

**SECOND DAY
GENESEE COUNTY LEGISLATURE
Wednesday, January 20, 2016
Batavia, New York**

The Genesee County Legislature met in Regular Session on Wednesday January 20, 2016 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Davis followed by the Pledge to the Flag. Legislators Stein was absent.

The minutes of the December 9, 2015 and January 6, 2016 meeting were approved upon motion of Legislator Young seconded by Legislator Torrey.

County Manager Gsell reported that the preliminary State budget has been released. It is around the area of \$145-147 billion. A deeper explanation will be given at the NYSAC Conference in February. There are some items in that budget that pertain to upstate, particularly capital and roads and bridge improvements. New York City will lose its Medicaid Growth Cap, and starting using a percentage increase.

The Clerk proceeded with the resolutions as follows:

**RESOLUTION NO. 6 RENEWAL OF CONTRACT – OFA/COMMUNITY
CARE OF WESTERN NEW YORK – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract resulting from RFP 2014-111 which took effect January 1, 2015 renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County for the provision of in-home health care needs to senior citizens for the NYS Expanded In-Home Services for the Elderly Program and the New York State Elder Caregiver Support Respite Care Program; 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 Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award a contract with Community Care of Western New York, Inc. dba Home Care & Hospice, 1225 W. State Street, Olean, NY 14760 for the provision of in-home health care at a rate of \$24.00 per hour for Housekeeping/Chore (PC Level 1); \$24.60 per hour for Personal Care/Homecare (PC Level 2); and \$85.30 for Nursing Supervision; or the 2016 Medicaid approved rate for Community Care of WNY or if Community Care of WNY does not set rates with DOH, any licensed home care agencies' approved Medicaid rates established for Genesee County by the New York State Health Department; whichever is less not to exceed \$120,000 for the period January 1, 2016 – December 31, 2016. The actual 2016 Medicaid rates are not known at this time and would be the highest amount payable for the services covered under this contract. Therefore, the most currently approved Medicaid rates, (currently 2015 rates, set at \$24.26 per hour for Housekeeping/Chore (PC Level 1), \$24.61 per hour for Personal Care/Homecare (PC Level 2) and \$83.00 per visit for Nursing Supervision, but subject to change based on NYS DOH rate setting adjustments); will be extended into 2016 until new Medicaid rates are established. The newly approved Medicaid rates will then be applied retroactively back to January 1, 2016.

Budget Impact: Total contract for 2016 not to exceed \$120,000 and is included in the 2016 county budget.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 7 APPOINTMENT-OFFICE FOR THE AGING ADVISORY
COUNCIL –APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Office for the Aging Advisory Council by-laws specify that the Advisory Council shall not exceed eighteen (18) members, including both Community members and Service Provider members and at least 50% of the Council members shall be Community members who are Genesee County residents age 60 and over; and

WHEREAS, Three (3) vacant positions currently exist on the Office for the Aging Advisory Council and we offered invitation to individuals to fill the open positions based on NYSOFA regulations regarding OFA Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways and Means do recommend appointment at this time. Now Therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby appoint the following to the Genesee County Office for the Aging Advisory Council to serve term effective January 21, 2016 through December 31, 2018.

Provider Member:

Nathan Varland, Executive Director-Batavia Housing Authority

Legislature Davis seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 8 GRANT ACCEPTANCE/BUDGET AMENDMENT-
HEALTH DEPARTMENT-FDA / NER RETAIL
FOOD PROTECTION SEMINAR- APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Public Health Department applied for funds to support the NER Retail Food Protection Seminar as part of the Retail Standards Grant Program, and

WHEREAS, The Association of Food and Drug Officials has awarded the Genesee County Public Health Department \$2,000 funded by the Food and Drug Administration and,

WHEREAS, The Committees on Human Services And Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$2,000 as specified in Federal statutes and regulations including applicable parts of 45 CFR Parts 74 and 92 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Genesee County Budget by increasing A 4010 Public Health Appropriations A 4010 4560 by \$2,000 and to be offset by an increase in the A 4010 Public Health Revenue A 4010 4401. 0600 Federal Aid Public Health of \$2,000.

Budget Impact: An increase in expenditures in the amount of \$2,000 to be offset by revenue of \$2,000. No county cost.

