

**SEVENTEENTH DAY  
GENESEE COUNTY LEGISLATURE  
Wednesday October 9, 2013  
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, October 9, 2013 at 7PM at the Old Courthouse, 7 Main Street, Batavia. Prayer was offered by Legislator Stein, followed by the Pledge to the Flag.

The September 23, 2013 minutes were approved upon motion of Legislator Lawrence seconded by Legislator Stein.

Legislator Stein reported that due to the Government Shutdown the Soil and Water Conservation District which has offices located in a federally maintained building are currently out of their offices and not in control of their files or computer system and have been relocated to the Genesee County Park Interpretive Center. She stated that this is been a welcoming and wonderful building for them to use. However, this brings up a point that forward planning needs to be done for not only the Soil and Water Department, but any department that has a relationship with the federal government and that we need to be ready for plan B, which would be to be on our own and not totally dependent on a Federal Agency. Mrs. Stein attended the Economic Center regular October meeting. At that meeting Yancey's Fancy and Alpina were there for their initial reports and to ask for mortgage tax abatement, and also abatements for their property tax. Those public hearings will be held in the near future. Mrs. Stein also reported that the Town of Pembroke and Village of Corfu did an excellent job coordinating efforts to get the sewer out to the shovel ready park and have it in place so that Yancey's Fancy can have a shovel in the ground this year. This makes the whole system better. The Audit and Finance Committee met to go over the EDC budget and then for the LDC. It is required reporting that you have your budget for 2014 but then you do a plus four look ahead. This is the information that gets recorded in the Public Authorities Reporting Information System, the information is put into this system and some growth has been forecasted. A recent survey was done for the Communities and 67% of the residents feel the EDC is a good investment and appreciate the work that has been done.

Legislator Leadley reported on the recent NYSAC meeting held in Saratoga Springs. Four of the Legislators were able to attend this conference and she felt that it was a very upbeat conference with new and good information. Chair Hancock stated she felt it was very energizing and that there was a lot of encouragement and that a negative attitude affects the whole organization. They were reminded to not cling to what used to be. Legislator Leadley also recently attended the Office for the Aging Public Hearing which was in conjunction with the recognition of the RSVP volunteers. Legislator Leadley felt it was very well attended and that these Public Hearings are mandated by the State.

Legislator Clattenburg attended the Traffic Safety Committee meeting. The proposed round-about in East Bethany was discussed and the Sheriff Maha and Highway Superintendent Hens apprised the Committee of the letter that was written by Chair Hancock and the Committee was in support of that letter. There was so hope that there could be some incremental process or that some other things could be tried before the extreme of taking someone's house happened. Chair Hancock stated that it would be nice to have some improved communication between the DOT and the areas that they work within, so that when changes are occurring that are impacting the citizens in the various areas, to inform the Elected Officials and Administrative of what work is going on so that they may be informed when a citizen calls to receive information. Legislator

Clattenburg stated that the Committee did have a conversation in regards to this communication gap with the DOT Representative that sits on this Board.

Legislator DeJaneiro reported that the Health Board held a joint meeting with Orleans County. This meeting was held in Orleans County. Both Boards of Health have the same issues and the shared service between the two counties is going well. An intern for the Health Department has been furloughed due to the Government Shutdown. There will be an Animal Clinic October 17<sup>th</sup> in Orleans County and also a Drug Take Back Day on October 26<sup>th</sup>. Chair Hancock stated she felt it was interesting to attend the meeting with the group from both Counties and Legislators from both Counties were also in attendance. She felt that the meeting had a certain energy level that she felt was very positive and that Health Director Pettit was excited about the ways things were moving along.

Legislator Lawrence reported on the Community Service Board she recently attended. Mental Health Director Reaves gave information on the changes in Mental Health treatment. New York State will be divided into four or five regions and Genesee County will most likely be in region 5. Mrs. Lawrence updated the Legislators on the recent Cooperative Extension Annual meeting. The volunteers were recognized at this meeting and the youth recognition was held at a special dinner. It was well attended.

