

**FOURTEENTH DAY
GENESEE COUNTY LEGISLATURE
Wednesday, August 13, 2014
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday, August 13, 2014 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Torrey followed by the Pledge to the Flag.

The minutes of the July 9, 2014 meeting were approved upon motion of Legislator Lawrence seconded by Legislator DeJaneiro.

A motion was made by Legislator Lawrence to approve an out-of-state travel request for James Call, ESU Team Member to attend the Crude by Rail Emergency Response-Security/Emergency Response Training in Pueblo, Colorado. The motion was seconded by Legislator DeJaneiro and approved by a voice vote.

Legislator Young cordially invited all present to attend the Press Conference/Celebration at P.W. Minor Shoe Factory on Treadeasy Avenue on Thursday, August 14th. Legislator Young and Pete Zelif recently purchased the factory and plan on continuing shoe production.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 267 CONTRACT RENEWAL – HEALTH
DEPARTMENT/LEAD INVESTIGATION
SERVICES – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Genesee County does contract with Monroe County for the provision of elevated blood lead investigation services, and

WHEREAS, The Director of Public Health did recommend renewal of the existing contract and the Committee on Human Service does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract renewal with Monroe County for Elevated Blood Lead Investigation services for the period August 1, 2014 through July 31, 2015 at the following rates:

| | |
|--|----------------|
| Administrative Fee | \$40.00/case |
| Public Health Sanitarian (LP Investigator) | \$40.00/hour |
| Water | \$39.00/sample |
| Dust Wipe | \$ 5.25/sample |
| Soil Sample | \$ 5.25/sample |

Mileage based on most current IRS mileage rate

Budget Impact: Anticipated expense for this contract is \$2,800 which is reimbursed up to 100% through Article 6, State Aide for General Public Health Works.

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

**RESOLUTION NO. 268 GRANT AMENDMENT - HEALTH
DEPARTMENT/CHILDREN WITH SPECIAL
HEALTH CARE NEEDS PROGRAM COST OF
LIVING ADJUSTMENT - APPROVAL OF**

Legislator Stein 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 Children with Special

Health Care Needs Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$746, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, 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 Children with Special Health Care Needs Program Cost of Living Adjustment during the 2013-14 State fiscal year in the amount of \$746, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$746 to offset program expenditures made between April 1, 2014 and March 31, 2015.

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

**RESOLUTION NO. 269 GRANT AMENDMENT - HEALTH DEPARTMENT/
IMMUNIZATION ACTION PLAN PROGRAM COST
OF LIVING ADJUSTMENT - APPROVAL OF**

Legislator Young 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 Immunization Action Plan Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$2,409, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, 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 Program Cost of Living Adjustment during the 2014-15 State fiscal year in the amount of \$2,409, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$2,409 to offset program expenditures made between April 1, 2014 and March 31, 2015.

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

**RESOLUTION NO. 270 GRANT AMENDMENT - HEALTH DEPARTMENT/
LEAD POISONING PREVENTION PROGRAM
COST OF LIVING ADJUSTMENT - APPROVAL OF**

Legislator Lawrence 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 is eligible for a Cost of Living Adjustment (COLA) in the amount of \$3,008, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, 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 Cost of Living Adjustment during the 2014-15 State fiscal year in the amount of \$3,008, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$3,008 to offset program expenditures made between April 1, 2014 and March 31, 2015.

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

**RESOLUTION NO. 271 GRANT ACCEPTANCE -- HEALTH DEPARTMENT/
LEAD POISONING PREVENTION PROGRAM –
APPROVAL OF**

Legislator Ferrando 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, 2014 through September 30, 2015 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 \$9,377, are appropriated in the 2014 Dept. 4010 – Health Department budget; the remaining balance is included in the 2015 Dept 4010 – Health Department budget proposal.

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

**.RESOLUTION NO. 272 GRANT AMENDMENT - HEALTH
DEPARTMENT/RABIES PROGRAM COST OF
LIVING ADJUSTMENT - APPROVAL OF**

Legislator Young 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 Rabies Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$1,159, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, 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 Rabies Program Cost of Living Adjustment during the 2014-15 State fiscal year in the amount of \$1,159, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$1,159 to offset program expenditures made between April 1, 2014 and March 31, 2015.

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

**RESOLUTION NO. 273 GRANT AMENDMENT - HEALTH DEPARTMENT/
TOBACCO ENFORCEMENT PROGRAM COST OF
LIVING ADJUSTMENT - APPROVAL OF**

Legislator Stein 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 Tobacco Enforcement Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$2,505, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, 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 Tobacco Enforcement Program Cost of Living Adjustment during the 2014-15 State fiscal year in the amount of \$2,505, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$2,505 to offset program expenditures made between April 1, 2014 and March 31, 2015.

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

**RESOLUTION NO. 274 CONTRACT AMENDMENT/BUDGET AMENDMENT --
COMMUNITY MENTAL HEALTH SERVICES/GENESEE
ORLEANS COUNCIL ON ALCOHOLISM AND
SUBSTANCE ABUSE, INC. – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, 2014 Resolution No. 468 duly adopted on December 11, 2013 did authorize a contract with Genesee Orleans Council on Alcoholism and Substance Abuse, Inc. (GCASA) for calendar year 2014, and

WHEREAS, The Community Mental Health Services Director did report that the OASAS division of the State of New York did notify him of an increase in the State of New York's financial support for GCASA for the state's fiscal year 2014/2015 in the amount of \$12,000, and

WHEREAS, The Community Mental Health Services Director did request an amendment to the County's contract with GCASA and to the County's 2014 budget to allow for use of the increased 2014 state aid, and

WHEREAS, The Committees on Human Services and Ways and Means did review these requests and do concur with these recommendations. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is directed and authorized to execute the necessary documents to amend the contract between the County of Genesee and the Genesee Orleans Council on Alcoholism and Substance Abuse, Inc. to increase the maximum reimbursable amount to \$1,497,000 for the period January 1, 2014 through December 31, 2014 with all other terms and conditions of said contract to remain unchanged and in full force and effect, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 Genesee County Budget by:

INCREASING

Appropriation A4313.4660.0000 GCASA Contracted Other in the amount of \$12,000 to be offset by an increase in Revenue A4313.3494 GCASA State Aid, OASAS in a like amount.

Budget Impact Statement: \$12,000 increase in State Aid to outside agency; no change in direct County funding to agency.

