

**ELEVENTH DAY  
GENESEE COUNTY LEGISLATURE  
Wednesday, June 10, 2015  
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday June 10, 2015 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. Legislator Young was absent.

In addition to the regular meeting Chairman Cianfrini opened a public hearing on the proposed budget for the Genesee Community College for the fiscal year beginning September 1, 2015. The Budget for Genesee Community College for the year September 1, 2015 through August 31, 2016 is \$39,927,000 with Genesee County's share as sponsor in the amount of \$2,536,374. There were no speakers.

The minutes of the May 27, 2015 Legislature Meeting were approved upon motion of Legislator Ferrando seconded by Legislator Clattenburg.

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

**RESOLUTION NO. 205 SALARY SCHEDULE AMENDMENT-YOUTH  
BUREAU/PROGRAM ASSISTANT –APPROVAL OF**

Legislator Torrey offered the following resolution:

**WHEREAS**, The Executive Director of the County Youth Bureau did request an amendment to the 2015 Employee's Salary Schedule 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 Human Resources Director are hereby authorized and directed to amend the 2015 Employee's Salary Schedule by creating an additional, 19.5 hrs./wk. Youth Program Assistant, CSEA Grade 9, to become effective July 13, 2015

**Budget Impact:** The cost of this position will be covered by the current budget for the Youth Bureau and is no additional cost to the county.

Legislator Davis seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 206 2015 BUDGET/SALARY SCHEDULE AMENDMENT -  
COMMUNITY MENTAL HEALTH  
SERVICES/SECRETARY PT-APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2015 Employee Salary Schedule to eliminate (1) Intake Clerk P.T., in CSEA-General, Grade 7 and create (1) Secretary PT, in CSEA-General Grade 9 and

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

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Employee Salary Schedule by eliminating one (1) Intake Clerk P.T., in CSEA-General, Grade 7 and creating (1) Secretary PT, CSEA-General Grade 9 in Employee Salary Schedule effective June 15, 2015 and be it further,

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Genesee County Budget by:

Increasing A4310. .3490.0000 State Aid - OMH \$ 1,100.00

AND

Increasing A4310. .1010.0000	Personnel Services by	\$ 1,000.00
Increasing A4310. .8010.0000	Social Security Tax by	\$ 90.00
Increasing A4310. .8011.0000	Medicare Tax by	\$ 10.00

**Budget Impact Statement:** Budget amendment required: Increase by \$1,100 with a net County cost of \$500 annually, offset by State Aid.

Legislator Ferrando seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 207 2015 BUDGET/SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/REGISTERED PROFESSIONAL NURSE -APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2015 Employee Salary Schedule to create one (1) Registered Professional Nurse P.T., in CSEA-General, Grade 16N, 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 Human Resources Director and County Treasurer are hereby authorized and directed to amend the 2015 Employee Salary Schedule by creating one (1) Registered Professional Nurse P.T., in CSEA-General, Grade 16N in Employee Salary Schedule effective June 15, 2015 and Be it further,

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Genesee County Budget by:

Increasing A4310. .1620.1100	Medicaid Reg. by	\$ 12,100.00
Increasing A4310. .3490.0000	State Aid - OMH	\$ 12,000.00

AND

Increasing A4310. .1010.0000	Personnel Services by	\$ 22,400.00
Increasing A4310. .8010.0000	Social Security Tax by	\$ 1,400.00
Increasing A4310. .8011.0000	Medicare Tax by	\$ 300.00

**Budget Impact Statement:** Budget amendment required: Increase by \$24,100 with a net County cost of \$6,000 annually, offset by State Aid.

Legislator DeJaneiro seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 208 BUDGET AND CONTRACT AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/THE MENTAL HEALTH ASSOCIATION IN GENESEE COUNTY – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2015 Mental Health Association in Genesee County contract and budget, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2015 contract and budget between the County of Genesee and the Mental Health Association in Genesee County, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Genesee County Budget by

Increasing A.4321. .4660.0000 Mental Health Association In Genesee County \$83,154.00  
AND

Increasing A.4321. .3490 State Aids, Mental Health by \$83,154.00

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

Legislator Bausch seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 209 2015 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH  
SERVICES/RESTORATION SOCIETY (ACE  
EMPLOYMENT SERVICES)  
- APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2015 Restoration Society contract and budget, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2015 contract and budget between the County of Genesee and the Restoration Society, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Genesee County Budget by