County Manager Gsell reported that the Job Development Bureau and the Workforce Investment Board has about 84 days of operating funds to continue due to the Government Shutdown. They should be able to sustain themselves so they may run their programs. These programs have never been supported by County dollars they have always received funding from outside agencies. By the end of the year they will have to provide lay-off notices if the shutdown continues. Genesee County is in better shape than some of our GLOW area partners.

Chair Hancock gave the job report. There were 332 job openings in the County, this is down 18%. The August 2013 rate was 7.5% and in Genesee County the rate went down to 5.8% this is the lowest August rate since 2008.

The clerk proceeded with the reading of the resolutions:

**RESOLUTION NO. 362 GRANT ACCEPTANCE-AMERICORPS GRANT  
FUNDING- 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 \$101,617 from the NYS Office of Children and Family Services on behalf of the New York State Commission on National and Community Service for the Genesee County AmeriCorps Program and

**WHEREAS**, The Committee on Human Services does recommend approval for acceptance of the funds be given at this time. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to implement the AmeriCorps Program with a grant from the New York State Office of Children and Family Services for the period of November 1, 2013 through December 31, 2014.

**Budget Impact:** Funds to cover expenses for November – December are included in the 2013 approved budget for the department. Funds to cover expenses for the remainder of the program year will be included in the department's 2014 budget request. All expenditures are covered by grant revenue.

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

Prior to roll call on the above resolution Legislator Lawrence stated even though they didn't win the first round of this grant they did win the second round and she knows the Youth Bureau will

do everything they can to get folks placed. She thanked the Youth Bureau. Chair Hancock stated that what they did get was over 50% of the state aid available.

**RESOLUTION NO. 363 RESCIND MEALSITE AGREEMENT WITH CORFU PRESBYTERIAN CHURCH & APPROVE REVISED CONTRACT WITH CORFU PRESBYTERIAN CHURCH/OFA- APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, The Genesee County Legislature did approve a contract with the Corfu Presbyterian Church for the provision of hosting a congregate meal site for older adults at their facility under the federal Title III C1 Congregate Mealsite grant; and the contract had both language and rates that needed further revision and updates before both parties were agreeable to terms and conditions; and such contract had been approved by the Legislature through resolution #420-2012 and was not finalized until further negotiation in 2013 resulted in successful resolution of terms and conditions as well as rate, which results in rescinding the original contract approval, and

**WHEREAS**, The Genesee County Office for the Aging desires to continue the congregate mealsite program at the Corfu Presbyterian Church location under the revised contract terms and conditions, as well as agreeing to an annual stipend rate of \$600 per year and requirement to be named as additional insured; and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

**RESOLVED**, That the OFA/Meal Site Agreement with Corfu Presbyterian Church, approved by the Legislature on November 16, 2012 with Resolution #420 which indicated a rate of \$450 per year to host a congregate mealsite at the Corfu Presbyterian Church one day per week from January 1, 2013 – December 31, 2013 be rescinded, and Be it further

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a contract with Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 for the provision of using designated space within the church facility to hold a weekly congregate mealsite operated by the Genesee County Office for the Aging, at the stipend rate of \$600 for the period January 1, 2013 through December 31, 2013, to be paid retroactively back to January 1, 2013; and Be it further

**RESOLVED**, That the Genesee County Attorney is hereby authorized and directed to execute the necessary documents to name Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured from October 9, 2013 – December 31, 2013.

**Budget Impact:** This will be a \$150 increase in 2013 which we will take out of Title III C 1 Federal Grant funds; and will renew in 2014 for the newly negotiated rate of \$600.