Legislature DeJaneiro seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 9 GRANT ACCEPTANCE/BUDGET AMENDMENT –
HEALTH DEPARTMENT FDA / SELF-ASSESSMENT OF
ALL NINE STANDARDS -APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Public Health Department applied for Self-Assessment All Nine Standards as part of the Retail Standards Grant Program, funded by the Food and Drug Administration,

WHEREAS, the Association of Food and Drug Officials has approved the application submitted by the Genesee County Health Department and awarded the Genesee County Public Health Department \$2,500 to use this funding to support costs that comply with applicable Federal statutes,

WHEREAS, The Committees on Human Services And Ways and Means did review this award and does recommend approval at this time, Now therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to accept this award for \$2,500 as specified in Grant # G-SP-1510-03180 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 Genesee County Budget by increasing A 4010 Public Health Appropriations A 4010 4650.0003 Contracted Services by \$2,500 to be offset by an increase in the A 4010 Public Health Revenue A 4010 4401.0700 Federal Aid, Public Health of \$2,500.

Budget Impact: An increase in expenditures in the amount of \$2,500 to be offset by revenue of \$2,500. No county cost.

Legislature Bausch seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 10 AGREEMENT – HEALTH DEPARTMENT /
CONSULTANT SERVICE– APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Public Health Director did present an agreement for the provision of Consultant Services, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement Nick Cappelletti, 183 Falling Leaf Trail, Brockport, NY 14420, for the provision of Consultant Services for the period January 1, 2016 through September 30, 2016 at the all-inclusive rate of \$25.00 per hour, not to exceed \$2,500.

Budget Impact Statement: Expenses related to this contract, not to exceed \$2,500 and are fully funded through the FDA Grant.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 11 CONTRACT RENEWAL – NURSING HOME /MOBILE
IMAGING SERVICES– APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 43, duly adopted on February 13, 2014, did award a contract with Mobilex USA for the provision of mobile imaging services for the Genesee County Nursing Home, and

WHEREAS, The contract allows the Nursing Home the option of renewing the contract for four additional one-year periods upon mutual written consent of both parties, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract be extended for the first of these one-year renewals through February 28, 2017, and the Committee on Human Services does concur, and

WHEREAS, The contract shall be terminated upon transfer of ownership/operation of the Genesee County Nursing Home. 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 Mobilex USA, 3950 East Robinson Road, Suite 105, Amherst, New York 14228 for the provision of mobile imaging services effective March 1, 2016 through February 28, 2017 on a cost-per-service basis that is 45% below the Medicare fee schedule rate, with an additional 5% discount for payment within 30 days of invoice, and Be it further

RESOLVED, That this resolution is subject to review and approval by the County Attorney.

Budget Impact: Funds have been budgeted for this service

Legislature Bausch seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 12 CONTRACT RENEWAL – NURSING HOME/VENDING SERVICES – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, Resolution No. 26 duly adopted on January 23, 2013 did award a contract with Servomation Refreshments, Inc. for the provision of vending services at the Genesee County Nursing Home as a replacement for the employee cafeteria, and

WHEREAS, The contract allows for four (4) additional one-year renewal periods upon mutual written consent of both parties, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract be Extended for the third of these one-year renewals through February 28, 2017 and the Committee on Human Services does concur, and

WHEREAS, The contract shall be terminated upon transfer of ownership/operation of the Genesee County Nursing Home. 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 Servomation Refreshments, Inc., 111 Lumber Street, Canastota, New York, 13032 for the provision of vending services effective March 1, 2016 and continuing until February 28, 2017, and Be it further

RESOLVED, That this resolution is subject to review and approval by the County Attorney.

Budget Impact: There is no cost to the County

Legislature Deleo seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

A resolution requesting a Budget Amendment/Salary Schedule Amendment for a Nursing Home Intake Clerk was Tabled upon motion of Legislator Bausch seconded by Legislator Clattenburg. This was approved unanimously.

RESOLUTION NO. 13 2016 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/CASE MANAGER II POSITION-APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2016 Employee Salary Schedule to eliminate one (1) P.T. Chauffeur, in CSEA-General, Grade 4, and eliminating one (1) <FT Sr. Chauffeur, in CSEA-General, Grade 6, and eliminating one (1) PT Case Manager II, in CSEA-General, Grade 16, and creating one (1) F.T. Case Manager II, in CSEA-General, Grade 16-1 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 2016 Employee Salary Schedule by eliminating one (1) P.T. Chauffeur, in CSEA-General, Grade 4, and eliminating one (1) <FT Sr. Chauffeur, in CSEA-General, Grade 6, and eliminating one (1) PT Case Manager II, in CSEA-General, Grade 16, and creating one (1) F.T. Case Manager II, in CSEA-General, Grade 16-1 in the Employee Salary Schedule effective February 8, 2016.

Budget Impact Statement: Budget Impact for 2016: Annual savings of \$19,459.