Increasing A.4323. .4660.0000 Restoration Society \$33,968.00

AND

Increasing A.4323. .3490 State Aids, Mental Health by \$33,968.00

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

Legislator Stein seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 210 2015 BUDGET AND CONTRACT AMENDMENT -  
COMMUNITY MENTAL HEALTH SERVICES/GCASA  
- APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, The Director of the Community Mental Health Services did request an amendment to the 2015 GCASA contract and budget, and

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

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to amend the 2015 contract and budget between the County of Genesee and GCASA, and Be it further

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Genesee County Budget by

Increasing A.4313. .4660.0000 GCASA \$15,897.00

AND

Increasing A.4313. .3490 State Aids, Mental Health by \$15,897.00

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

Legislator Stein seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 211 CONTRACT RENEWAL – HEALTH DEPARTMENT/MONROE COUNTY FORENSIC PATHOLOGY SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The County of Monroe did present a contract for the provision of forensic pathology and medico legal death investigation services, and

**WHEREAS**, The Genesee County Public Health Director does recommend renewal of the contract with the County of Monroe, 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 County of Monroe for the period January 1, 2015 through December 31, 2015, and to execute any and all other documentation related to this Agreement

**Budget Impact:** Expenses for \$100,000 have been appropriated in the 2015 Dept. 1185 – Coroner budget.

Legislator DeJaneiro seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 212 SALARY SCHEDULE AMENDMENT – HEALTH DEPARTMENT/DIRECTOR – CHILDREN WITH SPECIAL HEALTH CARE NEEDS -APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

**WHEREAS**, The Public Health Director did request the deletion of a Senior Case Manager position, and the creation of a Director – Children with Special Needs position, 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 Genesee County Treasurer and Human Resources Director are hereby authorized and directed to amend the 2015 Genesee County Employees Salary Schedule by deleting one position of Senior Case Manager, CSEA, Grade 20-3 and creating one position of Director – Children with Special Needs, Grade 113 on the 2015 Genesee County Management Salary Schedule effective July 20, 2015.

**Budget Impact Statement:** A net savings of approximately \$21,913 in the 2015 budget, which is a reflection of shared salary & fringe.

Legislator Bausch seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 213 GRANT AMENDMENT - HEALTH DEPARTMENT/ DRINKING WATER ENHANCEMENT PROGRAM - APPROVAL OF**

Legislator Davis 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 Drinking Water Enhancement Program contract has been awarded in the amount of \$85,922, 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 Drinking Water Enhancement activities, and

**WHEREAS**, The Committee on Human Services 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 Drinking Water Enhancement Program contract for the period April 1, 2015 through March 31, 2016, and to execute any and all other documentation related to this funding.

**Budget Impact:** Revenue and expenses, in the amount of \$70,040, have been appropriated in the 2015 Dept. 4010 – Health Department budget; the remaining balance will be built into the 2016 Dept. 4010 – Health Department budget.

Legislator Stein seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 214 CONTRACT RENEWAL – NURSING HOME/ NURSING STAFFING SERVICES — APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, Resolution No. 206 duly adopted on June 11, 2014 did award a contract with Maxim Healthcare Services, Inc., d/b/a Maxim Staffing Solutions, for the provision of supplemental healthcare staffing at the Genesee County Nursing Home on an as-needed basis, and

**WHEREAS**, The Administrator of the Nursing Home does recommend renewing this contract For another one-year period 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 enter into a renewal agreement with Maxim Healthcare Services, Inc. d/b/a Maxim Staffing Solutions, 392 Pearl Street, Suite 400, Buffalo, New York 14202, effective June 12, 2015 and continuing in effect until such time that either party wishes to terminate the Agreement with at least thirty (30) days written notice to the other party.

**Budget Impact:** Funds for supplemental staffing have been budgeted for 2015

Legislator Torrey seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 215 BUDGET TRANSFER/AMENDMENT – NURSING HOME/CO-GEN – APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, The Administrator of the Genesee County Nursing Home did request an amendment to the 2015 Budget to transfer funds for upgrades to the facility’s co-gen plant to extend its useful life, and

**WHEREAS**, The Committees on Human Services and Ways and Means do concur. Now, therefore, Be it

**RESOLVED**, That the Genesee County Treasurer is hereby authorized and directed to amend the 2015 Nursing Home Budget by increasing Asset account E.8220.0000.1000.2080 by \$93,000. These funds are coming from Expense account E.6011.0000.1000.6800 to be used for needed upgrades to the co-gen plant.

