORS -

Legislator Leadley offered the following resolution:

WHEREAS, RFP 2010-104 sought proposals for Third Party Administrators for the County’s Self Funded Health Plan and RFP 2010-107 sought proposals for the County’s Self-Funded Prescription Drug plan, and

WHEREAS, a subsequent notice was issued to all respondents to both RFP2010-104 and 2010-107 seeking proposals for a combination of both Health Plan and Prescription Drug Third Party Administrators, and

WHEREAS, Genesee County and Independent Health entered into an Agreement commencing January 1, 2011 for Independent Health to provide administrative services to and on behalf of Genesee County in regard to the County Self Funded Health Plan and Self Funded Prescription Drug Plan, and

WHEREAS, Independent Health has transitioned its administrative services for self-funded health plans to Nova Healthcare Administrators, Inc. (“Nova”), a wholly-owned subsidiary of IHC; and

WHEREAS, The County Manager and Human Resources Director recommend entering into an additional one year agreement with two one year renewals now, therefore, be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Nova Healthcare Administrators, 511 Farber Lakes Drive, Buffalo, New York for the provision of third party administration services for the County’s Self Funded Health Plan and the County’s Self-Funded Prescription Drug plan at the following rates effective January 1, 2013 through December 31, 2013.

	<u>Per Member Per Month</u>
Medical and COBRA Administration Fee:	\$32.00
	<u>Per Prescription</u>
Pharmacy Administration Fee:	\$2.25

Budget Impact Statement: \$420,000 is included in the 2013 budget for Medical and Pharmacy Administration services, an increase of \$15,814 from 2012. The negotiated rates included above result in a savings of \$27,000 from the budgeted amount. This reduction in expenses will go into the Health Plan reserve fund.

Legislator Bausch seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 487 AWARD OF CONTRACT – HEALTH BENEFITS/THIRD PARTY ADMINISTRATOR/DENTAL – APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2009-111 for third party administration services for the County’s self-funded dental benefits plan, and

WHEREAS, As a result of a review of the proposals submitted the County entered into an Agreement with Health Economics for third party administration services for the

County's dental plan, and

WHEREAS, It is the recommendation of the County Manager and Human Resources Director to continue this arrangement with Health Economics Group, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into contract with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of third party administration services at the following rates effective January 1, 2013 through December 31, 2013 with a provision of one additional one-year period of renewal under the same terms and conditions upon mutual consent between the parties.

Summary Plan Document Production Fee at County cost and

Dental Administration Fee Per Member Per Month: \$2.35

COBRA Administration Per COBRA Participant Per Month: \$0.90 + 2% of premium

Budget Impact Statement: No increase in the Administration Fee. Annual cost estimated to be \$25,000.

Legislator DeJaneiro seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 488 AWARD OF CONTRACT – FLEXIBLE BENEFITS MANAGEMENT/ ADMINISTRATOR – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2010-05 for administration services for the County's Flexible Benefits Plan, and

WHEREAS, As a result of a review of the proposals submitted the County entered into an Agreement with Health Economics Group for administration services for the County's Flexible Benefits Plan and it is the recommendation of the County Manager and Human Resources Director to continue this arrangement with Health Economics Group, and

WHEREAS, The Committee on Ways and Means did review this recommendation and does concur. Now, therefore Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into contract with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of Flexible Benefits Program Administration effective January 1, 2013 through December 31, 2013 with a provision of two additional one-year periods of renewal under the same terms and conditions upon mutual consent between the parties.

Flexible Benefits Program Administration Fee Per Member Per Month: \$2.00

Budget Impact Statement: Flex Plan Administration costs are paid utilizing the County's FICA savings generated by employee participation in the flexible benefits program.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 489 CONTRACT -GRANTS WRITING CONSULTANT SERVICES – APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for

Quotations for Grant Writer Services for Genesee County and four quotations were received and the Genesee County Manager and Human Resources Director did review said responses, and

WHEREAS, The consensus is to recommend the award of services to Stuart I. Brown Associates, Inc. for a one year period commencing January 1, 2013, and ending December 31, 2013 based on the company's experience and tenure with working in and with the County on a number of outside funding requests, 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 is hereby authorized and directed to execute an agreement with the firm of Stuart I. Brown Associates, Inc., a division of LaBella Associates, PC 300 State Street, Suite 201, Rochester, NY for grants writer consultant services for Genesee County at the rate of \$90 per hour of service for a total expenditure not to exceed of \$5,000 for grant preparation, facilitation and application services for the period January 1, 2013 through December 31, 2013.