Legislature Davis seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 14 2016 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/SECRETARY POSITION -APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2016 Employee Salary Schedule to eliminate one (1) P.T. Mental Health Clinical Therapist, in CSEA-General, Grade 19, and eliminating one (1) P.T. Secretary, in CSEA-General, Grade 9, and creating one (1) F.T. Secretary, in CSEA-General, Grade 9-1 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 2016 Employee Salary Schedule by eliminating one (1) P.T. Mental Health Clinical Therapist, in CSEA-General, Grade 19, and eliminating one (1) P.T. Secretary, in CSEA-General, Grade 9, and creating one (1) F.T. Secretary, in CSEA-General, Grade 9-1 in the Employee Salary Schedule effective January 21, 2016.

Budget Impact: Budget Impact for 2016: Annual savings of \$4,400.

Legislature DeJaneiro seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 15 2016 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/FILE ROOM ATTENDANT -APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2016 Employee Salary Schedule to eliminate one (1) P.T. Intake Clerk, in CSEA-General, Grade 7, and eliminating one (1) P.T. Registered Professional Nurse, in CSEA-General, Grade 16N, and creating one (1) F.T. File Room Attendant, in CSEA-General, Grade 7 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 2016 Employee Salary Schedule by eliminating one (1) P.T. Intake Clerk, in CSEA-General, Grade 7, and eliminating one (1) P.T. Registered Professional Nurse, in CSEA-General, Grade 16N, and creating one (1) F.T. File Room Attendant, in CSEA-General, Grade 7 in the Employee Salary Schedule effective January 21, 2016.

Budget Impact: Budget Impact for 2016: Annual savings of \$7,863.

Legislature Deleo seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 16 2016 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/TELEPHONE OPERATOR -APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2016 Employee Salary Schedule to eliminate one (1) F.T. Intake Clerk, in CSEA-General, Grade 7, and creating one (1) F.T. Telephone Operator, in CSEA-General, Grade 5 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 2016 Employee Salary Schedule by eliminating one (1) F.T. Intake Clerk, in CSEA-General, Grade 7, and creating one (1) F.T. Telephone Operator, in CSEA-General, Grade 5 in the Employee Salary Schedule effective January 21, 2016.

Budget Impact Statement: No Budget Impact for 2016: County savings approximately \$3,500 annually. Legislature Bausch seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 17 2016 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/STAFF PSYCHOLOGIST -APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2016 Management Employee Salary Schedule to eliminate one (1) F.T. Staff Psychologist, in Management Grade 7, 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 2016 Management Employee Salary Schedule by eliminating one (1) F.T. Staff Psychologist, in Management Grade 7, in the Management Employee Salary Schedule effective January 21, 2016.

Budget Impact Statement: No Budget Impact for 2016: Annual estimated County savings of \$15,000-\$20,000. Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 18 STEPPING UP TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS

Legislator Deleo offered the following resolution:

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year, and

WHEREAS, prevalence rates of serious mental illnesses in jails are three to six times higher than for the general public, and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders, and

WHEREAS, adults with mental illnesses tend to stay longer in jail and, upon release, are at a higher risk of recidivism than people without these disorders, and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs, and

WHEREAS, without the appropriate treatment and services, people with mental illnesses continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals and their families, and

WHEREAS, Genesee County and all counties take pride in their responsibility to protect and enhance the health, welfare, and safety of its residents in efficient and cost-effective ways, and

WHEREAS, Genesee County provides comprehensive Forensic Mental Health services to the jail including, assessments, evaluations, safety planning, & re-entry forensic case management for incarcerated individuals which acts as a diversion to returning to jail, and helps to enable a more productive re-entry into our community.

WHEREAS, through Stepping Up, the National Association of Counties, The Council of State Governments Justice Center, and the American Psychiatric Association Foundation are encouraging public, private, and nonprofit partners to reduce the number of people with mental illnesses in jails. Now, therefore, be it

RESOLVED, That the Genesee County Legislature, do hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees, and residents to participate in Stepping Up. We resolve to utilize the comprehensive resources available through Stepping Up to:

1. Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails;
2. Collect and review prevalence numbers and assess individuals' needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use that baseline information to guide decision making at the system, program, and case levels;
3. Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community;
4. Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers;
5. Implement research-based approaches that advance the plan; and
6. Create a process to track progress using data and information systems, and to report on successes.

Legislature Torrey seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 19 CONTRACT/SHERIFF/MONROE COUNTY –
ROCHESTER PSYCHIATRIC CENTER – RENEWAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Genesee County Sheriff did request the renewal of a contract with Monroe County for the provision of secure detention and forensic medical services, when needed, for Genesee County inmates, and

WHEREAS, the Committee on Public Service did review the Agreement and does recommend approval 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 a contract renewal with Monroe County, 39 West Main Street, Rochester, NY, to provide in-patient psychiatric services to Genesee County inmates at the Rochester Psychiatric Center at the rate of \$140.00 per day, per inmate, for a period effective January 1, 2016 through December 31, 2020.

Budget Impact: If the services are needed, funds will be appropriated from the Jail's Medical Account.