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

RESOLUTION NO. 275 BUDGET TRANSFER-COMMUNITY MENTAL HEALTH SERVICES/COURT COMMITMENT – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of Community Mental Health Services did request an amendment to the 2014 Genesee County Budget to accommodate the transfer of funds from the Community Mental Health Department to the Court Commitments Department to pay for additional Court Commitments ordered by City of Batavia Court, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer from A4310.4800.0300, Mental Health Client Funds ICM Client Funds to A.4311.4600.0000, Court Commitment Contracted Other in the amount of \$3,600.

Budget Impact Statement: Offsetting expenses; no County impact.

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

RESOLUTION NO. 276 CONTRACT- MENTAL HEALTH/RAJA V. RAO, M.D. - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committee on Human Services does recommend approval of a contract with Raja V. Rao, M.D. as presented by the Director of the Community Mental Health Services.

Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Raja Rao, M.D. for the provision of consulting psychiatric services at a rate of \$148 per hour for a maximum of 250 hours for the period of August 18, 2014 through December 31, 2014 in accordance with the terms of said contract.

Budget Impact Statement: Rate – \$148 per hour; No Budget Impact

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

RESOLUTION NO. 277 APPOINTMENT-COMMUNITY SERVICES MENTAL HEALTH BOARD-APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, An application has been received from Ruth Spink of Medina, New York indicating an interest and desire for appointment to the Mental Health Community Services Board, and

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

RESOLVED, That the Genesee County Legislature does hereby appoint Ms. Ruth Spink of Medina, New York to serve a three year term on the Mental Health Community Services Board effective immediately through August 14, 2017.

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

RESOLUTION NO. 278 BUDGET AMENDMENT – OFFICE FOR THE AGING – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a budget amendment to the 2014 OFA County Budget due to funding increases in several State and Federal grant funding for a total of \$21,022 in additional funds to support the growing need for nutrition and aging services and programs for older adults, and

WHEREAS, Federal grants funds available have been increased due to a net increase in base allocations and increases in federal carry-over funds for the following federal Older Americans Act grant: Title III B Support Services, Title III C1 Congregate Meals, Title III-C2 Home Delivered Meals, Title III D Health Promotion, Title III E Caregiver Support; which result in a net increase of \$4,474 in Federal Aid in the 2014 County Budget, and

WHEREAS, State grants – Community Services for the Elderly (+\$18,477), Wellness in Aging (\$2,727) & Expanded In-Home Services for the Elderly (+860) - all have had increased allocations from our original budget projections, resulting in an increase of \$16,548 in State Aid in the 2014 County Budget; and \$5,516 additional to be incorporated into the first quarter of 2015, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval of this budget amendment. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Revenues:

| | | |
|-------------------|-------------|------------|
| A. 1000.6772.3772 | State Aid | + \$16,548 |
| A. 1000.6772.4772 | Federal Aid | + \$ 4,474 |

Appropriations:

| | | |
|----------|-----------------|------------|
| A.6772.1 | Personnel Svcs | + \$10,201 |
| A.6772.2 | Equipment | + \$ 1,360 |
| A.6772.4 | Contractual | + \$ 6,609 |
| A.6772.8 | Fringe Benefits | + \$2,852 |

Budget Impact: Revenue increases for 2014 include State: + \$16,548 and Federal: + \$4,474 for a total Revenue increase of +\$21,022. 2014 County Budget Allocations are adjusted in a like amount. 2015 Budget will incorporate the remaining \$5,516 in additional State funds.

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

RESOLUTION NO. 279 SALARY SCHEDULE AMENDMENT – OFFICE FOR THE AGING/PT CLIENT SERVICES OUTREACH ASSISTANT - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Director of the Office for the Aging did request an amendment to the 2014 Salary Schedule to provide part-time staff person to provide residents with information, screening, assistance and referral in regards to accessing and applying for benefits, programs and services available to older adults and their caregivers, and

WHEREAS, Community Service for the Elderly Program New York State grant funds have been increased in response to the increased need for assisting older adults and their caregivers which will provide sufficient funds to cover the cost of this new position, and

WHEREAS, The position has been reviewed by Genesee County's Human Resource Department and has been classified as part-time Client Services Outreach Assistant, CSEA Grade 4, and

WHEREAS, The Committee 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 Human Resources Director is hereby authorized and directed to amend the 2014 Office for the Aging Salary Schedule by creating a part-time position Client Services Outreach Assistant at 19.5 hours per week, CSEA Grade 4, effective September 8, 2014.

Budget Impact: In 2014 the cost of this position will be \$4,416 in salary and fringe which is fully covered by additional grant funds being incorporated in the 2014 county budget. Community Services for the Elderly State Grant funds are anticipated to fully cover the cost in the 2015 budget.

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

**RESOLUTION NO. 280 CONTRACT APPROVAL– OFFICE FOR THE
AGING/GENESEE YMCA – FITNESS PROGRAM –
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract award to GLOW YMCA - Genesee YMCA, 209 East Main Street, Batavia, NY 14020 for the provision of *Tai Chi: Moving for Better Balance* classes, an evidence based fitness program to be provided for older adults in Genesee County using Older Americans Act Title III-D Health Promotion grant funds and the Committee on Human Service 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 enter into a contract with GLOW YMCA - Genesee YMCA for the provision of Title III- D Health Promotion *Tai Chi: Moving for Better Balance* services through the Office for the Aging at a rate of \$50 per class session; and at a cost not to exceed \$1,500.00 for the period September 1, 2014 through December 31, 2014

Budget Impact: \$1,500 contract is paid for by Federal Title III-D Health Promotion grant funds and additional federal funds are incorporated in the 2014 county budget to fully cover this expense

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

**RESOLUTION NO. 281 SURPLUS EQUIPMENT/OFFICE FOR THE AGING –
DECLARATION OF**

Legislature Lawrence offered the following resolution:

WHEREAS, The Office for the Aging Director did request that the following equipment that is no longer needed or used at the Office for the Aging be declared surplus and disposed of as follows:

Surplus Items to be sent to Auction:

Food Rack

Brown File Card Holder

Green 2 Drawer Card File

Printer Table
Ramp
Clock
2 Microwave Ovens
Refrigerator
TV with built in VCR
Typewriter
Typewriter Stand
Black Bag
Wood Computer Desk; and

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

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

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

Budget Impact: Items listed can no longer be used by OFA and monies gained by items being sold at auction would be added to the Office for the Aging funds to provide additional funds for senior programs and services as required by state and federal regulations.