Budget Impact Statement: Annual appropriation allocation of \$5,000 has remained the same since fiscal year 2002.

2009 Rate = \$75/hour or 66 hours of service per year

2010 – 2012 Rate = \$95/hour or 52 hours of service per year

2013 = \$90/hour or 55.5 hours of service per year

Legislator Lawrence seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 490 INTERMUNICIPAL AGREEMENT – HEALTH DEPARTMENT/ SHARED DIRECTOR OF PATIENT SERVICES – APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, Resolution No. 349 duly adopted on September 26, 2012, did authorize an inter- municipal agreement with the Orleans County Legislature and the Orleans Board of Health to provide a Shared Public Health Director and Environmental Health Director/ Deputy Public Health Director effective through December 31, 2013, and

WHEREAS, the Genesee County Public Health Director did present a contract with Orleans County to provide a Shared Director of Patient Services. In which, the Director of Patient Services shall be deemed an employee of the County of Orleans, and

WHEREAS, The Committees on Human Service and Ways and Means did review the 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 an agreement with the Orleans County Legislature, Orleans County Board of Health and the Genesee County Board of Health for the provision of providing a Shared Director of Patient Services effective January 1, 2013 through December 31, 2013.

Budget Impact Statement: Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid Funding for General Public Health Work. Revenue and expenses have been included in the adopted 2013 A 4010 Public Health Program Budget.

Legislator Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 491 2012-2013 EQUALIZATION TABLES – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Director of Real Property did submit the 2012-2013 Equalization Tables for Genesee County and the Committee on Ways and Means does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby adopt the 2012-2013 Equalization Tables as submitted.

2012-2013 Equalization Table

<u>Town</u>	<u>County</u> <u>Taxable</u>	<u>Fixed</u> <u>Vets</u>	<u>Clergy</u>	<u>Total</u> <u>Taxable</u>	<u>Eq.</u> <u>Rate</u>	<u>Equalized</u> <u>Value</u>	<u>Ratio</u>
Alabama	\$83,155,675	600	0	\$83,156,275	97.00	\$85,728,119	0.032180
Alexander	\$103,312,161	9,150	0	\$103,321,311	93.00	\$111,098,184	0.041703
Batavia	\$327,383,164	13,850	0	\$327,397,014	100.00	\$327,397,014	0.122894
Bergen	\$149,273,331	1,600	1,500	\$149,276,431	100.00	\$149,276,431	0.056034
Bethany	\$87,471,958	4,100	1,500	\$87,477,558	100.00	\$87,477,558	0.032836
Byron	\$104,064,674	0	3,000	\$104,067,674	100.00	\$104,067,674	0.039064
Darien	\$220,209,057	0	0	\$220,209,057	100.00	\$220,209,057	0.082659
Elba	\$102,743,665	0	0	\$102,743,665	93.00	\$110,477,059	0.041470
LeRoy	\$335,258,736	1,550	9,000	\$335,269,286	100.00	\$335,269,286	0.125849
Oakfield	\$112,577,419	550	1,500	\$112,579,469	100.00	\$112,579,469	0.042259
Pavilion	\$111,675,774	0	0	\$111,675,774	100.00	\$111,675,774	0.041920
Pembroke	\$238,668,516	8,300	0	\$238,676,816	100.00	\$238,676,816	0.089592
Stafford	\$133,334,511	16,600	1,500	\$133,352,611	100.00	\$133,352,611	0.050056
City	\$536,745,751	12,500	4,500	\$536,762,751	100.00	\$536,762,751	0.201484
TOTALS	\$2,645,874,392	68,800	22,500	\$2,645,965,692		\$2,664,047,803	1.000000

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 492 2012-2013 TAXABLE ASSESSED VALUATION TABLES – APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The 2012-2013 Taxable Assessed Valuation Tables have been presented by the Director of Real Property Tax Services to the Genesee County Legislature for approval, and

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

RESOLVED, That the Genesee County Legislature does hereby approve the taxable assessed valuation of the County of Genesee for the year 2012-2013 as presented by the Director of Real Property Tax Services.

