

**SEVENTEENTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday, October 8, 2014
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, October 8, 2014 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator DeJaneiro followed by the Pledge to the Flag.

The minutes of the September 24, 2014 meeting were approved upon motion of Legislator Lawrence seconded by Legislator Ferrando.

Legislators Stein and Torrey presented a Proclamation to George Squires, Director of Soil and Water in honor of that agency turning 70. Mr. Squires accepted this Proclamation and reported that Soil and Water in will be celebrating at the GCC Harvest Fest.

Legislator Ferrando attended the Office for the Aging Public Hearing that was held in Batavia. He felt that it was well attended. The RSVP Volunteer group was recognized at the Public Hearing. Mr. Ferrando stated it is amazing how many hours these volunteers put in to help older adults. There were also representative from the State and he made a nice presentation on where the State is going for older adults.

Legislator Bausch attended the CJAC Meeting. The female jail population is down to 10 females that are currently being boarded out. This is the lowest this year. 24 different departments have been giving presentations at the CJAC Meeting. The City of Batavia Police gave their presentation and Mr. Bausch felt that it was very interesting. The City discussed topics such as the bike patrols and the camera located on State Street.

Legislator Stein attended the Farm Bureau Annual Meeting. The topic was the definitions of the EPA of the Waters in the U.S. This matter still has not been settled, and the EPA will continue to drive this matter forward until their definition is accepted. Legislator Stein is glad that NYSAC took the position to send another letter where 32 counties have come together to support the taking away of that EPA definition. At the Ag and Farmland Protection meeting it was asked that they pass a resolution opposing this definition. This is yet another agency to oppose this matter. The Green Genesee Roadmap was introduced. Mrs. Stein commended the Towns of Oakfield, Alabama and Elba for taking a different look at how our land, water and air will be used and how it will be changing in the future and how to protect these resources for our economy and able to live in harmony together. Lastly, Legislator Stein attended the joint Board of Health meeting with Orleans and Genesee County. It is tremendous to see how that collaboration is working. The Robert Wood Johnson Foundation will be in town next week. They will take a look at this joint project and see how it is working.

Legislator Lawrence reported that the Ag and Farmland Protection Board met and they discussed the water projects for Batavia North Project, Town of Oakfield District 7 and Town of Byron District 6. Mrs. Lawrence also stated that the County Planning Board is waiting to hear on their update to the Ag and Farmland Protection Plan.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 351 GRANT ACCEPTANCE –YOUTH BUREAU/
AMERICORPS FUNDING– APPROVAL OF**

Legislator Torrey 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 \$129,311 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 October 1, 2014 through December 31, 2015.

Budget Impact: Funds to cover expenses for October – December are included in the 2014 approved budget for the department. Funds to cover expenses for the remainder of the program year will be included in the department's 2015 budget request. All expenditures are covered by grant revenue.

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

RESOLUTION NO. 352 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.

New Appointments

Health Department Representative	Tammi Feringer	10/1/2014-9/30/2017
Youth Representative	Jacelyn Feringer	10/1/2014-9/30/2017
Alexander	Krista Wagner	10/1/2014-9/30/2017

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

RESOLUTION NO. 353 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 Chelsie Callan, 31 Woodcrest Drive, Batavia, NY 14020, for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period October 1, 2014 through June 30, 2015 per the 2013-2015 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2014 A 2960 3-5 Preschool Program Budget and will be included in the 2015 Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

RESOLUTION NO. 354 CONTRACT – HEALTH DEPARTMENT /PHARMACY CONSULTANT SERVICES – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Public Health did present a contract for the provision of Pharmacy Consultant Services, and

WHEREAS, Title10 New York State Compilation of Rules and Regulations (NYCRR), part 752.(1.5)b requires consultation from a qualified pharmacist, when

medications and biologicals are handled by personnel in the absence of a pharmacy,
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 Anthony R. Fernando, RPh, MBA, PhD, 178 Sausalito Drive, East Amherst, New York, 1405, for Pharmacy Consultant Services for the Genesee County Health Department at the all-inclusive rate of \$65.00 per hour for the period November 1, 2014 through December 31, 2015.

Budget Impact Statement: Expenses related to this contract are eligible for full reimbursement under Article 6 State Aid for General Public Health Works.

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

**RESOLUTION NO. 355 GRANT ACCEPTANCE – HEALTH DEPARTMENT/
EARLY INTERVENTION ADMINISTRATION 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 Early Intervention Administration contract has been awarded in the amount of \$25,681, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the administration of the Early Intervention Program, 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 Early Intervention Administration contract for the period October 1, 2014 through September 30, 2015 in the amount of \$25,681, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses are included in the 2014 and 2015 Dept. A 4059 – Early Intervention Program budgets.

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

**RESOLUTION NO. 356 SALARY SCHEDULE AMENDMENT – NURSING
HOME/UNIT COORDINATOR – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2014 Salary Schedule to provide a more efficient operation and improved services to residents and family members of the Nursing Home, 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 2014 Genesee County Salary Schedules by deleting three licensed practical nurse positions at CSEA Grade 8 and creating three Unit Coordinator positions at CSEA Grade 13 effective October 9, 2014.

Budget Impact: No budget impact. The salary expense associated with these positions has been budgeted for.