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

RESOLUTION NO. 282 SALARY SCHEDULE AMENDMENT – NURSING HOME/ACTIVITIES AIDE – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Administrator of the Genesee County Nursing Home did request an amendment to the 2014 Genesee County Salary Schedule in an effort to provide a more efficient operation of her 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 is hereby authorized and directed to amend the 2014 Genesee County Salary Schedule by deleting two, 10 hr. Activities Aide positions at CSEA Grade 4, and creating one 19.5 hr. Activities Aide position at CSEA Grade 4, effective August 14, 2014.

Budget Impact: None

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

RESOLUTION NO. 283 CONTRACT RENEWAL – NURSING HOME/ MEDICARE PART B PROGRAM — APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Resolution No. 262 did authorize a contract with Health Systems Services, LTD, for the provision of prosthetic devices and all applicable medical supplies covered under the Medicare Part B Program through August 31, 2013 with a provision for four, one year renewals under the same terms and conditions upon mutual, written agreement between both parties, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract be extended for the second additional one-year period through August 31, 2015, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to extend the contract with Health Systems Services, LTD, 6867 Williams Road, Niagara Falls, New York, 14304 for the period of September 1, 2014 through August 31, 2015 under the same terms and conditions upon mutual written agreement between both parties.

Budget Impact: There is no cost to the County.

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

**RESOLUTION NO. 284 AWARD OF CONTRACT - NURSING HOME/
SUPPLEMENTAL STAFFING SERVICES –APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Nursing Home periodically requires supplemental staffing services to fill vacancies and provide sufficient staff for resident care, and

WHEREAS, “Favorite Healthcare Staffing, Inc.” offers not only temporary healthcare professionals but also the management of all our temporary staffing through sub-contracts with our other approved agencies, and

WHEREAS, Favorite Healthcare Staffing, Inc., is an approved vendor through our contract with Seagate/Premier, eliminating the requirement for a competitive bidding process, and

WHEREAS, The Nursing Home Administrator does recommend a contract with Favorite Healthcare Staffing, Inc. as an asset to the efficient operation of the Home, and

WHEREAS, The Committee on Human Services 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 Favorite Healthcare Staffing, Inc., 7255 W 98th Ter – Bldg. 5, Suite 150, Overland Park, KS 66212-2215 for management of temporary staffing services, commencing August 1, 2014 and continuing through July 31, 2015 with the option of renewing the contract for four (4) additional one (1) year periods upon mutual consent of both parties.

Budget Impact: None. Staffing and agency costs are already budgeted.

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

**RESOLUTION NO. 285 DECLARATION OF SURPLUS PROPERTY-NURSING
HOME-APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, Since the 1990’s, the Genesee County Nursing Home has been operating at a deficit which exceeded \$4,000,000.00 in 2013 and has required an annually increasing direct and indirect fiscal subsidy from the county general fund, and

WHEREAS, Since 2009 the County has pursued a due diligence plan to attempt to stop the rising annual deficit and maintain overall quality of care for the facility’s residents, including hiring of consultants, formation of committees, engaging the stakeholders, exploring options with United Memorial Medical Center and soliciting more than 22 potential non-profit health care partners in the Western New York area, and

WHEREAS, Despite the County’s due diligence in seeking and implementing options and changes to meet the Nursing Home’s fiscal problems, no sustainable solution has been found and the operating deficit has continued and is projected to continue to rise, and

WHEREAS, Continued County operation of the Genesee County Nursing Home without the continued IGT subsidy would require a likely property tax increase for 2015 and beyond in the

face of rising unfunded state mandates, and decreasing state and federal reimbursement to publicly-owned skilled nursing facilities, and

WHEREAS, The County has determined that it is fiscally irresponsible to continue to sustain the operating losses from the Genesee County Nursing Home and has determined that it is in the best interests of the County, its taxpayers and residents of the Nursing Home to no longer operate the facility as a publicly funded nursing home, and

WHEREAS, Issuance of a Request for Proposal (RFP) soliciting an experienced, qualified new owner/operator for the nursing home will allow for a careful, deliberate and well documented evaluation of potential new owners while taking into account the concerns and best interests of Nursing Home residents, their families and friends, as well as insuring the continued long term viability of the facility. Now, therefore, Be it

RESOLVED, That the Genesee County Nursing Home and its associated real property, including the Adult Home/Domiciliary, is no longer necessary for public use, and Be it further

RESOLVED, That the Genesee County Purchasing Director is hereby authorized and directed to issue a Request for Proposals for the sale of the Genesee County Nursing Home and its associated real property, including the Adult Home/Domiciliary wing to the highest responsible and responsive bidder, subject to approval as to form by the Genesee County Legislature and County Attorney.

Legislator Stein seconded the resolution which was adopted by 298 votes, Legislator DeJaneiro (28) voted no.

RESOLUTION NO. 286 SALARY SCHEDULE AMENDMENT-HISTORY/COUNTY HISTORIAN-ARCHIVIST-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The County Historian at the Genesee County History Department will be retiring effective September 6, 2014, and

WHEREAS, In order to provide transitional training for her replacement, the County Manager is requesting the creation of a temporary County Historian-Archivist, and

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

RESOLVED That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2014 Management Salary Schedule by creating one position of one temporary full time County Historian-Archivist for transitional training purposes for a period not to exceed 30 days.

Budget Impact Statement: Approximate salary, FICA and retirement expense for 30 days = \$4,500.00
Legislator DeJaneiro seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 287 APPOINTMENT/SALARY SCHEDULE AMENDMENT-COUNTY HISTORIAN- APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Mrs. Susan Conklin will be retiring as Genesee County Historian effective September 6, 2014, and

WHEREAS, The Interview Committee did select and interview five highly qualified individuals for the County Historian position and unanimously recommend Michael J. Eula, and

WHEREAS, The Committees on Human Service and Ways and Means do recommend that Michael Eula be appointed to the position of County Historian. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Michael J. Eula as County Historian effective September 8, 2014 at Grade IV at an annual salary of \$45,682 , and Be it further

RESOLVED, That the Genesee County Treasurer and the Human Resources Director are authorized to amend the 2014 Management Salary Schedule to include Michael J. Eula in the County Historian position at Grade IV at an annual salary of \$ 45,682, effective September 8, 2014, and the temporary full time County Historian-Archivist position be deleted, effective September 8, 2014.

Budget Impact: annual salary expense reduction of approximately \$7,900.