2012-2013 TAXABLE ASSESSED VALUATION TABLE

<u>Town</u>	<u>RS 1</u> <u>Taxable</u>	<u>Special Franchise</u> <u>& Utilities</u>	<u>Railroad</u> <u>Ceiling</u>	<u>Total County</u> <u>Taxable</u>	<u>Total Town</u> <u>Taxable</u>
Alabama	\$70,501,427	\$12,654,248	\$0	\$83,155,675	\$85,369,436
Alexander	\$96,022,385	\$6,302,175	\$987,601	\$103,312,161	\$104,130,824
Batavia	\$301,031,098	\$23,086,913	\$3,265,153	\$327,383,164	\$334,659,548
Bergen	\$135,623,714	\$12,318,106	\$1,331,511	\$149,273,331	\$149,007,872
Bethany	\$82,532,308	\$4,571,960	\$367,690	\$87,471,958	\$87,366,252

Byron	\$91,514,589	\$11,224,312	\$1,325,773	\$104,064,674	\$103,922,177
Darien	\$204,418,241	\$13,680,241	\$2,110,575	\$220,209,057	\$222,326,130
Elba	\$92,594,059	\$10,149,606	\$0	\$102,743,665	\$103,035,372
LeRoy	\$315,157,040	\$19,388,078	\$713,618	\$335,258,736	\$335,407,260
Oakfield	\$101,902,364	\$10,675,055	\$0	\$112,577,419	\$114,480,850
Pavilion	\$102,492,899	\$8,838,419	\$344,456	\$111,675,774	\$112,826,117
Pembroke	\$221,109,956	\$15,416,617	\$2,141,943	\$238,668,516	\$240,007,442
Stafford	\$121,970,172	\$10,124,520	\$1,239,819	\$133,334,511	\$132,923,776
City	\$505,591,070	\$29,523,400	\$1,631,281	\$536,745,751	\$535,792,726
TOTALS	\$2,442,461,322	\$187,953,650	\$15,459,420	\$2,645,874,392	\$2,661,255,782

Legislator Leadley seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 493 2012-2013 DELINQUENT WATER AND SEWER ACCOUNTS – RELEVY OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Legislature has been advised that there exists delinquent water/sewer accounts in several Towns of Genesee County which may be added to the 2013 tax levy pursuant to section 198, part 3(d) of Town Law. Now, therefore, Be it

RESOLVED, That the Director of Real Property Tax Services is hereby authorized and directed to add the following sums for delinquent water/sewer accounts to said town tax levies:

<u>Town</u>	<u>Unpaid Sewer/Water</u>
Batavia	\$39,560.25
Bergen	\$1,577.26
Byron	\$21,926.51
Darien	\$9,548.05
Pavilion	\$6,430.70
Total	\$79,042.77

Budget Impact: The County’s share of the total amount collected is \$5,170.99. The 2012 total was \$84,743.81 with \$5,544.02 being the County’s share.

Legislator Bausch seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 494 2012-2013 TABLE OF RETURNED SCHOOL TAXES – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 327 adopted on September 10, 2012, did authorize the relevy of unpaid School taxes for inclusion in the 2013 County and Town tax levy. Now, therefore, Be it

RESOLVED, That the following amounts be and hereby are relevied against the various Towns of the County of Genesee as specified:

<u>Town</u>	<u>Unpaid School Taxes</u>
Alabama	\$73,273.11
Alexander	\$189,640.94
Batavia	\$108,933.34
Bergen	\$130,964.06

Bethany	\$173,724.06
Byron	\$73,658.67
Darien	\$208,721.50
Elba	\$62,542.19
LeRoy	\$410,409.17
Oakfield	\$88,817.44
Pavilion	\$108,199.30
Pembroke	\$243,411.18
Stafford	\$119,396.14
Total	\$1,991,691.10

Budget Impact: The County makes the School Districts whole for their portion and retains a 7% fee. The 2012 total was \$2,063,032.08.