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

RESOLUTION NO. 357 SALARY SCHEDULE AMENDMENT – NURSING HOME/LICENSED PROFESSIONAL NURSE – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2014 Salary Schedule to provide a more efficient operation and improved services to residents and family members of the Nursing Home by eliminating two (2) unneeded Registered Professional Nurse positions in the Adult Home (DOM) and creating two (2) Licensed Professional Nurse positions for the skilled nursing facility, 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 2014 Salary Schedules by deleting two Registered Professional Nurse positions in the Adult Home (DOM), CSEA Grade 12; and creating two Licensed Professional Nurse positions in the Skilled Nursing Facility, CSEA Grade 8 effective October 9, 2014.

Budget Impact: - 0 -

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

RESOLUTION NO. 358 SALARY SCHEDULE AMENDMENT – NURSING HOME/CLINICAL CARE COORDINATOR AND RN SUPERVISING NURSE – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2014 Salary Schedule to provide a more efficient operation and improved services to residents and family members of the Nursing Home by eliminating the position “Nursing Unit Manager”, creating the position of “Clinical/Care Coordinator”, and creating a full time RN Supervisor, 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 2014 Salary Schedule by deleting four Nursing Unit Manager positions (Grade 6 – Management Scale), deleting one Registered Professional Nurse position (CSEA Grade 12) and creating three Clinical/Care Coordinator positions (CSEA Grade 14) and creating one full time RN Supervising Nurse position (CSEA Grade 14) .

Budget Impact: No budget impact. The salaries associated with these positions have been budgeted for 2014. Only the job titles and duties will change.

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

RESOLUTION NO. 359 BUDGET TRANSFER – JOB DEVELOPMENT BUREAU – APPROVAL OF

Legislator Clattenburg offered the following resolutions:

WHEREAS, The Employment and Training Director of the Job Development Bureau has requested transfers be made within his accounts to allow for proper funding to cover additional positions in our WIA Summer Work Experience Program, And

WHEREAS, The Committee on Ways and Means and the County Manager have reviewed this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make the following budget item transfer:

\$ 3450	from: CD6293 4825.0000 Participant Mileage
\$3200	to: CD6293 1010.0100 PerServ-Work Experience
\$ 200	CD6293 8010.0000 FICA
\$ 50	CD6293 8011.0000 Medicare

Budget Impact: Neutral WIA funds included in the 2014 County Budget, will offset the transfer.

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

RESOLUTION NO. 360 BUDGET AMENDMENT – HUMAN RESOURCES - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Human Resources Department has experienced more physical exam expense than usual and also is having to pay for the updated Employee Handbook which was unanticipated, the Human Resources Director is requesting a budget amendment to cover shortfall of funds in the 2014 budget, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget by adjusting Human Resource Appropriations and Revenues by the following amounts:

Increase Revenue	A.1430.1260 Personnel Fees in the amount of \$5,300
Increase Appropriations:	A.1430.4800.0144 Physical Exam in the amount of \$1,500
	A.1435.4160.0000 Publications in the amount of \$3,800.

Budget Impact Statement: Additional Revenue will offset new expense.

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

RESOLUTION NO. 361 STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS-New York STATE RETIREMENT SYSTEM- APPROVAL OF

Legislator Bausch offered the following resolution:

RESOLVED, Resolution No. 237 date June 25, 2014 required correction as requested by the New York State Retirement System. Now, therefore, Be it

RESOLVED, That the County of Genesee hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee’s Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title	Standard Work Day (Hrs/day) Min. 6 hrs. Max 8 hrs.	Name (First and Last)	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates	Participates in Time Keeping System	Record of Activity
DA	7.5	Lawrence Friedman		01/01/14-12/31/17	N	29.56
Treasurer	7.5	Scott German		01/01/13-12/31/16	N	23.42
Legislator	6	Edward DeJaneiro		01/01/14-12/31/15	N	6.78
Legislator	6	Annie Lawrence		01/01/14-12/31/15	N	6.07
Co. Attorney	6	Charles Zambito		01/01/14-12/31/15	N	20.35

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

RESOLUTION NO. 362 COUNTY AUDIT – OCTOBER 8 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Ferrando did review the following claims:

2014 General Fund	\$	593,810.27
2014 Highway		81,940.45
2014 Self Insurance		46,891.46
2014 Nursing Home		122,673.56
2014 DSS Abstracts		375,961.57
2014 Capital Projects:		
Sheriff 800 Mhz Radio System Upgrade		60,000.00
DeWitt Park Utility Extensions & Security Improvements		881.81
Highway North Pembroke Road Bridge		109,906.60
Highway 2014 Bridge Construction		3,938.35
Highway 2014 Fuel Farm		1,477.41
Highway Hopkins Rd Bridge		15,706.03
Highway 2014 Highway Surface Treatment		40,656.14
Highway Comprehensive Bridge Culverts		1,500.00
Highway 2013 Highway Overlay		36,441.83
Highway 2014 Highway Overlay		2,800.82
Highway 2014 Highway Chipseal		29,963.02
Airport Design Terminal & Maintenance Hangar		78.00
Airport Tie-down Apron Relocation		402,846.90
Payroll – General & Nursing Home		
October 3, 2014		1,221,138.02
Medicaid		
September 30, 2014		184,665.00
October 6, 2014		<u>184,665.00</u>
Total Audit	\$	3,517,942.24

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 326 votes.

A motion to adjourn was made at 5:50 PM upon motion of Legislator Stein seconded by Legislator Clattenburg.