Legislator Torrey seconded the resolution which was adopted by 326 votes. Chairman Cianfrini introduced Mr. Eula to the Audience and welcomed him to the County.

RESOLUTION NO. 288 BUDGET TRANSFER- EMERGENCY MANAGEMENT SERVICES/ FY12 HAZMAT GRANT PROGRAM FUNDS – APPROVAL OF

Legislator Clattenburg offered the following resolution

WHEREAS, Resolution No. 235, adopted June 27, 2013 authorized the execution of an Agreement with NYS Division of Homeland Security and Emergency Services and therefore the acceptance of FY12 HazMat Grant Program funds in the amount of \$98,000 to Genesee County and their regional partners, and

WHEREAS, The Genesee County Emergency Management Services Coordinator did request said grant funds be incorporated into the 2014 department budget to allow funding be expended as submitted to NYS Homeland Security and Emergency Services, and

WHEREAS, The Genesee County Emergency Management Services Coordinator did request a transfer within his accounts to allow for the calibration and repair of meters and detection equipment for the five counties in the regional partnership, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfer in the 2014 Genesee County Budget:

 \$12,000.00 from A.3640.2080.0710 Prog Ex- Homeland Security
 To A.3640.4800.0503 Prog Ex-Homeland Security

Budget Impact Statement: Transfer of existing funds. No impact.

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

RESOLUTION NO. 289 CONTRACT-WEIGHTS & MEASURES/PETROLEUM QUALITY PROGRAM-APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Director of Weights and Measures did present a contract renewal with the State of New York Department of Agriculture and Markets for the continuation of the Petroleum Quality Program in Genesee County through March 31, 2019, and

WHEREAS, The Committee on Public Service did review said contract 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 the agreement by and between Genesee County and the State of New York for the provision of the Petroleum Quality Program for the five year period April 1, 2014 through March 31, 2019 with costs being reimbursed by the State, not to exceed \$4,312 each year.

Budget Impact: Last year's contract was \$4,546. The state reimburses the County quarterly for actual costs and

expenses incurred in performing the work under this agreement.

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

RESOLUTION NO. 290 GRANT ACCEPTANCE - DISTRICT ATTORNEY/ AID TO PROSECUTION -APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The District Attorney has been notified of the award of grant funding from the New York State Division of Criminal Justice Services for prosecution services aid in the amount of \$29,200.00, and

WHEREAS, The Committee on Public Services does recommend acceptance of these funds 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 Division of Criminal Justice Services for the acceptance of grant funds in the amount of \$29,200.00 for Aid to Prosecution in Genesee County, and Be it further

RESOLVED, That funds for said grant have been appropriated in the 2014 Genesee County Budget.

Budget Impact: None - funds have been appropriated.

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

RESOLUTION NO. 291 CONTRACT AMENDMENT – SHERIFF’S OFFICE / PERICLE COMMUNICATIONS COMPANY – P25 800 MHZ COVERAGE IMPACT STUDY AND PERFORMANCE ANALYSIS – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Genesee County entered into a Frequency Reconfiguration Agreement (FRA) on April 24, 2013, with Nextel of New York which included a cost estimate provided by Pericle Communications; and

WHEREAS, Pericle Communications had previous reimbursable expenses that were not included in the original FRA; and

WHEREAS, To ensure Genesee County receives appropriate reimbursement as part of its frequency reconfiguration and system upgrade, the County wishes to amend the Frequency Reconfiguration Agreement with Nextel to include Pericle Communications previous expenses totaling \$17,167.30; and

WHEREAS, After careful review by the Sheriff, Emergency Management Coordinator, County Attorney, and Director of Emergency Communications, it is recommended we amend the contract for the additional reimbursement of \$17,167.30; and

WHEREAS, The Committee on Public Service did review this proposal and does recommend approval at this time. Now, therefore, be it

RESOLVED, That the Genesee County Chair is authorized to amend the Frequency Reconfiguration Agreement contract with Nextel of New York, Inc, 12502 Sunrise Valley Drive, 2nd Floor, OPS II Bldg, Reston, VA, 10191, for the additional reimbursement of \$17,167.30.

BUDGET IMPACT: Increase revenue in the amount of \$17,167.30 to be used as an appropriation for the 800 MHz Radio System Upgrade Capital Project and associated fees.

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

RESOLUTION NO. 292 MAINTENANCE AGREEMENT RENEWAL SHERIFF’S OFFICE/EATON CORPORATION– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County did contract with Eaton Corporation, represented by Lynn Associates, Inc. 6622 Main Street, Suite 4, Buffalo, New York 14221 for the purchase, installation and maintenance of the Uninterrupted Power Supply supporting the Genesee County Emergency Dispatch Center at 165 Park Rd, Batavia, NY 14020, and

WHEREAS, The current maintenance agreement expires on July 26, 2014, and

WHEREAS, Eaton Corporation, represented by Lynn Associates, has proposed a three-year renewal agreement for the maintenance of the Uninterrupted Power Supply at the Emergency Communications Center at a cost of \$16,283.72 to be paid in three annual payments of \$5,427.90 commencing on August 1 of each year, and

WHEREAS, After careful review by the Sheriff, Emergency Management Coordinator, County Attorney, and the Director of Emergency Communications, it is recommended the County approve this renewal maintenance agreement for the period July 27, 2014, through July 26, 2017, for a total fee not to exceed \$16,283.72 to be paid in three annual payments of \$5,427.90 commencing August 1, 2014, and

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

RESOLVED, That the Chair of the Genesee County Legislature authorizes and directs the Sheriff to sign the three-year renewal maintenance agreement with Eaton Corporation, represented by Lynn Associates, Inc., 6622 Main Street, Suite 4, Buffalo, NY 14221 for the maintenance of the Uninterrupted Power Supply system for a total cost not to exceed \$16,283.72.

BUDGET IMPACT: The 2014 annual payment of \$5,427.90 has been appropriated to the 2014 Communications Budget.

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

RESOLUTION NO. 293 SALARY SCHEDULE AMENDMENT-SHERIFF'S OFFICE/TEMPORARY FINANCIAL MANAGEMENT ASSISTANT POSITION- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, the Financial Management Assistant at Genesee Justice has resigned effective July 25, 2014, and

WHEREAS, In order to provide transitional training for her replacement, the Sheriff is requesting the creation of a temporary Financial Management Assistant, and

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

RESOLVED, that the Genesee County Treasurer and Human Resources Director are authorized and directed to amend the 2014 Employee Salary Schedule by creating a temporary Financial Management Assistant position for transitional training purposes for a period beginning August 18 through November 14, 2014, at a cost not to exceed \$1,000.00.