**Budget Impact Statement:** - 0 -

Legislator DeJaneiro seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 216 SALARY SCHEDULE AMENDMENT – NURSING HOME/ACTIVITIES AIDE – APPROVAL OF**

Legislator Stein offered the following resolution:

**WHEREAS**, The Administrator of the Genesee County Nursing Home did request an amendment to the 2015 Salary Schedule 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 and Human Resources Director are hereby authorized and directed to amend the 2015 Genesee County Salary Schedule by deleting two PT 10 hr./wk. Activities Aide positions, Grade 4, at \$10.28 per hour and creating one PT 19.5 hr./wk. Activities Aide position, Grade 4, at \$10.28 per hour effective June 11, 2015.

**Budget Impact Statement:** - 0 -

Legislator Clattenburg seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 217 CONTRACT – NURSING HOME/PSYCHIATRIC SERVICES – APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, Per New York State Department of Health regulations, the Genesee County Nursing Home is required to provide psychiatric services to meet the needs of its residents, and

**WHEREAS**, The consulting clinical neuropsychologist currently providing services at the Nursing Home has resigned his position, and

**WHEREAS**, The Administrator of the Nursing Home does recommend entering into a contract with Vicki Weinstein Finnefrock, Psychiatric Nurse Practitioner, to provide these services, and

**WHEREAS**, The Committee on Human Services has reviewed this recommendation and does concur. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to contract with Vicki Weinstein Finnefrock, Psychiatric Nurse Practitioner, 40 Old Farm Circle, Pittsford, New York, 14534, at a rate of \$125.00/hour for up to four (4) hours of service per week, to become effective June 15, 2015.

**Budget Impact:** Funds for psychiatric services have been budgeted for 2015

Legislator Stein seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 218 RATIFICATION OF-CSEA NURSING HOME CONTRACT 2013-2015 – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The County Manager and Human Resources Director did present a successfully completed Collective Bargaining Agreement with the CSEA-Nursing Home Bargaining Unit which was ratified by a vote of the Union Membership, and

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

**RESOLVED**, That the Genesee County Legislature does hereby ratify and approve the terms and conditions of said Agreement by and between the CSEA-Nursing Home Unit, Genesee County Local 819 and the County of Genesee for the period January 1, 2013 – December 31, 2015.

**Budget Impact:** Increased costs per new contract (approximately \$90,000) are included in the 2015 budget.

Legislator Ferrando seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 219 CONTRACT AWARD - OFA/VNA HOMECARE OPTIONS – HOME DELIVERED MEALS - APPROVAL OF**

Legislator Ferrando offered the following resolution:

**WHEREAS,** The Director of the Office for the Aging did present a contract for the period of June 11, 2015 – June 10, 2016, with VNA Homecare Options, LLC, a State of New York Limited Liability Company, for the provision of home delivered meals for VNA Homecare Options' Genesee County clients eligible and authorized by VNA Homecare Options to receive Medicaid covered home delivered meals; and such meals to be provided by Genesee County Office for the Aging's Home Delivered Meal Programs; and

**WHEREAS,** The Committee on Human Services did review this request and does recommend approval of this contract 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 documents to enter into a contract with VNA Homecare Options, LLC, a State of New York Limited Liability Company, 1050 West Genesee Street, Syracuse, NY 13204-2215 for the period of June 11, 2015-June 10, 2016. Rates established for meals provided to VNA Homecare Options clients are as follows:

Home Delivered Meal	\$8.50 per meal
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**Budget Impact:** Based on the number of meals anticipated for 2015, revenue of \$17,000 projected for all Medicaid funded Congregate and Home Delivered Meal contracts; and is already incorporated into our 2015 county budget. Rate is \$8.50 per meal for home delivered meals.

Legislator Clattenburg seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 220      MEMORIALIZATION – IN SUPPORT OF  
INDEPENDENT LIVING OF GENESEE REGION  
ESTABLISHING THE GENESEE REGION  
ADVISORY COMMITTEE FOR PERSONS  
WITH DISABILITIES**

Legislator Ferrando offered the following resolution:

**WHEREAS,** Independent Living of Genesee Region (“Independent Living”) is a multi-cultural, grassroots, peer directed civil rights organization that provides a full range of assistance, programs and services to enhance the quality of life for all individuals with disabilities. Independent Living assists persons with disabilities to realize their life choices through information and referral, independent living skills, community and systems advocacy and peer counseling, and

**WHEREAS,** The Genesee County recognizes that the people with disabilities are part of the diversity of our community, and

**WHEREAS,** Independent Living is desirous of establishing a Genesee Region Advisory Committee for Persons with Disabilities charged with meeting as necessary to discuss and deliberate issues relevant to persons with disabilities living within the Genesee County region, and