Legislature Davis seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 20 SURPLUS EQUIPMENT – SHERIFF’S OFFICE –
APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, Genesee County upgraded its 800 MHz Public Safety Radio and 9-1-1 Systems in February 2014, and the County was required to turn select equipment over to both Sprint /Nextel and Motorola as part of the 800 MHz Reconfiguration Agreement that was fulfilled May 5, 2015, and

WHEREAS, Genesee County contracted with Tatarka Technologies to remove, inventory, and grade the surplus Motorola 800 MHz Public Safety Radio and 9-1-1 System to include infrastructure base stations, microwave component, radio and 9-1-1 consoles, network switches, terminal (portable and mobile) radios, and ancillary equipment, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend this equipment be declared surplus property at this time. Now, therefore, be it

RESOLVED, That the Genesee County Legislature does hereby declare the surplus Motorola 800 MHz Public Safety Radio and 9-1-1 System surplus property to be disposed of through Request for Proposal.

Budget Impact: The funds from the disposal of the Request for Proposal will be used to offset costs associated with the Public Safety Radio System Upgrade Capital Project.

Legislature Deleo seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 21 CONTRACT AMENDMENT – SHERIFF’S OFFICE / PERICLE COMMUNICATIONS COMPANY – P25 800 MHZ COVERAGE IMPACT STUDY AND PERFORMANCE ANALYSIS – APPROVAL OF

Legislator Davis offered the following resolution:

WHEREAS, Genesee County approved a contract with Pericle Communications from Colorado Springs, CO, to provide an independent coverage impact study of the new Public Safety P25 800 MHz Radio System by Harris Corporation pursuant to resolution 259, dated July 11, 2013; and amendments to the contract pursuant to resolution 180, dated May 29, 2014; and resolution 73, dated February 26, 2015, and

WHEREAS, Genesee County received a New York Statewide Interoperable Communications Grant to improve the Genesee County Public Safety Radio System along with permission to utilize Pericle Communications as a sole source consultant for the planning and coverage assessment of the radio system upgrades, and

WHEREAS, After careful review by the Sheriff, Emergency Management Coordinator, County Attorney, and Director of Emergency Communications, it is recommended the County execute the amendment to the contract for a total cost of a statement of work not to exceed \$85,234.65; 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 and the Sheriff are authorized to amend the agreement with Pericle Communications Company, 7222 Commerce Center Drive, Suite 180, Colorado Springs, CO 80919, for the planning and coverage assessment of the radio system upgrades for a cost not to exceed \$85,234.65.

BUDGET IMPACT: The cost of this project will be offset by revenues from the 2014-15 NYS Department of Homeland Security and Emergency Services Statewide Interoperable Communications Grant funds (\$85,234.65).

Legislature Torrey seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 22 BUDGET AMENDMENT - SHERIFF/ REMAINING GRANT FUNDS– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Sheriff’s Office has several active grants with funds remaining that are available to be used in 2016, and

WHEREAS, These grants include one GTSC grant with available funds in the amount of \$22,356; one DCJS grant with available funds in the amount of \$10,000; and three DHSES grants with available funds totaling \$59,861, and

WHEREAS, The Sheriff is requesting a 2016 budget amendment to allow for the use of this grant funding, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 budget by increasing Sheriff’s appropriations as follows:

\$22,356 to A3110.1020.0700 (Overtime STEP Grant)
\$10,000 to A3110.2030.0030 (Sheriff’s Equipment)
\$59,861 to A3110.4800.0503 (Program Expense Homeland Security)

To be offset by increasing the following revenue accounts:

\$22,356 to A3110.4511 (Fed Aid Traffic Safety)
\$10,000 to A3110.3324 (State Aid Law Enf.)
\$59,861 to A3110.4305.2 (Fed Aid Homeland Security)

Budget Impact Statement: Increase in Sheriff’s 2016 appropriations in the amount of \$92,217, with money coming from remaining grant funds from three DHSES grants, one DCJS grant, and one GTSC grant; offset by increase in revenue in a like amount.

Legislature Bausch seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 23 BUDGET AMENDMENT - SHERIFF/REMAINING FUNDS -
VILLAGE OF BERGEN AND VILLAGE OF OAKFIELD
AGREEMENTS – APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Sheriff’s Office has Agreements with both the Village of Bergen and the Village of Oakfield to provide additional police services for each of the villages, and

WHEREAS, The term of the current Agreements is June 1, 2015 through May 31, 2016, and there are funds remaining for services, and

WHEREAS, The Sheriff is requesting a 2016 budget amendment to allow for the use of those funds through May 31, 2016, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 budget by increasing Sheriff’s appropriations as follows:

 \$9,896 to A3110.1020.0900 (OT – Bergen Patrols)

 \$9,179 to A3110.1020.1000 (OT – Oakfield Patrols)

To be offset by an increase in revenue account A3110.2804.1 (Shared Services-Additional Police Services) of \$19,075.