Budget Impact: Cost associated with this temporary position will be covered from the temporary vacancy of the full time Financial Management Assistant and the salary difference.

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

RESOLUTION NO. 294 AGREEMENT RENEWAL – SHERIFF/BOCES SCHOOL RESOURCE OFFICER – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Sheriff did present a renewal Memorandum of Understanding between Genesee County, the Genesee County Sheriff, and the Genesee Valley Educational Partnership (BOCES) for a

School Resource Officer (SRO) effective September 1, 2014, through June 30, 2016.

WHEREAS, The Agreement remains the same as the previous years with the exception of the reimbursement from BOCES which is as follows:

\$44,035* for September 1, 2014, through December 31, 2014

\$44,035* for January 1, 2015, through June 30, 2015

\$44,035* for September 1, 2015, through December 31, 2015

\$44,035* for January 1, 2016, through June 30, 2016

** The current DSA contract expired December 31, 2013; therefore, compensation is subject to change.*

WHEREAS, The Committee on Public 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 and Genesee County Sheriff are authorized to sign this Agreement.

BUDGET IMPACT: Costs for the BOCES School Resource Officer are offset by revenue in the amount of \$44,035 for 2014.

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

**RESOLUTION NO. 295 GRANT AWARD-GENESEE JUSTICE/
NYS OFFICE OF VICTIM SERVICES –APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Sheriff of Genesee County did receive notification of the awards of grant funding from the New York State Office of Victim Services that Genesee County's application for the Justice for Children Advocacy Center and Genesee Justice's Comprehensive Victim Program has been awarded in the amounts of \$325,295.00 and \$181,936.13 for three years from October 1, 2014-September 30, 2017, and

WHEREAS, The Sheriff of Genesee County has requested the County accept this funding which stipulates that this revenue will be used for the continuation of the Justice for Children Advocacy Center and Genesee Justice's Comprehensive Victim Program, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend acceptance of the grant funding at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are hereby authorized and directed to execute the Agreement with the NYS Office of Victim Services for the acceptance of funds for the period of October 1, 2014 through September 30, 2017 in the amounts of \$325,295.00 and \$181,936.13, and to execute any and all other documentation related to this funding.

Budget Impact: Funds for October 1 – December 31, 2014 have already been appropriated into the 2014 County Budget for Genesee Justice.

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

**RESOLUTION NO. 296 SET PUBLIC HEARING - AGRICULTURAL DISTRICT
NO. 6 REVIEW AND TERMINATION-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The creation of Agricultural District No. 6 was approved by the Genesee County Legislature by Resolution No. 322 adopted December 28, 1982 and certified by the State of New York on April 13, 1983, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Consequent to its most recent review, Agricultural District No. 3 absorbed the great majority of the lands that compromised Agricultural District No. 6 in accordance with the Genesee County Agricultural Districts Consolidation Plan approved by the County Legislature by Resolution No. 418 adopted November 25, 2006, and

WHEREAS, The Genesee County Agricultural Districts Consolidation Plan and the Agricultural District No. 3 Review of 2011 call for the termination of Agricultural District No. 6, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications, including termination, proposed as a result of this review. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held as part of the eight-year review and termination of Agricultural District No. 6 on Wednesday, October 22, 2014 at 5:30 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

Budget Impact: The only direct budget impact will be the cost for printing the legal ad itself.

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

**RESOLUTION NO. 297 CERTIFICATE OF INSURANCE- GLOW REGION SOLID
WASTE MANAGEMENT COMMITTEE/BRICK HOUSE
CORNERS FAIR – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in the Brick House Corners Fair sponsored Pembroke Historical Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Public Service Committee does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Region Solid Waste Management Staff to participate in the Brick House Corners Fair event to be held at the Pembroke Town Hall on September 6, 2014.

Budget Impact: There is no cost for this event.

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

**RESOLUTION NO. 298 RETAIL LEASE AND OPERATION AGREEMENT-TOWN OF
BYRON AND MONROE COUNTY WATER AUTHORITY-
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Town of Byron and the Monroe County Water Authority did enter into an Operation and Maintenance Agreement for the operation of Water District No. 5, and

WHEREAS, The Town of Byron is seeking United States Department of Agriculture Rural Development financing for this Water District No. 5 which requires an amendment to the original Retail Lease Agreement for Operation of Water Districts for the Town of Byron, and

WHEREAS, The Highway Superintendent, County Attorney and the Committees on Public Service and Ways & Means have reviewed the agreement and do request approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the retail lease and operation agreement in accordance with Section 1096(7) of the Public Authorities Law enabling the Town of Byron to enter into an agreement with Monroe County Water Authority.

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

RESOLUTION NO. 299 CONTRACT RENEWAL – HIGHWAY/SODIUM CHLORIDE -- APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent and the Purchasing Department did negotiate a renewal for the purchase of Sodium Chloride for the control of snow and ice on county roads under the current contract, and

WHEREAS, The Highway Superintendent does recommend renewing the contract at this time, and

WHEREAS, The Committee on Public Service 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 a contract agreement with American Rock Salt Co., LLC., P.O. Box 190, Mt. Morris, NY 14510 for the delivery of Sodium Chloride as per bid specifications, effective October 1, 2014 through September 30, 2015 at a price of \$42.96 per ton.

Budget Impact Statement: The County Road Fund includes \$55,000 for Sodium Chloride. The contract price for salt will increase 8% from last year. This will also impact the lump sum rate paid to the various towns for the provision of snow and ice control. The projected increase in this contract based on the increase in salt and the severity of last winter is expected to be \$185 per centerline mile per season (4.2%) or a total increase of \$41,078 for the calendar year for all contracts.

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

RESOLUTION NO. 300 CONTRACT RENEWAL – HIGHWAY/FUEL PRODUCTS- APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did recommend a renewal of the contract for the purpose of and delivery of fuel products to the Genesee County Highway Department as allowed for under the existing contract, and

WHEREAS, The Committee on Public Service 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 a contract with Griffith Oil Company, Inc., 760 Brooks Avenue, Rochester, NY, 14619, the low bidder meeting specifications, for the sale and delivery of fuels to the Genesee County Highway Department Fuel Farm, effective September 1, 2014 through August 31, 2015.