Legislator Cianfrini seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 495 2012-2013 TABLE OF RETURNED VILLAGE TAXES
– APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Resolution No. 327 adopted on September 10, 2012, did authorize the relevy of unpaid Village taxes for inclusion in the 2013 County and Town tax levy. Now, therefore, Be it

RESOLVED, That the following amounts be and hereby are relevied against the various Villages in the County of Genesee as follows:

Town	Unpaid Village Taxes
Alexander	\$2,745.77
Attica	\$320.34
Bergen	\$12,775.65
Elba	\$2,591.29
LeRoy	\$85,828.59
Oakfield	\$4,920.88
Corfu	\$9,698.84
Total	\$118,881.36

Budget Impact: The County makes the Villages whole for their portion and retains a 7% fee. The 2012 total was \$135,459.90.

Legislator Lawrence seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 496 2013 TAX WARRANTS – AUTHORIZATION FOR

Legislator Stein offered the following resolution:

WHEREAS, Taxes have been computed and extended on the 2012 assessment rolls of the several Towns of the County of Genesee for County and Town purposes in the following amounts:

Town	Warrant Amount
Alabama	\$1,096,498.31
Alexander	\$1,813,267.34
Batavia	\$4,117,969.24
Bergen	\$2,219,594.25

Bethany	\$1,435,410.40
Byron	\$1,657,367.03
Darien	\$2,719,425.92
Elba	\$1,457,421.52
LeRoy	\$4,794,219.26
Oakfield	\$1,824,595.65
Pavilion	\$1,458,576.04
Pembroke	\$2,934,276.29
Stafford	\$1,734,993.41
Total	\$29,263,614.66

Now, therefore, Be it

RESOLVED, That the taxes as extended upon the 2012 assessment rolls of the aforementioned Towns be and the same are hereby approved, confirmed and adopted by the Genesee County Legislature, and Be it further

RESOLVED, That warrants in due form be issued under the seal of the County of Genesee, signed by the Chair and the Clerk of the Legislature, and directed to the Collectors of the several Towns for collection of taxes therein for the 2013 tax year.

Budget Impact: The County's share of the total amount collected is \$22,772,997.57. The 2012 total was \$28,720,294.69 with \$22,382,422.68 being the County's share.

Legislator Bausch seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 497 2013 CITY OF BATAVIA TAX LEVY –
AUTHORIZATION FOR**

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Legislature does recommend approval of the tax levy for the City of Batavia. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby direct that the following amount for the purpose stated be levied and assessed against the City of Batavia as said City's share of the tax levy of the County of Genesee for taxes levied for County purposes for the year 2013 and chargeable to said City as follows:

General County Tax \$5,308,659.70

Budget Impact : 2012 County Tax Levy \$5,275,158.00

Legislator DeJaneiro seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 498 LEVYING TAXES AND ASSESSMENTS REQUIRED
FOR PURPOSES OF ANNUAL BUDGETS OF THE
TOWNS OF GENESEE COUNTY – APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, There has been presented to the Legislature a duly certified copy of the annual budget of each of the several towns in the County of Genesee for the fiscal year beginning January 1, 2013. Now, therefore, Be it

RESOLVED, That there shall be and hereby is assessed and levied upon and collected from the taxable property situated in the towns including any incorporated Village wholly or partially located therein the amounts indicated in the following table for Highway Fund (town wide), and Be it further

RESOLVED, That the amounts to be raised by tax for all other purposes as specified in same annual budgets as presented to this Legislature, and which are on file in the Office

of the Clerk thereof, shall be and hereby are assessed and levied upon and collected from all taxable property in the Towns as enumerated in the following table, except as other provided by law, which will include general fund and special district, and Be it further **RESOLVED**, That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law:

Town	General Fund / Library	Highway	Total
Alabama	\$39,366.00	\$55,046.00	\$94,412.00
Alexander	\$280,718.00	\$157,017.00	\$437,735.00
Batavia	\$0.00	\$0.00	\$0.00
Bergen	\$334,977.00	\$0.00	\$334,977.00
Bethany	\$99,974.82	\$213,731.66	\$313,706.48
Byron	\$0.00	\$205,750.00	\$205,750.00
Darien	\$0.00	\$0.00	\$0.00
Elba	\$79,801.00	\$206,146.00	\$285,947.00
LeRoy	\$175,423.00	\$127,413.00	\$302,836.00
Oakfield	\$340,926.00	\$258,177.00	\$599,103.00
Pavilion	\$52,892.00	\$0.00	\$52,892.00
Pembroke	\$0.00	\$0.00	\$0.00
Stafford	\$0.00	\$52,945.00	\$52,945.00
Total	\$1,404,077.82	\$1,276,225.66	\$2,680,303.48

Budget Impact: These amounts are retained by the Towns so there is no impact to the County. The 2012 combined total was \$2,620,972.22.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 499 AUTHORIZING AN INVITATION TO BID BY GENESEE COUNTY ON BEHALF OF THE MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) FOR NATURAL GAS, ELECTIRITY, AND RENEWABLE ENERGY CREDITS AND AUTHORIZING THE INCLUSION OF ALL POLITICAL SUBDIVISIONS AND DISTRICTS WITHIN THE STATE TO PARTICIPATE

Legislator Leadley offered the following resolution:

WHEREAS, the energy procurement program of the Municipal Electric and Gas Alliance (MEGA) has been in effect since 1998 resulting in savings of over \$12.0 million to participating counties, cities, towns, villages, businesses and not-for-profit organizations in New York State, and

WHEREAS, the MEGA program has been endorsed by the NYS Association of Counties as the preferred energy procurement program for NYSAC members and affiliates, and

WHEREAS, the hallmark of the MEGA program is its public bid process that results in contracts for natural gas, electricity, and renewable energy credits, and

WHEREAS, Section 408-a of the County law and Section 103 of the General Municipal Law authorizes the County to include in any purchase contract awarded to the lowest responsible bidder, authorization permitting all political subdivisions and districts in the

State to participate, and

WHEREAS, the County desires the continued participation of other political subdivisions and districts in the contracts, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established and will be reflected in contracts with the lowest responsible bidders, now therefore be it

RESOLVED, That the Genesee County Legislature hereby authorizes the county to release bids for natural gas, electric and renewable energy credits on behalf of MEGA in the Central Hudson Gas & Electric utility territory, and

RESOLVED, further, that all political subdivisions and districts within the State are authorized to participate in the contracts awarded as a result of the bids,

RESOLVED, further, that the Chair of the Genesee County Legislature, upon recommendation of the MEGA Board of Directors and approval of Genesee County Legislature is authorized to award the contract to one or more proposers and to enter into contracts with selected proposers.

SEQR ACTION: TYPE II-20

Legislator Bausch seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

**RESOLUTION NO. 500 APPOINTMENT - REPUBLICAN ELECTION
COMMISSIONER – APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, Pursuant to Section 3-204 of the New York State Election Law, the Genesee County Republican Committee has recommended Richard E. Siebert of Stafford, New York for appointment as Commissioner of Elections, and

WHEREAS, The Committee on Ways and Means does concur with this recommendation. Now, therefore, Be it

RESOLVED, That Richard E. Siebert of Stafford, New York is hereby appointed to represent the Republican Party as Commissioner of Elections to serve a four-year term effective January 1, 2013 through December 31, 2016.

Legislator Cianfrini seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

At this time Chair Hancock declared the Public Hearing on Local Law Introductory No. Five 2012 closed. There were no speakers.