Budget Impact: Increase in Sheriff’s 2016 appropriations in the amount of \$19,075, with money coming from the following sources: \$9,896 from the 2015/2016 Agreement with the Village of Bergen for additional police services; and \$9,179 from the 2015/2016 Agreement with the Village of Oakfield for additional police services; with an increase in revenue of \$19,075.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 24 BUDGET AMENDMENT - SHERIFF/STOP-DWI PROGRAM
REMAINING FUNDS– APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Sheriff’s Office received grant funding from the Governor’s Traffic Safety Council for a High Visibility Road Check/Saturation Patrols/DRE Call-Out Program through the Genesee County STOP-DWI Program, and

WHEREAS, There is grant funding remaining in the amount of \$1,130 available to use in 2016, and

WHEREAS, The Sheriff is requesting a 2016 budget amendment to allow for the use of this grant funding, and

WHEREAS, The Committees on Public Service and Ways and Means did review this request and do recommend approval at this time. Now therefore be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2016 budget by increasing Sheriff’s appropriations as follows:

 \$1,130 to A3110.1020.0160 (DRE Overtime)

To be offset by increasing revenue account A3110.2804 (Shared Services) by \$1,130.

Budget Impact: Increase in Sheriff’s 2016 appropriations in the amount of \$1,130, with money coming from remaining grant funds received from the Genesee County STOP-DWI Program - Governor’s Traffic Safety Council’s High Visibility Road Check/Saturation Patrols/DRE Call-Out Program; to be offset by an increase in revenue of the same amount.

Legislature Deleo seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 25 APPOINTMENT –COUNTY PLANNING BOARD -
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, An application has been received from Pierluigi Cipollone of Batavia, 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 Pierluigi Cipollone of Batavia, New York to serve a three year term on the Genesee County Planning Board effective immediately through May 31, 2018.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 26 RFP REJECTION – COUNTY CLERK RECORD
MANAGEMENT SYSTEM RFP # 2015-110 – APPROVAL
OF**

Legislator Bausch offered the following resolution:

WHEREAS, The County of Genesee issued RFP 2016-110 for County Clerk Management System, and

WHEREAS, An inadequate number of vendors responded to the RFP, and

WHEREAS, The Purchasing Director does recommend all proposals be rejected and the RFP reissued in the pursuit of additional proposals. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to reject all proposals received through RFP 2016-110 and reissue the RFP in the pursuit of additional proposals.

Budget Impact: Additional proposals may provide the services for a lower amount than what is currently budgeted for in the 2016 County Clerk Department budget.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 27 CONTRACT – CENTRAL SERVICES/PRE-SORT MAIL
PROGRAM – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Purchasing Office did request quotes for a Pre-Sort Mail Program, which includes discounted postage on all mail up to three and a half (3.5) ounces first class letter, based on current USPS rates, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with IMS Direct, 655 Pullman Avenue, Rochester, New York 14615 to provide Genesee County with a Pre-Sort Mail Program for the period February 1, 2016 through January 31, 2017. This contract contains the option for an additional three (3) one-year renewal periods upon written agreement of both parties.

Budget Impact: Based on the volume of mail processed in 2015, the saving to the county would be approximately \$5,000.00.

Legislature Torrey seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 28 REAL PROPERTY TAX CORRECTIONS AND REFUNDS
2016 – TREASURER – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The New York State Real Property Tax Law §554 and §556, provide an administrative correction of errors process to assist the property owner in obtaining real property tax corrections and refunds caused by certain clerical errors, unlawful entries, and errors in essential fact, and

WHEREAS, The tax levying body can delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law §554 and Real Property Tax Law §556, and

WHEREAS, The Committee on Ways and Means does recommend that the Treasurer be delegated to perform said duties. Now, therefore Be it

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to carry out the requirements of §554 and §556 of the Real Property Tax Law, effective immediately, where the Real Property Tax Director's recommended correction or refund is two thousand five hundred dollars or less, and Be it further

RESOLVED, That on the fifteenth day of each month, the Genesee County Treasurer shall submit a report to the Genesee County Legislature of the corrections and refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the correction or refund, and the amount of the correction or refund.