Budget Impact Statement: Purchase of Fuel is a budgeted item under the Road Machinery Fund. The renewal does not affect the bid price as fuel product pricing adjust according the rack pricing system. Genesee County budgets \$1,150,000 for the purchase of diesel and unleaded fuels for the year.

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

RESOLUTION NO. 301 APPOINTMENT/SALARY SCHEDULE AMENDMENT- PUBLIC DEFENDER– APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Mr. Gary Horton retired as Public Defender effective March 31, 2014, and

WHEREAS, The Interview Committee did select and interview qualified individuals for the Public Defender position and unanimously recommend Jerry Ader, and

WHEREAS, The Committee on Ways and Means does recommend that Jerry Ader be appointed to the position of Public Defender. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Jerry Ader as Public Defender effective August 14, 2014 through December 31, 2015 at an annual salary of \$92,500, and Be it further

RESOLVED, That the Genesee County Treasurer and the Human Resources Director are authorized to amend the 2014 Management Salary Schedule to include Jerry Ader in the Public Defender position at an annual salary of \$ 92,500, effective August 14, 2014.

Budget Impact: annual salary expense reduction of approximately \$4,006.

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

RESOLUTION NO. 302 SALARY SCHEDULE AMENDMENT/PUBLIC DEFENDER/PART TIME CONFIDENTIAL SECRETARY- APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, Ms. Sharon Burkel retired from her position as Confidential Secretary to the Public Defender effective August 1, 2014, and

WHEREAS, The Interim Public Defender has requested that Ms. Burkel continue to work on a part-time basis for a temporary time period until a replacement is appointed on a full time basis and adequately trained and the Committees on Public Service and Ways and Means do concur. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2014 Management Salary Schedule by creating one temporary position of part-time Confidential Secretary to the Public Defender at a rate of \$22.71 per hour.

Budget Impact Statement-Funds for this temporary position in the salary line of the 2014 budget.

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

RESOLUTION NO. 303 REAPPOINTMENT –COUNTY PLANNING BOARD – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The term of office for one member of the Genesee County Planning Board has expired and she has expressed an interest and desire to serve another 3 year term, and

WHEREAS, The Committees on Public Service and Ways and Means do recommend that the reappointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Lucine Kauffman of Elba, New York to serve another term on the Genesee County Planning Board effective June 1, 2014 through May 31, 2017.

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

RESOLUTION NO. 304 APPOINTMENT –COUNTY PLANNING BOARD – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, An application has been received from Thomas G. Schubmehl of Corfu, New York indicating an interest and desire for appointment to the Genesee County Planning Board, and

WHEREAS, The Committees on Public Service and Ways and Means do recommend that the appointment be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint Thomas G. Schubmehl of Corfu, New York to serve a three year term on the Genesee County Planning Board effective immediately through August 12, 2017.

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

RESOLUTION NO. 305 CONTRACT- DOCUMENT DESTRUCTION – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Purchasing Director did present a contract for the provision of document destruction for various county departments, and the Ways and Means Committee 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 enter into an agreement with Genesee Data Management, A Division of Genesee ARC, 64 Walnut Street, Batavia, NY under the terms and conditions of the service agreement, with the provision to terminate the agreement with 90 days written notice by either party.

Budget Impact Statement: This service is currently included in various county department’s operating budgets.

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

RESOLUTION NO. 306 SET PUBLIC HEARING – LOCAL LAW INTRODUCTORY NO. 1, YEAR 2014 – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No. 1, Year 2014 entitled “**A LOCAL LAW TO AUTHORIZE PURCHASING BASED ON BEST VALUE-APPROVAL OF**”, and

WHEREAS, Subdivision 5 of Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such Local Law. Now, therefore, Be it

RESOLVED, That a public hearing shall be held on proposed Local Law Introductory No 1, Year 2014, by the Genesee County Legislature on the 10th day of September, 2014 at 5:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, New York.

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

RESOLUTION NO. 307 SALARY SCHEDULE AMENDMENT-INFORMATION TECHNOLOGY/COMPUTER SUPPORT TECHNICIAN – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Information Technology Director has requested the elimination of one full-time Systems Analyst I position and the creation of one full-time Computer Support Technician CSEA Grade 9 effective September 8, 2014 and

WHEREAS The Committee on Ways and Means concurs the staff restructuring within the Information Technology Department is appropriate and does not increase the 2014 Salary and Benefits cost. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer and the Human Resources Director are hereby authorized and directed to amend the 2014 Management Salary Schedule by eliminating the Systems Analyst I position, Grade 3; and creating a Computer Support Technician, CSEA Grade 9 effective September 8, 2014.

Budget Impact: Limited salary and benefits change for 2014. Approximate 2015 salary and benefits savings is \$15,000. Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 308 DECLARATION OF SURPLUS PROPERTY- IT –
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Information Technology Director has reviewed the list of obsolete computer equipment that is no longer suitable for county purposes, and

WHEREAS The Committee on Ways and Means concurs the equipment is no longer usable and recommends the equipment be declared surplus county property at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby declare the computer equipment as obsolete and surplus county property to be disposed of in an appropriate manner using a certified recycler - Regional Computer Recycling and Recovery Corporation, 7318 Victor-Mendon Rd., Victor, NY 14564.

Budget Impact: Estimated Cost Of Disposal Is \$0 Dollars.

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

**RESOLUTION NO. 309 CONTRACT RENEWAL – INFORMATION
TECHNOLOGY SOFTWARE SUPPORT GIS – ESRI –
APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Director of Information Technology did present a contract renewal with ESRI, Inc. for customer software support services and software maintenance, and

WHEREAS, The Committee on Ways and Means 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 the contract with ESRI, Inc. 380 New York Street, Redlands, CA 92373 for the provision of annual software support maintenance for a one year period effective November 12, 2011 through November 11, 2012 at a cost of \$15,871.

Budget Impact: Funds matching the contract amount of \$15,871 are included in the 2014 Adopted Budget line item (A.1680 4410.0095).