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

**RESOLUTION NO. 364 RENEWAL CONTRACT – DSS/SECURITY SERVICES – APPROVAL OF**

Legislator Leadley 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 U.S. Security Associates, 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 U.S. Security Associates, Inc., 625 Delaware Avenue, Suite 200, Buffalo, NY 14202 for the provision of Security Services at offices occupied by the Genesee County Department of Social Services for the period January 1, 2014 through December 31, 2014 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 2014 Departmental budget.

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

**RESOLUTION NO. 365 APPOINTMENT/SALARY SCHEDULE AMENDMENT-  
PROBATION DIRECTOR II – APPROVAL OF**

Legislator Cianfrini offered the following resolution:

**WHEREAS**, Mr. Timothy Michalak has been acting as temporary Probation Director II following the resignation of the former Probation Director effective June 19, 2013, and

**WHEREAS**, Members of the Public Service Committee interviewed finalists for the Probation Director II position and it is their consensus to recommend to the Ways and Means Committee that Timothy Michalak be appointed to the position of Probation Director II, and

**WHEREAS**, The Committee on Ways and Means does concur and recommends that Mr. Timothy Michalak be appointed to the position of Probation Director II on a permanent basis. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby appoint Timothy Michalak of Batavia, NY as Probation Director II effective October 9, 2013, and Be it further

**RESOLVED**, That the Genesee County Treasurer and Human Resources Director are authorized to amend the 2013 Management Salary Schedule to include Mr. Timothy Michalak as Probation Director II, Grade 8 at an annual base salary of \$56,742 on the Genesee County Management Salary Schedule.

**Budget Impact:** salary of \$56,742 + \$600 longevity = \$57,342. Funds are available within the 2013 Probation Department budget.

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

**RESOLUTION NO. 366 CONTRACT RENEWAL/TREASURER-GASB 45  
ACTUARY SERVICES –APPROVAL OF**

Legislator Bausch offered the following resolution:

**WHEREAS**, Through an RFP process, Genesee County entered into an agreement with Armory Associates, LLC, in 2011 for the provision of GASB 45 actuarial services for valuing Genesee County's Other Post-Employment Benefits (OPEB) other than pensions, for the years 2012 and 2013, and

**WHEREAS**, The Genesee County Treasurer is recommending a contract renewal with Armory Associates, LLC, for the provision of actuarial services required pursuant to GASB 45 for the 2014 and 2015 valuations, and

**WHEREAS**, The Committee on Ways and Means did review the 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 Armory Associates, LLC, 120 Walton Street, Suite 601, Syracuse, New York 13202 for GASB 45 actuary services. The contract will be for the 2014/2015 valuations for a total cost of both years of \$9,000.

**Budget Impact:** Annual cost will be accounted for in budget. The cost is the same as the 2012/2013 valuations.

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

**RESOLUTION NO. 367    AWARD OF CONTRACT – FACILITIES  
MANAGEMENT/WORK CLOTHING & UNIFORMS –  
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS,** The Assistant County Manager and Purchasing Director did receive a sole bid for work clothing and uniforms, and

**WHEREAS,** The sole bidder does meet the specifications, and it is recommended to award this contract, and

**WHEREAS,** The Committee on Ways and Means did review the 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 a one year contract with Coyne Textile Services for an amount not to exceed \$4,100.00 to provide uniforms for the period January 1, 2014 through December 31, 2014.

**Budget Impact:** The Facilities Management Department has budgeted for this contract in their 2014 operating budget.

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

**RESOLUTION NO. 368    AGREEMENT – HEALTH DEPARTMENT / CONSULTANT  
AND INSPECTION SERVICE– APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS,** The Public Health Director did present an agreement for the provision of Consultant and Inspection Services, 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 an agreement with Clark Stritzel, 14339 Bacon Road, Albion, NY 14411, for the provision of Consultant and Inspection services for the period September 30, 2013 through December 31, 2013 at the rate of \$40.00 per hour, not to exceed \$3,000.

**Budget Impact Statement:** Expenses related to this contract, not to exceed \$3,000, are eligible for 100% reimbursement under Article 6 – State Aid for General Public Health Work.