Budget Impact: No immediate impact, correction and refund amounts will vary from year to year. Refunds are charged to allowance for uncollectible which has a balance of approximately \$104,944.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 29 CORRECTION TO TAX ROLLS – TREASURER / TOWN OF PAVILION – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has received an application for a correction to the tax roll in the Town of Pavilion, the Town passed a budget on November 10, 2015 that was subsequently filed with the County which had erroneously listed an amount of \$272,750.00 to be raised for the Pavilion Fire District tax, when in fact that amount should have read \$196,193.00, and

WHEREAS, The Director of Real Property Tax Services recommends and the Committee on Ways and Means concurs that this correction 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 corrected tax roll as submitted, and, Be it further

RESOLVED, That the 2016 tax warrant for the Town of Pavilion be reduced by \$76,557.00, the amount of the incorrectly levied fire district taxes in said Town, and, Be it further

RESOLVED, That the amount payable to the Town of Pavilion be reduced by \$76,557.00.

Budget Impact: No County impact. Revised total warrant for the Town of Pavilion is \$1,572,968.95.

Legislature Bausch seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 30 CONTRACT FOR ACTUARIAL SERVICES FOR GENESEE COUNTY SELF-INSURANCE PLAN – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Self-Insurance Plan did receive proposals for the provision of actuarial services for the plan for a three-year period 2016 – 2018, and

WHEREAS, The six proposals received were reviewed by a committee consisting of the Purchasing Officer, Assistant County Manager, Deputy Treasurer and Executive Secretary of the Plan, and

WHEREAS, The Review Committee did recommend contracting with S.G. Risk, LLC for actuarial services and the Committee on Ways and Means does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with S.G. risk, LLC, 1050 Wall Street, West, Suite 610, Lyndhurst, NJ 07071 for the provision of actuarial services for the Genesee County Self-Insurance Plan effective January 1, 2016 through December 31, 2018 at a cost of \$3,000 per year for an annual valuation plus \$1,500 for a mid-year valuation as requested, and Be it further

RESOLVED, This contract may be extended for two one-year periods upon mutual agreement at a cost of \$3,500 for an annual valuation plus \$1,750 for a mid-year valuation as requested for 2019 and \$4,000 for an annual valuation plus \$2,000 for a mid-year valuation as requested for 2020.

Budget Impact Statement: Funds for this report have been provided in the 2016 Self-Insurance budget and apportioned to the participants.

Legislature DeJaneiro seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 31 RATIFICATION OF – CSEA GENERAL UNION
CONTRACT FOR 2016 – 2019- BUDGET AMENDMENTS
AND TRANSFERS – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, An agreement has been reached between representatives of the Civil Service Employees Association General Unit, Local 819 Union and representatives of Genesee County on the terms of a four year contract for the period January 1, 2016 through December 31, 2019, and

WHEREAS, The implementation of this agreement for fiscal year 2016 will increase various revenues for some departments with respect of corresponding appropriations and it is necessary to amend the budget to account for these additional revenues and expenses, and

WHEREAS, The funds for the implementation of the remainder of this agreement for fiscal year 2016 have been included in the 2016 County Budget Contingency account and it is necessary to distribute these funds to the respective County department budgets, and

WHEREAS, The Committee on Ways and Means did review the Agreement and does recommend that said agreement be ratified at this time and that the associated budget amendments and transfers be approved. 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 General Unit, Genesee County Local 819 and the County of Genesee for the period January 1, 2016 – December 31, 2019, and Be it further

RESOLVED, That the Genesee County Legislature does hereby approve the following amendments and does hereby authorize the Budget Officer to effect these amendments into the 2016 County Budget:

INCREASE GENERAL FUND APPROPRIATIONS

A4010.1010.0000	Public Health, Personal Services	\$ 116
A6010.1010.0000	Social Services, Personal Services	\$31,807

INCREASE GENERAL FUND REVENUES

A4010.3401	Public Health, St. Aid, Public Health	\$ 116
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A6010.3601	Social Services, St. Aid Social Svc. Admn.	\$10,713
A6010.3619	Social Services, St. Aid, Child Care	\$ 258
A6010.4610	Social Services, Fed Aid, Soc Serv Adm	\$20,751
A6010.4615	Social Services, FFFS-Flexible Fund/Family	\$ 85

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfers in the 2016 County Budget:

\$115,728	from A.1990.4800.0000	Contingency
\$1,551	to A1165.1010.0000	District Attorney, Personal Services
\$97	to A1165.8010.0000	District Attorney, Social Security
Tax		
\$23	to A1165.8011.0000	District Attorney, Medicare Tax
\$205	to A1165.8020.0000	District Attorney, Retirement
\$3,160	to A1170.1010.0000	Public Defender, Personal Services
\$196	to A1170.8010.0000	Public Defender, Social Security Tax
\$45	to A1170.8011.0000	Public Defender Medicare Tax
\$383	to A1170.8020.0000	Public Defender, Retirement
\$2,761	to A1325.1010.0000	Treasurer, Personal Services
\$171	to A1325.8010.0000	Treasurer, Social Security Tax
\$40	to A1325.8011.0000	Treasurer, Medicare Tax
\$469	to A1325.8020.0000	Treasurer, Retirement
\$4,102	to A1410.1010.0000	County Clerk, Personal Services
\$253	to A1410.8010.0000	County Clerk, Social Security Tax
\$60	to A1410.8011.0000	County Clerk, Medicare Tax
\$622	to A1410.8020.0000	County Clerk, Retirement
\$4,750	to A1411.1010.0000	Auto Bureau, Personal Services
\$295	to A1411.8010.0000	Auto Bureau, Social Security Tax
\$69	to A1411.8011.0000	Auto Bureau, Medicare Tax
\$761	to A1411.8020.0000	Auto Bureau, Retirement
\$607	to A1430.1010.0000	Human Resources, Personal Services
\$37	to A1430.8010.0000	Human Resources, Social Security
Tax		
\$9	to A1430.8011.0000	Human Resources, Medicare Tax
\$97	to A1430.8020.0000	Human Resources, Retirement
\$7,786	to A1610.1010.0000	Central Services, Personal Services
\$484	to A1610.8010.0000	Central Services, Social Security Tax
\$111	to A1610.8011.0000	Central Services, Medicare Tax
\$1,191	to A1610.8020.0000	Central Services, Retirement
\$1,256	to A1680.1010.0000	Information Technology, Personal
Services		
\$83	to A1680.8010.0000	Information Technology, Social
Security		
\$20	to A1680.8011.0000	Information Technology, Medicare
Tax		
\$198	to A1680.8020.0000	Information Technology, Retirement
\$842	to A3020.1010.0000	Communication System, Personal
Services		

\$53	to A3020.8010.0000	Communication System, Social
Security		
\$13	to A3020.8011.0000	Communication System, Medicare
Tax		
\$135	to A3020.8020.0000	Communication System, Retirement
\$1,978	to A3110.1010.0000	Sheriff, Personal Services
\$123	to A3110.8010.0000	Sheriff, Social Security Tax
\$29	to A3110.8011.0000	Sheriff, Medicare Tax
\$317	to A3110.8020.0000	Sheriff, Retirement
\$11,236	to A3140.1010.0000	Probation, Personal Services
\$697	to A3140.8010.0000	Probation, Social Security Tax
\$162	to A3140.8011.0000	Probation, Medicare Tax
\$1,697	to A3140.8020.0000	Probation, Retirement
\$1,782	to A3150.1010.0000	Jail, Personal Services
\$111	to A3150.8010.0000	Jail, Social Security Tax
\$26	to A3150.8011.0000	Jail, Medicare Tax
\$285	to A3150.8020.0000	Jail, Retirement
\$5,316	to A3151.1010.0000	Genesee Justice, Personal Services
\$329	to A3151.8010.0000	Genesee Justice, Social Security Tax
\$77	to A3151.8011.0000	Genesee Justice, Medicare Tax
\$572	to A3151.8020.0000	Genesee Justice, Retirement
\$626	to A3640.1010.0000	Emergency Management, Personal
Svcs		
\$39	to A3640.8010.0000	Emergency Management, Soc. Sec.
Tax		
\$9	to A3640.8011.0000	Emergency Management, Medicare
Tax		
\$100	to A3640.8020.0000	Emergency Management, Retirement
\$8	to A4010.8010.0000	Public Health, Social Security Tax
\$2	to A4010.8011.0000	Public Health, Medicare Tax
\$66	to A4010.8020.0000	Public Health, Retirement
\$28,312	to A6010.1010.0000	Social Services, Personal Services
\$3,727	to A6010.8010.0000	Social Services, Social Security Tax
\$872	to A6010.8011.0000	Social Services, Medicare Tax
\$9,076	to A6010.8020.0000	Social Services, Retirement
\$563	to A6510.1010.0000	Veterans Service, Personal Services
\$35	to A6510.8010.0000	Veterans Services, Social Security
Tax		
\$9	to A6510.8011.0000	Veterans Services, Medicare Tax
\$90	to A6510.8020.0000	Veterans Services, Retirement
\$6,068	to A6772.1010.0000	Office for the Aging, Personal
Services		
\$377	to A6772.8010.0000	Office for the Aging, Social Security
Tax		
\$88	to A6772.8011.0000	Office for the Aging, Medicare Tax
\$773	to A6772.8020.0000	Office for the Aging, Retirement