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

**RESOLUTION NO. 310 2014 GENESEE COUNTY CHARGEBACKS TO TOWNS
AND CITY OF BATAVIA – TREASURER / REAL
PROPERTY – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has submitted a list of chargebacks to the several Towns and City of Batavia for assessment rolls, tax rolls, tax bills, supplies, and assessment update services, and

WHEREAS, The Committee on Ways and Means does recommend apportionment of this expense, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the following amounts to be billed to the several Towns and City of Batavia:

2014 Chargebacks Applied to 2015 Town / City Budgets

| TOWN | PARCELS | ASSESSMENT ROLLS/BILLS | NYSORPTS LICENSE FEE | TOTAL |
|---------------|----------------|-----------------------------------|---------------------------------|--------------------|
| Alabama | 1,127 | \$3,099.25 | \$1,000.00 | \$4,099.25 |
| Alexander | 1,425 | \$3,918.75 | \$1,000.00 | \$4,918.75 |
| Batavia(T) | 2,897 | \$7,966.75 | \$600.82 | \$8,567.57 |
| Bergen | 1,628 | \$4,477.00 | \$1,000.00 | \$5,477.00 |
| Bethany | 1,010 | \$2,777.50 | \$288.52 | \$3,066.02 |
| Byron | 1,350 | \$3,712.50 | \$563.09 | \$4,275.59 |
| Darien | 1,824 | \$5,016.00 | \$521.04 | \$5,537.04 |
| Elba | 1,502 | \$4,130.50 | \$1,000.00 | \$5,130.50 |
| LeRoy | 3,519 | \$9,677.25 | \$1,053.38 | \$10,730.63 |
| Oakfield | 1,527 | \$4,199.25 | \$636.91 | \$4,836.16 |
| Pavilion | 1,492 | \$4,103.00 | \$446.62 | \$4,549.62 |
| Pembroke | 2,417 | \$6,646.75 | \$690.44 | \$7,337.19 |
| Stafford | 1,545 | \$4,248.75 | \$1,000.00 | \$5,248.75 |
| Batavia(C) | 5,541 | \$15,237.75 | \$1,149.18 | \$16,386.93 |
| TOTALS | 28,804 | \$79,211.00 | \$10,950.00 | \$90,161.00 |

and, Be it further

RESOLVED, That the amounts to be paid to the County Treasurer are credited to Revenue A.1325 2226 Sales / Supplies to Other Governments, in the current budget year.

Budget Impact Statement: Licensing fee revenue of \$10,950 is paid to the NYSORPTS for software licensing. Assessment services and roll / bill revenue of \$79,211.00 covers salary and all other expenses incurred in providing these services to the municipalities. The 2013 chargebacks totaled \$90,078.50.

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

RESOLUTION NO. 311 CONTRACT FOR PREPARATION OF TAX BILLS – APPLIED BUSINESS SYSTEMS, INC. – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Genesee County does contract for the preparation of tax bill laser printing and inserting into window envelopes, and

WHEREAS, The Director of Real Property has solicited quotes from vendors to provide this service and does recommend approval for entering into a contract with Applied Business Systems, Inc., the lowest cost vendor, and

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

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to enter in a contract with Applied Business Systems, Inc., 26 Harvester Avenue, Batavia, New York 14020, for the processing of tax bills for all municipalities located in Genesee County at a cost of \$0.1518 per tax bill for the period September 1, 2014 through August 31, 2015, with four additional one year extensions which may be opted into at a later date.

Budget Impact Statement: Approximate yearly expense of \$8,500 which is charged back to the various municipalities. The new contract is \$0.0048 more per tax bill than the previous contract.

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

RESOLUTION NO. 312 2014 BUDGET AMENDMENT - NURSING HOME/ IGT – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The State of New York and the Federal Government Medicaid Program have agreed to re-institute the Inter-Governmental Transfer (IGT) Program to assist public nursing homes through their financial crisis, and

WHEREAS, New York State and the federal Medicaid Program is allowing county owned nursing homes to recapture IGT for 2013 in the amount of \$4,178,295 with the requirement of Genesee County having a 50% match (\$2,089,147.50), and

WHEREAS, The Genesee County Legislature and Genesee County Treasurer did set aside funds in the 2014 budget in an IGT Reserve, and the County Treasurer wishes to utilize \$1,718,901 of that reserve to maximize the IGT payment and

WHEREAS, The Committee on Ways and Means does concur. Now, therefore, Be it **RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget by Increasing Appropriation A.6100.4800.0000 MMIS in the amount of \$1,718,901 and Increasing Revenue A.1000.9999 Balancing in a like amount utilizing the Reserve for IGT funds.

Budget Impact: An increase in expenditures of \$1,718,901 in the General Fund and increase in revenue to the nursing home in the amount of \$4,178,295. A balance of \$1,194,687 remains in the IGT Reserve.

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

RESOLUTION NO. 313 CONTRACT RENEWAL- M&T BANK P CARD PROGRAM - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Resolution No.193, of 2008 authorized a two year contract with M&T Bank to provide a Purchasing Card Program, and

WHEREAS, The County Treasurer and Director of Purchasing wish to renew the contract for one more year utilizing the third of three renewal options, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign a one year contract renewal with M&T Bank with the same terms and conditions as the original contract to expire on September 7, 2015.

Budget Impact Statement: None, No cost to the county.

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

RESOLUTION NO. 314 BUDGET AMENDMENT/INSURANCE PURCHASE- COUNTY ATTORNEY/CASUALTY LIABILITY INSURANCE RESERVE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, In 2013 Genesee County did seek standard flood insurance quotes for various properties located in high flood zones, and

WHEREAS, It was decided to obtain insurance for two locations, the Genesee County Offices located at 15 Main Street with a \$1,000 deductible and the Holland Land Office located at 131 W. Main St. with a \$10,000 deductible, and

WHEREAS, The County Attorney did receive renewal quotes for 2014 for these properties and is requesting an amendment to the 2014 County Budget cover this insurance expense, and **WHEREAS**, There is sufficient money in the Casualty Liability Insurance Reserve to cover this expense. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget as follows:

| | | | |
|--------------------------------|--------------------------|------------------------|---------|
| Increase in Revenue | MS.1000.9999 | Balancing-Appropriated | \$6,580 |
| To be offset by an | | | |
| Increase in MS.9907.9000.0000 | Transfer to General Fund | | \$6,580 |
| And an increase in A.1000.5031 | Interfund Revenue | | \$6,580 |
| To be offset by an | | | |
| Increase Expense | A. 1910.4660.0000 | Unallocated Insurance | \$6,580 |

And, Be it further

RESOLVED, That the Genesee County Legislature does hereby designate Wright National Flood Insurance Company, St. Petersburg, FL 33733 to provide flood insurance coverage for the period September 18, 2014-September 18, 2015 for an annual premium of \$8,457.00.