**WHEREAS,** The Genesee Region Advisory Committee for Persons with Disabilities is to be composed of individuals such as, but not limited to, persons with disabilities, parents of children with disabilities, local social service agencies and representatives from local municipalities and agencies. Now, therefore, Be it

**RESOLVED,** That the Genesee County Legislature hereby supports Independent Living's efforts to establish a Genesee Region Advisory Committee for Persons with Disabilities, and Be it, further

**RESOLVED,** That Genesee County shall have a representative attend said committee meetings on behalf of the County.

Legislator Davis seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 221 REFUND / CREDIT OF TAXES – TREASURER / TOWN OF PEMBROKE – APPROVAL OF**

Legislator Davis offered the following resolution:

**WHEREAS**, The Director of Real Property Tax Services has received an application for a refund / credit of taxes in the Town of Pembroke as follows:

Tax Map #10.-1-4 & 10.-1-29.12, owned by the United States  
Department of Veterans Affairs, and,

**WHEREAS**, These parcels were erroneously assessed on the taxable portion of the roll when they should have been wholly exempt, and,

**WHEREAS**, The Director of Real Property Tax Services recommends and the Committee on Ways and Means concurs that this refund / credit of taxes be made, Now, therefore Be it

**RESOLVED**, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to approve the application for refund / credit of taxes as submitted, and, Be it further

**RESOLVED**, That the County Treasurer be and hereby is authorized and directed to credit the tax accounts for the aforementioned parcels to reduce the outstanding tax amounts for the accounts to zero, and, Be it further

**RESOLVED**, That the Pembroke Central School District be charged back in the amount of \$3,183.97 for their portion of the credited tax amount, and, Be it further

**RESOLVED**, That the Town of Pembroke be charged back in the amount of \$241.88 for their portion of the credited tax amount.

**Budget Impact:** Net reduction to the County after chargebacks of \$2,062.98 of base taxes.

Legislator Clattenburg seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

**RESOLUTION NO. 222 2015-2016 OPERATION BUDGET-GENESEE  
COMMUNITY COLLEGE/SPONSOR'S SHARE-  
ADOPTION OF**

Legislator Ferrando offered the following resolution:

**WHEREAS**, The President and Trustees of Genesee Community College have presented to the Genesee County Legislature the proposed operating budget of Genesee Community College for the academic year 2015-2016 in the amount of \$39,927,000, and

**WHEREAS**, The Board of Trustees and the Genesee County Legislature have approved the amount of \$2,536,374 as the sponsor's share of the proposed current operating budget for Genesee Community College. Now, therefore, Be it

**RESOLVED**, That the Genesee County Legislature does hereby approve of the proposed 2015/2016 operating budget of the Genesee Community College in the amount of \$39,927,000 for academic year 2015-2016, and Be it further

**RESOLVED**, That the Genesee County Legislature does hereby approve of the sponsor's share of the operating budget of the Genesee Community College for the fiscal year September 1, 2015 through August 31, 2016 in the amount of \$2,536,374 and cause the same to be included in the County Tax levy for the year 2016.

Legislator Stein seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

Prior to roll call on the above resolution Legislator Ferrando commented that he is the Legislature Liaison to the GCC Board and that he has learned a lot about the College. They are a

tremendous asset to this community. Legislator Stein stated that the GCC does an excellent job at tracking what the economy needs and offering those courses. It is a well done job.

**RESOLUTION NO. 223 COUNTY AUDIT – JUNE 10 - APPROVAL OF**

Legislator Bausch offered the following resolution:

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

General Fund	\$	354,553.05
Highway		70,805.10
Self Insurance		121.68
Nursing Home		94,860.28
DSS Abstracts		190,072.78
<b>Capital Projects:</b>		
Sheriff's – 800 Mghts Radio System Upgrade		\$652,132.65
Highway – 2015 Bridge Construction		4,390.20
County Park – DeWitt Utility Extension/Security Imp.		20.65
<b>Payroll – General &amp; Nursing Home</b>		
May 29, 2015		1,244,964.90
<b>Medicaid</b>		
June 2, 2015		177,425.00
June 9, 2015		<u>177,425.00</u>
<b>Total Audit</b>	\$	2,966,771.29

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 Ferrando seconded the resolution which was adopted by 279 votes, Legislator Young (47) absent.

The meeting was adjourned at 5:45 pm upon motion of Legislator Stein seconded by Legislator Torrey.