\$1,482	to A7110.1010.0000	County Park, Personal Services
\$92	to A7110.8010.0000	County Park, Social Security Tax
\$22	to A7110.8011.0000	County Park, Medicare Tax
\$238	to A7110.8020.0000	County Park, Retirement
\$1,637	to A7310.1010.0000	Youth Bureau, Personal Services
\$104	to A7310.8010.0000	Youth Bureau, Social Security Tax
\$24	to A7310.8011.0000	Youth Bureau, Medicare Tax
\$203	to A7310.8020.0000	Youth Bureau, Retirement
\$854	to A7510.1010.0000	History, Personal Services
\$53	to A7510.8010.0000	History, Social Security Tax
\$13	to A7510.8011.0000	History, Medicare Tax
\$99	to A7510.8020.0000	History, Retirement
\$826	to A8020.1010.0000	Planning, Personal Services
\$51	to A8020.8010.0000	Planning, Social Security Tax
\$12	to A8020.8011.0000	Planning, Medicare Tax
\$77	to A8020.8020.0000	Planning, Retirement
\$1,429	to A9901.9000.0000	Transfer to County Road

and, Be it Further

RESOLVED, That the Genesee County Treasure is hereby authorized and directed to amend the 2016 budget by increasing County Road Fund Appropriations:

\$1,228	D5010.1010.0000	Administration, Personal Services
\$76	D5010.8010.0000	Administration, Social Security Tax
\$18	D5010.8011.0000	Administration, Medicare Tax
\$107	D5010.8020.0000	Administration, Retirement

to be offset by an increase in County Road Fund Revenue

\$1,429	D5010.5031	Interfund Transfer
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Budget Impact: Additional costs associated with contract settlement were included in the 2016 Adopted Budget; Additional Salary = \$87,495; Social Security = \$7,523; Medicare = \$1,809; Retirement = \$17,472

Legislature DeJaneiro seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 32 CONTRACT FOR GRANTS WRITING CONSULTANT SERVICES - AWARD OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Quotations for Grant Writer Services for Genesee County and three quotations were received and the Genesee County Manager did review said responses, and

WHEREAS, The Genesee County Manager does recommend the award of services to LaBella Associates D.P.C (Formerly Stuart I. Brown Associates). for a two year period commencing January 1, 2016, and ending December 31, 2017 based on the company's experience and tenure with working in and with the County on a number of outside funding requests, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the firm of LaBella Associates, DPC, 300 State Street, Suite 201, Rochester, NY for grants writer consultant services for Genesee County at the rate of \$90 per hour of service for a total expenditure not to exceed \$5,000 annually for grant

preparation, facilitation and application services for the period January 1, 2016 through December 31, 2017.

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

Legislature Davis seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 33 RESCIND RESOLUTION NO. 499-15 – BUDGET
AMENDMENT-CHAMBER OF COMMERCE-APPROVAL
OF**

Legislator Bausch offered the following resolution:

WHEREAS, Resolution No. 499-15 did request an amendment to the 2015 County Budget that authorized the Genesee County Chamber of Commerce to use the bed tax reserve for the purchase of and renovations of the building existing at 8276 Park Road in the Town of Batavia to relocate the Genesee County Chamber of Commerce and the Tourism Promotion Agency and its associated Visitors' Center, and

WHEREAS, The County Treasurer did notify the Legislature that not all of the money was accounted for in the 2015 Bed Tax Reserve account to allow for the requested amendment to the budget when the original resolution was passed and that resolution 499-15 should be rescinded. Now, therefore, Be it

RESOLVED, The Genesee County Legislature does hereby rescind resolution 499-15 that was adopted on December 9, 2015.

Legislature Torrey seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

**RESOLUTION NO. 34 APPOINTMENT-CLERK TO THE LEGISLATURE-
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

RESOLVED, That Pamela LaGrou of Alabama, New York be and hereby is appointed as Clerk to the Legislature, Grade 111 effective January 25, 2016.

Legislature Davis seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

RESOLUTION NO. 35 COUNTY AUDIT – JANUARY 20 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Bausch did review the following claims:

2015 General Fund	\$	336,412.00
2016 General Fund		583,073.98
2015 Highway		206,699.07
2015 Nursing Home		368,981.95
2016 Nursing Home		94,355.91
2015 Water		485,726.18
2015 Self Insurance		6,466.11
2016 Self Insurance		55.00
DSS Abstracts		229,176.49

2015 Capital Projects:

GCC Wellness and Event Center	109,919.23
DeWitt Park Utility Extensions/Security Improvements	65.03
Airport T Hangar Taxiway Apron Phase III	2,822.81

Airport Perimeter Fence Relocation	3,975.00
Airport Construct New Terminal & Maintenance Hangar	434,994.46

Payroll – General & Nursing Home

January 8, 2016	1,285,012.54
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Medicaid

January 12, 2016	177,425.00
January 19, 2016	<u>177,425.00</u>

Total Audit	\$ 4,502,585.76
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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.

Legislature Clattenburg seconded the resolution which was adopted by 283 votes, Legislator Stein (43) absent.

The meeting was adjourned at 5:49 PM upon motion of Legislator Davis seconded by Legislator Clattenburg.