Budget Impact: A reduction in the Casualty Liability Insurance Reserve of \$6,580. Balance after this transfer \$1,137,863.45

The Holland Land Office flood insurance increased by \$1,319 from the previous. There was no change to the premium for the County Offices located at 15 Main Street.

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

**RESOLUTION NO. 315 BUDGET AMENDMENT – FACILITIES
MANAGEMENT – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The County incurred damages to equipment, hardware and software due to a lightning strike at County Building II, and

WHEREAS, The County's Inland Marine Policy through NYMIR will cover the cost of said damages, and

WHEREAS, The County Manager did request an amendment to the 2014 Facilities Management Budget to cover the expenses, and

WHEREAS, The Ways and Means Committee did reviewed this request and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget as follows:

| | | | |
|------------------|-------------------|--------------------|-------|
| Increase Revenue | A.1620.2680 | Insurance Recovery | \$800 |
| Increase Expense | A. 1620.4660.0000 | Contracted, Other | \$800 |

Budget Impact: Increase in Facilities Management appropriations of \$800, offset by increase in revenue in a like amount.

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

**RESOLUTION NO. 316 BUDGET AMENDMENT – INFORMATION
TECHNOLOGY – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The County incurred damages to equipment, hardware and software due to a lightning strike at County Building II, and

WHEREAS, The County's Inland Marine Policy through NYMIR will cover the cost of said damages, and

WHEREAS, The County Manager did request an amendment to the 2014 Information Technology Budget to cover the expenses, and

WHEREAS, The Ways and Means Committee did reviewed this request and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 budget as follows:

| | | | |
|------------------|-------------------|----------------------|----------|
| Increase Revenue | A.1680.2680 | Insurance Recovery | \$26,981 |
| Increase Expense | A. 1680.4410.0090 | Hardware Maintenance | \$26,981 |

Budget Impact: Increase in Information Technology appropriations of \$26,981, offset by increase in revenue in a like amount.

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

RESOLUTION NO. 317 LEASE RENEWAL-GENESEE COMMUNITY COLLEGE/VET TECH PROGRAM – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, In 2011 Genesee County did enter into an agreement with Genesee Community College for lease of space at County Building No. Two for the Veterinary Technology Program through Genesee Community College, and

WHEREAS, Genesee Community College has expressed their desire to renew the lease for an additional year to include only the staff lounge area, and

WHEREAS, The Genesee County Manager and County Attorney have reviewed the said agreement and do recommend the one year lease renewal agreement 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 execute an agreement between Genesee Community College and the County of Genesee for the lease of space in County Building No. Two effective August 1, 2014 through July 31, 2015; at a cost of \$2,616.20

Budget Impact: Rent for 254 sq. ft. at \$10.30/sq. ft. = \$2,616.20.

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

RESOLUTION NO. 318 CONTRACT – THIRD PARTY ADMINISTRATOR /PHARMACY BENEFIT DIMENSIONS – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, Resolution 2013-393, duly adopted on October 23, 2013, authorized a contract with Pharmacy Benefit Dimensions, 511 Farber Lakes Drive, Buffalo, New York, for third party administration services for the County's Self-Funded Prescription Drug plan for 2014, and

WHEREAS, Premier Consulting Associates, the County's Health Plan Consultants, completed a comparative market analysis which indicated that Pharmacy Benefit Dimensions could be more aggressive and competitive with current market rates and thereby negotiated more favorable terms with Pharmacy Benefit Dimensions, and

WHEREAS, The County Manager recommends entering into a revised contract incorporating the more favorable terms with Pharmacy Benefit Dimensions, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a revised contract with Pharmacy Benefit Dimensions, 511 Farber Lakes Drive, Buffalo, New York for the provision of third party prescription drug administration services for the Genesee County Self-Funded Prescription Drug plan effective June 1 , 2014 through December 31, 2014

Budget Impact: Savings of approximately \$97,302 is expected based on current claims and drug utilization.

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

**RESOLUTION NO. 319 CONTRACT – SELF INSURANCE/EXCESS INSURANCE
– APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Self Insurance Plan did purchase excess insurance through Midwest Employers Casualty Company through July 31, 2014, and

WHEREAS, The County Manager’s Office did submit a proposal for continuing this coverage through July 31, 2015, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Midwest Employers Casualty Company, 14755 North Outer Forty Drive, Chesterfield, Missouri, 63017 to provide Excess Insurance for the Genesee County Self-Insurance Plan effective August 1, 2014 through July 31, 2015 for a total premium of \$186,955

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

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

RESOLUTION NO. 320 COUNTY AUDIT – AUGUST 13 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Clattenburg did review the following claims:

| | | |
|---------------------|----|--------------|
| 2014 General Fund | \$ | 6,330,016.98 |
| 2014 Highway | | 351,015.73 |
| 2014 Self Insurance | | 11,489.69 |
| 2014 Water | | 1,362,256.34 |
| 2014 Nursing Home | | 860,061.92 |
| 2014 DSS Abstracts | | 729,678.60 |

2014 Capital Projects:

| | |
|--|------------|
| Sheriff 800 Mhz Radio System Upgrade | 6,604.45 |
| Facility Management-County Building #2 Fire Alarm System | 73,140.00 |
| Facility Management-Old Courthouse Roof & Cupola Repair | 23,476.00 |
| County Park Pavilions A & B Roof Repair & Fireplaces | 1,402.86 |
| DeWitt Park Utility Extensions & Security Improvements | 4,294.37 |
| Highway North Pembroke Road Bridge | 4,945.03 |
| Highway Hopkins Road Bridge | 38,488.51 |
| Highway 2014 Bridge Construction | 15,081.76 |
| Highway 2014 Fuel Farm | 3,378.00 |
| Highway 2014 Chip Sealing | 342,496.07 |
| Airport-Tie Down Apron Relocation | 218,550.59 |

Payroll – General & Nursing Home

| | |
|----------------|--------------|
| July 11, 2014 | 1,329,108.21 |
| July 25, 2014 | 1,736,947.40 |
| August 8, 2014 | 1,267,894.29 |

Medicaid

| | |
|---------------|------------|
| July 15, 2014 | 184,665.00 |
| July 22, 2014 | 184,665.00 |
| July 29, 2014 | 184,665.00 |

August 5, 2014
August 12, 2014

184,665.00
184,665.00

Total Audit

\$ 15,633,651.80

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 326 votes.

A motion to adjourn to made at 6:23 PM upon motion of Legislator Stein seconded by Legislator Young.