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

**RESOLUTION NO. 369    CONTRACT– HEALTH DEPARTMENT/PRESCHOOL  
SUPPORTIVE HEALTH SERVICES PROGRAM –  
APPROVAL OF**

Legislator Stein 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 Aurora Audiology & Speech Associates, Inc., 97 Hamburg Street, East Aurora, NY 14052, for the provision of Related Services in the Preschool Supportive Health Services Program (PSSHSP) for the period September 1, 2013 through June 30, 2015 per the 2013-2015 PSSHSP rate schedule.

**Budget Impact:** Revenue and expenses are included in the 2013 A 2960 3-5 Preschool Program Budget and will be

included in the 2014 and 2015 Program Budgets. 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. 370 BUDGET TRANSFER – EARLY INTERVENTION PROGRAM - APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS,** The Genesee County Public Health Director did request a transfer of funds from one account classification to another, and

**WHEREAS,** The Committee on Human Service 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 make the following transfers:

FROM:           \$   2,375    A 4059 4660.0306    Contd Svc-Other in Cty

TO:               \$   2,280    A 4059 8030.0000    Medical

                  \$       85    A 4059 8040.0000    Dental

                  \$       10    A 4059 8070.0000    Vision

**Budget Impact:** A transfer of funds between account classifications.

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

**RESOLUTION NO. 371 GRANT ACCEPTANCE -- HEALTH DEPARTMENT/ LEAD POISONING PREVENTION PROGRAM - APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS,** The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Lead Poisoning Prevention Program contract has been awarded in the amount of \$37,508, 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 Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

**RESOLVED, That** the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Lead Poisoning Prevention Program contract for the period October 1, 2013 through September 30, 2014 in the amount of \$37,508, and to execute any and all other documentation related to this funding.

**Budget Impact:** Revenue and expenses, in the amount of \$9,605, are appropriated in the 2013 Dept. 4010 – Health Department budget; the remaining balance is included in the 2014 Dept. 4010 – Health Department budget proposal.

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

**RESOLUTION NO. 372 GRANT AMENDMENT -- HEALTH DEPARTMENT/ IMMUNIZATION ACTION PLAN - APPROVAL OF**

Legislator Leadley offered the following resolution:

**WHEREAS,** Resolution 223-13 did allow for the Chair of the Genesee County Legislature 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, 2013 through March 31, 2014 in the amount of \$30,039, and

**WHEREAS,** The New York State Department of Health did modify the terms of the contract by presenting a multi-year agreement, and

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

**RESOLVED, That** the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Immunization Action Plan contract for the period April 1, 2013 through March 31, 2018 in the amount of \$150,195, and to execute any and all other documentation related to this funding.

**Budget Impact:** Revenue and expenses, in the amount of \$27,272 have been appropriated in the 2013 Dept. 4010 – Health Department budget.

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

**RESOLUTION NO. 373 COUNTY AUDIT – OCTOBER 9 APPROVAL OF**

Legislator Bausch offered the following resolution:

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

2013 General Fund	\$	388,171.30
2013 Highway		99,814.31
2013 Self Insurance		47,574.42
2013 Water		106,025.61
2013 Nursing Home		126,156.83
DSS Abstracts		422,793.37
<b>2013 Capital Projects:</b>		
Sheriff 800Mhz Radio System Upgrade		5,595.00
Highway 2013 Bridge Construction		2,607.03
Highway Griswold Road Bridge		12,664.56
<b>Payroll – General &amp; Nursing Home</b>		
October 4, 2013		1,209,080.32
<b>Medicaid</b>		
September 24, 2013		186,456.00
October 1, 2013		186,456.00
October 8, 2013		<u>186,456.00</u>
<b>Total Audit</b>	\$	<b>2,978,850.75</b>

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 Leadley seconded the resolution which was adopted by 326 votes.

The meeting was adjourned at 7:55 PM upon motion of Legislator Bausch seconded by Legislator