**RESOLUTION NO. 501 LOCAL LAW INTRODUCTORY NO. FIVE YEAR
2012- ADOPTION OF**

Legislator Bausch offered the following resolution:

WHEREAS, The following proposed Local Law Introductory No. Five, Year 2012 was duly introduced to the Genesee County Legislature in accordance with the Law:

**LOCAL LAW INTRODUCTORY NO. FIVE YEAR 2012
COUNTY OF GENESEE, NEW YORK**

**A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF
THE COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED TERM**

BE IT ENACTED by the Genesee County Legislature as follows:

Section 1. The salary of the County Officers set forth below shall be as follows:

- | | | |
|----|---------------------------------|-----------|
| a. | Commissioner of Social Services | \$ 85,739 |
| b. | Commissioner of Elections (2) | \$ 38,124 |
| c. | County Attorney | \$ 91,338 |

d.	County Clerk	\$ 82,702
e.	Highway Superintendent	\$ 90,414
f.	Director of Real Property Tax Services	\$ 67,202
g.	Human Resources Director	\$ 69,150
h.	Public Defender	\$ 94,633

Section 2. The above salary shall take effect January 1, 2013

Section 3. This Local Law is subject to referendum on petition pursuant to the provisions of Section 24 of the Municipal Home Rule Law.

Section 4. This Local Law shall take effect upon proper filing with the Office of the Secretary of State, and,

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

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory Number Five , Year 2012 and,**WHEREAS**, A Public Hearing was held at 7:00 p.m. on the twelfth day of December 2012 in Batavia, New York, at which time all interested persons who wished to speak were heard, Now, therefore Be it **RESOLVED**, That “**A LOCAL LAW IN RELATION TO THE SALARIES OF COUNTY OFFICERS OF THE COUNTY OF GENESEE, ELECTED OR APPOINTED FOR A FIXED TERM**” to be known as Local Law Number , Year 2013, for the County of Genesee as introduced on November 20, 2012, be and hereby is adopted.

Legislator Stein seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

At this time Legislator Stein made a motion to invoke Rule 19 for the purpose of considering the following resolution. It was seconded by Legislator Lawrence and approved by all members present.

RESOLUTION NO.502 BUDGET AMENDMENT – COUNTY ATTORNEY /CASUALTY LIABILITY INSURANCE RESERVE – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The County Attorney did request an amendment to the 2012 County Budget due to a shortage of funds in his claims account, and

WHEREAS, There is sufficient money is the Casualty Liability Insurance Reserve to cover this shortfall. Now, therefore, Be it

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

Increase in revenue MS.1000.9999 Balancing-Appropriated	\$125,000
to be offset by an	
Increase in expense MS.1930.4800-0100 Claims	\$125,000

Budget Impact: There will a \$125,000 decrease in the Casualty Liability Insurance Reserve.

Legislator Cianfrini seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

RESOLUTION NO. 503 COUNTY AUDIT – DECEMBER 12 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Bausch did review the following claims:

General Fund	\$	499,761.93
Highway		409,015.85
Self Insurance		76,680.48
Nursing Home		238,054.58
Water		123,452.46
DSS Abstracts		887,790.41
Capital Projects:		
Highway Black Street Rd Bridge Design		4,635.12
Highway Griswold Road Bridge		21,269.08
Co Park Pavilion A/B Roof, Repairs, Fireplaces		5,781.86
DeWitt Park Pavilion #1 Roof Replacement		2,474.36
Airport Terminal & Maintenance Hangar Design		9,400.00
Payroll – General & Nursing Home		
November 30, 2012		1,475,062.14
Medicaid		
December 4, 2012		185,572.00
December 11, 2012		<u>185,572.00</u>
Total Audit	\$	4,124,522.27

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 Clattenburg seconded the resolution which was adopted by 300 votes, Legislator Ferrando (26) absent.

Veterans service Department is a separate Department within the County as of January 1, 2013. County Manager Gsell distributed a map showing their new location at County Building No. Two.

A Committee of the Whole possibly followed by a Special Legislature Meeting was called for 5PM on Wednesday, December 19, 2012 for the discussion of matters related to the administration of the Mental Health Department.

The meeting was adjourned at 8:15 PM upon motion of Legislator Stein seconded by Legislator Lawrence.